



**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. 05/15

Date to Members: 30/01/15

Member's Deadline: 05/02/15 (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:

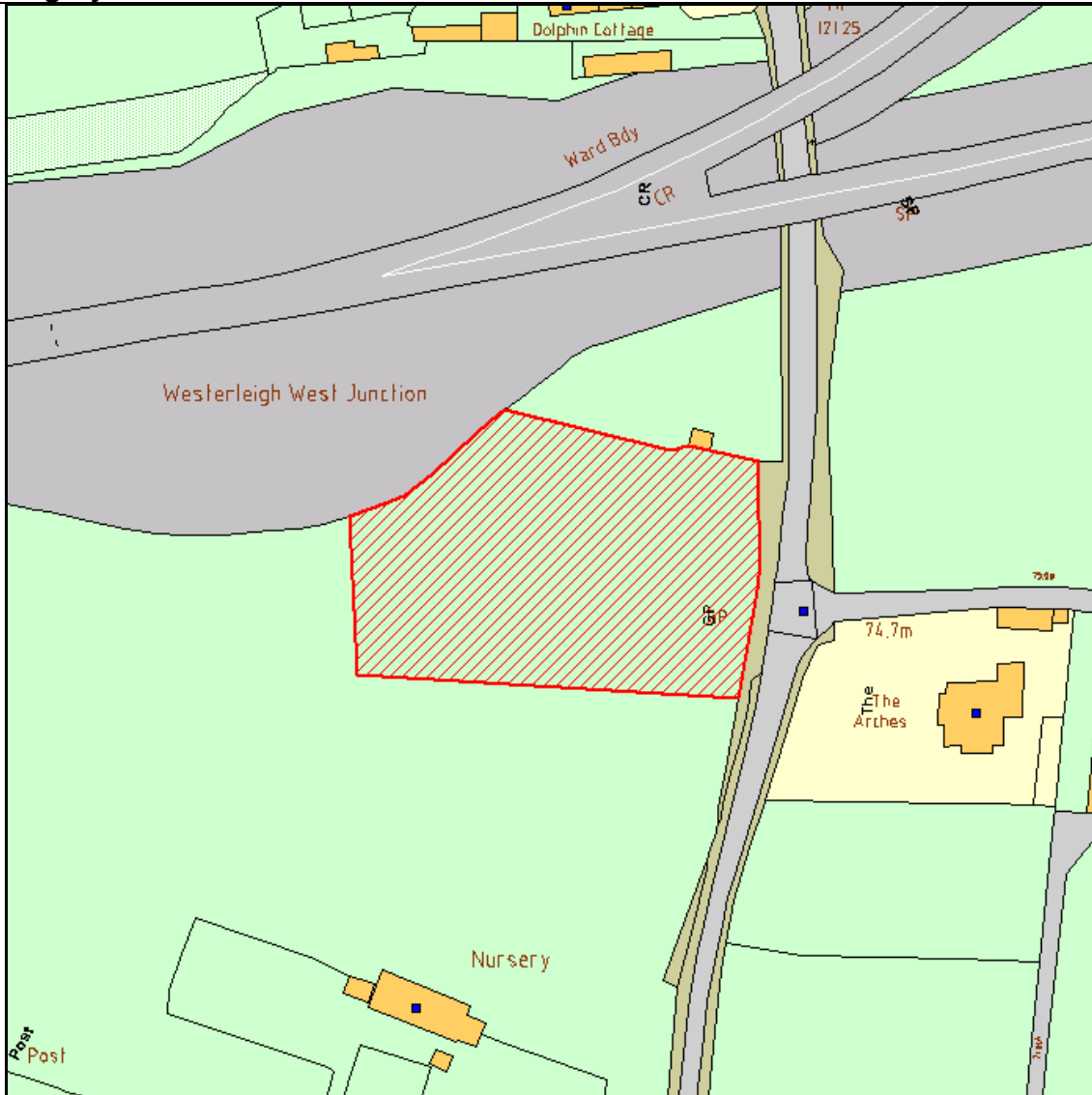
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 - 30 JANUARY 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/4232/F	Approve with Conditions	Top Yard Westerleigh Road Westerleigh South Gloucestershire	Westerleigh	Westerleigh Parish Council
2	PK14/4563/RVC	Approve with Conditions	Central Stores 1 Poplar Road Warmley South Gloucestershire BS30 5JX	Oldland	Bitton Parish Council
3	PK14/4665/F	Approve with Conditions	37 Stanley Road Warmley South Gloucestershire BS15 4NX	Siston	Siston Parish Council
4	PK14/4730/CLP	Approve with Conditions	42 Overdale Road Downend South Gloucestershire BS16 2RT	Downend	Downend And Bromley Heath Parish Council
5	PK14/4770/CLP	Approve with Conditions	70 Riding Barn Hill Wick South Gloucestershire BS30 5PA	Boyd Valley	Wick And Abson Parish Council
6	PK14/4832/CLE	Approve	Barnside Cottage Newhouse Farm Lane Hawkesbury South Gloucestershire GL9 1BW	Cotswold Edge	Hawkesbury Parish Council
7	PK14/4877/F	Approve with Conditions	40 Hunters Road Hanham South Gloucestershire BS15 3EU	Hanham	Hanham Parish Council
8	PK14/4916/F	Approve with Conditions	7 Hibbs Close Marshfield Chippenham South Gloucestershire SN14 8LN	Boyd Valley	Marshfield Parish Council
9	PK14/5019/CLP	Approve with Conditions	15 Lower Chapel Road Hanham South Gloucestershire BS15 8SH	Hanham	Hanham Parish Council
10	PK14/5020/CLE	Approve	Courtlands Farm Mill Lane Old Sodbury BS37 6SH	Cotswold Edge	Sodbury Town Council
11	PT14/4383/F	Approve with Conditions	1 Vicarage Road Pilning South Gloucestershire BS35 4LN	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
12	PT14/4518/ADV	Approve with Conditions	Thornbury Leisure Centre Thornbury Road Thornbury South Gloucestershire BS35 3JB	Thornbury South And	Thornbury Town Council
13	PT14/4617/F	Approve with Conditions	Westerleigh Quarry Road Alveston South Gloucestershire BS35 4BT	Thornbury South And	Alveston Parish Council
14	PT14/4795/F	Approve with Conditions	56 Courtlands Bradley Stoke South Gloucestershire	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
15	PT14/4887/F	Approve with Conditions	Rockleaze Colin Close Thornbury South Gloucestershire BS35 2JD	Thornbury North	Thornbury Town Council

CIRCULATED SCHEDULE NO.05/15 – 30 JANUARY 2015

App No.:	PK13/4232/F	Applicant:	The Tenants
Site:	Top Yard Westerleigh Road Westerleigh Bristol South Gloucestershire	Date Reg:	20th November 2013
Proposal:	Change of use of land for the siting of 5 no. showman plots, 4 no. storage containers and associated works (retrospective).	Parish:	Westerleigh Parish Council
Map Ref:	369998 180198	Ward:	Westerleigh
Application Category:	Minor	Target Date:	10th January 2014



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100023410, 2014.

N.T.S.

PK13/4232/F

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the letters of objection that have been received contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the establishment of a travelling showpeoples site to include 5 plots, 4 storage containers and associated parking and access. The application site lies in the open countryside and in the green belt. The application is retrospective in that the site is already occupied by the showpeople. Access to the site would be via an existing access onto the main Westerleigh Road.
- 1.2 The application site lies just outside of the northern edge of the village of Westerleigh adjacent to the railway. The application was originally for 6 showpersons plots but during the course of the application, one member left the site and so the proposal is now for five plots – the description has been amended accordingly. Each of the pitches includes one static vehicle and one touring vehicle. Five storage units are proposed to be shared amongst all residents. There are also communal facilities in the form of a wash station, toilet and water point. The proposal includes space for three rigid lorries and 5 vans.
- 1.3 The application is made for a temporary five year period. This will be discussed further in the main body of the report.
- 1.4 The showpeople on site do not own the land – instead they rent it. During the course of the application (due to a death) there was a change in land ownership. Correct notice was served on the trustees of the estate.
- 1.5 The application was also initially made as a gypsy and traveller site. However, during the course of the application and in conjunction with the Councils Gypsy and Traveller Liaison Officer, it was agreed that the occupant are indeed showpeople (as defined in Annex 1 to the Planning Policy for Traveller Sites). The description was amended accordingly.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
NPPF accompanying document Planning Policy for Traveller Sites March 2012
Ministerial Statement by the Rt. Hon. Brandon Lewis MP 2 July 2013.
Planning Practice Guidance March 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement
L9 Species Protection

T12	Transportation Development Control Policy
EP2	Flood Risk and Development
EP4	Noise Sensitive Development

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

CS1	High Quality Design
CS5	Location of Development
CS9	Managing the Environment and Heritage
CS22	Travelling Showpeople
CS34	Rural Areas

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD Adopted August 2007
 Development in the Green Belt SPD Adopted June 2007
 South Gloucestershire Council Residential Parking Standards Approved 2013.

DCLG – Designing Gypsy and Traveller Sites Good Practice Guide

2.4 Emerging Policies Sites and Places DPD

As members will be aware, the Policies Sites and Places DPD is currently out for public consultation. It is at an early stage and therefore holds limited weight in the determination of the application as the wording of the policy may change following the public consultation and examination in public.

Members may however find it helpful in explaining the direction policies on Gypsy and Traveller sites may go. Proposed Policy PSP41 of this emerging DPD relates specifically to provision for travelling show people and highlights the need to provide 23 additional travelling show people plots over the period 2013 to 2028.

This site is not specifically listed in the emerging DPD as an allocated gypsy and traveller site.

2.5 Consultation Document – Planning and Travellers

In September 2014, the Government published a consultation document on potential changes to the way applications for travellers are considered. Although your officer is aware of the contents of this document, given that it is a consultation paper only and not accompanied by a supporting ministerial statement or letter, no weight can be given to this document in the determination of this planning application.

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/3461/CLE Application for Certificate of Lawfulness for the existing use of land for storage of vehicles and materials. (Resubmission of PT12/1178/CLE).
Refused December 2012
- 3.2 PT12/1178/CLE Certificate of lawfulness for the existing use of land for storage of vehicles and materials and the residential use of caravans.
Withdrawn June 2006

- 3.3 PT04/3357/F Change of use of land from agricultural to operational railway use and erection of plant for railway signalling. Construction of new access with associated fencing and landscaping works.
Withdrawn November 2004
- 3.4 PT03/2023/F Change of use of land from agricultural to operational railway use and erection of plant for railway signalling.
Refused August 2003
- 3.5 PT02/3643/F Retention of two polytunnels in association with nursery.
Approved January 2003
- 3.6 PT02/3640/F Retention of two polytunnels in association with nursery.
Approved January 2003
- 3.7 P96/2491 Retention of unauthorised building for use in connection with the horticultural/agricultural use of the land.
Refused June 1998
- 3.8 P95/1913 Certificate of lawfulness for the use of land for the tipping of inert waste as and when material is available in order to improve drainage of the land by raising its level towards that of the surrounding land.
Approved June 1995
- 3.9 P88/3315 Land filling and restoration to agricultural use.
Refused 1989
- 3.10 N2892 Use of land for the tipping of controlled waste.
Refused 1976

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council

Although the parish council has previously supported traveller sites, we were assured that such sites would be spread across the County. This new application represents saturation of such sites in a small Parish. The Parish council has serious concerns regarding highway issues as the entrance to the site is almost opposite Besom Lane which is difficult to get in and out of at the best of times. With other surrounding pockets of land available from time to time, our Council considers that this application could be Phase I of a larger development.

4.2 Westerleigh Parish Council

Objects on the basis that Westerleigh has enough provision for traveller sites

4.3 Other Consultees

Landscape Architect

In the event that planning permission is granted, conditions are recommended to secure screen planting

Drainage

Further details on means of drainage and pollution control are necessary

Highway Officer

Recommends conditions

Environmental Protection

No Objection

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies in the green belt and in the open countryside. The Government attaches great importance to Green Belts – substantial weight must be given to any harm to the openness of the Green Belt. In considering this application, it is necessary to consider whether the proposed development is appropriate development in the green belt. If it is found to represent inappropriate development, very special circumstances must then be demonstrated. Policy CS22 of the Adopted Core Strategy sets out the criteria that will taken into consideration when assessing applications for travelling showpeople. The key issues for consideration are the environmental effects, noise and other pollution, impact on residential amenity, access and parking and proximity of local services.

5.2 Policy CS22 of the South Gloucestershire Core Strategy (Adopted) confirms that provision will be made for travelling showpeople through the Policies Sites and Places DPD. The policy also is clear in stating that '*unallocated sites in the green belt will only be acceptable where it can be demonstrated that very special circumstances exist*'. The Draft Policies Sites and Places DPD is not yet formally adopted and therefore only very limited weight can be attached to it. Draft Policy PSP41 confirms that over the period 2013 – 2028, the Council will be required to provide 23 travelling showpeople plots.

5.3 Planning Policy for Traveller Sites (PPTS) was published by the Government on 23 March 2012. The PPTS is a material consideration in the determination of planning applications and should be taken into account by Local Planning Authorities in the determination of planning applications. The overall aims of the document can be summarised as ensuring that outstanding need for travellers (including both Gypsy and Travellers and travelling showpeople) are addressed by Local Planning Authorities and that sites should be located in sustainable and appropriate locations.

5.4 Green Belt Policy

Paragraph 89 of the NPPF set outs the limited categories of development that may be considered acceptable in the green belt. It states that '*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield*

land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it' may be considered acceptable development.

- 5.5 The development of travelling showpeoples sites is not one of the limited forms of development that may be considered 'appropriate development' in the Green Belt. It is therefore inappropriate development that is, by definition, harmful to the Green Belt. Policy E of the Planning Policy for Traveller Sites (PPTS) also states that showpersons sites in the Green Belt are inappropriate development. However, there is a clear statement within Core Strategy policy CS5 (point 6) that only where national policy on Green Belt allows will development be permitted.
- 5.6 The NPPF at paragraph 89 provides exceptions to the construction of new building as being inappropriate in Green Belt. One of these is for limited infilling or partial or complete redevelopment of previously developed sites, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 5.7 Annex 2 to the NPPF gives the definition of previously developed land. It clarifies that previously developed land excludes '*land that has been developed for minerals extraction or waste disposal where provision for restoration has been made through development control purposes*'. Key here, is the history as set out in section 3.8. In 1995 a certificate of lawfulness was granted on the site for 'the use of land for the tipping of inert waste'. The certificate was approved and no conditions relating to site restoration were attached. The land therefore qualifies as previously developed land for the purposes of the NPPF.
- 5.8 In accordance with the NPPF, having established that the site falls within the definition of previously developed land, it is then necessary to consider whether the proposed use would have a greater impact on the openness of the Green Belt than the extant use or conflict with the purpose of including land within it.
- 5.9 In terms of considering the potential impact of the extant use on the openness of the green belt, weight has been given to the ambiguity of the wording of the certificate of lawfulness. The precise wording of the certificate of lawfulness was 'Certificate of lawfulness for the use of land for the tipping of inert waste as and when material is available in order to improve drainage of the land by raising its level towards that of the surrounding land.' There is no clarification on the height to which the land could be raised, and given that the site sits next to the raised railway line, an argument could be made that the land level could be raised up to this level. It should also be noted that the certificate of lawfulness covered a much larger area than the area affected by this current application. As conditions cannot be attached to certificates of lawfulness, there were no restrictions to limit the temporary stationing of vans, stockpiles, earth moving equipment, vehicles and plant etc on the site all of which could be on top of the raised land and all have a significant visual impact on the openness of the green belt.

- 5.10 By means of comparison, the proposed use of the site as a showpeoples site would allow for the imposition of regulatory conditions that could actually prevent the issues in 5.9 from occurring. Subject to conditions preventing outside storage of materials, the imposition of a native landscaping scheme etc, the visual impact on the openness of the green belt could actually be improved.
- 5.11 The development is confined to the areas that constitute previously developed land and as such would not result in encroachment into the countryside and therefore would not conflict with the purposes of including land within the green belt. It is therefore considered that the principle of development is acceptable and the development is considered 'appropriate' development within the green belt in accordance with policy CS5 of the South Gloucestershire Core Strategy and guidance contained within the NPPF and PPTS.
- 5.12 As the development is considered to be 'appropriate development' there is no requirement on the applicant to demonstrate 'very special' circumstances.
- 5.13 Landscape Considerations
The site is located in the Green Belt between Yate and Westerleigh. It sits to the south of a railway embankment running east/west and just across a field from another railway track running north/south. There is a Major Recreational Route running east to west to the south of the site and a public footpath running north/south to the west.
- 5.14 The existing vehicles and containers on the site can be seen from the open countryside and public footpaths to the south and west of the site. From these directions they are seen against the backdrop of the railway embankment and attractive viaduct, and within a panorama containing a variety of buildings within Westerleigh and electricity pylons beyond the site to the north and east. Despite the existing man made structures the area has a strong rural character and the vehicles currently stored on site are having a detrimental impact on the visual amenity of the area.
- 5.15 There is a mound and a wide verge of vegetation on the eastern boundary of the site. The vehicles can be seen through the metal gates across the access to the site and glimpsed through the vegetation. Replacing the metal gate with a solid gate would help reduce the visual impact of the proposed caravans and storage containers. The vegetation could also be fortified with additional planting and thickened up through careful management.
- 5.16 The railway embankment screens views of the site from the north, however the vehicles would be visible for a short section of the road through a gappy and over grown hedge on the northern boundary of the site. The visual impact of the caravans and storage containers could be reduced by reinforcing this hedge. As demonstrated by the existing situation, currently vehicles stored on the site the are visible from the open countryside to the south and west, including views from a Major Recreational Route and a public footpath. In its current condition, the councils landscape officer objects to the scheme. However, it is also accepted that the approval of a detailed landscape plan and five year maintenance plan could significantly reduce this impact and overcome the objection.

- 5.17 In considering this application, your officer has also been mindful of the fact that the application is for showpeople rather than gypsies. This is important because the showpeople on the site live in vans/camperhomes and converted vehicles rather than the mobile homes seen more commonly on gypsy and traveller sites. Rather than conditioning that details of each vehicle, storage unit or communal facility on site must be submitted for approval, because these features may reasonably be expected to change regularly, a condition will be attached to ensure that the vehicles, storage units and communal facilities on site do not exceed the footprints as shown on drawing B/WESTERLEIGH/002revC or exceed a height of three metres.
- 5.18 To further protect the character and appearance of the landscape, a condition will be attached to prevent external storage. Although the proposal is not for a personal consent (such a condition would not meet the text of a condition as set out on Para 204 of the NPPF because the proposal is acceptable in principle and is not based on a very special circumstances argument) the current occupiers of the site do not require additional outside storage over and above that within the storage units. Should the current residents vacate and new residents move on, it is accepted that external storage may be necessary to facilitate the showpersons natural way of life but the location of external storage and additional landscaping will need to be given future consideration.
- 5.19 Specifically being mindful of the extant certificate of lawfulness as explored in section 5.9, subject to the attachment of the conditions discussed above there is no objection to the proposal in terms of landscape and visual amenity.
- 5.20 Environmental Effects
Policy CS22 requires consideration of the environmental effects of a proposal. In this instance, the key consideration is the use of the human compost toilet. The Councils drainage engineers formal response is an objection to the application on the basis that the application doesn't demonstrate that the risk of flooding and pollution arising from this human compost toilet have been overcome - particularly how the liquid effluent from the toilet would be catered for. It should be noted that the councils environmental protection team have not raised any objection to the proposal.
- 5.21 In response to the concern of the drainage engineer, the agent offered working examples of where human compost toilets have been used successfully elsewhere with no pollution issues. The agent also advised that a septic tank could be installed if agreement on the human compost toilet could not be reached.
- 5.22 In assessing the application, your officer is conscious that the issue of the toilet was never resolved. However, in the event that the human compost toilet could not be agreed, other workable options in the form of a septic tank or even a cess pool are possibilities. It would therefore be entirely unreasonable to refuse the application on this basis. Subject to the attachment of a condition ensuring that drainage and waste details are agreed and implemented, there is no objection to the proposal in terms of its environmental effects.

5.23 Noise disturbance/Air Pollution/Smell/Dust or Contamination

In considering this, again officers are mindful that the environmental protection team have not raised any objection to the proposal. It is true that the site lies very close to the railway embankment and both passenger and goods trains pass the site on a regular basis. This will inevitably result in some noise disturbance for the residents. However, given that the same railway line then continues to pass many dwellings on the residential estate of Shire Way at a similar elevated, proximity, it would be entirely unreasonable to raise an objection on this basis.

5.24 Given that the CLE was for the tipping of inert waste only, and that the proposed residential units will be 'parked' on top of the ground rather than dug into it, the risk from contamination is negligible. Similarly, the site is not subject to any excessive issues of air pollution, smell or dust than the surrounding residential dwellings.

5.25 Residential Amenity

The site is well separated from neighbouring residential dwellings with the nearest neighbour being The Arches on the opposite side of Westerleigh Road. Given the separation distances, it is not considered that this neighbour would suffer as a result of loss of privacy, overlooking or overbearing. Impact on existing levels of residential amenity is therefore deemed to be acceptable.

5.26 Access and Parking

Having assessed the development site, highway officers conclude that the right hand side exiting visibility at the access may be achieved within the highway boundary, but that this will require some vegetative removal. Regarding left hand side exiting visibility (LHS), this is constrained by ownership (control) outside of the application site. In order to determine whether the constrained LHS visibility represents a material safety issue, the accident record for the area has been consulted. Whilst the results indicate that no injury accident has occurred since 2004, a single slight injury accident did occur at the site entrance.

5.27 In order to determine whether the single accident record is a material consideration, an assessment of intensification of use of the access has been undertaken. In this regard, the extant use of an inert waste tip would likely have limited trip generation, whereas the proposals for 5 travellers plots would generate daily vehicle and pedestrian trips to local amenities and places of work. Conversely, the showpeople may not actually even be on site for large period of the year while they travel to work at shows and fairs around the country. However, in order for the LHS visibility to create a material concern, vehicles travelling along the main highway would have to undertake over-taking manoeuvres to be unseen and this would be unlikely to occur due to proximity with the railway bridge.

5.28 Ample on site parking and turning space is provided to ensure vehicles can park easily and manoeuvre both into and out of the site in a forward gear.

5.29 In conclusion, whilst the access facilities may be considered substandard against latest guidance, the material implication of this is lessened through local

highway features. Whilst the access facilities for vehicles may be considered suitable for the low level of proposed usage, i.e. that associated with 5 plots, the pedestrian facilities are substandard (sustainability and suitability of this is discussed in paragraph 5.31 below). Subject to this assessment below, subject to the attachment of a condition to ensure the provision and maintenance of suitable visibility splays, the highway officer does not raise any objection to the proposal.

5.30 Local Services and Facilities

Information submitted by the applicant advised of the following local facilities:

- Westerleigh, the local village (3mins walk) has 2x cafés, the Wotnot shop, 3x mechanics, post box, 2x pubs, church, various professional services
- There is a doctors surgery within 0.7 miles
- There is a primary school within 0.81 miles
- There is a secondary school within 1.8 miles.

In addition to the above, your officer adds that the Immanuel Christian (Primary) School is only 215 metres from the application site.

5.31 Having established that the site is adequately served by facilities it is then necessary to consider whether they are accessible. Your officer is able to confirm that there is a footway linking the site to the village of Westerleigh and also out to the Immanuel school to the north – shortly after which the footpath stops. It is indeed true that the footpath is not (in places) at a standard width and does have pinch points. It is absolutely accepted that residents would be reliant on the car or public transport to access services such as the doctors or a secondary school but this is the same for all other residents of Westerleigh.

5.32 The site is considered to be suitable for showpersons accommodation. The site is sufficiently well located to be served by local facilities and therefore no objection is raised in this respect.

5.33 Temporary five year consent

The application is for a temporary five year consent. In deciding whether a temporary permission is appropriate, three main factors should be taken into account. Firstly, it will rarely be necessary to give a temporary permission to an applicant who wishes to carry out development which conforms with the provisions of the development plan. Next, it is undesirable to impose a condition requiring the demolition (after a stated period) of a building that is clearly intended to be permanent. Lastly, the material considerations to which regard must be had in granting any permission are not limited or made different by a decision to make the permission a temporary one.

5.34 Given that the proposed development conforms with the provisions of the development plan, it is not considered that a temporary condition would satisfy the tests of a condition as set out in the NPPF – in that it is not necessary to make the development acceptable. Furthermore, given then conditions, certain works such as a possible septic tank and landscaping are both considered to be more than temporary in nature, again a temporary consent is not appropriate. To attach such a condition restricting the use for a temporary

period only would also require a reason quoting an adopted policy. As the proposal is policy compliant, the recommendation is for a permanent rather than a temporary consent. Therefore, your officer recommendation is that a permanent consent is acceptable and the description has been amended accordingly.

5.35 Other Issues

In considering the application, your officer is mindful of the comments made by the Parish Council about the number of other traveller sites in the Parish. It is indeed a requirement of the PPTS, to ensure that the scale of traveller development does not dominate the nearest settled community.

5.36 In this respect there is a distinction between gypsy and traveller sites and showpeoples sites. Although 2 gypsy and traveller sites are allocated in Westerleigh through policy CS21 of the Adopted Core strategy, there are no other showpeoples sites in the village. Notwithstanding this, cumulatively, the provision of five showpersons plots added to the existing traveller pitches would not dominate the settlement of Westerleigh.

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 following conditions:

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. No more than five static vehicles/caravans and five touring caravans/trucks shall be stationed on the site at any one time. No buildings other than those marked 1B, 2B, 3B, 4B or 5B on drawing B/WESTERLEIGH/002revC received by the Council on 23rd March 2014 may be used for residential occupation whilst on the site.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and to accord with Planning

Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

2. There shall be no outside storage on the site.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and to accord with Planning Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

3. If the land ceases to be occupied as travelling showpersons site, all caravans, vehicles, storage units, structures, materials and equipment brought on to the land in connection with the use, shall be removed. Within 6 months of that time the land shall be restored to its condition before the use commenced.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and to accord with Planning Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

4. Within three months of the date of this decisions, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the site and details of new proposed planting (and times of planting) along the boundaries shall be submitted to the Local Planning authority for approval. These shall provide specific details in respect of improvements to the existing boundary hedge along the northern site boundary. The landscaping plan shall also include details of surfacing within the site and details of a more solid entrance gate. If acceptable, written approval will be given to the submitted details and all works must be carried out strictly in accordance with these agreed details within six months of the date written approval is given.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and to accord with Planning Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

5. Within three months of the date of this decision, a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to the Local Planning Authority for approval. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and to accord with Planning

Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

6. Within three months of the date of this decision details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details with no further lighting thereafter erected without the written permission of the Local Planning Authority. If no external lighting is proposed, no details need be submitted.

Reason

To control the impact of the development upon the character and appearance of the area and to accord with Planning Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

7. All vehicles, containers, buildings and structures hereby approved shall be positioned as shown on drawing B/WESTERLEIGH/002revC received by the Council on 23rd March 2014 and retained as such at all times thereafter.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and to accord with Planning Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

8. This permission gives planning permission for 5 permanent travelling showpersons plots each to include one static vehicle and one touring vehicle. The consent also includes 4 communal storage units, 1 communal wash station and 1 communal toilet building. The footprint of all of these structures may not exceed the footprint as shown on drawing B/WESTERLEIGH/002revC received by the Council on 23rd March 2014 and the maximum height of any of these structures may not exceed three metres in height. No further development in respect of the proposed travelling showpersons site use is approved.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and to accord with Planning Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

9. Within three months of the date of this decision, details of the achievable visibility splays shall be submitted to the Local Planning Authority for written approval. The visibility splays agreed shall be kept clear of vegetation at all times thereafter.

Reason

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

10. Only vehicles associated with the use of the site as a travelling showpersons site may be stored on the land.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and also in the interests of highway safety. To accord with Planning Policies L1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

11. Within three months of the date of this decision, a site management plan shall be submitted to and approved in writing by the Local Planning Authority. This site management plan shall address issues inclusive of rubbish collection and storage, maintenance of physical structures and boundary treatments, management of all communal areas including on site vehicle parking and storage and the upkeep of areas of hard surfacing and the maintenance and upkeep of all drainage systems. Development shall strictly accord with these approved details.

Reason

To control the impact of the development upon the character and appearance of the area whilst protecting the openness of the Green Belt and to accord with Planning Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS5 and CS22 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the requirements of the NPPF.

12. Within three months of the date of this decision a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the first occupation of the development.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

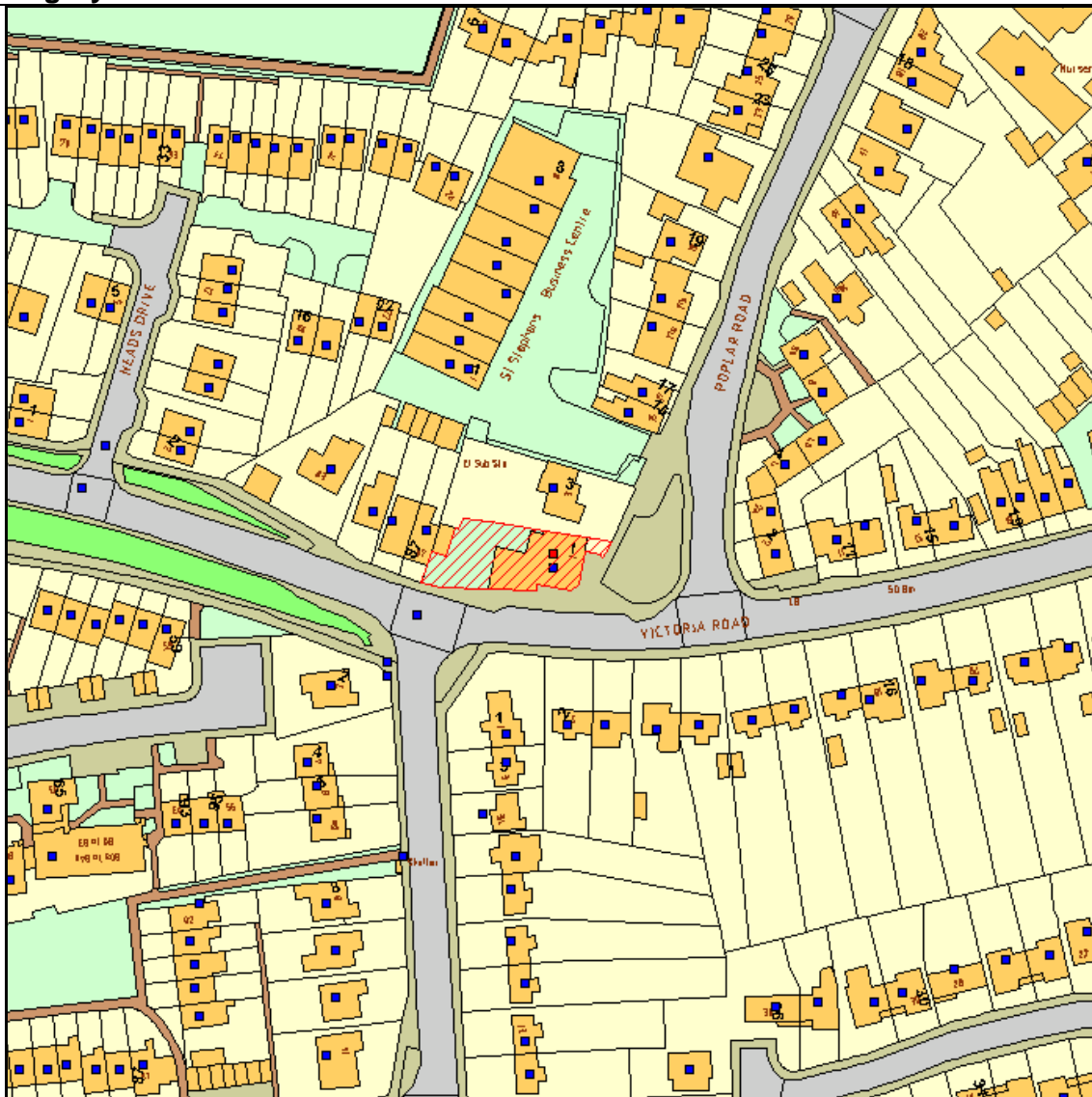
13. Notwithstanding the submitted details, within three months of the date of this decision, full details of the proposed toilet system including details to show how the risks of flooding and pollution have been eliminated shall be submitted. For the avoidance of doubt, the granting of planning permission does not automatically grant acceptance to the use of the human compost toilet - other systems including cess pools, septic tanks and package treatment plants may need to be considered.

Reason

To prevent non-point source pollution and flooding and to accord with Planning Policies EP1, L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/4563/RVC	Applicant:	Mr Jason Sangha JEEVES STORES
Site:	Central Stores 1 Poplar Road Warmley Bristol South Gloucestershire BS30 5JX	Date Reg:	5th December 2014
Proposal:	Removal of Conditions 7 and 8 of approved planning application PK10/0614/F regarding access.	Parish:	Bitton Parish Council
Map Ref:	367419 172402	Ward:	Oldland Common
Application Category:	Minor	Target Date:	28th January 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following the receipt of objections from local residents and Bitton Parish Council; the concerns raised being contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a two-storey building located on a corner plot at the junction of Poplar Road and Victoria Road, Warmley. The ground floor of the property is the Jeeves Convenience Store (A1) whilst there is residential accommodation above. The store has a single-storey extension to the rear/side with vehicular access off Victoria Road into a yard area to the rear of the store. Residential properties lie to the north and east. The location is entirely residential and suburban in character.
- 1.2 Planning permission PK10/0614 was granted to demolish part of the then existing rear extension and erect an enlarged single-storey extension to the rear/side of the shop to form additional retail space. It was also proposed to install one new window and enlarge an existing window in the rear elevation of the first floor flat. The existing chiller units (7no in all) would be replaced by 3no new chiller units located on the southern side elevation of the new extension. It was also proposed to construct a new access into the yard by removing a section of the boundary wall and one of the existing safety bollards on Victoria Road.
- 1.3 Other than the works to the access, the scheme has been implemented. (It should also be noted however that an additional flat roofed, rear, single-storey extension has also been built to enclose the outdoor transit cage and recycling bin area. In order to regularise this situation, a retrospective application PK14/4559/F has been submitted, at the Enforcement Officer's request; the application is still pending).
- 1.4 This current application PK14/4563/RVC seeks to remove Conditions 7 & 8 of the permission PK10/0614/F, both of which relate to the proposed new access.
- 1.5 Condition 7 reads as follows:

'Prior to the first use of the extension hereby approved, the new access shall be implemented in full accordance with the approved plan No. CA/0962/07 A and maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.'

Reason

In the interests of highway safety and to accord with Policies T12 and RT8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Condition 8 reads:

'Prior to the first use of the extension hereby approved, the proposed works to the public highway in association with the access hereby approved, shall be completed in consultation with and to the full written satisfaction of the Council's Street Care Manager.'

Reason

In the interests of highway safety and to accord with Policies T12 and RT8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 - High Quality Design

CS8 - Improving Accessibility

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

L1 - Landscape Protection and Enhancement

T7 - Cycle Parking

T8 - Parking Provision

T12 - Transportation Development Control Policy for New Development

RT8 - Small Scale Retail uses within the Urban Area

Emerging Plan

Draft Policies, Sites & Places Plan June 2014

PSP8 - Settlement Boundaries and Residential Amenity

PSP10 - Development Related Transport Impact Management

PSP16 - Parking Standards

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD (Adopted) 23 Aug 2007.

3. RELEVANT PLANNING HISTORY

3.1 PK01/2393/F - Erection of ground floor and first floor rear extensions to form extensions to existing shop, extension to ancillary living accommodation and attached double garage.
Withdrawn 31 Aug 2001

3.2 PK02/0139/F - Erection of single-storey extension to shop to provide additional retail area and garage.
Approved 19 Feb 2002

- 3.3 PK09/6015/F - Erection of single-storey rear extension to form additional retail space. Installation of 1no. new window and enlargement of existing window in rear elevation of first floor flat. Provision of 7no. air conditioning units on south elevation of the proposed extension.
Withdrawn 20 Jan 2010.
- 3.4 PK10/0614/F - Erection of single-storey rear extension to form additional retail space. Installation of 1no. new window and enlargement of existing window in rear elevation of first floor flat. Installation of 3no. condensing units on South elevation of the proposed extension. (Re-submission of application PK09/6015/F).
Approved 7 May 2010.
- 3.5 PK12/0396/F - Alterations to access to first floor flat and main retail entrance.
Approved 16 April 2012
- 3.6 PK14/3717/F - Installation of an Automated Teller Machine. (Retrospective)
Approved 8 Jan 2015
- 3.7 PK14/3718/ADV - Retention of 1no. internally illuminated ATM surround.
Approved 8 Jan 2015
- 3.8 PK14/4559/F - Erection of single-storey rear extension (Retrospective).
Decision Pending

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Councillors have found it difficult to understand this application as there is a lack of explanation as to why the application has been made at this time. They note that the two conditions were applied in the interest of highway safety. They would therefore seek an assurance that the removal of these conditions would in no way compromise either vehicle or pedestrian safety at this very congested site where it has long been accepted that serious road safety issues remain outstanding.
- 4.2 Other Consultees
- Highway Drainage
No comment
- Environmental Protection
No comment
- Sustainable Transport
No objection

Other Representations

4.3 Local Residents

2no. e-mails of objection have been received by the occupier of no.3 Poplar Road. The concerns raised are summarised as follows:

- Without the new access secured by conditions 7 & 8 I would have objected to the original application PK10/0614/F.
- Adverse impact on property value.
- Access to the garage of no.3 is often blocked during deliveries to shop.
- Since the extensions have been built, a shared access between no.3 and the shop is no longer a safe option.

An e.mail was also received from the occupier of no.87 Mill Lane, located immediately to the west of the existing access. The comments made are summarised as follows:

- The new access and lowering of the pavement, as secured by conditions 7 & 8 are not required as the majority of the vehicles that it is intended for would be too large to use it.
- Delivery vehicles use the layby outside the shop.
- A smaller access should be created nearer the layby which would reduce noise during deliveries which take place in the early hours of the morning.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The development authorised under the original consent PT05/2713/F was granted subject to a number of conditions, which at the time were considered to meet the tests under the then Circular 11/95. The conditions 7 & 8 were imposed in the interests of highway safety. These conditions enabled planning permission to be granted where otherwise the scheme would not have been acceptable.

5.2 Condition 7 sought to ensure the implementation of the new access prior to the first use of the approved extension and similarly Condition 8 sought to secure the implementation of the associated works to the public highway. The extension has been built but as the access and associated works have not yet been implemented, the applicant is in breach of these conditions and as such has been the subject of investigations by the Council's Enforcement Officer.

5.3 In order to regularise the situation, the applicant seeks permission to remove these conditions and therefore retain the status-quo regarding the access arrangements off Poplar Road to the yard area at the rear of the Convenience Store.

5.4 The current access arrangements are unusual as the access and drive which serve the Convenience Store also serve the single garage of neighbouring no.3 Poplar Road; there is also a pedestrian access to the side of the garage into the rear garden of no.3. The driveway and yard area are in the same ownership as the store but no.3 has right of way over the drive.

- 5.5 In the determination of this application, officers must consider if anything has changed, since the original planning permission was granted, that would now justify the removal of the two conditions. The key issue at stake is clearly the implications for highway safety as it is noted that the reasons for the conditions relate solely to this issue as opposed to any impact on residential amenity.

Justification

- 5.6 The only justification put forward by the applicant, for the removal of the conditions, is that the Enforcement Officer suggested the application in light of recent comments made by the Council's Transportation Development Control Officer who now concedes that the proposed access would be unsatisfactory (see below).

- 5.7 In policy terms, Circ. 11/95 has now been revoked but the tests for imposing conditions, as now listed in the Planning Practice Guidance, remains much the same. Whilst the Core Strategy has now been adopted, Policies T12 and RT8 are saved policies in the South Gloucestershire Local Plan (Adopted) 6th Jan 2006. Core Strategy Policy CS8 states at criterion 4 that:

'Car parking and vehicular site access should be well integrated and situated so it supports the street scene and does not compromise walking, cycling, public transport infrastructure and highway safety'.

- 5.8 A further new policy consideration is to be found in the NPPF para. 32 which states that decisions should take account of whether, amongst other things:
- Safe and suitable access to the site can be achieved for all people; and
 - Improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 5.9 The NPPF at para. 187 also states that:

'Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.'

Analysis

- 5.10 In response to this application the Council's Highway Development Control Officer has had the following to say:

- 5.11 There are two planning applications on this site.

With regard to the first application (i.e. PK14/4563/RVC) – the applicant is seeking permission to remove planning conditions 7 and 8 which were imposed as part of the planning application for the shop extension back in 2010. The requirement for the new access was to allow an independent (separate) access for the shop. At present, both the shop and the adjoining residential property

share one vehicular access. It is considered that with separate site accesses, the potential conflicts between the commercial and the residential traffic would be minimised.

5.12 The applicant does not provide his own reasoning as to why a new access cannot be constructed as previously thought possible and as it was agreed by the applicant. It is noted that the neighbour (who shares the access with the shop) is objecting to this on the basis that in the absence of the new access, she would have maintained an objection to the original application PK10/0614/F.

5.13 In assessing this current application, the following points are considered relevant:

- The site is located at a difficult junction off Victoria Road with Cloverlea Road and Poplar Road. This is a busy traffic route and is well used by pedestrians, in particularly pupils from local schools. The existing shop provides an important facility and is popular with the locals and passing customers. Whilst there is a lay-by directly outside the shop, it is clear that some indiscriminate on-street parking is taking place and this creates additional difficulties at this location.
- Whilst the formation of a new (independent) vehicular access for the shop could reduce conflict with the existing residential access, the new access would be closer to the pedestrian crossing point near the junction.
- Due to local concerns over traffic issues and parking near the shop, the Council's traffic management department now has proposals for traffic calming/traffic management measures in the area. However, this must first be considered by the Members in the "Area Forum Meeting" (due in the latter part of Feb. 2015). If it is picked then, the scheme would go forward for implementation. With this in mind, it is considered that the new access, if implemented, would severely restrict the Council's options for a traffic calming scheme at this location.
- Consideration is also given to the fact that there is an existing access which has been used lawfully by both parties i.e. the shop and its neighbour, for many years. Whilst the neighbour remains an objector, it is considered that the existing (private) right of way over the existing access would not change as a result of a new access, as previously approved, and that the existing access could still be used by both parties.

In view of the above and on balance therefore, officers do not object to this application for the removal of conditions 7 & 8.

5.14 In relation to the second application PK14/4559/F the applicant is seeking permission for a new single-storey rear extension (retrospective). The new extension to the rear of the shop is a single-storey, flat roofed construction and it is understood to be used for keeping the outdoor cage, bins and paper/cardboard for re-cycling dry, prior to collection from the shop.

5.15 As a result of the new extension, the available parking area on site has been reduced slightly but staff parking within the site is still possible. In respect of

delivery vehicles to the shop, it is noted that this takes place from the roadside lay-by. It is considered that the existing parking situation for staff and the arrangement for delivery vehicles to the shop would not be altered. There is therefore also no objection to the additional single-storey extension that has been built.

5.16 Impact on Residential Amenity

As previously stated, the reasons for imposing conditions 7 and 8 were related to highway safety only and were not in any way to reduce any adverse impact on residential amenity. If vehicles are blocking the access, as suggested by the objector, this is a matter for the police and is not controlled through the planning system. Furthermore, the impact on property values is not currently a material consideration in the determination of planning applications. Whilst, in the absence of a separate access, the occupant of no.3 might have objected to the previous application, she does have the opportunity to object to the current proposal, which she has done. All of the relevant conditions previously imposed on the decision notice for PK10/0614/F would be carried over. The resultant impact on residential amenity would not therefore be significant.

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 Highway Officer has highlighted that the introduction of a separate access for the shop would now compromise the Council's ability to implement the badly needed traffic management measures proposed for the immediate locality. These measures would significantly improve highway safety in the area and would clearly outweigh any improvements to result from the insertion of the separate access, especially given that the right of way would remain over the existing access and the fact that most deliveries to the shop take place from the roadside lay-by. Officers consider therefore, that on balance conditions 7 & 8 should be removed and that the resultant wider benefits for highway safety, would accord with government policy quoted in the NPPF para. 32. Furthermore, the continued use of the shared access would not result in severe highway safety impacts (see NPPF para. 187).
- 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 PK10/0614/F be re-issued without conditions 7 & 8.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north or western; elevation or roof slope of the extension hereby approved.

Reason

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

3. The extended shop, the subject of the planning permission hereby approved, shall not be open to customers outside the following hours 06.30hrs - 22.00 hrs Monday to Sunday inclusive.

Reason

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

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/4665/F	Applicant:	Mr Chris Randall
Site:	37 Stanley Road Warmley Bristol South Gloucestershire BS15 4NX	Date Reg:	9th December 2014
Proposal:	Demolition of existing outbuildings. Erection of 3 no. detached dwellings, 1 no. double garage new access and associated works	Parish:	Siston Parish Council
Map Ref:	366835 173829	Ward:	Siston
Application Category:	Minor	Target Date:	29th January 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been submitted to the Council's Circulated Schedule procedure, following concerns from the Parish Council about the access which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application is for the demolition of existing outbuildings within the residential curtilage of 37 Stanley Road in Warmley to facilitate the erection of 3 no. detached dwellings, 1 no. double garage, a widened access and associated works.
- 1.2 Warmley is situated within the Bristol East Fringe urban area.
- 1.3 Amendments were requested to slightly increase the size of the double garage to meet the Council's Residential Parking Standard, to provide an area of hardstanding for bin storage, and to correct an error in the elevations of plots 2 & 3. These amendments were received on 14th January 2015. A period of re-consultation was not deemed necessary due to the slight nature of the changes.

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 Landscaping
L9 Protected Species

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK12/0630/F Approve with conditions 13/04/2012
Erection of two storey side and single storey side and rear extensions.
Alterations to detached garage to include increase in roof height.
(Resubmission of PK11/3487/F).
- 3.2 PK11/3487/F Refusal 19/12/2011
Erection of two storey side and single storey side and rear extensions.
Alterations to detached garage to include increase in roof height.

Refusal Reason:

1- *The proposed extension, due to its excessive width and the inappropriate dominant horizontal emphasis that it gives to the building, does not respect local distinctiveness, the proportions of the host dwelling and therefore represents poor design which is harmful to visual amenity and contrary to policies D1 and H4(A) of the adopted South Gloucestershire Local Plan.*

4. **CONSULTATION RESPONSES**

- 4.1 Siston Parish Council
The Parish Council are disappointed that the opportunity has not been taken to reduce vehicle movement from the increasing number of new dwellings along the dangerous Stanley Road by providing for two access points on this site, the second along access from Capel Close.

4.2 Other Consultees

Highway Structures

No comment.

Highway Drainage

No objection subject to conditions and informatives on the decision notice.

Sustainable Transport

No objection subject to conditions.

Other Representations

4.3 Local Residents

None received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site lies within the Bristol East Fringe Urban Area and being residential curtilage, there is no in-principle objection to the development of the site for residential use. Accordingly, the relevant policies for the considerations of this application are primarily CS1 and CS5 of the South Gloucestershire Core Strategy (Adopted) December 2013, and policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

Whilst these are permissive of proposals for new residential development, this is subject to considerations of design, residential amenity and highway safety whilst adequate amenity space should be provided for any new separately occupied dwelling.

5.2 Design

The general locality is characterised by a variety of architectural styles, scales and materials. To the south along a secondary lane of Stanley Avenue is a row of bungalows with a finish of render and brick, and to the north is a render post-war semi detached pair of dwellings. Further north is a terrace of two-storey stone properties situated flush to the highway. To the east on the opposite side of Stanley Road is a mix of semi detached, detached and terraced properties finished in a variety of materials and to the rear, or west of the site, is Capel Close, a 1970s brick development which is suburban in style. The host dwelling, no. 37 Stanley Road, is a detached two-storey stone cottage made up of two linear gables, which are positioned perpendicular to the highway. The cottage has low eaves and is situated on lower ground and further back in the plot than most of the neighbouring properties, so its presence within the public realm is relatively discrete. In order to facilitate the proposal, a triple garage with a slanted pitched roof is to be demolished, which is acceptable as the garage is not considered to be of architectural merit. Other outbuildings to be demolished include two sheds, a timber summerhouse, and a greenhouse.

5.3 Three two-storey dwellings with three bedrooms each are proposed within the curtilage of no. 37, which is also to be retained. Plot number 1 will face onto Stanley Road and, whilst it is to be much further forward in the plot than the host dwelling, the layout and proximity to the highway is typical of the dwellings opposite and the terrace to the north. It is proposed to be finished in buff coloured random rubble stone to match the host dwelling in appearance, and has a hipped roof line and a hipped canopy across the principal elevation. The eaves have been kept low to reduce the impact on no. 31, which is a bungalow and no. 37 itself, and first floor accommodation has been facilitated with pitched roof and flat roof features in the eaves. Plot 1 and the existing property are to share a double garage, which is to be set flush to the existing retaining wall, with a steep hipped

5.4 Plots 2 and 3 are to be positioned to the rear of the plot, and are identical in layout except that plot 2 has a hipped bay window at ground floor level which faces across the proposed parking area towards the existing dwelling. Both plots are to have a gable roofline with a chimney, low eaves and a hipped canopy across the principal elevation. Both are, like plot 1, to be finished in buff coloured random stone, reconstituted stone detailing (cills, banding etc) brown concrete tiles, and white PVCu windows and doors. Plots 2 and 3 are a modest size and, whilst also having a three-bedroom capacity, the third bedroom is compact. Whilst the shape and style of all three proposed properties has a suburban feel, the use of materials and traditional features such as stone cills, quoins and banding are considered to reflect the historically semi rural character of this part of Warmley, and are considered to meet the criteria detailed in policy CS1 of the Core Strategy (Adopted) December 2013.

5.5 Residential Amenity

The plot is fortunate to benefit from suitable topography and vegetation to allow for the tandem development of two dwellings without severely compromising the residential amenity of nearby occupiers. Plot 1 faces onto Stanley Road, and so windows on the principal elevation and the northern elevation face out onto the highway, and the proposed access only. There is one first floor window proposed serving a bedroom which faces towards no. 31, however it only overlooks a driveway and the view to two facing is obscured by a large tree which is to be retained, and protected by a condition in the event of an approval. The rear elevation has been carefully considered to prevent overlooking the private amenity space of a bungalow to the south-west known as The Gables, which takes its access from Capel Close, with only one first floor window proposed which has a viewpoint slanted away from and past the rear of the adjacent property.

5.6 With regards to plots 2 and 3, the proposed openings on the principal elevation face towards the front of the The Gables, and are screened considerably by a large existing hedge which is to be retained during construction. Whilst a landscaping plan has been suggested to screen views from the rear windows of plots 2 and 3 from overlooking the garden of no. 39 to the north, it is not considered to be adequate to ensure their privacy is protected. Officers consider that adequate screening is feasible and so in the event of a recommendation for approval, a landscaping condition will ensure that further details are submitted to prevent overlooking from first floor windows. This will also include details of boundary treatments and of tree protection measures for the existing hedges and two remaining trees, the retention of which is important to ensure that the future occupiers feel enclosed and that their privacy is protected in the proposed gardens.

5.7 As well as the amenity of neighbouring occupiers, the amenity of the existing property must also be considered. Whilst the majority of their amenity space is to be lost, it is considered that the area of garden proposed for no. 37 is adequate for the size of the dwelling, and it is only indirectly overlooked by the surrounding properties and plot 1, which is common in high density residential areas. The proposal is therefore considered acceptable in terms of residential amenity and is in accordance with policy H4 of the Local Plan (Adopted) January 2006.

5.8 Landscape

As previously mentioned, a landscaping plan will be secured by condition not just for residential amenity purposes, but to ensure that the proposal respects the visual amenity of the site by mitigating the loss of several trees at the entrance of the driveway. This is to accord with policy L1 of the Local Plan (adopted) January 2006.

5.9 Transport and Waste

The Parish Council have raised concerns that the access should have been taken from Capel Close to the rear of the site, to reduce vehicular movements on the already dangerous Stanley Road. Whilst this comment is noted, only the proposal which has been submitted can be assessed and the access submitted

was considered to be acceptable, and the Council's Transport officer has no objections.

5.10 It is proposed to upgrade the existing access off Stanley Road and to provide suitable access arrangements to serve the new development and this includes widening of the access. Appropriate visibility splays can also be achieved from the new site access onto the public highway, and a condition will ensure that the splays are implemented and maintained. Widening of the access would impact one street light column and this needs to be relocated to a location to be agreed by the Council, and a condition on the decision notice will facilitate this discussion. It is proposed to provide two parking spaces for each new dwelling on site including two spaces for the existing property. Additionally, one visitor space is also shown on site and the level of parking proposed meets the Council's parking standards. Amendments were sought to ensure that the garage meets the minimum space standards required to count as a parking space, as detailed in the Residential Parking Standards SPD. There is adequate turning and manoeuvring space on site to ensure that drivers can enter and exit the site access in forward gear and in safety.

5.11 A shared bin storage area has been proposed for the existing dwelling and plots 2 and 3, and this is considered to be large enough for all three dwellings. Plot 1 will benefit from its own waste storage area. Adequate provision has been made to store waste facilities safely and away from the highway. Accordingly, there is no transportation objection to the proposal, subject to the conditions detailed above.

5.12 Drainage

The Council's Drainage Engineer has requested that a Sustainable Urban Drainage System (SUDS) is required at this location to ensure appropriate drainage in this urban environment, and this will be conditioned in the event that the application is approved.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. 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.

3. Prior to occupation of any new dwelling, upgrade the existing access by widening it in accordance with the submitted and approved plans and subsequently maintain it satisfactory thereafter.

Reason

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

4. Prior to occupation of any new dwelling on site, relocate or replace as necessary the existing street lighting column in accordance with the requirements of the Council's street lighting department.

Reason

In the interests of highway safety and adequate lighting, and to accord with policy CS8 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and policy T12 of the Local Plan (Adopted) January 2006.

5. Prior to occupation of any new dwelling on site, provide visibility splays of 2.4m by 43m from site access on to the public highway. The said visibility splays would be kept clear of any obstructions above height of 0.6m above the adjoining footway levels, and they shall be maintained thereafter.

Reason

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

6. Prior to occupation of any new dwelling, provide off-street parking and turning space and the bin storage areas in accordance with the submitted and approved plans and subsequently maintain these satisfactory thereafter.

Reason

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

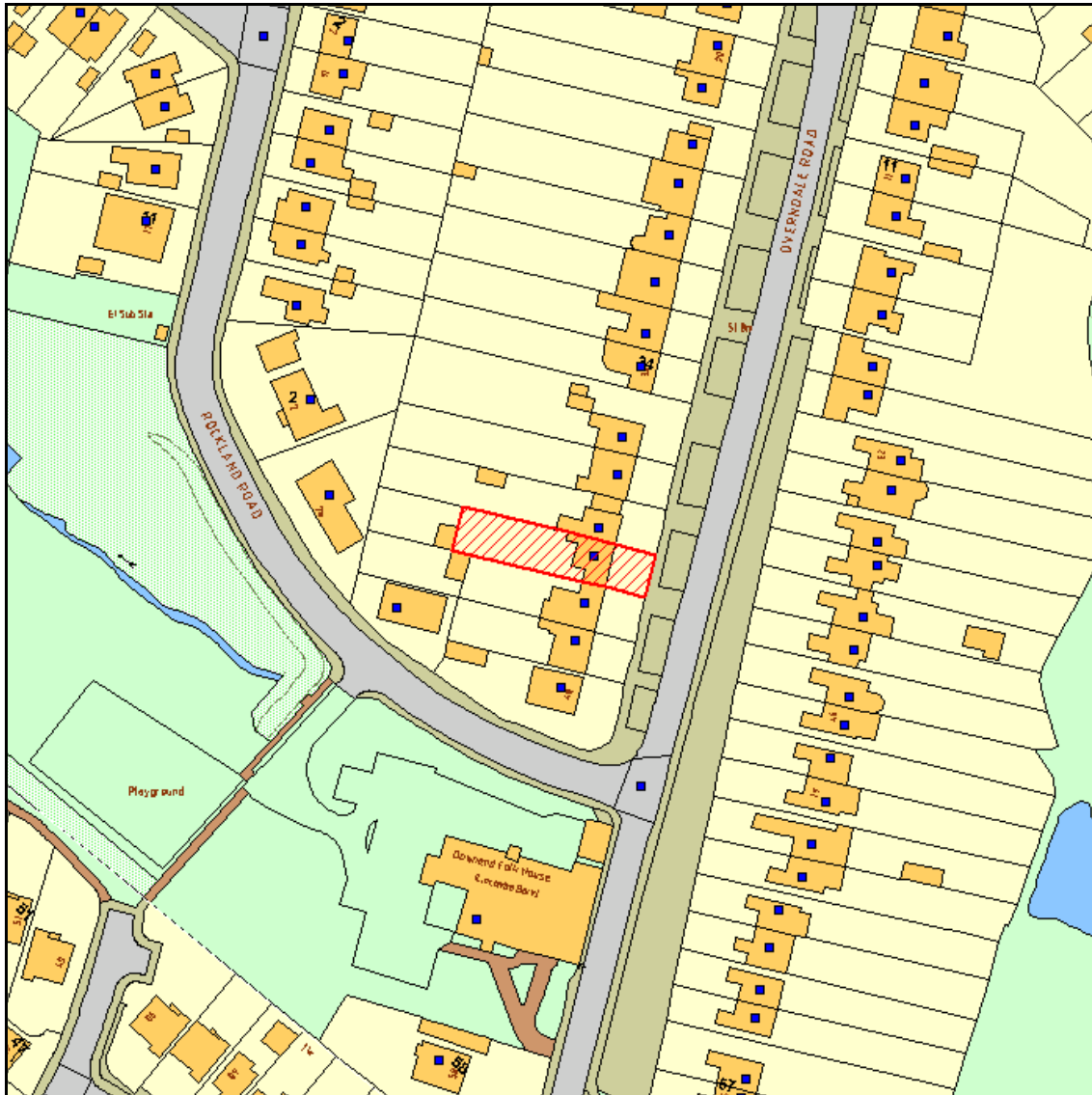
7. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting);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

Reason

In the interests of visual amenity and residential amenity and to accord with policies H4 and L1 of the Local Plan (adopted) January 2006 and policy CS1 of the Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/4730/CLP	Applicant:	Ms Maria Hamood
Site:	42 Overndale Road Downend South Gloucestershire BS16 2RT	Date Reg:	10th December 2014
Proposal:	Application for certificate of lawfulness for the proposed installation of 1no. rear and 1no. side dormer	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364635 177045	Ward:	Downend
Application Category:		Target Date:	30th January 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of a rear dormer window and side dormer window to facilitate a loft conversion at 42 Overndale Road, Downend 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
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history at the site.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
Objection – proposal is not in keeping with the immediate area.
- 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; Existing Elevations drawing no. AZ-1772-0003; Proposed Elevations drawing no. AZ-1772-0008; Proposed Second Floor Plan drawing no. AZ-1772-0007; Existing Floor Plans drawing no. AZ-1772-0002; Proposed Typical Section drawing no. AZ-1772-0009; Existing Typical Section drawing no. Az-1772-0004; Proposed Typical Section drawing no. AZ-1772-0010;

Proposed First Floor Plan drawing no. AZ-1772-0006; Existing Ground Floor Plan drawing no. AZ-1772-0001; Proposed Ground Floor Plan drawing no. AZ-1772-0005. All received 5th 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 window in the rear roof slope of the property and the side 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 windows 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 windows would, at their highest point, be the same height as the highest part of the existing roof. Therefore, the development meets this criterion.

(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 principle elevation of the dwellinghouse and fronts a highway;

For the purpose of this application, it is considered that the principal elevation of the property is the elevation facing onto Overndale Road, which is the east elevation. The alterations to the roofline do not extend forward of the existing front elevation roof slope. Therefore, the development meets this criterion.

(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 property is a semi detached property and therefore the difference between the existing and resulting roof space can be up to 50 cubic metres. The volume of the rear dormer and side dormer together equals approximately 36 cubic metres, and therefore the proposal meets this criterion.

(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.

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 applicant has stated on the plans that Broseley tiles are proposed for the face and sides of the dormer, which adequately match the appearance of the roof tiles used in the existing dwellinghouse, and the roof tiles on top of the dormer windows are to match also. White UPVC windows are proposed, and so the proposal meets 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 dormer windows are positioned exactly 20cm from the eaves of the original roof, and so the proposal meets this condition.

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

(i) Obscure glazed; and

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

The plans state that the side window will be non opening below 1.7 metres and obscure glazed.

6.4 Other Matters

The Parish Council have objected, stating that the proposal is not in keeping with the immediate surroundings. The development can only be assessed against Part 1 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended), and so issues relating the design and visual amenity cannot be taken into account.

7. RECOMMENDATION

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

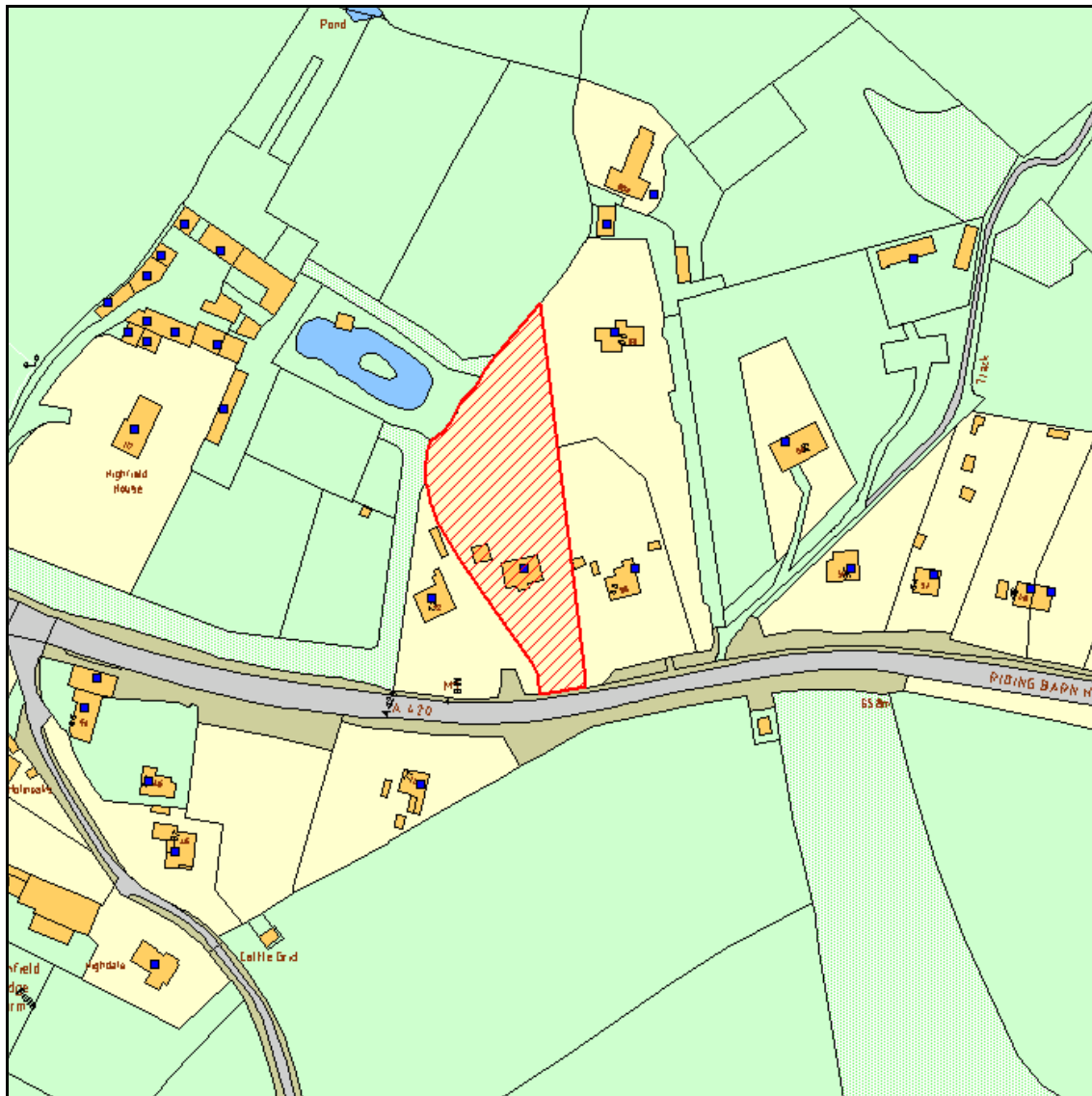
Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Contact Officer: Trudy Gallagher

Tel. No. 01454 862217

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/4770/CLP	Applicant:	Mr Steven West
Site:	70 Riding Barn Hill Wick Bristol South Gloucestershire BS30 5PA	Date Reg:	30th December 2014
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a single storey rear extension.	Parish:	Wick And Abson Parish Council
Map Ref:	369046 172780	Ward:	Boyd Valley
Application Category:		Target Date:	16th February 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application site is 70 Riding Barn Hill, Wick.
- 1.2 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
- 1.3 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, it is an evidential test of whether the development proposed is lawful on the balance of probability.
- 1.4 After reviewing the Council's records, it is clear that the properties permitted development rights are in tact.

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
Planning Practice Guidance – Lawful Development Certificates

3. RELEVANT PLANNING HISTORY

- 3.1 P94/1007 Approval Full Planning 28/02/1994 Erection of double detached domestic garage. (In accordance with the revised layout received by the council on 22 February 1994)
- 3.2 P92/2499 Approval Full Planning 10/02/1993 Demolition of existing bungalow and detached garage and erection of chalet bungalow and detached double garage. Re-Siting of vehicular access and driveway and construction of turning area. (In accordance with revised plans received by the council on 10 December 1992)

4. CONSULTATION RESPONSES

- 4.1 Wick and Abson Parish Council
No Objection

4.2 Highways Drainage
No Comment.

4.3 Cllr Steve Reade
No comment, based on the information available.

Other Representations

4.4 Local Residents
No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Application Form, Existing Elevations, Existing Ground Floor Plan, Proposed Ground Floor Plan, Site Location Plan and Registry Document – all received by the Council on the 08/12/2014.

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, Part 1 (Development within the curtilage of a dwellinghouse), Class A of the GPDO (As Amended) 1995.

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

- (a) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**
The proposed extension would not exceed 50% of the total area of the curtilage.
- (b) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**

The maximum height of the proposal would not exceed the maximum height of the existing dwellinghouse.

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

The height of the eaves of the proposal would not exceed the eaves of the existing dwellinghouse.

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

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

The extension does not extend beyond a wall which fronts a highway nor a principle or side elevation of the original dwellinghouse.

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

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

The extension extends to the rear of the dwellinghouse by 4 metres and has a maximum height of 3.73 metres.

- (f) **The enlarged part of the dwellinghouse would have more than one storey:**

The proposal is of single storey.

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

The extension would not be within 2 metres of the boundary of the curtilage of the dwellinghouse.

- (h) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would:**

- (i) **exceed 4 metres in height**
- (ii) **have more than one storey, or**
- (iii) **have a width greater than half the width of the original dwellinghouse; or**

The rear extension extends from the rear elevation of the dwellinghouse.

- (i) **It would consist of or include—**
 - (i) **The construction or provision of a veranda, balcony or raised platform,**
 - (ii) **The installation, alteration or replacement of a microwave antenna,**
 - (iii) **The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
 - (iv) **An alteration to any part of the roof of the dwellinghouse.**
- The proposal does not include any of the above.

A2 In the case of a dwellinghouse on article 1(5) land, development is not permitted if:

- (a) **It would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebbledash, render, timber, plastic or tiles :**
 - (b) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or**
 - (c) **The enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.**
- The site is not located on article 1(5) land.

Conditions

A3 Development is permitted by Class A subject to the following conditions:

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

Although no details of materials have been submitted as part of this application, the plans indicate no change in materials from those used in the existing dwelling. In addition to this, the applicant should be aware that should the materials utilised in the proposed development not satisfy this criterion, the development would not be considered lawful.

- (b) **Any upper-floor window located in a wall or roof slope forming a side elevation of the 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; and**

The proposal does not include the installation of any upper floor windows.

- (c) **Where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as**

practicable, be the same as the roof pitch of the original dwellinghouse.

The proposal is single storey.

7. RECOMMENDATION

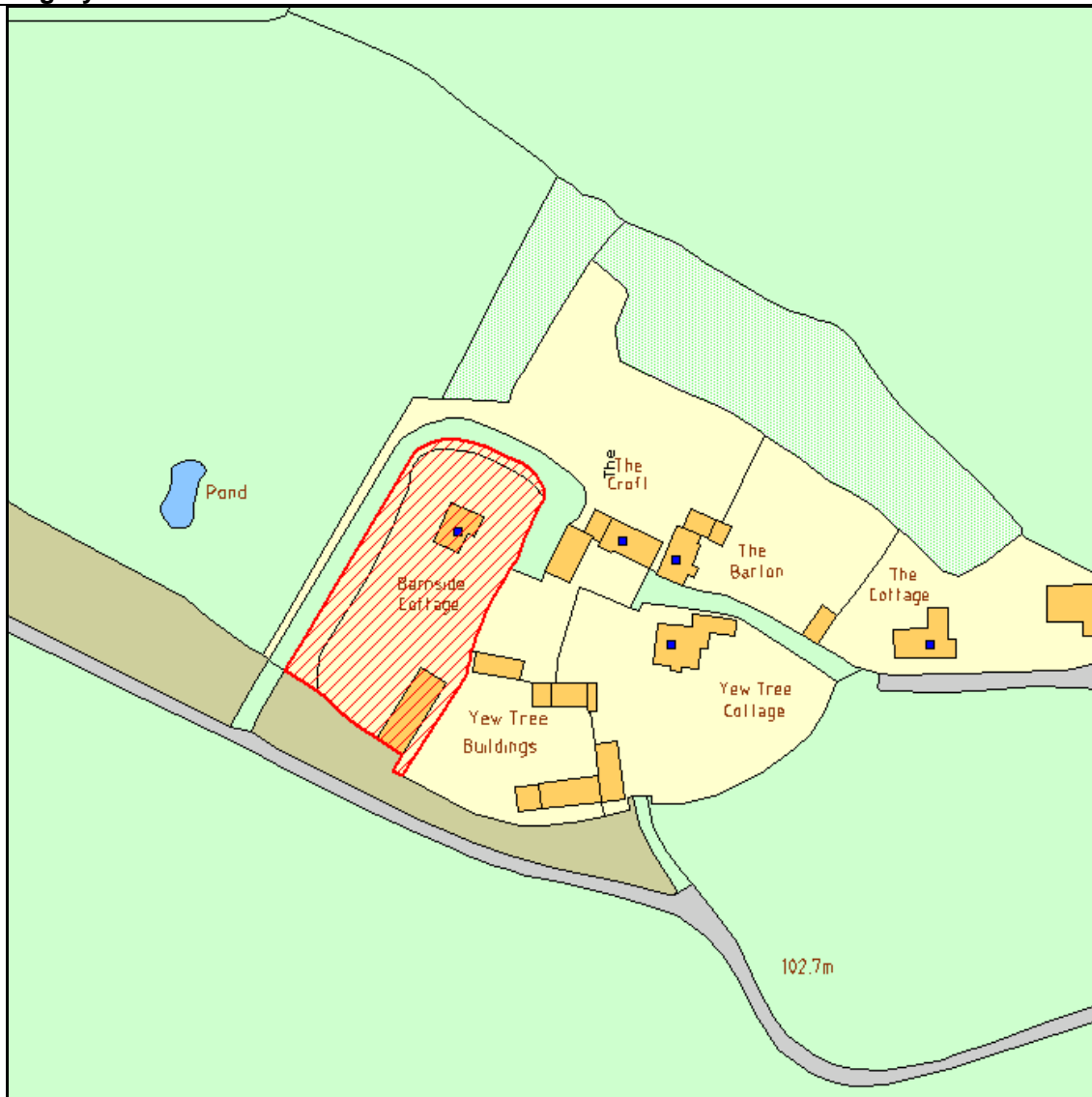
7.1 That a certificate of Lawfulness for Proposed Development is **approved** for the following reason:

The proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/4832/CLE	Applicant:	Mr & Mrs R McGill
Site:	Barnside Cottage Newhouse Farm Lane Hawkesbury South Gloucestershire GL9 1BW	Date Reg:	17th December 2014
Proposal:	Application for Certificate of Lawfulness for existing use as residential dwelling without compliance with agricultural occupancy condition 02 attached to planning permission P85/1542	Parish:	Hawkesbury Parish Council
Map Ref:	375896 187143	Ward:	Cotswold Edge
Application Category:		Target Date:	9th February 2015



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PK14/4832/CLE

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination as a matter of process because the application is for a certificate of lawfulness.

1. THE PROPOSAL

- 1.1 This application seeks the grant of a certificate of lawfulness from the local planning authority for the occupation of Barnside Cottage, Newhouse Farm Lane, Hawkesbury without compliance with a condition restricting the occupancy of the dwelling to that of a person employed in agriculture or forestry.
- 1.2 The site is located on the edge of Hawkesbury Common; it is outside of any defined settlement boundary as shown on the Proposal Maps. The property is part of a cluster of houses and other buildings on the north side of the common. Around the site is some mature vegetation where as to the front, the land is very open in nature.
- 1.3 Barnside Cottage is a modern two-storey detached gable-ended dwelling set well back in its plot and screened from the road by vegetation.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. Town and Country Planning Act 1990
 - ii. National Planning Practice Guidance, section 191

3. RELEVANT PLANNING HISTORY

- 3.1 P85/1542 Appraised 22/07/1985
Erection of detached dwelling for agricultural worker; construction of vehicular access.
- 3.2 P84/1700 Approval 22/07/1985
Erection of detached dwelling for agricultural worker construction of vehicular access (outline)

4. CONSULTATION RESPONSES

- 4.1 Hawkesbury Upton Parish Council
Objection Parish does not want to lose another tied property. Parish understand that a tie is condition to the property not the owner and therefore should remain in place.
- 4.2 Public Rights of Way
PROW runs to rear of property
- 4.3 Sustainable Transport
No comment

Other Representations

- 4.4 Local Residents
None received

5. SUMMARY OF EVIDENCE

- 5.1 The following evidence has been submitted in support of the application –
- Affidavit of Ronald McGill, dated 4 December 2014;
 - Affidavit of Jane McGill, dated 4 December 2014.
- 5.2 The following contrary evidence has been submitted –
- Nil

6. EVALUATION

- 6.1 This application seeks a certificate of lawfulness for the occupation of a dwelling without compliance with a condition restricting the occupancy of that dwelling to person/persons employed (or last employed) in agriculture or forestry in the local area.
- 6.2 Criteria for Assessment
An application for a certificate of lawfulness is not a planning application. Instead, such applications must be determined purely against the evidence available. The test to be applied to the evidence is whether or not, on the balance of probability, the case to grant a certificate of lawfulness has been shown. As such, precise and unambiguous evidence must be provided.
- 6.3 In statute, under section 191(3) of the Town and Country Planning Act 1990, any matter constituting a failure to comply with any condition subject to which planning permission has been granted is lawful when –
- (a) the time for taking enforcement action in respect of the failure has expired; and,
 - (b) it does not constitute a contravention of any of the requirements of any enforcement notice or breach of condition notice then in force.
- 6.4 Enforcement Periods
Section 171B of the Act sets the statutory period after which no enforcement action can be taken in relation to a breach of planning control. In the case of failure to comply with any condition subject to which planning permission has been granted, after the end of a period of ten years beginning with the date of the breach, no planning enforcement action could be taken.
- 6.5 There is no outstanding enforcement action on this site. For the enforcement period to have expired, the breach in planning control must have occurred continuously since 15 December 2004 (ten years prior to the date this application was validated by the local planning authority).

6.6 Breach of Planning Control

The applicants state that the dwelling has been occupied for a period in excess of ten years without compliance with condition 02 of planning permission P85/1542.

6.7 Condition 02 reads as follows:

The occupation of the dwelling hereby authorised shall be limited to a person solely or mainly employed, or last employed, within the Northavon District in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or in forestry (including and dependents of such a person residing with him or her), or a widow or widower of such a person.

REASON

The site is not in an area intended for general development and permission is granted to the present proposal solely because the dwelling is required to house a person employ in agriculture of forestry.

6.8 Should it be found, on the balance of probability, that the dwelling has been occupied by person/persons not employed in agriculture or forestry, constituting a failure to comply with condition 02 for a continuous period of ten years then the occupation would be lawful and a certificate of lawfulness should be granted.

6.9 Assessment of Evidence

Two statutory declarations have been submitted as part of the applicant's case. These are unanimous in stating that the property has been occupied by persons not employed in agriculture or forestry continuously since 8 October 2004. Sufficient evidence in the form of pay slips have been provided within the statutory declaration to identify employment which would not be either agricultural or forestry.

6.10 There is no contradictory evidence to rebut the claims of the applicants made within their respective statutory declarations.

6.11 The applicant had demonstrated that the occupation of the property has been in breach of condition 02 of planning permission P85/1542 continuously for a period in excess of ten years and therefore by virtue of section 171B of the Act the breach can no longer be subject to enforcement and therefore is lawful by virtue of section 191(3) of the Act.

7. RECOMMENDATION

7.1 It is recommended that a Certificate of Lawfulness for the use as a residential dwelling (outlined in red on the accompanying plans) without compliance with agricultural occupancy condition 02 attached to planning permission P85/1542 is **GRANTED** for the reason listed below.

Contact Officer: Griff Bunce

Tel. No. 01454 863438

REASON FOR GRANTING

1. Evidence has been submitted to demonstrate that the dwelling subject to this application, known as Barnside Cottage, Newhouse Farm Lane, has been occupied in a manner constituting a failure to comply with condition 02 of planning permission P85/1542 for a period in excess of ten years preceding the date of application.

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/4877/F	Applicant:	Mr Matthew Taynton
Site:	40 Hunters Road Hanham Bristol South Gloucestershire BS15 3EU	Date Reg:	18th December 2014
Proposal:	Erection of two storey side extension to provide additional living accommodation.	Parish:	Hanham Parish Council
Map Ref:	364262 172062	Ward:	Hanham
Application Category:	Householder	Target Date:	9th February 2015



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 100023410, 2014. N.T.S. PK14/4877/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

A comment of objection has been received from a neighbouring local resident, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey side extension to provide additional living accommodation.
- 1.2 The application site relates to a semi-detached property with double bay windows. The property occupies a corner position on the junction of Hunters Road and Bibury Crescent. The property benefits from a large hardstanding parking area to the side of the property, adjacent to No. 38 Hunters Road. The application site is located within an established residential area of Hanham.
- 1.3 During the course of the application, a revised proposal plan was submitted on 26th January 2015 amending the off-street parking facilities to the side of the property.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 None.
- 3.2 Similar application at no. 47 Hunters Road:
K6587 (Alt. Ref P90/4148) Erection of two storey side extension
Approved 20.04.90

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No comments received.
- 4.2 Hanham District Green Belt Conservation Society
No comment received.
- 4.3 Sustainable Transport
No objection.
- 4.4 Highway Drainage
No objection.
- 4.5 Hanham Parish Council
No objection.

Other Representations

- 4.6 Local Residents
One comment of objection from a neighbouring local resident:
- Proposed development prejudices the amenities of local occupiers;
 - Overbearing effect;
 - Reduce natural daylight entering kitchen, front of the house in the morning and upstairs landing;
 - Eliminate street view from side windows;
 - Value of property could be reduced;
 - Will the new development create overshadowing?

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Saved policy H4 of the adopted Local Plan (2006) allows for the principle of the development. The main issues to consider are the appearance/form and the effect on the character of the area; the impact on the residential amenity of neighbouring occupiers; and transportation effects.
- 5.2 Design
The proposal extends to the side of the existing dwelling and measures approximately 3.9m wide by 7.8m in length, and 5.1m to the eaves. The side extension is set back 0.5m from the front elevation and is inline with the original rear elevation of the property. There is an existing single storey rear extension to the kitchen that would be in the middle of the rear elevation. The roof would be a hipped, to match the existing. The proposed extension would provide additional living accommodation in the form of a living room, utility and WC on the ground floor and a fourth bedroom with en suite on the first floor. Materials will match the existing property. It is considered that the proposed extension is subservient to the host dwelling and would form a proportional extension.
- 5.3 Residential Amenity

The property is situated on the junction of Hunters Road and Bibury Crescent. The proposed extension would be more than 30 metres from the front elevation of No's 51, 53 and 55 Hunters Road.

- 5.4 The nearest neighbouring property to the proposed extension would be No 38 Hunters Road, to the north. The proposed en suite bathroom window would be overlooking the side elevation of No 38 Hunters Road; the agent has advised that this window would be obscure glazed to prevent any such impact. It is considered that in terms of overlooking, the extension would not cause material impact upon the nearest neighbouring property.
- 5.5 The nearest neighbouring occupier has also raised concerns that the proposed side extension will appear overbearing, reducing the amount of daylight to their property and prejudicing their amenity. The side extension would be approximately 6 metres from the side elevation of No. 38, separated by their single garage situated on the boundary. In addition, due to the orientation of the host dwelling and No. 38, the host dwelling is angled away from the neighbouring property and behind their building line. The proposed extension will not project forward of No. 38. There is a similar side extension at No. 47 Hunters Road, on the opposite side of the road, which is slightly further from the neighbouring property No. 49. Both properties are angled away from each other and No. 47 is set forward.
- 5.6 It is considered unlikely that the proposed side extension will present as an overbearing addition to the property. Whilst there is a small landing side window in No. 38, the proposed side extension roof will be hipped and will unlikely have a detrimental impact on the amount of the amenity of the nearest neighbouring occupier in terms of daylight/sunlight access. A sufficient amount of private amenity space will remain at the rear to serve the property. Overall, the proposed extension is considered acceptable.
- 5.7 Transportation
The application seeks to extend the property in the form of a side extension. The new extension will be erected on the existing hardstanding parking area which provides parking for 2no. vehicles. As part of the proposal, part of the front garden will be used to create one additional off-street parking space; this would require a small extension to the dropped kerb. The applicant has submitted a revised plan which illustrates 2no. off street parking spaces can be provided within the curtilage of the property. There is no highway objection and therefore, the proposed off-street parking facilities are considered acceptable.
- 5.8 Other Matters
The neighbouring resident has raised concern about the elimination of a street view from their side window and a potential reduction in the value of their property. Loss of a view and the value of property are not planning matters that can be assessed as part of the application.

6. CONCLUSION

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

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

- 6.2 The recommendation to **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 attached condition.

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.

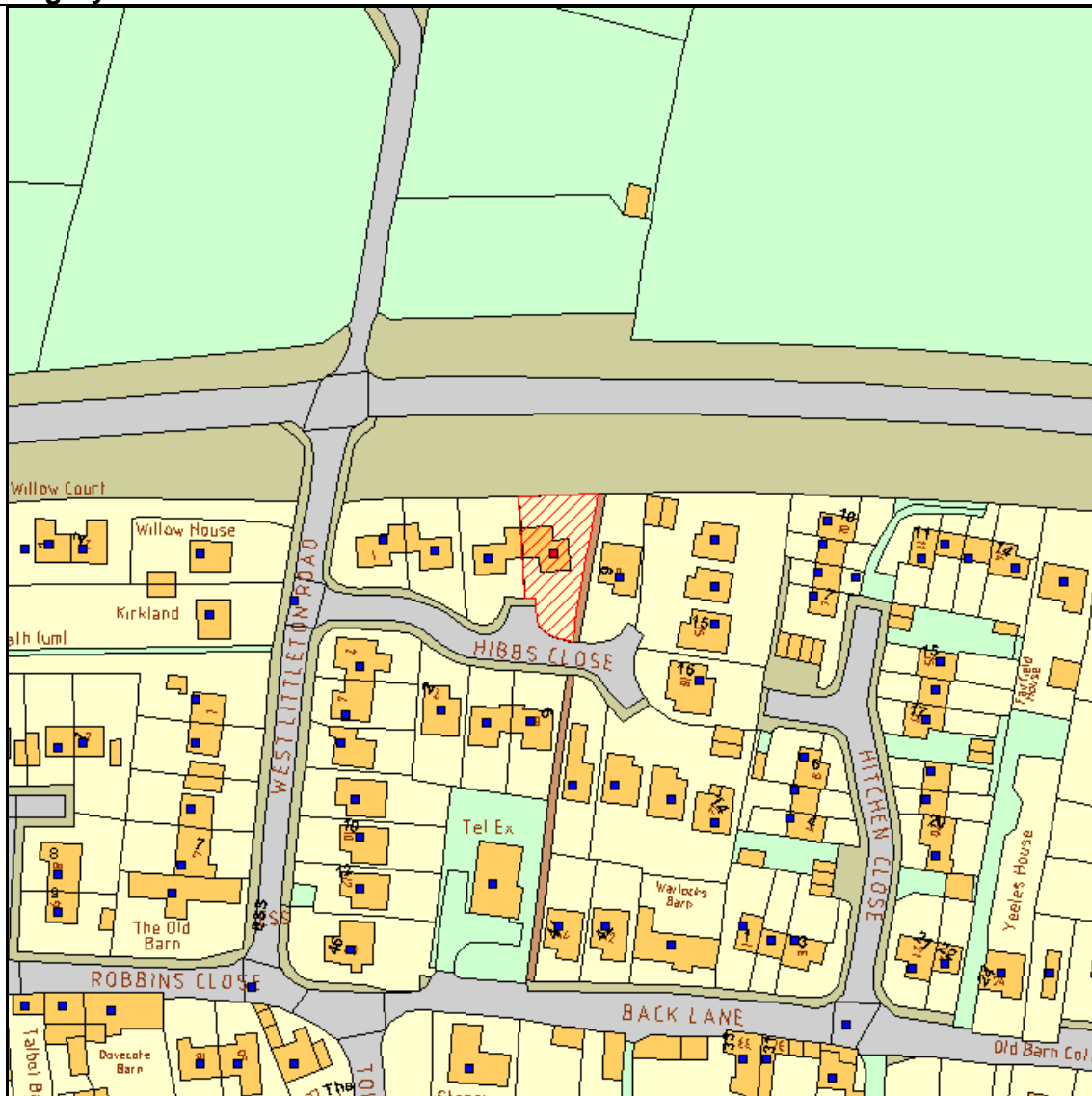
Reason

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

ITEM 8

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/4916/F	Applicant:	Mr And Mrs Atkin
Site:	7 Hibbs Close Marshfield Chippenham South Gloucestershire SN14 8LN	Date Reg:	23rd December 2014
Proposal:	Erection of two storey rear and side extension to form additional living accommodation and extension of existing front porch.	Parish:	Marshfield Parish Council
Map Ref:	377858 173932	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	12th February 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

Two objections from local residents have been received, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey rear and side extension to form additional living accommodation and extension of existing front porch.
- 1.2 The application site comprises of a modern two storey link-detached property on a residential cul de sac. The application site is situated on the northern edge of Marshfield village. The rear garden of the property backs onto the A420 Chippenham Road to the north. Residential properties lie to the east, south and west.
- 1.3 The application site is situated within the Marshfield Conservation Area, the Cotswolds Area of Outstanding Natural Beauty (AONB) and the settlement boundary of Marshfield.
- 1.4 The plans include the conversion of the existing single garage into a playroom. This element of the scheme is permitted development and does not form part of the proposal as such.
- 1.5 The Officer advised the agent that the ridge height of the roof extension should be set lower, to maintain a degree of subservience. Revised plans were submitted by the agent, including two additional velux rooflights in the east and west elevations of the extension.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS5 Location of Development
- CS9 Managing the Environment and Heritage
- CS34 Rural Areas

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

- H4 Residential Development within Existing Residential Curtilages
- L2 Cotswolds AONB
- L12 Conservation Areas
- T12 Transportation Development Control

- 2.3 Supplementary Planning Guidance
Marshfield Conservation Area SPD (Adopted) 2004
South Gloucestershire Design Checklist (Adopted) 2007
South Gloucestershire Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
No objection.
- 4.2 Highway Drainage
No objection.
- 4.3 Sustainable Transport
No objection, subject to a condition.
- 4.4 Conservation
No comment.
- 4.5 PROW
No objection.
- 4.6 Open Spaces Society
No comment received.

Other Representations

- 4.7 Local Residents
Two comments of objection from neighbouring residents:
- Detrimental effect on neighbouring property and garden in terms of appearance and access to daylight/sunlight;
 - Overbearing and large blank wall;
 - Significantly reduced and unpleasant outlook;
 - Height and impact of proposed roof of extension;
 - Attic space in extension could later be converted;
 - No. 7 built on slightly higher ground level;
 - En suite window would overlook garden;
 - Will the building stone match the existing stonework?
 - Loss of privacy.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Saved policy H4 of the adopted Local Plan (2006) is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that design is acceptable and in accordance with policy

CS1 of the Core Strategy. There is no unacceptable impact on residential and visual amenity; there is safe and adequate parking provision and no negative effects on transportation. The proposal is considered to be acceptable in principle.

5.2 Design

The application site relates to a two storey link-detached dwelling with a pitched roof. The rear elevation faces north and there is a tall hedgerow which separates the rear boundary from the verge adjacent to the A420. The application site is on slightly higher ground level than neighbouring property No. 9. The principle elevation features a canopy porch, which is proposed to be enlarged. On the rear elevation there is an existing single storey extension to the dining room. As there is an existing single storey rear extension, the proposal forms an infill extension.

5.3 The proposal consists of a two storey rear extension with a pitched roof providing an extended kitchen on the ground floor and an additional bedroom and en suite on the first floor. The Officer advised the agent to set the ridge height substantially lower than the host dwelling; this revision has been completed and amended plans submitted. The amended plans also include two rooflights (one on the east and west roof slopes of the extension) to provide additional light to the northerly facing rear bedrooms.

5.4 The proposal would involve the erection of a two storey rear extension measuring approximately 7.7 metres wide by 3m deep, with an eaves height of 4.9m and maximum ridge height of 6.7m. The roof of the extension would be set down by 0.7m. The subservient ridge height is considered to have reduced the dominance of the roof height whilst remaining in keeping with the original building. External materials will match the host dwelling. The proposal is considered to be acceptable in terms of policy CS1 of the adopted Core Strategy.

5.5 Residential Amenity

The application site benefits from having a garden around the front, along the side and rear of the property. The rear extension would only slightly further encroach onto the garden space, increasing the height two storey level. Whilst there would be an additional small side window (en suite) and two velux rooflights, the agent has labelled the two side elevation bathroom windows as level 3 obscure glazing. It is not considered that the small en suite bathroom window and two rooflights, which are located at a high level, would cause overlooking or impact on existing privacy levels due to their height. The proposed extension includes a limited number of windows and no additional bedroom windows in the side elevations, preventing overlooking on neighbouring properties. Due to the low pitched roof, it is unlikely this could be later converted into additional living accommodation.

5.6 The host dwelling is orientated slightly away from No. 9 (located to the east) and is link detached to No. 5 (located on the west side). The rear gardens of properties on the northern side of Hibbs Close (including No's 1, 3, 5, 7 and 9) all have north facing rear gardens, therefore with limited access to sunlight. The two storey rear extension will project only 3m from the rear elevation and is

sited approximately 7 metres from the No.9, being angled away from this property. It is considered unlikely to have an overbearing impact on the nearest neighbouring occupiers, particularly now the roof height has been lowered and is pitched away. Overall, the proposal is considered acceptable in terms of saved policy H4 of the adopted Local Plan.

5.7 Transport

The single garage will be removed as part of the applicant's plans to convert the garage. Whilst this does not form part of the proposal, the applicant has offset this loss by providing an additional off-street parking space in the front garden. The proposal includes the creation of 1no. additional bedroom. The existing driveway provides adequate parking for 2no. vehicles. In this respect, it is not considered necessary to condition the provision of 1no. additional off-street parking space. There is no transportation objection to the proposal.

6. CONCLUSION

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

6.2 The recommendation to **approve** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policy) 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 attached condition.

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).

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/5019/CLP	Applicant:	Mr Ollie Laker
Site:	15 Lower Chapel Road Hanham Bristol South Gloucestershire BS15 8SH	Date Reg:	7th January 2015
Proposal:	Certificate of lawfulness for the proposed installation of rear dormer window to facilitate loft conversion	Parish:	Hanham Parish Council
Map Ref:	364157 172432	Ward:	Hanham
Application Category:		Target Date:	2nd March 2015



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PK14/5019/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of a rear dormer window at 15 Lower Chapel Road, Hanham would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/4523/F - Demolition of existing rear extension and garage, erection of a two storey and single storey rear extension to form additional living accommodation. Erection of detached garage.
Approved 15/12/2014

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No response
- 4.2 Other Consultees
Highway Drainage
No comment

Other Representations

- 4.3 Local Residents
None received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 119/01 119/06 Floor Plans Roof Plans and Elevations as Existing, 119/03 Site Location Plan, 119/06 Floor Plans Roof Plans and Elevations as Proposed, all of which were received on 22nd 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 the installation of a dormer window to 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 29.5 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 materials 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 0.45 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

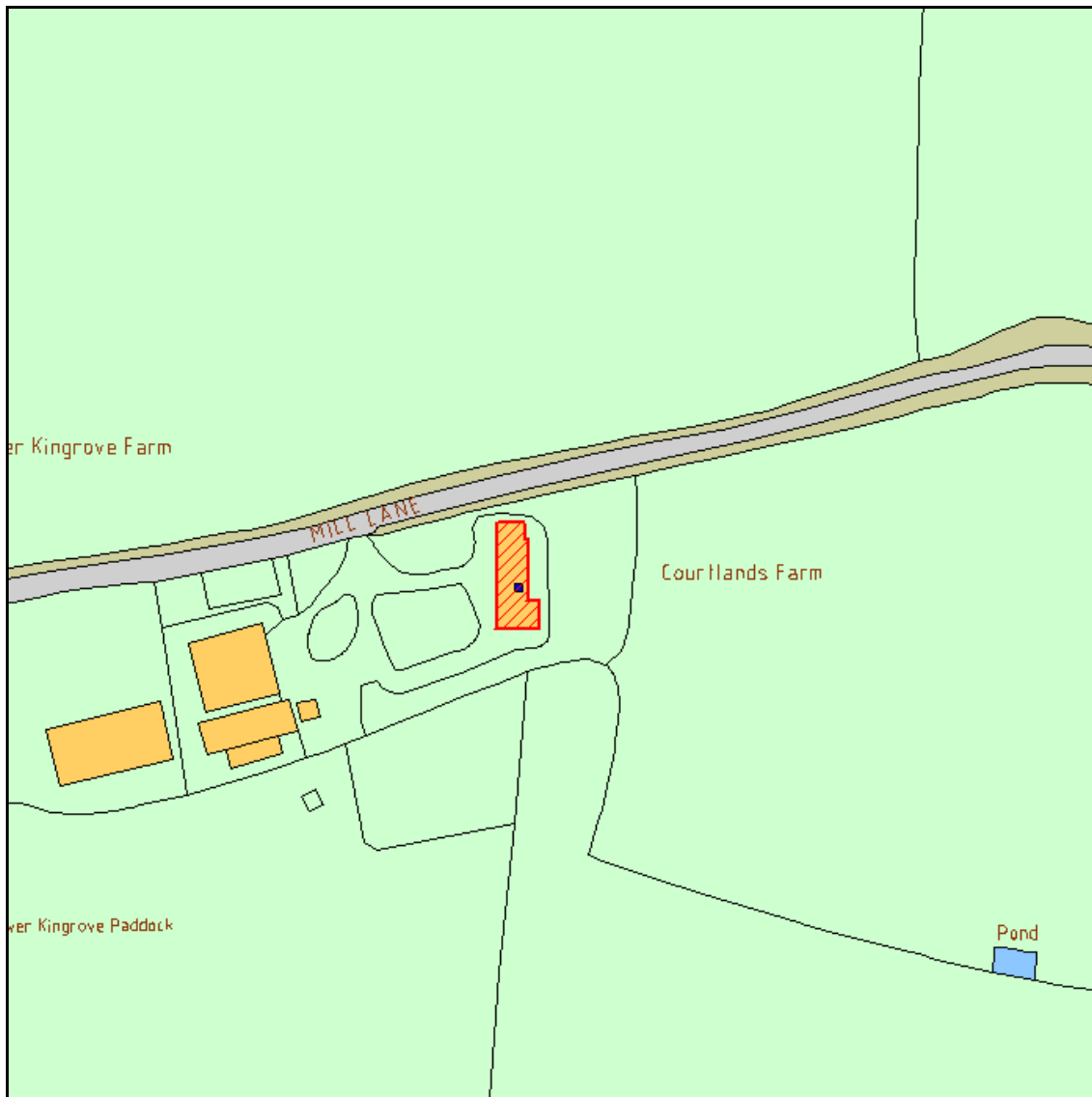
7.1 That a Certificate of Lawfulness for Proposed Development is **granted** for the following reason;

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

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PK14/5020/CLE	Applicant:	Mr H B Geddes
Site:	Courtlands Farm Mill Lane Old Sodbury Bristol BS37 6SH	Date Reg:	7th January 2015
Proposal:	Application for Certificate of Lawfulness for existing use as residential dwelling without compliance with agricultural occupancy condition (b) attached to planning permission N1329/4.	Parish:	Sodbury Town Council
Map Ref:	373912 180934	Ward:	Cotswold Edge
Application Category:		Target Date:	24th February 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as the application is for a Certificate of Lawful Use.

1. THE PROPOSAL

- 1.1 This is an application for a Certificate of Lawfulness for an existing use, to ascertain whether the dwelling known as Courtlands Farm, Mill Lane has been occupied without compliance with condition (b) attached to planning consent N1329/4 (agricultural occupancy) for more than 10 years from the date of this application.

Condition (b) of the decision notice reads,

“The occupation of the dwelling hereby authorised shall be limited to a person solely or mainly employed, or last employed, in the locality on agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or in forestry (including any dependants of such a person residing with him) or widow or widower of such a person.”

- 1.2 The application site is located on the southern side of Mill Lane in Old Sodbury and consists of a large detached dwelling to the eastern end of Courtlands Farm. Although not included in the application site, the property has several large associated outbuildings to the west of the property and is separated by a large landscaped driveway and parking area in front of the access. The site is surrounded by open countryside and farmland and is well screened with mature hedgerows to the north and east of the site.
- 1.2 The applicant claims that the dwelling has been occupied in breach of the condition since 1st April 1990.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24
Town and Country Planning Act s.171

3. RELEVANT PLANNING HISTORY

- 3.1 N1329/5 - Erection of single storey side extension to form double garage and lounge.
Approved 14/10/1983
- 3.2 N1329/4 - Erection of a dwellinghouse for agricultural worker (in accordance with amended drawings received by the Council on 25th Mach 1980).
Approved 24/04/1980

4. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION

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

- A statutory declaration by Mr H B Geddes relating to the occupancy of the dwelling known as Courtland Farm which states that he has occupied the dwelling as a private residence since 1st April 1990; and Mr Geddes has worked in car sales since 1959 and operated as a sole trader employing his wife and daughter since he moved into the property at Courtlands Farm; Mr Geddes has never owned any livestock with the exception of horses which stabled at a training yard by eight months of the year and is stabled and grazed at Courtlands Farm for four months of the year; neither Mr Geddes or his wife have worked in agriculture at any time during the their occupancy of the property.

4.2 A bundle of documents were also submitted comprising of:-

- HBG1 Decision notice of planning application N1329/4
- HBG2 Land Registry entry and plan
- HBG3 Location plan showing dwelling and land within ownership
- HBG4 Accountant's letter (Mr Brown) confirming sole source of income prior to pensions was and continues to be that derived from motor dealing.
- HBG5 Front pages of annual accounts from 2004 – 2008
- HBG6 Transactions between 11 September 2001 and 17 August 2007
- HBG7 Sales records of additional work undertaken including repairs from 27 July 2007 and 20 August 2014

5. SUMMARY OF CONTRARY EVIDENCE

5.1 None

6. OTHER REPRESENTATIONS RECEIVED

6.1 Sodbury Parish Council

Objection as removing the agricultural ties sets a precedent for future applications.

6.2 Sustainable Transport

No comment

6.3 Local Residents

No comments have been received

7. EVALUATION

7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence.

- 7.2 The application claims that the dwelling has been occupied in breach of the planning permission N1329/F (dated 24th April 1980) and is now Lawful. Essentially, the applicant must be able to demonstrate (on the balance of probability) that the dwelling has been occupied continuously by persons not working in agriculture for a period of 10 years or more.
- 7.3 The evidence submitted includes information demonstrating that Mr Geddes' sole income (prior to receiving pensions) has been from motor dealing for a continuous period over 10 years (from at least 11 September 2001) and that since occupying the dwelling at Courtlands Farm in April 1990, neither Mr Geddes or his wife have been employed in agriculture.
- 7.4 There is no contrary evidence to the above. The officer site visit did not bring to light any reason to dispute this claim. The statutory declarations submitted by the applicant and the supporting documents provide clear and unambiguous evidence and are given weight as this is evidence sworn under oath and witnessed by a legal solicitor. On this basis, the declarations are given weight in the determination of this application. Officers consider that, on the balance of probabilities, the dwelling has been occupied in breach of the planning permission (N1329/4) for a period of over 10 years. Officers therefore consider that the occupation of the dwelling on an unfettered basis is lawful.
- 7.5 Other Issues
It should be noted that Sodbury Town Council have objected to approving the Certificate of Lawfulness as it would provide a precedent of removing agricultural ties for future applications. However given that a Certificate of Lawfulness is purely an evidential test as opposed to a planning application, the views of the Town Council cannot be considered in the determination of the Certificate.

8. RECOMENDATION

- 8.1 That a Certificate of Lawful Development is granted for the continued occupation of the dwelling in breach of Planning Permission N1329/4.

Contact Officer: Hannah Minett
Tel. No. 01454 862495

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PT14/4383/F	Applicant:	Mr Trevor Adams
Site:	1 Vicarage Road Pilning Bristol South Gloucestershire BS35 4LN	Date Reg:	10th December 2014
Proposal:	Demolition of existing garage and erection of new detached garage.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355306 185272	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	2nd February 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is appearing on circulated schedule due to the receipt of an objection from a local resident, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the demolition of an existing garage and erection of a new detached garage.
- 1.2 The application site relates to a two-storey end of terrace dwellinghouse, situated within the established residential area of Pilning. The property has a large front garden and hardstanding in front of the existing garage.

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
CS5 Location of Development
CS8 Improving Accessibility

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

H4 Development within Existing Residential Curtilages
T12 Transportation Development Control

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 None recent.

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

No comment.

4.2 Highway Drainage

Objection, the application form does not state the method of surface water disposal.

Additional information was later submitted by the agent confirming that the new base will be raised and incorporates a soakaway around the base.

Other Representations

4.3 Local Residents

One comment of objection from a local resident who has raised some non-planning issues concerning land ownership, encroachment and trespassing.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is for the demolition of an existing pre-fabricated concrete garage which is in poor condition and its replacement with new larger detached garage. The design of the proposal and its impact on the residential amenity of both the existing property and that of closest neighbours must be considered in respect of policy CS1 of the adopted Core Strategy and saved policy H4 of the adopted Local Plan (2006). In addition, the on off-street parking and the effect on highway safety is another issued to be assessed. The proposal is considered to accord with the principle of development.

5.2 Design

The host dwelling is an end of terraced property. The west side of the property is adjacent to semi-detached dwellings on Redwick Road. The existing garage is also adjacent to No. 32 Redwick Road's double garage, which is set on ground slightly higher than the application site.

5.3 The proposal would comprise of a replacement pre-fabricated garage constructed in steel reinforced concrete panels with aggregate finish. The roof would be a low-pitched roof, constructed in tile effect roof sheets in merlin grey. The replacement garage would measure approximately 5m in length, by 4m wide with a height of 2m. The replacement garage would be wider than the existing garage, but would still fit comfortably at the side of the dwellinghouse. In terms of overall design, scale and massing the proposal is considered appropriate to the character of the host dwelling and the area in general.

5.4 Residential Amenity

The proposal is for a replacement garage. There is not significant increase in the height of the garage, although there will be a new base with a soakaway. The garage will adjoin an existing large garage located to the west. Whilst the owner of No. 32 has raised concerns about the shared boundary wall, encroachment and trespassing when the garage is replaced, these are not planning issues that can be considered as part of this application. An informative will be added in respect of land ownership, as is standard. The replacement garage is not considered to impact on the residential amenity of the area or neighbouring occupiers. The host dwelling would retain ample private amenity space to the front and rear, including a large hardstanding parking area to the front of the garage.

5.5 Drainage and Flood Prevention

The site is situated within flood zones 2 and 3; as such the applicant needs to demonstrate that flood mitigation measures have been taken into consideration. The applicant has submitted an Environment Agency flood risk document which confirms that the base will be raised above the existing level

and will include a soakaway around the base. This is considered acceptable and will appropriately manage flood risk on the site.

6. CONCLUSION

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

Contact Officer: Katie Warrington
Tel. No. 01454 863436

CONDITIONS

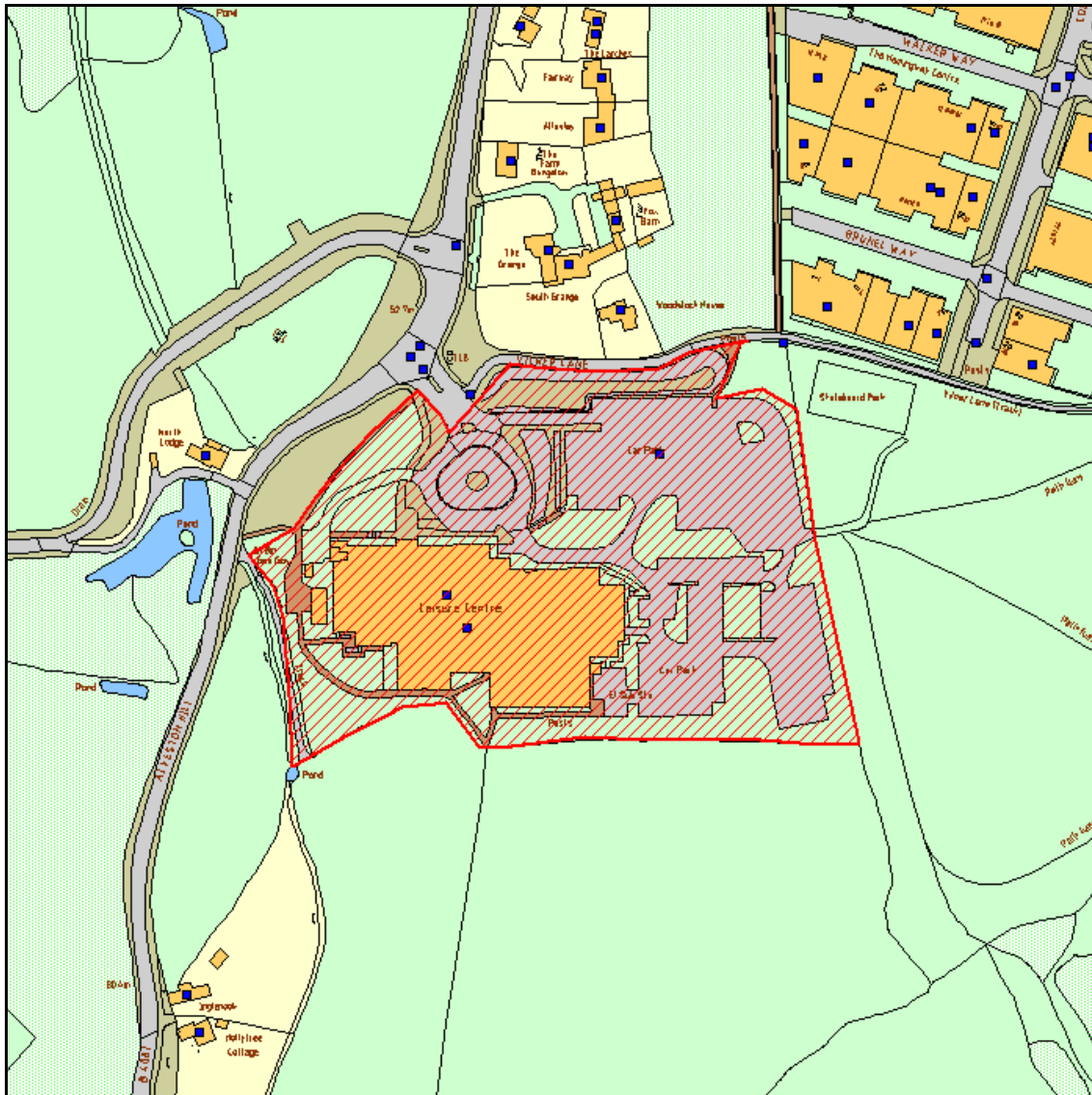
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PT14/4518/ADV	Applicant:	Circadian Trust
Site:	Thornbury Leisure Centre Thornbury Road Thornbury South Gloucestershire BS35 3JB	Date Reg:	27th November 2014
Proposal:	Consent to display 1 no. non illuminated Totem sign and 1no. non illuminated banner sign.	Parish:	Thornbury Town Council
Map Ref:	363594 189193	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	20th January 2015



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning consent to erect a non-illuminated totem sign and also a non-illuminated banner.
- 1.2 The proposed sign is at Thornbury Leisure Centre located off Alveston Hill (B4061). The sign would be positioned on entrance to the Leisure Centre, approximately 50 metres north of the main building.
- 1.3 The proposed totem sign would be 3 metres high and measure 1.5 metres in width. The sign would display the Leisure Centre logo as well as some basic information relating to the services provided on site. The banner would be 4 metres wide and 1 metre in height, and would be used to advertise promotions.
- 1.4 Existing on site are a number of existing advertisement boards/banners.
- 1.5 The applicant engaged in pre-application advice with the Council and has amended the scheme appropriately.
- 1.6 Since the application was submitted, a number of amendments were made to reflect the submitted plans, namely the banner sign was included within this application, subsequent re-consultation occurred.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
T12 Transportation

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2007
Development in the Green Belt SPD (Adopted) June 2007

3. **RELEVANT PLANNING HISTORY**

- | | | | |
|-----|---|----------|------------|
| 3.1 | PT12/1169/ADV | Approved | 28/06/2012 |
| | Display of 1 no. non illuminated banner sign. | | |
| 3.2 | PT07/0581/ADV | Approved | 05/04/2007 |
| | Display of 1 no. non illuminated banner sign. | | |
| 3.3 | PT01/2253/ADV | Approved | 24/09/2001 |
| | Display of banner sign on freestanding non-illuminated structure. | | |

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council
No objection.

4.2 Other Consultees

Public Rights of Way
No Objection.

Open Spaces Society
None received.

Transport Development Control
No objection, the officer stated they did not believe that the proposal would create any highways or transportation issues.

Other Representations

4.3 Local Residents

One letter of objection has been received by the Council, this comment was from a neighbouring resident and their objections were as follows:

- The proposed sign is much taller and significantly more obtrusive than the existing;
- The purpose of current planning proposals is to retain a green belt approach and environment in this area of Thornbury;
- There are too many signs at the entrance to the Leisure Centre and Golf course which adversely impact the visual pleasantness of this area;
- They [current and proposed signs] surely detract from stated aims in policy GB1;
- The A38 seems to carry 40mph signs on every lamp post;
- There are no 30 mph signs between Alveston and Thornbury on the B4061;
- There should be a 26ft length limit sign on this road as it exists.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 state a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety. The National Planning Policy Framework states control over outdoor advertisements should be efficient, effective and simple. The guidance goes onto reiterate the Regulations, stating advertisements should be controlled in the interests of amenity and public safety, taking account of cumulative impacts.

5.2 Design and Visual Amenity

Currently at the site there are three advertisement banners/boards, two of which look to be in a poor state. None of these advertisement have planning consent as they have been there for a period over five years, and planning ref. PT12/1169/ADV was not built in accordance with the approved plans – the hoarding is in different location. In response to this, with any advertisement consent granted, it will be conditioned that prior to the commencement of development, all existing advertisement signage will be removed.

The proposed signs will be a reduction when compared to the three existing signs at the site. As well as this, the existing signs are in a poor state, whereas the proposed will not be, especially the totem sign which is a much more permanent structure which will not require the same level of maintenance as the existing signs. Overall, it is considered that the signs will not have a materially detrimental impact on the visual amenity of the existing site and setting.

5.3 Public Safety

Both signs are not illuminated and relatively modest in size when compared to the setting they inhabit. This is reflected in comments from the Councils transport officer who had no objection to the proposal, stating the proposal would not create any adverse highway or transportation issues. Therefore, it is judged that the proposal would not have any materially detrimental impact on public safety.

5.4 Green Belt

Firstly, policy GB1 of the adopted Local Plan is mentioned by an objector, this policy is no longer extant and has been replaced by the adopted Core Strategy. The advertisement regulations mentioned above and the NPPF state that a local planning authority should determine an advertisement application with regard to amenity and public safety. Accordingly, the fact that the proposal is located in the Green Belt does not attract significant weight in this discretionary process.

5.5 Highway Signs

As expressed above the proposed sign will not clutter the Alveston Hill (B4061) and also it is judged that the sign will not have any materially adverse impacts on highway safety. Part of the objection comments received by the Council pertained to the amount of traffic signs on the A38, the A38 is south of the Leisure Centre by a considerable distance and the proposed sign in this application will have no material impact on this road due to the large distance between the Leisure Centre and the aforementioned highway. As well as this,

the objector makes reference to speed limits on the A38 and the B4061; this is not material to this advertisement application.

6. RECOMMENDATION

7.1 That the application is **APPROVED**.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

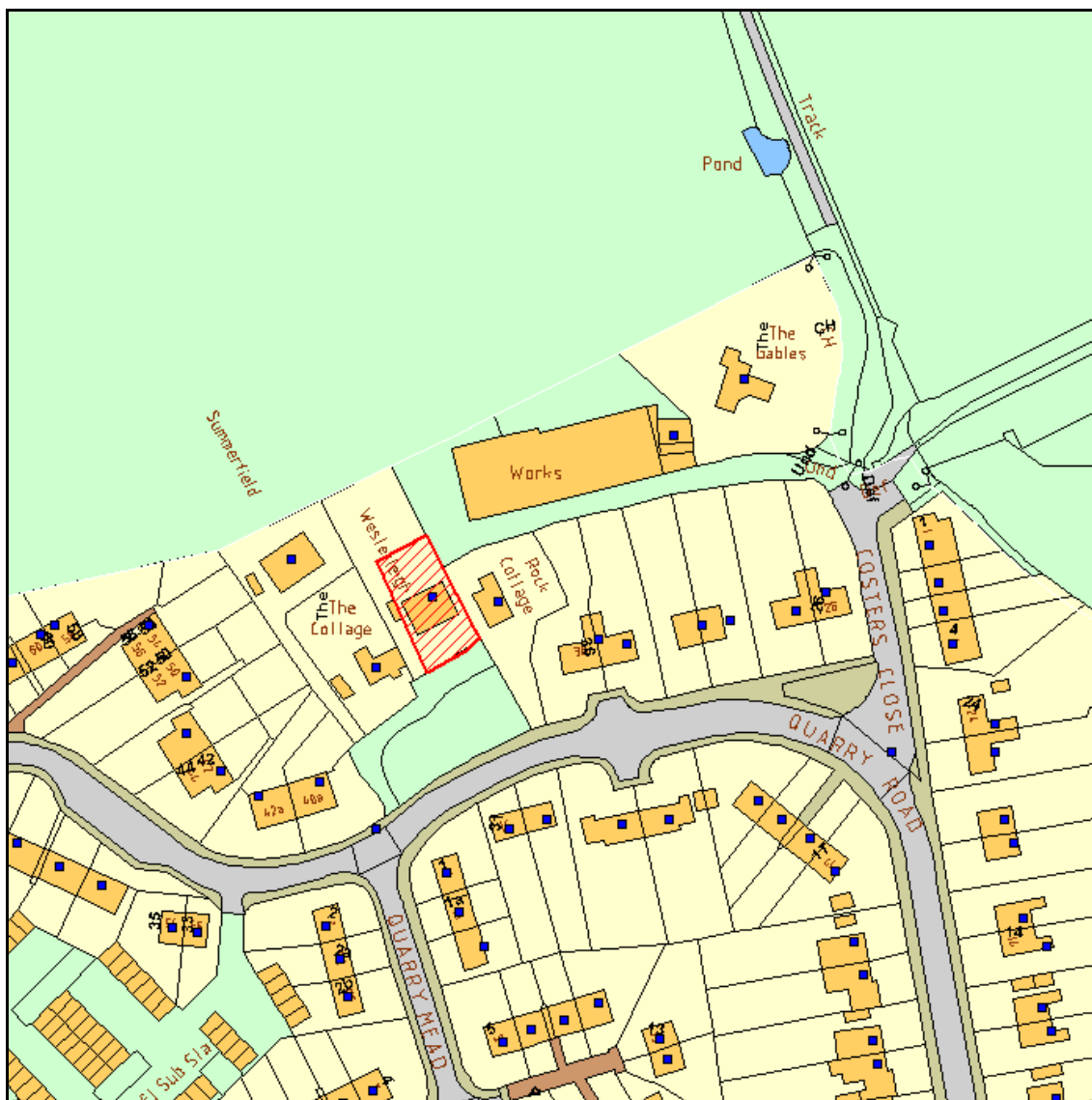
1. Prior to the commencement of development, all existing signs at the entrance to the Leisure Centre must be removed.

Reason

In the interests of visual amenity and to accord with The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PT14/4617/F	Applicant:	Mr Martin Vizard
Site:	Westerleigh Quarry Road Alveston South Gloucestershire BS35 4BT	Date Reg:	22nd December 2014
Proposal:	Demolition of existing dwelling to facilitate the erection of 1no. pair of semi-detached dwellings with access and associated works.	Parish:	Alveston Parish Council
Map Ref:	362991 188412	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	10th February 2015



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 100023410, 2014. N.T.S. PT14/4617/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as an objection has been received from the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of the existing dwelling and the erection of one pair of semi-detached dwellings. The application site is a chalet bungalow located within the settlement boundary of Alveston. Alveston is a settlement washed over by the green belt. No further land use designations cover the site.
- 1.2 The proposed development is the same as that previously granted planning permission under PT08/2981/F and PT11/3571/EXT. These permissions have not been implemented and have now expired.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
T7 Cycle Parking
T12 Transportation
H4 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
 - i. South Gloucestershire Design Checklist (Adopted) August 2007
 - ii. Residential Parking Standard (Adopted) December 2013
 - ii. Development in the Green Belt (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/3571/EXT Approve with Conditions 30/12/2011
Demolition of existing dwelling to facilitate erection of 2 new dwellings.
(Consent to extend time limit implementation for PT08/2981/F)

- 3.2 PT11/3416/F Withdrawn 10/11/2011
Erection of 2 no dwellings with associated works
- 3.3 PT08/2981/F Approve with Conditions 07/01/2009
Demolition of existing dwelling to facilitate erection of two new dwellings

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
Objection: overdevelopment; car parking concerns.
- 4.2 Thornbury Town Council
No objection
- 4.3 Drainage
Request SUDS condition
- 4.4 Environmental Protection
Request construction sites condition
- 4.5 Highway Structures
No comment
- 4.6 Landscape
Request landscaping condition
- 4.7 Transport
Parking plan required

Other Representations

- 4.8 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of a pair of semi-detached dwellings in Alveston.
- 5.2 Principle of Development
The Council's locational strategy directs new development to the existing urban areas and defined settlements. Furthermore, when this application was submitted, planning permission PT11/3571/EXT was extant. Policy H4 would also allow development within an existing residential curtilage subject to an assessment of certain factors. However, the site is in the green belt and therefore and proposal must accord with the green belt designation. The proposal must therefore be determined against the analysis set out below.

- 5.3 It should be noted that since the original grant of planning permission for the proposal, both national policy and the District's development plan have changed.
- 5.4 Green Belt
The government places great importance on green belts and as such new buildings within the green belt are inappropriate unless they fall within the exception categories as listed in the NPPF. One of the categories is the limited infilling in villages. The site is located within the settlement boundary for Alveston and therefore fulfils the requirement to be within a village. An assessment is required on whether the development is limited in nature.
- 5.5 No definition is given in the NPPF as to limited infilling. The Core Strategy defines infill development as being in 'a relatively small gap between existing buildings, normally within a built up area.' The proposed development would be in line with the existing buildings and therefore is considered to be infill development.
- 5.6 The proposed development is considered to fall within the exception categories as listed in the NPPF and is therefore not inappropriate development in the green belt.
- 5.7 Design and Layout
The proposed design and layout is the same as that previously approved under planning permission PT08/2981/F and PT11/3571/F. Policy in relation to design has been updated since these planning permission were granted by policy CS1 of the Core Strategy.
- 5.8 Policy CS1 requires development to meet the highest possible standards of site planning and design which is more onerous than the policy it replaced that required a good standard of design. The proposal has been designed to respect and reflect the character of the adjacent property, The Cottage. As a result the development fits into the existing street scene and is considered to reach an acceptable standard of design.
- 5.9 It is not considered that the proposal would result in overdevelopment of the site. The resulting density is compatible with the density of development elsewhere in the locality and increased housing density within existing settlements is considered to be a sustainable manner in which to improve housing provision.
- 5.10 Landscape
To provide the proposed parking area, the front boundary would be removed and this may look stark. This could be improved by the planting of two small trees either side of the proposed parking area and the use of appropriate boundary materials. A landscape condition is required to secure these factors and limit the harm of the development on the visual amenity of the locality.

5.11 Residential Amenity

Development is not permitted that has a prejudicial impact on residential amenity. The impact on residential amenity has previously been considered and it was not found to be harmful. Since the previous applications were determined, planning permission (PT11/0748/F and PT14/0699/F) has granted consent for the erection of a dwelling on the former builders' yard to the rear. It is not considered that the replacement of the existing building with the proposed building would impact on the amenity of the proposed dwelling to the rear. A condition will be attached regarding construction hours to safeguard the amenity of nearby occupiers during construction.

5.12 Transport

Development is required to meet the arising transportation needs; with regard to residential development, this is through the provision of adequate off-street parking as set out in the Residential Parking Standard SPD. A two-bedroom dwelling requires the provision of 1.5 parking spaces. Two properties are proposed and therefore three parking spaces are required.

5.13 A parking plan has been submitted showing the provision of four off-street parking spaces. The SPD sets a minimum provision and therefore the overprovision of spaces is not contrary to policy. It is not considered that the proposal would result in additional parking on the highway or lead to a decrease in levels of highway safety. A previous condition was attached with regard to cycle parking; this condition will be attached again in order to promote sustainable transport patterns.

5.14 Drainage

The drainage engineer has requested that a SUDS condition be imposed by raises no objection in principle. The scale of development is not considered to be sufficient to warrant the implementation of such a condition and therefore, drainage is considered to be adequately addressed by building regulations.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission 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. No development shall commence until 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. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy L1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies)

3. No development shall commence until detailed plans showing the provision of cycle parking facilities in accordance with the standards set out in Policies T7 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies)

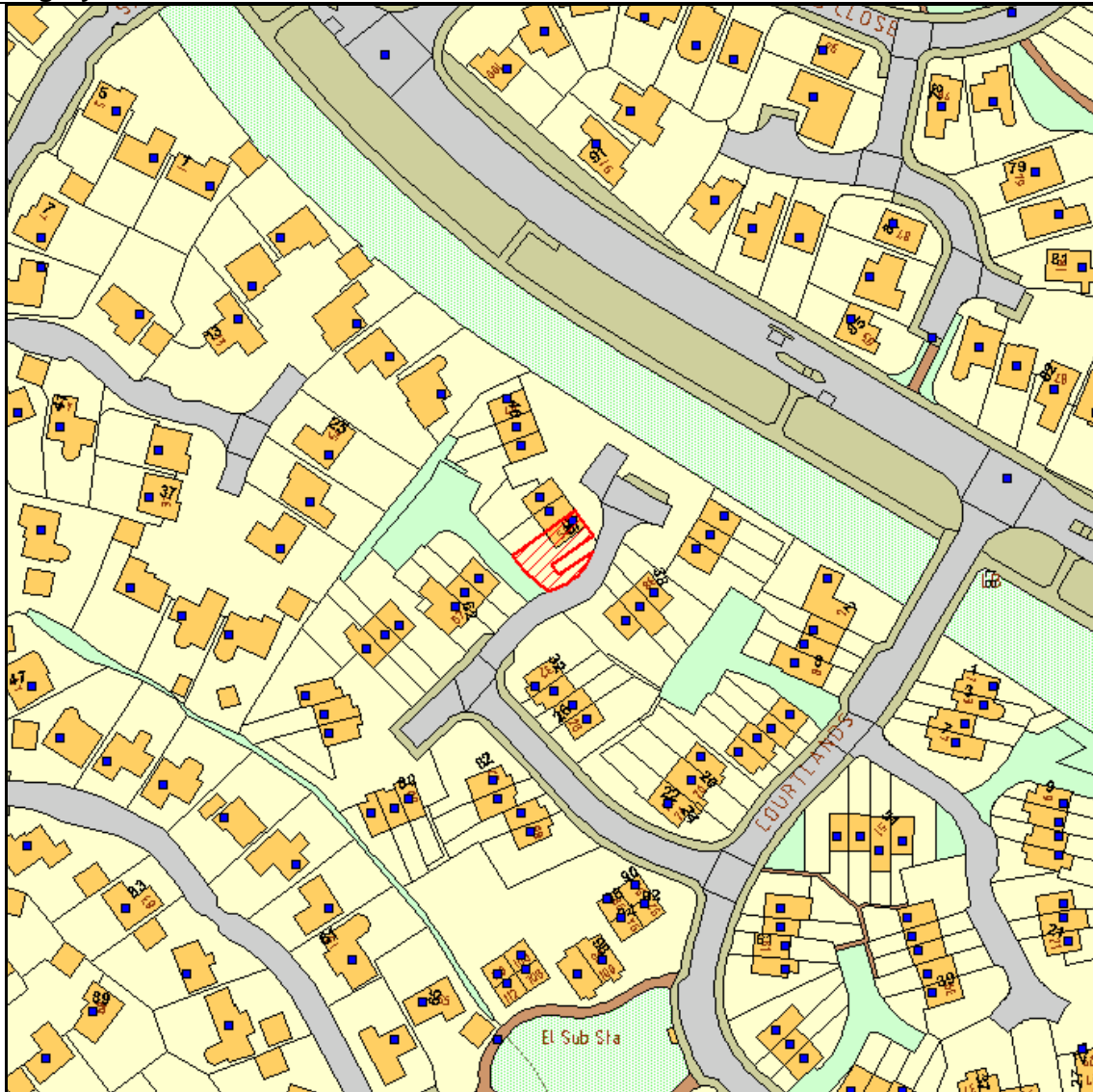
4. The hours of working on site during the period of construction shall be restricted to Monday - Friday 07.30 - 18.00. Saturday 08.00 - 13.00, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of nearby dwellings and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PT14/4795/F	Applicant:	Mr And Mrs R And A King
Site:	56 Courtlands Bradley Stoke Bristol South Gloucestershire BS32 9BB	Date Reg:	15th December 2014
Proposal:	Erection of two storey side extension to facilitate conversion of existing dwelling to 2no. self contained flats with associated works.	Parish:	Bradley Stoke Town Council
Map Ref:	361357 182192	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Minor	Target Date:	4th February 2015



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PT14/4795/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 permission for the erection of a double storey side extension in order to facilitate the conversion of the dwelling into 2no. one bedroom flats.
- 1.2 The application relates to an end of terrace dwelling situated in an established residential area of Bradley Stoke.
- 1.3 During the course of the application a revised block plan has been submitted amending the proposed parking layout. A re-consultation period was not considered necessary.

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
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS25 North Fringe of Bristol Urban Area

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

L1 Landscape Protection and Enhancement
L5 Open Areas
H4 Development within Existing Residential Curtilages
H5 Proposals for Conversion of Existing Residential Properties into Small Units
EP2 Flood Risk and Development
T12 Transportation Development Control Policy

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P89/0020/146 - Residential development on 5.5 acres of land consisting of erection of 108 dwellings comprising 83 two bedroomed terraced houses, 25 one bedroomed units. Construction of new vehicular and pedestrian access and associated car parking and landscaping areas (in accordance with the amended plans received by the council on the 30TH June 1989) (to be read in conjunction with P84/20/1). Approved 26th July 1989
- 3.2 P84/0020/1 - Residential, shopping & employment development inc. roads & sewers and other ancillary facilities on approx.1000 acres of land. Approved 3rd December 1986

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
Objection on the following grounds: Overdevelopment of the site, out of keeping with the streetscene and detrimental to the residential amenity.
- 4.2 Transportation DC
No objection subject to conditions.
- 4.3 Highway Drainage
No objection. Informatives recommended.
- 4.4 Highway Structures
No comment

Other Representations

- 4.5 Local Residents
Three objections have been received from local residents. The comments are summarised as follows:
- Already problems with parking in street.
 - New buyers will have no choice but to park on the road.
 - Extension is not in keeping.
 - Parking is already overcrowded. Development would remove parking whilst adding more people.
 - Parking is potentially dangerous.
 - Loss of visibility when leaving driveway.
 - Access would be more difficult.
 - Cul de sac already congested.
 - Parking for no.54 already misused to inconvenience of occupiers.
 - Difficulties for pedestrians, children, prams etc.
 - Parking layout would lead to confusion and inconvenience for occupiers.
 - Road is already busy with difficult visibility. Adding more units would strain this.
 - Children play in cul de sac.

- Access/ parking for no.54 made more difficult by wall.
- Issues with drainage.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application proposes the erection of a double storey side extension in order to facilitate the conversion of the dwelling into 2no. one bedroom flats. Policy CS17 of the Core Strategy states that the sub-division of existing dwellings to form flats will be allowed where this would not lead to an adverse effect on the character of the area, would not cumulatively lead to unacceptable localised traffic congestion and pressure on parking, and where each home has adequate private/ semi-private or communal outdoor space. The principle of the proposed development to extend and convert an existing dwelling into two smaller units is also considered acceptable under saved policies H4 and H5 of the SGLP (Adopted 2006), and policy CS5 of the Core Strategy (Adopted 2013) subject to detailed consideration of residential amenity, highway safety, design and other environmental considerations.

5.2 Residential Amenity

The application relates to a small double storey end of terrace dwelling situated on an established residential cul de sac in Bradley Stoke. The proposal is to erect a double storey side extension to the south elevation of the dwelling replacing part of the existing hardstanding area. The extension would have a depth to match the host property with a slightly lower ridge height.

5.3 In terms of the impact of the extension on the amenity of the surrounding occupiers it is considered that the siting and scale of the extension is such that it would not appear significantly overbearing or oppressive on the surrounding occupiers and would not significantly alter existing levels of outlook or light. A ground floor window is proposed on the side (south) elevation of the extension with all other windows situated in the front and rear elevations. It is considered that the ground floor side elevation window would not result in a loss of privacy or increased inter-visibility to surrounding occupiers. The front and rear windows would not significantly alter the existing levels of privacy given the location of existing windows. It is noted that during construction some disruption is likely to occur as a result of building operations and as such, given the established residential nature of the locality, it is considered that a condition to restrict working hours is necessary.

5.4 In terms of private amenity space it is noted that the 2no. flats would be served by very little outdoor space. The area that does exist would largely serve as a bin storage area. This is not desirable however in this instance, given that the proposed is for 2no. small one bedroom flats, it is not considered that this would warrant a refusal of the application. The flats would not be suitable for family accommodation and are within walking distance of public open green space and, as such, shared outdoor amenity space is available.

5.5 Design

The site consists of a double storey end of terrace dwelling situated on an established cul de sac in Bradley Stoke. The dwelling is in a prominent location on the cul de sac adjacent to the highway and therefore visible in the immediate locality. It is modest in scale and constructed in brick facing with a pitched tiled roof.

5.6 The enquiry proposes the erection of a double storey side extension to facilitate the conversion of the dwelling to two one bedrooms flats. The extension proposed would be to the south east elevation of the dwelling on an area which currently consists of hardstanding serving as off street parking provision. The extension would have the same depth as the existing property but set down slightly in height.

5.7 In terms of the design of the extension it is considered that its width would be proportionate to the host dwelling. My only issue in terms of the actual extension is that it is flush with the front elevation. The extension would be flush with the front and rear elevations which does not provide a subservient appearance but does compensate for this with a slight set down in height. The fenestration is such that the dwelling would continue to appear as one dwelling despite being split into two flats. It is considered that this design approach is appropriate and would ensure that the proposal remains in keeping with the character and appearance of the street scene.

5.8 One issue of concern in terms of visual impact is the relocation of the rear boundary fence in order to facilitate the additional parking areas at the rear of the site. The fence line would be set in and as such would not follow the existing line of the enclosed area. It is noted that this revised garden and parking layout could result in the area being cramped however on balance it is not considered that this would be harmful to the extent that a refusal could be warranted. A small landscaped area would remain adjacent to the highway which would help to soften this area. It is therefore considered that provided appropriate boundary treatments and landscaped areas are introduced there would be no sustainable objection on grounds of visual amenity. These matters have not been finalised on the plan and as such a condition is recommended to this effect. Bin storage for the two dwellings has also not been identified. It is considered that there is sufficient space to provide a screened bin storage area and as such a condition for the submission of these details is also considered reasonable.

5.9 Highway Safety

The existing parking layout consists of four spaces to the side of no.56, two of which serve no.56 whilst two serve no.54. The application proposes to erect a double storey side extension which would be constructed on two of the existing off street parking spaces to the side of no.56. Two spaces would remain to the side of the extension to serve no.54. Two new spaces are proposed to the rear of the site to serve the proposed flats.

5.10 Concerns have been raised by local residents in relation to the amount of parking proposed, the visibility available and the increased number of vehicles

that could be associated with the additional residential unit. These comments are acknowledged and an assessment on parking, layout and visibility is addressed below. In terms of vehicular movements/ congestion it is acknowledged that the development would introduce two separate living units in the form of flats compared to the one unit as existing. The existing dwelling has two bedrooms whilst the flats would have one bedroom each. In comparing the two it is considered that any increase is likely to be very low and would not lead to any appreciable impacts on congestion in the cul de sac.

5.11 In terms of the amount of off street parking proposed the revised parking layout indicates that the rear and side garden fence and wall of no.56 would be removed with a replacement rear boundary fence(to match existing) erected 2.8 metres from the rear elevation of no.56. The development would provide one off street parking spaces to serve each one bedroom flat (two in total). The amount of parking proposed is in accordance with the Council's Residential Parking Standards SPD (Adopted 2013) which requires a minimum of one off street space per one bedroom unit. The amount of parking is therefore considered satisfactory.

5.11 In terms of parking layout and visibility the revised plan indicates that the width of the park for no.54, which is to the side of the dwellings, would be three metres which is considered adequate to enable vehicles park and with space to open car doors for passengers to exit and enter the vehicle. The Transport Officer recommended a condition to the effect that previously proposed rear boundary fence to no.56 is lowered or removed to enable sufficient visibility onto the access lane which runs to the southwest, and to ensure that the parking for no.54 has a minimum width of three metres. The revised block plan has addressed this request revising the parking layout and removing the rear boundary fence. It is therefore considered that provided the parking is provided before the first flat is first occupied there are no objections on grounds of parking provision or highway safety. Whilst the residents' concerns over the convenience of the parking layout are noted it is not considered that the layout would be any less convenient than the existing situation.

5.12 Drainage

Concern has been raised in relation to the drainage available for the dwellings in the locality. This is noted however it is not considered that the scale of this development, which would introduce a double storey side extension, would significantly increase water run off or exacerbate the existing drainage. The plans do not indicate the materials to be used on the hardstanding however provided these are porous, which can form part of a suitably worded condition; there are no objections to raise on these grounds.

5.13 It is noted that the proximity of a public surface water sewer may affect the layout of the development. The applicant is advised to refer the application to Wessex Water for determination.

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. Prior to the commencement of development a plan indicating full details of the proposed planting (including plant species); boundary treatments, bin storage, and areas of hardsurfacing (including materials) shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details with the landscaping carried out in the first planting season following the implementation of the development hereby approved.

Reason

In the interests of visual amenity and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, saved policies H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of the National Planning Policy Framework 2012

3. The off-street parking facilities for all vehicles shown on the 'Proposed Block & Location Plans' REV A hereby approved shall be provided before the first flat is first occupied, and thereafter retained for that purpose.

Reason

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

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

Reason

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

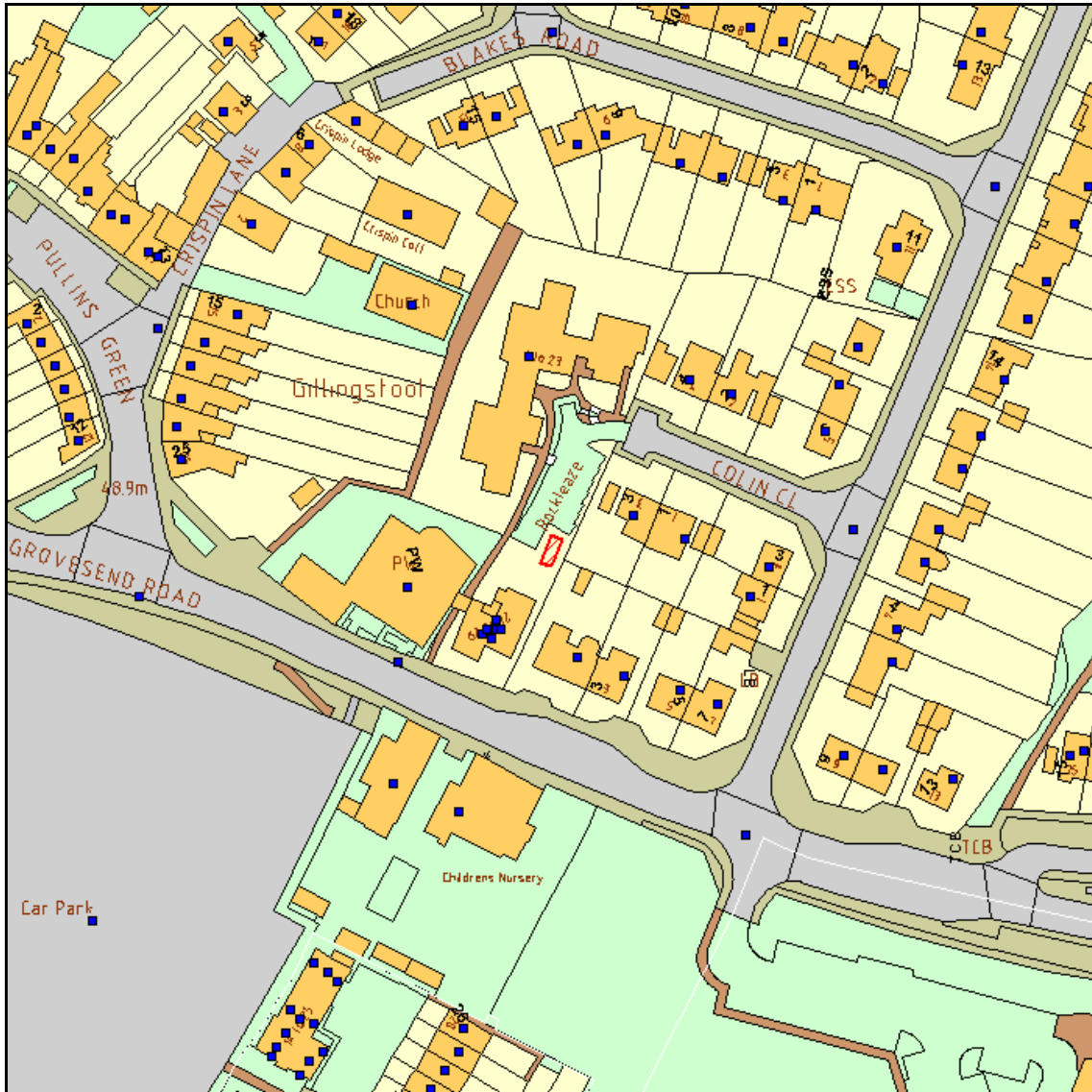
5. The hours of working on site during the period of construction shall be restricted to 08:00 to 18:00 Mondays to Fridays (inclusive); 08:30 to 13:00 Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition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

Reason

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

CIRCULATED SCHEDULE NO. 05/15 – 30 JANUARY 2015

App No.:	PT14/4887/F	Applicant:	Mr Michael McGowan
Site:	Rockleaze Colin Close Thornbury Bristol South Gloucestershire BS35 2JD	Date Reg:	29th December 2014
Proposal:	Erection of a scooter store/garage.	Parish:	Thornbury Town Council
Map Ref:	363963 190066	Ward:	Thornbury North
Application Category:	Minor	Target Date:	16th February 2015



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 100023410, 2014.

N.T.S. PT14/4887/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission to erect a garage with the function of storing mobility scooters.
- 1.2 The proposal will be situated in the parking area which is positioned in front of the eastern elevation of Rockleaze, which is a block of retirement/sheltered housing units. The proposal will not reduce the level of parking available to the residents of the sheltered housing block, as the area where the proposal will be located is currently being used for the storage of bins.
- 1.3 The garage will have a dual pitched roof with a maximum height of 2.349 metres, a length of 5.6 metres and a width of 3.048 metres.
- 1.4 During the application life-cycle discrepancies between the submitted plans was noted, the agent then amended the problem and submitted congruent plans to the Council, a period of re-consultation then followed.

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS20 Extra Care Housing
- 2.3 Supplementary Planning Guidance
Residential Parking Standard SPD (Adopted) December 2013
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P84/1246 Approval of Reserved Matters 18/04/1984
Erection of 12 elderly persons flats, in 2 two storey blocks; construction of four car parking spaces. (To be read in conjunction with N4342/1- details following outline).

- 3.2 N4342/2 Approval of Conditions 28/01/1982
Erection of elderly persons home comprising 17 units; construction of vehicular access, parking and manoeuvring areas. (Outline).
- 3.3 N4342/1 Approval of Conditions 11/06/1981
Erection of elderly persons home to provide 28 dwelling units plus wardens accommodation. Construction of vehicular and pedestrian access and car parking area (Outline).

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council
No Objections

4.2 Other Consultees

Transport Development Control
No Objection

Highways Structures
No Comment.

Highways Drainage
No Comment.

Other Representations

4.3 Local Residents

One letter containing mixed comments was submitted to the Council, the comments are summarised below:

- There are discrepancies between the submitted plans;
- Please can you confirm the proposed floor level as the height of the proposal may have an overlooking impact;
- The building may impact the structural integrity of the retaining wall within our curtilage (No. 2 Colin Close);
- The resident also noted that they were not consulted and found this application by chance.

The officer feels it should be noted that on the application status sheet, for both consultations, the applicant was noted as consulted.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an

appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.

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

5.2 Design

The proposal has a basic design and a minimal scale which is judged to be appropriate for its surroundings. The walls will be finished in a red brick affect which is congruent with the surrounding Rockleaze buildings. Although, the building will have metal roof, it will have a rosemary tile effect which will be of a similar style to the surrounding extra care buildings. The northern elevation of the proposal will have an aluminium garage door, although not the most suitable material for this location it is judged acceptable for such a garage.

Overall, the proposal has an acceptable standard of design which satisfies policy CS1 of the Core Strategy.

5.3 Residential Amenity

As a result of this proposal, the residential amenity of the neighbouring occupiers must not be detrimentally impacted. The proposal will be used as a storage facility, has no windows and is not judged to be a habitable space. The scale of the garage is minimal and suitable for its location and surroundings. It is noted that no. 3 Colin Close is positioned in close proximity to the north-east of the proposal, and the rear garden of this property is at a lower comparable height, although the boundary between Rockleaze and this property is marked with a shrub/tree arrangement which is approximately 2 metres in height. With this in mind, a garage that would be less than 2.5 metres in height is not expected to produce a situation where the adjacent properties would suffer from a significant loss of light or a materially overbearing impact.

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 Plan.

5.4 Highways

The proposal would be situated in area not used for parking currently. The existing location is used to store a number of bins; it is judged that there are a number of areas where these bins could be relocated which would not affect the existing parking arrangement. Accordingly, there are not highways 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).