



**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. 10/16

Date to Members: 11/03/16

Member's Deadline: 17/03/2016 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Dates and Deadlines for Circulated Schedule
During Easter Bank Holiday 2016

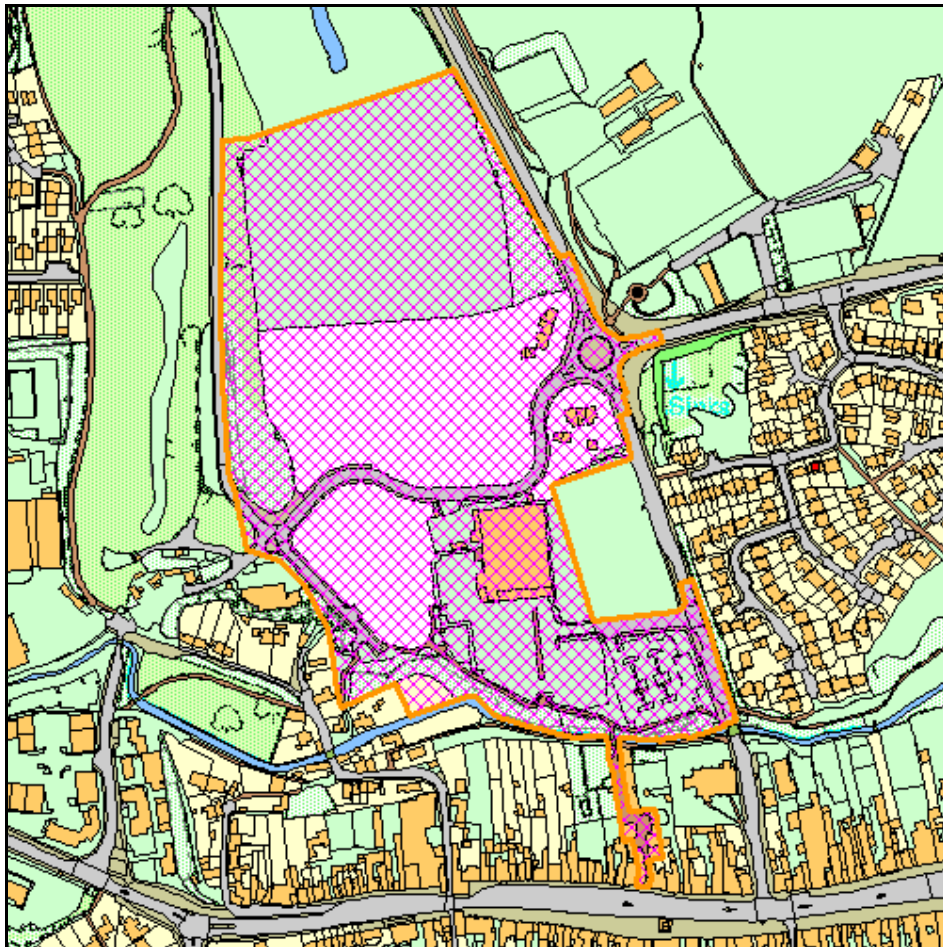
Schedule Number	Date to Members 9am on	Members Deadline
11/16	Thursday 17 March 2016	Wednesday 23 March 2016 5pm
12/16	Thursday 24 March 2016	Friday 01 April 2016 4.30pm

CIRCULATED SCHEDULE - 11 March 2016

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	MODK16/0001	Amendment to S106 Agreed	Land At Phases 4 And 5 Barnhill Quarry Chipping Sodbury	Chipping	Sodbury Town Council
2	PK15/3950/F	Approve with Conditions	Land Off The High Street Hanham South Gloucestershire BS15 8DU	Hanham	Hanham Parish Council
3	PK16/0104/TRE	Approve with Conditions	78 - 82 Wadham Grove Emersons Green South Gloucestershire BS16 7DW	Emersons	Emersons Green Town Council
4	PK16/0123/F	Approve with Conditions	157 Littledean Yate South Gloucestershire BS37 8UJ	Dodington	Dodington Parish Council
5	PK16/0142/TCA	No Objection	Frenchay Park House Beckspool Road Frenchay South Gloucestershire BS16 1JE	Frenchay And Stoke Park	Winterbourne Parish Council
6	PK16/0314/R3F	Deemed Consent	Childrens Centre Page Road Staple Hill South Gloucestershire BS16 4NE	Staple Hill	None
7	PK16/0337/TRE	Approve with Conditions	5 Broad Lane Yate South Gloucestershire BS37 7LD	Ladden Brook	Iron Acton Parish Council
8	PK16/0599/F	Approve with Conditions	12 The Keep Warmley South Gloucestershire BS30 8YQ	Oldland	Bitton Parish Council
9	PT15/5516/R3F	Deemed Consent	Bradley Stoke Leisure Centre 1 Fiddlers Wood Lane Bradley Stoke South Gloucestershire BS32 9BS	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
10	PT16/0047/F	Approve with Conditions	52 Fourth Avenue Filton South Gloucestershire BS7 0RW	Filton	Filton Town Council
11	PT16/0069/PNS	No Objection	Stanley Farm Road Footbridge Abbey Wood Filton South Gloucestershire	Filton	Filton Town Council
12	PT16/0110/F	Split decision See D/N	162 Bristol Road Frampton Cotterell South Gloucestershire BS36 2AX	Frampton Cotterell	Frampton Cotterell Parish Council
13	PT16/0277/CLP	Approve with Conditions	32 St Annes Drive Coalpit Heath South Gloucestershire BS36 2TH	Westerleigh	Westerleigh Parish Council
14	PT16/0495/CLP	Approve with Conditions	Hillcrest 30 Gloucester Road Almondsbury South Gloucestershire BS32 4HA	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	MODK16/0001	Applicant:	Bloor Homes South West
Site:	Land At Phases 4 And 5 Barnhill Quarry Chipping Sodbury	Date Reg:	23rd February 2016
Proposal:	Modification of S106 Agreement attached to planning application PK10/1675/O.	Parish:	Sodbury Town Council
Map Ref:	372822 182525	Ward:	Chipping Sodbury
Application Category:		Target Date:	18th April 2016



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MODK16/0001

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule as it seeks agreement to amend an existing S106 legal agreement.

1. THE PROPOSAL

- 1.1 Outline planning permission was granted for the mixed used redevelopment of the southern end of Barnhill Quarry on 6th June 2011 under ref. PK10/1675/O. The current position is that the scheme has largely been implemented with the only the main housing component (phases 4 and 5 of the development) currently under construction, which will be the last phases of the approved development.
- 1.2 The approved scheme was subject to a S106 agreement which has been agreed. The purpose of this application is to seek to secure a deed of variation to remove the need to transfer the publically accessible open spaces and infrastructure proposed in and around the housing developments of Phases 4 and 5 to the local authority and instead enable these areas to be maintained by a management company.

2. PROPOSED AMENDMENTS TO THE S106

- 2.1 Schedule 2 of the S106 identifies all the “on-site open spaces”, although along with what can be considered to be standard play areas and informal public open spaces, the site also contains a “wildlife area” and geological features of interest that will include interpretive and education materials. The remaining quarry faces in particular will require management both on the grounds of safety but also to ensure their geological features are not allowed to deteriorate. The sustainable drainage systems with phases 4 and 5 are also to be transferred to a management company. Each of these features will require a different management regime, which as approved was to be formulated by the local authority but the responsibility is now proposed to pass to a management company.
- 2.2 The obligations for the relevant areas of open space and feature that will require management are set out under schedules 2, 6, 9 and 10 of the S106.
- 2.3 Schedule 2 sets out the period and process of the transfer of the open spaces; the level of bond required; and the commuted sum payable on point of transfer to adoption. Schedule 6 quantifies further the open space contribution and Schedule 9 “Wildlife and Conservation Obligation” sets out the specification of the geo-conservation features (shelter and interpretation boards), but of relevance to this application is the maintenance contributions set out within paragraphs 1.6 and 1.7 which sets out the contributions payable for the management of the quarry faces and interpretative materials. Schedule 10 “SUDS” contains the contribution to be paid to the local authority at the point of transfer of the previously approved drainage scheme.

- 2.4 It is proposed that the references to local authority adoption and payable contributions contained within schedules 2, 6, 9 and 10 will be replaced by a management and maintenance schedule for all the different open spaces and infrastructure that will be legally binding on any management company entity.

3. CONCLUSION

- 3.1 The management of public open spaces and drainage infrastructure by management companies who levy charges on the residents of any development to pay for the management works is an established practice and so there are no objections in principle.
- 3.2 Due however to the special geological interests the site possesses, any management and maintenance schedule will require special consideration to ensure these areas and facilities will be managed in an appropriate manner and in the case of the geo-conservation shelter, that access to what is an educational resource that formed part of the mitigation strategy is maintained in perpetuity. Therefore subject to ensuring that the management and maintenance schedule satisfactorily addresses these issues, there would be no objection.

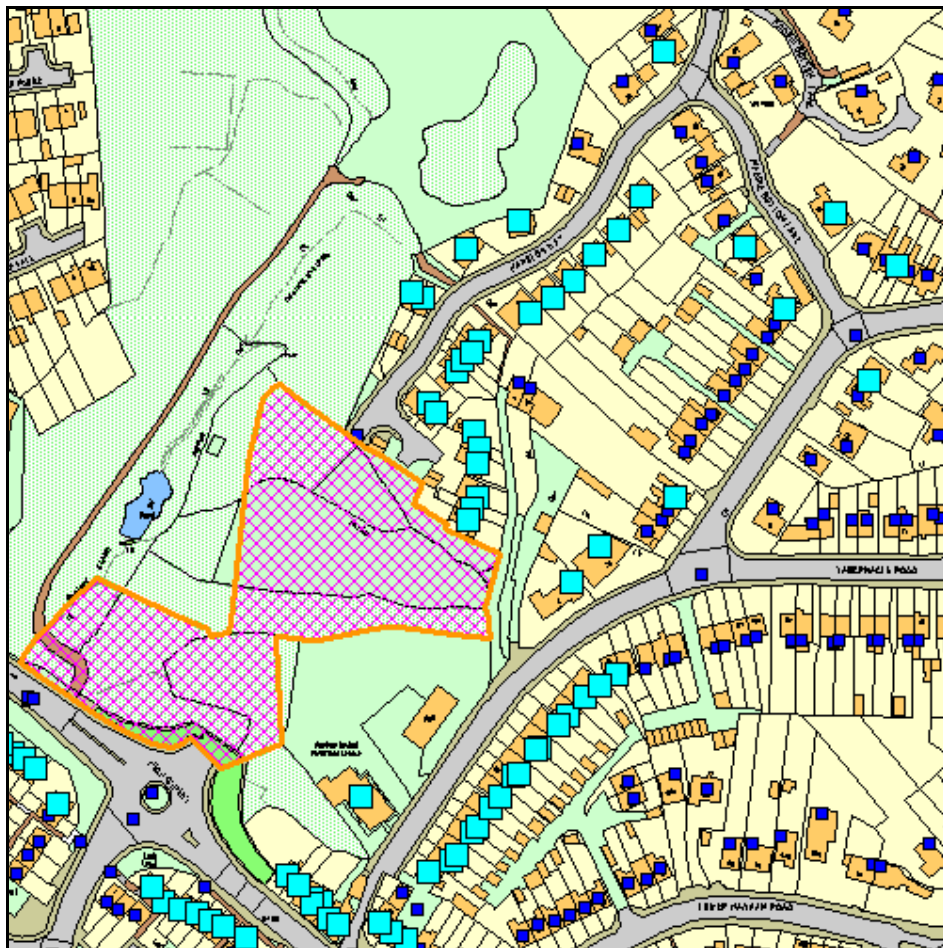
4. RECOMMENDATION

- 4.1 That authority be delegated to the Director of Environment and Community Services to instruct Legal Services to agree a Deed of Variation under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
1. A variation to Schedules 2,6,9 and 10 to enable a transfer of all open spaces, existing and proposed features of geo-logical and wildlife interest and drainage infrastructure to a management company subject to an agreed management and maintenance schedule.
 2. Developer to maintain the public open space and sustainable drainage systems and geo-conservation features of interest in accordance within the management and maintenance regime until such time as the whole of the public open space, sustainable drainage systems and geo-conservation features and facilities are transferred to the management entity.
 3. Details of the management entity to be approved by the Council
 4. Management entity to carry out the management and maintenance of the public open space, sustainable drainage systems and geo-conservation features and facilities in perpetuity.
- 4.2 That the Head of Legal & Democratic Services be authorised to prepare and seal the agreement.

Contact Officer: Robert Nicholson
Tel. No. 01454 863536

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PK15/3950/F	Applicant:	Yourlife Management Services Ltd
Site:	Land Off The High Street Hanham Bristol South Gloucestershire BS15 8DU	Date Reg:	28th September 2015
Proposal:	Erection of 54no. bed Extra Care Accommodation (Class C2) with communal facilities, landscaping, car parking, access and associated works.	Parish:	Hanham Parish Council
Map Ref:	364059 172516	Ward:	Hanham
Application Category:	Major	Target Date:	21st December 2015



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REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from local residents, the concerns raised being contrary to the officer recommendation. Furthermore a new S106 Agreement is required.

1. THE PROPOSAL

- 1.1 The application site lies within the urban area and comprises approximately 0.67 hectares of vacant overgrown land, part of which was a former nursery. The site comprises two linked parcels of relatively open land overgrown by bramble, rough grassland, and emergent woodland with some mature trees and scrub. The site is crossed by a number of informal paths (not marked on the definitive public right of way map) leading down to the west to the valley bottom and associated Stradbrook stream (this is known as Magpie Bottom and is designated as a Site of Nature Conservation Interest – SNCI). No part of the application site falls within the SNCI.
- 1.2 The northern part of the site slopes down, east to west, towards Magpie Bottom, whilst the southern part comprises a steep grassed embankment sloping down to a roundabout that forms the end of Hanham High Street. The Tabernacle Evangelical Church, Church Hall and grounds, virtually divide the two parcels of land.
- 1.3 Outline Planning Consent PK13/4444/O was recently granted for a residential institution on this site with access from the north via Harold's Way. This permission is still extant and would be a fall-back situation should the current proposal be refused. Prior to that, housing developments were approved on both the northern and southern areas of the site but these permissions have now expired.
- 1.4 The current proposal is for the erection of a 54no. bed Assisted Living Extra Care Accommodation (Class C2) with associated communal facilities, landscaping, access, parking and associated works. The applicant is Your Life Management Services, a joint venture between Somerset Care and McCarthy & Stone. The Company is registered as a Domiciliary Care Agency with the Care Quality Commission, which is a statutory requirement for providing "care" to individuals.
- 1.5 The scheme has been the subject of protracted pre-application discussions with the Council and Community Involvement with the developer. The scheme has also been revised during the course of this application to overcome a number of concerns raised by both officers' and local residents' but these have been more of a fine-tuning nature rather than major changes. As such the scheme as now proposed is considered by officer's to be a far superior one to that previously approved under PK13/4444/O. The key differences are that the building would be accessed directly off the existing roundabout at the bottom of Hanham High Street, as opposed to through the residential cul-de-sac of Harold's Way to the north. Furthermore the building would be located on the northern part of the site with the southern part of the site, which fronts the High Street, made over to landscaping. A pedestrian connection is also provided from Harold's Way to Magpie Bottom.

1.6 The application is supported by the following documents :

- Desk Study Report of Site
- Extended Phase 1 Habitat Survey
- Great Crested Newt Absence/Presence Population Survey
- Great Crested Newt Habitat Suitability Index Survey
- Bat Roost Potential (BRP) Survey Trees
- Badger Survey
- Breeding Bird Survey
- Reptile Report
- Refuse, Waste Minimisation and Management Plan
- Transport Statement
- Planning Statement
- Design and Access Statement
- Topographical Survey
- Tree Constraints Plan
- Tree Survey
- Tree Protection Plan
- Sustainability Energy Strategy
- Archaeological Desk Based Assessment
- Statement of Community Involvement
- Drainage Assessment
- Highway Structures Plan
- Drainage Layout
- Statement on Amenity Space Provision

2. **POLICY CONTEXT**

2.1 National Guidance

The National Planning Policy Framework (NPPF) 27th March 2012.
The National Planning Practice Guidance (NPPG) 2014
The Community Infrastructure Levy (CIL) Regulations 2010

2.2 Development Plans

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

CS1 - High Quality Design
CS2 - Green Infrastructure
CS4A – Presumption in Favour of Sustainable Development
CS5 - Location of Development
CS6 - Infrastructure and Developer Contributions
CS8 - Improving Accessibility
CS9 - Managing the Environment and Heritage
CS15 - Distribution of Housing
CS16 - Housing Density
CS17 - Housing Diversity
CS18 - Affordable Housing
CS20 - Extra Care Housing

- CS23 - Community Infrastructure and Cultural Activity
- CS24 - Green Infrastructure, Sport and Recreation Standards

South Gloucestershire Local Plan (Adopted) January 2006

- L1 - Landscape Protection and Enhancement
- L5 - Open Areas within the Existing Urban Areas and Defined Settlements
- L8 - Sites of Regional and Local Nature Conservation Interest
- L9 - Species Protection
- L11 - Archaeology
- EP2 - Flood Risk and Development
- EP4 - Noise-sensitive development
- EP6 - Contaminated Land
- T7 - Cycle Parking
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)
- LC12 - Recreational Routes

2.3 Supplementary Planning Guidance

- Trees on Development Sites SPG (Adopted)
- The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
- Affordable Housing SPD Adopted Sept.2008.
- South Gloucestershire Council Residential Parking Standards (SPD) Adopted Dec 2013.
- The Local List SPD (Adopted) Feb. 2008

2.4 Emerging Plan

Proposed Submission : Policies, Sites & Places Plan March 2015

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP3 Trees and Woodland
- PSP4 Designated Local Green Spaces
- PSP5 Undesignated Open Spaces Within Urban Areas and Settlements
- PSP8 Settlement Boundaries
- PSP9 Residential Amenity
- PSP12 Development Related Transport Impact Management
- PSP17 Parking Standards
- PSP18 Heritage Assets and the Historic Environment
- PSP20 Wider Diversity
- PSP21 Flood Risk, Surface Water and Watercourse Management
- PSP22 Environmental Pollution and Impacts
- PSP23 Unstable Land
- PSP44 Private Amenity Space Standards.

3. RELEVANT PLANNING HISTORY

3.1 P76/4227 Outline Application for Residential Development (Refused)
P85/4676 Residential Development (Approved)
P97/4249 Residential Development (Outline) Refused
PK00/0684/F Erection of 8 no. houses with construction of access road off Harold's Way and provision of public open space (Refused)

3.2 PK00/0684/F and PK00/0688/F were duplicate applications for – The erection of 8no. houses with construction of access road off Harold's Way and provision of public open space.

Refused for the following reasons:

- *The development would be on a Greenfield Site and would thus be contrary to guidance in PPG3 and Policy H2 (A) of the South Gloucestershire Local Plan (As approved for Deposit)*
- *The proposal, by reason of the proximity of built-development to the adjacent badger sett would fail to protect the welfare of the badgers. The proposal would also be contrary to the Protection of Badgers Act 1992, Policy C4B of the approved Avon County Structure Plan and Policy L10 of the South Gloucestershire Local Plan (As approved for Deposit).*
- *The proposed design and layout fails to have regard to the character of the area in terms of the local pattern of streets and spaces and design of dwellings. It would also be contrary to PPG3, Policy D1 of the South Gloucestershire Local Plan (As approved for Deposit) and Policy KLP67 of the Kingswood Local Plan (As approved for Deposit).*

A subsequent appeal, (APP/0119/A/00/1046231) was dismissed with the Inspector accepting the first reason for refusal set out above. The Inspector did not accept the other reasons for refusal indicating that if the appeal site was required to meet an additional demand for housing then this particular area would have the least impact upon amenity value of the overall Magpie Bottom area. A clear distinction was made between the amenity value of the application site and the remainder of the Magpie Bottom area (para 22-24).

3.3 PK06/0304/F - Erection of 4no. dwellings with access, car parking and associated works.
Approved 9th June 2006.

3.4 PK08/1688/O - Erection of 12no dwellings (Outline) with means of access to be determined. All other matters reserved.
Refused 18 March 2009
A subsequent appeal APP/P0119/A/09/2112347 was dismissed 31 Dec 2009.

3.5 PK10/019/SCR - Screening opinion for PK10/1331/O
EIA Not required 18 June 2010

3.6 PK10/1331/O - Erection of Residential Institution (Class C2) (Outline) with means of access to be determined. All other matters reserved.
Refused 17 Sept. 2010 for the following reasons:

- *The submitted Design and Access Statement fails to demonstrate adequate assessment of the site and its context to appropriately inform and clearly set acceptable principles for the layout, scale or appearance of the buildings and treatment of landscape areas. The application is therefore contrary to PPS1, PPS3, South Gloucestershire Local Plan Policy D1 (criteria A, B, C, D, F, G & H), South Gloucestershire Core Strategy (Pre-Submission Publication Draft– March 2010) Policy CS1 and the South Gloucestershire Design Checklist (SPD) August 2007.*
- *There is insufficient information to determine that the development will not adversely impact on species protected under the Countryside & Rights of Way Act 2000/Wildlife & Countryside Act 1981 (as amended); or species listed as being of principal importance for biological diversity in England under Section 41 of the Natural Environment and Rural Communities Act 2006 and listed on the UK and South Gloucestershire Biodiversity Action Plans, contrary to Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
- *Inadequate information has been submitted to satisfy the Local Planning Authority that adequate/safe access for pedestrians and cyclists can be provided, given the steep gradient of the land, within the site boundary. Furthermore, by reason of inadequate information relating to provision of suitable off-street turning area for service vehicles, the proposal would lead to large service vehicles having to reverse long distance with consequent additional hazards to all users all contrary to Policies T12, H2 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under-provision of public open space in the development and the demand placed on the library service and provision of dog and litter bins, the proposal would be contrary to Policies LC8, LC01, H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

3.7 PK10/1593/O - Erection of 12no. dwellings (outline) with access to be determined. All other matters reserved.
Approved S106 Signed 11 Nov 2011

3.8 PK11/2887/O - Erection of residential institution (Class C2) (Outline) with means of access to be determined. All other matters reserved. (Re-submission of PK10/1331/O).
Refused 20 Dec. 2011 for the following reasons:

- *The means of access and surrounding highway network is inadequate to serve a Care Home of this size, contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.*
- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under provision of public open space in the development and its maintenance, the proposal would be contrary to Policy LC8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions to mitigate against the demands placed upon the library service, the proposal would be contrary to Policy LC1 of the South Gloucestershire Local Plan (Adopted) Jan. 2006.*

Appeal Ref: APP/P0119/A/12/2169263 – Dismissed 25th July 2012. An application for a full award of costs was also dismissed.

The Inspector did not agree with the first reason for refusal listed above and added her own reason (see para. 1.7 above).

- 3.9 PK13/4444/O - Erection of Residential Institution (Class C2) (Outline) with means of access to be determined. All other matters reserved.
Approved subject to S106 Agreement 13th March 2014 with the following conditions amended as follows:

Condition 2 to be amended to read Plans and particulars of the reserved matters referred to in the condition above, relating to layout (layout to include parking provision), scale, appearance etc.

Condition 7 to be amended such that start time for construction is 08.00 hrs.

Approved S106 signed 13 May 2015

4. **CONSULTATION RESPONSES**

4.1 Hanham Parish Council

No objections. Councillors were pleased to see that local residents views had been taken into account and the applicant had undertaken an excellent consultation exercise. The revised access had resolved a lot of the previous objections.

4.2 Other Consultees

Wessex Water

No objection – the site would be served by private systems of on-site drainage requiring building regulations. Connection to the existing public foul sewer is acceptable in principle. Surface water disposal would be subject to NPPF guidelines and SuDs hierarchy.

Wales and West Utilities

Wales and West Utilities have pipes in the area. The developer should contact Wales and West prior to the commencement of works.

The Environment Agency

No objection in principle subject to conditions relating to possible contamination of site.

Police Community Safety

The design is generally in order and complies appropriately with the crime prevention through environmental design principles.

The Coal Authority

No objection subject to a condition to secure the Ground Investigation Works recommended by the submitted Desk Study Report.

Avon Fire and Rescue

No response

The Care Quality Commission

No response

Avon Wildlife Trust

No response

Sustainable Transport

No objection subject to the provision of suitable mitigating measures in order to improve accessibility to the site by none motorised traffic at the roundabout. For avoidance of doubt, the developer is required to provide detail design including details of widening of pedestrian islands, extension to dropped kerbs, provision of tactile paving and improvement to the footway on the north-west corner of the roundabout, with all details submitted for written approval of the Council and subsequently, implement the approved scheme. All highway works will be covered under an appropriate legal agreement.

Lead Local Flood Authority

No objection subject to a condition to secure a SUDS Drainage Scheme

Arts and Development

Any approval should be subject to a condition to secure details of a unique site specific integrated scheme of Public Art.

Historic Environment Officer

No objection subject to a standard HC13 condition to secure a programme of archaeological work to be undertaken prior to the commencement of any ground disturbance.

Highway Structures

No response

Ecology Officer

No objection subject to a condition to secure an Ecological Mitigation and Enhancement Plan.

Landscape Officer

Officers have raised some concerns about the lack of detail regarding the planting of larger growing trees to mitigate the loss of the more significant trees on the site. There is also concern that more planting is not proposed for the southern boundary with the Church Yard and to the possible impact of the

proposed gabion wall on the health of the boundary vegetation growing within the Churchyard. These matters can be addressed by way of a condition to secure the submission and agreement of a comprehensive scheme of landscaping.

Tree Officer

Detailed planting plans to include species and size of plants should be submitted and approved prior to determination of the application. In addition an Arboricultural Impact Appraisal, Arboricultural Method Statement and Tree Protection Plan should be submitted and approved prior to determination.

Environmental Protection

No objections subject to a condition relating to possible contamination of land.

Urban Design

No objection subject to a condition to secure details of eaves, window reveals, window frame and colour.

New Communities

Contributions are requested for the following:

Off-site POS provision/enhancement	£12,270.13p
Off-site POS maintenance	£ 3,713.77p

Total	£15,983.90p

Other Representations

4.3 Local Residents

15no. letters/e.mails of support have been received; the comments in favour are summarised as follows:

- The facility is needed by the ageing community.
- Will help regenerate Hanham High Street.
- A vast improvement on the previously approved scheme.
- The access off High St. rather than Harold's Way is an improvement.
- The proposed landscaping is acceptable.
- The practicality of the access has been considered.
- Will fit well in the location.
- Will improve Hanham gateway.
- Local shops will benefit.
- The design is good.
- Will free up family homes.
- The proposed materials are sensitive to the location.
- There has been good engagement with the local residents.
- Improved view from the High Street.

5no. letters/e.mails of objection were received. The concerns raised are summarised as follows:

- The building is too large.

- The design is not in-keeping with the area.
- Increased noise.
- Will be seen from Magpie Bottom.
- Insufficient parking.
- Construction traffic should not use Tabernacle Road.
- Overbearing impact on no.12 Harold's Way.
- Loss of light to no.12.
- Increased light pollution.
- Loss of privacy/overlooking of No. 12.
- Loss of footpaths to High street from Harold's Way.
- Loss of vegetation.
- Proposed materials are not in-keeping.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The acceptance in principle of a residential institution on this site has already been established with the previous grant of outline planning consent PK13/4444/O and this consent is still extant.

- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The South Gloucestershire Local Plan: Core Strategy was adopted by the council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The "saved" policies of the South Gloucestershire Local Plan (adopted 2006) also form part of the extant Development Plan.
- 5.4 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only limited weight can currently be given to most of the policies therein.
- 5.5 The NPPF at para. 14 states that; at the heart of the Framework is the presumption in favour of sustainable development. Sustainable development is defined in the Framework as having three dimensions, which lead to three roles – an economic role, a social role and an environmental role. The proposal would lie close to Hanham Town Centre and would create job opportunities and increase footfall on the High Street; it would provide Extra Care Accommodation for the elderly and would protect the environment of Magpie Bottom and mitigate for the loss of habitat by additional landscaping; as such the proposal fulfils all of the three stated aims and objectives of NPPF para. 14.
- 5.6 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find

solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible. Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities and this policy stance is replicated in Policy CS17 of the Core Strategy.

- 5.7 Core Strategy Policy CS20 states that in order to assist in meeting emerging need, and creating sustainable, inclusive and mixed communities, the provision of Extra Care Housing will be required in South Gloucestershire.
- 5.8 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

Density

- 5.9 The NPPF seeks to make efficient use of previously developed sites within the Urban Area. The scheme would provide 54 units of accommodation on the 0.67ha site, which equates to 81.6 dph. This high figure for the density of the development merely reflects the smaller size of the individual units within the building. The figure is in fact considerably less than that for the previously approved Care Home. Having considered the size and configuration of the site, the proximity of the existing residential dwellings and the various other constraints of developing the site; officers are satisfied that the proposed density is appropriate and would make efficient use of the site.

Scale, Design and Conservation Issues

- 5.10 Core strategy Policy CS1 requires the highest possible standard of design, in particular the siting, layout, form, scale, height, detailing, colour and materials should be informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality. The NPPF para. 60 states that:

'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.'

- 5.11 A good deal of thought and negotiation has gone into the design of the proposed scheme and officers wish to acknowledge that where possible, the applicant has revised the scheme to meet both officer and local resident concerns. Furthermore, consideration has been given to the proximity and setting of the Locally Listed Methodist Chapel on Tabernacle Road and the local distinctiveness of Magpie Bottom.
- 5.12 Hanham is typical of settlements in South Gloucestershire, displaying dwellings of traditional form, constructed of the local Pennant Stone with ornate brick and stone window surrounds, intermixed with rendered buildings with very simple detailing and occasional red brick buildings, again usually displaying

ornate window surrounds etc. The design rationale for the proposed building however responds more to the woodland setting and need to respond to the slope contours. As such a modernistic 'slab and column' architecture has been employed with the use of naturalistic materials i.e. Copper parlex cladding, Sunset Red brick and Forticrete Mid Grey reconstituted stone. In this instance this approach is considered acceptable for what would be a landmark building at the gateway into Hanham.

Transportation Issues

- 5.13 There is an extant planning permission for this site for a 107 unit Care-Home but with vehicular access from Harold's Way, a residential cul-de-sac to the north. This current proposal however for a 54no unit Extra Care facility would be accessed from the roundabout located at the western end of the High Street, directly opposite the application site.
- 5.14 The existing roundabout has four arms but the northern arm is presently closed; it is intended to use this arm to serve the proposed development. Whilst there is no in-principle objection to this access arrangement, it is considered essential to upgrade the existing pedestrian facilities including existing crossing points, which are inadequate by reason of being too narrow with no tactile paving to help with mobility impairment.
- 5.15 A Transport Statement has been submitted which states that the total daily traffic to and from the proposed development would be in the order of 97 trips (two-way movements). The traffic forecast from this during the AM peak (0800-0900) is about 5 vehicle trips and it is estimated to be about 7 in the PM peak (1700-1800). Officers consider that these traffic figures are robust. Additional to the vehicular traffic, there would also be pedestrian traffic and also some cycle use. The site is not currently generating any trips on the network and therefore, all the proposed development trips identified will be additional to the local road networks.
- 5.16 The site is supported by continuous footway links and some dropped kerbs, however there is no tactile paving at any of the existing crossing points at the adjoining junction i.e. roundabout. There are 4-5 large equipment cabinets and an associated telephone mast on the footway that reduces the effectiveness of the footway at this location; this footway requires improving. Given the size and nature of the proposed development, it is felt appropriate and necessary for the applicant to improve the existing crossing points on all four arms of this roundabout or alternatively make a financial contribution towards improvement to the pedestrian facilities at this location. A sum of £50,000 has been requested and agreed with the applicant to be secured by S106 Agreement and spent on the following:
- a) Widening (ideally to 2m) of the existing splitter islands at the roundabout to be DDA compliant and provision of tactile paving and dropped kerbs.
 - b) Provision of a new section of footway (constructed behind the existing pavement) to create an alternative place for pedestrian crossing in order to avoid the existing obstructions on the footway at this location.

- 5.17 Moving to the issue of car parking, the Council's parking standards at Local Plan Policy T8 require one space per 6 bed spaces plus one space per 2 staff and these are maximum standards. However it is noted that the subsequent adopted Residential Parking Standards SPD (December 2013) sets a minimum standard for residential accommodation. It states in Appendix A that other types of living models providing accommodation for the elderly or those in need of care will be likely to have a range of needs in relation to parking. It states each case will be assessed on its own merits. Information submitted with the application suggests that for a typical 50 unit Assisted Living scheme there would be a mix of full and part-time employees, which broadly equates to between 14-17 full-time equivalent posts. The operation would be 24 hour with a sleeping-in, over-night duty manager and up to 6-7 staff in operation at peak time during the day. The applicant is proposing a total of 31 parking spaces which is actually an over provision of 13 spaces when assessed against policy T8, but meets the justification required by the SPD. This level of parking will ensure that no overspill parking occurs onto the already congested local road network and any additional visitors, staff and residents would be catered for. There are therefore no objections to the proposed car parking provision.
- 5.18 Subject therefore to a S106 Agreement to secure the £50,000 to meet the costs of the highway improvements outlined in para. 5.16 above and conditions to secure cycle parking, car parking and turning areas, a construction management plan, a schedule of dilapidation for the local road network and construction details of new access; there are no transportation objections.
- Landscape Issues
- 5.19 The northern portion of the site is located on a gently sloping area of land above Magpie Bottom Public Open Space and is mostly covered by Bramble. The steep slopes that lead down to Magpie Bottom begin immediately on the north-western edge of this portion of the site. These slopes are largely covered by emergent woodland and scrub and this vegetation effectively screens most of the site from Magpie Bottom apart from a small section behind the pond in Magpie Bottom from where it may be possible to glimpse the development.
- 5.20 The majority of the trees on the site are poor quality scrub. There are 3no. Category B trees and 1no. Category B group; of these the three individual trees are proposed to be removed to facilitate the development, although the group is to be retained to provide an element of screening on the boundary with the Church.
- 5.21 The site meets the criteria for being considered as a significant open area within the existing urban area in the context of saved Policy L5 of the adopted Local Plan, being a characteristic feature of the locality. However, it is considered the significance of the space lies in the direct link with the valley of Magpie Bottom and the valley slopes themselves. The Inspector for the earlier appeal relating to the Care Home did not raise any objection to the loss of the open space so it would be unreasonable for officers to do so now.
- 5.22 A Landscaping Layout, Tree Protection Plan and Western Boundary Sections Plan have been submitted which are generally considered to be acceptable in principle. Some concerns have been expressed by both the Council's Tree

Officer and Landscape Architect as to the lack of detail regarding the planting of larger growing trees to mitigate the loss of the more significant trees on the site. There is also concern that more planting is not proposed for the southern boundary with the Church Yard and to the possible impact of the proposed gabion wall on the health of the boundary vegetation growing within the Churchyard.

- 5.23 These matters can be adequately addressed by a condition to secure the submission of a full landscape scheme to include hard and soft landscaping, details of plant species, densities and size of planting and a five year maintenance schedule.
- 5.24 It is acknowledged that the setting of the Locally Listed Methodist Chapel and graveyard to the south needs to be respected. It is noted however that the council's Conservation Officer has not raised any objection to the proposal as submitted and there was no landscape objection to the previously approved scheme for the Care Home. The plans do show a small gap in the vegetation on the southern boundary but this would only allow glimpsed views of the proposal. The existing vegetation on the graveyard side would all be retained whilst additional planting is proposed within the application site. An Arboricultural Impact Appraisal and Arboricultural Method Statement for the southern boundary can be secured by condition. Subject to these conditions there is no justification to refuse the application on landscape grounds.

Ecology

- 5.25 The site is a parcel of land comprising woodland and dense scrub. It is surrounded by residential dwellings and roads to the north-east and south, with a Site of Nature Conservation Interest, known as Magpie Bottom SNCI to the west, consisting of woodland, grassland and a bisecting stream. Within a 2km radius there are three statutory sites of conservation importance; one Site of Special Scientific Interest and two Local Nature Reserves. In addition there are seven non-statutory Sites of Nature Conservation Interest. Of these, Magpie Bottom is the only site with potential to be negatively impacted by the development. However the ecological reports do not seem to make any recommendations for the protection of Magpie Bottom SNCI other than a bat-sensitive lighting scheme.
- 5.26 An Extended Phase 1 Habitat Survey has been provided (Innovation Group Environmental Services, dated July 2014). In addition the same company has provided a Bat Activity Transect Survey (October 2015), a Badger Presence / Absence Survey (August 2015), a Breeding Bird Survey (July 2015), a Great Crested Newt Habitat Suitability Index Survey (November 2014) and a Great Crested Newt Absence/Presence Population Survey (June 2015), with findings as follows:-

Habitats

- Broadleaved Woodland and scattered trees.
- Dense Scrub
- Amenity Grassland

Species Protected under the Conservation Regulations 2012 (as amended) known as European Protected Species, and Wildlife & Countryside Act 1981 (as amended)

- Bats - three transect surveys found a 'low' level of bat foraging and no commuting activity, involving several common pipistrelle, and one pass each of noctule, soprano pipistrelle and a Myotis bat. The bat ecologist considered that the habitat loss would not have an impact on the 'favourable conservation status' of the local bat population. The trees were assessed for their potential to support bat roosts, and one tree (T9) with high bat potential was surveyed – the tree inspection revealed no current use by bats.
- Great Crested Newts – a pond is present 50m to the west within Magpie Bottom. The pond scored 'average' on the Habitat Suitability Index for its likelihood of supporting Great Crested Newts. A combination of pond survey and eDNA sampling showed that the species was not present.

Species protected under the Wildlife & Countryside Act 1981 (as amended)

- Reptiles - a presence/likely absence survey found no reptiles present.
- Breeding Birds - fourteen species were noted.

Badger Act 1992

- Two badger setts, one in Magpie Bottom woodland and one to the south east of the site were found. No setts were found on the site. There was evidence of badger foraging on the site. The proposed site layout means that there will still be connectivity between the sett to the SE and Magpie Bottom.

Officers note that much of the scrub has now been cleared from the site which was carried out under the supervision of an ecologist.

- 5.27 Subject to a condition to secure an Ecological Mitigation and Enhancement Plan based on the recommendations given in the listed reports, there are no objections on ecological grounds.

Impact upon Residential Amenity

- 5.28 Prior to the submission of this application, the applicant sought pre-application advice and also carried out presentations of the proposed scheme to local residents, the result of which has been submitted as a Statement of Community Involvement. It is noted that where the previously approved application PK13/4444/O generated a very high level of objection, the consensus amongst local residents for the current scheme is clearly one of support and this is endorsed by the Parish Council.
- 5.29 Some concerns were raised by the occupants of no.12 Harold's Way about overbearing impact, loss of privacy from overlooking, loss of light and increased light pollution; although it is noted that no.19 is in fact the closest property to the proposed development. Revised plans have been submitted showing the proposed building close to the head of Harold's Way now cut back into the site

on the upper floor. What would appear from the north as a two-storey element of the proposed building would be set back some 40m from no.12, which is considered to be an adequate distance, whilst the three-storey element would be over 50m away. Any views of no.12 would be across the turning head and garages at the end of Harold's Way. Some overlooking of gardens in an urban location is only to be expected if the most efficient use of land is to be achieved, as required by government guidelines.

- 5.30 The side elevation of no.19 would be some 7m from the nearest section of the building but this again would appear as a two-storey element which sits well within the line of existing built development. On balance therefore officers consider that the proposal would not have a significant adverse impact on neighbouring residential amenity.
- 5.31 A Statement on Amenity Space Provision has been submitted that demonstrates that for future residents of the proposed scheme there would be an adequate amount of both internal and external amenity space in the communal areas. The future residents would be aged 70+ and would not generally be considered as the active elderly, nevertheless for those that are, there would be ready access to Magpie Bottom and contributions would be made to the provision and maintenance of off-site open space. The apartments are also served by private balconies.

Drainage Issues

- 5.32 Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, requires that proposed development ensures that foul and surface water disposal arrangements are acceptable and incorporate sustainable drainage principles. In addition, development will not be permitted where it could increase the risk of flooding. The actual development site lies on elevated ground in Flood Zone 1. The application is supported by a Drainage Assessment and Drainage Layout Plan which has been drafted in consultation with the Council's Drainage Engineer. An appropriate condition to secure a SUDS drainage scheme would be imposed should planning permission be granted. Subject to this condition, there are no objections on drainage grounds. Connection to the public sewer system would need to be agreed with Wessex Water.

Environmental Issues

- 5.33 A Coal Mining Report for this site has previously been assessed by the Coal Authority who have again recommended that a condition be imposed to secure site investigation works prior to the commencement of the development; and appropriate mitigation measures should shallow workings etc. be found. Similarly, both the Environment Agency and the Council's Environmental Health Officer have requested conditions relating to possible contamination of the site and measures in mitigation should any contamination be found. Subject to these conditions and a condition to control the hours of working on the site (in line with the previous outline consent) during the development phase, there are no objections on environmental grounds.

Historical Environment

- 5.34 The Council's Archaeologist has confirmed the proximity of a Roman Road to the south of the site and the possibility of industrial archaeology related to Coal Mining in the area. No objection is raised subject to an appropriate condition to secure an archaeological investigation of the site, in accordance with an agreed programme of archaeological investigation and mitigation strategy should archaeological remains be found.

PROW

- 5.35 The application site is private land and there are no PROW running through the site, although there is a PROW through Magpie Bottom to Harold's Way. Whilst there are currently pathways through the development site from Tabernacle Road, these are purely informal routes which the applicant has now stopped up. Consideration has been given as whether or not to maintain a footway link through the site from Tabernacle Road but this has not been pursued for operational and security reasons. This was also the case with the previously approved scheme for the Care Home.
- 5.36 It is however proposed to retain the existing path to Magpies Bottom which links with Harold's Way. In addition, a new Bitmac surfaced path would be constructed through the north-western part of the site also linking Harold's Way with Magpie Bottom, which would be more accessible than the existing stepped and steep pathway. Furthermore, it is proposed to provide 2 public parking spaces at the entrance to the site from the High Street roundabout and to form a footpath link to the existing footpath in Magpie Bottom.

Affordable Housing

- 5.37 In accordance with Core Strategy Policy CS18, consideration must be given as to the need for an affordable housing requirement for this Assisted Living Extra Care Housing proposal. In this instance the proposal is considered to fall within Use Class C2 and does not therefore meet the criteria for affordable housing provision. This is confirmed by numerous appeal decisions for similar proposals.

New Communities

- 5.38 In accordance with Core Strategy policy CS24 consideration must be given as to the need for contributions towards open space provision and maintenance. In this case the following contributions, to be secured by S106 Agreement have been agreed with the applicant:-

Off-site POS provision/enhancement	£12,270.13p
Off-site POS maintenance	£ 3,713.77p

Total	£15,983.90p

A public art provision would be more appropriately secured by way of a condition. Library contributions would be precluded by the adopted Regulation 123 list of infrastructure.

The requested contributions would be towards the enhancement of Woodlands Tennis Club which has members up to and in their 70's and 80's or other appropriate outdoor facilities.

5.39 Community Infrastructure Levy (CIL)

The Council has now adopted a CIL charging regime which commenced on 1st August 2015. This C2 Assisted Living Extra Care Facility however has a nil CIL charge rating.

5.40 Planning Obligations

The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations (CIL). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

In this instance, it is considered that the planning obligations relating to the highway improvements and off-site Public Open Space provision and maintenance are required to mitigate the impacts from the development and are consistent with the CIL Regulations (Regulation 122).

5.41 Regulation 123 also limits to 5 (back dated to April 2010) the number of S106 agreements that can be used to fund a project or type of infrastructure, from the point at which the Council commences charging the CIL or after April 2015. CIL charging has now commenced but officers have confirmed that the contributions sought would not exceed the threshold of 5 S106 Agreements for the off-site provisions as listed.

6. CONCLUSION

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

6.2 The proposal would make efficient use of land within the Urban Area, in a sustainable location, close to the centre of Hanham. Furthermore there is a demonstrable need for the Extra Care Housing facility which itself would provide employment for up to 17 full-time staff. Officers consider that with the use of appropriate conditions and S106 contributions, any concerns relating to highways, ecology, landscape, environment, heritage, drainage, design and residential amenity can all be overcome.

6.3 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core

Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 (1) That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:

(i) A contribution of £12,270.13p towards off-site POS provision/enhancement.

(ii) A contribution of £3,713.77p towards POS maintenance.

Both of the above to be spent on the enhancement of Woodlands Tennis Club which has members up to and in their 70's and 80's or other appropriate outdoor facilities.

(iii) A contribution of £50,000 towards highway works/improvements for:
a) Widening of the splitter islands (ideally to 2m) at the crossing points on the roundabout on High Street to be DDA compliant and provision of tactile paving.
b) Provision of a new section of footway (constructed behind the existing pavement) to create an alternative place for pedestrian crossing in order to avoid the existing obstructions (BT cabinets and phone mast) on the footway at the location of the roundabout on High Street.

The reasons for this Agreement are:

(i) To accord with Policies CS2 and CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

(ii) To accord with Policies CS2 and CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

(iii) To accord with Policies CS1 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

(2) That the Head of Legal & Democratic Services be authorised to prepare and seal the agreement.

(3) Should the agreement not be completed within 6 months of the date of the decision; that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Topographical Survey Sheet 1 of 3 Drawing No. SD15305-01 received 10 Sept. 2015
Topographical Survey Sheet 2 of 3 Drawing No. SD15305-01 received 10 Sept. 2015
Topographical Survey Sheet 3 of 3 Drawing No. SD15305-01 received 10 Sept. 2015

Site Location Plan Drawing No. 03-AC-0001 Rev A received 10 Sept. 2015
Site Plan, Context Drawing No. 03B-AC-0002 Rev C received 26 Feb. 2016

Ground Floor Plan Drawing No. 03B-AC-0072 Rev A received 8 March 2016
Upper Ground Floor Plan Drawing No. 03B-AC-0073 received 25 Jan. 2016
Second Floor Plan Drawing No. 03B-AC-0074 received 25 Jan. 2016
Third Floor Plan Drawing No. 03B-AC-0075 received 25 Jan. 2016
Fourth Floor Plan Drawing No. 03B-AC-0076 received 25 Jan. 2016
Roof Plan Drawing No. 03B-AC-0077 received 8 March 2016

Elevations North and South Drawing No. 03B-AC-0070 received 25 Jan. 2016
Elevations West and East Drawing No. 03B-AC-0071 received 25 Jan. 2016
Elevations Courtyard Drawing No. 03-AC-0052 received 10 Sept 2015
Elevations West and East - Indicative Tree Cover Drawing No. 03-AC-0053 received 10 Sept 2015

Sections Drawing No. 03-AC-0055 received 10 Sept 2015

Elevations, North and South (Artist) Drawing No. 03B-AC-0059 received 25 Jan. 2016
Elevations, West and East (Artist) Drawing No. 03B-AC-0060 received 25 Jan. 2016

Landscape Layout Drawing No. SW-2034-02-LA-003 Rev B received 26 Feb. 2016
West Boundary Sections Drawing No. SW-2034-03-LA-005 Rev A received 26 Feb. 2016
Drainage Layout Drawing No. 50819-06 Rev B received 26 Feb. 2016

Reason

To ensure that the development is carried out in accordance with the approved details.

3. The hours of working on site during and directly related to the period of construction of the development hereby approved, shall be restricted to 08.00 to 18.00 Mondays to Fridays, and 08.00 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 minimise disturbance to neighbouring properties and to accord with Policy E9 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and the provisions of the NPPF.

4. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts, within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details and before the development is first occupied. For the avoidance of doubt the SUDS Drainage Details to be submitted should include the following:

- Drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus 30% climate change storm event.
- Where infiltration forms part of the proposed Surface Water Network such as Soakaways, percolation / soakage test results and test locations are to be submitted in accordance with BRE 365.
- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus 30% climate change storm event.
- Resubmission of the drainage layout plan showing exceedance / overland flood flow routes and the likely depths of any flooding.
- The plan should also show any pipe node numbers referred to within the drainage calculations.
- A manhole / inspection chamber schedule to include cover and invert levels.

Reason

The condition is a pre-commencement condition as it is essential to install agreed drainage systems ahead of the development of the buildings approved and to ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of the development hereby approved, an Ecological Mitigation and Enhancement Strategy, based on the recommendations given in the following reports:

An Extended Phase 1 Habitat Survey has been provided (Innovation Group Environmental Services, dated July 2014). In addition the same company has provided a Bat Activity Transect Survey (October 2015), a Badger Presence / Absence Survey (August 2015), a Breeding Bird Survey (July 2015), a Great Crested Newt Habitat Suitability Index Survey (November 2014) and a Great Crested Newt Absence/Presence Population Survey (June 2015).

To include inter alia reptiles and European hedgehog, suitable protection/buffering of the adjacent SNCI Magpie Bottom; shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with the approved strategy.

Reason

In the interests of protected species and the ecology of the site, in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policies L8 and L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006. This is a pre-commencement condition to ensure that protected species are not harmed before the strategy can be agreed and implemented.

6. Prior to the commencement of the development hereby approved, intrusive site investigation works of the site shall be undertaken to establish the coal mining legacy issues (if any) on the site and appropriate measures of mitigation, should shallow mining or mine entries be found. The mitigation measures if required shall be carried out to the Council's written satisfaction prior to the commencement of the development hereby approved.

Reason

This is a pre-commencement condition as investigation works and appropriate mitigation are required to ensure the future safety of the occupiers of the development and prevent the need for retrospective mitigation after the development is commenced/completed and to take account of the past mining activities within the area in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

7. Prior to the installation of any floodlighting and/or external illuminations on the site, including the car park and access, as part of the development hereby approved, details of any floodlighting and/or external illuminations (including measures to control light spillage), shall be submitted to and agreed by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained as such.

Reason

To prevent excess light pollution in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

8. 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.

For the avoidance of doubt the landscape scheme should specifically include an Arboricultural Impact Appraisal and Arboricultural Method Statement for the western boundary of the site with neighbouring Methodist Church and Graveyard.

Reason 1

To protect the setting of the neighbouring Locally Listed Methodist Church in accordance with Policies CS1 and CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy L15 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

Reason 2

To protect the character and appearance of the area to accord with Policy L1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 6th Jan 2006 and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition to ensure that the works do not prevent the retention and protection of landscape features.

9. Notwithstanding the details shown on the submitted plans, prior to the relevant parts of the development hereby approved, a schedule of materials (to include details of eaves, window reveals, frame and colour) to be used for the external surfaces and roofing of the development hereby approved, shall be submitted to and approved in writing by, the Local Planning Authority and thereafter the development shall be carried out in full accordance with the details so approved.

Reason

To ensure a high quality of design for the development in the interests of the visual amenity of the area and to accord with Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and the requirements of the NPPF.

10. Prior to their construction, details of the new footpath links to Magpie Bottom, to include gradient and surfacing, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the footpath links shall be constructed in accordance with the approved details and prior to the first occupation of any of the units within the development hereby approved.

Reason

To ensure there are adequate links to Magpie Bottom in accordance with Policies CS1 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th December 2013 and Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

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

Reason

To ensure the adequate protection of archaeological remains and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the requirements of the NPPF. This is a pre-commencement condition to ensure that archaeology is not compromised or sterilised by the development of the site.

12. Prior to the works of construction of the development hereby approved, details of a unique site specific integrated scheme of Public Art (including timescales) to be implemented within the development site shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note. Thereafter the artwork shall be installed in accordance with the details and timescales so agreed.

Reason

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policies CS1 and CS23 of The South Gloucestershire Local Plan Core strategy (Adopted) 11th Dec. 2013.

13. A) The ACS Desk Study dated 2nd October 2015 has identified potential contaminants which could pose an unacceptable risk to the development. Prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address any unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.
- B) Prior to occupation, where works have been required to mitigate contaminants (under section A) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- C) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

For further advice on contaminated land investigations, the applicant can contact Environmental Services on (01454-868001).

Reason

In the interests of the amenities and health of future residents and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy EP6 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the requirements of the NPPF.

This is a pre-commencement of development condition to enable the whole site to be assessed and any contamination addressed prior to development.

14. Prior to the first occupation of the development hereby approved, details of secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities shall be installed in full accordance with the approved details and prior to the first occupation of the development hereby approved.

Reason

To encourage sustainable forms of transport and to accord with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

15. Prior to the first occupation of the development hereby approved, the off-street car parking and turning facilities shall be provided in accordance with the approved Landscape Layout Drawing No. SW-2034-02-LA-003 and thereafter maintained for their intended purpose.

Reason

In the interests of highway safety and the amenity of the area to accord with Policies CS1 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policies T8 and T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

16. Prior to the commencement of any works on the site, a 'construction management plan' or 'construction method statement' shall be submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
 - Parking of vehicle of site operatives and visitors,
 - routes for construction traffic - avoid using Tabernacle Road or Harolds Way access,
 - hours of operation,
 - method of prevention of mud being carried onto highway,
 - pedestrian and cyclist protection,
 - proposed temporary traffic restrictions,
 - arrangements for turning vehicles,
 - storage area for materials, equipment on site.

Reason

In the interests of highway safety and the amenity of the area to accord with Policies CS1 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policies T8 and T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006. This is a pre-commencement condition to ensure that from the outset, all development is carried out in an appropriate manner without disruption to the highway.

17. Prior to the commencement of any on site works, a schedule of dilapidation survey shall be undertaken and agreed by both parties, of the highway network in the locality, including all highway structures. Any post development damage shall be made good by the developer to the full and final satisfaction of the highway authority.

Reason

In the interests of highway safety and the amenity of the area to accord with Policies CS1 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006. This is a pre-commencement condition to ensure that any damage to the highway is mitigated for.

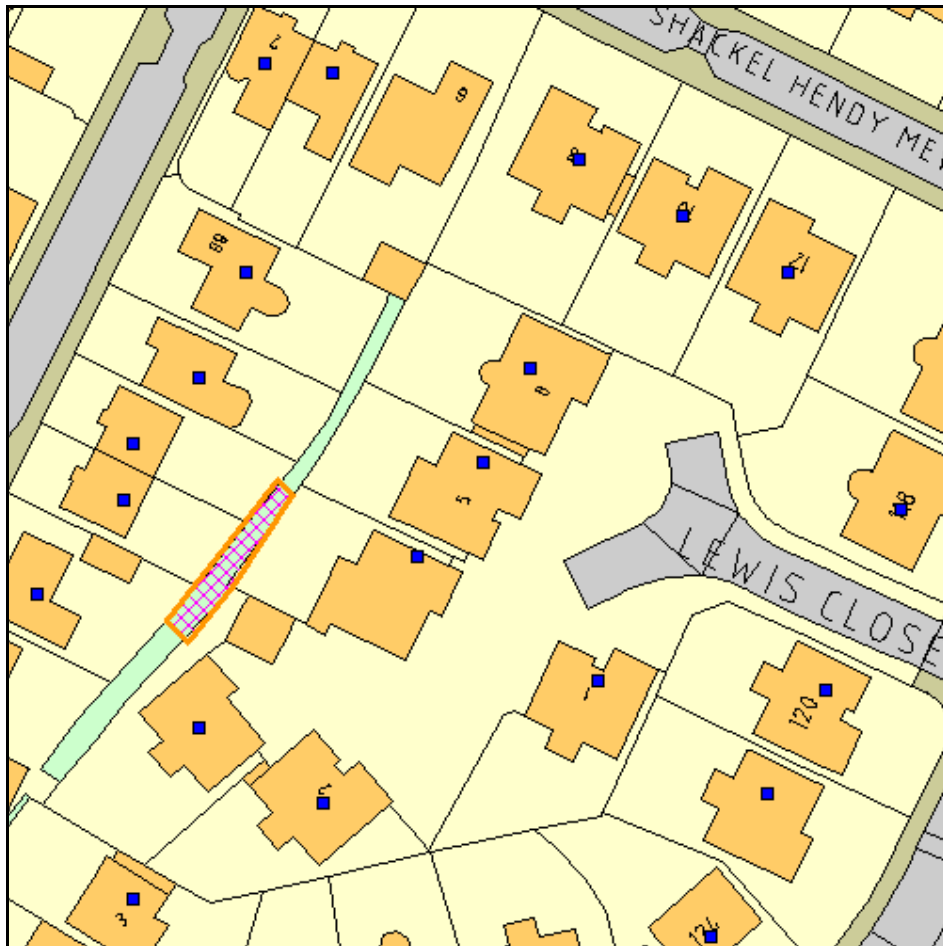
18. The new vehicular access to the site shall be constructed to the Council's standards of construction with all details to be submitted for written approval of the Council prior to its construction.

Reason

To ensure an adequate means of access to the site is constructed in the interests of highway safety and the amenity of the area to accord with Policies CS1 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PK16/0104/TRE	Applicant:	Mr Colin Sutton
Site:	78 - 82 Wadham Grove Emersons Green Bristol South Gloucestershire BS16 7DW	Date Reg:	12th January 2016
Proposal:	Works to fell 3 no. Poplar trees covered by KTPO 03/91 dated 29th July 1991	Parish:	Emersons Green Town Council
Map Ref:	366950 176241	Ward:	Emersons Green
Application Category:	Works to trees	Target Date:	7th March 2016



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 100023410, 2008. **N.T.S.** **PK16/0104/TRE**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is reported to the circulated schedule as an objection has been submitted which is contrary to the officer's recommendation

1. THE PROPOSAL

- 1.1 Works to fell 3 no. Poplar trees covered by KTPO 03/91 dated 29th July 1991
- 1.2 The trees are in the rear gardens of nos. 78 - 82 Wadham Grove, Emersons Green, Bristol, South Gloucestershire, BS16 7DW.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/0590/TRE, Site Address: 82 Wadham Grove, Emersons Green, Bristol, South Gloucestershire, BS16 7DW, Decision: COND, Date of Decision: 23-APR-2014, Proposal: Works to crown reduce by 2 metres and appropriately re-shape 1no. Poplar Tree covered by Tree Preservation Order KTPO 391 dated 29 July 1991.
- 3.2 PK13/0963/TRE, Site Address: Land At 4 Lewis Close, Emersons Green, Bristol, South Gloucestershire, BS16 7JH, Decision: COND, Date of Decision: 17-MAY-2013, Proposal: Works to thin and reduce 2 no. Poplar trees by 33% back to the previous pruning points covered by Kingswood Tree Preservation Order 03/91 (Emersons Green) dated 29th July 1991
- 3.3 PK11/2949/TRE, Site Address: 82 Wadham Grove, Emersons Green, Bristol, South Gloucestershire, BS16 7DW, Decision: COND, Date of Decision: 02-NOV-2011, Proposal: Works to reshape, reduce and thin by 20% 1 no. Poplar tree covered by Kingswood Tree Preservation Order 03/91 (Emersons Green) dated 29th July 1991
- 3.4 PK09/5566/TRE, Site Address: 82 Wadham Grove, Emersons Green, Bristol, South Gloucestershire, BS16 7DW, Decision: COND, Date of Decision: 04-DEC-2009, Proposal: Works to 1no. Poplar tree to reduce top by 10%, remove 4 lowest braches and epicormic growth and prune back to rear boundary covered by Tree preservation order KTPO03/91
- 3.5 PK06/0789/TRE, Site Address: 4 Lewis Close Emersons Green BRISTOL South Gloucestershire BS16 7JH, Decision: COND, Date of Decision: 05-MAY-2006, Proposal: Works to reduce 3no. Poplar trees covered by Tree Preservation Order KTPO03/91 dated 29 July 1991.

4. CONSULTATION RESPONSES

4.1 Emersons Green Town Council has no objection to the application.

Other Representations

4.2 Local Residents

The owner of one of the trees subject of the application objects to the removal of his tree on the grounds that the tree provides screening.

5. ANALYSIS OF PROPOSAL

5.1 Works to fell 3 no. Poplar trees covered by KTPO 03/91 dated 29th July 1991.

5.2 Principle of Development

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

5.3 Consideration of Proposal

The three trees are part of a row of similar Poplar trees that were protected in 1991 at the outset of the development of Emersons Green.

5.4 The trees had all been pollarded to approximately 4 metres in height and the plethora of applications for works is indicative of their rate of growth.

5.5 It is considered that removal of the Poplars and replacement with more appropriate species is the most expedient course of action.

5.6 The objection received was from one of the owners of the trees. It has, however, been explained to the objector that the consent granted is a consent in the Planning sense only and does not infer permission to carry out the works. Ultimately the owner must give their permission before any work is undertaken on the tree.

6. RECOMMENDATION

6.1 That consent is GRANTED subject to the conditions on the decision notice.

Contact Officer: Simon Penfold
Tel. No. 01454 868997

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

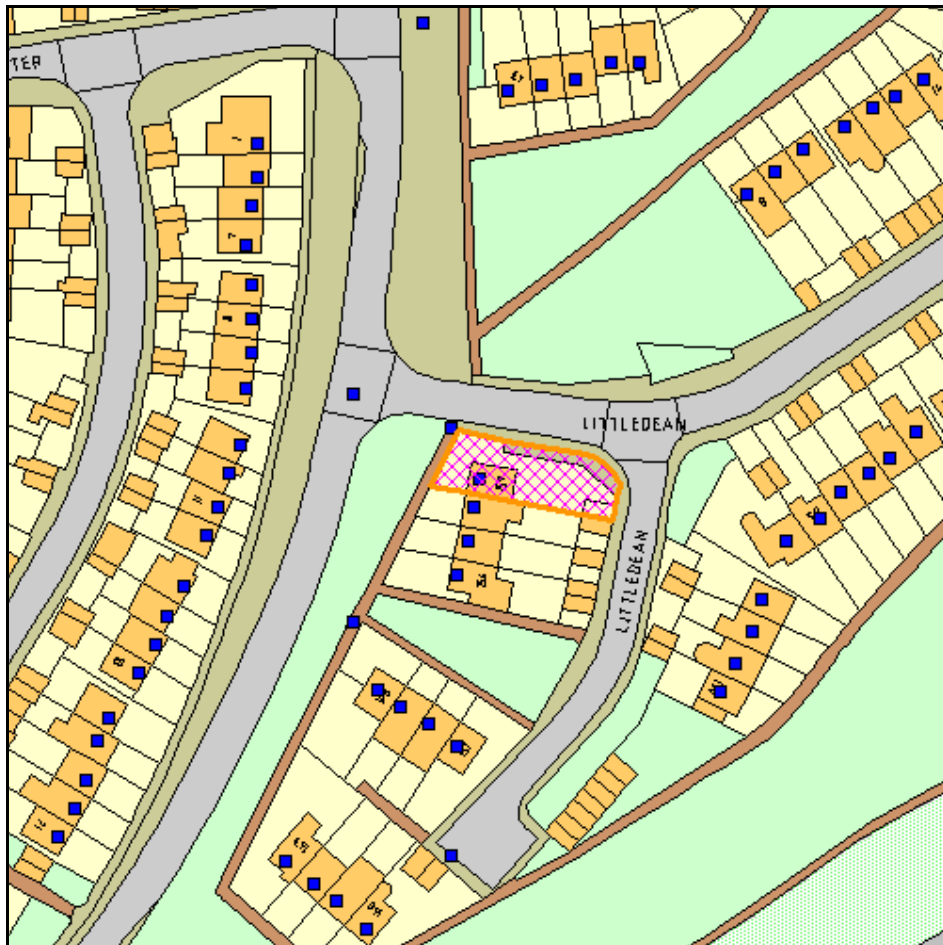
2. Replacement trees, the species, size and location of which are to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PK16/0123/F	Applicant:	Mr Alan Lewis
Site:	157 Littledean Yate Bristol South Gloucestershire BS37 8UJ	Date Reg:	13th January 2016
Proposal:	Erection of 1no. dwelling and associated works	Parish:	Dodington Parish Council
Map Ref:	371361 180967	Ward:	Dodington
Application Category:	Minor	Target Date:	4th March 2016



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure following an objection from Dodington Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. attached dwelling and associated works.
- 1.2 The application site relates to a two-storey end of terrace property, No. 157 Littledean, situated within the established boundary of Yate. The property holds a prominent corner position along Littledean in Yate and benefits from a plot of land to the north side of house which curves down and around to the east with the road behind, Littledean. The proposed two-storey property would be located here with its access off Littledean.
- 1.3 During the course of the application, revised plans were requested to alter the parking arrangement.

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 Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS30 Yate and Chipping Sodbury

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

H4 Development within Existing Residential Curtilages
EP2 Flood Risk and Development
T12 Transportation Development Control
T7 Cycle Parking

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

- | | | | |
|-----|---|--------------------------|------------|
| 3.1 | PK15/3817/F | Approved with Conditions | 16/11/2015 |
| | Change of use from amenity land to residential curtilage and erection of 1.4m high boundary wall. | | |
| 3.2 | PK11/2148/F | Approved with Conditions | 08/08/2011 |
| | Change of use of amenity land to residential curtilage and erection of 1.4m high boundary wall | | |
| 3.3 | PK11/1544/NMA | Objection | 13/06/2011 |
| | Non material amendment to PK11/0509/F to revise the line of 1.44 metre high | | |
| 3.4 | PK11/0509/F | Approved with Conditions | 25/03/2011 |
| | Change of use of amenity land to residential curtilage and erection of 1.4m high boundary wall. | | |

4. **CONSULTATION RESPONSES**

- 4.1 Dodington Parish Council
Objection. Inappropriate development, effect it will have on streetscene and lack of parking for property in an area that already struggles with parking.

Other Consultees

- 4.2 Transportation Development Control
Objection. New two-bed dwelling proposed on land adjacent to No 157 (a three-bed dwelling). Plan submitted shows one parking space on land to the rear of the existing dwelling and no parking for the new dwelling. Level of proposed parking does not comply with Council's residential parking standards. Recommended for refusal as it would lead to additional on-street parking and increasing congestion and highway hazards for other road users.

Update

Revised block plan submitted showing three car parking spaces can be provided within the site boundary. No Objection, subject to suggested conditions.

- 4.3 Highway Structures
No comment
- 4.4 Local Lead Floor Authority
No Objection. Informative recommended.
- 4.5 Wessex Water
No adverse comment. The applicant is advised that Bristol Water are responsible for the Water Supply in the area and waste water connections will be required from Wessex Water to serve this proposed development. A public sewer is shown on record plans within the land identified for the proposed development. It appears that the development proposal will affect an existing public sewer. The applicant is advised to contact Wessex Water Sewer

Protection Team for further advice. It is also advised that building over existing public sewers will not be permitted (without agreement) from Wessex Water under Building Regulations. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Wessex Water.

Other Representations

4.6 Local Residents

Two comments has been received from members of the public, these letters neither objected nor supported the application, the comments have been summarised below:

- No objections to dwelling
- Issue with parking in area. People park on the pavement where the dwelling is asking for permission.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal for the erection of 1no. attached two bed dwelling is to be assessed against the above listed policies all material considerations. An appeal decision last year declared that South Gloucestershire Council does not have a 5 year land supply and for this reason Policy CS5 is considered to be out of date and therefore paragraph 14 of the NPPF is engaged. Given the above, the NPPF requires that planning be granted for development unless:

– any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. This means that decision takers must still take into account overall design, location, amenity and transport and are directed to resist inappropriate development.

5.2 Policy CS1 of the South Gloucestershire Core Strategy (Adopted) 2013 states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives. Saved policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, including the erection of new dwellings, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. In addition, saved policy T12 of the Local Plan and Policy CS8 of the Core Strategy seek to ensure that development will have no adverse impact on highways.

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

5.4

Design and Visual Amenity

The application site holds a corner position and as such any new development would be highly visible from the public realm. No. 157 Littledean is a two-storey end of terrace property which has itself benefited from an extended residential curtilage. Along Littledean, it is noted that gable roofs, first floor cladding and gable end walls are strong features. The proposed new attached dwelling would be stepped down and set back from the front building line, but the eaves would match those of the existing dwelling to form a suitably subservient two-storey new addition to the north side. The new house would be approximately 8.2 metres in length by 4.2 metres wide.

5.5 Proposed openings would be concentrated mainly in the front and rear elevations, except a small first floor bathroom window in the side elevation. For the most part, the fenestration would copy the proportions of windows in the main dwelling. A modest lean-to front porch will create a new entrance to the property.

5.6 Materials used in the construction of the new dwelling would be to match those of the existing dwellinghouse. In terms of design, scale, massing and materials proposed, the new dwelling is considered appropriate to the host property and the area in general and can be recommended for approval.

5.7 Residential Amenity

Although the introduction of a new dwelling attached to No. 157 Littledean would create changes to the amenity of nearby properties, it is considered that the degree of change would not be unacceptable given the general location and the level of separation between properties. It is noted that other than a small first floor bathroom window, there would be no habitable openings in the side elevation facing Littledean and a large grassed area to the north.

5.8 The new dwelling would have a private garden screened by a 1.4 metre brick wall. A modest 33sqm garden will serve the proposed two bedroom property as detailed on the plans. As a result of this proposal, the garden of the existing property would be considerably reduced in size, but detailed provided indicated that an approximate area of usable 62 sqm would remain to serve this dwelling. This is considered acceptable.

5.9 It is considered there would be no unacceptable issues of intervisibility or overlooking resulting from the new dwelling, sufficient garden space is allocated to serve the existing and proposed dwelling and as such, the proposal can be recommended for approval.

5.10 Sustainable Transport

Parking for the existing dwelling would be unaffected and continue to be provided off Littledean. However, during the course of the application and following initial comments from the Highway Officer, an amended Block Plan was received by the Council relating to the proposed new dwelling. This showed that the required parking for the new dwelling could be achieved on site. An Informative will be put in place to remind the applicant to contact the Council's Development Streetcare Department to obtain consent to extend the existing dropped kerb.

The revised plan also shows cycle storage and bin storage areas provided for the new build. On the basis the scheme would follow the above cited plan, there are no objections to the scheme subject to conditions that the parking be provided prior to occupation, be constructed from a permeable bound surface and boundary walls around the parking area are kept to no more than 0.9 metres high.

5.11 Drainage

Comments received from the Council's Engineers are noted with regard the position of a public sewer and an informative has been attached to the decision notice giving advice to the applicant.

5.12 Other Matters

Concerns have been expressed regarding the potential for the development to exacerbate an existing situation of dangerous parking. Inconsiderate or illegal parking is something that can be addressed via more specific legislation. If such a situation occurs, then it is suggested that the matter be reported to the proper authorities i.e. the Police Authority. As has been detailed above this proposal provides off-street parking in line with the adopted standard. However, this proposal, if anything, is more likely to prevent cars parking on the pavement on the corner as there will be a wider access point into the parking area proposed in that location.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

Contact Officer: **Helen Braine**
Tel. No. **01454 863133**

CONDITIONS

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

Reason

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

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

Reason

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

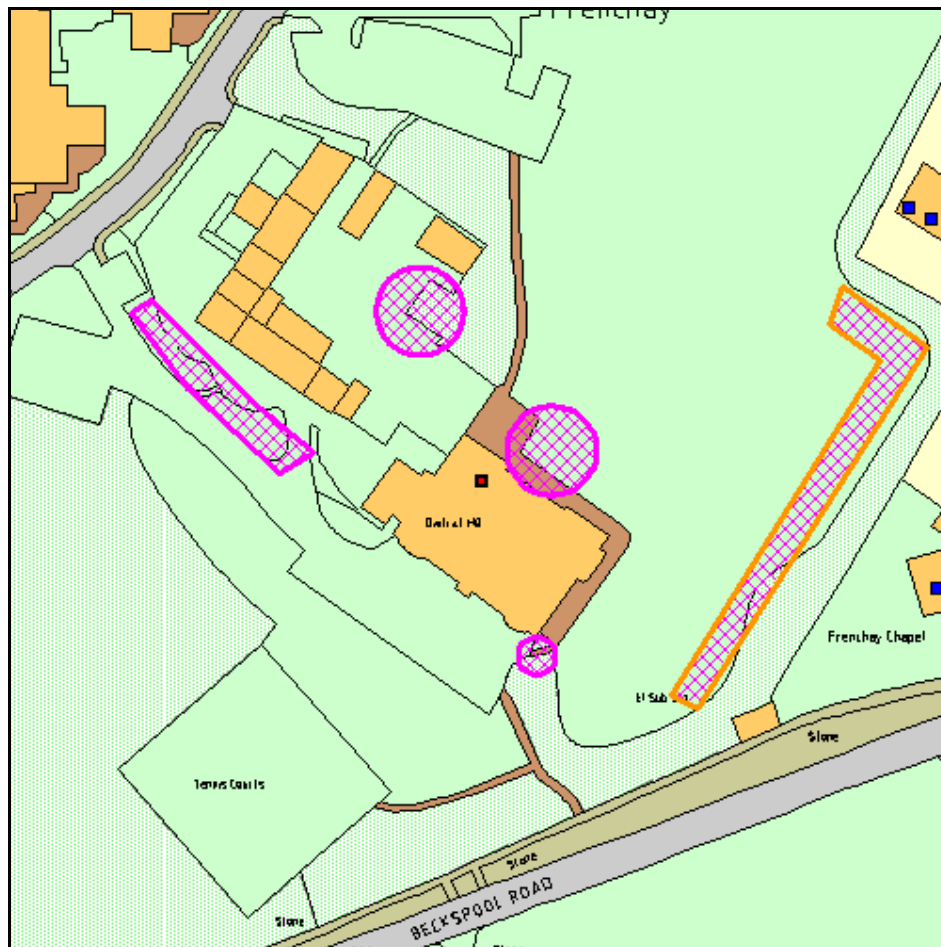
3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan Block Plan (received by the Council on 12/02/2016) shall be provided prior to first occupation of the dwelling hereby permitted. The parking area shall be constructed with a permeable bound surface; and any boundary treatment enclosing the parking area (including vegetation) shall be kept to a maximum height of 0.9 metres to ensure that adequate visibility is provided. The parking spaces shall thereafter be retained as such with one space serving the proposed new dwelling, and two spaces serving No.157 Littledean.

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 South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PK16/0142/TCA	Applicant:	Mrs Charlotte Alsop
Site:	Frenchay Park House Beckspool Road Frenchay South Gloucestershire BS16 1JE	Date Reg:	
Proposal:	Works to trees in accordance with submitted schedule (Appendix 1) dated 13/1/2016 in Frenchay Conservation Area.	Parish:	Winterbourne Parish Council
Map Ref:	363890 177610	Ward:	Frenchay And Stoke Park
Application Category:	Trees within a Conservation Area	Target Date:	8th March 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

However, this application is a prior notification of proposed works to trees in a conservation area. The purpose of such an application is to provide an opportunity for the Local Planning Authority (LPA) to serve a Tree Preservation Order (TPO) on the tree, should it fulfil the criteria of designation. A TPO must be served within a period of six weeks. Failure by the LPA to serve a TPO or respond to the notification within this timeframe results in a default position of the works gaining deemed consent. Therefore this application appears on the Circulated Schedule for information purposes only.

1. THE PROPOSAL

- 1.1 Works to trees in accordance with submitted schedule (Appendix 1) dated 13/1/2016 in Frenchay Conservation Area.
- 1.2 The trees are throughout the grounds of Frenchay Park House, Beckspool Road, Frenchay, South Gloucestershire, BS16 1JE.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT15/0070/F, Site Address: Frenchay Park House, Beckspool Road, Frenchay, South Gloucestershire, BS16 1NE. Decision: COND, Date of Decision: 26-JUN-15, Proposal: Change of use from commercial (Class B1) to a single residential dwelling house (Class C3), as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), including boundary treatments.,
- 3.2 PT15/4709/TRE, Site Address: North Bristol NHS Trust, Frenchay Hospital, Frenchay Park Road, Frenchay, Bristol, South Gloucestershire, BS16 1LE, Decision: COND, Date of Decision: 09-APR-15, Proposal: Works to various trees (see tree survey) covered by Tree Preservation Order.,

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council commented as follows.
The comments of the Parish Council are no Objection subject to verification by a South Gloucestershire arboriculturist that what is proposed is good practice.

Other Representations

4.2 Local Residents

A resident has commented that the plans need to be more detailed and that the exact number of trees to be removed is not clear.

5. ANALYSIS OF PROPOSAL

5.1 This application provides prior notification of proposed works to trees situated within a conservation area.

5.2 Principle of Development

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. Under the above Act, subject to a range of exceptions, prior notification is required for works to a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a Tree Preservation Order. When considering whether trees are worthy of protection the visual, historic and amenity contribution of the tree should be taken into account and an assessment made as to whether the tree fulfils the criteria of a Tree Preservation Order.

5.3 Consideration of Proposal

The proposed work is largely management that has not been carried out over recent years. Some of the work is being carried out in the interests of health and safety and this is particularly the case with the declining Sycamore.

5.4 The trees that are to be removed from adjacent to the boundary wall are either damaging the wall or being damaged by the wall. Their retention is not viable.

5.5 None of the trees to be removed would meet the criteria for inclusion on a Tree Preservation Order.

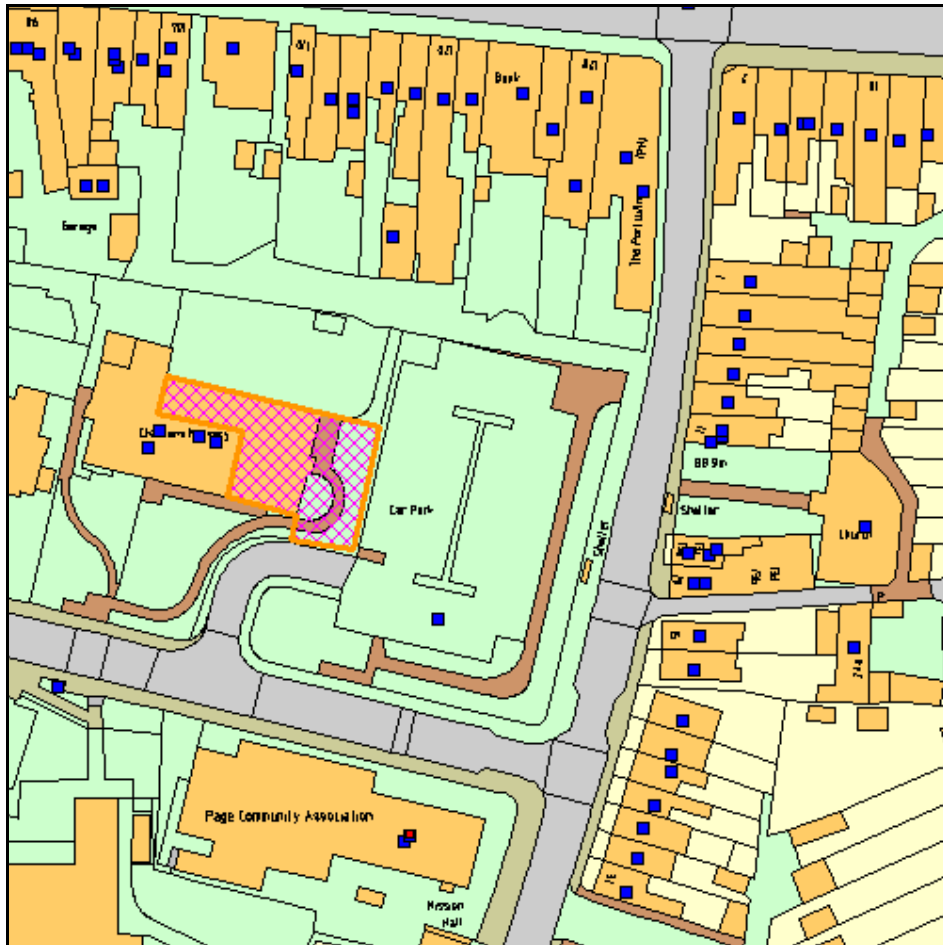
6. RECOMMENDATION

6.1 No objections

Contact Officer: Simon Penfold
Tel. No. 01454 868997

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PK16/0314/R3F	Applicant:	South Gloucestershire Council
Site:	Childrens Centre Page Road Staple Hill Bristol South Gloucestershire BS16 4NE	Date Reg:	1st February 2016
Proposal:	Change of Use of part of building from Nursery Area to Youth Centre (Sui Generis) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended) with some doors and windows to be altered and a new pedestrian access	Parish:	None
Map Ref:	364855 175774	Ward:	Staple Hill
Application Category:	Minor	Target Date:	24th March 2016



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REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure given that the applicant is South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the change of use of part of the existing nursery to use as a Youth Centre. The existing building situated to the north of Page Road formerly part of Staple Hill Primary school, (now relocated in the new facility on the opposite side of Page Road), was converted into a children's centre (sure start) and nursery in 2012. Rooms to the north and east of the building remained vacant/unused and it is in these rooms that the Youth Centre will operate.
- 1.2 A small area at the south-eastern end of the building will be occupied by a different nursery operating a toddler group. Although not needing consent given the current authorised use, for information the new space will provide for a maximum of 24 x 3 year olds per session with a total capacity of 48 children on roll and will allow the Nursery to increase the operational hours of the toddler room to enable more families to attend between 9am – 3pm.
- 1.3 Works include new access points on the north and east elevations and a wheelchair accessible parking bay in the staff car park. In addition a new pedestrian access is shown from the Page Road short stay car park with new gate in the fence.
- 1.4 In support of the proposal the applicant indicates that the current Staple Hill Youth Centre operates from the nearby Methodist Church in the High Street. The use is limited however due to cost, time and space. It is indicated that the new facility will enable the youth organisation to become more sustainable by charging for community lettings and provide greater flexibility when youth sessions can be run.

The applicant indicates the following proposed opening hours and staff numbers:

Monday – Thursday 6.30pm – 9.30pm including school holidays and Bank holidays

Office – open 5 hours daily during normal office hours

Saturdays – 9am – 6pm (estimate, subject to demand)

Sundays – 9am – 4pm (estimate, subject to demand)

Proposed numbers of staff:

1 x FTE

0.5 x FTE

6 part time Youth Workers

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework 2013

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

EP1 Environmental Protection

EP7 Unstable Land

L1 Landscape Protection and Enhancement

LC4 Proposals for Education and Community Facilities within the Existing Urban Area

T8 Parking Standards

T12 Transportation Development Control

South Gloucestershire Local Plan Core Strategy 2012

CS1 High Quality Design

CS23 Community Buildings and Cultural Activity

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

3.1 PK09/5503/R3F Erection of 315 place replacement primary school with car park, landscaping and associated works. Erection of 2.7 maximum height perimeter fence and gates. Construction of new public car park. Deemed Consent March 2010

PK11/1982/R3F Erection of single storey extension and ramp with associated works to facilitate change of use to Nursery/Sure Start centre. Erection of 2.4m high security fencing. (Deemed consent)

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

Site falls outside of any parish boundaries

4.2 Coal Authority

No objection subject to an informative in relation to any intrusive activity

4.3 Sustainable Transport

No objections

4.4 Tree Officer

No objections

4.5 Landscape Officer
No objections

4.6 Environmental Protection

Subject to a condition to restrict the hours of operation to those on the application form there is no objection to the proposal.

Other Representations

4.7 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF indicates in Paragraph 69 that the “the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Furthermore planning policies and decisions should (para 70) plan positively for the provision and use of shared space, community facilities including among others meeting places and cultural buildings.

Policy CS23 of the South Gloucestershire Local Plan Core Strategy 2013 also seeks to secure enhanced community infrastructure.

Policy LC4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the expansion of existing educational facilities and community facilities provided there is no impact on existing residential amenities and highway safety. the proposal is considered against

In addition Policy CS1 of the Local Plan Core Strategy seeks secure high quality design in new development and Policy T8 of the Local Plan sets a maximum parking standard for all non-residential development. Subject to the following considerations the proposed development is considered acceptable in principle.

5.2 Design / Visual Amenity

The design changes proposed are very minimal. It should be noted that a number of changes took place as part of the earlier approval in 2011. It is considered that these are acceptable in design terms and in terms of the wider visual amenity.

5.3 Residential Amenity

The application site is located at distance from the nearest residential properties which would be the upper floors of retail/commercial properties onto High Street. No extensions are proposed to the building. It is not considered that the new use of part of the building, involving supervised activity would impact upon the neighbouring amenity. Given the above it is not considered necessary to condition the opening hours of the building.

5.4 Highway Safety and Parking Issues

Therefore there are no objections to the proposal with regard to highway safety and parking.

5.5 Environment

It is noted that there are few residential properties near the site, aside from the upper floors above retail properties on High Street and apart from a small grassed area there are no outside areas that would be used by the Youth Club. The applicant has submitted an acoustic report and has indicated that some additional insulation of the building will take place and replacement of windows. Initial comments from the Environmental Protection Officer suggested that the glazing and trickle vents were to a specific standard however it was not considered that this was a matter that could be controlled through the planning system but rather the Building Regulations. An informative will be attached to the decision notice regarding this matter. A condition will be applied to the decision notice to restrict the hours of use to those on the application form in the interests of the amenity of the nearest residential occupiers. Subject to this condition the proposed development is acceptable.

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: David Stockdale

Tel. No. 01454 866622

CONDITIONS

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

Reason

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

2. The Youth Centre (Young People's Sessions) hereby approved shall not operate outside of the following hours:

Monday to Thursday 18.30 to 21.30 hours

Saturdays 09.00 to 18.00 hours

Sundays 09.00 to 1600 hours

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC4 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PK16/0337/TRE	Applicant:	Mrs Alison Richards
Site:	5 Broad Lane Yate South Gloucestershire BS37 7LD	Date Reg:	28th January 2016
Proposal:	Works to fell 1no. Magnolia tree covered by Tree Preservation Order SGTPO 10/09 dated 9/09/2009	Parish:	Iron Acton Parish Council
Map Ref:	369990 183558	Ward:	Ladden Brook
Application Category:	Works to trees	Target Date:	22nd March 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as comments have been received that are contrary to the officer's recommendation

1. THE PROPOSAL

- 1.1 Works to fell 1no. Magnolia tree covered by Tree Preservation Order SGTPO 10/09 dated 9/09/2009.
- 1.2 The tree is in the rear garden of no.5 Broad Lane, Yate, Bristol, South Gloucestershire, BS37 7LD.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council has no objection to this application.

Other Representations

- 4.2 Local Residents

A resident of South Gloucestershire has objected to this application because they don't see why the tree, which is covered by a Tree Preservation Order (TPO), should be felled.

5. ANALYSIS OF PROPOSAL

- 5.1 Works to fell 1no. Magnolia tree covered by Tree Preservation Order SGTPO 10/09 dated 9/09/2009.
- 5.2 Principle of Development

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

The tree is a Magnolia situated in the rear garden of the property. It is protected by virtue of its location within the Area TPO that was put on North Yate in anticipation of the extensive development of this area. The primary purpose of this TPO was to protect the mature hedgerow trees in the fields of this location.

- 5.4 The tree is barely visible from Broad Lane and is close to the rear of the building.
- 5.5 For the above reasons the tree would not meet the individual criteria for inclusion on a Tree Preservation Order.

6. RECOMMENDATION

- 6.1 That consent is GRANTED subject to the conditions on the decision notice.

Contact Officer: Simon Penfold
Tel. No. 01454 868997

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

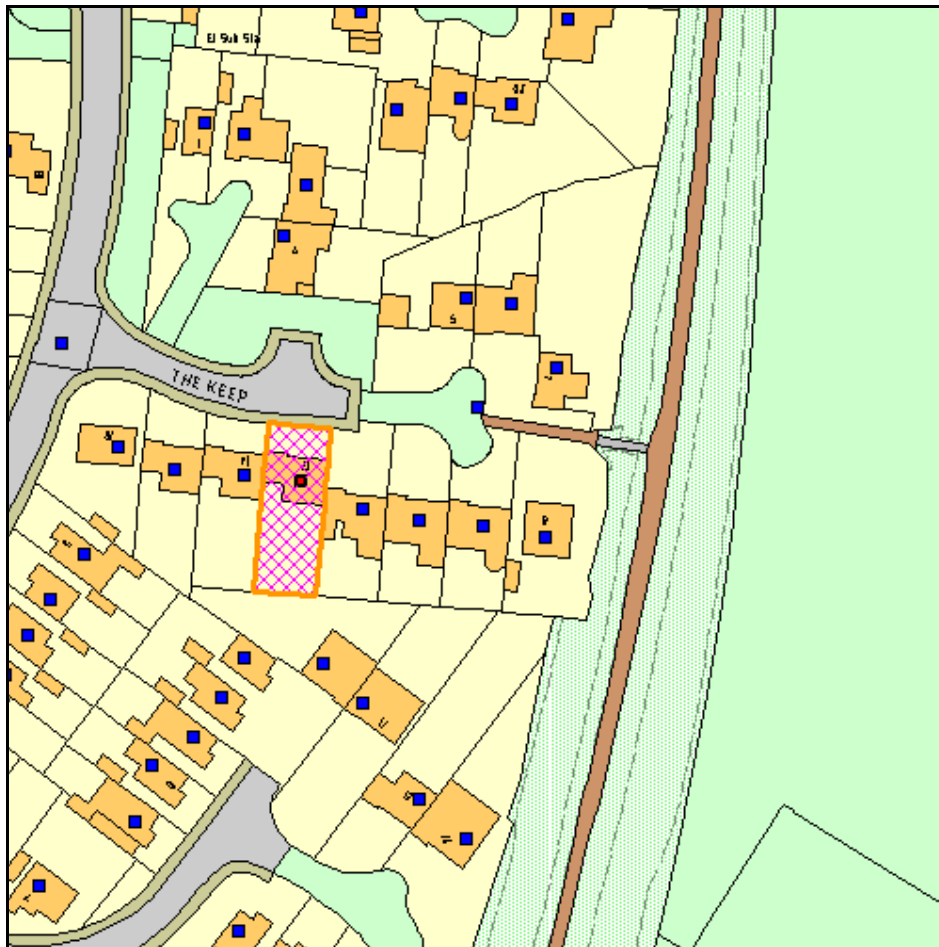
3. A replacement tree, the species, size and location of which is to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PK16/0599/F	Applicant:	Mr And Mrs Aaron Whiston
Site:	12 The Keep Warmley Bristol South Gloucestershire BS30 8YQ	Date Reg:	11th February 2016
Proposal:	Erection of first floor side extension over existing link garage, two storey side rear extension and single storey rear extensions to form additional living accommodation	Parish:	Bitton Parish Council
Map Ref:	367682 172058	Ward:	Oldland Common
Application Category:	Householder	Target Date:	4th April 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following comments received from a local resident and the Parish Council contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a first floor side extension over existing link garage, a two storey side rear extension and single storey rear extension to form additional living accommodation.
- 1.2 The application site relates to a two-storey link detached modern dwellinghouse situated within a small cul-de-sac in Warmley.
- 1.3 During the application and following comments made by the Highway engineer plans were received to show that the required amount of parking could be achieved on site.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 K670/10 Erection of 314 dwellings on 34.5 acres.
Construction of roads, footpaths open space and associated garages and car ports.
Approved 21.12.78

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Objection: The proposals would radically alter the street scene, giving the impression of terraced houses instead of link detached. No additional parking provision is shown to take account of the additional bedroom. Councillors felt that the whole mass of building as proposed would be an over-intensification of use of the site.

4.2 Other Consultees

Sustainable Transport

Planning permission is sought to extend the existing dwelling to provide additional living accommodation. After development the bedrooms to the first floor will increase to five.

Vehicular parking for a dwelling is assessed on the number of bedrooms available within a dwelling. A dwelling with five or more bedrooms requires a minimum of three parking spaces to be provided within the site boundary. Details of the garage have been submitted but no other detail of parking has been provided with this submission.

Subject to a revised plan showing at least two parking spaces to the frontage of the site, there is no transportation objection to this development

Other Representations

4.3 Local Residents

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

- Overbearing impact, not in-keeping with the cul-de-sac, would not maintain appearance of link detached, not respect local context or street scene, scale and proportion out of character and detrimental
- Environmental issue of additional noise from the extended direct contact to my property
- Loss of privacy due to first floor being directly next to my property
- Ground floor will extend beyond rear line of my property causing shadowing

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies and all material considerations. Saved Policy H4 is supportive of extensions/alterations within existing residential curtilages provided it meets other considerations such as not having an unacceptable adverse impact on residential amenity. In addition and of particular importance is the overall design of the proposal and its impact on the host property and area in general (CS1); the impact on highway safety and parking standards must also be carefully assessed (T12, CS8, SPD: Residential parking).

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

Design and Visual Amenity

- 5.2 The application site is a part of a small cul-de-sac of similar designed and proportioned properties. The area is characterised by most of the houses being link attached to its respective neighbour by their single garages. No. 12 is linked on either side to its respective neighbours at No. 11 and 14. No. 12, however, and the properties to its west are part of a grouping of three set forward of properties to the east.
- 5.3 The proposal comprises a number of elements and for the sake of clarity it is useful to separate them as below:
- 5.4 First floor extension over existing garage and connecting single storey flat roof
As mentioned above the property benefits from an attached single storey garage which is also attached to the neighbour at No. 14. The proposal would introduce a new bedroom above this structure. Adopted policy is supportive of extensions to existing dwellings and similarly, national planning policy encourages development within existing built up areas and therefore within existing residential curtilages. Notwithstanding the comments from both the Parish and a local resident that this would alter the pattern of development in this cul-de-sac, extensions above existing garages on link detached properties such as this are not uncommon and when sympathetically done, do not detract from the street scene. It must further be acknowledged that this small development is not of particular architectural merit, exemplar design or historic worth. It is acknowledged that the proposal would result in changes but given its position within the cul-de-sac and the row of properties if it is considered that only an angled view from the main highway when travelling south would be achieved. In terms of its impact on the character of the area and visual amenity in general a refusal on grounds of affecting the street pattern could not be sustained in an appeal situation.
- 5.5 The proposed first floor extension would not completely infill the gap between the application site and the next door neighbour at No. 14 – it would be slightly smaller and as such the remaining gap between the two would be a flat roof over the sliver of garage roof and would also continue out to the proposed new rear building line. Flat roofs are not encouraged as they add nothing to the generally overall aesthetics of a scheme. Here however, it is acknowledged that the design has taken into account the need to retain the garage at ground floor, accommodate first floor living space but at the same time not interfere with the neighbouring property. This is considered acceptable and should issues of maintenance arise that might affect the neighbour, then this would be a civil matter to be discussed between the respective parties. The proposed addition would be set back from the main building line and set down from the main ridge line making the structure appropriately subservient to the main dwelling. Openings would be to the front elevation. The proposed first floor extension above the existing garage is therefore acceptable in design terms.

5.6 Two storey side extension and single storey lean to extension

Following on from this new structure above the garage, is a proposed two-storey side/rear extension and single storey lean-to addition. This would effectively infill the gap between the rear of the existing single storey garage and the main house and the single storey would extend out from the existing rear building line by approximately 0.85 metres. Again the two storey element would be set away from the neighbour's house. At first floor this addition would create a study area and storage and at ground floor it would create a new kitchen and entrance into the garage. Openings would be to the rear elevation facing the garden. The two-storey infill with its associated small single storey element is considered acceptable.

5.7 Single storey rear extension

A large single storey addition measuring approximately 6.6 metres in length, 3.2 metres in width, with an overall height of 3 metres is proposed across the main part of the exiting property. This would have a flat roof and a large lantern skylight. Openings would comprise a large bank of full height bi-fold doors facing the garden and a window in the west elevation.

5.8 Design summary

Although cumulatively the proposal amounts to a large addition to this property such extensions are not unusual. The materials proposed in this development would be to match those of the existing dwellinghouse and would assist in the successful integration of the extensions. Overall, taking into account the subservient nature of the side extension, the position of the house within the street, the location of the site within a built up area where development is encouraged, the single storey rear addition and the proposed use of good quality materials, it is considered that the design, scale and massing is appropriate to the host property and therefore acceptable.

Residential amenity

5.9 Taking the proposed single storey rear extension first, this would be adjacent to the garage of No. 11 and extend out beyond the existing rear building line by approximately 3.2 metres. Given that No. 11 is set forward of the application site the proposed single storey extension would extend beyond the line of the neighbouring garage by 0.4 metres. The two properties are separated by fencing of approximately 1.8 metres in height and therefore it is considered that there would be no adverse impact on the amenity of this neighbour. Similarly given the good size rear garden and the degree of separation between the application site and the neighbours to the south the proposal would not have a negative impact on the closest property here in Pullin Court.

5.10 Moving on to the neighbour to the west at No. 14 who has expressed a number of concerns in terms of loss of privacy, additional noise and overshadowing. The proposed two-storey side extension would as mentioned above, infill behind the single storey garage and at first floor level would be set away from the neighbouring property. It would extend out only as far as the building line of the neighbouring property, apart from the additional single storey mono-pitched roof element which would extend out a further 0.85 metres. Given the orientation of the properties where their rear gardens face due south and given the properties are separated by fencing of approximately 1.8 metres there can

be no issues of overshadowing from the proposal that would adversely affect this neighbour.

- 5.11 Loss of privacy due to the proximity of the windows at first floor to the neighbour's garden has been given as an objection reason. It is acknowledged that there will be changes resulting from this application and the introduction of a new first floor window. However, a balanced approach must be taken and given the presence of first floor windows in the main house it is considered that there would be no adverse impact on the residential amenity of this neighbour over and above the existing situation sufficient to warrant a refusal of the application. An objection for reasons of additional noise at ground floor level where the proposed new entrance into the garage from the garden is located has been given. Given this is a domestic doorway serving the family it is considered that the amount of normal 'everyday use' would not amount to an unacceptable level of disturbance to this neighbour. The lack of sound proofing has been identified but this is not a planning matter that can be covered under the remit of this application. As a civil matter this should be discussed between the relevant parties and an agreement reached through those means.
- 5.12 The above has shown that the proposal would not have an unacceptable adverse impact on the residential amenity of the closest neighbours. Furthermore, sufficient garden space would remain to serve the property and as such the proposal accords with Policy H4.

Sustainable transport

- 5.13 Following the development the extended property could potential have 5no. bedrooms, although it is noted that one has been labelled 'study'. Vehicular parking for a dwelling is assessed on the number of bedrooms available within a dwelling. A dwelling with five or more bedrooms requires a minimum of three parking spaces to be provided within the site boundary. Details show one vehicle within the garage and further submitted plans indicate that two parking spaces can be achieved on the existing driveway. The proposal therefore accords with adopted parking policy and can be recommended for approval.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PT15/5516/R3F	Applicant:	South Gloucestershire Council
Site:	Bradley Stoke Leisure Centre 1 Fiddlers Wood Lane Bradley Stoke Bristol South Gloucestershire BS32 9BS	Date Reg:	4th January 2016
Proposal:	Erection of single storey rear extension to extend existing gym, installation of new windows and door and alterations to car park	Parish:	Bradley Stoke Town Council
Map Ref:	362247 182062	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Minor	Target Date:	25th February 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure given that objections were received that are contrary to the officer recommendation and given also that the application is made on behalf of the Council itself.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for an erection of single storey rear extension and a replacement of windows and doors in order to make some changes internal layout including an extension to the existing gym, replacement of soft play area with party room and toning room, a replacement of squash courts with studio, a creation of additional seating for the café at Bradley Stoke Leisure Centre. The site is situated within the urban boundary of Bradley Stoke.
- 1.2 To support the proposal, the applicant has submitted the following reports:
- Design and Access Statement
 - Customer feedback regarding facilities and travelling to Bradley Stoke Leisure Centre

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in favour of sustainable development
CS5 Location of development
CS8 Improving Accessibility
CS9 Managing the environment and heritage
CS23 Community Infrastructure and Cultural Activity
CS24 Green Infrastructure, Sport and Recreation Standards

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

L1 Landscape Protection and Enhancement
L5 Open Areas within the Existing Urban Areas and Defined Settlement
L8 Sites of Regional and Local Nature Conservation Interest
L9 Species Protection
L11 Archaeology
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
LC3 Proposals for Sports and Leisure Facilities within the Existing Urban Area and Defined Settlement Boundaries

Supplementary Planning Guidance / Documents

Design Checklist Supplementary Planning Document 2007

3. RELEVANT PLANNING HISTORY

The site has been subject to a number of planning applications in the past, and the following are the most relevant to the determination of this application.

- 3.1 PT16/0713/R3F Erection of front entrance foyer, external cladding and alterations to front facade and extension to existing carpark. *Pending consideration.*
- 3.2 PT15/2646/F Construction of a concrete skatepark with associated works. Approved 06.11.2015
- 3.3 PT09/6013/R3F Change of Use from IT/training rooms (Class D1) to ancillary Office Use for the leisure centre (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Retrospective. Decision: DEEMED, Date of Decision: 05-FEB-10.
- 3.4 PT07/3731/R3F Construction of bus only access road, additional carparking and re-alignment of main access road. Decision: PERDEV, Date of Decision: 21-JAN-08
- 3.5 PT03/0591/R3F Change of use of existing store rooms (Class D2) to IT/training rooms (Class D1) (as defined in the Town & Country Planning (Use Classes) Order 1987). (Under Regulation 3 of the Town & Country Planning (General Regulations) 1999). APPROV, Date of Decision: 17-APR-03
- 3.6 PT01/3462/R3F Erection of extension to form swimming pool, health suite and fitness room. Decision: DEEMED, Date of Decision: 09-APR-02

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council
No objection.

4.2 Other Consultees

Ecology Officer: No ecological objection.

Highway Officer No highway objection subject to conditions.

Other Representations

4.3 Local Residents

Four letters of objections have been received and the residents' concerns have been summarised as follow:

- Not enough parking spaces in the area, especially during rush hours

- Not a transparent consultation as a member of Bradley Stoke Squash Club was not made aware of the consultation process. We were only informed of it days before a closed session of the public meeting to decide the fate of the squash courts. No notices were put on the squash noticeboard in 2014.
- Significant investment in the squash court and it appears counterintuitive to consider closing them.
- The club regularly uses the courts, and benefit the wider community
- The Centre does offer dual use of the courts during off-peak times, opening an alternative revenue stream negating any need to close the courts.
- Alternative courts at school in Patchway would only be available in the evenings and weekends and is not acceptable alternative.
- Piecemeal development, namely skate park, current application, application for entrance foyer and front façade, and possible further application which are mentioned in D&A Statement, is unacceptable as it is part of the designated town centre area of Bradley Stoke, e.g. the approved skate park was treated as a separate entity. There are detailed discussions among South Gloucestershire Council, Circadian Trust and Bradley Stoke Town Council about a 'masterplan' and the general public has not been consulted on this 'masterplan'.
- Main concerns relates to the use of car park and landscaping of the site
- Concerns regarding the fairness of the public consultation exercise conducted by the Council
- The relative merits of using the available space within the grounds for additional car parking or a skate park or to allow improved access to the site or a more user-friendly and safer internal layout of the car park have not been analysed and put out to public consultation. That is a serious deficiency for such an important publicly-owned site that forms part of a designated town centre.
- Inadequate discussion in the D&A statement including no discussion of design principles and concerns, any factors have influenced the design, no mention of local plans, how the outcome of this consultation has informed the proposed development, no categorisation or analysis of the consultation responses, and no explanation of how any specific issues might affect access to the proposed development have been addressed.
- Worthless statement
- There is a shortfall in parking provision for the existing facilities (before any further development)
- Does this address the predevelopment shortfall or the additional parking requirement caused by the development proposed?
- It does not create the maximum no. of parking spaces possible within the boundaries of the existing parking plan
- Currently there are 203 existing car parking spaces. On completion of phase 1 of the works there will be an additional 46 spaces." I am not sure this figure is correct. The lost spaces are not properly shown in the new parking plan. Comparing the old and new parking plans, a number of spaces in the overflow parking area are lost without explanation.
- a press release put out by SGC on 5/11/15 in on 5/11/15 in which it is stated that 130 additional spaces will be provided, it is evident that the

total desired additional spaces is already known by the applicant. Why withhold this information?

- No mention is made of the skate park development, which is under and likely to run concurrently with the proposed project, what are the implications of this concurrent working??
- The DAS does not explain why the applicant chose to release this land for skate park without consulting the public
- We are not told when and how this feedback was obtained.
- The applicant needs to assess the adequacy of parking provision at peak times, not averaged over all operating times.
- The SGC consultation on Bradley Stoke Leisure Centre gives no suggestion that some sport facilities might be lost entirely e.g. squash court

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is to erect a single storey extension to the rear of the leisure centre building, install a number of windows and doors, and to re-arrange the existing parking layout in order to create additional 46 no. parking spaces. In addition, it is also proposed to change the internal layout of the building. Core Principles of the National Planning Policy Framework states that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Policy CS24 of the adopted Core Strategy also highlights that the green infrastructure assets are integral to sustainable communities.

Saved Policy LC3 of the adopted South Gloucestershire Local Plan (Adopted January 2006) supports proposals for Sports and Leisure Facilities within the Existing Urban Area and Defined Settlement Boundaries subject to the proposal would be highway accessible by public transport, on foot and by bicycle, and would not prejudice residential amenity, natural environment and public highway safety and would not give rise to unacceptable levels of on-street parking to the detriment of the amenities of the surrounding area and highway safety.

As the proposal is to improve the existing leisure facilities and to provide additional parking spaces within the site, therefore there is no principle objection to the proposal.

5.2 Background of the proposal

The proposal is part of refurbishment and improvement programme of the existing leisure centre. The proposal is to erect a single storey extension at the rear elevation in order to extend the existing gym facilities within the building. In addition, it is also proposed to re-arrange the existing parking facilities and the former skate park in order to provide additional 46 no. parking spaces.

5.3 Design and Visual Amenity

The proposed extension would be approximately // square metres and situated between the existing Dance Studio / Plant Room and the Gym. The extension would be single storey in height with a lean-to roof and is located at the rear elevation. The building would be finished with matching brickwork under a single ply roof membrane with aluminium powder coated with matching colour. It is considered that the design of the proposed extension is acceptable.

There would be 2 no. new windows on the high level of the rear elevation of the host dwelling, these windows are acceptable and would not have any adverse impact upon the character or appearance of the building.

The proposed additional car parking spaces will be allocated on the existing hardstanding area or grass kerb within the existing parking facilities and the former skate park, therefore it is considered that there is no adverse impact upon the character or appearance of the locality.

5.4 Residential Amenity

The nearest residential properties to the site would be the apartment blocks and of Champs Sur Marne and a retail superstore. The proposed extension and new windows and door would be adjacent to Savage's Wood, therefore there is no adverse impact upon the amenity of the residential properties. The proposed additional parking spaces would be within the existing parking area and the former skate park, it is therefore considered that the proposal would not cause any material adverse impact upon the amenity of the neighbouring properties, in terms of overlooking, overbearing or any noise and disturbance.

5.5 Landscaping and ecological impact

The proposed extension would be in-filling structure at the rear elevation of the host building between the gym and Dance Studio/Plant room, therefore there are no landscaping issues.

The additional parking spaces will be on the existing hardstanding, grass kerb and landscaped area. Although it would result in a loss of some shrubs and grassed area, it is considered that the impact would not be significant to be detrimental to the landscape character of the area.

In terms of the ecological issues, the southern part of Savages Wood lies adjacent to the existing access road at the northern section of the leisure centre. The road appears to be currently unlit and the proposals do not appear to include road lighting. The woodland is highly likely to be used by foraging bats, and the slight increase in ambient light in this area from the installation of windows to the proposed new gym facility, is unlikely to have a detrimental impact on bats which may forage in this area due to the extensive nature of the rest of the woodland. The rest of the site affected by the proposals includes little or no vegetation. Therefore there are no objections to this application on ecological grounds.

5.6 Highway Issues

Officers acknowledge residents' concerns regarding the parking and highway issues of the proposal, and the Highway Officer has considered these particular concerns as part of the consideration of this application.

Whilst the proposed extension is very modest at circa 76 sq m the planning consultation has highlighted a number of issues that surround the existing site in relation to car parking in particular. It should be noted that it is not appropriate for this development to overcome the existing problems, the applicant does recognise that the existing car parking provision is often used to capacity. Officers consider that the proposal, due to the scale of the proposed extensions and improvement works, would not exacerbate material harm or impact to the existing parking issues. Although officers acknowledge that there will be some disruptions during the construction periods, the proposal would provide additional parking spaces within the site for the leisure centre as a whole.

Officers also acknowledge the concerns regarding the maximum parking spaces within the site. As the site is situated within a town centre location and Policy CS8 of the adopted Core Strategy and the National Planning Policy Framework encourage development that is located where everyone can access services or facilities on foot, bicycle or public transport, rather than having to rely on access by the car. Policy T8 of the adopted Local Plan advises proposals should not exceed the maximum parking spaces. On this particular site, the maximum parking spaces for the whole leisure centre including the proposed single storey extension would be 264 no. parking spaces and the proposal, as a result, would provide a total of 239 no. parking spaces. Although the proposed number would be below the maximum parking requirement, officers do not consider that there is any substantive reason to refuse this application on the ground of the provision of parking given that the site is situated within a town centre location. Officers therefore support the proposed increased number of parking spaces within the existing parking area and the former skate park. To ensure that these parking spaces will be provided, a planning condition is imposed to safeguard the provision of parking spaces prior to the first use of the proposed extension.

Regarding the construction traffic issues, a planning condition is imposed to seek a detailed traffic management plan to be submitted, which will need to detail as a minimum compound locations, delivery times, contractor parking etc. Subject to the above conditions, there is no transportation objection to this proposal.

5.7 Other issues

Officers noted that there are a number of concerns regarding the proposal. Regarding the loss of the existing squash courts, the applicant has confirmed that the Patchway School, which is within the proximity of leisure centre, provides similar facilities. Officers therefore do not consider that the loss of such facilities would cause significant adverse impact in the wider community of Bradley Stoke, also it is largely a commercial judgement. Furthermore, it would

be unreasonable to prescribe specific sport facilities within the same use class. As such, there is no objection to the proposal.

Officers acknowledge that a number of planning applications recently submitted regarding the Bradley Stoke Leisure Centre, it is considered that these individual applications can be determined on their own merits. provided that they individually comply with the national and local planning policies and all other relevant materials have been taken into consideration. In addition, the planning history is also taken into account on each occasion.

The Local Planning Authority undertook the requisite consultation in relation to this planning application; criticism of the applicant's consultation exercise are noted, however, this would not be a reason itself to resist 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 grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission be granted subject to the following conditions.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. The bricks to be used externally in the proposed extension hereby permitted shall match those of the existing building in colour and texture.

Reason

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

3. Prior to the first use of the proposed extension hereby permitted and the proposed car parking spaces shown on drawing reference 35001 20 D shall be provided and maintained as such thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the saved Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of the development a detailed construction traffic management plan including a minimum compound locations, delivery times, contractor parking etc, shall be submitted to and approved in writing by the Local Planning Authority. The approved construction traffic management plan shall be carried out accordingly.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the saved Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006.

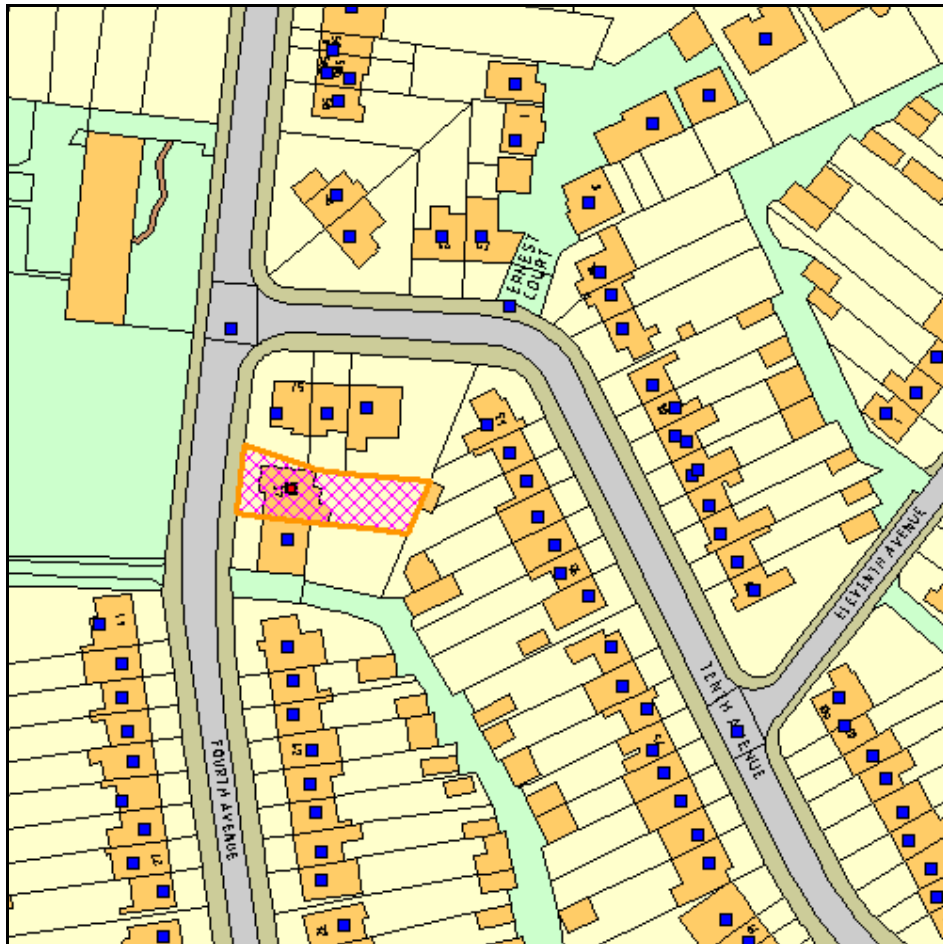
5. The hours of working on site during the period of construction shall be restricted to 07.30am to 18.00pm Mondays to Fridays, and 08.00am to 13.00pm Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition 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.

Reasons:

- a. This is a pre-commencement condition in order to avoid any unnecessary remedial works in the future.
- b. To protect the residential amenity of the neighbouring occupiers and to accord with National Planning Policy Framework March 2012

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PT16/0047/F	Applicant:	Mrs C Colston
Site:	52 Fourth Avenue Filton Bristol South Gloucestershire BS7 0RW	Date Reg:	12th January 2016
Proposal:	Change of use from 6no. bedroom dwellinghouse (Class C4) to 7no. bedroom dwellinghouse (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)	Parish:	Filton Town Council
Map Ref:	360487 178454	Ward:	Filton
Application Category:	Minor	Target Date:	4th March 2016



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been referred to the Council's Circulated Schedule procedure as comments received have been contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of no52 Fourth Avenue *from* a 6-bedroom House in Multiple Occupation ("HMO") (Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) *to* a 7-bedroom HMO (Sui Generis). A planning application is required as the proposed change of use does not benefit from permitted development rights.
- 1.2 The application site is a semi-detached two storey dwelling within Fourth Avenue in Filton. The application site is approximately 1.1 kilometres to the west of the University of the West of England Frenchay campus; and less than 500 metres from Filton Abbey Wood Train Station; overall the application site is within a sustainable location in Filton with employment and educational uses nearby, and a high levels of public transport within walking distance of the application site.
- 1.3 In order to facilitate the change of use, a ground floor dining room will be converted into an additional bedroom at the property. No external alterations are required to facilitate this conversion; accordingly, the conversion in itself does include operational development.
- 1.4 The existing ground floor bedroom is within a previously converted garage, a site visit clarified that this room is currently a bedroom, rather than a garage, and there is now a window where the garage door was previously, this is also shown on the submitted ground floor plans. From reviewing Google Maps 'Streetscene' it is clear that at one stage there was a garage door at the front of the host dwelling, however, as stated, it has been replaced with windows. There is no record of any planning permission for this development, however, it must be considered if express planning permission would have been required.
- 1.5 Schedule 2, Part 1, Class A of the GPDO allows for the external works required to convert a garage provided matching materials are utilised – the development has used matching materials. Class A permits the 'enlargement, improvement or other alteration of a dwellinghouse'; hence if the 6 bedroom HMO is considered to be a dwellinghouse when the development was undertaken, the development would likely not require planning permission. An advice note produced by the Planning Inspectorate for planning inspectors in January 2014 stated that:

'Houses in Multiple Occupation, including those which fall within Class C4 can benefit from the permitted development rights granted to dwellinghouses by the GDPO. Class C4 use is defined as use of a dwellinghouse by not more than six residents as a "house in multiple occupation'.

- 1.6 The advice note from the Planning Inspectorate went on to state that the distinctive characteristics of a 'dwellinghouse' is its ability to afford to those who use it the facilities required for day-to-day private domestic existence. Hence in the balance of probabilities the property would have had such 'day-to-day facilities' to provide the distinctive characteristic of a dwellinghouse, in this way officers are satisfied that the garage conversion does not require any retrospective planning permission under this planning application.
- 1.7 Officers find it pertinent at this stage to state that a 6-bedroom HMO (small HMO) is considered to be permitted development under Schedule 2, Part 3, Class L of the GPDO. In the past at the application site, this change of use has occurred under the permitted development right stated above, and therefore does not require any retrospective planning permission.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Practice Guidance

The Planning Inspectorate: 'Houses in Multiple Occupation (HMOs) and Permitted Development Rights' (issued 15th January 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

CS17 Housing Diversity

CS25 Communities of the North Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T7 Cycle Parking

T12 Transportation

H5 Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes

2.3 Supplementary Planning Guidance

i. Residential Parking Standard SPD (Adopted) December 2013

ii. Waste Collection SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|--|-------------------------|------------|
| 3.1 | N65841/1 | Approve with Conditions | 29/04/1982 |
| | Erection of two-storey extension to form a garage and utility room with two bedrooms over. | | |
| 3.2 | N6584 | Approve with Conditions | 15/05/1980 |
| | Erection of a single storey rear kitchen extension. | | |

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Comment neither objecting nor supporting the application, rather questioning the level of car parking provided at the site.

4.2 Sustainable Transport

No objection subject to conditions:

- Minimum of two off-street car parking spaces;
- Revised waste storage facilities (refer to waste management);
- Revised cycle storage facilities/details.

4.3 Community Enterprise

No comment received.

4.4 Private Sector Housing

The Council would not require the proposed HMO to have a licence, however, the Private Sector Housing Team would want to visit the property to ensure it accorded with Part 1 of the Housing Act 2004.

4.5 Waste Management

No objection, the officer has reviewed the submitted waste storage facility, and after negotiations and revised plans, the officer is satisfied.

Other Representations

4.6 Local Residents

One letter has been received from a member of the public neither objecting nor supporting the application, but raising a number of points:

- The property appears to be already allowed to house 6 occupants, so in relative terms this proposal is not changing the situation that much;
- Lack of car parking – potentially seven vehicles;
- Disappointment that another family home in the proximity of a good school has been lost to a HMO;
- Overall, no objection and encouraged good relations between neighbours in the area.

5. ANALYSIS OF PROPOSAL

5.1 Planning permission is sought for the change of use of an existing dwelling into a HMO that falls outside of any Class of the Use Classes Order and is therefore Sui Generis in nature.

5.2 Principle of Development

Policy H5 of the Local Plan specifically addresses HMOs and is therefore the starting point for determining this application. This policy is supportive of the change of use into HMOs subject to an assessment of the impact on the character of the area, residential amenity, and off-street parking.

- 5.3 Parking provision should be assessed against the above policy and saved policy T12 (with regard to highway safety) and the Residential Parking Standard SPD (with regard to the number of spaces provided). In addition to the above, consideration must also be given to the provision of adequate bicycle storage to encourage sustainable and non-car based modes of transport.
- 5.4 Residential Amenity and Impact on Locality
The Housing Act 2004 resulted in a new definition of a HMO and introduced a requirement for large HMOs to have a licence. As the proposed HMO would not be considered as a 'large HMO' as it is only two storeys in height, the HMO proposed would not require a licence under the Housing Act 2004. However, the Council's Private Sector Housing Team have been consulted, and they have confirmed that property would be visited by this team to ensure that the HMO has the necessary requirements in terms of living conditions and amenity to accord with Part 1 of the Housing Act.
- 5.5 As such, the internal configuration and living conditions are controlled through alternative legislation to the planning system and are thus accorded little weight in determining this application. However, the planning system should consider wider impacts on residential amenity.
- 5.6 Officers understand that HMOs can result in problems surrounding waste management, and as such it is important to ensure that the proposed 7 bedroom HMO has adequate waste storage facilities. As reflected by the transport officer who commented on this application, the Council's adopted Waste Management SPD has no specific guidance on the level of waste facilities that are required for HMOs, hence officers thought it most appropriate to consult an officer from the Waste Management Team. In doing so, the waste management officer requested a number of amendments to the submitted waste management facility in order to allow it to house the requested waste stores. The applicant obliged and subsequently submitted an adequate waste store which the waste management officer had no objections to. Accordingly, should planning permission be granted, it is recommended that a condition is imposed that requires the submitted waste management facility to be constructed prior to the occupation of the dwelling as a 7 bedroom HMO.
- 5.7 The property has a large garden. At present the council does not have a minimum private amenity space standard; although one is proposed in the forthcoming Policies, Sites and Places Plan (PSP44). This policy states that proposals for the change of use must ensure that the minimum amenity space standard is met. In this instance that would be the provision of 70 square metres of amenity space. The host dwelling's garden exceeds this requirement, hence officers consider there to be adequate levels of private amenity space.
- 5.8 Whilst it is recognised that a HMO may generate higher levels of noise than a property in use as a single dwelling, excessive noise would be a nuisance under environmental protection legislation. As such, it is not considered that this matter can be a constraint in determining planning permission.

- 5.9 It is not considered by Officers that the change of use of the building to a Sui Generis HMO would have a significant impact on the character of the locality. If approved the dwelling would likely still function as a household, for example occupiers would share communal facilities such as bathrooms, a kitchen, and garden space – in this way the development would be residential in nature. Further to this, officers have had no evidence available to suggest that the concentration of HMO uses within the area is a problem, in this way the proposal is not considered to be harmful to the character of the area.
- 5.10 In summary, the proposed development is considered to be acceptable in terms of its impact on the locality and surrounding residential neighbours.
- 5.11 Transport and Parking
Policy H5 states that an 'acceptable' level of off-street parking should be provided. The council has produced the Residential Parking Standard SPD to provide greater detail on expected parking provision. The SPD requires residential properties with 5 or more bedrooms to provide a minimum of 3 off-street parking spaces; however, there is no particular policy or guidance with regard to HMOs as the SPD states that each would be assessed on its merits.
- 5.12 The proposed off-street car parking facilities comprises two off-street car parking spaces to the front of the existing dwelling. From visiting the site it is clear cars often park on-street, there are no parking restrictions in the area in terms of permit requirements or yellow lines. Opposite the site there is a primary school which does generate traffic and congestion in the morning and afternoon.
- 5.13 Essentially, all officers can consider in terms of parking demand is the impact of one extra bedroom within the host dwelling. The transport officer has stated that on-street car parking is often available in the vicinity of the site, meaning if the two off-street spaces are not sufficient for all seven occupiers, on-street parking would be available. Officers have also considered the location of the application site. The host dwelling is in a sustainable location, with Filton Abbey Wood Train Station; two large employment centres; a retail park; and the University of the West of England all being within relative walking distance of the site. Further to this, Filton Avenue is less than 300 metres from the application site; this road has a number of bus stations (main route) with regular buses in and out of Bristol. Accordingly, from this it is reasonable to consider the application site to be within a sustainable location where the occupants could be less car-dependent.
- 5.14 With the location of the development and the nature of the development in mind, officers are satisfied that the proposal would be unlikely to displace cars in to locations which would be prejudicial to highway safety. Therefore, officers consider the submitted level of car parking to be acceptable for the proposed development, as the development would not likely change the way in which cars and pedestrians interact or cause significant parking problems within the area.

- 5.15 Further to this, in an effort to reduce reliance on motorised vehicles, saved policy T7 requires certain development to provide a safe and secure cycle storage facilities. The transport officer requested that the development provides such facilities for at least seven bicycles. The applicant has submitted a cycle storage facility that is within an existing built structure in the rear garden of the site, this facility requires bicycles to be stored vertically, and accordingly, should planning permission be granted officers recommend a condition that requires the bicycle storage facility is installed in accordance with the submitted plans.
- 5.16 Overall the site lies within a sustainable location in close proximity to a main bus route. Officers therefore conclude that a reasonable proportion of tenants will not need access to a car. The NPPF encourages development that supports the reduction in greenhouse gas emissions, and policy CS8 states that priority will be given to providing the users of new development with a range of travel options other than the private car. Accordingly, the proposed change of use would not significantly affect existing parking pressures in the nearby streets or materially reduce existing levels of highway safety. To ensure the off-street car parking spaces are provided as submitted, should planning permission be granted a condition is suggested that ensures the implementation of the off-street car parking.
- 5.17 Officers have considered the impact that cars parking to the front of two ground floor bedrooms would have on future occupiers of the property. Although this is not an encouraged layout as cars parking to the front of windows reduces outlook; officers consider the requirement for off-street car parking to materially outweigh the potential restricted outlook of future occupiers of the dwelling. Officers are also mindful of the nature of HMOs which is often lower general residential amenity standards than C3 dwellinghouses. However, in saying this, officers do not consider the proposed arrangement to be materially harmful to the residential amenity of the future occupiers of this dwelling.
- 5.18 Use Class – Sui Generis
Should planning permission be granted officers find it pertinent to recommend that a condition is imposed that restricts the maximum numbers of bedrooms within the property to be 7. A condition is required to restrict this potential increase in bedroom numbers as if planning permission is granted, without a condition, the number of bedrooms within the property could be increased without the need for planning permission. It is important to control the number of potential bedrooms in order to ensure that issues such as highway safety and the character of the area can be given further consideration by officers to ensure the amenity of the area is not materially harmed by the creation of further bedrooms within the dwellinghouse.
- 5.19 Design
No external alterations to the existing building are proposed further than the bin storage facility. This facility would be located appropriately and is relatively small in scale.

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 Core Strategy (Adopted) December 2013 and the saved policies of the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report

7 RECOMMENDATION

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

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Prior to the first occupation of the dwelling as a 7 bedroom house in multiple occupation, and at all times thereafter, at least two off-street car parking spaces shall be provided within the residential curtilage of the application site. Each car parking space must measure at least 2.4 metres by 4.8 metres.

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 South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

3. Prior to the occupation of the dwelling as a 7 bedroom house in multiple occupation, and at all times thereafter, undercover and safe cycle parking facilities for seven bicycles shall be provided within the residential curtilage of the application site.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. Prior to the occupation of the dwelling as a 7 no. bedroom house in multiple occupation, the waste management facilities shall be constructed, and thereafter retained, in accordance with both the Proposed Site Plan (005 C) and the Bin Storage Details (006 B).

Reason

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

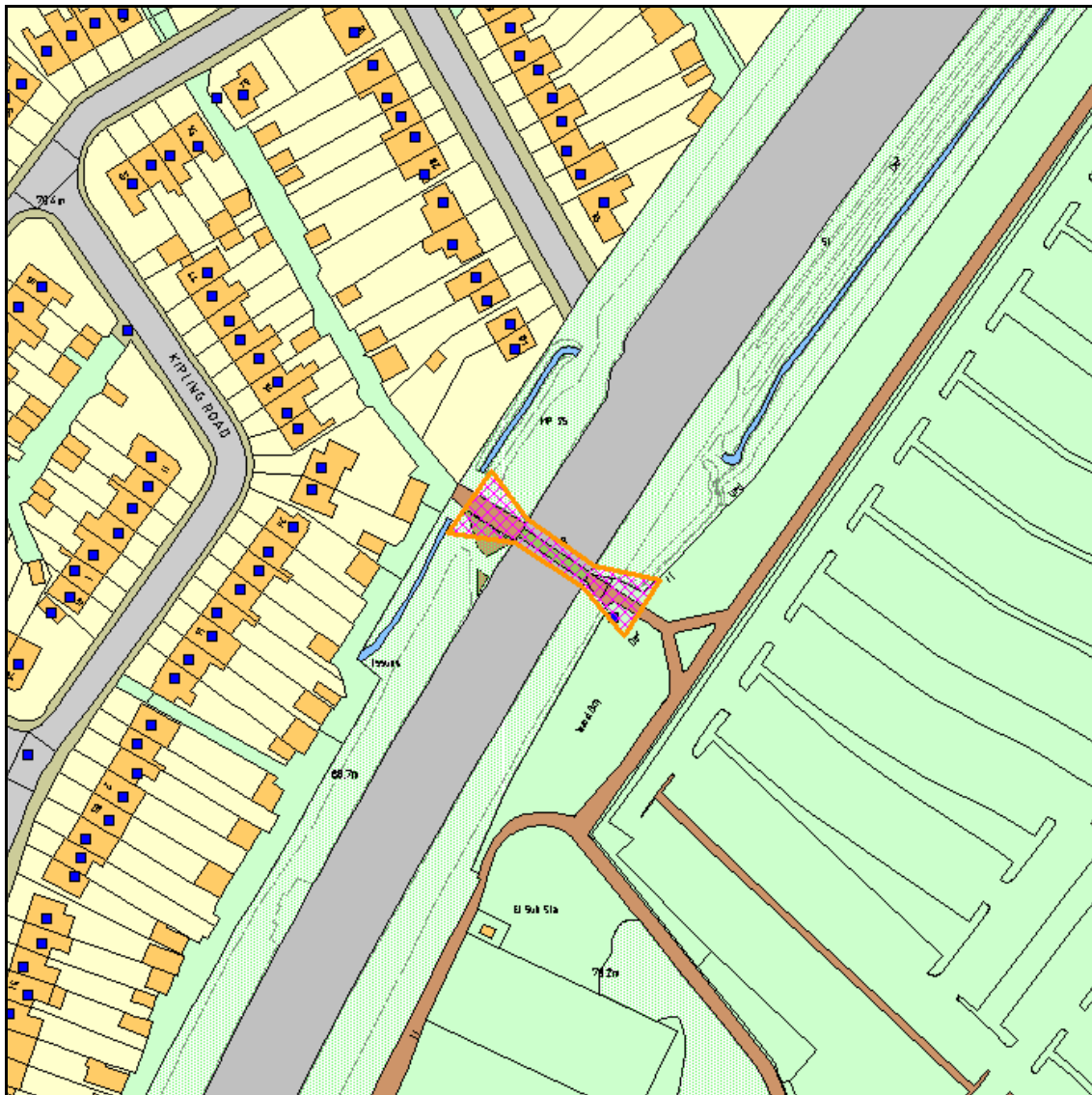
5. No more than 7no. bedrooms shall be within the dwellinghouse known as no. 52 Fourth Avenue at any time without the express planning permission of the Local Planning Authority.

Reason

In the interest of highway safety and the amenity and character of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013; Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PT16/0069/PNS	Applicant:	Network Rail
Site:	Stanley Farm Road Footbridge Abbey Wood Filton South Gloucestershire	Date Reg:	8th January 2016
Proposal:	Request for Prior Approval under Part 18 Class A to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for replacement of footbridge 4m 19ch	Parish:	Filton Town Council
Map Ref:	360943 178420	Ward:	Filton
Application Category:		Target Date:	3rd March 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule to take into account the comments received; the Officer recommendation is for approval.

1. THE PROPOSAL

- 1.1 This application seeks the prior approval of the Local Planning Authority (“the LPA”) to replace an existing footbridge with a near identical footbridge. The application has been submitted by Network Rail who consider the development to be 'permitted development' by virtue of Part 18, Class A(a) of the Second Schedule of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the “GPDO”) subject to the grant of prior approval by the LPA.
- 1.2 The replacement bridge is required to provide the required clearance underneath the bridge, such clearance is required in association with the Great Western Mainline (GWML) electrification programme. The footbridge subject of this application is Stanley Farm Road footbridge within Abbey Wood.
- 1.3 As a result of the constraints it is proposed that the existing footbridge is demolished and replaced with a new modern structure. The replacement bridge would be located on the same alignment as the existing bridge. The deck length will be 17.5 metres, the clear span will be 16.16 metres. The existing abutments are to be retained and extended vertically via the introduction of a new reinforced concrete beam.
- 1.4 This is not a planning application and the proposal cannot be assessed on planning merit. This is an application for the LPA’s prior approval, which may only be assessed in accordance with the considerations set out in the GPDO. For reference, Part 18 Class A of the GPDO states that development of this kind should not be refused by the LPA or have condition imposed unless the LPA are satisfied that:
 - a) *the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or*
 - b) *the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.’*

2. POLICY CONTEXT

- 2.1 Statutory Instruments
The Town and Country Planning (General Permitted Development) (England) Order 2015 - Schedule 2; Part 18; Class A.

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0369/PNS No Objection 23/03/2007
Prior approval of plans and specifications (under Part 11 of the GPDO) in connection with provision of protection cages to Stanley Farm Footbridge.

4. CONSULTATION RESPONSES

- 4.1 Filton Parish Council
No objections.
- 4.2 Stoke Gifford Parish Council
None received.
- 4.3 Highway Structures
No comment.
- 4.4 Public Rights of Way
No objection. The public rights of way team originally objected, however, after discussing the proposal with officers and explaining the scope of this decision, the officer withdrew their objection.
- 4.5 Open Spaces Society
None received.
- 4.6 Ecological Officer
No objections, but the officer did suggest two informative notes regarding bats and breeding birds. These informative notes would effectively refer to non-planning legislation that protects bats and birds, as the legislation is national and European legislation, officers do not find it necessary to include such notes as informative.

Other representations

- 4.6 Local Residents
One comment of objection have been received which raise the following matters:
- The bridge is part of a cycle route, therefore it should be wider than 2 metres;
 - Remove barrier at eastern end.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks the prior approval of the LPA for a replacement bridge over the Bristol and South Wales Union Line as part of the Great Western Electrification programme.
- 5.2 Principle of Development
Class A of Part 18 of the GPDO permits development authorised under local or private Acts of Parliament, where that Act designates specifically the nature of the development authorised and the land upon which it may be carried out.

Should the proposal fulfil the criteria, then it would be permitted development and the principle established by virtue of the Order.

- 5.3 The original bridge was constructed under the provisions of the GWR (South Wales and Bristol Direct) (Railway No.1) Act 1896. This act incorporated the provisions of the Railway Clauses Consolidation Act 1845. Section 16 of the 1845 Act bestows the railway company and its successors (in this case Network Rail) the rights to undertake development that is necessary for the running and management of the railway – such as the alteration of a railway bridge.
- 5.4 EIA Development
It is noted that Article 3(10) of the GPDO, which prevents EIA development from being undertaken under Schedule 2 of the GPDO, does not apply to Part 18 Class A development.
- 5.5 Prior Approval
The prior approval of the LPA is required with regard to two aspects of the proposal, as set out in paragraph A.2 of the Class. These are:
- i. whether the development ought to be and could reasonably be carried out elsewhere on the land; and
 - ii. whether the design and external appearance of the proposal would injure the amenity of the neighbourhood and the proposal is reasonable capable of modification to avoid such injury.
- 5.6 In determining this application, the LPA is limited to considering only the two matters listed directly above. This is because the GPDO denotes that it is only these factors that require the prior approval of the LPA. Determining the application against other factors would be inconsistent with the legal framework for decision taking with regard to this type of application.
- 5.7 Proposed Development
It is proposed to demolish an existing bridge and replace it with a bridge similar in appearance, scale and form. The bridge will be marginally higher, by the officer's approximate measurement this proposal represents a 0.4 metre increase in height from the track, however, this difference height is unlikely to materially change its height when viewed if approaching the bridge.
- 5.8 The existing brick abutments that support the existing bridge will remain and a new precast concrete cills will be constructed that will effectively support the platform. The solid parapets and mesh canopy will be constructed using painted steel which will be 'holly green' in colour. A non-slip coating will be applied to the bridge surface. As with the existing bridge, palisade fencing will frame the initial approach to the bridge. Bollard/cycle hoops will be reinstated in the same position on the south east abutment.
- 5.9 Assessment
To determine the application for prior approval, the LPA must assess the proposal against the criteria of paragraph A.2 of Part 18 of the GPDO, as set out in paragraphs 5.5 and 5.6 of this report.

Whether the development ought to be carried out elsewhere

- 5.10 This application relates to works to an existing overbridge structure. The replacement bridge is required in order to provide adequate track clearance, as currently there is insufficient space between the bed of the railway track and the underside of the bridge to accommodate the overhead electric equipment. Both the location of the railway line and the bridge are fixed and therefore the proposed development cannot reasonably be carried out elsewhere. Further to this, relocating the bridge elsewhere would not provide consistency to users of the bridge. The prior approval should therefore be granted with regard to this stipulation.

Whether the design would injure the amenity of the neighbourhood

- 5.11 Prior approval should not be refused, nor should conditions be imposed unless it can be demonstrated that the design or external appearance of the development would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury. The approach taken by the applicant has clearly been formed by engineering considerations rather than aesthetic – function effectively dictates design.
- 5.12 When interpreting what injure to the amenity of the neighbourhood actually means when determining this prior approval, is not unreasonable for the LPA to consider the existing situation at the site. This is a fairly aged bridge with metal canopy and steel panels which currently has a grey/green colour. The proposal will be not overly dissimilar to the existing bridge, although the proposed bridge will have more of a curved mesh canopy rather than a box canopy, this is considered to be minor improvement. The proposed bridge will have painted green steel panels and canopy which will represent an improvement when considering the existing tired looking bridge.
- 5.13 The existing bridge has a metal grid mesh fencing attached to the parapets, the proposed bridge will also have such a feature. Therefore, it cannot be considered that the introduction of a metal fence on to the existing parapets would injure the amenity of the neighbourhood as such fencing is already present. Furthermore, the height of the proposed fence is dictated by the relevant railway safety standards.
- 5.14 Issues have been raised around the proposal not increasing the width of the bridge to 3 metres in order to meet recognised standards for shared paths (cyclists and pedestrians). The existing bridge has an approximate width of 2 metres, whereas the proposed bridge has a width of 2.2 metres. A public right of way terminates at the south western entrance to the existing bridge, but officers do accept that this bridge is very popular with commuters to the Ministry of Defence site at Filton Abbey Wood amongst other users. With this in mind, officers do understand the benefits of increasing the width of the bridge. However, as the width of bridge is actually minimally increasing to approximately 2.2 metres – not decreasing in width – the proposal will have a neutral impact on the amenity of the neighbourhood. Hence the proposal does not injure the amenity of the neighbourhood. Based on this conclusion officers do not find it to be reasonable to force Network Rail to increase the width of the bridge as the proposed bridge is acceptable in terms of Part 18, Class A of the General Permitted Development Order.

- 5.15 The proposal does include bollards/cycle hoops at the south eastern entrance to the bridge, this is required in connection with ensuring the safety of users on the bridge.
- 5.16 Officers have considered the disruption caused by the replacement of bridge. Such disruption is likely to be fairly short when considering that the railway line will also have to be closed. The replacement of the bridge is in the public interest in terms of aiding in the facilitation of the Great Western Mainline electrification programme. Accordingly, officers consider that the temporary disruption that will result from this development will not caused injury to the amenity of the area, especially when considering the public benefit which this bridge will help facilitate.
- 5.17 Overall, with regard to the design and external appearance of the proposed bridge, it is not considered that this would cause injury to the amenity of the area. Similarly, officers do not consider that the width of the proposed bridge will result in any injury to the amenity of neighbourhood when considering the existing bridge.

6. CONCLUSION

- 6.1 In accordance with Part 18 Class A of the Second Schedule of the Town and Country Planning (General Permitted Development) (England) Order 2015, Local Planning Authorities are required to determine applications for prior approval.
- 6.2 The recommendation to grant prior approval has been taken having regard to the Town and Country Planning (General Permitted Development) (England) Order 2015 and the policies and proposal in the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, the South Gloucestershire Local Plan (Adopted) January 2006 and guidance in the National Planning Policy Framework, and to all the relevant material considerations set out in the report.

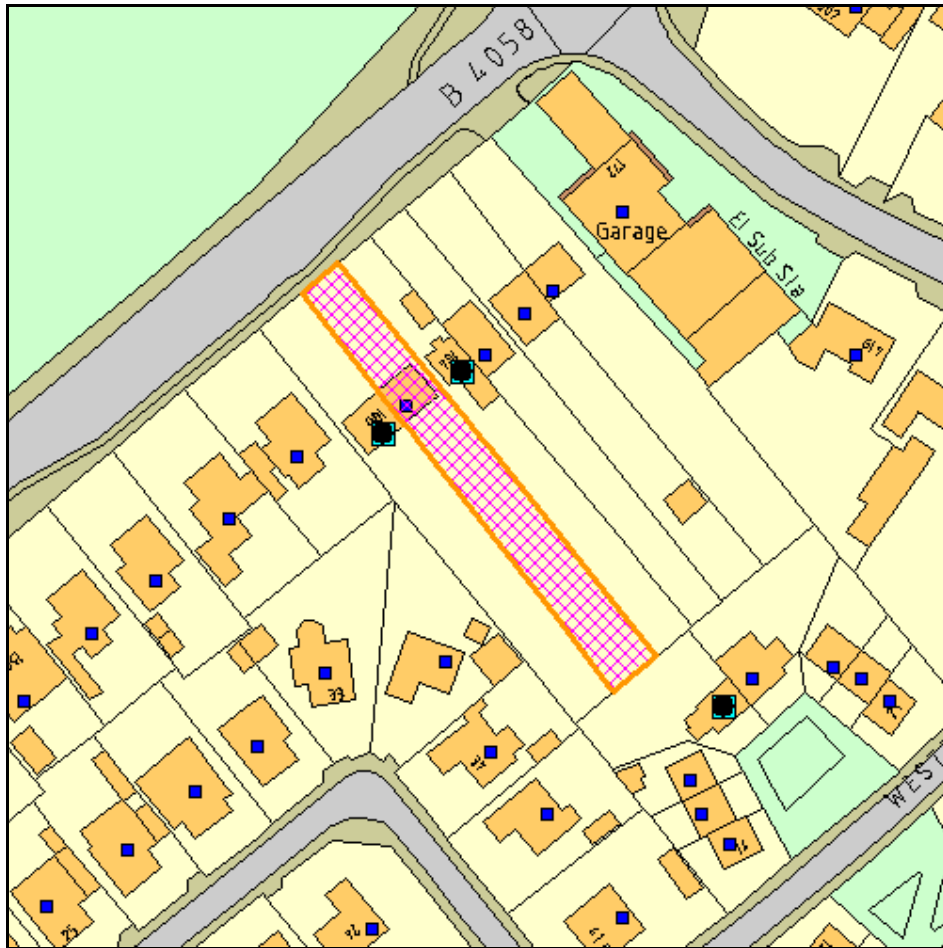
7. RECOMMENDATION

- 7.1 It is recommended that the prior approval of the Local Planning Authority is **GRANTED**.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PT16/0110/F	Applicant:	Mr Rob Insa-Stevens
Site:	162 Bristol Road Frampton Cotterell Bristol South Gloucestershire BS36 2AX	Date Reg:	22nd January 2016
Proposal:	Erection of single storey front and rear extensions to provide additional living accommodation and store	Parish:	Frampton Cotterell Parish Council
Map Ref:	365997 182097	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	15th March 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single-storey front and rear extension to provide additional living accommodation and a store.
- 1.2 162 Bristol Road is situated just outside of the Green Belt and fronts a busy classified highway. The dwelling is a semi-detached two-storey property with a hipped roof and interlocking brown tiles. The property has red stone facing with red brick detailing around the openings to the front elevation and rough stone render to the rear elevation. There is also a large area of gravel hardstanding to the front of the property with parking space for approximately four cars.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

- T12 Transportation
- H4 Development within Existing Residential Curtilages

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/0263/F Approve with Conditions 17.03.2006
Formation of new access.
- 3.2 PT09/5139/F Approve with Conditions 01.10.2009
Erection of single storey rear extension to provide additional living accommodation.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection

Other Representations

- 4.2 Local Residents
1 comment received by no.160 Bristol Road, Frampton Cotterell
- Supports the proposal.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of a single-storey front and rear extension.
- 5.2 Principle of Development
- 5.3 Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.
- 5.4 Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within the curtilage of existing dwellings. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.
- 5.5 Design and Visual amenity
- 5.6 Whilst the proposed erection of a single-storey rear extension is not considered to be the highest possible standard of design due to the flat roof design, the proposed block and rough stone render is considered to match that of the existing materials to the rear elevation. It is also considered that as the extension is situated to the rear it is unlikely to have any significant negative impacts in terms of impacts on the character of the streetscene as it will not be visible. Therefore, the single storey rear extension is sufficient in terms of design.
- 5.7 The single storey front extension is proposed to extend by 9.5m to the front of the property and have a maximum height of 3m and 2.5m to the eaves. Whilst the extension is proposed to have a pitched roof and retains the stone and interlocking concrete tiles of the existing property, this extension is considered to be excessive and out of character with the existing property and streetscene.

It is noted that no.164 currently has a detached single storey garage to the front of the property, however, the extent of the proposed front extension is considered to completely unbalance the semi-detached pair of dwellings and would not be in-keeping with the wider streetscene. Therefore, it is considered that the single storey front extension does not enhance or respect the character, distinctiveness and amenity of the site and its context and fails policy CS1 of the Core Strategy (2013).

5.8 Overall the proposal represents a split decision. The single storey rear extension is not considered to have any significant negative impacts in terms of design as the extension is situated to the rear and so is not visible in the streetscene. However, the single storey front extension is not considered to respect the character, scale and proportions of the existing dwelling and wider area and fails to meet the requirements set out in policy CS1 of the Core Strategy or policy H4 of the adopted Local Plan.

5.9 Residential Amenity

The single storey rear extension does not result in a materially overbearing impact to any of the surrounding properties due to the extension being single storey and sufficient boundary treatment is provided in the form of a 1.8m closed panel wooden fence. Therefore, it is not considered that the rear extension will have any significant negative impacts in terms of loss of privacy, loss of light or overlooking for the host dwelling or surrounding neighbours. It is also noted that the attached property (no.160) has already had a single-storey rear extension that is of similar proportions and no.164 to the north-east elevation also has an extensive single storey rear extension. The dwelling also benefits from a very large rear garden that provides more than adequate private amenity space for the current and future occupiers of no.162. The emerging PSP Plan states that there should be a minimum of 70sqm of private amenity space for all 4+ bedroom dwellings and the resulting private amenity space for this property would be 477sqm.

5.10 The single storey front extension is proposed to have a maximum height of 3m and extends by 9.5m to the front of the property on the west side elevation closest to the adjoining property being no.160. There is currently 1m high wire mesh fencing separating the boundary of no.160 and 162 to the front. Whilst there is only one small rooflight proposed in the west elevation, it is considered that due to the size of the single storey front extension it is likely that there will be a significant loss of outlook for no.160 resulting in an oppressive and overbearing impact on no.160 to the west side elevation. Even though a general comment of support was submitted by no.160, it is considered that no.160 is likely to experience significant negative impacts in terms loss of outlook due to the size of the extension to the front. It must also be noted that the NPPF requires planning to ensure a good standard of amenity for all existing and future occupants of land and buildings.

5.11 It is considered that no.164 to the north east side elevation is a sufficient distance away, separated by garden and boundary treatment so that there is unlikely to be any significant negative residential amenity impacts for no.164 or the host dwelling as a result of the front extension.

5.12 Overall, the single storey rear extension accords with the residential component of Policy H4 of the adopted Local Plan (2006). However, the single storey front extension by virtue of its size is considered to have significant impacts in terms of having a significant loss of outlook and an overbearing impact on the adjoining property (no.160).

5.13 Transport and Parking

The application does not propose to increase the number of bedrooms in the property and there is room for four car parking spaces in the front driveway which is compliant with the Council's Residential Parking Standards SPD (2013).

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 As reflected throughout this report, the proposed single storey rear extension is considered to be acceptable, whereas the proposed single storey front extension has been established to be harmful to the design and character of the host dwelling and wider streetscene and harmful to the residential amenity of the occupiers of no.160 Bristol Road.

6.3 Accordingly, the recommendation to **refuse** permission for the proposed single storey front extension; and to **approve** the single storey rear extension; 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 **SPLIT DECISION**

Contact Officer: Chloe Buckingham
Tel. No. 01454 867967

APPROVAL 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).

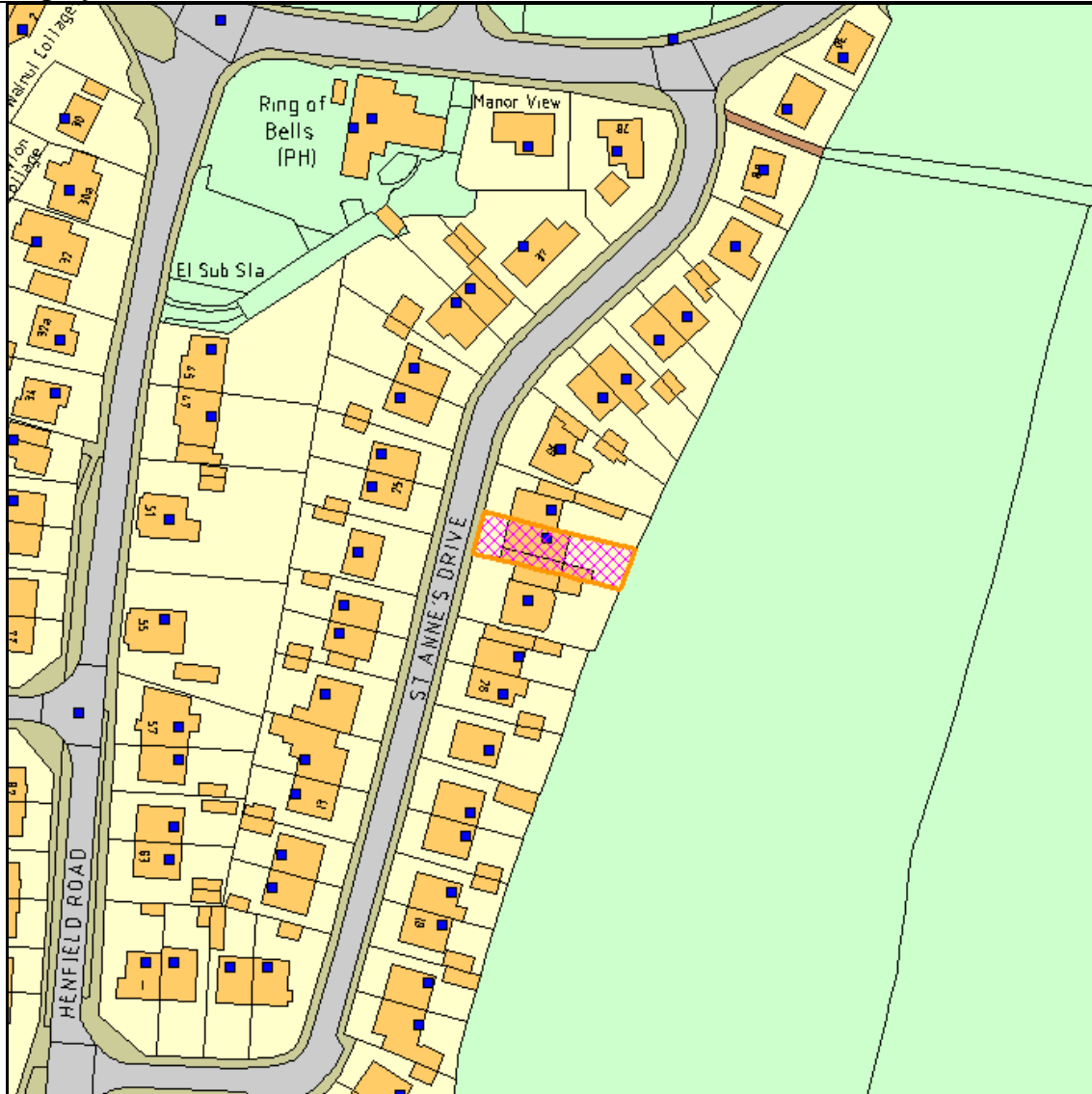
REFUSAL REASONS

1. The proposed single storey front extension by reason of its position and size would have a significant negative impact on the design and character of the existing dwelling and wider streetscene. Specifically, the proposal would extend beyond the principle elevation and would unbalance the semi-detached pair of dwellings (no.160 and no.162). Accordingly, the proposed single storey front extension would be to the detriment of the design and character of the existing property and wider streetscene and would also be contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

2. The proposed single storey front extension by reason of its position and size would have an overbearing effect on the occupiers of the adjoining property. Specifically, the proposal would significantly impact the outlook of no.160 Bristol Road. Accordingly, the proposed single storey front extension would be to the detriment of residential amenity and would also be contrary to saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 10/16 – 11 MARCH 2016

App No.:	PT16/0277/CLP	Applicant:	Mr And Mrs Mills
Site:	32 St Annes Drive Coalpit Heath Bristol South Gloucestershire BS36 2TH	Date Reg:	26th January 2016
Proposal:	Application for Certificate of Lawfulness for the proposed single storey rear extension to provide additional living accommodation	Parish:	Westerleigh Parish Council
Map Ref:	367517 180452	Ward:	Westerleigh
Application Category:	Certificate of Lawfulness	Target Date:	18th March 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension at 32 St Anne's Drive, Coalpit Heath, would be lawful.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

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

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

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

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No comment received

- 4.2 Other Consultees

Councillor
No comment received.

Other Representations

- 4.3 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Existing Ground and First Floor Plans, Site Plan Section AA and Elevations-S01.
Proposed Ground and First Floor Plans, Site Plan, Section AA and Elevations-P01

All received on 21st January 2016.

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

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

- 6.3 The proposed development consists of a single storey rear extension. This development would fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015, which permits the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

- (a) **Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)**

The dwellinghouse was not granted under classes M, N, P or Q of Part 3.

- (b) **As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**
The total area of ground covered by buildings (other than the original dwellinghouse) would be less than 50% of the total area of the curtilage.

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

The height of the rear extension would not exceed the height of the roof of the existing dwellinghouse.

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

The height of the eaves of the extension will not exceed the eaves of the existing dwellinghouse.

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

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The extension would not extend beyond a wall which forms the principal elevation of the original dwellinghouse. The development therefore meets this criteria.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**

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

(ii) exceed 4 metres in height;

The application relates to a semi-detached dwellinghouse. The proposed extension would extend 3 metres beyond the rear wall. The development is 3.45 metres in height. The development therefore meets this criteria.

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

Not applicable, as the applicant is not applying for an extended householder extension through the prior approval procedure.

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

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;

The extension would be single storey.

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

The height to the eaves does not exceed 3 metres. The development therefore meets this criteria.

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

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

The development does not extend beyond a side elevation of the dwellinghouse.

- (k) It would consist of or include—**

- (i) the construction or provision of a verandah, balcony or raised platform,**
- (ii) the installation, alteration or replacement of a microwave antenna,**
- (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
- (iv) an alteration to any part of the roof of the dwellinghouse.**

The development would not include any of the above.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;**
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or**
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.**

The application site does not fall on article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions—

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

Within the plans received on 21st January 2016 (P01) it states that the materials used will match those of the existing building.

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—
- (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

Not applicable.

- (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Not applicable.

7. **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 is acceptable within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

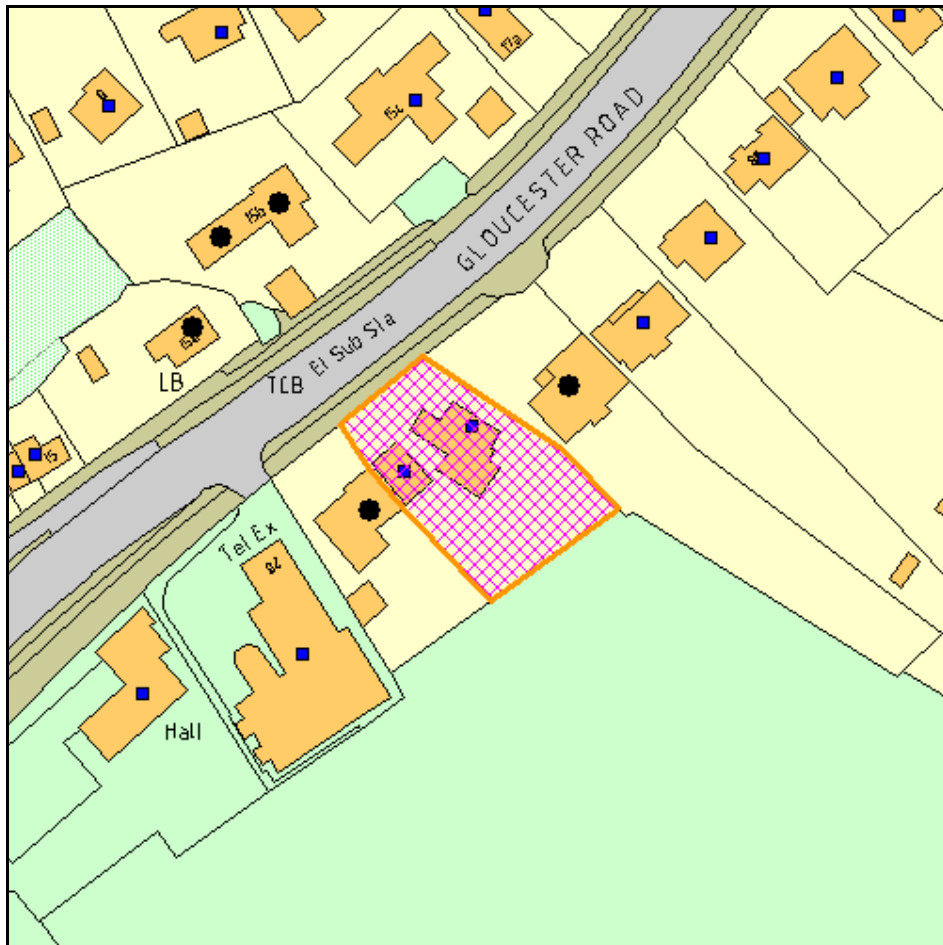
Contact Officer: Chloe Buckingham

Tel. No. 01454 867967

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) (England) Order 2015

CIRCULATED SCHEDULE NO.10/16 – 11 MARCH 2016

App No.:	PT16/0495/CLP	Applicant:	Mr S Connolly
Site:	Hillcrest 30 Gloucester Road Almondsbury Bristol South Gloucestershire BS32 4HA	Date Reg:	4th February 2016
Proposal:	Certificate of Lawfulness Proposed for erection of a single storey attached garage	Parish:	Almondsbury Parish Council
Map Ref:	360811 184139	Ward:	Almondsbury
Application Category:	Certificate of Lawfulness	Target Date:	30th March 2016



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|-----|---|-------------------------|------------|
| 3.6 | PT09/5142/F
Erection of single storey side extension and first floor front extension to provide additional living accommodation. Alterations to raise existing roofline of dwellinghouse. Conversion and extension to existing detached garage to form residential annexe ancillary to the dwelling. | Withdrawn | 11/10/2009 |
| 3.7 | PT01/1799/F
Erection of single storey rear extension. | Approve with Conditions | 17/09/2001 |
| 3.8 | P86/1481
Erection of single storey side extension to form utility room; erection of detached double garage. | Approval Full Planning | 04/06/1986 |
| 3.9 | P85/1154
Construction of two dormers in the roof space to form a bedroom and bathroom. | Approval Full Planning | 20/03/1985 |

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection to the proposal.

Other Representations

- 4.2 Local Residents
No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 The following evidence was submitted to the Local Planning Authority on 3rd February 2016 –
- Existing Site and Block Plan
 - Existing Elevations
 - Existing Floor Plans
 - Proposed Elevations
 - Proposed Floor Plans

6. ANALYSIS OF PROPOSAL

- 6.1 This application seeks a certificate of lawfulness for a proposed attached single storey garage at a property in Almondsbury.
- 6.2 Principle of Development
An application for a Certificate of Lawfulness is purely an evidential test and is a formal way to establish whether or not the proposed development can be implemented lawfully without the need for planning permission. Thus there is no consideration of planning merit, the application is based on facts presented. The submission is not a planning application and therefore the Development Plan is not of relevance to the determination of this application.

- 6.3 The key issue in this instance is to determine whether 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) (England) Order 2015.
- 6.4 The proposed development is a single storey attached garage to the property. This development would fall within Schedule 2, Part 1, Class A, this allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below.
- 6.5 Assessment of Evidence: Single Storey Attached Garage
Schedule 2 Part 1 Class A allows for the enlargement, improvement or other alteration of a dwellinghouse, subject to meeting the following criteria:

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

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)**

The dwellinghouse was not granted under classes M, N, P or Q of Part 3 of this Schedule.

- (b) As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

The total area of ground covered by buildings (other than the original dwellinghouse) would be less than 50% of the total area of the curtilage.

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

The height of the single storey attached garage would not exceed the height of the roof of the existing dwellinghouse.

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

The height of the eaves of the single storey attached garage would not exceed the height of the eaves of the existing dwellinghouse.

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

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

The proposed single storey attached extension does not extend beyond a wall which forms a principal elevation of the original dwellinghouse neither

does it extend beyond a wall which fronts a highway and forms a side elevation.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height;**

The application is for a single storey attached garage to the side of the dwelling. It will not extend beyond the rear wall of the existing dwelling.

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height;**

Not applicable

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse**

The proposed extension would be single storey.

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

The proposed single storey attached garage would be within 2 metres of the boundary curtilage, however the height of the eaves would not exceed 3 metres.

- (j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –**
- (i) exceed 4 metres in height,**
 - (ii) have more than a single storey, or**
 - (iii) have a width greater than half the width of the original dwellinghouse; or**

The proposed extension extends beyond a wall forming a side elevation of the original dwellinghouse but would not exceed 4 metres in height, have more than one storey or have a width greater than half the width of the original dwellinghouse.

- (k) 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 proposed extension does not include any of the above.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
 - (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
 - (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.
- The application site is not located on article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions –

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior dwellinghouse;
The proposed single storey attached garage will be finished with be finished in painted render which matches the existing dwelling as near as possible.
The roof will be a GRP roof.
The proposed materials would therefore match the host dwelling.

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be –
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

This is not applicable for the proposed development.

- (c) Where the enlarged part of the dwellinghouse had more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.
This is not applicable for the proposed development.

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) (England) Order 2015.

Contact Officer: Fiona Martin
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CONDITIONS

1. Evidence has been provided to demonstrate that on the balance of probabilities the proposed extension would fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015.