



**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. 45/16

Date to Members: 11/11/2016

Member's Deadline: 17/11/2016 (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:

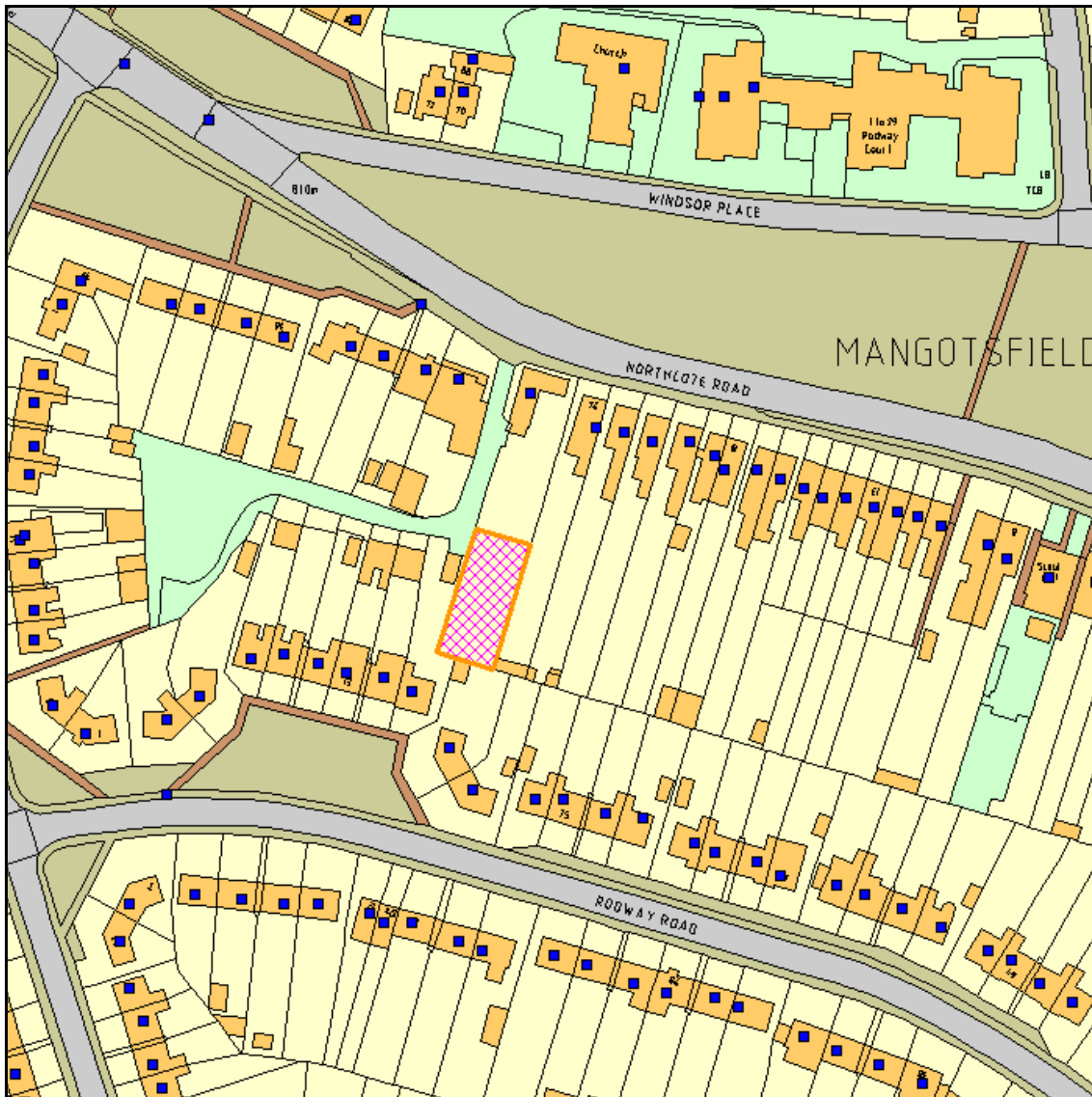
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s)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

CIRCULATED SCHEDULE - 11 NOVEMBER 2016

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/3947/F	Approve with Conditions	25 Northcote Road Mangotsfield South Gloucestershire BS16 9HF	Rodway	None
2	PK16/3995/MW	Approve with Conditions	Berwick Farm Berwick Lane Hallen South Gloucestershire	Almondsbury	Almondsbury Parish Council
3	PK16/4274/F	Approve with Conditions	The Garden House Horton Hill Horton South Gloucestershire BS37 6QN	Cotswold Edge	Horton Parish Council
4	PK16/4979/F	Approve with Conditions	4 Rectory Close Yate South Gloucestershire BS37 5SA	Yate North	Yate Town
5	PK16/5262/TRE	Approve with Conditions	Rockwood House Gravel Hill Road Yate South Gloucestershire BS37 7BW	Yate North	Yate Town
6	PK16/5628/F	Approve with Conditions	19 Bibury Crescent Hanham South Gloucestershire	Hanham	Hanham Abbots Parish Council
7	PK16/5644/F	Approve with Conditions	3 Goldcrest Road Chipping Sodbury South Gloucestershire BS37 6XF	Chipping	Dodington Parish Council
8	PK16/5894/NM	No Objection	22 Amberley Road Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
9	PT16/4265/F	Approve with Conditions	Marian Cottage Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QH	Frenchay And Stoke Park	Stoke Gifford Parish Council
10	PT16/4440/FDI	Approve	Land At Playing Fields Bonnington Walk Stoke Gifford South Gloucestershire BS16 1FD	Frenchay And Stoke Park	Stoke Gifford Parish Council
11	PT16/4571/F	Refusal	Land At Wapley Hill Westerleigh South Gloucestershire BS37 8RJ	Westerleigh	Dodington Parish Council
12	PT16/4572/F	Approve with Conditions	Crossways Infants And Junior School Knapp Road Thornbury South Gloucestershire BS35 2HQ	Thornbury South And	Thornbury Town Council
13	PT16/4597/F	Approve with Conditions	Interlaken 13 Brockridge Lane Frampton Cotterell South Gloucestershire BS36 2HU	Frampton Cotterell	Frampton Cotterell Parish Council
14	PT16/4608/CLE	Refusal	Greystones Bungalow Fernhill Almondsbury South Gloucestershire BS32 4LY	Severn	Olveston Parish Council
15	PT16/5033/F	Approve with Conditions	20 Third Avenue Filton South Gloucestershire BS7 0RT	Filton	Filton Town Council
16	PT16/5077/F	Approve with Conditions	Severn Beach Garage Osborne Road Severn Beach South Gloucestershire BS35 4PG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
17	PT16/5339/CLP	Approve with Conditions	21 Church Road Frampton Cotterell South Gloucestershire BS36 2NJ	Westerleigh	Westerleigh Parish Council
18	PT16/5377/F	Approve with Conditions	Ebenezer Chapel Watleys End Road Winterbourne South Gloucestershire BS36 1QQ	Winterbourne	Winterbourne Parish Council
19	PT16/5409/F	Approve with Conditions	The Cottage Hazel Lane Rudgeway South Gloucestershire BS35 3QW	Thornbury South And	Alveston Parish Council
20	PT16/5464/F	Approve with Conditions	18 Fabian Drive Stoke Gifford South Gloucestershire BS34 8XN	Stoke Gifford	Stoke Gifford Parish Council
21	PT16/5627/TCA	No Objection	Thornbury Castle Castle Street Thornbury South Gloucestershire BS35 1HH	Thornbury North	Thornbury Town Council

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PK16/3947/F	Applicant:	Mr Andrew Massey
Site:	25 Northcote Road Mangotsfield Bristol South Gloucestershire BS16 9HF	Date Reg:	4th July 2016
Proposal:	Erection of 1no. bungalow with parking and associated works (Resubmission of PK15/5291/F)	Parish:	None
Map Ref:	366120 176433	Ward:	Rodway
Application Category:	Minor	Target Date:	23rd August 2016



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100023410, 2015. N.T.S. PK16/3947/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following objection comments received from local residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single dwelling to the rear of 25 Northcote Road in the established settlement boundary of Mangotsfield. The application site is located immediately to the west of a run of 4no. locally listed cottages featured on the local list due to the contribution they make to the character and distinctiveness of the locality.
- 1.2 The site has been subject to a number of previous applications which were previously not supported for a variety of reasons including design, impact on amenity and transportation grounds. This application proposes a single storey dwelling which it is considered has overcome design and amenity issues and in addition alterations to the access lane have addressed original transportation concerns.
- 1.3 It is noted that during the course of the application several revisions have been received and put out for consultation with the same or similar comments being returned by local residents. On the basis that the latest plans have not fundamentally altered the proposed scheme merely that the existing side garden/entrance area to No. 25 has been reduced to correspondingly increase the width of the lane, the plans have not been sent out for re-consultation.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
Planning Policy Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Practice Guidance Conserving and Enhancing the Historic Environment;

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development
L15 Locally listed buildings

2.3 Emerging policy: South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages

2.4 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standard SPD (Adopted) 2013
The Adopted South Gloucestershire Local List SPD

3. RELEVANT PLANNING HISTORY

3.1	PK15/5291/F Withdrawn	Erection of detached bungalow with associated works 8.2.16
3.2	PK15/3153/F Refusal	Erection of 1no. dormer bungalow with associated Works. Resubmission of PK15/0835/F 8.9.15
3.3	PK15/0835/F Refusal	Erection of 2 No semi detached houses with associated works 20.4.15
3.4	PK15/0808/F Approved	Erection of 1no. detached dwelling with new access, parking and associated works. 9.4.15
3.5	PK15/0621/F Approved	Demolition of existing extensions to facilitate the erection of a two storey side extension and single storey lean-to to provide additional living accommodation. (Resubmission of PK14/4621/F) 8.4.15
3.6	PK14/4621/F Withdrawn	Demolition of existing extensions to facilitate the erection of a two storey side extension to provide additional living accommodation. 29.12.14

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
The area is unparished

4.2 Other Consultees

Sustainable Transport
Objection:

Since the last planning application, the agent has amended the plans to address some of the refusal decisions. However, this does not fully address all the issues raised before and as such, further information is required:

- Changes to the access are noted including some widening to the entrance to allow two cars to pass. It is recommended that the applicant submits details of vehicular 'auto-track'
- The issue of service vehicles has not been fully addressed – a suitable turning area for a reasonable sized service vehicle should be provided
- The proposed garage does not comply with the Council's standard – it must be 3m wide by 6m long

Once revised plans and amendments are received then a final recommendation will be made

Updated comments:

Following the receipt of revised plans which have widened the access lane, created a turning space and increased the size of the garage there are no objections to the scheme subject to conditions relating to the widening, the provision of a turning area and the maintenance of the on-site parking provision.

Listed Building Officer

No objection subject to a condition regarding samples of external finishes.

Highway Drainage

No objection

Highway Structures

No objection:

If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner.

This shall be added as an informative to the decision notice.

Other Representations

4.3 Local Residents

Five letters have been received from local residents; the points raised are summarised as follows:

Design

- Roofline seems high and could incorporate additional rooms in the dormer at a later date
- Disagree that house will blend in- majority of structures along the land are garages and not permanent with a roofline of less than 4.5 metres
- A case of overdevelopment

Transport

- Another property will add to congestion
- Traffic flow will be closer to 10% not 2.5% as suggested by agent

- Widening lane does not detract from pinch point at the access/egress of the lane
- Drawing seems not to scale and gives misleading impression
- As a gesture of goodwill the applicant should resurface the lane prior to any further building work
- Figures suggest use of lane by vehicles and pedestrians is under stated
- Have experienced vehicles protruding out into the lane from the existing parking spaces. Putting the access gates further back into the site will not improve the existing situation

Amenity

- Invasion of privacy due to potential to see over other gardens

Other

- Applicant not interested in resident's concerns regarding noise, pollution etc
- Too much development being built on every scrap of land without due consideration to existing residents whose comments seem to count for nothing
- If approved this application will open the gates for similar development
- This development is an exercise in monetary greed
- No regard for residents with careless parking, building works throughout the weekend and the cutting of phone lines

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular relevance is the previous applications and their refusal reasons which this application has sought to address. The agent/applicant has worked hard with Officers to make changes and produce an acceptable form of development.

5.2 It is acknowledged that South Gloucestershire Council does not have a five year land supply. As such paragraph 49 of the NPPF is engaged and Policy CS5 is considered out of date. Paragraph 49 declares that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF goes on to state that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. Notwithstanding the above the adopted development plan remains the starting point for assessment.

5.3 Policy CS1 of the Core Strategy demands the 'highest possible standards of design and site planning', a number criteria which compose high quality design are form, scale, massing, density and overall layout. Saved Policy H4 is supportive of residential development within existing residential curtilages providing the scheme would not have an adverse impact on the character of the area, on the amenity of neighbours or have negative highway impacts which is also considered under saved policy T12.

- 5.4 The NPPF (2012) promotes sustainable development and great importance is attached to the design of the built environment. It emphasises this by stating *Good design is a key aspect of sustainable development and expects high quality and inclusive design for all development, including individual buildings.* Among others, the NPPF expects development should *add to the overall quality of the area...respond to local character and history, and reflect the identity of surroundings [and be] visually attractive as a result of good architecture.* It goes on to state that *Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*
- 5.5 The proposal being the creation of a new dwelling counts in its favour, but concerns from local residents regarding traffic movement, design, impact on amenity must be assessed and these are discussed in detail below. .
- 5.6 Design and Visual Amenity
This proposal is for a single storey dwellinghouse to be positioned to the rear of the garden area serving No. 25 and the recently erected 'in fill' dwelling alongside. These properties face onto Northcote Road and an access land runs alongside No. 25 and No. 26. The lane swings around to the west to an unmade-up area of parking and turning for nearby houses. The lane has a number of garages of varying styles, materials and designs.
- 5.7 The applicant proposes a two-bed dwelling that would have a footprint of approximately 10 metres by 12 metres, achieve a height to eaves of about 2.7 metres and a ridge height of 6.2 metres. The property would sit behind the building line of garages leading off to the west. The main view of the new dwelling would be when entering the access lane where some elements, mainly the roof, would be seen. The intention is to provide stone walls/gates to screen the new dwelling.
- 5.8 The two bed dwelling would have a gable to the front and an integral garage with a further parking space in front of the garage door. The front elevation would be a combination of hand thrown render with coursed natural stone to the gable feature. Double roman tiles would finish the roof. In terms of the overall design, scale and massing it is considered that the proposed new dwelling would be appropriate.
- 5.9 One comment has declared the roof height would allow for further bedrooms at a later stage. It is acknowledged that there may be room for a loft conversion but this is not an uncommon situation and many properties both single and two-storey benefit from the additional space such alterations allow. However, this application is only assessing the proposed two-bed bungalow and cannot take into consideration any future changes.
- 5.10 It is acknowledged that backland development is challenging and is rarely successful primarily due to impact on amenity and transport. In this case the site benefits from being situated adjacent to an existing access lane and equally separated from neighbouring properties by an acceptable distance. In this particular instance the 'backland' position is considered acceptable.

Overdevelopment of the site has been entered as an area of concern by a local resident. It is acknowledged that this site has been subject to a number of applications, some for two dwellings in this rear location. Officers have taken into consideration the local and national planning aims which encourage development both within existing residential gardens and within established built-up areas. Two dwellings were considered unacceptable, but one dwelling has overcome the issues raised by Officers and the proposal is now considered to accord with a sustainable type of development.

5.11 Conservation / Listed Building Officer

The series of locally listed cottages are located alongside Northcote Road. These reflect the traditional pennant stone-built former miners cottages and can be considered to contribute towards a sense of local distinctiveness. The application site for this scheme is within the long rear gardens typical of these former miners' cottages. It is unfortunate that the garden has been bisected to facilitate the creation of a new dwelling, however, the proposal is to be single storey and of good quality materials. Given its rear location, alongside the access lane, only glimpses of this new dwelling will be had from the main highway. It is therefore considered sufficiently removed from the locally listed cottages not to have a negative impact on the street scene and on the character or appearance of these valued cottages. There are therefore no objections subject to conditions regarding sample materials.

5.12 Residential amenity

The closest property to the proposed new dwelling is that to the rear at 19 Rodway Road. This would be at over 20 metres distant, screened by planting, fencing and walls. Given that the dwelling would be single storey, the openings in the rear elevation would not result in issues of inter-visibility or overbearing. Other properties to the northwest, No. 26 Northcote Road, as well as Nos. 25 and 25a would be over 30 metres distant with either the access lane or the respective parking spaces separating each from the new single storey dwelling. One comment has stated there would be overlooking of gardens. It is acknowledged that the new dwelling would face the row of properties on Northcote Road but again all these houses have long rear gardens and mature planting screens the closest property at No. 24. Furthermore, plans indicate that the stone wall separating the site from No. 24 will be raised to avoid impact from vehicle lights. It is therefore considered that there would be no undue issues of overlooking resulting from this single storey dwelling.

5.13 With regards to the proposed amenity space for the new dwelling, this would amount to over 90 sq metres of usable, private amenity space which is considered an acceptable amount for a 2 bed dwelling.

5.14 Sustainable Transport

There have been a number of applications for this same site all of which have been seeking permission for residential development. The last application on the site included the application no. Pk15/3153/F, which was refused partly on highways issues. The highway refusal reason included the followings;

The proposal will intensify use of a substandard access by reasons of restricted width for two-way traffic, unsuitable for use by service vehicle and it lacks footway facility. Increased use of this lane without improvement would increase conflict between vehicles with vehicles and between vehicles and pedestrian /cyclists and it will interrupt the safe and free flow of traffic to the detriment of highway safety. The proposed development is therefore contrary to Policy T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the NPPF (2012).

- 5.15 Since that decision in 2015, the applicant has submitted a revised plan in order to overcome the earlier highway concerns. With regards to the site access, the applicant has revised the access arrangement (see drawing no. 1025BU/PR/05 rev D). Plans submitted with this current application show that the lane at its pinch point will be widened - this includes widening of the lane at its junction with Northcote Road. At its entrance with public highway, the lane will be widened from currently 3.2m to new width of 4.1m. This will be achieved by sitting back the existing boundary wall along the access adjoining property no. 25 Northcote Road also owned by the applicant. Once completed, this would enhance accessibility for all users and provides opportunity for [small] cars to pass near the junction.
- 5.16 Additionally, it is proposed to create a turning space on site. Although it is small, the proposed turning area when completed will help with a small service vehicle (such a van) to turn around and exit in forward gear. A suitable condition can be imposed to ensure that this is provided and maintained.
- 5.17 In respect of the proposed parking, according to the South Gloucestershire Council parking standards (Adopted) 2013, the parking requirement for a 2-bed dwelling is 1.5 spaces. The plan submitted with this application shows two parking spaces one in form of a garage. The level of parking as proposed is considered acceptable and meets the Council's parking standards.
- 5.18 In view of all the above mentioned and in consideration to the amendments made to the scheme, there are no transportation objections subject to conditions relating to the widening of the lane, the provision of a turning area and the future maintenance of the proposed parking.
- 5.19 Other matters
One comment has stated that the proposal would be overdevelopment of the site while another has criticised the use of what has been referred to as every scrap of land and encourages this practice to stop. It is acknowledged that changes have occurred in both national and therefore local planning policies which now encourage more efficient use of land and space in built-up areas. This has been as a general response to the housing shortage nationwide and South Gloucestershire is required to fill its quota by providing new homes. Clearly this must not be at the expense of important issues such as poor design, impact on amenity or impact on highway safety/on-street parking. The above assessment has concluded in each of the relevant sections that the proposal accords with policy on each of the above stated areas and a refusal on these grounds could not be substantiated in an appeal situation.

- 5.20 Comments have been made citing problems with parking and or construction methods. Inconsiderate parking are matters that need to be taken up with the Police Authority and construction hours will be dealt with by a condition attached to this application. Noise and disturbance from construction is inevitable when development is allowed but it must be recognised that this is a small scale scheme and the period for the noise/disturbance will be limited to the time it takes to build this single dwelling.
- 5.21 Developer greed and the potential for other similar development has been mentioned in comments. Development is encouraged within existing residential curtilages and it is not the role of planners to judge whether proposals are made by individual home owners or more general business opportunities. Each site is assessed on its own specific merits taking into account the unique circumstances present in each case and does not set a precedent for sweeping development across an area.
- 5.22 Planning balance
The above assessment has acknowledged that the new dwelling would be a positive addition to the housing supply shortage. But as a single dwelling this benefit can only be awarded minimal weight. It is considered that the proposed dwelling would be of a good design with high quality materials to blend in with those at No. 25 and 25a Northcote Road. High quality design and appearance is important and weight is awarded in favour for this reason. The scheme would not have a negative impact on the amenity of closest neighbours given the distance separating these respective properties and the consideration given to the position of openings in the new property at ground floor level only. Again this counts in its favour. The issue of impact on the highway has been of great concern and the applicant has been willing to work with Officers to achieve a satisfactory access. Improvements to the surface of the access lane will also be of benefit to those using the turning/parking areas to the rear. Sufficient off-street parking and turning can be achieved on site for the new property which again counts in favour of this scheme. In conclusion, the previously identified negative elements have been satisfactorily addressed under this application and the scheme 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 conditions below

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.

3. Prior to the first occupation of the new dwelling, the proposed widening of the lane must be completed in accordance with the approved plan (drawing no. 1025BU/PR/05 Rev D). The area of land to be widened shall be suitably surfaced with bound surfaced materials and shall be subsequently maintained free obstruction for use by all lane users and to allow cars to pass.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. Prior to occupation of the new dwelling on site, a turning area in front of the gate to the new bungalow in accordance with the revised plan 1025BU/PR/05 Rev D with road markings "KEEP CLEAR" shall be provided. Details shall be submitted for written approval of the Council. The approved turning area shall then be provided in accordance with the approved plan and subsequently maintained satisfactory thereafter.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. Prior to the first occupation of the new dwelling off-street parking space/garage as shown on the approved plan 1025BU/PR/05 Rev D shall be provided and subsequently satisfactorily maintained and retained thereafter for the use of that property.

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.

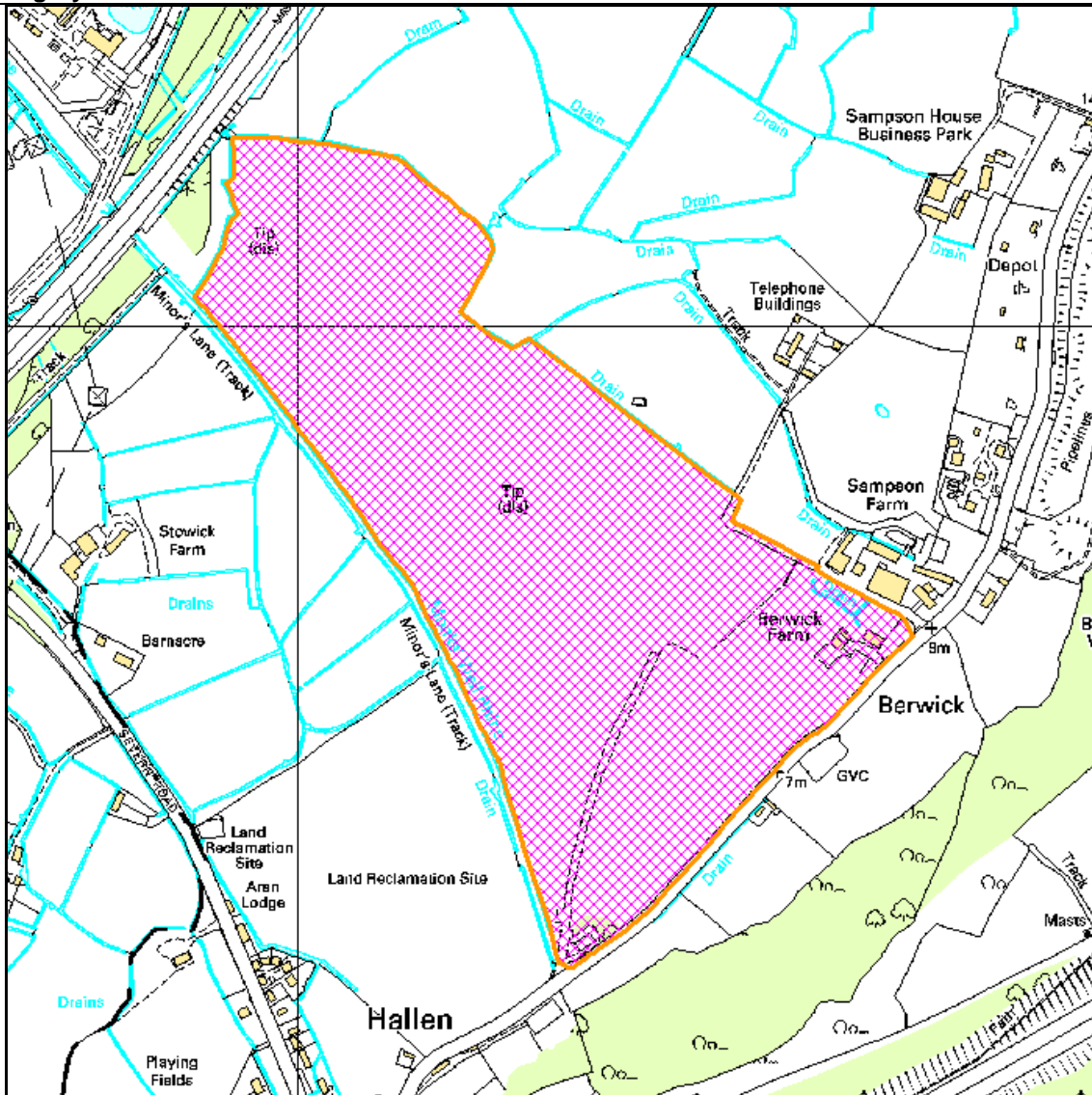
6. Prior to the commencement of relevant part of the development details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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.

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PK16/3995/MW	Applicant:	Suez Recycling And Recovery UK Ltd
Site:	Berwick Farm Berwick Lane Hallen South Gloucestershire BS10 7RS	Date Reg:	7th July 2016
Proposal:	Variation of condition no. 1 attached to planning permission PT14/3206/MW to extend the length of time of permission and condition no. 9 to vary approved plans, relating to restoration contours.	Parish:	Almondsbury Parish Council
Map Ref:	355649 180647	Ward:	Almondsbury
Application Category:		Target Date:	4th October 2016



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 100023410, 2015. N.T.S. PK16/3995/MW

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a result of representations received to the consultation process.

Members will note that this report is recirculated from the recent Circulated Schedule list reference 44/16. This is because the wording of condition 2 (as recommended) has been altered to reflect the application proposal; the original report still referred (in error) to the original dates approved under reference PT14/3206/MW.

1. THE PROPOSAL

- 1.1 The application is for the variation of condition 1 attached to planning permission PT14/3206/MW to extend the length of time of permission. In addition, and further to application ref. PT15/2630/NMA, which was non-material amendment to PT14/3206/MW to add a condition (condition 9) listing the approved plans, the application also seeks to vary the condition listing approved plans, by adding a further plan which amends certain restoration contours within the site. PT14/3206/MW was for the variation of condition 1 attached to planning permission PT09/5578/MW to extend the length of time of permission. (PT09/5578/MW was for the restoration of the existing landfill site through capping and importation of inert material and a change of the approved after use from golf course to agricultural pasture). Condition 1 of PT14/3206/MW required that the restoration development should be completed on or before the 31st December 2015 and subsequent on-site restoration operations be completed by 30th June 2016. The permission was approved on the 23rd January 2015. The applicants seek to extend the time period by an additional 2 years.
- 1.2 The proposal relates to the existing landfill located at Berwick Farm, situated off Berwick Lane, Hallen. The site is located approximately 0.5km north east of the centre of the village of Hallen. The site is roughly rectangular in shape and comprises 25ha of land most of which is either operational landfill or disturbed land. The boundary of the site is well defined by existing physical features, Berwick Lane to the south, a track named Minor's Lane and the Monks Well Rhine to the west and the M49 to the north. To the east boundary the site adjoins agricultural land. The site is located within the Green Belt.
- 1.3 The nearest properties to the landfill to the immediate east are Berwick Farm (a derelict property on the edge of the application site itself), Sampsons Farm and Severn House, approximately 90 and 220 metres from the landfill respectively. To the north east are the Telephone Buildings, approximately 160 metres away, beyond which is the Sampson Business Park. To the west the nearest properties start around 220 metres from the edge of the landfill whilst south west towards Hallen, the nearest properties are around 250 metres along Berwick Lane. Access to the site is off Berwick Lane through the site entrance located at the southern corner of the site. A public right of way comprising a footpath runs along the southeastern boundary of the site from the site entrance to the eastern corner of the site.

- 1.4 In addition to land use planning requirements and the satisfactory restoration and capping of waste sites the requirement for restoration is also necessary in terms of ongoing environmental and pollution control.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy for Waste

2.2 South Gloucestershire Minerals and Waste Local Plan

Policy 6 Landscape Protection
Policy 20 Water Resources
Policy 21 Drainage
Policy 22 Residential/Local Amenity
Policy 24 Traffic Impact
Policy 28 Restoration
Policy 29 Standard of Restoration

2.3 West of England Joint Waste Core Strategy (Adopted) March 2011

Policy 8 Landfill, Landraise, Engineering and Other Operations (Principles)
Policy 9 Landfill, Landraise, Engineering and Other Operations (Details)
Policy 11 Planning Designations
Policy 12 General Considerations

3. RELEVANT PLANNING HISTORY

- 3.1 In 1982 a submission was made to determine whether a proposed agricultural improvement scheme, including deposit of waste materials, required planning permission. It was resolved that planning permission was not required. Tipping commenced in 1983. In 1989 an application for planning permission was submitted to reprofile the partially completed site to contours incorporating minimum slopes of 1 in 20, consistent with current landfill practice at that time. The application was refused in 1990. The applicants subsequently appealed and consent was granted in 1992. In 1993 an application (P93/1765) for planning permission was submitted to amend the restoration profile to facilitate restoration of the site to a golf course. This was granted on 20 November 1995. Planning application ref. PT01/1071/RVC sought to extend the time limit for the completion of landfilling and restoration of the site. This was granted on 2 April 2003 for a further four years from that date. (i.e. tipping to be completed by 2007, and the site fully restored within a further year.)
- 3.2 Application ref. PT04/1415/F sought permission for the amendment of the approved working details and restoration profile to incorporate additional landfill capacity that removal of pipelines across the site would provide. This application was refused by the Council on 8th June 2005. The decision was subsequently appealed and allowed on 4th October 2006. The site operators and the site itself were subsequently acquired by SITA. Since that time SITA had made a commercial decision not to implement the appeal decision and the formal timescale for implementation has now expired.

- 3.3 PT09/5578/MW – Restoration of landfill site through capping and importation of inert material to achieve amended finished contours and change approved after use from golf course to agricultural pasture. Approved 17th August 2010.
- 3.4 PT14/3206/MW - Variation of condition 1 attached to planning permission PT09/5578/MW to extend the length of time of permission. Approved 23rd January 2015
- 3.5 PT15/2630/NMA – Non Material Amendment to PT14/3206/MW for an additional condition listing the previously approved plans. No objection. 7th July 2015

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No comments received

Sustainable Transportation

We note that this planning application seeks to vary a condition (ref 1) placed on the permission granted for a landfill site at Berwick Farm in Berwick Lane, Hallen (ref PT14/3206/MW). We understand that variation of this condition will enable the period for the restoration of this site to be further extended. We have no objection to this application as it is unlikely to materially change the travel demands associated with this location. Moreover, we understand that it is not proposed to change the sites parking or access arrangements. Consequently, we have no comments about this application

Lead Local Flood Authority

No Objection in relation to Condition 1, however until details of the surface water management plan are submitted, we are unable to comment on Condition 9 in relation to amending the contours.

Highways Drainage

No comment

Landscape

I confirm that there is no landscape objection to the proposed extension of time. However the previous conditions on the 2003 approval should still apply.

Other Consultees:

Local Residents

Two letters of objection have been received, summarised as follows:

- The site should have been completed by now, in accordance with previous consents
- The HGV's speed along Severn Road and Berwick Lane
- Mud from the site is deposited on the highway
- To resolve the mud on the road issues a road sweeper is used, this creates noise, dust and damage to highway issues, as well as and safety issues associated its use, mud should not be leaving the site
- The site causes dust issues raising concerns over local health issues
- There is an impact upon local wildlife

- The proposals will mean continued disturbance and noise and amenity impact
- The village has had to put up with the site for too long
- The site should have been completed and the disruption ceased
- All materials required for the site should have been brought onto the site prior to the application ceasing.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

As the site history section above demonstrates, the principle of the site for use as a landfill has been established and ongoing for a number of years. This principle was extended in 2006 when, on appeal, additional tipping opportunity that had been identified by the operators through the potential removal of pipelines that crossed the site, was subsequently approved. The proposed after use of the site at that time remained as a golf course and therefore restoration proposals, planting, contours and aftercare and management were designed for such use. The tipping capacity and life of the site as a landfill was to be increased as well as the final contours and landform amended as the removal of oil pipelines across the site provided greater void space for tipping. The site operators and the site itself were subsequently acquired by SITA. Since that time SITA had made a commercial decision not to implement the approval under the appeal decision. Instead it was sought to amend the timescale in which the existing site could be restored, and change the permitted after use of the site from golf course to agricultural. Due to the complexity of the surface water drainage scheme for the site as well as a limited availability of suitable materials, the restoration works are yet to be completed and it is therefore required to extend the permitted timescales to allow this to take place. These proposals essentially therefore seek to extend the time in which to implement the necessary restoration requirements in order to restore the existing land raised area, and return the land to, upon completion, to agricultural pasture.

5.2 Landfilling activities themselves have ceased and any remaining importation of materials would be for the effective capping and restoration of the site. Policy 9 of the West of England Joint Waste Core Strategy (Adopted) March 2011 and Policies 28 and 29 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002 require effective restoration of such sites. A restoration scheme has been approved for the site under previous consents. An additional plan is also sought to be added to the added condition of approved plans, that would vary the restoration contours in a certain sector within the site. Operations to import restoration materials would be spread within the extended timescale. It is considered that due to market conditions which appear to have limited demand for inert material for landfilling/restoration purposes, and the complexity of the ongoing drainage requirements, that the applicants have been unable to restore the site fully within the limited timescales. The site would continue to import inert restoration material as per the existing planning permission to achieve the consented contour levels.

5.3 This application seeks additional time in which to complete the approved restoration. Restoration of the site is therefore a necessary requirement both in terms of land use requirements as well through the Environment Agency

licensing regime associated with the effective capping and containment of the landfilled site and therefore in principle considered acceptable, subject to detailed development control considerations. As per Government guidance, and where there dual controls across a site, planning permissions should not duplicate pollution control requirements that would be achieved from other legislation.

5.4 Green Belt

The site is located on the edge of the Green Belt. As illustrated above the principle of the site as a land raising scheme in the Green Belt has been established by previous decisions. Upon cessation of landfilling it would be expected that the site would be restored in accordance with an approved scheme and the site returned into the wider landscape. Due to non-implementation and lapses in time restrictions set on previous consents, the need for a further application exists. However the principle of restoring the site and , in this instance returning it to agriculture, would not be considered to conflict with the requirements of Green Belt policy and would in fact benefit this area of Green Belt in terms of securing a restoration that would improve the sites impact upon openness and visual amenity.

5.5 Visual Amenity

The context of the site as land raised area has been established in ongoing operations and previous consents resulting in its undulating appearance. This application seeks to restore the land on the basis of what has been placed on site under previous consents. With the necessary cap and cover laid across the site as part of the restoration scheme the site. The proposed variation to restoration plans would see a reduction in height and required restoration material over a part of the landfill, within the site, otherwise the restoration landform would follow the existing pattern of the landfilling across the site. There are no in principle landscape objections to the proposals and restoration to agriculture use is visually acceptable, the changes to contouring proposed are not considered to raise , in their own right, significant or material issues of landscape impact or concern, and are considered acceptable. A scheme providing further, more specific detail in the form of a landscape plan, should be requested through condition, to address location and detail of plant mixes, maintenance, protective fencing and details of any open water or wetland area. An aftercare scheme can also be requested to address a 5 year period for effective management of the site.

5.6 Ecology

The site lies within the floodplain of the Severn Estuary. The Severn Estuary itself, in recognition of its nationally and internationally important wildlife, is subject to a range of statutory and non-statutory nature conservation designations and is a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) candidate Special Area of Conservation (cSAC) and is also a Natura 2000 (N2K) site. The application site itself however does not lie directly in an area of any designations. However, given its proximity to this area, and given the land available and potential opportunity it creates, the site does provide for the potential to allow for the creation of additional wildfowl habitat. This is considered particular relevant on such areas surrounding the estuary to help avoid issues arising from developments within Severnside, linked to the

historic ICI consents and to provide additional habitat for the wildfowl associated with it and off-set the potential loss of habitats in that area. Such habitat could include a series of shallow scrapes to provide an area where water may at times accumulate and allow a natural accumulation of invertebrates and therefore a feeding habitat. On this basis the applicants have confirmed this would be acceptable. In accordance with previous requirements for the site, details of this should be secured by a condition, which could be linked to the landscape management plan above, as well as be subject to the subsequent aftercare requirements.

5.7 Local Amenity

The site is required to be restored to a suitable standard after use as a landfill and this principle is evident through the various planning decisions over the history of the site that provide for various restoration requirements. Under the terms of an earlier Inspectors appeal decision, it was considered acceptable for the site to open up new areas and continue landfilling until 2016 prior to final restoration. The current proposal is for extension to the restoration period only which it is considered would enable full completion including restoration within similar timescales. It is considered therefore that whilst HGV movements and site activity continue, this would be at a lesser scale and duration than that previously approved and it would be with a view to beneficially completing the site. Furthermore the types of material going into the site would be clean, uncontaminated restoration materials as opposed to the general waste accepted by the site as a landfill, with the potential to generate greater amenity and environmental concerns. Under the terms of this variation requirement less restoration material would also be required, thereby further reducing the importation requirements and HGV movements associated with it. It is considered that there remains a requirement for the satisfactory completion of restoration of the previously approved landfill and the extension of time and variation of the plans the subject of this application is necessary, reasonable and acceptable.

- 5.8 A five year aftercare period would follow the completion of restoration works, through which an aftercare plan can be secured through condition. Landfill gas will continue to be collected from the site for electricity generation as long as sufficient landfill gas is being generated. The operators would retain responsibility and management of the landfill thereafter until such a time as the Environment Agency were satisfied that the pollution control permit for the site could be surrendered. The specific issue of HGV's is discussed in more detail below.

5.9 Highways.

It is not considered that the proposals materially change the travel demands associated with this location. It is also not proposed to change the sites parking or access arrangements. There are no highways objections to the proposals. Compliance with speed restrictions is not a planning matter and levels of any debris on the highway are ultimately a highways issue where on site measures are not preventing materials from being deposited on the highway, however notwithstanding this, wheel wash facilities exist at the site, as approved under condition of the previous consent and will remain.

5.10 Drainage

The continued operation of the restoration scheme will not lead to an increase in flood risk on or in the vicinity of the site. There are no objections from either the Highways Drainage Team or the Environment Agency on this basis, subject to conditions, and in this respect it is recommended that further detailed surface water management and maintenance schemes are required through condition in accordance with previous requirements on the site.

6. CONCLUSION

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

6.2 The site as a landfill already exists and the requirement for restoration therefore also exists. Previous consents that enable the restoration of the site have lapsed and so the need for a further planning permission to enable the required restoration also exists. The proposals would involve restoration materials only and would enable the completion of the site over a lesser timescale than the earlier planning consent for the site which also permitted further landfilling. The application is on this basis considered to be in accordance with Policy 9 of the West of England Joint Waste Core Strategy (Adopted) March 2011. In addition to this, whilst the site is located within the Green Belt as the proposals seek to restore an existing landfill site the application is not in conflict with Green Belt policy. Existing access would be used. It would not be expected that traffic flows at proposed levels would have any greater impact on the highway network than uses approved through previous planning applications and transport impacts are likely to lessen as restoration approaches completion. It is not considered that the proposals would increase upon any amenity impact and in fact would reduce any potential impact when compared to previously approved schemes. In terms of visual amenity the proposals would enable the satisfactory restoration of a landfill site and integrate the site within the surrounding area. Once restored the site will offer additional ecological benefits to the area through the creation of additional habitat and for estuarine wildfowl associated with the nearby Severn estuary. Additional drainage safeguards would be required through condition. The proposals are therefore in accordance with Policies 11 and 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to conditions. Conditions will reflect those previously granted under planning permission reference PT09/5578/MW and PT14/3206/MW except where they have been discharged

or are no longer relevant to the development.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following plans and details:
 - Drawing No. CRM.011.010.D.001 - Site Location Plan (Drawing 1)
 - Drawing No. CRM.011.010.D.002 - Site Context Plan (Drawing 2)
 - Drawing No. CRM.011.010.D.003 - Restoration After use Masterplan (Drawing 3)
 - Drawing No. CRM.011.010.D.004 - Plan Showing the Difference Between the Pre-Settlement Restoration Contours and Post-Settlement Restoration Contours (Drawing 4)
 - Drawing No. CRM.011.010.D.005 - Long Section A-A (Drawing 5).
 - and Drawing No. 5382.OTH.D01 - Proposed Capping Area with Cross Sections

Reason

To ensure satisfactory restoration of the site, to accord with the approved plans and details and in accordance with Policies 28 and 29 of the South Gloucestershire Minerals and Waste Local Plan Adopted May 2002 and Policies 11 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

2. The importation of materials the subject of this permission shall be completed within 2 years from the date of this permission. Subsequent on-site restoration operations shall be completed within a further 6 months. The Council shall be notified in writing upon the completion of works.

Reason

In the interests of local amenity and to ensure a satisfactory restoration of the site within a defined timescale, and to accord with Policies 11 and 12 of the West of England Joint Waste Core Strategy (Adopted) March 2012 and Policies 6, 9, 22, 24, 28 and 29 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002.

3. A survey of levels shall be submitted annually to the the Local Planning Authority, the first one being submitted within 12 months from the date of this permission. A final survey shall be submitted to the Local Planning Authority upon the completion of restoration works.

Reason

In the interests of monitoring the levels of the site, the satisfactory restoration of the site and visual amenity, and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

4. Within two months from the date of this permission a Landscape and Ecological Management plan shall be submitted to the Local Planning Authority for written approval. Such a plan shall include provision of wetland habitat (grazed wet grassland

utilising a series of 'scrapes'), details on the intended grazing regime, tree and shrub planting location and mixes to reflect the tree and shrub composition of the woodland/hedgerows within the vicinity, the seed mix for the restored grassland and a scheme for the protection of trees and hedgerows. The details of the plan shall be implemented as approved within 6 months of the completion of the restoration contours. The Council shall be notified in writing upon the completion of such implementation.

Reason

In the interests of the visual amenity of the area and the provision of ecological habitat and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Approved) March 2011.

5. Within two months from the date of this permission an aftercare scheme for the restored site shall be submitted to the Council for written approval. Such a scheme shall provide for a five year plan for the aftercare and management of the site. The period shall commence upon the completion of the implementation of the landscape and ecology works required under condition 4 above. The scheme shall include the provision for an annual report on the aftercare of the restored site and provide details of measures undertaken over the previous year and aftercare measures proposed for the forthcoming year.

Reason

In the interests of the visual amenity and ecological benefit of the site and in the interests of the satisfactory restoration and aftercare of the site, in accordance with Policy 9 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

6. Within two months from the date of this permission a scheme for the provision and implementation of surface water run-off limitation shall be submitted to the Local Planning Authority for written approval. Upon such written approval the scheme shall thereafter be implemented in accordance with the approved programme and details at all times.

Reason

To prevent any increased risk of flooding and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

7. Within two months from the date of this permission a full operation and maintenance strategy for surface water drainage shall be submitted to the Local Planning Authority for written approval. The strategy shall identify all future land use limitations, identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme.

Reason

To ensure that the works provide the necessary mitigation against flooding for the lifetime of the existing and proposed development and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

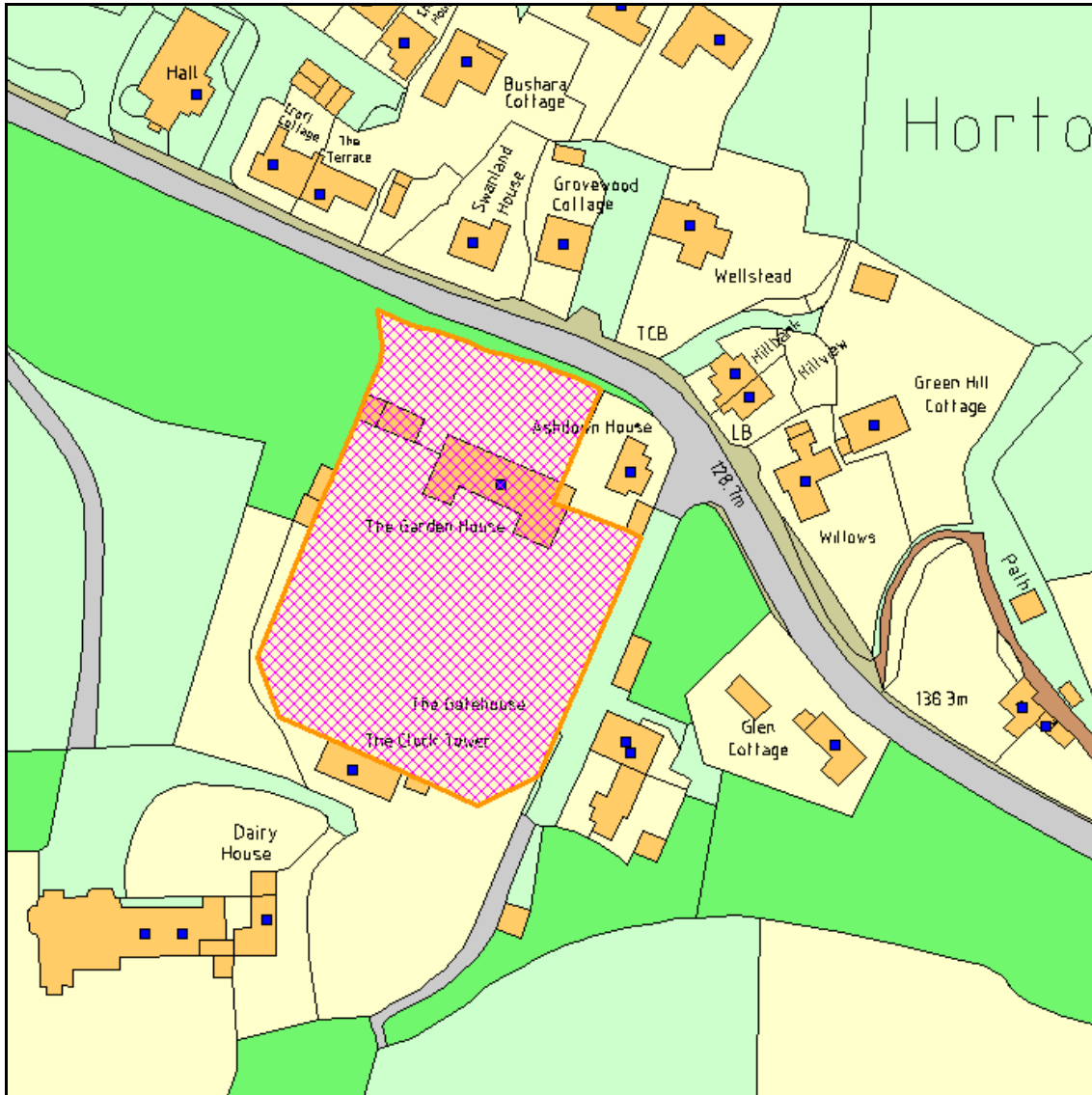
8. No plant or machinery shall be operated, no operations carried out and no lorries shall enter or leave the site outside of the times of 07.30 to 17.00 Monday to Friday and 08.00 to 13.00 Saturdays and at no times on Sundays or Bank Holidays.

Reason

In the interests of local amenity and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PK16/4274/F	Applicant:	Mr Peter Bishop
Site:	The Garden House Horton Hill Horton South Gloucestershire BS37 6QN	Date Reg:	3rd October 2016
Proposal:	Erection of single storey rear extension to form orangery.	Parish:	Horton Parish Council
Map Ref:	375962 184363	Ward:	Cotswold Edge
Application Category:	Householder	Target Date:	23rd November 2016



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 100023410, 2015. **N.T.S.** **PK16/4274/F**

REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has been subject to representations contrary to the findings of this report. Under the current scheme of delegation it must be taken forward under circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a conservatory to the rear of The Garden House, Horton Hill, Horton.
- 1.2 The subject property is a period property with later additions that once formed ancillary accommodation associated with Horton Hall. The property has a slightly odd arrangement as the original structures appear as lean-to sections attached to the boundary wall surrounding the Hall. Extensions have occurred on the other side of the wall meaning the property is bisected by the structure. The site slopes from east to west and the structures have varying heights ranging from 1 to 2 storeys. The modern additions have taken place to the south of the property. Elevations are rubble to the original sections and reconstituted stone of a similar colour to the modern additions. The roof is pitched and gabled or lean-to with a tiled covering. Boundary treatments are a combination of the stone boundary wall and a 1.5 metre wall to the rear.
- 1.3 The site is located outside of the defined curtilage of the Grade II listed Horton Hall and adjacent to 2 locally listed buildings (Ashdown House and The Gate House). There is also a Locally Listed telephone box opposite the entrance to the subject property.
- 1.4 The subject property is situated in the settlement of Horton outside of the Bristol/Bath Greenbelt but within the Cotswold AONB.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- H4 Development within Existing Residential Curtilages
- T12 Transportation
- L2 Cotswold AONB
- L13 Listed Buildings
- L15 Locally Listed Buildings

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Greenbelt
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006

Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/2402/F – Approval – 09/08/2004 – Erection of two storey side and rear extension to form additional living accommodation. (Amendment to previously approved scheme PK03/1698/F).
- 3.2 PK03/1698/F – Approval – 14/07/2003 – Erection of two storey side extension to form additional living accommodation.
- 3.3 P94/1616 – Approval – 19/06/1994 – Erection of single storey rear extension to provide enlarged accommodation. Erection of chimney.
- 3.4 P86/2046 – Approval – 13/08/1986 – Erection of single storey extension at rear to provide games room.
- 3.5 N1842/3 – Approval – 13/05/1982 – Erection of extension at rear to provide conservatory, W.C., dining room, living room and exercise area. Construction of dormer window at front.
- 3.6 N1842/2 – Approval – 02/08/1979 – Temporary use of land for the stationing of a residential caravan.
- 3.7 N1842/1 – Approval – 29/03/1979 – Change of use of outbuilding to dwelling and erection of extension to provide 2 bedrooms and bathroom. Construction of vehicular access.
- 3.8 N1842 – Refusal – 09/10/1975 – Erection of a detached dwelling.

4. CONSULTATION RESPONSES

4.1 Horton Parish Council
No Objection

4.2 Other Consultees

Listed Building and Conservation Officer

No impact on listed building and therefore no objection to the proposal.

Other Representations

4.3 Local Residents

One comment received objecting to the proposal on the basis that the original plans submitted had incorrectly identified the extent of the applicant's ownership.

The application required the submission of an advert to the local newspaper. This normally takes place once a month and given the statutory consultation periods for planning applications and the requirement to submit the application to circulated schedule the statutory determination period would have expired prior to a decision being made. As the application has been re-consulted on there is not expected to be any further comments and will be submitted to circulated schedule prior to the expiry of the consultation period. Subject to no more representations being received before the 11th November 2016 the recommendation of this report will stand. If further recommendations are received before this date it is advised that the report be amended to reflect this and referred to the next available circulated schedule.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Saved Policy H4 of the South Gloucestershire Local Plan (adopted 2006) is supportive in principle of development with the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The proposal consists of the erection of an orangery in order to provide additional living accommodation to the rear of the property. The property is situated in a scenic rural settlement with period character within the AONB and lies in the former grounds of the Grade II listed Horton Hall. The property is formed of a number of historic outbuildings with later additions and is bisected by the former boundary wall of the listed building.

5.3 The existing additions have been relatively sensitively designed and the proposal would also have some traditional characteristics and tie in well with the existing property. Additions of this type are relatively common in the area. Furthermore the proposal will be situated to the rear of the property and away from the public realm. Given this consideration the proposal is not viewed to detract from the character of the existing building or its context.

5.4 Extensions of this type would normally be permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and specifically Schedule 2 Part 1 Class A subsection g. This permits larger householder extensions subject to the submission of an application for prior notification.

Full planning permission is required as the proposal is situated within the Cotswold AONB and as a result these rights are restricted and cannot be applied.

Whilst within the AONB the property is within a settlement and would not be seen to result in any negative impact on the landscape of the AONB and is viewed as acceptable in this respect.

- 5.5 The proposal has put forward materials that differ in appearance to those of the original building due to the type of structure proposed and will be largely glazed. This is not an unusual material or choice of design for the structure and is thought acceptable. There is no objection with regard to materials.
- 5.6 Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.
- 5.7 Residential Amenity
Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.
- 5.8 With regard to private outdoor amenity space there are no concerns. The property has a generous rear garden and the proposal will only occupy a small proportion of this.
- 5.9 There are no dwellings directly to the west of the property and as a result there will be no impact on properties in this direction. The proposals will be situated to the southern elevation of the property and consequently dwellings to the north and Ashdown House will not be negatively impacted as a result of the proposal. Dwellings to the west are situated relatively nearby the eastern boundary of the site, however given the orientation of these properties and the location of development these dwellings are not considered to be adversely impacted as a result of the proposal.
- 5.10 The subject property is located within a built up residential area and the Cotswold AONB. The proposals are of a modest scale. The proposal is not considered to result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.11 Sustainable Transport and Parking Provision
The proposal will not result in the creation of additional bedrooms. The property currently has a large area of driveway and a detached garage structure to the front of the property that will not be impacted by the proposal. The proposal would not require any additional parking spaces nor will it have a negative impact on highway safety or the retention of an acceptable level of parking

provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.

5.12 Other Matters

Objection has been received from a neighbouring occupier with regard to the extent of ownership. This is due to a small section of the subject property actually being within the ownership of the adjacent Ashdown House. None of the historic applications appear to have made this clear and permission has been granted on a number of occasions that have included this disputed land. Revised plans have been sought from the agent and a copy of the Land Registry Title has now been provided as well as a revised certificate A under Article 7 of the Town and Country Planning Act. Subsequently the objector has submitted a further objection, again with the same concerns but notes that the Title plan is correct, revised plans have not been submitted in line with email correspondence from the case officer and that the site and location plan are incorrect. Officers are happy that the agent has provided sufficient evidence to support the extent of ownership and therefore that the correct notice/certificate has been served. It should be made clear that it is beyond the remit of the planning department to establish ownership. Planning permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant and the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with development including future repairs/maintenance, or to obtain support from adjoining property. Planning permission does not authorise anyone to take such action without first obtaining such consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996. Furthermore the proposal will not have any impact on the property in question, nor will it require the use of the land in question to carry out development.

5.13 Whilst the Site location plan provided is viewed as accurate for the purposes of this application the land registry title plan provided in support of the application will be utilised as the site location plan as it is considered to be sufficient to accurately show the location of the property in relation to its context.

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 Subject to no further recommendations being received prior to the 11th November 2016, the application be **APPROVED** subject to the conditions attached to the decision notice.

If further recommendations are received before the 11th November 2016 it is advised that the report be amended to reflect this and referred to the next available circulated schedule.

Contact Officer: Hanni Osman

Tel. No. 01454 863787

CONDITIONS

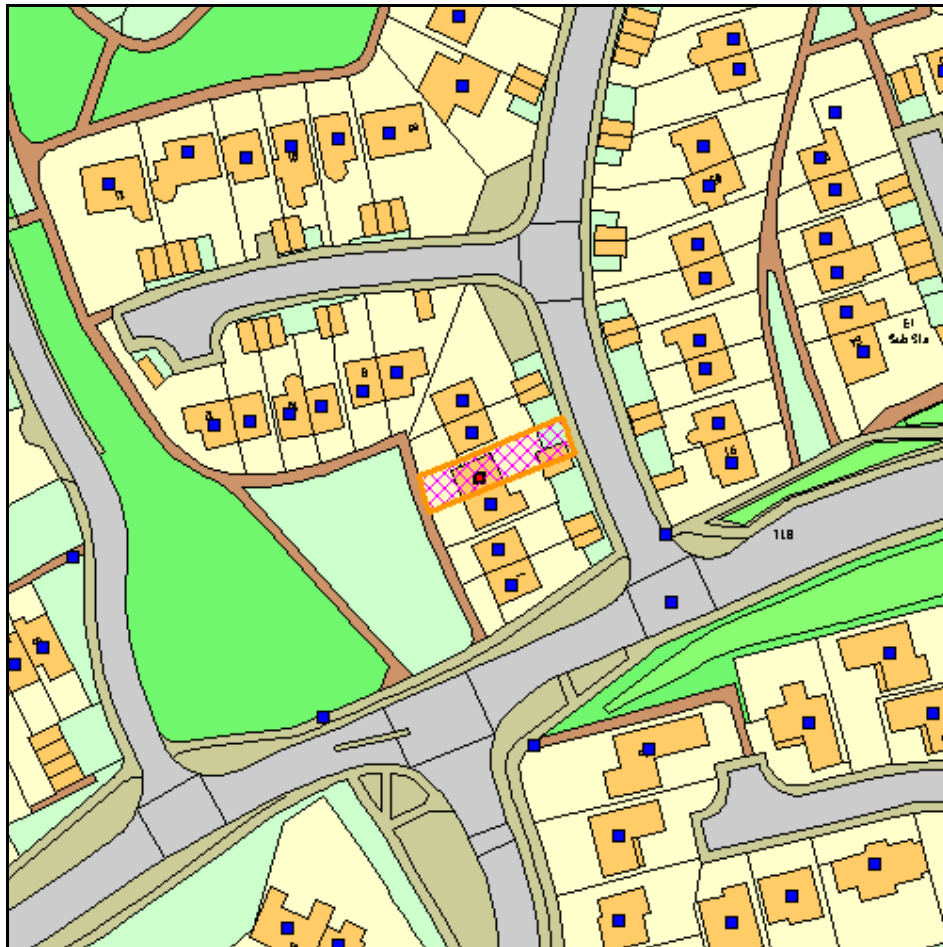
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PK16/4979/F	Applicant:	Mr Thomas March
Site:	4 Rectory Close Yate Bristol South Gloucestershire BS37 5SA	Date Reg:	4th October 2016
Proposal:	Erection of a single storey front extension to provide additional living accommodation.	Parish:	Yate Town Council
Map Ref:	371525 183259	Ward:	Yate North
Application Category:	Householder	Target Date:	25th November 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the circulated schedule due to consultation responses received, contrary to Officer recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The application seeks full planning permission for the erection of a single storey front extension to provide additional living accommodation at 4 Rectory Close, Yate.
- 1.2 The application site relates to a semi-detached property which lies within a Radburn style estate in the built up residential area and settlement boundary of Yate. The host is formed of buff brick elevations with UPVC windows and a concrete tiled roof. The property and others face an open green area adjacent to Greenways Road. The site benefits from a single garage and 1no. parking space to the rear. Properties in the vicinity are largely semi-detached pairs and of a similar design.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Policy Guidance 2014
- 2.2 Adopted 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
CS30 Yate and Chipping Sodbury

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development
- 2.3 Emerging Development Plan

South Gloucestershire Local Plan, Proposed Submission: Policies, Sites and Places (PSP) Plan, June 2016
PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection. Comments as follows;

- Extension would be in front of building line
- Open plan development
- Effect the setting of the open space which forms an important part of the streetscene.
- Undesirable precedent

Other Representations

4.2 Local Residents

1no. objection was received from a neighbouring occupier at No.3 Rectory Close. Comments as follows;

- Impact on character of open space
- Impact on outlook

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

It is noted that the proposal (which contains a downstairs toilet) is part of a scheme of modest adaptation for one of the occupiers of the house. This facility is something required in all new housing in order to make general housing more accessible to a range of occupants. This is a benefit that is likely to extend not just to the current occupants, but all future occupants and some weight is attributed to the proposal on this basis.

5.2 Design and Visual amenity

The proposal would result in a single storey front extension to the existing property, which is located within a Radburn style estate. The porch would face an area of open space which is visible from the highway (Greenways Road). The porch would have a depth of approximately 2.2 metres, a width of 2.4 metres and a maximum height of 3.7 metres. The development would introduce a door to the southern elevation, 1no. single casement window to the northern elevation and 1no. single casement window to the western elevation.

5.3 Officers raised concerns with regard to original plans submitted which showed that the porch would have a pitched roof design and a window which did not

match those found on the existing dwelling. It is noted that revised plans show that an appropriate window would now sit to the front elevation. However, the porch would still have a pitched roof design. Whilst this is not desirable, it is not considered that it would constitute a reason for refusal in relation to poor design.

- 5.4 The concerns from the Town Council and a neighbouring occupier relating to the negative impact on the open space are acknowledged. Whilst the case officer noted on site that no similar extensions are found in the immediate vicinity of the dwelling, porches are relatively common along Greenways Road and in the wider residential area. The introduction of built form in this location is somewhat regrettable, however, it is a modest extension, which would be formed of matching materials to the host and surrounding dwellings. Accordingly, it is not deemed that it would result in an unacceptable development.
- 5.5 The overall design, scale and massing of the proposal, is considered acceptable in the context of both, the main dwelling and the wider area surrounding the application site. Accordingly, the proposal is deemed to comply with Policy CS1 of the Core Strategy (Adopted) December 2013.
- 5.6 Residential Amenity
The property sits adjacent to No.3 Rectory Close, and together they form a semi-detached pair. The comments from these neighbours relating to outlook are understood, and it is acknowledged that the porch would be visible at points to these occupiers. However, given the orientation of the properties and the single storey nature of the extension, it is not considered that it would not have a material impact to the residential amenity currently afforded to these occupiers.
- 5.7 To the west of the host is Nos. 5 and 6 Rectory Close which also form a semi-detached pair. These properties are set back from Nos. 3 and 4 by approximately 1.5 metres. Accordingly, it is likely that the front extension would be visible to these occupiers. Whilst Officers note that the extension may result in some change to the existing situation, in particular to the light afforded to the entrance of No.5, it is not considered such that it would warrant refusal of the application.
- 5.8 Overall, it is considered that the proposed porch would be acceptable with regards to residential amenity. An adequate amount of garden area will remain to serve the property, and overall the proposal is acceptable in terms of Policy H4 of the Local Plan (Adopted) January 2006.
- 5.9 Transport and Parking
No additional bedrooms are proposed nor does the proposal encroach onto existing parking provision, and therefore there is no transportation objection to the proposal.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **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: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

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

Reason

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

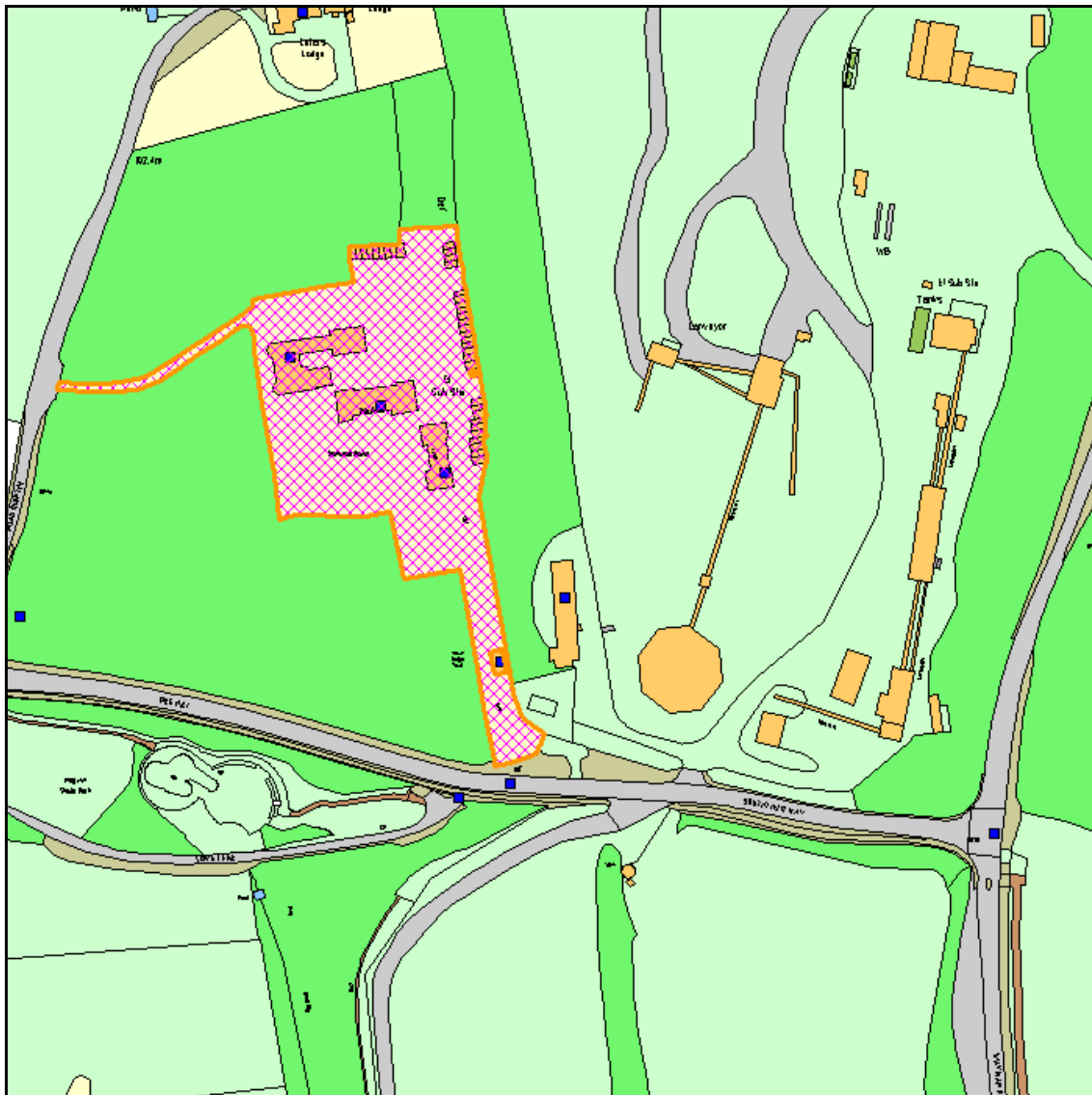
3. The hours of working on site during the period of construction shall be restricted to 08.00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of highway safety and residential amenity and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PK16/5262/TRE	Applicant:	Rockwood House Management Company
Site:	Rockwood House Gravel Hill Road Yate Bristol South Gloucestershire BS37 7BW	Date Reg:	22nd September 2016
Proposal:	Works to various trees as detailed in the report submitted. Covered by Tree Preservation Order SGTPO 07/07 dated 23 November 20017.	Parish:	Yate Town Council
Map Ref:	372210 183971	Ward:	Yate North
Application Category:		Target Date:	14th November 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as comments were received from Yate Town Council that are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 Works to various trees as detailed in the report submitted. Covered by Tree Preservation Order SGTPO 07/07 dated 23 November 2007.
- 1.2 The trees are located within the grounds of Rockwood House, Gravel Hill Road, Yate, Bristol, South Gloucestershire, BS37 7BW.

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 PK14/2119/TRE, Site Address: Rockwood House, Gravel Hill Road, Yate, Bristol, South Gloucestershire, BS37 7BW, Decision: , Date of Decision: , Proposal: Works to various trees covered by Tree Preservation Order SG TPO 07/07 dated 23 November 2007. SEE PK14/3510/TRE, CIL Liable:
- 3.2 PK14/3510/TRE, Site Address: Rockwood House, Gravel Hill Road, Chipping Sodbury, Bristol, South Gloucestershire, BS37 7BW, Decision: COND, Date of Decision: 13-NOV-2014, Proposal: Works to various trees in accordance with survey received 24 September 2014, covered by Tree Preservation Order SGTPO 07/07 dated 23 November 2007., CIL Liable
- 3.3 PK12/0947/TRE, Site Address: Rockwood House, Gravel Hill Road (North), Chipping Sodbury, Bristol, South Gloucestershire, BS37 7BW, Decision: COND, Date of Decision: 10-MAY-2012, Proposal: Works to various trees as per submitted schedule, dated May 2011 (received 15 March 2012), covered by South Gloucestershire Council Tree Preservation Order 385 (Gravel Hill Road (North)) dated 16th September 1987.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council commented on this application as follows:
Object to any tree works not established on tree health grounds Accept only tree works agreed by Arboriculture Officer Do not object to removing deadwood/bottom spurs Tree 953 (oak) consent should require the car wash to be re-sited as soon as possible as it is having a negative impact on the tree.

Other Representations

- 4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 The tree works proposed are broadly in the interests of health and safety and to enable the safe use of the site. The bulk of the work is for the removal of deadwood and low branches. Some whole tree removal is specified, but only trees in poor condition or of poor form are to be removed.
- 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
This site has a good record of tree management and this is the latest application for tree works that address the changing condition of the tree stock.
- 5.4 The abbreviation CR stands for crown raise which is the removal of lower branches to facilitate movement below or to prevent rubbing on structures.
- 5.5 The Oak (953) is in good condition with no evidence that the car wash is having a negative impact on it. The car wash base appears to be well constructed and has a fall to a drain.

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.

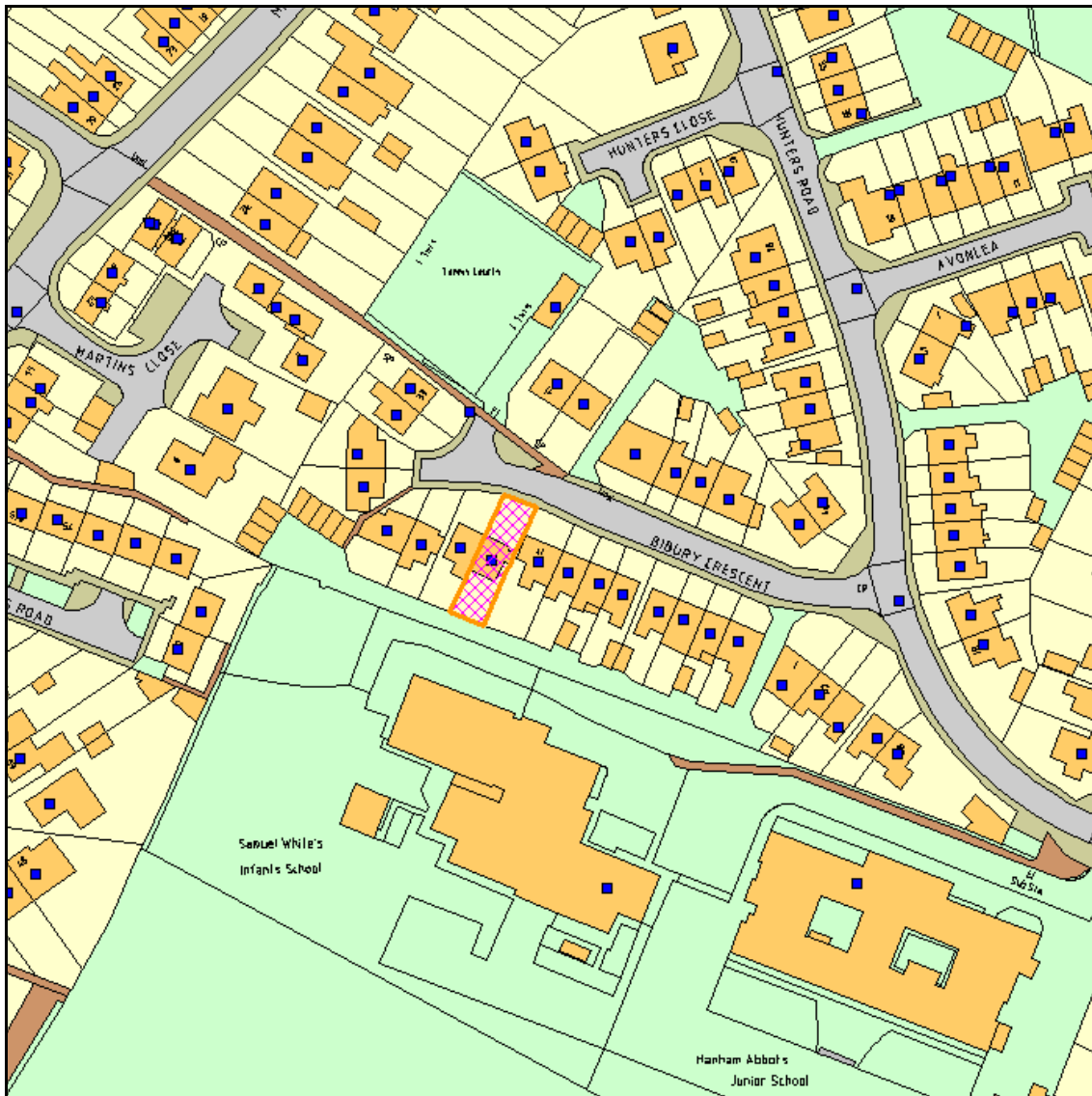
Reason
To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.
2. The works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

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PK16/5628/F	Applicant:	Mr And Mrs Fox
Site:	19 Bibury Crescent Hanham Bristol South Gloucestershire BS15 3EX	Date Reg:	17th October 2016
Proposal:	Erection of a single storey side and rear extension to provide additional living accommodation.	Parish:	Hanham Abbots Parish Council
Map Ref:	364191 172049	Ward:	Hanham
Application Category:	Householder	Target Date:	8th December 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to an objection comments received from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a side and rear extension to provide additional living accommodation at 19 Bibury Crescent in Hanham.
- 1.2 The host dwelling is a two storey semi-detached property within an established residential area of Hanham. The dwelling has a gable roof with concrete roof tiles, a mixture of brick and rendered elevations and white PVC doors and windows.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

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

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: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (adopted) August 2007
Residential Parking Standards Supplementary Planning Document (adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history.

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council
No comments received.

4.2 Hanham Abbots Parish Council
No objection but would recommend that finishing materials used are in context with surrounding properties.

Other Representations

4.3 Local Residents

Two letters of objection have been received from neighbouring residents, their comments are summarised below:

- *The side extension seems to be quite dominant and overbearing.*
- *Having looked at the measurements I am concerned the guttering may overhang the boundary and if there is heavy rainfall it may lead to water runoff into my property.*
- *The proposed materials will not match those used within the existing dwelling nor will it comply with the conditions outlined within Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.*
- *Block and render is not in keeping with the original dwellings of the development at this end of Bibury Crescent and their later extensions.*
- *We are concerned that the noise and duration of the contractor's activities could extend to unreasonable hours- as such we would request a condition restricting the hours of construction if the application is to be accepted.*
- *The garages to nos.19 -33 Bibury Crescent are sited at the end of a driveway that runs to the rear of the houses on the south side of Bibury Crescent. The site can be seen from the driveway which is open to the public (this is visible on site visit).*

5. ANALYSIS OF PROPOSAL

5.1 The application seeks planning permission for the erection of a single storey side and rear extension to provide additional living accommodation.

5.2 Principle of Development

Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) and emerging Policy PSP38 of the PSP Plan (June 2016) are supportive of development within the residential curtilage of existing dwellings providing there are no negative effects on residential amenity, transport and visual amenity. Additionally, Policy CS1 of the Core Strategy and emerging Policy PSP1 exist to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context. The proposal shall be determined against the analysis below.

- 5.3 Design and Visual Amenity
The application site is a two storey semi-detached dwelling within a defined settlement boundary. The property is located on the residential road of Bibury Crescent and seeks planning permission for the erection of a single storey side and rear extension.
- 5.4 The proposed side extension will extend beyond the existing side elevation by 1.2 metres and have a length of 8.2 metres. The proposed rear extension will extend beyond the rear elevation by 3 metres and have a total width of 7.2metres (this includes the width of the side extension. The proposed extensions will have a hipped roof with a total height of 3.4 metres.
- 5.5 The materials proposed for the single storey side and rear extension are block and render. These materials have raised a number of objections/ concerns as they will not be in keeping with the surrounding area. The existing dwellings in the area are a mix of brick and pebbledash render. To address these concerns a condition will be implemented to ensure the materials used within the proposed extension match those used within the existing dwelling and to ensure the proposal respects and enhances the character of the area.
- 5.6 Overall, notwithstanding the condition that will be implemented it is considered that the proposal respects the character of the site and the wider context as well as being of an appropriate scale and proportion with the original dwelling and surrounding properties. Thus, the proposal satisfies policy CS1 of the adopted Core Strategy and emerging Policy PSP1 of the PSP.
- 5.7 Residential Amenity
Saved policy H4 of the adopted Local Plan aims to ensure that residential development within established residential curtilage does not prejudice the residential amenity of any neighbouring occupier.
- 5.8 The application seeks planning permission for the erection of a single storey side and rear extension to provide additional living accommodation at 19 Bibury Crescent in Hanham. The boundary treatments at the site consist of 1.8 metre timber fences.
- 5.9 Objection comments have been received from a neighbouring resident regarding the single storey side extension being dominant and overbearing. It is noted that the host dwelling is set back from the residential road further than no.17 meaning that the extension will be visible from no. 17. However, officers do not consider the proposed extension to be adversely overbearing as it will be single storey.
- 5.10 The proposed single storey side and rear extensions are also not considered to be adversely overlooking as there will only be new windows in the front elevation of the side extension and the rear elevation. There will be also be one velux window in the side extension. It is noted that the proposed front elevation window is for a toilet, to protect the privacy of the occupiers a condition will be implemented to ensure the window is obscurely glazed.

5.11 Overall, it is considered that there will be adequate private amenity space remaining for the present and future occupiers of 19 Bibury Crescent. Furthermore, it is considered that the proposal accords with saved policy H4 of the adopted Local Plan.

5.12 Transport

No new bedrooms are proposed within the development, furthermore the proposed extension does not affect the existing parking provision. Thus there are no transportation objections to the proposal.

5.13 Other Matters

It is noted that an objector raises the point that the proposal will not comply with the conditions outlined within Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015; officers already consider it is important for materials to match. However, it should be noted that as the proposal is not being considered against the Town and Country Planning (General Permitted Development) (England) Order 2015.

5.14 Secondly, an objector is concerned about the potential for guttering to overhang, the plans submitted show the works will take place within the applicants' curtilage however an informative will be added to the decision notice reminding the applicant to consider the Access of Neighbouring Land Act 1992 and the Party Wall Act 1992.

5.15 Thirdly, a neighbouring resident has concerns regarding the noise and duration of the contractor's activities, and request that should permission be granted that the hours of construction are restricted. Officers will condition the hours of construction.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application is **APPROVED** with the following conditions.

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed ground floor window on the north-eastern (front); elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed'..

Reason

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

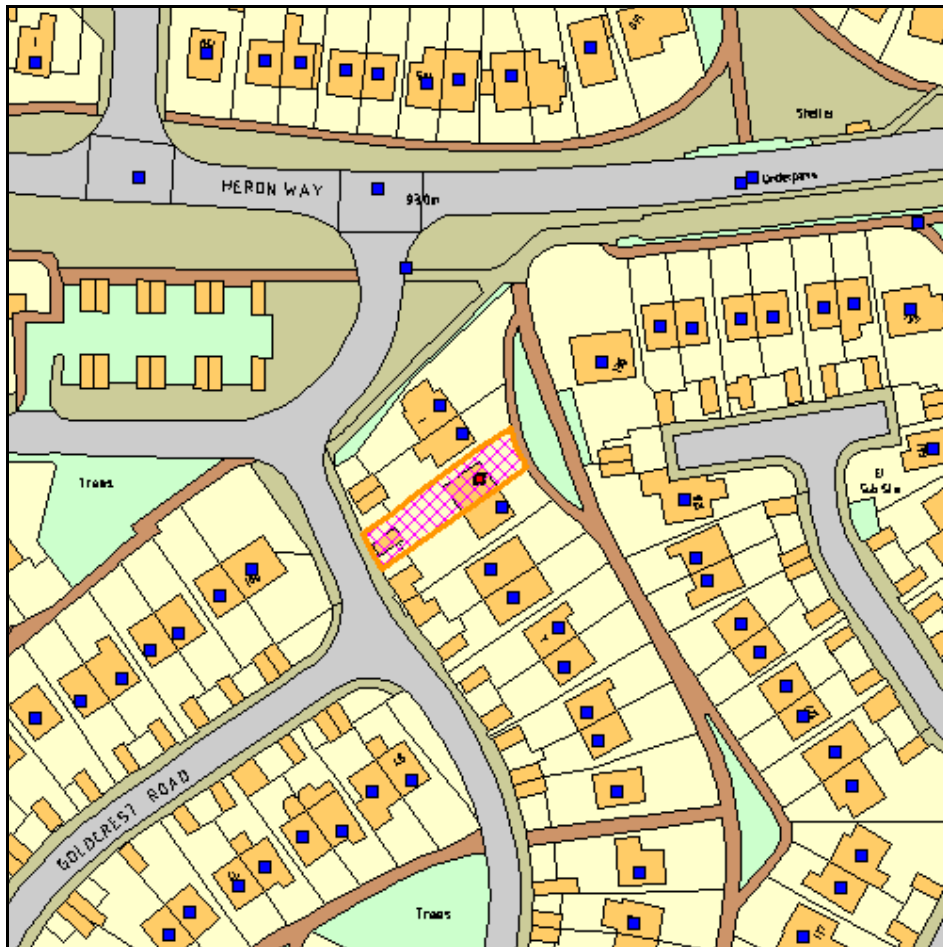
4. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: 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. 45/16 – 11 NOVEMBER 2016

App No.:	PK16/5644/F	Applicant:	Mrs Warrin
Site:	3 Goldcrest Road Chipping Sodbury Bristol South Gloucestershire BS37 6XF	Date Reg:	17th October 2016
Proposal:	Extension of existing detached garage to form double garage.	Parish:	Dodington Parish Council
Map Ref:	371826 181337	Ward:	Chipping Sodbury
Application Category:	Householder	Target Date:	8th December 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has been subject to representations contrary to the findings of this report. Under the current scheme of delegation it is required to be taken forward under the Circulated Schedule procedure as a result.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the extension of an existing garage to form a double garage at No.3 Goldcrest Road, Chipping Sodbury.
- 1.2 The application site consists of the northern portion of a 1970s semi-detached pair, set within a relatively long, narrow plot. The main dwelling is finished in buff brick with a single gable, tiled roof. Goldcrest Road runs along the western boundary of the application site, to the rear of the main dwelling. The road slopes downwards from north to south, with properties located further along the road holding a more elevated position than the subject property. An existing single garage and parking space are located at the very rear of the garden, and front on to Goldcrest Road. The existing garage is finished in faced brick with a flat, fibreglass roof.
- 1.3 Express planning permission is required as the extended garage as proposed would exceed 3m in height, with an eaves height of more than 2.5m.
- 1.4 Amended plans were received by the Local Authority on 1st November 2016. The amended plans involved the stepping in of the north facing elevation of the extended garage by approximately 300mm, away from the boundary with the neighbouring property to the north at No.2 Goldcrest Road. This amendment allows for the boundary wall (under the ownership of No.2) that separates the application site and an area of hardstanding at No.2 to be retained. This was in response to an objection made on behalf of the occupier of the neighbouring property concerning the lack of 'Party Wall' consent.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance (2014)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages

T12 Transportation

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP8 Residential Amenity

PSP38 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

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

3. RELEVANT PLANNING HISTORY

- 3.1 The application site has no planning history.

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council

After discussion it was resolved that there were no issues with the extension of the garage. There was some concern over the boundary wall though - and whether it would be safe if left standing unsupported. Members understand concern of neighbour at number 2 about it being boundary wall - but at the same time it needs to be safe for everyone.

4.2 Other Consultees

Sustainable Transport

No objection – Subject to the condition that the garage is kept for the parking of motor vehicles only.

Other Representations

4.3 Local Residents

Two comments of objection were submitted on behalf of the occupier of a neighbouring property. The first comment relates to the original plans, with the second comment relating to the amended plans.

- 4.4 The first objection comment outlined the inclusion of the existing boundary wall as part of the original plans. This wall is under the ownership of No.2 Goldcrest Road, and it is not the intention of the occupier for the ownership to change. Concerns were also raised over the potential for the roof of the extended garage to overhang the boundary, which was not considered acceptable. Additionally, concerns were raised relating to the levels of encroachment to the boundary with No.2. It was suggested that were a distance of 600mm to be maintained, then there would be no objection. Amended plans were received by the Local Authority on 1st November 2016. These amended plans involved the stepping in of the north facing elevation of the extended garage by approximately 300mm, thus retaining the existing boundary wall.

- 4.5 Following the submission of amended plans, an amended comment of objection was received. Whilst the amended plans addressed the issue relating to the retention of the wall, concerns remained over the distance between the extended garage and the boundary, due to the potential for damage to occur to the existing boundary wall. It was outlined that a distance of 600mm would be considered acceptable.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for extension of an existing detached garage. Saved policy H4 of the Local Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. As well as the criteria of saved policy H4, the proposal will be considered with regards to design against policy CS1 of the Core Strategy. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and saved policy H4 of the Local Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.3 The existing garage incorporates a flat roof, with an overall height of approximately 3.4m. The existing garage has an approximate width of 3.4m, and length of 7.2m, with a 2.8m wide metal up and over garage door. The proposal seeks to extend the garage in a northwardly direction, in to an area currently making up part of the rear garden of the property. The extended garage as proposed would have a flat roof, and would be equal in height to the existing garage at approximately 3.4m. According to amended plans, the extended garage as proposed would have an approximate width of 5.8m, and length of 7.2m, with a new 4m wide UPVC electric roller door.

- 5.4 By virtue of the location of the garage to the rear of the application site, it is not considered that the proposal would have any impact on the streetscene or character of the immediate surrounding area when viewing from the front (east) elevation of the main dwelling. However the garage fronts on to the public area of the highway (Goldcrest Road) to the west of the application site. Therefore it is acknowledged that the proposal would impact upon the streetscene when viewing from Goldcrest Road itself.

- 5.5 Whilst there is no clear precedent for extended garages along Goldcrest Road, it is not deemed that the extended garage as proposed would appear overly dominant. As the garage is detached and not part of a pair, its extension would not result in a loss of balance between a pair of garages. Furthermore, as the height of the extended garage would not exceed the height of the existing garage, it is deemed that the garage as proposed would continue to follow the sloped nature of Goldcrest Road. Additionally, the materials proposed to finish

the extended garage would match those used to finish the existing garage. Overall, it is considered that the proposal satisfies the design related criteria set out in policies CS1 of the Core Strategy and H4 of the Local Plan.

5.6 Residential Amenity

Saved Policy H4 of the Local Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space.

5.7 When assessing the impacts of the proposal on the residential amenity of neighbouring properties, the main property under consideration is the neighbouring property to the north at No.2 Goldcrest Road. When considering the impacts of a garage extension on residential amenity, the main factor under assessment is the potential sense of overbearing brought about by the extended portion of the garage. It is acknowledged that following the submission of amended plans, the distance between the garage and the boundary with No. 2 would still be significantly reduced as part of the proposal. However by virtue of the retention of a 3.4m height of the garage, it is not deemed that the extension of the garage would result in significant sense of overbearing and resultant loss of residential amenity. In addition to this, the affected area of land at No. 2 is currently used as hardstanding for the parking of vehicles, and is not considered to be outdoor private amenity space.

5.8 It is recognised that the extension of the garage would result in a loss of outdoor private amenity space at the application site. However it is deemed that sufficient levels of outdoor private amenity space would remain at the site following the extension of the garage. Overall, in terms of residential amenity it is considered that the proposal conforms to criteria set out in policy H4 of the Local Plan.

5.9 Transport

Whilst it is noted that the extended garage would impact upon visibility along Goldcrest Road when egressing from No.2, it is deemed that this impact is not significantly greater than the impact of the existing boundary wall. As such, it is not deemed that the proposal would significantly impact upon highway safety.

5.10 South Gloucestershire residential parking standards outline that, as the property is a 3-bed property, provision must be made for a minimum of 2 off-street parking spaces. The standards also outline that in order for a garage to be considered as an off-street parking space, it must measure a minimum of 3m x 6m in the case of a single garage, and 5.6m x 6m in the case of a double garage. Therefore the existing garage is sufficiently large as to provide 1 space, whereas the extended garage is sufficiently large as to provide 2. However as the proposed new garage door would only measure a width of 4m, the extended garage is considered to still provide 1 off-street space. As such, parking arrangements at the application site would remain unaltered, with a parking space within the garage and an outdoor parking space located to the south of the garage. The retention of 2 off-street parking spaces at the site is deemed to be acceptable.

5.11 However in line with the transport officer comments for this application, a condition will be attached to any decision requiring the extended garage to be retained for the parking of private motor vehicles. This is to ensure that a minimum of 2 off-street parking spaces are provided at the site; meeting the Council's parking standards.

5.12 Objection Comments

Following the submission of amended plans, it is deemed that the concerns raised regarding the loss of boundary wall and potential overhanging have been addressed. With regard to the distance between the extended garage and the boundary with No. 2 Goldcrest Road, it is considered that the extension of the garage to within approximately 300mm of the boundary would not have any significant detrimental impacts on residential amenity. With regard to concerns surrounding damage to the boundary wall, this is deemed to be a civil matter as opposed to a planning matter, and is an issue that will be dealt with by a Building Regulations Officer.

5.13 Consultee Comments

It is noted that the Parish Council have raised concern over the stability of the existing boundary wall. However this is deemed to be a civil matter as opposed to a planning matter, and will not be assessed within the remit of this application. The structural stability of the existing boundary wall, and the impacts that the proposed garage extension could potentially have on this, is an issue that will be dealt with by a Building Regulations Officer.

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 included on the decision notice.

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

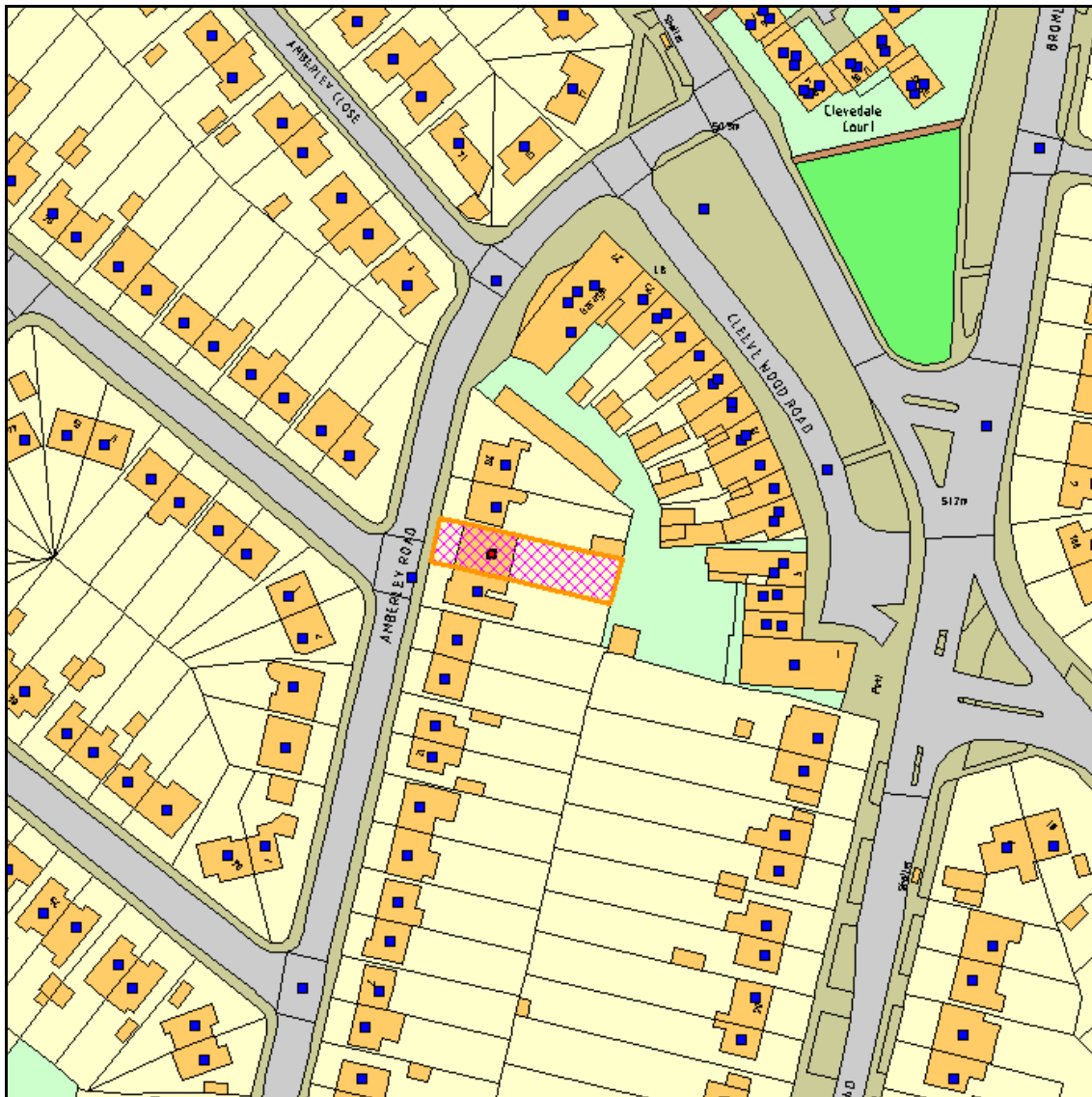
2. A minimum of 2 off-street parking spaces shall be provided at the site following the completion of the proposed works. This includes the retention of the extended garage for the primary purpose of parking private motor vehicles in association with the adjoining residential property.

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. 45/16 – 11 NOVEMBER 2016

App No.:	PK16/5894/NMA	Applicant:	Mr And Mrs N And M Hall
Site:	22 Amberley Road Downend Bristol South Gloucestershire BS16 2RP	Date Reg:	
Proposal:	Non material amendment to planning permission PK16/0983/F to add window to side elevation	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364605 177247	Ward:	Downend
Application Category:	Non-material amendment	Target Date:	18th November 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to an objection received from a neighbouring resident.

1. PROPOSED CHANGES TO ORIGINAL PERMISSION

- 1.1 This application seeks the view of the Local Planning Authority as to whether a proposed change to a previously approved planning permission would be material or not.
- 1.2 Planning permission PK16/0983/F granted planning permission on 29th April 2016 for the 'Demolition of existing garage and erection of two storey side extension to form additional living accommodation and store' at 22 Amberley Road in Downend.
- 1.3 The following amendment to PK16/0983/F is now sought to the approved development:
 - Add a side elevation window.

2. PLANNING HISTORY

2.1 PK16/0983/F Approved with Conditions 29/04/2016

Consultation Replies

Downend Parish Council

No objection.

Sustainable Transport Officer

Parking plan requested.

Local Residents

No comments received.

3. PUBLIC COMMENTS

- 3.1 One objection comment to this non-material amendment from the adjacent neighbour the comments raised are as follows:
 - *the room is a play room, the noise which will emanate from this room will be great.*
 - *the proposed window is right on the boundary and an opening window this close will have a detrimental impact on my privacy.*
 - *the window will look directly into a habitable room in my property, whilst the frosting will stop overlooking I feel the window will be detrimental to my enjoyment and the only way to stop this is to make it non-opening.*

4. **ASSESSMENT**

- 4.1 In assessing this request consideration is given to whether the changes will have any material impact on the appearance of the resultant dwelling and scope of the extant planning permission, the visual amenity of surrounding area, transportation and parking effect, or residential amenity.
- 4.2 The need for this non-material amendment has arisen because under Building Control have requested an additional window to facilitate ventilation and light into the proposed space. The proposed window will be on the side elevation and will be high level and opaque glaze and will tilt inwards to open.
- 4.3 The proposed change has raised an objection comment from a neighbouring resident regarding the harm it will have on their residential amenity.
- 4.4 No conditions were attached to the original planning permission to prevent the installation of new windows or to remove permitted development rights. It is therefore the case that the proposed amendments could be made once the works are substantially complete without the need for planning permission as the development would be permitted development by virtue of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 4.5 Whilst an objection has been made it is considered that because the amendment could be carried out at a later date without planning permission the proposed amendment is considered non-material.

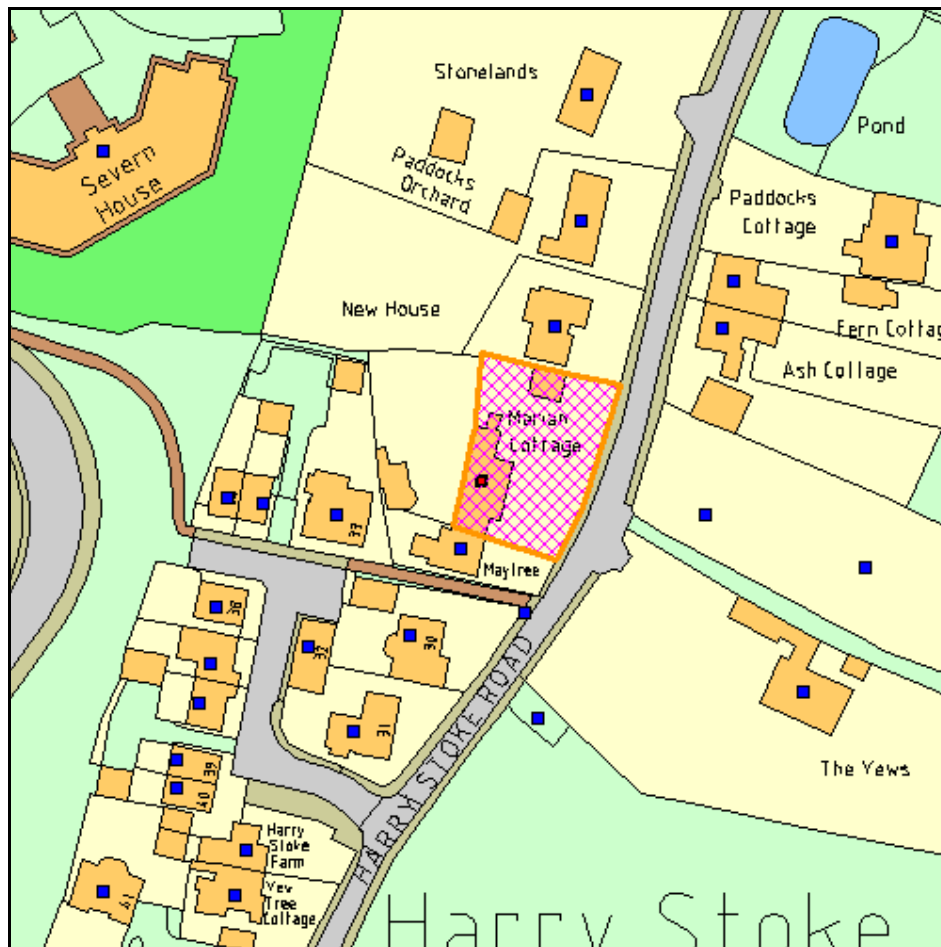
5. **RECOMMENDATION**

- 5.1 It is recommended that **NO OBJECTION** be raised to this application and the non-material amendment be granted.

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/4265/F	Applicant:	Mr Lee Gilpin
Site:	Marian Cottage Harry Stoke Road Stoke Gifford Bristol South Gloucestershire BS34 8QH	Date Reg:	21st July 2016
Proposal:	Erection of front and side extensions and alterations to raise the roofline to provide additional living accommodation. Demolition of existing garage and erection of replacement double garage.	Parish:	Stoke Gifford Parish Council
Map Ref:	362072 178891	Ward:	Frenchay And Stoke Park
Application Category:	Householder	Target Date:	12th September 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representations have been received which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the demolition of an existing garage and the erection of a replacement double garage. The application also seeks to erect front and side extensions to raise the roofline to provide additional living accommodation.
- 1.2 The application relates to a semi-detached cottage situated within a spacious plot on the west side of Harry Stoke Road in the defined Stoke Gifford settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
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
CS25	Communities of the North Fringe of Bristol Urban Area

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4	Residential Development within Existing Residential Curtilages
T12	Transportation Development Control Policy for New Development
L9	Protected Species

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standard (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/3111/NMA No Objection 04/02/2011
Non material amendment to PT08/1401/F to change the size and position of the approved fenestration
- 3.2 PT08/1401/F Approved with Conditions 04/07/2008
Erection of single storey side extension to provide additional living accommodation
- 3.3 PT05/3306/F Refused 15/12/2005
Demolition of existing garage to facilitate erection of new dwelling with integral garage, landscaping, changes to existing and formation of new access. (Resubmission of PT05/2028/F).
- APP/P0119/A/06/2010126/WF
Appeal dismissed.*
- 3.4 PT05/2028/F Withdrawn 08/08/2005
Demolition of existing garage to facilitate erection of new dwelling with integral garage, associated landscaping and formation of new access.
- 3.5 P86/2608 Approved 26/11/1986
Reconstruction of existing single storey side extension to form lobby with toilet.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No comment received.

- 4.2 Other Consultees

Transportation DC
No objections.

Ecologist

Objection:

Possibility of bats using main house as a roost so a Bat Roost Inspection was recommended. No ecological objection to any work being undertaken to garage.

Update:

Preliminary Ecological Appraisal submitted 02/11/2016 (prepared by Brindle & Green Ecological Consultants).

Building is judged to have negligible roost potential for bats so there is no ecological objection subject to a Condition.

Other Representations

4.3 Local Residents

Two letters have been received from local residents, one neutral and the other an objection. The comments are summarised as follows:

- Replacement garage will overshadow and overbear the New House and its rear garden (reference made to appeal decision APP/P0119/A/2010126).
- Applications across the road refused due to inadequate consideration of ecological constraints. No ecological information provided.
- Scale of the proposal detrimental to semi-rural feel of area.
- Plans do not include measurements.
- Unclear where rear wall of the front and side extensions will be.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of front and side extensions to raise the roofline to provide additional living accommodation, and the demolition of an existing garage and its subsequent replacement. Saved policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 permits this type of development in principle subject to criteria relating to residential amenity, highway safety, and design.

5.2 Design

The application relates to a modest double storey semi-detached cottage, stone fronted and rendered to the side and rear. The site is situated within a large and spacious plot on the west side of Harry Stoke road, Stoke Gifford. Views of the building are relatively prominent from the highway, in particular views from the east.

5.3 The garage would be visible in views from the highway along the private driveway. The elevation facing the highway would be simple, gabled and finished in stone to match the main property. Remaining elevations would be rendered. It replaces a smaller double garage. It is considered that although the proposed garage would be larger and higher than the existing, the scale and proportions of it would remain visually subservient to the host dwelling, and due to its simple form, would not appear adversely incongruous or out of keeping in its setting. The design and scale of the garage is therefore considered acceptable.

5.4 The proposed extensions are retained to the side will an infill pitched extension to bring the front building line flush and gabled extensions to raise the roofline in order to convert the roofspace. Plans indicate that the front elevation would be finished in stone and the remainder in render to reflect the existing.

5.5 It is considered that although the dwelling would, as a result of the extensions, be noticeably larger in particular views from the east, it is not considered that this would detract from the character of the site or the locality given the spacious nature of the plot. It is noted that the original cottage was restrictive in scale and as such, with previous permissions, and now this proposed development, would provide an opportunity to expand and adapt. Overall,

whilst the proposed extension is large, it is considered that the development would respect the character of the site in this locality and as such there are no objections on grounds of design.

5.6 Residential Amenity

The application site is border to the south and west by the attached neighbour, Maytree, and to the north by New House. New House is set on slightly lower ground than the application site. The proposal is to erect front and side extensions to raise the roofline and replace the garage.

5.7 Given the distance between properties across the road, there would be no adverse impact on these neighbours following the development.

5.8 The proposed extensions would increase the height and massing at the side of the building, adjacent to the attached neighbour's rear garden. In terms of loss of light, the extensions may have some limited impact on morning light entering the rear garden of Maytree, but this would not be significant such that their amenity would be prejudiced. Two rooflights will also be introduced into the rear roofslope, but these are not considered to result in any unacceptable levels of overlooking.

5.9 The other main consideration is the impact of the replacement garage on the occupiers of New House. It is noted that these residents have raised residential amenity concerns, specifically overbearance and loss of light, and argue it would have the same impact as a two-storey dwelling dismissed at appeal in 2006. Officers do not consider the impacts to be comparable, but the impacts of the replacement garage are considered below.

5.10 The neighbour's comments are acknowledged, however, on consideration of the proposed development, it is not considered that the replacement garage would have a detrimental impact on the living standards of these occupiers. The proposed garage would have a greater depth and height than the existing and would be to the south of New House so the additional massing may increase existing overshadowing experienced to the side of the neighbouring dwelling. New House does have a side door and a ground floor window in the side elevation, but given these are secondary openings, these would not warrant a refusal nor is it considered that the proposal would have any appreciable impacts on existing levels of natural light entering the rear garden when the garage would not extend beyond the front or elevations of this neighbour. The plans also show a double set of doors and a kitchen window proposed in the main house facing this neighbour, but given the distance and 1.8 metre high stone walling, it is not considered that they would prejudice existing levels of mutual privacy. Accordingly, there are no objections on grounds of residential amenity.

5.11 Highway Safety

The applicant seeks to erect front and side extensions, demolish the existing garage and erect a replacement double garage. The proposals would increase the number of bedrooms within the dwelling to 5. South Gloucestershire Council's minimum parking standards state that a 5 bed dwelling requires 3 off

street parking spaces. These are provided within the proposed new garage and on the driveway. As such, there are no transportation objections.

5.12 Ecology

The Council Ecologist was consulted in response to a local resident's comments relating to the possibility of ecology on the site. It was recommended that a bat survey be carried out on the main house in order to ensure that no offence is committed with regards to the possibility of bats using the house as a roost. No ecological objection was raised to any work being undertaken on the garage.

- 5.13 A Preliminary Ecological Appraisal was submitted on 02/11/2016 (prepared by Brindle & Green Ecological Consultants). The appraisal found much of the roof has been renovated within the last 6 years, with tiles and soffits fitting tightly, thereby not allowing access to crevice dwelling bats. However, there are some localised features that provide low potential on the gable of the south western elevation. These features were where the gable edge tiles had lifted and crumbled mortar allowed access for crevice dwelling species. This part of the building will not be impacted by development. Internal inspection did not find any historical or recent evidence of bats. The roof void near the localised low potential roost features has undergone recent renovation to incorporate upstairs bedrooms and no evidence of bats was found. The building is therefore judged to have negligible roost potential for bats and as such, there is no ecological objection to this application. Precautionary measures recommended in the Appraisal have formed the basis of a condition to be attached to the decision though.

5.14 Other Matters

Comments received have stated that new development would change the nature of the semi-rural aspect setting of the neighbourhood. It must be noted that the application site is to the side of an existing dwellinghouse and replacing an existing garage so only part of the garden would be further built upon and as such, the semi-rural setting of the area would not be entirely lost.

- 5.15 Comments were received from a local resident that no dimensions were shown on the plans. All plans submitted accompanying a planning application must be in a metric scale and this was the case in this instance.

- 5.16 Additional concerns were raised relating to whether the existing rear wall of the main house will be moved further west. Plans indicate that the existing rear building line will be retained.

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/refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

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

7. RECOMMENDATION

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

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. A level 2 bat licenced ecologist must be present during the soft stripping of the northern elevation of the gable (Section 2 in Figure 2 of the Preliminary Ecological Appraisal (Brindle & Green, October 2016). If bats are encountered works must stop immediately and advice be sought from Natural England.

Reason

To ensure the works are carried out in an appropriate manner, and to accord with saved Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/4440/FDI	Applicant:	Redrow Homes Ltd
Site:	Land At Playing Fields Bonnington Walk Stoke Gifford South Gloucestershire BS16 1FD	Date Reg:	28th July 2016
Proposal:	Diversion of footpath LSG 29/10	Parish:	Stoke Gifford Parish Council
Map Ref:	361138 177827	Ward:	Frenchay And Stoke Park
Application Category:		Target Date:	19th September 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Under the current scheme of delegation all footpath diversion orders are required to be determined by the circulated schedule process.

1. THE PROPOSAL

- 1.1 The application is made under Section 257 of the Town and Country Planning Act 1990 (as amended) for the diversion of footpath LSG 29/10.
- 1.2 The proposed diversion is required to facilitate the implementation of approved development for the erection of 95 dwellings (application PT14/2849/F); and the erection of 152 dwellings (application PT15/0510/F) at the Bonnington Walk and Lockleaze Recreation Ground playing fields respectively.
- 1.3 The affected route LSG 29/10, extends from the end of Landseer Avenue, north, adjacent to the Bristol/South Gloucestershire unitary boundary, before wrapping around Stanley Cottages and connecting to footpath LSG 33; a total distance of approximately 480 metres. The proposed route also extends from Landseer Avenue to Stanley Farm, but it is a more direct route at approximately 424 metres in length.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Town and Country Planning Act 1990 (as amended) Section 257
Circular 01/2009 Rights of Way
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment and Heritage
CS25 Communities in the North Fringe of Bristol Urban Area

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)
LC12 Recreational Routes
T6 Cycle Routes and Pedestrian Routes
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/2849/F, Demolition of existing changing rooms and clubhouse and proposed development of 95no. dwellings, provision of sports centre, all weather pitches, grass pitches, multi-use games area, car parking, new informal and formal public open space, car parking and other ancillary development - site falls within South Gloucestershire and Bristol City Council areas. (Major application) The development to be considered by South Gloucestershire Council comprises 95 dwellings multi games arena, formal and informal open space and car parking, approved on 31st July 2015.

- 3.2 PT15/0510/F, Demolition of existing Rugby Clubhouse buildings (The Dings, subject to separate relocation application PT15/0493/F) and erection of 152no dwellings, with open space, sustainable urban drainage, vehicular and pedestrian access, landscaping, infrastructure and engineering works, approved on 4th April 2016.

4. CONSULTATION RESPONSES

- 4.1 Filton Parish Council
No comments received
- 4.2 Stoke Gifford Parish Council
No comments received

Other Representations

- 4.4 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The diversion of a Public Right of Way is not development as defined in the Town and Country Planning Act. As such, a diversion order can only be considered within planning legislation when the diversion of the footpath is required in order to allow the implementation of a planning permission. The nature of the assessment should consider the proposed route and its suitability in terms of the amenity of the public right of way and whether or not the diversion is reasonable in respect of the planning permission it relates to.
- 5.2 The Proposal
The existing footpath LSG 29/10 is required to be diverted because the implementation of residential development approved at the Bonnington Walk and Lockleaze Recreation Ground playing fields would make the existing path unviable.
- 5.3 Negotiations took place between the Planning Authority and the developer during the consideration of the planning applications for residential development in conjunction with advice from the Council's Public Rights of Way Officers to agree an acceptable diversion route. Therefore, at the Bonnington Walk site, the diversion is a direct north to south route, which extends along a radial road through the centre of the residential development. Although estate roads are normally avoided, the route proposed is tree lined and separated from the highway by a verge. It is also a direct route, which will provide views of the grade II listed building Stanley Farmhouse to the north.
- 5.4 At the Lockleaze Recreation Ground site, the path is diverted onto a 2 metre wide pathway which predominately extends through POS. The route, which is direct and located within a landscaped green corridor, will provide a good level of amenity for future users.

- 5.5 The proposal links acceptably to the wider PROW Network.
- 5.6 Given the above, it is considered that the diversion is suitable in terms of amenity and utility and is necessary as development approved at the playing fields would make the existing route unviable.

6. CONCLUSION

- 6.1 The recommendation to raise no objection has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (adopted) January 2006 set out above, and to all material considerations set out in the report.
- 6.2 The proposal is considered to satisfactorily comply with Circular 01/09 and Policy L12 of the South Gloucestershire Local Plan (adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 as the utility and amenity of the route would be retained and CS25.

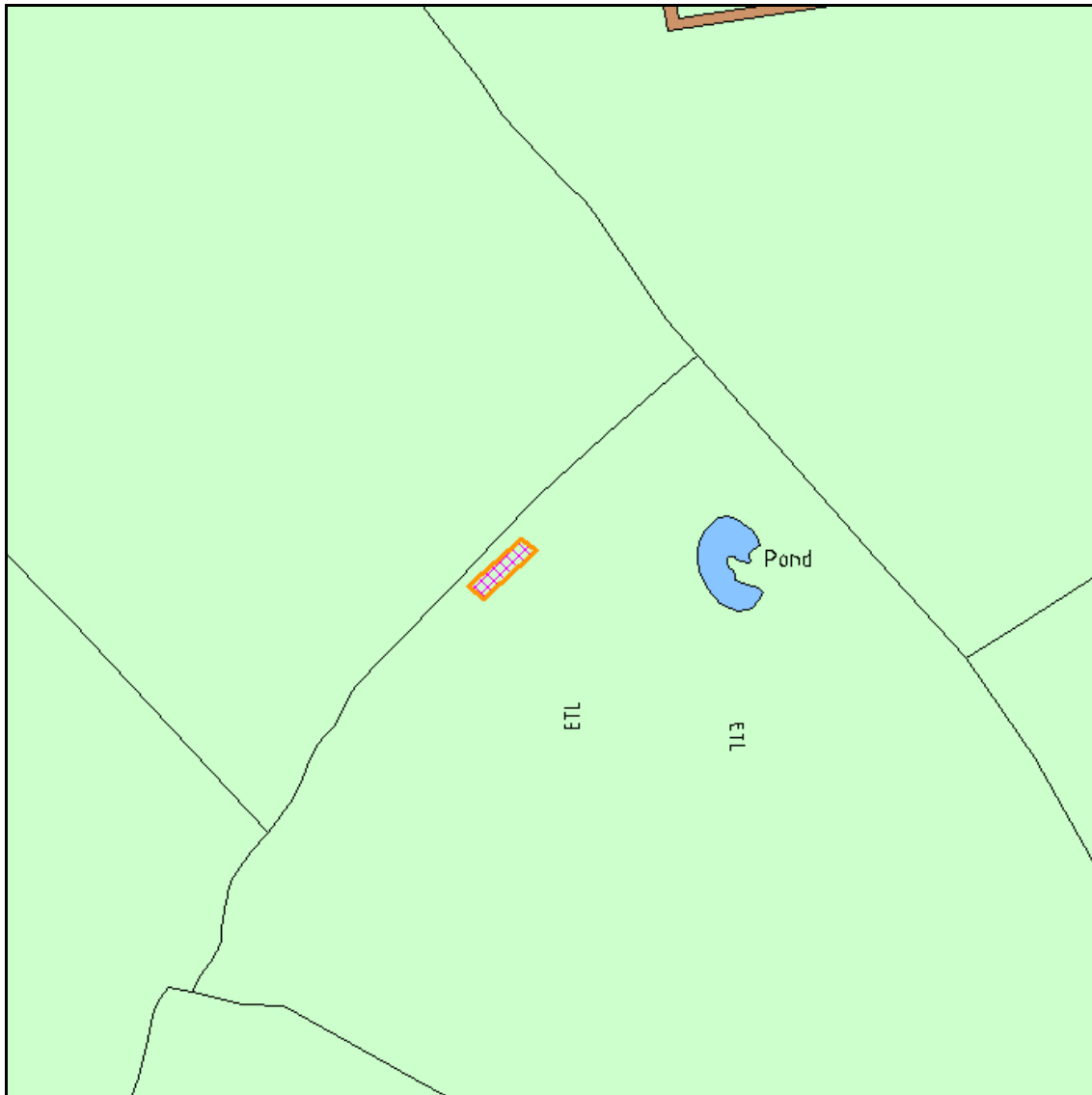
7. RECOMMENDATION

- 7.1 That no objection be raised to the proposed diversion of footpath LSG 29 and that the Head of Legal and Democratic Services be instructed and authorised to make an Order under Section 257 of the Town and Country Planning Act 1990 for the diversion of footpath LSG 29 as illustrated on the layout plan submitted (no. 3105_PA 150 E) received by the Council on 7th November 2016.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/4571/F	Applicant:	Ms Abigail Frary
Site:	Land At Wapley Hill Westerleigh South Gloucestershire BS37 8RJ	Date Reg:	15th August 2016
Proposal:	Siting of 1no. residential mobile home for agricultural use (for temporary 3 year period).	Parish:	Dodington Parish Council
Map Ref:	371373 179497	Ward:	Westerleigh
Application Category:	Minor	Target Date:	10th October 2016



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REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of a letter in support of the application from a local resident; the comments made being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks a temporary 3 year planning consent for the siting of a mobile home to support the future development of an existing farming enterprise.
- 1.2 The application relates to 14.7 ha (36 acres) of land at Dana Hill Farm, off the B4465, Wapley Hill. The site lies within the open countryside and the Bristol & Bath Green Belt. There is an existing gated access and track off the B4465.
- 1.3 The application is supported by the following documents:
 - Business Plan
 - Financial Data
 - Security Details
 - Vets Letter
 - Supporting Statement
 - Land Use Statement

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
H3 Residential Development in the Countryside
T12 Transportation Development Control Policy for New Development
L1 Landscape Protection and Enhancement
L9 Protected Species
EP2 Flood Risk and Development

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013
CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Areas
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD Adopted Dec. 2013
Development in the Green Belt SPD Adopted June 2007

Emerging Plan

- 2.4 Proposed Submission : Policies, Sites and Places Plan June 2016
PSP2 Landscape
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP41 Rural Workers Dwellings
PSP43 Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/0119/F - Erection of 37m high wind turbine with ancillary works.
Allowed on appeal Nov 2013
- 3.2 PK14/1112/F - Erection of an agricultural building.
Approved 1st Sept. 2014
- 3.3 PK15/3242/PNA - Prior notification of the intention to erect an agricultural barn for the keeping of livestock.
Approval not required 24th August 2015
- 3.4 PK15/3273/PNA - Prior notification of the intention to erect an agricultural barn for the keeping of livestock.
Approval not required 24th August 2015

The two barns granted under PNA have yet to be erected.

4. CONSULTATION RESPONSES

- 4.1 Doddington Parish Council
This application was considered by members at a meeting of the full council on 24th August 2016. After careful consideration it was resolved to make the following comments:- It was felt that an Agricultural Viability Report should have been included with the application, within the supporting information there were brief details about profit and loss - but this couldn't be found anywhere amongst other documents, so please could something more robust than the Vets comments be sought.....to see if this is viable. Members weren't comfortable with the application as it stands - without these reports. However - if you are moved to allow planning - they really feel that a condition needs to be put in place to state that it is temporary.....and for a set number of years until business is up and running satisfactorily
- 4.2 Other Consultees
- Wessex Water
No response

Highway Structures

No comment

Lead Local Planning Authority

No objection

Landscape Officer

The proposed mobile home will not have an adverse effect on the landscape character of the area and will be in accordance with Policies L1 and CS1.

Fisher German

Our client's apparatus may be affected. It appears that the proposal would be sited within 3m a pipeline.

Transportation D.C.

No objection subject to a condition to ensure that the first 12m of the access is hard surfaced.

Other Representations

4.3 Local Residents

1no. response was received from a local resident who supports the proposal. The comments made are summarised as follows:

- Ms Frary has greatly improved the site.
- The need to live on site is essential for animal welfare and security reasons.
- Small rural businesses should be supported now that we are leaving the EU.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para. 14 of the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

5-Year Land Supply

5.2 The Council's Annual Monitoring Review (AMR) reveals that the Council cannot currently demonstrate a 5-year housing land supply. As there is provision for windfall sites in the calculation, this to some extent, weighs in favour of the proposal, which would make a positive contribution (by freeing up more permanent accommodation elsewhere), to the housing supply within South Gloucestershire albeit a very small one; as such para. 14 of the NPPF is

therefore engaged and officers must in this case consider how much weight to give to this in determining this application. Whilst the lack of a 5-year housing land supply is a material consideration that would weigh in favour of the proposal this would not in itself amount to a very special circumstance to outweigh harm to the Green Belt by reason of inappropriateness and any other harm. In this case the contribution that 1no. mobile home would make to the 5-year housing supply would be a benefit but only a very small one, to which officers can only give very modest weight.

- 5.3 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. It should be noted that the original policies relating to housing provision and settlement boundaries have now been removed from the PSP Plan and these will now be progressed through a separate plan. There is however a specific policy PSP41 which relates to Rural Workers Dwellings.
- 5.4 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.5 Core Strategy Policy CS5 6(C) requires proposals for development in the Green Belt to comply with the provisions of the NPPF. Policy CS8 (1) does not support proposals which are car dependant or promote unsustainable travel behaviour.
- 5.6 Impact on the Openness of the Green Belt
Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.7 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 87).
- 5.8 The five purposes of including land within the Green Belt are listed at para. 80 of the NPPF and are as follows:
- To check the unrestricted sprawl of large built up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.9 Para. 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions amongst which are :
- Buildings for agriculture and forestry.

Officers consider that notwithstanding the fact that the proposed mobile home would be occupied by an agricultural worker; the development is not a building for agriculture *per se* and as such is inappropriate development in the Green Belt. The onus is therefore on the applicant to demonstrate the very special circumstances required to overcome the harm to the openness of the Green Belt by reason of inappropriateness or any other harm. In order to do this, the applicant must demonstrate that there is an essential need for an agricultural worker to live on site and that the proposal is sustainable. These matters are covered below in the agricultural needs assessment.

Analysis

- 5.10 The application site is located within the open countryside. Subject to specified exceptions, including housing for agricultural workers, saved Policy H3 of the South Gloucestershire Local Plan does not permit proposals for new residential development outside the existing urban areas and defined settlement boundaries. However, that policy does not specify any criteria for the assessment of such schemes. The policy accords with the thrust of national planning policy in the NPPF in that regard. Paragraph 55 of the National Planning Policy Framework states that, to promote sustainable development in rural areas, new isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.
- 5.11 Prior to the introduction of the Framework, advice on what factors should be considered when assessing for a new permanent dwelling to support existing agricultural activities on well-established agricultural units was contained in Annex A to PPS7. However PPS7 was cancelled by the Framework but it has since been established at appeal (see APP/P0119/A/12/2185931 – Plough Farm, Old Sodbury) that the test previously used in Annex A of PPS7 remains a suitable starting point to assess essential need, subject to some flexibility in its application to individual cases. Annex A of PPS7 required that it be demonstrated that the following criteria can be satisfied:
- (i) There is clearly established existing functional need
 - (ii) The need relates to a full time worker, or one which is primarily employed in agriculture and does not relate to part time requirement
 - (iii) The units and the agricultural activity concerned have been established for the last 3 years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so
 - (iv) The functional need could not be fulfilled by another existing dwelling on the site, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
 - (v) Other planning requirements e.g. in the relation to access or impact on the countryside are satisfied.
- 5.12 In accordance with NPPF Para. 55, the key issues to consider are whether or not there is an essential need for residential accommodation in association with the existing/proposed enterprise and whether or not the proposal is sustainable.

- 5.13 To assess the current proposal, the views were solicited of a specialist Agricultural Consultant from 'Acorus Rural Property Services Ltd'. who is regularly consulted by the Council on these types of applications, and the following is based on his assessment as to whether or not there is an essential need for a key worker to live at or near to the place of work in the countryside.

The Existing Enterprise

- 5.14 Over a period of three years, a flock of 30 breeding ewes and a number of rams has been established. A number of temporary field shelters have been erected. Shearing is carried out by a contractor. A number of established fruit and nut trees have also been planted along with various fruit bushes.

The Proposed Enterprise

- 5.15 It is intended to increase the overall sheep numbers to 100 breeding ewes with rams. The applicant also intends to establish a small free range laying unit with 700 hens in 2016/17, increasing to 1000 hens in 2017/2018 and 1200 hens in 2018/2019.

Buildings and Services

- 5.16 Apart from the temporary shelters, the only building on the holding is a 5m x 12.5m barn which was granted planning permission in 2014. It is intended to use this building for lambing and general storage. A caravan is located on the holding but is apparently used only for agricultural storage. The two 10m x 20m agricultural buildings granted under PK15/3273/PNA and PK15/3242/PNA are yet to be erected. Whilst the existing building could be better utilised to provide storage for feed, bedding and machinery (once purchased), a building is certainly needed for the free range enterprise to commence.
- 5.17 Overall, there is currently insufficient infrastructure to enable the business to operate in line with the three year plan.

Labour

- 5.18 The activity is run on a day-to-day basis by the applicant; her partner, who works away, assists at times, typically weekends and outside of his normal working hours. The intention is for the unit to provide employment and income for both the applicant and her partner on a full time basis. An agricultural contractor is used for ditching, hedge cutting, hay making and baling/wrapping hay bales.

Dwellings Available to the Business

- 5.19 There is no on-site accommodation at the holding with the applicant residing in a property at Frampton Cotterell, some 7.9 km (4.9 miles) distant. The applicant's partner works away from home during the week as a poultry farmer in Yorkshire.

Functional Need

- 5.20 A functional test is needed to understand what it is about the running of the business that requires someone to be present most of the time. The Agricultural Consultant raises concerns about the low numbers of livestock proposed by the applicant to create an agricultural holding with a requirement

for an on-site presence 'most of the time'. Using a standard man days (SMD) calculation, the overall scale of operation both as existing and proposed, does not provide sufficient labour requirement for one full-time worker on the holding. Whilst the poultry and sheep activities could give rise to a functional need for a person to reside on-site in principle, the Consultant considers the scale to be too low and as a result the functional (essential need) test fails.

- 5.21 The applicant states that her partner is also due to join her to run the holding full-time but the holding proposed in its current form would not support the essential need element of two full-time persons.

Financial Liability

- 5.22 The applicant has provided some financial information, which for the purpose of this exercise is confidential. Nevertheless, the Agricultural Consultant has had full access to the figures and has visited the site and interviewed the applicant. In his opinion, the farm's profit level over the three years does not justify a return to labour for one person at national minimum wage (typically around £17,000), let alone being sufficient to support two people working at the holding as planned. The proposal does not therefore, in the Consultant's opinion, meet the sustainability element of Para. 55 of the NPPF.

Other Accommodation

- 5.23 The 'Rightmove' property website confirms that there are no other dwellings both suitable or available in the vicinity.

Conclusion

- 5.24 Whilst there appears to be an established operational activity on the site, the nature of the activity is limited and does not create a full-time labour unit.
- 5.25 The scale of the proposed venture is such that the standard man day requirement presents only 0.5 of a full-time worker at the holding. There is therefore no essential need for a person to live at or near their place of work.
- 5.26 With regards the financial test, the proposed business needs to be planned on a sound financial basis with clear evidence to support the point of sale, market demand and pricing and a detailed account of all anticipated variable and mixed costs. From the information provided, the proposal also fails the financial test.
- 5.27 The proposal fails to meet both the functional and sustainability tests and as such is contrary to Para. 55 of the NPPF.

Other Matters

Transportation Issues

- 5.28 There is an existing gated access into the site from the B4465 and track. Officers raise no objection to the use of this access, subject to a condition to ensure that the first 12m of the access track, when measured from the edge of the carriageway, is surfaced with bound material; this to avoid stone scatter on the highway. There is adequate parking and manoeuvring provision within the site. There are therefore no transportation objections.

Landscape Issues

- 5.29 The proposed mobile home would be screened in views from the wider landscape and public footpaths to the east, south and west by the robust network of hedgerows. In views from the B4465 the mobile home would be screened by two hedgerows which are being maintained at a higher height in order to provide windbreaks. Additional trees have been planted in the area to the north of the site; these include large trees and would effectively screen the mobile home. The proposed mobile home would not have an adverse effect on the landscape character of the area and would be in accordance with Policies L1 and CS1.

Impact on Residential Amenity

- 5.30 The site of the proposed development is considered to be too remote from the nearest residential properties as to have any adverse impact upon them.

Drainage and Environmental Issues

- 5.31 The site lies in Flood Zone 1 and is not prone to flooding. The site does not lie within a Coal Referral Area. It is proposed to dispose of foul waste to a Septic Tank and surface water to an existing watercourse; the Council's Drainage Engineer raises no objection to either.
- 5.32 Concern has been raised by Fisher German about the proximity of the proposal to a pipeline but the applicant has confirmed that the proposed Mobile Home would be in excess of 100m from the pipeline. The access track however would cross the pipeline but it is proposed to install an appropriate pipeline reinforcement pad; the site's owners have already been in contact with CLH regarding this matter.

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 application has been assessed in accordance with the requirements of NPPF Para. 55 using criteria previously established at appeal. An experienced Agricultural Consultant has concluded that the proposal fails both the functional and sustainability tests to justify the proposal in the open countryside.
- 6.3 As such there are also no very special circumstances to overcome the harm to the Green Belt by reason of inappropriateness contrary to NPPF Para. 88.
- 6.4 The recommendation to refuse 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 REFUSED for the reasons stated below:

Contact Officer: Roger Hemming
Tel. No. 01454 863537

REFUSAL REASONS

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework Para. 88 and South Gloucestershire Council 'Development in the Green Belt' (SPD) Adopted 2007.
2. The proposal specifically seeks consent for an agricultural workers dwelling. It is considered that the justification submitted with the application does not demonstrate an existing functional need for an agricultural workers dwelling at Dana Hill Farm or that the need relates to a full time worker. In addition it has not been demonstrated that the business has a clear prospect of being a viable business for the foreseeable future and is therefore not sustainable. As such the proposal is contrary to Policy H3 of the South Gloucestershire Local Plan (Adopted January 2006) and Para. 55 of the National Planning Policy Framework (NPPF).

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/4572/F	Applicant:	First Step Pre-school
Site:	Crossways Infants And Junior School Knapp Road Thornbury South Gloucestershire BS35 2HQ	Date Reg:	16th August 2016
Proposal:	Erection of single storey pre school building with enclosed external play area	Parish:	Thornbury Town Council
Map Ref:	364768 190183	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	10th October 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is circulated as a result of two objections from neighbours which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a replacement pre-school building which would increase the provision from the 20 places currently provided at the rear of the school to 40 spaces.
- 1.2 The new building will be located to the right hand side of the existing school gates on land currently landscaped with new trees and grass but not forming part of a play area. The building would be set 15m from the existing school boundary and have a foot print of 12m by 18.3m at its widest points. The building is part mono-pitched pitched roof with the ridge rising away from the road and part flat roofed closest to the school. Materials are detailed below.
- 1.3 The proposal is considered to generate a requirement for 4.5 (FTE) additional staff, taking the total to 9. Currently there is a total of 19 on-site car parking spaces. There is no dedicated parking space for pre-school staff who currently share the parking provision with the infant and junior school staff. The waste and recycling facilities of the wider site will be used for the proposal and are unchanged by the proposal.
- 1.4 The existing site is a well-established infant and junior school located in the settlement of Thornbury within an area characterized by two storey domestic properties. The 2.5ha site is enclosed by mature trees to the south and east. The western boundary is less well enclosed being visible from adjoining residential properties while the northern boundary, facing Knapp Road, is defined by a well-established hedgerow with mature trees clustered either side of the main site entrance. An arboricultural assessment has been submitted in support of the application.
- 1.5 The site is not located on playing field and is impractical for such use in the future. As such Sport England are not consulted.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality design
CS8 improving accessibility
CS9 Managing the environment and heritage
CS23 Community infrastructure and cultural activity
CS32 Thornbury

South Gloucestershire Local Plan adopted 2006 (saved policies)

- LC4 Proposals for education and community facilities within the urban area and defined settlement boundaries
- L5 Open areas within the existing urban areas and defined settlements.

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1	Local Distinctiveness
PSP11	Transport Impact Management
PSP3	Trees and woodland
PSP5	Undesignated open spaces within urban area and settlements
PSP16	Parking standards
PSP17	Heritage assets and historic environment

2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

- 3.1 PT01/0061/R3F Extension to main entrance and construction of ramps Deemed Consent February 2001
- 3.2 PT01/2331/F Proposed infill existing courtyard to form computer room Deemed consent Oct 2001

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

No objection, but the Town Council would wish to see concerns about drainage, trees and highways considered.

4.2 Other Consultees

4.3 Highway officer

The Application is supported by a Transport Statement which has considered the impact of traffic and parking generated by the proposed new pre-school building. The proposal could result in an additional demand of between 1 - 2 car parking spaces or possibly 4 spaces if the existing preschool was refurbished and its use continued. Parking surveys submitted in the Transport Statement indicate that there is no spare car parking capacity on the site or at the 9 on-street spaces opposite the main entrance. There are opportunities to park slightly further afield and parking on the surrounding highway network is controlled by Traffic Regulation Order parking restrictions.

A number of sustainable travel initiatives and measures have been proposed in the Transport Statement which would mitigate the parking demand from the proposal. There are also shared travel and parking benefits from locating a pre-school on the site of the existing infant and primary school. The site is also accessible to the surrounding residential area and there is a reasonable bus service to other parts of Thornbury and Bristol which stops outside of the school. The provision of cycle parking and implementation of travel planning measures will ensure the development accords with SGC maximum parking standards set out in SGC Policy T8.

Access to the site is via the existing school entrance which provides safe and suitable access arrangements. Highways recommend no transport objections subject to conditions relating to the provision of a Construction and Environment Management Plan (CEMP), cycle parking facilities and the travel planning measures set out in the Transport Statement

4.4 Tree officer

There are no objections to this application provided that the protective fencing is erected in accordance with the submitted Arboricultural report.

4.5 Avon and Somerset Constabulary

Object for the following reasons;

- The current fence protection around the school is inadequate and there have been a number of antisocial incidents within the grounds
- Crime levels in the area are relatively high
- The Design and access statement makes no reference to safety or security considerations
- The line of site from the street to the school is blocked by the building and increases the vulnerability of the existing buildings
- A higher 1.8m fence should be used to protect users of the play area.
- The low wooden fence acts a climbing aid onto eth roof and high level windows.
- The internal layout could be improved to create an 'airlock' to better protect the children from visitors.
- All ground floor windows should meet BS PAS24:2016, the minimum level for security.

4.6 Lead Local Flood Authority

No objection

Further to this and having noted the concern of a neighbour the team were asked to comment on the neighbours consultation response and responded as follows:

The development of the extension at the school should not have any impact on the current situation as their proposal outlines retention of surface water onsite via infiltration through a Soakaway.

Please also bear in mind that the existing setup of the residents property is lower than the carriageway which suggests that in line with the residents comments and what Nick has clarified along with the fact that data indicates it may be susceptible to overland flood flow paths any current drainage issues should not be attributed to the proposal.

4.7 Archaeology

The site lies within an area of archaeological potential therefore a programme of archaeological work in accordance with a written scheme of investigation should be submitted to and approved by the Archaeology Officer, prior to the commencement of development.

4.8 Children and Young people Team
No comment received

4.9 Highway structures
No comment

Other Representations

4.3 Local Residents

Objections have been received from two neighbours in respect of the following matters:

- The access road (office believed this to be the writer's house) has always flooded but an old soakaway coped with this. Recently this has been getting worse. Concern that the proposal will make it worse.
- Proposal should use the brown field land at the rear.
- In front of building line
- Encroaching on setting of school
- Impact on street scene
- Increase noise, artificial light pollution and other pollutants from parents driving to school close to residential properties.
- Should be referred to Sport England
- Concern about parking with staff from school parking in local streets. – this then restricts drop off location for children and causes persistent parking nuisance.
- Parking in the highway also occurs late in the evening due to sub-letting the building.
- Nursery provision will increase the likelihood that parents will dwell at the site – requiring parking provision.
- Suggests more parking spaces are provided similar to the situation at New Sibland Secondary School which were recently carried out.
- There is no disabled parking.
- Insufficient detail to show that the building will be in keeping with the street.
- No detail of lighting have been submitted – for which a computer generated modelling exercise must occur.
- There are no details of waste and recycling
- A dense landscaping plan must be required by condition.
- No rain water drainage details have been provided
- A S.106 would be required to ensure all existing preschool buildings are legally discontinued.
- A significant contribution should be made to the formal road crossing recently agreed at the junction of Knapp Road and Easton Hill Road. It is considered that an enlarged car park at this school would be a better use of money.
- Details of delivery turning space is required to ensure that parking space remains available
- Photos provide historical evidence of street parking issue
- Milk is currently delivered between 4.30am and 7am – this should be changed to between 7.30 and 8am.

- Not satisfied by reference to full-time equivalent posts in considering traffic.
- The site could be used for extra parking with grasscrete keeping the area open.
- Logic suggests to put the new building at the site of the old building. Acoustic panes could be used to mitigate external play area noise.
- Many local residents see this as an opportunity to resolve the parking issues arising from these schools.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

5.2 There is a policy desire in CS32 to increase nursery provision in Thornbury and this is generally echoed in national policy at present. As such the principle of the development within the town is acceptable. The site is already in educational use and as such this is intensification of the same use.

5.3 Policy LC4 sets out criteria for considering the detail of a scheme. This states that the site should be highly accessible on foot and bicycle, should not unacceptably prejudice residential amenities, or have unacceptable environmental or transportation effects. The proposal should also not give rise to unacceptable levels of on street parking to the detriment to the amenities of the surrounding area and highway safety. The application will therefore be assessed on these matters.

5.4 CS1 is a general design policy and policies L5 and PSP5 advise that development on undesignated open space is acceptable if it does not adversely affect the contribution that the open space makes to the quality, character, biodiversity, sustainable water management, recreational opportunities, heritage value amenity or distinctiveness of the locality.

5.5 Transportation and accessibility

The new facility will increase provision from 20 to 40 places and will generate a requirement for 4.5 (FTE) additional staff, taking the total to 9. Currently there is a total of 19 on-site car parking spaces. There is no dedicated parking space for pre-school staff who currently share the parking provision with the infant and junior school staff. The Councils Parking standards are maximum standards to encourage more sustainable travel means and this is set at a ratio of 1 car parking space per 2 staff. Policy also advises that there must be adequate and safe space for pick up/set down, that hard surfaces should be accessible from parking use on open days and that where the premises are open for community use additional parking may be permitted.

5.6 It is noted that a neighbour raises significant issue with parking at the school as it presently operates but it is also necessary to acknowledge that this application cannot seek to overcome all existing parking issues, or stimulate delivery times and turning capability for deliveries currently occurring within the site. That response would not be proportionate to the application. Equally the scheme is not for the demolition and removal of the existing facility but it is

understood to be in very poor condition and may be removed. The highway officer assessed the scheme with the thought in mind that the existing building may not be removed.

- 5.7 The Application is supported by a Transport Statement which has considered the impact of traffic and parking generated by the proposed new pre-school building. The proposal could result in an additional demand of between 1 - 2 car parking spaces or possibly 4 spaces if the existing preschool was refurbished and its use continued. Parking surveys submitted in the Transport Statement indicate that there is no spare car parking capacity on the site or at the 9 on-street spaces opposite the main entrance. There are opportunities to park slightly further afield and parking on the surrounding highway network is controlled by Traffic Regulation Order parking restrictions.
- 5.8 A number of sustainable travel initiatives and measures have been proposed in the Transport Statement which would mitigate the parking demand from the proposal. There are also shared travel and parking benefits from locating a pre-school on the site of the existing infant and primary school. The site is also accessible to the surrounding residential area and there is a reasonable bus service to other parts of Thornbury and Bristol which stops outside of the school. The provision of cycle parking and implementation of travel planning measures will ensure the development accords with SGC maximum parking standards set out in SGC Policy T8.
- 5.9 Access to the site is via the existing school entrances which provides safe and suitable access arrangements.
- 5.10 As such officers recommend no transport objections subject to conditions relating to the provision of a Construction and Environment Management Plan (CEMP), cycle parking facilities and the travel planning measures set out in the Transport Statement being attached to any planning consent.
- 5.11 Design and visual amenity
The school is a well-established pair of buildings rising to two storey height visually with a partial flat roof and set well back from the road. At the front of the site are mature trees which provide an intermittent screen from the street. An arboricultural report has been submitted which indicates the retention of these trees and measures to protect the trees during works. Ten small very young frees (saplings) will be displaced by the building in order to facilitate the building. These are so small at present that they have no current impact on the streetscene. There is potential to replant the very small trees and it is indicated that this will be carried out within the school grounds but given that the more established boundary vegetation and tree cover is protected during the works and concern from the police regarding surveillance it is not considered necessary to insist that these very small trees are replanted or replaced close to the front of the school site. Similarly a further scheme of landscaping is not considered necessary or justified by the proposal. This does not of course prevent the school from taking such action and adding landscaping should they so wish.

- 5.12 The proposed building is similarly designed to the main school buildings in that the structure is part flat roof at 3m high with a ridge 4.4m high. The elevation facing Knapp Road together with part of each other elevation will be finished in vertical timber cladding. The remaining elevations will be finished in render. The main roof will be relatively shallow rising from 3m closest to the road to 4.4m centrally over the building in an asymmetric form. The roof will be finished in a metal finish with a flat single ply roof to the part of the building closest to the existing school. A modern approach to the design of the building is considered appropriate as it relates most to the school and being located behind the street fronting trees is largely screened from the road. Further detail of the materials need to be submitted to ensure the colourings are acceptable within this street scene.
- 5.13 The proposal will be visible on the frontage of the school site where currently there are no buildings. This is not public open space but has some benefit to the visual amenity of the lane at this point. In assessing the proposal against open space policies however, the proposal will not affect any visible designated heritage or ecology assets, nor materially harm the visual amenity of the street scene. Suds drainage as seen below will not affect the sustainable management of water. The area of land proposed for the building is open to the road entrance and is clearly not used as a school playing area. It is not considered that the building as sited would materially affect the contribution that the frontage of the school makes to the quality, character, biodiversity, recreational opportunities, amenity or distinctiveness of the locality. As such the proposal is not in conflict with PSP5 or L5.
- 5.14 With respect to design the applicants have been advised of the Police design comments and are satisfied with their own security measures. As such they have chosen not to alter fencing or relocate the building to facilitate better views of the school. Similarly the internal arrangement of rooms and the use of British Standard PAS24:2016 fenestration have not been incorporated into the scheme. It is not considered that the matters raised by the Police are sufficient to raise a design refusal reason and as such the scheme is acceptable in terms of design and visual amenity.
- 5.15 Residential amenity
The proposal is sited sufficiently remote from any neighbour so as to prevent harm from the site by reason of overbearing physical scale or overlooking. Whilst it is dependant on the nature of the play being undertaken the use of the outside space for children's play is not considered to be materially harmful to the surrounding neighbours. Any noise from child play or arrivals/departures from the site would likely be during the day and not during unsociable hours. It is considered disproportionate to restrict the use of the outside space at this location and similarly to restrict the time of an existing milk delivery. Similarly the proposal will not likely be in regular use in the evenings and whilst security lighting may be required it is not considered likely that this would materially affect the street scene or neighbours as such the request for a lighting scheme to be submitted as part of the scheme is disproportionate to the nature of the proposal and is not considered necessary to protect the residential amenity of surrounding residents, the nearest of whom are 45m away with trees in between.

5.16 Archaeology

The site lies within an area of archaeological potential therefore a programme of archaeological work in accordance with a written scheme of investigation should be submitted to and approved by the Archaeology Officer, prior to the commencement of development

5.17 Drainage

The Lead Local Flood Authority have no objection to the proposal. The concern of the neighbour who experiences a flooded access have been investigated and the matter is a pre-existing matter which Streetcare are managing with regular maintenance. The flooding is not expected to get worse as a result of the erection of the pre-school building and there is no reason to refuse the application or require mitigation from the scheme as retention of the surface water is proposed on site and via soakaways is proposed.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. No development shall commence until a Construction and Environment Management Plan (CEMP) has been submitted to and agreed in writing by the Local Planning Authority. The CEMP shall include the following details/measures:
-Safe access to the school for all people by all modes of travel during the construction period.

-Controls for construction and delivery traffic access, egress, unloading and loading.
Delivery and
pick up not permitted during morning and afternoon school drop off and pick up times.
-Storage of materials.
-Parking arrangements for construction staff.
-Measures to prevent mud etc. being deposited on the highway and road sweeping
arrangements.
-Procedures for dealing with incidents and complaints.
-Contractor contact details.
Construction of the development is to be carried out in accordance with the CEMP at
all times.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South
Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy T12 of
the South Gloucestershire Local Plan adopted 2006 and the National Planning Policy
Framework.

3. The development shall not be brought into use until two covered and secure cycle
parking spaces have been provided in accordance with details to be submitted to and
approved in writing by the Local Planning Authority.

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 and T7 of the South Gloucestershire Local Plan adopted January 2006.

4. The Travel Planning measures set out in the Transport Statement shall be
implemented for a minimum period of five years upon occupation of the development.

Reason

To support sustainable transport choices and to accord with Policy CS8 of the South
Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

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

Reason

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

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

Reason

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.

7. The development shall be carried out in strict accordance with the related Arborocultural Assessment received for by the Council on 1 August 2016 and its incorporated Tree Protection Plan TP2100/1602/TPP.

Reason

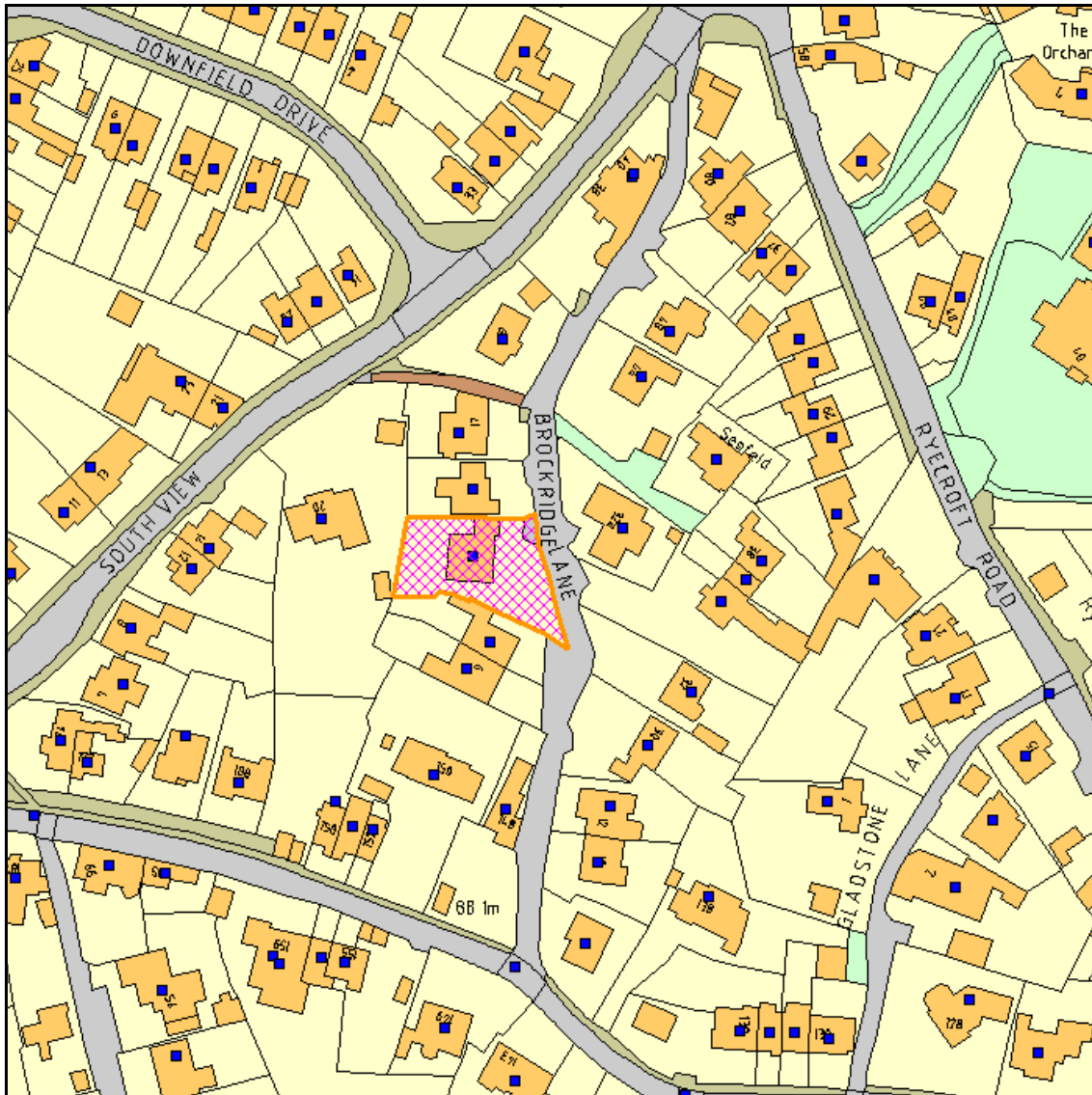
To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. This decision relates only to the plans identified below:
1555_P101 Existing and proposed block plan
1555_P102 Proposed ground floor plan
1555_P103 Proposed Elevations
1555_P104 Existing and proposed Sectioned proposed West elevation
all received 15 August 2016

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/4597/F	Applicant:	Mr And Mrs L Cairnes
Site:	Interlaken 13 Brockridge Lane Frampton Cotterell Bristol South Gloucestershire BS36 2HU	Date Reg:	18th August 2016
Proposal:	Conversion of existing garage and erection of a single storey side and rear extension to provide additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	367010 181424	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	11th October 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule as a result of a consultation response received, contrary to Officer recommendation.

THE PROPOSAL

- 1.1 The application is for the conversion of an existing garage and erection of a single storey side and rear extension to provide additional living accommodation. During the course of the application, revised plans were received. These propose a gable side end to the front part of the single storey side extension/garage conversion, as opposed to the a previously proposed sloping roof, with a flat roof and side wall which angles away from the neighbouring property on the rear part of the side extension.
- 1.2 The property is a detached chalet style bungalow finished in a combination of cream render, brick and wooden dormer. The property is located within the residential area of Frampton Cotterell, in an area containing a mix of styles and designs of properties.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Residential Parking SPD

3. RELEVANT PLANNING HISTORY

- 3.1 N2913 – Erection of wall with fence above (overall height approximately 6ft). Approved 3rd September 1976.
- 3.2 PT14/0236/F – Single storey side extension to form garage and additional living accommodation, erection of raised decking area to rear and rear dormer to facilitate loft conversion. Approved 14th April 2014.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

The Parish Council has no objection Subject to the whole of the proposed building being shown on the block plan.

Sustainable Transportation

The applicant seeks to convert the existing garage and erect a single storey side and rear extension to provide additional living accommodation. In 2014 an application for the same site was permitted with conditions for the erection of single storey side extension to form garage and additional living accommodation, erection of raised decking area to rear elevation and installation of rear dormer to facilitate loft conversion. Although the current proposals would see the loss of a parking space in the form of the garage, adequate off street parking is indicated on the submitted plans for a dwelling of this size. Visibility would be unsatisfactory to the left when reversing onto the highway from the dwelling. However this could be overcome by the fence/hedge being removed/cutback.

Subject to the following condition there are no transportation objections.

Prior to the formation of the new vehicular access, the triangular parcel of garden which juts out onto the bend adjoining no. 11 shall have no obstruction higher than 0.9m from 2.4m back from the edge of the highway, in order to maintain visibility around the corner.

Archaeology

No objections

Other Representations

4.2 Local Residents

Two letters raising certain concerns have been raised from the same person, once in response to the original plans as follows:

'There are flaws and inaccuracies in the existing and proposed plans for the extension detailed above.

1) The plans fail to show the position of the neighbouring house number 15 and the effect the Study part of the proposed extension will have on its kitchen side window, the kitchen sink is below this window.

2) The existing garage part of the proposed extension sits hard against the property boundary. The existing roof of the garage is flat with no gutter to the side, the proposed tiled roof would need fascia, soffit and gutter, this will not be possible as it would mean encroachment onto no.15's property. The proposed Study part of the extension is less than 2 metres from the side window of the neighbouring property and extends fully across this window to be in line with the building line of 13 Brockridge Lane. As the ground slopes away steeply where the Study is proposed, the ground

level will need to be raised to be in line with the floor level of the existing house. This in effect means the pitched roof will need to be very high. The close proximity of the proposed Study part of the extension together with the high pitched roof will cause considerable loss of natural light and sunlight making the neighbouring Kitchen totally oppressive and overbearing. We have enjoyed the existing aspect from our side kitchen window for 45 years.'

Upon reconsultation of revised plans, a further response was received, as follows:

'1) The revised plans fail to show the close proximity of the neighbouring property- 15 Brockridge lane. The Owner proposes to excavate and construct foundations within 3 metres of the adjoining property, the Owner has been informed of the Party Wall Act 1996, regarding excavating near neighbouring buildings, so appropriate action must be taken before any building work can commence.

2) The proposed side window will be impossible to clean or maintain , without gaining access to the adjoining property, the Owner has agreed to ensure the installed window will be of the type to swing inwards, enabling cleaning of the outer glass from the inside.'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

5.2 Design

The proposals are considered to be of an appropriate standard in design and are not out of keeping with the character of the main dwelling house and surrounding properties. The extension is of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials would match that of the existing dwelling.

5.3 Residential Amenity

It is considered that the scale and design of the proposals is acceptable and would not give rise to unreasonable impact upon the surrounding area. Given the length, size, location and orientation of the extension, at single storey level, it is not considered that it would give rise to any significant or material overbearing impact on nearby properties such as to sustain an objection and warrant refusal of the application. In addition sufficient garden space remains to serve the property. The only side facing window would be a bathroom window. There are not considered to be any material issues of overlooking or

intervisibility.

5.4 Any planning permission would not give rights or consent for development or access for maintenance or repair onto land or property not within the applicant's control, or without owner's permission, the Party Wall Act would also apply to any walls on shared boundaries. In this respect it is not considered necessary to limit the type of window e.g. an 'in swinging' window by condition. It is considered that the plans adequately illustrate the proposals for the purposes of assessing the application.

5.5 Highways

Sufficient off-street parking would remain to serve the property, despite the loss of the garage. A condition is recommended to ensure adequate visibility for access onto the highway is recommended.

6. CONCLUSION

6.1 In accordance with Article 35 of the Town and Country Planning Development Management Order 2015, 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 proposals are of an appropriate standard in design and is not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies H4 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

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

7. RECOMMENDATION

7.1 That planning permission is granted.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

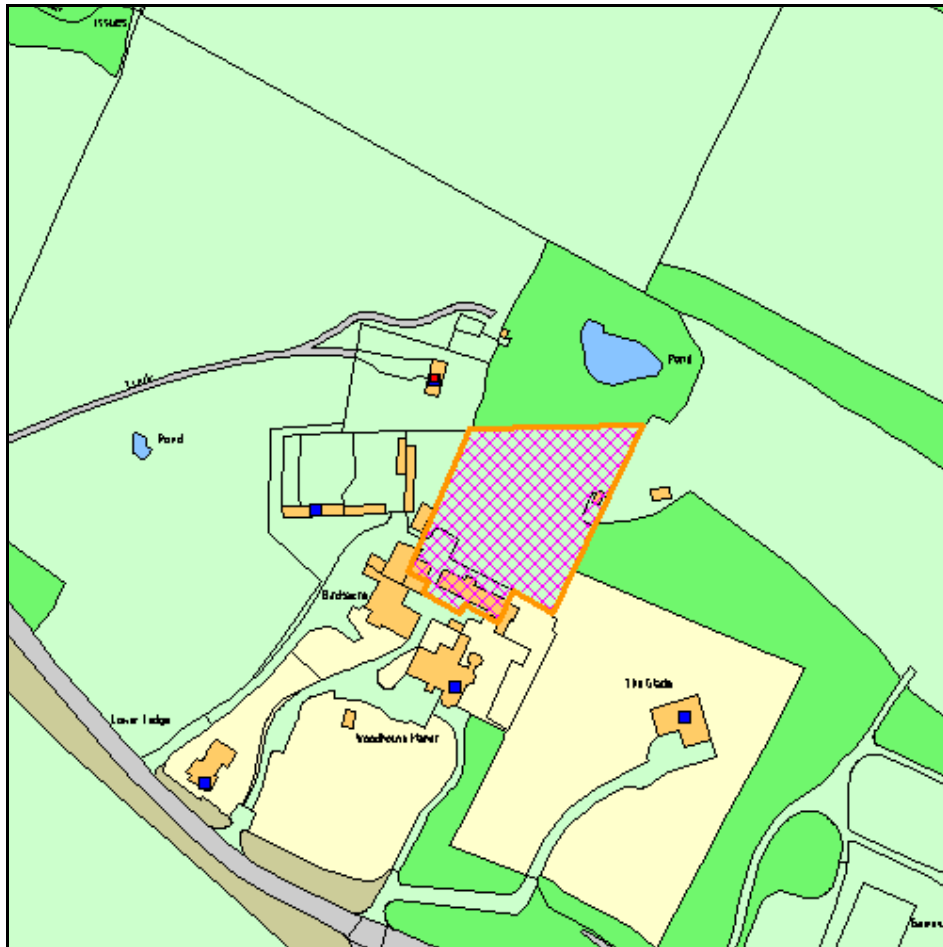
4. Prior to the formation of the new vehicular access, the triangular parcel of garden which juts out onto the bend adjoining no. 11 shall have no obstruction higher than 0.9m from 2.4m back from the edge of the highway, in order to maintain visibility around the corner.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/4608/CLE	Applicant:	Mr John Howard
Site:	Greystones Bungalow Fernhill Almondsbury South Gloucestershire BS32 4LY	Date Reg:	9th August 2016
Proposal:	Application for a certificate of lawfulness for existing use as residential single dwellinghouse.	Parish:	Olveston Parish Council
Map Ref:	361270 185363	Ward:	Severn
Application Category:		Target Date:	3rd October 2016



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 100023410, 2015. **N.T.S.** **PT16/4608/CLE**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks a certificate of lawfulness for the existing use of the building known as the Greystones Bungalow, Fernhill, Almondsbury as a single residential dwelling.
- 1.2 The site was used as a residential dwelling up until at least 1997, following which a planning application was approved to convert the dwelling to a Computer Training Centre (class D1). This use was implemented and the applicant claims that the building later reverted back to its original use as a dwelling in 2010, and has been occupied ever since.
- 1.3 The application site relates to a building of a linear form located immediately to the north of Woodhouse Manor. The red line boundary submitted by the applicant includes a stable building within a large residential curtilage, which is located to the north of Greystones.
- 1.4 During the course of the application, additional evidence has been received from the applicant as summarised in section 5 of this report.
- 1.5 The applicant wishes to establish the lawful use as a dwelling so that planning application PT16/0819/F for a residential outbuilding can be resubmitted. It was withdrawn in April 2016 following objections from officers as the site did not have a lawful residential use.

2. POLICY CONTEXT

- 2.1 National Guidance
 - I. Town and Country Planning Act 1990
 - II. Town and Country Planning (Development Management Procedure) Order 2010
 - III. Town and Country Planning (General Procedures) Order 1995
 - IV. National Planning Practice Guidance 2014

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/0819/F Withdrawn 15/04/2016
Demolition of existing stables and erection of new single storey outbuilding to form gym, office and store incidental to existing dwelling.
- 3.2 PT00/0245/F Refusal 29/04/2000
Use of land for the stationing of a portacabin for use in conjunction with computer training centre.

Reason for refusal:

1- The site lies within the Bristol Green Belt, and this proposal involves inappropriate development which would harm the openness of the Green Belt contrary to the provisions of Policies RP1 and RP34 of the statutory Rural Areas Local Plan, Policies N1 and N10 of the Northavon Local Plan (Deposit Draft), Policy GB6 of the Avon County Structure Plan (including Third Alteration) and Policy P10 of the Joint Replacement Structure Plan (Draft Plan).

- 3.3 P97/1933 Approved 08/09/1997
Change of use of existing cottage to form additional floorspace for Computer Training Centre (Class C3 to D1 as defined by the Town and County Planning (Use Classes) Order 1987).

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No comments to make.

- 4.2 Other Consultees

Councillor
No comment received.

Other Representations

- 4.3 Local Residents
No comments.

5. SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF APPLICATION

- 5.1 Letter to applicant from Revenues Officer within the Council Tax department of South Gloucestershire Council. Received on 3rd August 2016
- 5.2 Application form – received 3rd August 2016. This makes the following statement:

‘Property is over 100 years old and has always been registered as a dwelling, up until approx. 10 years ago when it was briefly occupied and ran as a business whilst the property was rented out. The property has been registered with South Gloucestershire Council for Council Tax for more than four years. The property needs to be registered as a dwelling again so that the withdrawn application for a building incidental to the dwelling may be re-submitted.’

- 5.3 A letter from Gary Parker at Bennett Landscape Services, who have maintained the gardens at the site for nearly 20-30 years. Received 5th August 2016.
- 5.4 A sworn letter from Julia Johnstone, stating that Greystones is currently within residential use and that the large garden behind has always been maintained as a residential garden. Received 5th August 2016.

- 5.5 A sworn letter from the applicant, Mr John E Howard, who lives at Birdsacre, Fern Hill, stating that after Computer Training company left the premises, his nephew Ian Howard (the agent) changed the Council tax back to residential and has been residing in it. Received 5th August 2016.
- 5.6 Site and Block Plan – received 9th August 2016
- 5.7 An email from the agent on 8th October 2016 containing the following attachments:
- two photographs of horses in the garden, one with a woman and one with a child - undated
 - a photograph of the stables in the garden today – undated
 - a map from 1952 of the Woodhouse Manor estate showing the building in situ
 - an unsworn letter from Anne Powell, the agent's sister and applicant's niece.
- 5.8 An email from the agent received on 8th October 2016 containing the following attachments:
- a photograph of Anne and a pony in the garden
 - an unsworn letter from the agent's mother, Valerie Howard, dated 23rd September 2016
 - two photographs of people sitting in a horse and cart – one of the photographs does appear to be at Greystones – undated
 - a plan of the Woodhouse grounds divided into plots – undated
- 5.9 A gas utility bill for the period 19th November 2012 – 28th November 2013 and addressed to the applicant at Greystones. Dated 9th Feb 2014
- 5.10 A water bill for the period 1st March 2014 to 25th September 2014 sent to the applicant at Birdacre but relating to the Greystones property. Stamped as paid on 7th Nov 2014
- 5.11 A gas bill for 10th August 2014 to 31st October 2014 addressed to the applicant at Greystones, dated 1st November 2014.
- 5.12 A gas summary statement for 27th April 2014 to 26th April 2015 addressed to the applicant at Greystones, dated 27th April 2015
- 5.13 A gas bill from 6th May 2016 to 5th August 2016 addressed to the applicant at Greystones, dated 6th August 2016
- 5.14 An electricity bill from 6th April 2016 to 8th August 2016 addressed to the applicant at Greystones, dated 9th August 2016.

6. SUMMARY OF CONTRARY EVIDENCE RECEIVED

- 6.1 Email from agent dated 15th September 2016 stating the following:
'The Boundary of the domestic property and Garden (0.9 acre) has always been residential in use and not in any form agricultural. The open meadow as you term it is land that has not been tended for some time...since my

grandfathers passing some 20years plus. The Bungalow has not been lived in for some 40years, therefore the garden has remained in a wild state...until such time that I can get on top of it and have sufficient funds to landscape it. Therefore, the Curtilage of the property remains the original boundary line as the land is NOT agricultural.'

7. SUMMARY OF EVIDENCE HELD BY THE COUNCIL

7.1 The Council holds aerial photographs of the site over a number of years which show the following:

1991	Stable building in situ, horse in field. Grass slightly overgrown. Boundary treatment erected to separate site, with approximately two thirds for horse/stable and one third adjacent to dwelling. No residential paraphernalia can be seen
1999	Seven vehicles parked at site, although some may relate to adjacent Birdacre. Grass across whole site appears maintained, but no residential paraphernalia can be seen. Stable building still in situ.
2005	Nine vehicles parked at site. Grass is mown and stable building still in situ. No residential paraphernalia.
2006	No vehicles at site. Grass mown and maintained and stable building in situ. No residential paraphernalia.
2008	No vehicles at site. Site appears more overgrown, stable in situ.
2014	Mobile home sited immediately to the north of the building, along with other items which cannot be identified. Rest of the site appears ploughed as if agricultural. Car parked to west of site.

7.2 Visual evidence collected on officer site visit dated 15th September 2016.

- site appears overgrown, weeds growing out of driveway, doorway facing Woodhouse Manor inaccessible. Building does not appear to be lived in however was unable to gain access to the inside
- courtyard area of garden immediately to the north of the site has a residential appearance with chairs to sit out on, decorative planting, hardstanding etc. Opposite the main entrance to the property in the northern elevation there is a section of garden which extends a little further north. Majority of site beyond that to the north has appearance of meadow or field with no residential paraphernalia
- there is a mobile home sited immediately to the north of the building, within the red line boundary

7.3 Previous application file for change of use from residential use to D1 use approved in 1997 (P97/1933), and application file for recently withdrawn application for an outbuilding within the site (PT16/0819/F).

8. EVALUATION

8.1 This application for a certificate of lawfulness is purely an evidential test irrespective of planning merit. The only issues which are relevant to the

determination of an application for a Certificate of Lawfulness are whether, in this case, the use of building and the land within the red line has been as a permanent residential dwelling for a consistent period of not less than four years.

- 8.2 The onus of proof is firmly on the applicant and the relevant test of the evidence on such matters is “on the balance of probabilities”. Guidance contained within the National Planning Practice Guidance 2014 states:

‘the applicant is responsible for providing sufficient information to support an application...’

‘If a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.’

8.3 Assessment of Evidence

In this part of the report, the evidence submitted by the applicant and held by the Council will be discussed and the weight that can be afforded to each one justified.

- 8.4 One piece of evidence received in favour of granting the Certificate of Lawfulness is a letter from the Revenues Officer at South Gloucestershire Council to Mr John Howard (the applicant) dated 18th May 2016. The letter stated that the Council Tax department shows the property Greystones as being registered as a domestic property from 1993-1998, registered for non-domestic rates from 1998-2010 and then registered as a domestic property once again on 8th June 2010. Whilst this does not necessarily indicate that the dwelling has been occupied continuously as a permanent residential dwelling, it does indicate that the approved D1 use ceased in 2010 and the applicant intended to occupy the premises in a residential capacity from June 2010.
- 8.5 Two sworn letters have been submitted which have been witnessed by solicitors, and letters sworn in this manner have been given much greater weight than those which are not sworn statements. The first is from a neighbour, Julia Johnstone, who states that Greystones is currently and was used for residential use apart from the brief period that Computer World rented the building, and that the large area of land to the north has always been maintained as a residential garden. The letter gives very limited information and no dates have been provided, so the exact time that the property became occupied as a residential dwelling once again is not confirmed. The second sworn letter is from the applicant John E Howard and confirms that the agent, Ian Howard, now lives at Greystones and that he changed the Council Tax back to residential. As this statement is consistent with the letter from the Revenues Officer, its contents can be given weight, however once again the information provided is rather limited and does not evidence continuous occupation or give any approximate dates.

- 8.6 Three unsworn letters have been received. Gary Parker, from Bennett Landscape Services, states that his company has maintained the gardens at Greystones for 20-30 years by cutting the grass, trimming the bushes and trees and making repairs to fencing. These works are not specific to residential use but have been noted. Mr Parker also makes reference to the fact that the garden has always been used in a residential manner, and does not acknowledge the change of use that took place from 1998-2010, so his knowledge of the site is considered to be limited.
- 8.7 The letter from Anne Powell, the applicant's niece, mostly focuses on the use of the garden prior to its occupation by Computer World. She states that after her grandparents passed away the applicant took over Greystones and adjacent property Birdacre, and has maintained the gardens ever since, although in the last 10 years he has not gardened and instead had a landscaping company do minimal maintenance. Once again there is no mention of the change of use 1998-2010, or any specific and unambiguous information relating to the recent use of the site. The letter from Valerie Howard, the applicant's mother, gives similar information however she does state *'the garden and the bungalow have as long as I can recall be used as a domestic property and garden with the exception of a brief period where a company rented out the building,'* which mirrors the applicant's claims regarding the use of the site.
- 8.8 A number of utility bills have been submitted showing that the property was occupied from November 2012 – November 2013, March 2014- April 2015, and April 2016 until the application was submitted in August 2016. This leaves large gaps between August 2012-October 2012, December 2013 – February 2014, and a whole year between April 2015 and April 2016 over the last four years. The bills are addressed to John Howard, who actually resides at the adjacent property Birdacre and who retained ownership of Greystones throughout the change of use from C3 to D1. It is therefore considered that the bills submitted indicate that power and heating has been used at the site during different points over the past 4 years, and that this has been billed to the owner of the site who lives in the neighbouring property, but this does not indicate permanent occupation continuously during that time.
- 8.9 A number of photographs have been submitted to support the application and demonstrate the use of the garden, however the majority of the photographs do not show the site in the background and therefore cannot be tied to any particular location. One photograph, of two children on a horse and cart, does have the Greystones building in the background, however this photograph is not dated. The photograph does not appear to have been taken during the last four years, a viewpoint which officers have based on the quality of the photograph and the clothing of those within it. The map of the plots within Woodhouse Manor and the 1952 map of the area are noted however they do not weigh in favour or against granting the certificate.
- 8.10 The aerial photographs held by the Council only provide a snapshot of a moment within the year to which they relate, and do not necessarily represent the whole year. The large number of vehicles parked at the site in 1999 and 2005 appear to reflect the D1 use during that time. The aerial photograph from 2014 shows the 'garden' to the north of the site to appear ploughed, giving the

appearance of a meadow or agricultural field rather than a garden, and no residential paraphernalia can be seen in this area. It is also worth noting that the red line boundary on the Site Location Plan for the original change of use in 1997 from residential to the Computer World training centre only included the building, parking area and small courtyard of residential curtilage to the north, not the large meadow applied for under this Certificate of Lawfulness application.

8.11 Overall, the evidence submitted by the applicant is rather ambiguous, and with the exception of the Council Tax letter confirming that the property was changed to residential rates in 2010, and the utility bills showing that the unit was connected to electricity, gas and water for certain periods of time since 2012, the evidence submitted does not convince officers that, on the balance of probability, the property has been in continuous residential use since 4th August 2012. Further doubts are raised on discussion with the agent (who is the applicant's nephew), where in email correspondence he stated '*the bungalow has not been lived in for some 40 years, therefore the garden has remained in a wild state...until such time that I can get on top of it and have sufficient funds to landscape it.*'

8.12 On submission of this application, the agent emailed the case officer for the previously withdrawn application for a residential outbuilding at the site (PT16/0819/F) on 4th August 2016 stating the following:

'I have now put in the application for Certificate of Lawful Use... I am in no doubts that the building will return to residential use and in the meantime while I await the decision....'

8.13 The statement that the building will return to residential use implies that on 4th August 2016 the building was not in residential use. The applicant has stated that the large mobile home situated immediately to the north of the building and shown as being in situ on the 2014 aerial photograph was and still is being partially used by the applicant to live in whilst the main bungalow is being refurbished, raising further doubts that the building is continuously occupied.

8.14 It is therefore concluded by officers that insufficient evidence has been submitted to precisely or unambiguously demonstrate that, on the balance of probability, the building known as Greystones and the land within the red line boundary, have been within a continuous residential use since 4th August 2016.

9. RECOMMENDATION

9.1 That the Certificate of Lawfulness is **REFUSED**.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

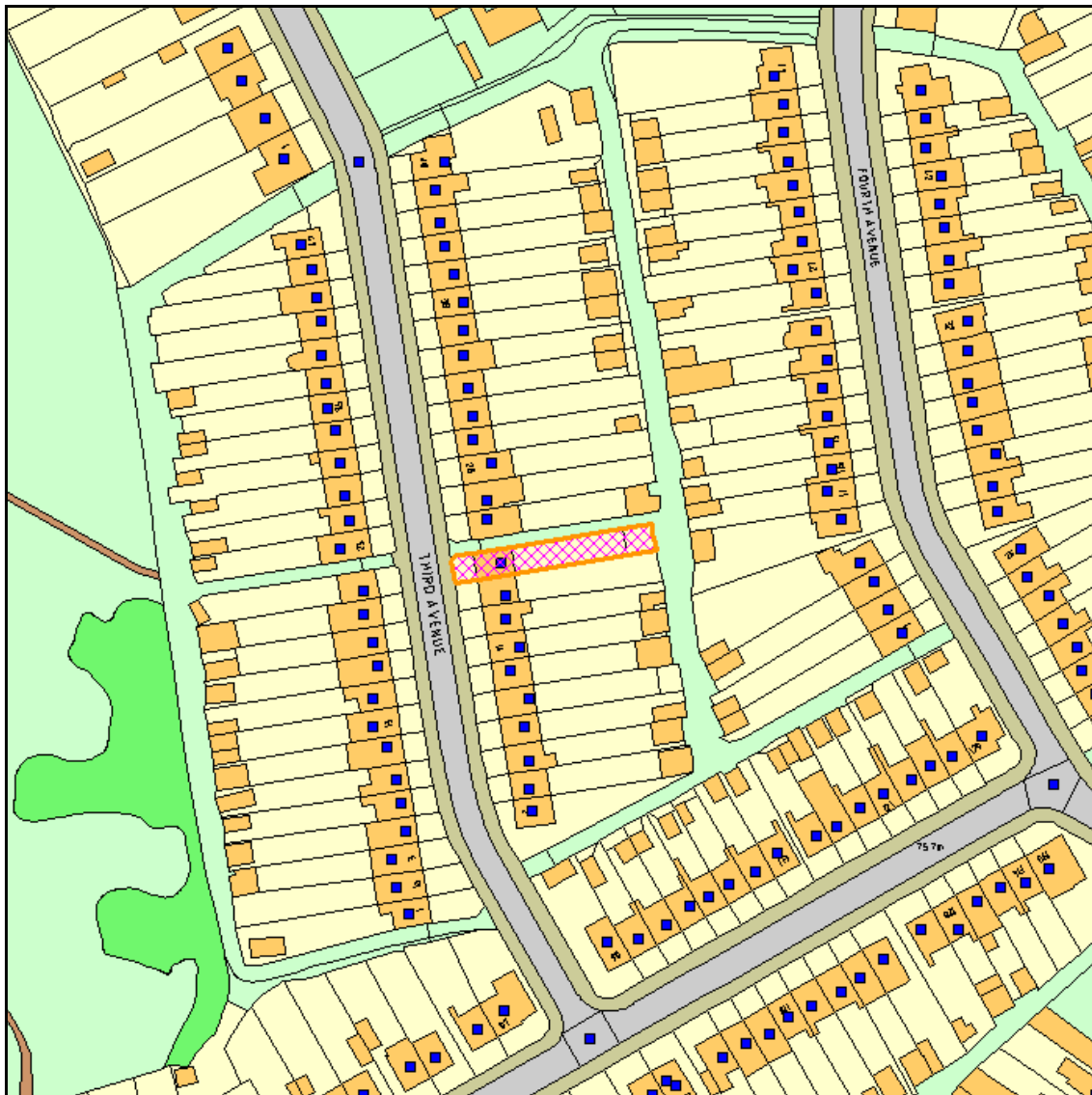
REASONS FOR REFUSAL

1. Insufficient evidence has been submitted to precisely or unambiguously demonstrate that, on the balance of probability, the building known as Greystones and the land

within the red line boundary on the submitted Site Location Plan have been used continuously as a single residential dwelling for no less than four years.

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/5033/F	Applicant:	Mr Dilip Karki
Site:	20 Third Avenue Filton Bristol South Gloucestershire BS7 0RT	Date Reg:	9th September 2016
Proposal:	Erection of single storey rear extension and installation of rear dormer with alterations to roof to facilitate loft conversion forming additional living accommodation. Erection of detached single storey residential annex ancillary to main dwelling house.	Parish:	Filton Town Council
Map Ref:	360397 178326	Ward:	Filton
Application Category:	Householder	Target Date:	3rd November 2016



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 100023410, 2015. N.T.S. PT16/5033/F

REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has been subject to a representation contrary to the findings of this report. As a result under the current scheme of delegation it is required to be taken forward under the circulated schedule procedure.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a single storey rear extension; rear dormer window and associated roof alterations; and detached outbuilding to serve a residential annexe ancillary to the main dwellinghouse known as 20 Third Avenue, Filton.
- 1.2 The subject property is a modest sized early to mid-20th end terrace dwelling with a pitched gabled roof. The dwelling has part brick and part rendered elevations. The proposals will all be situated to the rear of the property. The site is relatively level and existing boundary treatments area a combination of timber closed panel fences to the rear and low brick and block walls to the front.
- 1.3 The proposed annexe will be situated in a similar position to a number of properties in the same terraces detached garage outbuildings.
- 1.4 The subject property is located within the built up residential area of Filton.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages
PSP40 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

No Relevant Planning History

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council
No Comment Received

4.2 Other Consultees

Archaeological Officer
No Objection

Transport Officer
No objection subject to the appendage of a condition requiring the parking to be provided prior to the occupation of the proposed annexe.

Other Representations

4.3 Local Residents
One comment received objecting to the proposal and concerned with the proposed parking space to the front of the property.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Saved Policy H4 of the South Gloucestershire Local Plan (adopted 2006) is supportive in principle of development with the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Annexe Test

By definition an annexe must be ancillary to the main dwellinghouse and should have some form of physical and functional reliance upon it. In this case, the proposed annex has all the internal facilities required for independent living; i.e. a bed space, a bathroom, kitchen and living space; and could therefore be occupied independently in the future. That said the structure will not have access to a private garden whilst also having direct and relatively close inter-visibility between the principle living areas of the dwelling and proposed annex; meaning the annexe could not be independently occupied. The application therefore demonstrates that the proposal will function as an annexe. A

condition will be included restricting the annexe from being independently occupied in the future.

5.3 Design and Visual Amenity

The host dwelling and its surroundings exhibit a relatively uniform character all being built in the early to mid-20th century, consisting of small terraced dwellings. The proposal seeks to introduce a rear dormer and extension as well as a detached outbuilding. A significant number of dwellings on the road have dormer conversions due to the modest size of the original properties. Furthermore dormer conversions are acceptable according to the Town and Country Planning (General Permitted Development) Order 2015 (GPDO). With regard to this the proposed dormer conversion appear to otherwise be aligned with the provisions of Schedule 2 Part 1 Class B of the GPDO and no express permission would be required for its construction. As a result there is no objection to the proposed dormer alterations. The proposal also seeks to erect a single storey rear extension. Again there are provisions within the GPDO that allow the erection of a single storey rear extension. Specifically Part 1 Class A sub-section g allows for the erection of larger householder extensions with the requirement of prior-notification to the Local Planning Authority. Whilst this would require assessment of residential amenity considerations, the principle of a rear single storey extension is viewed as acceptable in design terms. The proposal has put forward a flat roof to the extension; whilst a flat roof is not generally acceptable the proposal will be away from the public realm and is not located in a prominent position, whilst also being substantially screened by the proposed rear annexe and the existing boundary treatments. Furthermore this is not seen as an unusual design for the type of development proposed. There is therefore no objection to the proposed rear extension.

5.4 Part of the proposal consists of the erection of a single storey outbuilding to provide a residential annexe ancillary to the dwellinghouse. The area has a typical sub-urban atmosphere and a number of nearby properties have similarly sized outbuildings and extensions within their curtilage that are accessed from the same rear lane. The proposed annexe is of a modest scale and would be of a similar size to other detached outbuildings nearby.

5.5 The developments proposed will utilise materials of a similar appearance to those in the existing dwelling. As a result the Local planning authority has no objection to the proposals with regard to materials.

5.6 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to be 'in keeping' with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.

5.7 Residential Amenity

Policy H4 of the adopted Local Plan gives the Council's view on new development within exiting residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of

privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.

- 5.8 With regard to private outdoor amenity space the proposal would result in the loss of an area of the private amenity space currently serving the property. The additions would provide living accommodation for an additional individual but it is expected that this would be for a family members meaning there would be no concerns over privacy. The host dwelling would retain a reasonable proportion of the rear garden. With regard to private amenity space the proposal is considered to retain sufficient outdoor amenity space.
- 5.9 All of the proposals will be situated to the rear of the dwelling. Properties in this direction are separated a significant distance as a result of the rear access lane and associated car parking/garages and gardens. As a result none of the proposals are considered to impact dwellings in this direction. The proposal has put forward a single storey rear extension to provide additional living accommodation. The proposal will be of a modest single storey scale with a maximum height of around 3.6 metres. Dwellings to the north are separated by the access lane and are not considered to be unacceptably impacted as a result of the proposal. The adjoining dwelling is located to the south. Given this orientation in relation to the path of the sun the proposal is considered to have an acceptable impact on the amenity of dwellings in this direction.
- 5.10 The proposal will have direct inter-visibility between primary living areas serving the annexe and the existing dwelling and would not be considered acceptable for independent habitation. Given that the proposal will be used a residential annexe there is no objection with regard to this inter-visibility and loss of privacy assuming the building will not be independently occupied in the future.
- 5.11 The subject property is within the built up residential area and the proposals are of a modest single storey scale or would otherwise conform to the provisions of the GPDO. The proposals are not considered to result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.12 Sustainable Transport and Parking Provision
The proposal would result in the creation of an additional bedroom within the subject property and another within the annexe. Currently the property has an area of hardstanding to the rear of the property that has become overgrown whilst also apparently being the location of some flytipping and are no longer utilised at this point in time. The proposal would result in creation of 2 additional bedrooms. According to the residential Parking Standards SPD a 5 bedroom property would be required to provide 3 private parking spaces.
- 5.13 The proposal seeks to introduce a single space to the front of the property within the front garden area and a further 2 to the rear of the annexe. Objection has been received from a neighbour concerned that the proposed front parking space could be obstructed as a result of cars parked on the street. It should be noted that there is no prescribed right to park on the street and a private car parking spaces will normally be taken in preference to on-street facilities. The

proposed front parking space will utilise the dropped kerb associated with the rear access lane. Any obstruction of this dropped kerb would be seen to constitute an offence and could be subject to legal enforcement from the police or highway authority. Comments from the transport officer indicate that a number of informal parking spaces have been created to the front of properties along the road in the past that would be seen to fail current adopted policy with regard to their size and overhanging onto the footway. The proposed front space may be awkward to manoeuvre but is sufficient in terms of size and no objection has been raised by the relevant transport officer with regard to this. Furthermore comments from the transport department indicate the rear spaces will not be ideal as access is via locked gates but given the limited on-street options they are satisfied the new spaces to the front and rear would provide a viable option for such provision and that there is no objection subject to the attachment of a condition requiring the proposed parking to be provided prior to the occupation of the proposed annexe and that it is of a permeable construction.

5.14 Given the above consideration the subject site is viewed as capable of providing the required level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.

6. CONCLUSION

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

6.2 The recommendation to **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: Hanni Osman
Tel. No. 01454 863787

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 detached rear outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 20 Third Avenue, Filton.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and host dwelling and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Saved Policy H4 of the South Gloucester Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan (20TA.AUG16.LP.BP.1) hereby approved shall be provided before the residential annexe hereby approved is first occupied, and thereafter retained for that purpose. The proposed parking must also be constructed with a permeable surface.

Reason

To ensure the satisfactory provision of parking facilities and surface water runoff 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. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/5077/F	Applicant:	Avon Commercial Recovery
Site:	Severn Beach Garage Osborne Road Severn Beach Bristol South Gloucestershire BS35 4PG	Date Reg:	30th September 2016
Proposal:	Alterations to raise roofline and alterations to windows of building no.1	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354045 185219	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	21st November 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a result of consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission to raise the roofline, plus alterations to windows of what is referred to as 'building no. 1'. The roof height would be increased from an existing maximum height of around 4.2 metres to approximately 5 metres at the apex within a pitched roof.
- 1.2 The site is used by a breakdown company and with associated vehicles and a number of buildings located within yard. The yard is within a residential area, and settlement boundary of Severn Beach, and is surrounded by the rear curtilages of residential properties. 'Building no. 1 is a part of the garage complex, located in the southernmost corner of the site, consisting of pitched and flat roof elements and is in a poor state of disrepair. The application relates to changes to this specific building only.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
E3 Criteria for Assessing Proposals for Employment Development within the Urban Area
T12 Transportation

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

3. RELEVANT PLANNING HISTORY

- 3.1 Numerous applications and associated with the site and aspects of the sites and buildings use as a garage and vehicle recovery facility
- 3.2 PT11/2471/CLE – Certificate of Lawfulness for the existing use of land for motor servicing and repairs, 24hr breakdown service and associated parking. Approved 20th January 2012.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No comment

4.2 Transportation

We note that this application seeks to carry out alterations to one of the buildings at the Severn Beach Garage which is located in Osborne Road, Severn Beach. These alterations will raise roofline and change the windows of building No 1. As there will be no change in the size of this building and no amendments to the sites access arrangements, we do not believe that this proposal raises any material highway or transportation issues and have no comments about this application.

Lead Local Flood Authority

The Drainage & Flood Risk Management team have no objection to this application

Highway Structures

No comment

Other Representations

4.3 Local Residents

Two letters of objection have been received, as follows:

'Given that the proposal is to greatly increase the height of the garage roof we have no alternative than to object for the following reasons:

'The garage in question has been derelict and not in use for years. We purchased our property in May 2016 on the understanding that it was being used as storage only. After speaking to the owner we understood that he intended to renovate the garage for storage of vehicles only. We made it clear at the time that we would object to any plans to increase the height of the garage/roof.

- Increased light and noise pollution as the garage could be used 24 hours a day and would directly impact us as direct neighbours.

- Increased commercial gain for Avon Commercial Recovery (or Severn Beach Garage as they have referred to themselves in their application!) which could mean more commercial traffic on our little cul-de-sac and through our quiet village.

- The increased height of the garage will directly reduce the light into our garden and all the gardens which back onto the garage.

- The garage will have a negative visual impact which will be harder to mask/cover over given the increased height of the building. This will effect all properties which have gardens that back onto the garage.

- The proposed building is not in keeping with the rest of the neighbouring properties which are all single story bungalows; this new construction would dwarf the residential properties that surround it.

- Aesthetically the design is not pleasing

- a grey industrial modern roof towering above all other properties and is not in keeping with the design and style of the other properties nearby, or the existing garage itself.

- Also I see from the planning application that the proposer has not included any boundary wall or hedging around the perimeter, meaning it is the residents

problem and we would have no alternative but to make moderators to our own existing parameters.

- The roof on the building in question (which I have referred to throughout as the Garage) is currently at 4.2 meters, the increase of 800mm would mean the roof is 5m high which would be very difficult for us to mask/cover over. At its existing height we can construct a fence with trellis and plant certain foliage so that only the ridge of the roof is visible, which we believe would be acceptable.

- If the height of the roof is increased it will block light from our garden and reduce the value of our property.

- Increased height also surely means larger vehicles can be stored and possibly even worked on, which means greater noise from engines and potentially machinery; increased light and sound pollution 24 hours a day.

- In a quiet residential cul-de-sac and village this kind of expansion of a commercial business does not offer any benefit to the community or the local environment and is not in keeping with the rest of the properties on Osborne Road, Beach Road or Beach Avenue.'

The second letter, raises the following objections:

'- Increased noise

- Light pollution as it would be used 24 hrs

- Reduced light into my garden as I back onto garage

- The increased height of the building would stand out more

- More traffic would be generated. Osborne Road is a quiet narrow road and I have noticed the vehicles in the garage are getting bigger and heavier shaking my bungalow.'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the commercial use of a large part of the site is already established through previous historic consents, and in particular the more recent Certificate of Lawfulness. Some areas of what appear to make up the yard as a whole do not appear to be included in this Certificate of Lawfulness consent, including this building and other buildings and areas of land, all enclosed and essentially part of the same parcel of land. The application relates to physical changes to this specific building only, no additional building work or variation to uses already permitted is proposed. The building is clearly an established building, in some disrepair, amongst a back drop of an existing commercial yard. The building is not covered by the Certificate of Lawfulness for the majority of the site, although it is impossible to access it without going through the associated yard. The building clearly has some storage purposes and there was a vehicle residing within it upon an Officer site visit. The proposals however constitute physical changes to the application building only and the application does not seek incorporation into the lawful use of the site as whole. The main issue for consideration therefore is any additional potential local amenity and visual impact of the proposals associated with the level of changes to the roof height proposed.

5.2 Local/Visual Amenity

The site as a whole is an existing commercial premises made up of a yard and associated buildings within it. The building itself is a form of garage building in poor repair with no particular design merit. To the immediate west, the western wall of the existing building abuts the end of the rear curtilage associated with property on Osborne Road and is therefore essentially the boundary wall itself. The rear wall of the building will remain at this location, although the height at the apex would increase by around 80cm to approximately 5 metres at the highest point, in the middle, and would pitch down on either side. The design of the proposals is an improvement upon the relatively poor condition building and not out of keeping with the context of the site and its approved use. Materials in the wall would be render and materials used in the roof would be profiled sheeting. There are existing windows on the rear wall of the garage building which look directly into the curtilage of the residential property in this direction. Under these proposals these windows would be infilled with glass block, with no openings. This would be an improvement on the current relationship between the building and the adjoining garden. The wall of the building already forms the boundary between the adjoining properties, if additional boundary treatment or planting was required within the curtilage of the adjoining property, this would be for the owners consideration.

5.3 To the southern elevation the existing building is located approximately 2.5 metres from the boundary wall and edge of the curtilage with a residential property in that direction, above which are a line of tall conifers. It is not considered that the nature or level of the proposals would materially impact properties to this direction. On the basis of the above it is not considered that the increase in height proposed, and with the roof sloping away, that there would be any material additional impact in this direction. Hours of operation or changes of use are not proposed under this application. Enforcement investigation and Environmental Protection controls would be instigated if it was necessary to investigate any potential change of use or nuisance experienced with the site.

5.4 Given the existing context, relationship and nature of the location the existing building and proposed changes and increase in scale to the building it is not considered that the proposals, to incorporate a new higher roof as proposed, to replace the old flat roof and pitched combination, could be construed to have a significant or detrimental visual or local amenity impact upon the site and surroundings such as to sustain an objection and warrant refusal on this basis.

5.5 Transportation

The site as a whole, including the access, operates under an approved use. The proposals the subject of this application do not seek to alter the approved use and it is not considered therefore that a significant or material increase in vehicle movements would occur. No new access is proposed and the existing access would be retained. Any external highways matters or weight limits would be a matter for Highways Authorities. There are no objections to the proposals on highways grounds.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

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).

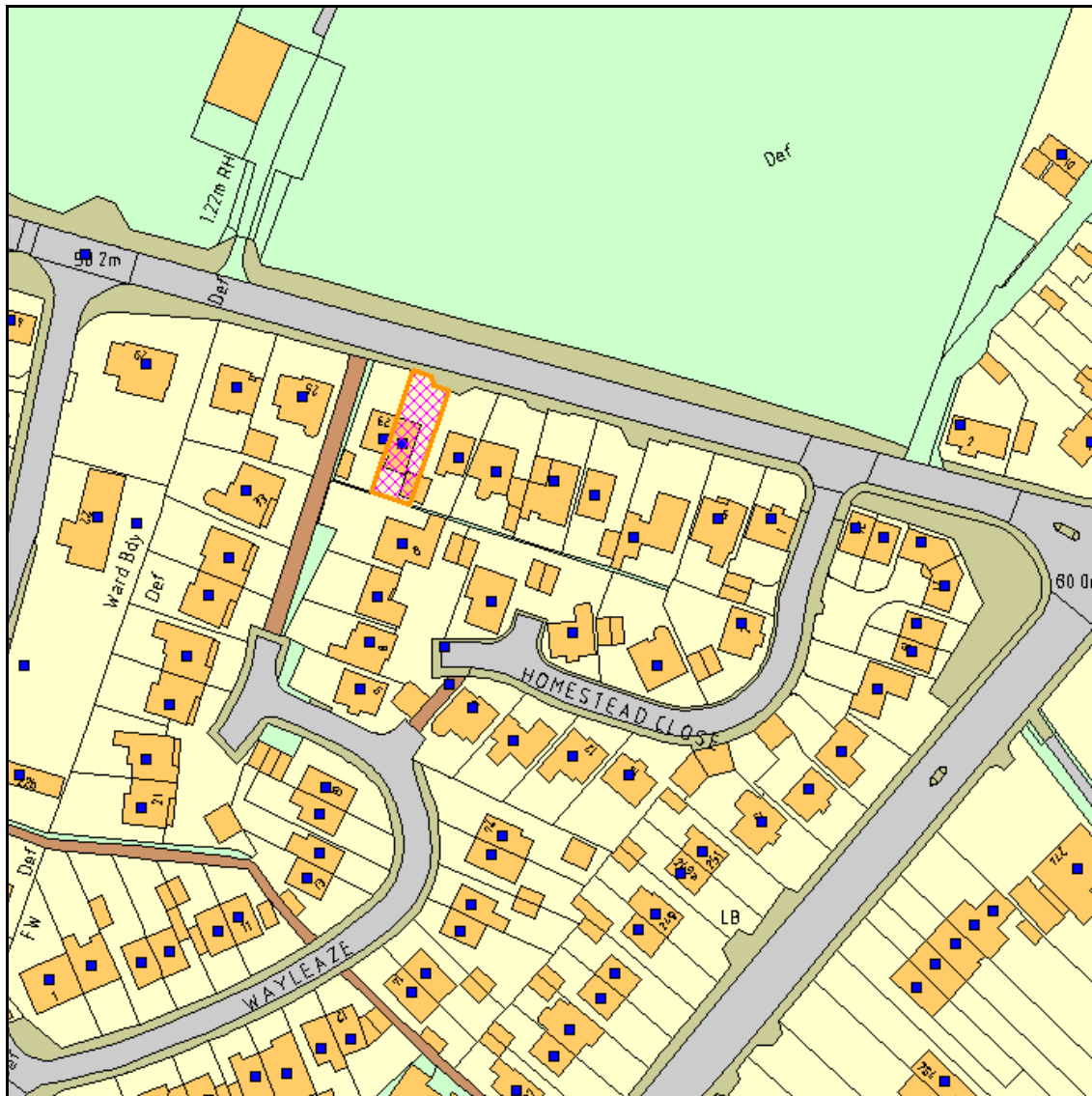
2. The hours of working on site during the period of construction shall be restricted to Monday - Friday 07.30 - 18.00 and Saturday 08.00 - 13.00, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use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

Reason

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

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/5339/CLP	Applicant:	Mr Bernard Beaves
Site:	21 Church Road Frampton Cotterell South Gloucestershire BS36 2NJ	Date Reg:	29th September 2016
Proposal:	Application for a certificate of lawfulness for the proposed erection of a single storey rear extension.	Parish:	Westerleigh Parish Council
Map Ref:	367811 181443	Ward:	Westerleigh
Application Category:	Certificate of Lawfulness	Target Date:	23rd November 2016



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 100023410, 2015. N.T.S. PT16/5339/CLP

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks a formal decision as to whether or not the proposed erection of a single storey rear extension at 21 Church Road Frampton Cotterell would be permitted under the regulations contained within The Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 This application is not an analysis of planning merit, but an assessment as to whether the development proposed accords with the above regulations. There is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

- 2.1 This is not an application for planning permission. Thus it cannot be determined through the consideration of policies contained within the Development Plan; the determination of this application must be undertaken as an evidential test against the regulations listed below.
- 2.2 National Guidance
The Town and Country Planning (General Permitted Development) (England) Order 2015.

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No comments received.
- 4.2 Westerleigh Parish Council
No comments received.
- 4.3 Councillor
No comments received.
- 4.4 The Archaeology Officer
No objection to the proposal on archaeological grounds.

Other Representations

- 4.5 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 26 September 2016 –
- Site Location and Block Plans (21CH.SEPT16.LP.BR.1)
 - Combined Existing Plans (21CH.SEPT16.E.1)
 - Combined Proposed Plans (21CH.SEPT16.P.1.B B)

6. ANALYSIS OF PROPOSAL

- 6.1 This application seeks a certificate of lawfulness for a proposed single storey rear extension with at a property in Frampton Cotterell.

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 rear extension 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 Rear Extension

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 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 single storey rear extension 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 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 or form 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 semi-detached dwellinghouse. The proposed extension will extend beyond the rear wall of the original dwellinghouse by 2.5 metres and have a maximum height of 3.7 metres to the ridge line.

- (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 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 does not extend beyond a side wall of the property.

- (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 situated within 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 plans show that the extension will be finished with spar render for the elevations, double roman roof tiles and white UPVC windows and doors, all of which match the materials used within the existing 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 on the balance of probabilities the proposed single storey rear extension falls 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.

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/5377/F	Applicant:	North And Letherby Ltd
Site:	Ebenezer Chapel Watleys End Road Winterbourne Bristol South Gloucestershire BS36 1QQ	Date Reg:	30th September 2016
Proposal:	Change of use from Chapel (class D1) to 1 no residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)	Parish:	Winterbourne Parish Council
Map Ref:	365941 181443	Ward:	Winterbourne
Application Category:	Minor	Target Date:	22nd November 2016



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 100023410, 2015. **N.T.S.** **PT16/5377/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of a Chapel (Class D1), to 1no. residential unit (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The existing unit is known as Ebenezer Chapel, a locally listed building located back from Watleys End Road in the settlement boundary of Winterbourne.
- 1.3 Ebenezer Chapel is a 19th century Methodist Chapel, its last known lawful use was as an army cadet platoon instruction and training centre. It is understood that the property was subsequently bought in 1989, it is suggested that the chapel was then used for the storage of furniture and other chattels.
- 1.4 Over the course of the application revised plans were submitted, as these did not materially change the proposal, a period of re-consultation did not occur.
- 1.5 The application site does not include the graves at the site.

2. POLICY CONTEXT

2.1 National Guidance/Legislation

NPPF	National Planning Policy Framework March 2012
PPG	Planning Practice Guidance
GDPO	The Town and Country Planning (General Permitted Development) (England) Order 2015.
"the Act"	The Town and Country Planning Act 1990 (as amended)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS23	Community Infrastructure and Cultural Activity

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

L1	Landscape
L15	Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality
T7	Cycle Parking
T12	Transportation Development Control Policy for New Development

4. **CONSULTATION RESPONSES**

4.1 Parish Council
No Objection.

4.2 Lead Local Flood Authority
No Objection.

4.3 Highway Structures
No Comment.

4.4 Archaeology
No Objection.

4.5 Sustainable Transport
No objection, the lack of parking must be balanced against the significant reduction in the travel demand afforded by the proposal.

4.6 Conservation Officer
No objection, subject to the following issues being addressed:

- The mezzanine floor at the front of the chapel results in a floor structure crashing across the existing and most prominent openings to front and side elevations of the principal structure;
- The boundary treatment also needs a rethink as there are no objections to an appropriate design of railings, but the proposed timber fence would be unacceptable.

Recommended conditions:

- Large scale joinery details for all new windows and doors;
- Large scale details for new fence gates;
- All new vents and flues;
- Internals finishes to floors, walls and ceiling;
- Design of railings and gate;
- Design of coping to stone wall: and
- Sample panel for new stone boundary wall.

Other Representations

4.7 Local Residents
Three comments have been submitted by members of the public with regard to this development, two of which have been in objection to the proposal, and one of which was neutral comment in reaction to the proposal but wished to convey that the Methodist Church owned aspects of the areas abutting the application site.

Objection Comments Summarised

- Concerns regarding windows overlooking nearby residential occupiers;
- On-street car parking concerns;
- Construction concerns;
- Builders on-street parking;
- The parking survey is insufficient.

Neutral Comments on Behalf of Salem Methodist Church

- The graveyard, the boundary wall alongside York gardens and the front boundary railings as depicted in the above Planning Application are owned by The Methodist Church of Great Britain. Access to the graves is by Right of Way along the existing paths;
- Impact of development on graves;
- The church recognises that the condition of the existing building is not satisfactory and that sensitive development is the way forward;
- Gates and fences will require consultation with the Church;
- The church wishes to be kept informed.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the conversion of a former chapel last within a D1 Use Class to a residential unit (C3 Use Class).

5.2 Principle of Development

The Council cannot demonstrate a five year housing land supply, meaning paragraph 49 of the NPPF is engaged. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The paragraph goes on to suggest that if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites then their relevant policies for the supply of housing should not be considered up-to-date.

5.3 Regardless of this, the starting point for any decision-taker is the adopted development plan, but the decision-taker is now also required to consider the guidance set out within paragraph 14 of the NPPF. Paragraph 14 states a presumption in favour of sustainable development, and states that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.

5.4 The proposal should be assessed in terms of adopted up-to-date development plan policies and paragraph 14 of the NPPF. In keeping with the decision-taking approach set out within paragraph 14 of the NPPF, this proposal will be assessed in terms of whether the proposal's benefits would be outweighed by any adverse impacts that would result from the development, such adverse impacts would have to be significant and demonstrable. This will be considered throughout the remaining report.

5.5 Principle of Development - Loss of a Training Facility

The last known use of the chapel was as a cadet and training facility, such uses are considered to be community and cultural infrastructure. With this in mind, officers must consider if the loss of a training facility is acceptable. Turning firstly to the Development Plan, policy CS23 'Community Infrastructure and Cultural Activity' of the Core Strategy seeks to retain existing community

infrastructure. Policy CS23 states that existing community infrastructure will be retained, unless it can be demonstrated that:

- The use has ceased and there is no longer a demand; or
- The facility is no longer fit for purpose; and
- Suitable alternative provision is available within easy walking distance to the required standard.

- 5.6 Officers understand that the training centre has not been in use for some years, and in fact a B8 use may have occurred at the site. Nonetheless, in demonstrating that the use has ceased, developers must provide evidence to the Local Planning Authority that a reasonable amount of time has lapsed for an alternative agency or organisation to re-establish the use, or an alternative community use, or the facility no longer provides for the needs of its users to modern day standards and alternative suitable provision is available within a reasonable walking distance.
- 5.7 Notwithstanding policy CS23, the Council cannot demonstrate a 5 year housing land supply, a recent judgement provided clarity to the interpretation of paragraph 49 of the NPPF (Richborough Estates Partnerships LLP v Cheshire East Borough Council and Secretary of State for Communities and Local Government). The key conclusion from the Court of Appeal is that Paragraph 49 should be interpreted widely and it applies to all policies which are restrictive of where housing development can go. Accordingly, Policy CS23 cannot be considered to be strictly up-to-date, and therefore officers turn to policies contained within the NPPF. Paragraph 70 of the NPPF aim to 'guard against the unnecessary loss of valued facilities and services, particularly where this [the planning proposal] would reduce the community's ability to meet its day-to-day needs'. Accordingly, the premise of the policy CS23 is largely consistent with paragraph 70 of the NPPF. Nonetheless, paragraph 70 of the NPPF is the test in which this development must pass.
- 5.8 The agent claims that attempts in the past have occurred to create a community facility within the host unit, however, they have failed due to the financial burden associated with refurbishing the existing unit. Indeed in support of this claim a newspaper article within the local Gazette has been submitted. This article details that a community group found the costs of refurbishment of the host unit too high to justify the use of the facility as a community facility. Notwithstanding this, no actual figures or statements were submitted in support of this.
- 5.9 The agent has also stated that a member of Air Training Corps in the area, Linda Porter, has stated that the squadron has not used Ebenezer Chapel in for at least 20 years, and that the squadron utilises other facilities in the nearby vicinity.
- 5.10 The community use at the site has ceased, and although it appears that further community uses have been sought at the site, such uses have failed due to the cost of refurbishing the site to an acceptable standard. Officers, therefore

cannot conclude that the demand for the unit to be utilised as a community use in no longer there, and officers cannot conclude that the facility is no longer fit for purpose. This is because no specific evidence has been submitted with regard to the viability of a community use at the site with the refurbishment costs in mind. Nonetheless, officers do accept that the building is in state of disrepair, and refurbishment costs would be high.

- 5.11 Winterbourne is a sustainable location where there are a number of other community facilities and buildings available within walking distance from the application site. For example, The Greenfield Centre is located approximately 0.5 miles from the host site (approximately a 10 minute walk). Further to this, there are a number of places of worship within Winterbourne, specifically, Salem Methodist Church on Factory Road, All Saints' Church and also Winterbourne Down Methodist Church both on Down Road. Winterbourne Library on Flaxpits Lane is just within walking distance being approximately a 20 minute walk from the application site. There are also sporting facilities within Winterbourne, as well as the facilities within Winterbourne International Academy, all within walking distance of the site.
- 5.12 The proposal would result in the loss of a former community facility. However, the community use at the site has ceased, and the application building itself is in a state of disrepair. The facility therefore cannot be considered to be valued given its existing state and use, further to this, there are host of other community facilities within walking distance of the application site which provide the required standard of facilities. With this in mind, paragraph 70 of the NPPF and policy CS23 are satisfied by the development. Accordingly, officers find the loss of this former community use to be acceptable, and to not be a reason to refuse to grant planning permission for this development.
- 5.13 Principle of Development – Non-Designated Heritage Asset
Policy CS9 'Managing the Environment and Heritage' expects development to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. Paragraph 135 of the NPPF relates to non-designated heritage assets, also known as 'locally listed buildings'. This paragraph states that the effect on the significance of a non-designated heritage asset should be taken into account in determining planning applications. Paragraph 135 goes onto state that 'in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. The development will therefore only be acceptable where the proposed works are acceptable in the context of the significance of the locally listed building.
- 5.14 Principle of Development – Summary
The proposed development is considered to be acceptable in principle subject to considerations involving: the community use of the existing unit; the conservation of the locally listed building; impacts regarding residential amenity and highway safety.
- 5.15 These considerations will be assessed in the context of paragraph 14 of the NPPF, this paragraph states that proposals should be permitted unless:

- 5.16 ‘...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole’.
- 5.17 Accordingly, the proposal will be assessed in the context of paragraph 14 of the NPPF, with regard to whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the proposal. The remainder of this report will be structured in this way.
- 5.18 Housing Supply
The proposal has one clear benefit which would be the contribution of one new residential unit to the Council’s five year housing supply. Further to this, the proposal would bring an existing redundant local listed building which is falling into disrepair back into an active use.
- 5.19 Conversion of the Locally Listed Chapel
The Victorian Ebenezer Chapel is on the Council’s Local List of buildings that are considered to make a significant contribution to the character and local distinctiveness of the locality.
- 5.20 Ebenezer Chapel is a non-conformist chapel which dates from the 1860s. It can be regarded as a good example of its type with a simple plan form under a tiled gable roof and dressed stone embellishments and deep windows with semi-circular window heads that lift elevations of rubble stone. A rear extension set on a perpendicular axis does however somewhat detract from its appearance, but its siting, simple form and modest proportions ensures it retains a reverence to the principal asset.
- 5.21 The significance of this locally listed building can be considered to be derived from the external appearance of the building, the internal character also can be considered to be of significance.
- 5.22 The majority of the works required to refurbish the building itself do not require express planning permission as section 55(2) of the Act excludes the works listed below from the what is considered to be the development of land :
- ‘the carrying out for the maintenance, improvement or alteration of any building of works which –*
- (i) affect only the interior of the building, or*
- (ii) do not materially affect the external appearance of the building.’*
- 5.23 The refurbishment of the windows within the site would not require express planning permission, however, the replacement of an existing front elevation door would. This existing modern timber panel door contributes little to the character of the building, and the replacement with a timber framed sash window is considered to be an improvement. A condition is recommended to ensure that the window is of an acceptable quality, indeed this condition should also regard all external new windows and doors to be utilised within the

development. An opening on the north eastern elevation of the building which has been crudely infilled in the past is proposed to be replaced with clay brickwork which is a further improvement to the character of the building.

- 5.24 A matt black flue is proposed, the Conservation officer has requested that details of the flue are submitted as part of a condition. Officers do not find this to be appropriate, rather officers recommend that a compliance condition is imposed where the flue must be formed of cast metal and be painted black. Similarly, it is recommended that a condition be imposed that ensures all rainwater goods are cast metal and black in appearance. The dwelling proposed may require new vents to be inserted, as such a condition is recommended to ensure that all new vents are of a suitable design and position.
- 5.25 A first floor height rear roof lantern which has had its windows replaced with render will be returned to its previous design: windows will be inserted in the rear and side elevation of the lantern. As with the proposed front elevation windows, details of these roof lantern windows are recommended to be secured through condition.
- 5.26 A mezzanine floor is proposed within the front section of the chapel, this mezzanine floor has been reduced from the original proposal to ensure that no windows of the chapel are obstructed by a new floor. The mezzanine floor is acceptable, however, to ensure that a mezzanine floor that crashes across windows is not installed in the future, a condition is suggested.
- 5.27 A metal post fence is proposed to mark the boundary of the site, and a stone wall is also proposed to demarcate the garden for the proposed dwelling, both are acceptable boundary treatments in principle. It is recommended that conditions are imposed that requires details of such treatments are submitted to the Authority for assessment.
- 5.28 Officers note the concerns of the Conservation Officer with regard to internal finishes, as the building is only locally listed, there is limited opportunity to control internal operations within the unit. As such, officers cannot condition that the internal finishes are submitted for approval.
- 5.29 If planning permission was improved, the dwelling would benefit from the generous permitted development rights contained within Part 1 of Schedule 2 to the GPDO. A number of these development rights if executed would likely lead to the erosion of the character of the chapel, as such these permitted development rights will be removed.
- 5.30 Overall, subject to the aforementioned conditions, the development has an acceptable, if not beneficial, impact on the significance and external appearance of the locally listed building.
- 5.31 Highway Safety
It is proposed to convert the chapel into a three bedroom dwelling. The Council's Residential Parking Standard SPD states that a three bedroom dwelling required a minimum of two off-street car parking spaces within the

residential curtilage of the host site. There is no opportunity to provide off-street car parking within the application site. The development is therefore contrary to the requirements to the parking standard within the Council's residential parking SPD.

- 5.32 This is clearly a negative aspect of the proposal, however, this must be considered in the context of the application site and the wider area. further to this, Appendix A of the Residential Parking Standard SPD states:

There may be extenuating circumstances where it may be appropriate to allow a variation from the standards. Any such circumstance will need to be justified by a transport statement or assessment. A travel plan(s) is also likely to be required to support lower parking standards on major development schemes.

- 5.33 A Technical Note regarding the development has been submitted. The immediate area is not subject to any on-street car parking restrictions, and as the submitted Technical Note states, cars generally park on the south eastern side of Watleys End Road (opposite the application site), leaving the other side of road fairly free from on-street car parking.

- 5.34 The submitted Technical Note makes the case that the development would make one peak hour vehicle trip, and five trips per day. The Technical Note also includes a parking survey over one weekday evening and a Sunday morning. The survey found that that there was 14 spaces available within a 100 metre radius, and 46 spaces within a 250 metres of the application site. The Technical Note concludes that the available on street car parking is in excess of what would be required by this development. Officers can understand the point which the Technical Note is making, however, the methodology of the car parking survey is unsound based on the fact it was observed over only two separate days within the school holidays. Nonetheless, as the case officer witnessed on site during school term time (approximately 3pm), there are opportunities for on street car parking in the area.

- 5.35 The more persuasive argument contained within the Technical Note is that which makes reference to the previous consented use of the site. As stated, the site's lawful use is as a D1 use, as a community facility. The site could lawfully return to this use without the need for any express planning permission. This must be taken into consideration when assessing the highways impact of the proposal. The proposal will generate approximately five trips per day. Although a community building may not generate trips every day, when the building would be in use the trip generations would be in excess of five based on the size of the building, and the on-street car parking demand would be far in excess of the that of a three bedroom dwelling. Accordingly, the proposal represents a significant reduction in travel and parking demand when compared to the fall-back use of the site.

- 5.36 In summary, although the proposal fails to conform to the parking standard within the Council's parking SPD, the proposal would represent a reduction in travel and car parking demand when compared to the extant use of the site. This is considered to represent an extenuating circumstance in the context of Appendix A of the Residential Parking Standard. Accordingly, officers find the

lack of off-street car parking provision to not represent a reason to refuse this development. Moreover this would not amount to a severe highway impact as described in the NPPF paragraph 32).

5.37 Residential Amenity

The conversion of the existing chapel is not considered to have an unacceptable impact on the nearby residential occupiers. The new windows proposed within the rear rooflight are of such a height that their only purpose is to provide light into the building, rather than outlook, as such the windows are unlikely to result in a material loss of privacy to any nearby occupiers. Officers note the concerns of nearby occupiers with regard to the mezzanine floor, the mezzanine floor will not materially harm the residential amenity of any nearby occupiers, and future mezzanine floors within the unit would require express planning permission due to a condition suggested within the 'Conversion of the Locally Listed Chapel' section. There are windows within the northern elevation of the unit that have views across the front garden of the adjacent dwelling to the north. These views will not materially prejudice the residential amenity of the occupier to the north. Proposed bedrooms 2 and 3 would have windows that are directly adjacent to the graveyard. Those visiting the graveyard may be able to see into these rooms (depending on window covering). However this relationship is unlikely to lead to serious impact to the privacy of the proposed occupiers, given that those visits to such graves are likely to be relative infrequent, and carried out sensitively.

Overall, the proposal is not considered to materially harm the residential amenity of any nearby occupiers.

5.38 Private Amenity Space

Emerging policy PSP43 relates to levels of private amenity space that residential developments should provide, this policy currently attracts limited weight. A three bedroom dwelling should provide 60sq.m of private amenity space. The proposed conversion would provide approximately 70sq.m of amenity space to the side and front of the property within a 1.5 metre stone wall. Although the amenity space is not overly private in nature, officers find it to be acceptable given the status of the emerging policy, and the fact that an element of private amenity space is provided at the site.

5.39 Cycle Parking

The proposal needs to accord with policy T7 'Cycle Parking' of the Local Plan. This policy states that two secure and undercover cycle parking spaces will be required for the proposed dwelling. This has not been submitted as part of the proposal. As such a condition is suggested that requires details of a cycle parking to be submitted to the Authority for approval.

5.40 Other Matters

Officers note the concerns of the Methodist Church, but also consider the majority of their concerns to be civil matters and therefore not relevant to the assessment of this planning application. This is because the application site is all within the ownership of the applicant, and the application site does not include any of the graves at the site (see submitted red line within the submitted plans). Further to this, access to maintain the graves etc. is still maintained regardless of this proposal. The applicant will be reminded of the

fact that permission is required from the land owner to enter land not in their ownership within the decision notice in the case of planning 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 It is recommended that planning permission is **GRANTED** subject to the conditions listed below/on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Prior to the commencement of external works, the detailed design of the following new items shall be submitted and approved in writing by the Local Planning Authority.
- A. All new external doors (if applicable);
 - B. All new vents (if applicable);
 - C. All new windows.

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

Reason

In the interests of character of the host building and to accord with Policies CS1, and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

3. The flue(s) and rainwater goods to be utilised within the development hereby approved shall be formed of cast metal and shall be painted black.

Reason

In the interests of character of the host building and to accord with Policies CS1, and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. Notwithstanding the plans hereby approved, no mezzanine or additional floors shall be constructed internally within the dwelling hereby approved.

Reason

In the interests of character of the host building and to accord with Policies CS1, and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. Prior to the first occupation of the dwelling hereby approved, the details of the metal fence posting to be erected at the site shall be submitted to the Local Planning Authority for written approval. The details shall include scaled plans identifying the location, height and design of the fence to be used. For the avoidance of doubt, the metal fence must be erected in accordance with the approved details prior to the first occupation of the dwelling hereby approved.

Reason

In the interests of character of the host building and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

6. Prior to the first occupation of the dwelling hereby approved, a sample panel of the stone work showing colour, texture and finish shall be erected on site and approved in writing by the Local Planning Authority. The stone boundary wall shall then be carried out in strict accordance with the approved sample, and the wall shall be completely erected prior to the first occupation of the dwelling hereby approved.

Reason

In the interests of character of the host building and to accord with Policies CS1, and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

7. Notwithstanding the provisions of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order (as amended) 2015 (or any Order revoking and re-enacting that Order with or without modification) no development in Part 1, Class A, B, C, D, F, G, and H; or Part 2, Class A shall be carried out at the application site.

Reason

In the interests of character of the host building and to accord with Policies CS1, and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

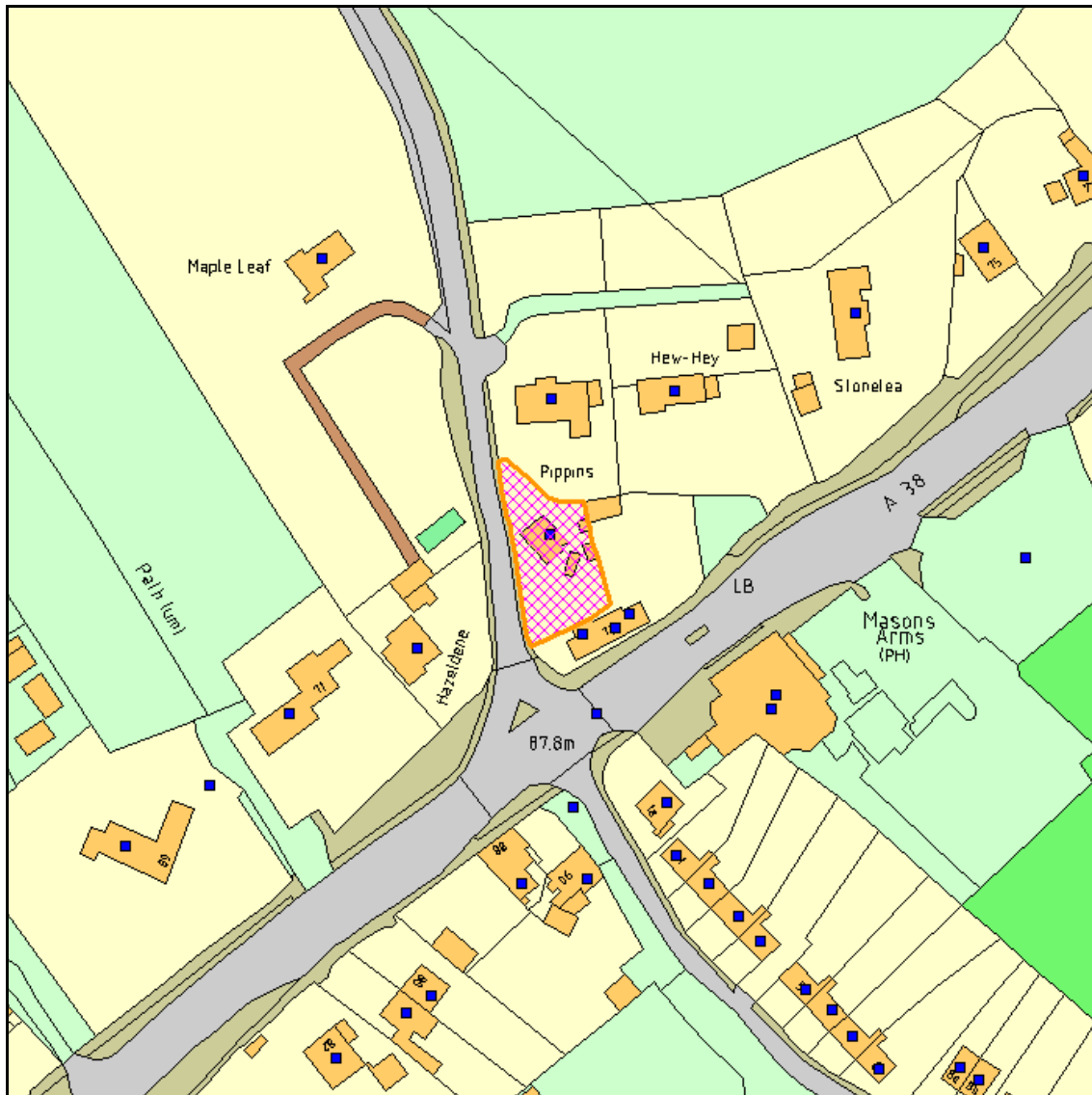
8. Prior to the first occupation of the hereby permitted residential unit, undercover and safe cycle parking facilities for at least two bicycles shall be provided within the residential curtilage of the permitted unit and thereafter retained for that purpose.

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.

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/5409/F	Applicant:	Ms Sarah Hildersley
Site:	The Cottage Hazel Lane Rudgeway Bristol South Gloucestershire 35 3QW	Date Reg:	3rd October 2016
Proposal:	Demolition of existing rear lean-to extension and detached garage, and erection of two storey rear extension to form additional living accommodation.	Parish:	Alveston Parish Council
Map Ref:	362854 186997	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	23rd November 2016



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 100023410, 2015. **N.T.S.** **PT16/5409/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to comments received from Alveston Parish Council and a neighbouring resident contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the demolition of the existing garage and rear lean-to extension and the erection of a two storey rear extension to provide additional living accommodation at The Cottage in Rudgeway.
- 1.2 The host dwelling is a two storey detached dwelling utilising the materials of cream render on the elevations, clay tiles on the roof and brown pvc for the windows. The dwelling is situated on a modest plot of land.
- 1.3 The applicant site is located outside of a defined settlement boundary and within the Bristol/ Bath Green Belt.
- 1.4 The application is a resubmission of PT16/0111/F which was withdrawn on 10th March 2016 because of an impending refusal.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (adopted) August 2007
Residential Parking Standards Supplementary Planning Document (adopted)
December 2013
Development in the Green Belt Supplementary Planning Document (adopted)
June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/0111/F Demolition of existing garage and rear extension. Erection of two storey rear extension to form additional living accommodation.
Withdrawn 10.03.2016

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
Objection due to the size of extension within the Green Belt boundary. Alveston Parish Council also supports the architectural objections.
- 4.2 Archaeology
The proposal involves a substantial extension to a property that lies within an area of archaeological potential within the historic settlement defined on the tithe and 1st Edition maps. Therefore it is recommended that an archaeological watching brief is undertaken during all ground works.
- 4.3 Sustainable Transport
The application seeks to demolish the existing detached garage and erect a two storey rear extension to form additional living accommodation.
The proposal would create an additional 2 bedrooms making The Cottage a 4 bed dwelling. Whilst the existing garage would be removed, adequate off street parking for 2 vehicles would remain on the driveway. As such there are no transportation objections.

Other Representations

- 4.4 Local Residents
An objection comment has been received from a neighbouring resident regarding the potential loss of privacy due to the proposed velux combined roof and vertical window on the north west elevation which would overlook the objectors bungalow and have views into a bedroom and main living area as the proposed works are in close proximity to their property. Other than this concern we are happy with the proposed extension so our neighbour can have the home she desires.

5. ANALYSIS OF PROPOSAL

- 5.1 The application seeks permission to demolish the existing detached garage and single storey rear lean-to extension at the dwellinghouse, and the erection of a two storey rear extension which will be used to form additional living accommodation.
- 5.2 Principle of Development

The principle of the proposed development will be assessed against Sections 9 (Green Belt) of the National Planning Policy Framework; as well as policy CS5 of the Core Strategy (adopted December 2013). Because of the site's location the Green Belt the Development in the Green Belt Supplementary Planning Document (adopted June 2007) will also be a material consideration.

5.3 Additionally, Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) and emerging Policy PSP38 of the PSP Plan (June 2016) are supportive of development within the residential curtilage of existing dwellings providing there are no negative effects on residential amenity, transport and visual amenity. Additionally, Policy CS1 of the Core Strategy exists to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context. The site is also located in a 'Rural Area' Policy CS34 of the Core Strategy seeks to protect and enhance these areas. The proposal shall be determined against the analysis below.

5.4 Green Belt

The application site is situated within the Bristol/ Bath Green Belt. The Green Belt is of great importance to the Government, the aim of Green Belt policy is to keep land permanently open. When assessing the proposal it should be considered whether the proposed development is an inappropriate development for the Green Belt in relation to the NPPF, whether the development causes any other harm and whether the development requires special circumstances necessary to justify development. Furthermore as stated within the Development in the Green Belt Supplementary Planning Document (adopted June 2007) additions to existing dwellings should only be considered acceptable if the proposal is not disproportionate; the proposed development compliments the existing character and it does not harm the openness of the Green Belt. Disproportionality is assessed on a case-by-case basis, but ideally house extensions should not exceed 30%.

5.5 Where an extension exceeds 30% the proposal is considered against the disproportionate test which is outlined within the South Gloucestershire Council Development in the Green Belt Supplementary Planning Document (adopted June 2007). The test consists of three components: the volume increase of the original dwelling, the appearance of the proposal and the existing extensions and outbuildings.

5.6 It is noted that the existing single storey lean-to rear element is a later addition to the property however it was before 1948 vesting date or the original 1947 Town and Country Planning Act and will therefore be regarded as part of the original dwellinghouse. It is calculated that the original dwellinghouse has a volume of 198.57m³ this is excluding the existing garage which will be demolished and stone built stores which adjoin the rear boundary.

5.7 The proposed two storey rear extension will have a volume of circa 163.63m³. As the lean-to extension is to be demolished the volume has been subtracted from that of the two storey rear extension resulting in the proposed works having a total volume of circa 122.12m³. As a result the proposed works will result in a volume increase of circa 61%. This is in excess of what is considered a 'limited extension' as defined within the Development in the

Green Belt Supplementary Planning Document and would be considered to be a disproportionate addition to the original dwelling.

- 5.8 The second component of the disproportionate test considers the appearance of the proposal; proposals should not be out of proportion with the scale and character of the original dwelling; this component will be assessed further from paragraph 5.11. The original dwelling is a modest detached cottage located on a modest plot of land. The proposal will be subordinate to the main dwelling and whilst the proposal is larger than the existing dwelling it is not considered to impact the views.
- 5.9 The third component of the disproportionate test considers existing extensions and outbuildings within the curtilage. The single storey rear extensions are considered as part of the 'original dwelling'. The residential curtilage of The Cottage is not considered to be cluttered, there are two garden stores along the rear boundary wall which will remain. As part of the proposal the existing single storey detached garage will be demolished, reducing the number of outbuildings within the curtilage. Whilst the proposal will show an increase in the footprint of the property it is not considered to result in extensive sprawl.
- 5.10 The conclusions for whether or not the proposal is acceptable with relation to the disproportionate test will be considered following the assessment on design and visual amenity of the proposal.
- 5.11 Design and Visual Amenity
The application site is a two-storey detached dwelling situated outside of a defined settlement boundary and within the Bristol/ Bath Green Belt. The application seeks approval for the demolition of the existing garage and rear extension and the erection of a two story rear extension to provide additional living accommodation.
- 5.12 The proposed two storey rear extension will result in a large addition to the dwellinghouse, however, the proposal will not be overly visible from the streetscene and furthermore the proposal will be subordinate to the original dwelling. The proposed two storey rear extensions will comprise of a mixture of roof styles, including two rear gables and one new side gable.
- 5.13 The proposed two storey rear extension will utilise appropriate materials which match those used within the existing dwelling including rendered elevations, reclaimed roof tiles and PVCu windows in a wood finish to match those used within the existing dwelling.
- 5.14 Overall, the design of the proposal is considered to be acceptable in relation to the Bristol/ Bath Green Belt. Whilst the volume of the proposal exceeds what is considered a 'limited extension' officers believe the individual circumstances at the site and the design of the proposal is acceptable.
Furthermore, the proposal respects the character of the site and the wider context as well as being of an appropriate scale and proportion with the original dwelling and surrounding properties. Accordingly, the proposal is considered to comply with Policy CS1 of the Core Strategy (Adopted) December 2013 and emerging Policy PSP1 of the PSP Plan (June 2006).

- 5.15 Residential Amenity
Saved policy H4 of the adopted Local Plan states that proposals for development within existing residential curtilages will only be permitted where they would not prejudice the amenity of nearby occupiers.
- 5.16 The applicant site is a detached two-storey property located within the Bristol/Bath Green Belt and outside of a designated settlement boundary.
The boundary treatment at the rear of the property is a 1.8 metre stepped fence which separates the dwelling from The Pippins and Hew-Hey. To the front of the dwelling is a low stone wall which acts as a boundary between the host dwelling and Hazel Lane. To the south-east of the site there is a large stone wall, this separates no. 73 and the host dwelling. No. 73 is situated at a higher level to the host dwelling.
- 5.17 There are a number of new openings proposed within the two storey rear extension. The new openings on the south-east (side) elevation are not considered to result in an adverse impact regarding overlooking because of the boundary treatments and the topography of the site. The proposed first floor velux combined roof and vertical window on the north-west (side) elevation windows is raising concern with a neighbouring resident as they believe it will be overlooking towards their bedroom and private amenity space. Officers note that there is over 20 metres between the proposed window and The Pippins, whilst there may be some overlooking of the objectors private amenity space it is not considered to be adverse.
To the north-east (rear) elevation there is one window proposed on the ground floor, this will replace an existing window. There are no new windows proposed on the south-west (front elevation).
- 5.18 The proposed extensions are unlikely to affect the private amenity space of the existing residents or any future residents as there is a large rear garden available.
- 5.19 Overall, the proposed development is considered to be acceptable with regards to residential amenity and is considered to comply with saved Policy H4 of the Local Plan (2006) and emerging Policy PSP8 of the PSP Plan (June 2016).
- 5.20 Highways
The host dwelling is a detached two bed dwellinghouse in Rudgeway. The application seeks planning permission for the demolition of the existing detached garage and single storey rear extension and the erection of a two storey rear extension to form additional living accommodation. The proposed works will create two further bedrooms. Whilst the existing garage would be demolished officers are satisfied that adequate off-street parking for two vehicles would remain at the site. As such there are no transportation objections to the proposal.
- 5.21 Archaeology Issues
The site lies within an area of archaeological potential within the historic settlement defined on the tithe and 1st Edition maps. Therefore, it is recommended that an archaeological watching brief is undertaken during all ground works. A condition will be implemented to ensure this.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the application is **APPROVED** with the following conditions.

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

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

Reason

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

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

Reason

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

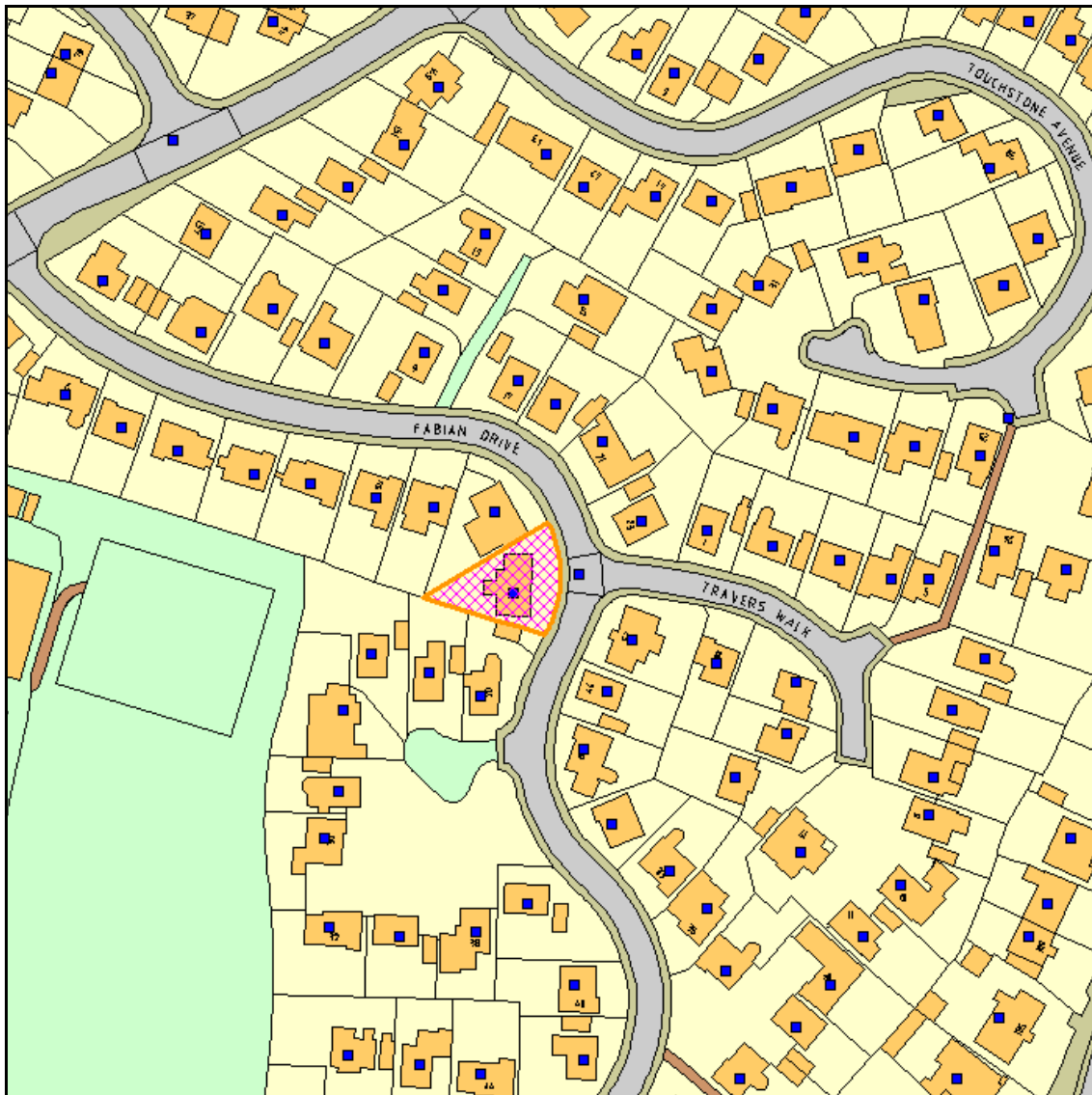
3. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: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

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with 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. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/5464/F	Applicant:	Mrs Gloria Kington
Site:	18 Fabian Drive Stoke Gifford Bristol South Gloucestershire BS34 8XN	Date Reg:	7th October 2016
Proposal:	Demolition of attached garage and erection of single storey front and side extensions to provide additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	362478 180063	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	30th November 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This appears on the Circulated Schedule as the Parish Council have objected contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This planning application seeks permission for the demolition of an attached garage and erection of a single storey front and side extension to provide additional living accommodation at 18 Fabian Drive, Stoke Gifford.
- 1.2 The application site relates to a detached, relatively modern chalet bungalow with buff brick elevations, brown UPVC windows and a concrete tiled roof. It is located within the built up residential area of Stoke Gifford and part of the North Fringe of the Bristol Urban Area. Surrounding properties are largely detached chalet bungalows of a similar design.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS25 Communities of the North Fringe of Bristol Urban Area

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

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

Emerging Plan

South Gloucestershire Local Plan, Proposed Submission: Policies, Sites and Places, June 2016

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 N2483 Approved 13.07.1976
Master plan in connection with development of approximately 174 acres of land for residential and ancillary purposes.
- 3.2 N2483/AP3 Approve with Conditions 12.04.1979
Erection of 665 dwellings and garages; 27 flats and 6 shop units with flats over and construction of estate roads, together with the provision of site for a primary school, community use and open spaces on approximately 37 hectares (in accordance with the revised layout plan received by the Council on 23rd March 1979). (details following outline). To be read in conjunction with planning permission Ref.No. N.2483.
- 3.3 P84/0001/2 Approval 06.06.1984
Erection of 101 houses and bungalows and provision of associated garaging and parking facilities.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Objection. Concerns regarding overdevelopment and parking.
- 4.2 Sustainable Transport
- Insufficient information has been submitted to make full assessment
 - Site will require 2 parking spaces measuring 2.4m x 5m to avoid overhang to highway.
 - A revised block plan should be submitted showing 2no. parallel parking spaces.
- 4.3 Archaeology Officer
No comments received

Other Representations

- 4.4 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 and the emerging Policy PSP38 of the PSP Plan (June 2016) allow the principle of extensions within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The existing property lies within an angular plot which narrows towards the rear, benefitting from front and rear gardens. The dwelling has a protruding fronted gable feature and attached garage, both which extend past the main front building line of the property by 0.4 metres. This application proposes to demolish the existing attached garage and replace with a single storey front and side extension, to facilitate an additional reception room, bedroom and en-suite.

5.3 The extension would form an additional protruding gable to the front elevation, and would follow the angular boundary of the site, narrowing towards the rear of the property. Original plans submitted to the Council 3rd October 2016 showed that the extension would have extended forward of the front building line of the existing attached garage and protruding gable feature by 0.65 metres. Following Officer concerns, revised plans were received 3rd November 2016, which show that the development is reduced in depth, and would now extend 0.25 metres more than these features. It is acknowledged that the extension would still extend further than the protruding gabled feature at the site, but it is not considered that it would appear out of context with the existing dwelling or surrounding area.

5.4 The case officer notes the concerns of the parish council in relation to overdevelopment of the plot. The extension would form approximately a 45% increase in footprint than the existing attached garage which is to be demolished. However, it would largely extend into part of existing unused hardstanding to the front and side of the property and some garden area to the rear. Furthermore, Officers estimate that following construction of the development the property would still have over 60m² of garden amenity space and therefore would comply with emerging Policy PSP43 of the PSP Plan.

5.5 Considering all of the above, the development is acceptable with regard to design and visual amenity. It would have materials that match those found on the existing dwelling, and overall, would comply with Policy CS1 of the Core Strategy as well as the emerging policy PSP1 of the PSP Plan

5.6 Residential Amenity

The hosts nearest neighbours are adjacent occupiers at No.16 Fabian Drive, this property sits at an angle facing away from No.18. The attached garages of these properties currently sit adjacent to one another. It is proposed that the host's garage would be demolished and replaced with a single storey extension. It is acknowledged that built form would be brought closer to the shared boundary separating these occupiers, however, the extension would not introduce any windows facing these occupiers, and would not extend past the existing rear building line of the property. Accordingly, it is not considered that it would materially alter the existing situation.

5.7 It is noted that for the properties on the opposite side of Fabian Drive, the alterations to the dwelling would result in some change to the outlook afforded to these occupiers, however it is considered that there is a sufficient distance for there to be no material impact.

5.8 Overall and considering the assessment above, the proposed development would not be detrimental to residential amenity and is deemed to comply with saved Policy H4 of the Local Plan (2006) and the emerging policy PSP8 of the PSP Plan.

5.9 Highway Safety

Plans show that following construction of the development the property would see an increase in bedrooms from 2 to 3. Accordingly, the Councils Residential Parking SPD sets out that for a property with 3 bedrooms, 2 off-street parking spaces should be provided within the site boundary. It is noted that transport colleagues requested a revised block plan showing 2no. parking spaces. Revised plans received 3rd November 2016 show that 2no. parallel parking spaces can be accommodated on hardstanding to the front of the property. Therefore, it is considered that the development complies with the Residential Parking SPD and with this in mind there is no highway objection.

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: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

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

Reason

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

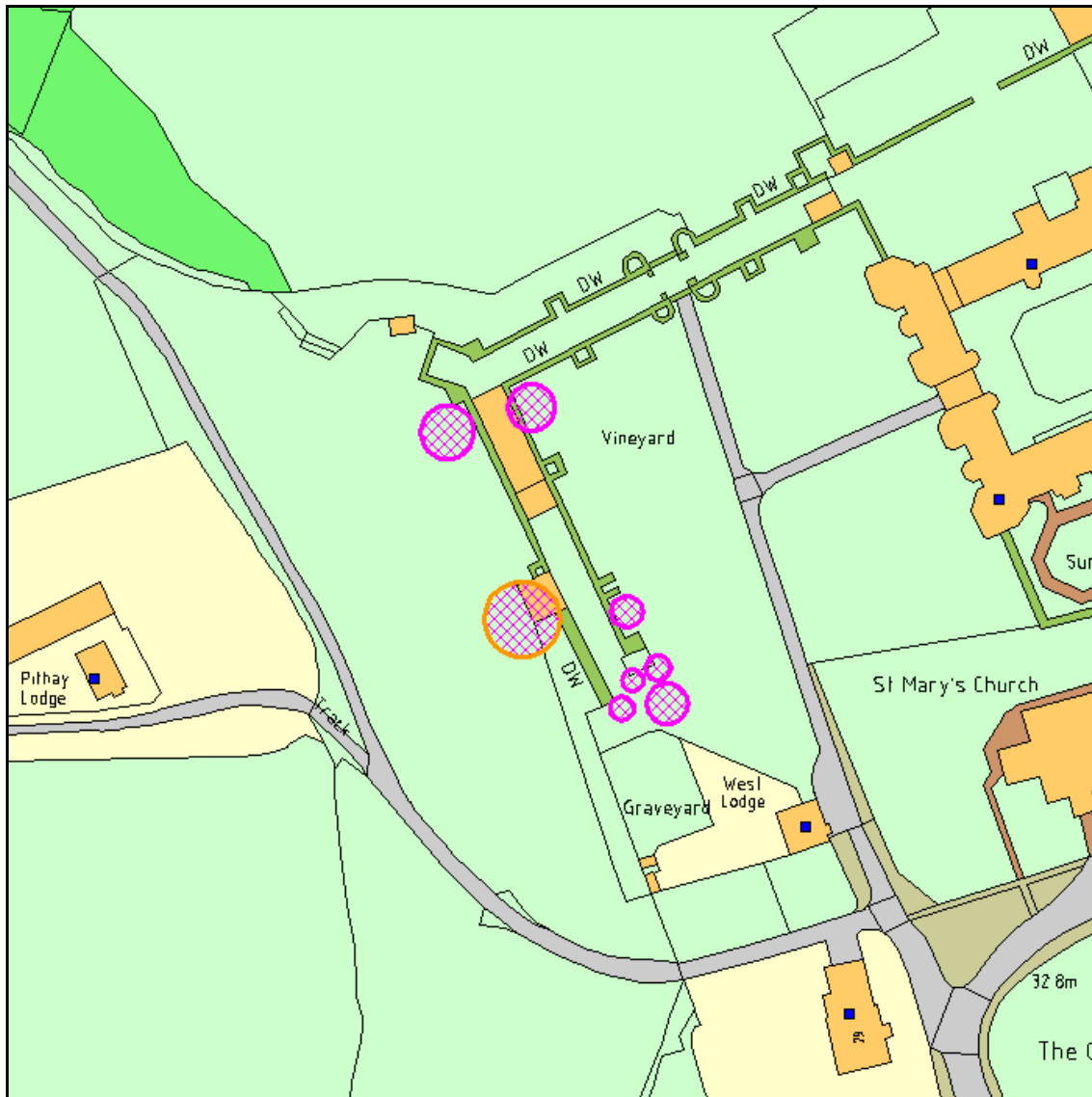
3. Prior to first occupation of the new dwelling the two car parking spaces indicated on the Proposed Combined Plan (B11904/02) as received by the Local Planning Authority on 3rd November 2016 shall be provided and retained as such thereafter.

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 minimum Residential Parking Standard SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 45/16 – 11 NOVEMBER 2016

App No.:	PT16/5627/TCA	Applicant:	Luxury Family Hotels Ltd
Site:	Thornbury Castle Castle Street Thornbury Bristol South Gloucestershire BS35 1HH	Date Reg:	17th October 2016
Proposal:	Works to fell various trees as detailed on the tree plan and work schedule. Situated in the Thornbury Conservation Area.	Parish:	Thornbury Town Council
Map Ref:	363385 190721	Ward:	Thornbury North
Application Category:		Target Date:	23rd November 2016



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 100023410, 2015. **N.T.S.** **PT16/5627/TCA**

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 fell various trees as detailed on the tree plan and work schedule. Situated in the Thornbury Conservation Area.

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 PT13/0019/TCA, Decision: NOB, Date of Decision: 11-FEB-2013, Proposal: Works to various trees identified on the site plan/schedule of works received 3 January 2013 situated within Thornbury Conservation Area., CIL Liable:

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

Objection - due to the large number of healthy trees (covered by a TPO) proposed to be lost in the Conservation Area, which add to the overall character and setting of the area. The application provides insufficient information justifying their removal and other alternatives should be explored to assess the condition of the buildings.

If SGC are minded to approve this application, it is requested that the minimum number of trees possible are felled and suitable alternatives provided on site.

Other Representations

4.3 Local Residents

An objection has been received stating that the reasons for tree removal (to allow an assessment of the adjacent building structure) is insufficient. The objector also requests that replacement trees are planted should permissions be granted.

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 trees proposed for removal are growing within and around the ruins by the castle walls. The trees are mainly self-sown with the exception of T13 and T16. T13 – a robinia, is in a poor state of health whilst T16 and T17, a yew and a cotoneaster are not significant trees and would not fulfil the criteria for inclusion onto a TPO.

5.4 Both objectors state that the reasons for tree removal are insufficient. As this is a notification of works under s211 of the Town and Country Planning Act, a reason for undertaking the works is not required.

5.5 As this is a notification of works to trees within a Conservation Area and not a TPO application, we cannot enforce replacement tree planting. Any replacement planting would be at the discretion of the land owner.

6. RECOMMENDATION

6.1 No objection

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