



**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. 46/16

Date to Members: 18/11/2016

Member's Deadline: 24/11/2016 (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:

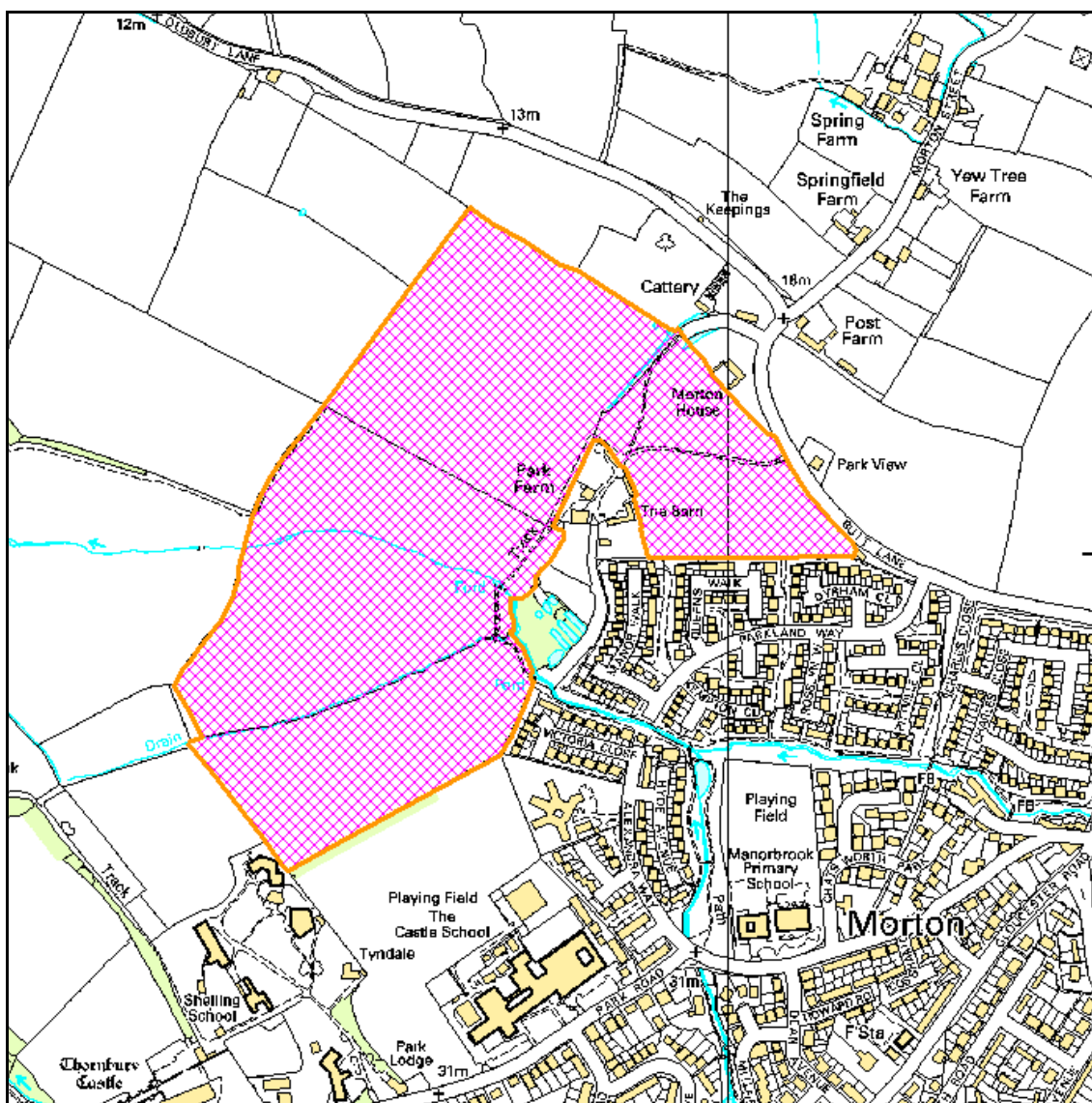
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 - 18 November 2016

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	MODT16/0003	No Objection	Land At Park Farm Butt Lane Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council
2	PK16/3560/F	Approve with Conditions	Land To The Rear Of 3 Jubilee Road Kingswood South Gloucestershire BS15 4XG	Rodway	None
3	PK16/5250/F	Approve with Conditions	St Lukes House Emerson Way Emersons Green South Gloucestershire BS16 7AR	Emersons	Emersons Green Town Council
4	PK16/5440/F	Approve with Conditions	12 The Keep Warmley South Gloucestershire BS30 8YQ	Oldland	Bitton Parish Council
5	PT16/5181/F	Approve with Conditions	Land Adjacent To 23 Upper Chapel Lane Frampton Cotterell South Gloucestershire	Frampton Cotterell	Frampton Cotterell Parish Council
6	PT16/5312/F	Approve with Conditions	23 Fairford Crescent Patchway South Gloucestershire BS34 6DH	Bradley Stoke Central And Stoke Lodge	Stoke Lodge And The Common
7	PT16/5326/F	Approve with Conditions	46 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QD	Frenchay And Stoke Park	Stoke Gifford Parish Council
8	PT16/5621/F	Approve with Conditions	1B Dunkeld Avenue Filton South Gloucestershire BS34 7RH	Filton	Filton Town Council
9	PT16/5625/F	Approve with Conditions	26 Brookside Drive Frampton Cotterell South Gloucestershire BS36 2AF	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 46/16 – 18 NOVEMBER 2016

App No.:	MODT16/0003	Applicant:	BDW Trading Limited
Site:	Land At Park Farm Butt Lane Thornbury South Gloucestershire	Date Reg:	29th April 2016
Proposal:	Deed of Variation of Section 106 Legal Agreement attached to planning permission PT11/1442/O.	Parish:	Thornbury Town Council
Map Ref:	363837 191204	Ward:	Thornbury North
Application Category:		Target Date:	24th June 2016



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MODT16/0003

1. THE PROPOSAL

- 1.1 This application seeks agreement to a Deed of Variation under S106BA of the Town and Country planning act to Schedule 2 of the S106 agreement dated 8th March 2013 to reduce the number of affordable homes on the Park Farm site from 35% to 18.2%. As initially submitted, the applicants sought to reduce the contribution to 10% but through the course of the application, the proposed contribution has been raised to 18.2% - equating to 91 homes.
- 1.2 This application has been made under section 106BA of the Town and Country Planning Act 1990. In 2013, sections 106BA, BB and BC were inserted into the Town and Country Planning Act by the Growth and Infrastructure Act (for a temporary 3-year period) to introduce a new application and appeal procedure for the review of affordable housing planning obligations on viability grounds. This was to enable a positive approach to planning to allow sustainable development to come forward without delay, and to unlock stalled development sites which already have the benefit of planning permission. The S106BC provisions allow for a statutory right of 'accelerated' appeal by applicants to the Planning Inspectorate if the Planning Authority refuses the application or fails to determine it. At the end of April 2016 as the 3-year period came to an end, the provisions of sections 106BA, BB and BC were repealed, but applications made before 30th April remain valid as per the procedures of the legislation. This application was made before this time so can be considered as per the provisions of the s106BA legislation.
- 1.3 Assessment of the application lies entirely under the remit of viability – it is not necessary or appropriate to consider the planning merits of the proposed variation. The only matter for consideration is whether the scheme is viable with a 35% affordable housing contribution and, if it is not, what alternative percentage can be provided.
- 1.4 The applicants have also expressed a separate desire to alter the management proposal for Park Farm. The S106BA issues is discussed in sections 2 to 5 with the Management proposals being discussed in section 6.

AFFORDABLE HOUSING AMENDMENT

2. POLICY CONTEXT

- 2.1 Section 106BA of the Town and Country Planning Act 1990 (as inserted by the Growth and Infrastructure Act 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/1442/O Erection of up to 500 dwellings on 26.21 hectares of land with public open space, associated works and access. Outline application including access with all other matters reserved.
Approved and S106 signed October 2012
(Clause 2.1 of schedule 2 of the S106 agreement requires the provision of 35% affordable housing.)

- 3.2 PT13/0919/RM Erection of 127 no. dwellings with landscaping, car parking and associated works. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT11/1442/O).
Approved March 2014
- 3.3 PT15/5528/RM Approval of the appearance, landscaping, layout and scale in relation to the erection of 374 Homes on Phases 2, 3 and 4 of the Park Farm, Thornbury development, in addition to the discharge of pre-commencement conditions and S106 Obligations. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT11/1442/O)

4. **ANALYSIS OF PROPOSAL**

4.1 Principle of Development

The main consideration in the determination of this application is whether the proposed variation to the affordable housing provision (as agreed in the existing s106 agreement attached to PT11/1442/O) is acceptable; taking into account the viability rationale supporting the proposed variation.

- 4.2 To support this affordable housing variation as applied for under s106BA, the guidance issued by the DCLG in April 2013 '*Section 106 affordable housing requirements: Review and appeal*' has been taken into consideration. This guidance details what an applicant should submit to the Local Authority to enable proper consideration of the proposed variation - The applicant needs to clearly demonstrate to the planning authority that the affordable housing obligations as agreed make the scheme unviable in the current conditions therefore causing the development to stall. The applicant should submit a revised affordable housing proposal that underpins the case for reduced affordable housing provision. This should be based on prevailing viability which should be supported by relevant viability evidence. The revised proposal should deliver the maximum level of affordable housing possible, with an optimum mix, tenure and phasing of provision.
- 4.3 Paragraph 173 of the NPPF seeks to ensure that sites earmarked for development should be viable and should not be subject to such a scale of obligations that their ability to be developed is threatened. NPPF para 173 states that the cost of any requirement placed on the development should still provide competitive returns to the landowner and/or developer to enable the development to be deliverable. Paragraph 205 of the NPPF, reminds decision takers that where obligations are being revised (as in this case) Local Planning Authorities should be aware of and take into account changes in market conditions over time, and to be sufficiently flexible to prevent planned development being stalled.
- 4.4 As an original viability assessment was not required when the Outline permission was granted, in order to support the proposed variation, the applicant must submit clear and explicit, up-to date evidence of why the existing scheme is not viable and why a variation in the affordable housing provision is required to recommence development on site.

- 4.5 As per the requirements of s106BA, the applicant has submitted a (confidential) viability assessment in support of their application to reduce the affordable housing provision. This report has been thoroughly scrutinised by an independent Valuer appointed by the Council.
- 4.6 The viability assessment details the assumptions made within the appraisal (including the mix of accommodation, revenue assumptions, sales/marketing costs, building costs, fees, abnormal costs, s106 costs, interest, profit and land values). The assessment also explains the key issues affecting viability in this case, which includes high build infrastructure and abnormal costs, poor offers from Registered Providers, drainage infrastructure costs, additional foundation costs, and the need to provide higher than average building materials around the listed building at the centre of the development.
- 4.7 The conclusion of the applicant's viability assessment reveals that the consented scheme (as per the existing s106 agreement) is an unviable option. Having been subjected to rigorous review, the conclusion of the District Valuer (an independent consultant appointed by the Council), is also that the scheme is unviable if made to contribute 35% affordable housing. There is agreement between both parties that if the contribution is reduced to 18.2%, the development becomes viable again (which equates to 91 affordable properties).

Summary

- 4.8 The viability assessment submitted with the application, alongside the independent review of this assessment by the Council's specialist viability consultants, confirms that reducing the on-site affordable housing provision to 18.2% (91 units), would sufficiently increase revenues to enable unlocking of the site so development can recommence, and for the applicant to achieve an acceptable return as per the requirements of Paragraphs 173 and 205 of the NPPF as well as the provisions of the Government's 'Section 106 affordable housing requirements: review and appeal' advice document.
- 4.9 As verified by the District Valuers report, without the reduction in affordable housing contributions as sought by this application, the development as approved on this site is likely to remain stalled, and the development is not likely to come forward in the foreseeable future. Given that these dwellings are included in the Council's housing trajectory as 'committed' units, it is in the best interests of the 5 year housing land supply for the development to proceed.
- 4.10 Given the circumstances including the reduced ability for RPs to acquire affordable units and higher construction costs generally, it is considered that the request to reduce the amount of affordable housing on this site would, on balance, be acceptable and in accordance with the provisions of the NPPF and government guidance in connection with applications made under Section 106BA of the Town and Country Planning Act 1990, which seeks to enable a positive approach to planning to allow sustainable development to come forward without delay, and to unlock stalled development sites which already have the benefit of planning permission.

5. CONCLUSION

- 5.1 Based on the district valuer's findings and in line with Policy CS18 of the Core Strategy, the Council will still secure 18.2% affordable housing which is equivalent to 91 affordable homes on this application. This will be secured by way of a deed of variation to the original S106 agreement. To clarify - only the headline figure of 18.2% has been agreed and that all other details relating to affordable housing numbers, tenure split, wheelchair accommodation etc. for parcels 2, 3 & 4 will be fully considered as part of the reserved matters application.
- 5.2 In order to safeguard the Council's future position (and as recommended by the Councils housing Enabling team) a review mechanism be included within the deed of variation which will allow the Council to secure additional affordable housing or a financial sum should the viability position improve at a later date and assessed at trigger points.
- 5.3 In line with Central Government's guidance relating to "Review and Appeal of Section 106 affordable housing requirements" Enabling also requires the following clause to be included within the deed of variation:

If the proposed development is not completed within three years from the date of the decision notice relating to MODT16/0003, the original affordable housing obligation will apply to those parts of the scheme which have not been commenced.

MANAGEMENT COMPANY AMENDMENT

6. ASSESSMENT

- 6.1 In early 2015, the developers of the Park Farm scheme expressed a desire to alter the management arrangements for the site. The S106 currently provides for 2 management regimes – a Community Trust for the community assets, fishponds, orchard allotments community sports pitches and a Management company for the rest of the Public Open Space. Rather than the two separate bodies, the developers would prefer to have a single Community Interest Company (CIC) for all the assets on site.
- 6.2 It is the opinion of Council officers that the proposed amendment to the management arrangement could actually offer a better solution, not least because it has a degree of oversight by a regulator, but it is also required to meet certain criteria to qualify as a CIC, all of which meet the obligations in the existing S106 agreement.
- 6.3 Officers were proceeding to agree such a minor (yet beneficial) amendment directly through Director Agreement. However, given that the S106BA application has arisen necessitating a deed of variation, it is appropriate that the management company is formally addressed through the same deed.

7. RECOMMENDATION

7.1 That authority is delegated to the Director of Environment and Community Services and the Head of Legal Governance and Democratic Services to:

- i) vary Clause 2.1 of schedule 2 of the s106 legal agreement dated 8th March 2013 (associated with PT11/1442/O) to secure the provision of 18.2% affordable housing including the clauses set out in paragraphs 5.2 and 5.3 of this report.
- ii) vary clauses 5.1 to 5.12 of the s106 legal agreement dated 8th March 2013 (associated with PT11/1442/O) to allow the establishment of a single Community Interest Company (CIC) in lieu of a separate Community Trust and Management company.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CIRCULATED SCHEDULE NO. 46/16 – 18 NOVEMBER 2016

App No.:	PK16/3560/F	Applicant:	Mr Matthew Slade
Site:	Land To The Rear Of 3 Jubilee Road Kingswood Bristol South Gloucestershire BS15 4XG	Date Reg:	23rd June 2016
Proposal:	Erection of 3no dwellings with access and associated works.	Parish:	None
Map Ref:	365609 175495	Ward:	Rodway
Application Category:	Minor	Target Date:	15th August 2016



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PK16/3560/F

1. THE PROPOSAL

- 1.1 The application site is an area of land to the rear of 3 Jubilee Road, Kingswood, which is a residential bungalow, currently in use as a HMO for 5 people. The land is associated with the property but is now separated off from the bungalow by 1.8m high close boarded fencing. The proposal is to erect three No. three bedroomed terraced houses on land behind the bungalow. The proposals each have a single storey rear projection and a rear dormer window. Bin and bike locations are shown close to the houses and a location for bin collection close to the road is shown.
- 1.2 Parking is already provided for the existing bungalow with direct access of the frontage onto Jubilee Road and this would be reduced from six spaces to five independently accessible spaces. It is proposed that the new houses would have a new access to the side of the bungalow and that each new house would have two spaces per new house and an additional three parking spaces for visitors.
- 1.3 During the application revised plans have been received which modified the design slightly to facilitate a revised access drive and bin storage details, proposed walling around the access to demarcate and protect the power line at the front of the site, reduced drive width and increased planting areas, removal of rumble strips, reduced fenestration sizes, amended tile colour and reduced overall height of the scheme.
- 1.4 The houses are proposed to be rendered with brickwork detailing, have redish brown concrete tiles with white PVC windows and a bluish grey uPVC doors to front with dark grey aluminium bi-fold doors to the rear.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework March 2012
The National Planning Practice Guidance

2.2 Development Plans

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

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS9 Environmental Resources and Built Heritage
CS16 Housing Density
CS17 Housing Diversity
CS25 Communities of the East Fringe

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement
L9 Protection Species
H4 Development with curtilage of a dwelling

EP2 Flood Risk and Development

Emerging Plan

Proposed submission Policies, Sites & Places Plan June 2016

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug 2007

South Gloucestershire Council Residential Parking Standards (Adopted)

South Gloucestershire Draft Technical Advice Note: Assessing residential amenity in planning applications. (May 2015)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK15/4021/F Demolition of an existing single storey rear extension to facilitate the erection of a single storey flat roof extension. Increase in the ridgeline together with the erection of a side and rear dormer window and the insertion of 1no. first floor rear window to cumulatively facilitate a loft conversion. Approved 12/11/2015 with a condition that three off street parking spaces had to be provided.

The use of the bungalow for a five person HMO does not require planning permission as this is a permitted change between use classes C3 and C4 under the Town and Country Planning (Use Classes) Order as amended 2015.

4. **CONSULTATION RESPONSES**

4.1 Parish/Town Council

Unparished area

4.2 Cllr Michael Bell

Concern about suitability of the site for development as a result of the Coal Authority Report

4.3 Other Consultees

Coal Authority

The application site falls within the defined Development High Risk Area and raised the following comments which are material to the consideration of the scheme.

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report (February 2016, prepared by Earth Environmental & Geotechnical Ltd); that a potential mine entry located within the site and potential shallow mine workings potentially pose a risk to both public safety and the stability of the proposed development. Consequently, intrusive site investigation works should be undertaken in order to establish the exact situation regarding them.

The Coal Authority is therefore able to recommend that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to the mine entry beneath any parts of site where built development is proposed, this should be conditioned to ensure that the site layout is amended to avoid it. The condition should also ensure that any remedial works identified by the site investigation to consolidate any shallow mine workings are undertaken prior to commencement of the development.

A condition should therefore require prior to the commencement of development:

- The submission for approval of a remediation scheme to afford public safety and the stability of the proposed dwellings from the risks posed by the recorded mine entry (shaft);
- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

4.4 Sustainable Transport

Referring to details posted on the 22nd August 2016.

The access and parking arrangements comply with the South Gloucestershire Councils Local Plan Policy T12 and the adopted residential parking standards. It is noted that planning consent was recently granted to extend 3 Jubilee Road creating 5 bedrooms and 3 car parking spaces. This proposal includes a further 9 car parking spaces. Although there would be an increase in vehicle movements associated with the 3 new dwellings, the access arrangements include on-site turning and a wide passing area adjacent to Jubilee Road and as such are suitable for serving the proposed development. The development would lead to the loss of another on-street parking space however as most of the properties in the vicinity have off-street parking, this is not considered to be a problem. No transport objection subject to a condition related to the provision of the parking and cycle facilities and informatives regarding the crossover and the developers responsibilities regarding surface water run off to the highway

4.5 Highway Structures

If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal

Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.

Or

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.

4.6 Lead Local Flood Authority

No objection in principle subject to full details of a scheme of sustainable urban draining coming forward by condition.

Tree officer

Although the site did have a number of trees on it these were not of great quality and did not provide significant amenity.

The Arboricultural Assessment, including the Arboricultural Method Statement and Tree Protection Plan (TP/2141/1605/TPP) provides the necessary information and processes to ensure the safe retention of the trees that are adjacent to the proposed development site.

A condition requiring steps to be taken in accordance with the Arboricultural Assessment, including the Arboricultural Method Statement and Tree Protection Plan (TP/2141/1605/TPP) as submitted, should be attached to any consent on this application.

4.7 Environmental protection

No objection but suggests that the informative relating to Construction site is added to the decision notice

Other Representations

4.8 Local Residents

Support received in relation to the following matters:

- Resides at the only house that can really be affected and have no problem
- Good thing for the area
- Happy with design -especially off street parking and access
- Houses will look modern and in keeping with the area.

Objections from eleven households in relation to the following concerns':

Concerns regarding:

- Amendments not sufficient to remove writers objections
- Overbearing properties
- Out of character with jubilee Road where properties are a mixture of detached bungalows (with dormers) and 2 storey houses that are spaced out with adequate gardens, garages, driveway parking and ease of access.

- Effect on sun and day light
- The lane at the rear of the site is private and not suitable for regular pedestrian use, not is it legally acceptable.
- The property had no legal right to use this lane (including access for any vehicles related to the proposed construction), as the lane is owned by the properties on Station Road, (that back onto this lane). I have lived in my property for 16 years and no one has ever driven a vehicle onto 3 Jubilee Road via this lane.
- The lane is narrow and unlit.
- The norths half of the site was fenced of and let to go fallow as the previous occupant found it too much to maintain.
- Loss of privacy and overlooking to dwellings and gardens
- Noise and pollution from extra comings and goings is bad for health and well being. Particularly with rumble strips being proposed.
- Bungalow at No 5 has side access to the kitchen and other side windows facing the proposed driveway.
- Safety for pedestrians – particularly being next to a pedestrian access to a primary school
- Existing 20mph are indicates existing concern for pedestrians
- Loss of on street parking space – existing pressure from school drop-off and pick up parking spaces already.
- Concern at point of access being close to the existing parking a 3 Jubilee Road where vehicles reverse out onto the road. Additional vehicles for the development will add to this. Concerns that vehicles will approach the road at speed as a result of the length of the drive.
- Location of bins on collection day causing smells and is unhygienic.
- Loss of trees and open space
- Will prejudice the amenities of nearby occupiers
- Many household do not like the scheme.
- Limited room to turn a car if the spaces are full and blind spot at top of drive
- Dust
- Numbers of double bedrooms implies up to 6 people per house and 10 people in the original bungalow.
- Keen to see a bungalow built in stead of houses
- The orchard was cleared prior t the tree report being done.
- A fence has been erected at 2.2m high and there is no through access onto the lane at the north of the site.
- Understood all houses have to have red tiles in this area.
- Does the site belong to No 3.
- As many as 7 cars park at three Jubilee Road.
- Electricity pole and structuring cable at entrance is a safety aspect during construction and after.
- Percentage of hardsurfacing is estimated at 43% with impacts on environment, ambiance f area, impact on well being of neighbours and animal and bird life.
- Increase in density

A petition with 17 names (13 properties) is also submitted against the proposal.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The applicant seeks planning permission for the erection of three new terraced dwellings. The site is located within the urban area where the principle of such development is acceptable and the following main policies would be relevant to the determination of this application.

5.2 Policy T12 of the South Gloucestershire Local Plan seeks to control development, which may affect highway safety. The Council Residential Parking Standards has been adopted in December 2013 to ensure satisfactory parking provided.

5.3 Policy CS1 deals with the design of development and seeks to secure good quality design in new development which respects the site surroundings.

5.4 PSP8 seeks to ensure that the impact on neighbours is acceptable in respect of privacy and overlooking, overbearing impact, loss of light, noise and vibration or odours, fumes and vibration. PSP43 seeks to ensure that properties have sufficient amenity space standards which for the three properties proposed should equate to 60m² each.

5.5 Policy CS25 deals broadly with the local area and seeks to provide housing which is integrated with the existing community. The site size is too small within this urban area to require affordable housing.

5.6 Moreover as the Council is currently unable to demonstrate a five year supply of housing land the presumption in favour of the development set out in the NPPF paragraph 14 applies. This effectively indicates that where housing supply policies are considered out of date the development should be permitted unless there are significant and demonstrable harms that clearly outweighs the benefit. This site is located within an existing urban area where the principle of development is acceptable and the benefit in this instance is the addition of three further dwellings in a sustainable location.

5.7 **Coal legacy implications**

The site falls within the defined Development High Risk Area and as such a Coal Mining Risk Assessment Report (February 2016, prepared by Earth Environmental & Geotechnical Ltd) has been submitted to the Councils and assessed by the Coal Authority. The Coal Authority raise no objection to the proposal provided that intrusive site investigation works should be undertaken in order to establish the exact situation regarding a potential mine entry located within the site and potential shallow mine workings at the site.

5.8 The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring site investigation works prior to commencement of development.

- 5.9 In the event that the site investigations confirm the need for remedial works to the mine entry beneath any parts of site where built development is proposed, this should be conditioned to ensure that the site layout is amended to avoid it. The condition should also ensure that any remedial works identified by the site investigation to consolidate any shallow mine workings are undertaken prior to commencement of the development.
- 5.10 The Coal authority have identified that the potential mine entry could require a revised layout but the developers will not know this until they have carried out the investigation required by the Coal Authority. Should a revised layout be required which would involve material changes to the scheme it would require a new planning application to be submitted to the Local Planning Authority for consideration which would be subject to similar consultation and scrutiny as this planning application.
- 5.11 The Coal Authority therefore has no objection to the proposed development subject to the imposition of a detailed condition requiring further details and remedial works and as such to objection is raised to this matter.
- 5.12 Design and Visual Amenity
Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013 seeks to secure good quality design in new development. The surrounding area is urban in character with a mix of residential properties sweeping around the site from the north to the east and south in a mix of two storey terraces of up to six units, semi detached houses and bungalows. These properties are located at various distances from the road and a back lane serves some of the properties on Station Road. A new two storey dwelling was inserted between and just behind 1 and 3 Jubilee Road some years ago and to the west of the site is primary school playing fields with trees adjacent to the boundary of the site. The site itself is owned in conjunction with the bungalow known as 3 Jubilee Road and is understood to have been used as the garden to that bungalow until it became too much to manage and was fenced off and left to become 'waste land' as the agent describes it. In reality there is no evidence that this use has changed as a result of being left to its own devices.
- 5.13 The proposal is a terrace of three houses which have been reduced during the application to a ridge height of 9.3m and having eaves at 5m above ground level. The terrace is staggered and faces the access road out of the site. The proposed houses are located some 32m from 5 Jubilee Road, 16.5m from 3 Jubilee Road and 5m from the infill house known as 1a Jubilee Road. To the side of the houses the nearest existing dwelling is around 20m distant and to the rear the houses are over 26m from the single storey elements of the proposal.
- 5.14 The houses are located away from the streetscene although glimpses of them will be visible from Jubilee Road. The wholly open frontage of 3 Jubilee Road will be defined by a brick wall between the bungalow parking area and the site access together with a brick wall planting bed around the electricity pole and stay at the front of the site. This will form an in-out arrangement around the electricity pole located just within the pavement.

- 5.15 In terms of energy efficiency the properties have south facing lounges and large open north facing rear patio doors and a lantern to each flat roof single storey element which maximises natural daylight.
- 5.16 The site is not in a designated heritage or amenity area and the houses are not so different to the tiled pitched roof houses surrounding the site. Whilst there are bungalows in the immediate vicinity of the proposal they are not the dominate character of the area and the use of two storey houses with rooms in the roof is an appropriate and efficient use of the land at this site. The character of the area is preserved by this proposal which indicated red brown tiles and render walling. Consideration has been given to whether the removal of permitted development rights is necessary in this site. Given that there is a reasonable distance between properties at the rear and little space at eth side to extend it is not considered reasonable or necessary to withdraw permitted development rights.
- 5.17 The materials proposed are generally acceptable although details or samples would need to be submitted. Similarly details of the indicated landscape scheme, ground surfacing materials and garden walling at eth front of eth site will need to be agreed. As such the proposal is acceptable subject to the conditions set out below.
- 5.18 Transportation Issues
The site provides nine parking spaces between three houses. The council's minimum parking standards require two spaces per house and as such this meets the minimum standard. Each house is shown to have a cycle shed measuring 2.1 by 1.5m in area in the rear garden and a location for its own bins to be stored.
- 5.19 The amended plan satisfactorily set out the access about the electricity pole and its stay within the site. A 600mm high wall will define the area of the access and this is considered a suitable and safe vehicular access to these three houses. Rumble strips located at eth front and rear of the site have been removed as they are not considered necessary for eth scale of eth site and were unpopular with the immediate neighbour at 5 Jubilee Road.
- 5.20 Although there would be an increase in vehicle movements associated with the 3 new dwellings, the access arrangements include on-site turning and a wide passing area adjacent to Jubilee Road and as such are suitable for serving the proposed development. The development would lead to the loss of another on-street parking space however as most of the properties in the vicinity have off-street parking, this is not considered to be a problem or a demonstrable harm to short term school drop off and pick up parking given the close relationship to the Primary school. No transport objection subject to a condition related to the provision of the parking and cycle facilities and informatives regarding the crossover and the developers responsibilities regarding surface water run off to the highway
- 5.21 The central plot does not benefit from side access and as such a pedestrian access is shown to the back lane. Whilst the right to access this lane and retain or use the access is disputed by some residents this is a civil matter

which need not hinder the planning application. The houses are all shown to have pedestrian and vehicular access to the front of the site and if necessary it would not be unreasonable for the residents of the central house to wheel bikes through the house.

5.22 Landscape Issues

Although the site did have a number of trees on it these were witnessed in the past by a Council tree officer and were not of great quality or provide significant amenity. These were removed prior to the application being submitted. The application is supported by an Arboricultural Assessment, including the Arboricultural Method Statement and Tree Protection Plan (TP/2141/1605/TPP) provides the necessary information and processes to ensure the safe retention of the trees that are adjacent to the proposed development site.

5.23 A condition requiring steps to be taken in accordance with the Arboricultural Assessment, including the Arboricultural Method Statement and Tree Protection Plan (TP/2141/1605/TPP) as submitted is considered necessary if the proposal is approved.

5.24 The proposal shows some planting on plan 415.205 rev C which will help to softened the site and in relation to No 5 Jubilee Road, break up the view of the proposal. This needs to be formally agreed by way of a landscape condition. The frontage of 3 Jubilee Road itself is also shown to be planted but this is outside of the site and as such cannot be conditioned.

5.26 It is considered that there is no landscape character or visual amenity objection to the development with regard to Policy L1.

5.27 Impact upon Residential Amenity

The closest property to the site is 1a Jubilee Road, a two storey house inserted between and at the rear of two bungalows. This property supports the scheme despite having its rear facing windows facing slightly towards the side elevation of the eastern most proposed house. The proposal is approximately five metres north of the western most corner of that existing house and as such would not be likely to impact materially on the light to that house, nor would the existing house affect the proposal materially. There is a kitchen window facing the end of that houses's garden which will not materially affect privacy and all other windows facing either front or rear. As such the impact on this house is acceptable and the impact on the more distant houses will be considered.

5.28 In respect of the dwellings further from the proposed houses it is not considered that there would be any material loss of privacy. Whilst it is appreciated that surrounding houses and bungalows, with or without dormer windows will see the proposal the distance between the properties and angles of view prevent any material harm by reason of overlooking or of construction.

5.29 The proposed houses' first floor windows are located some distance from intervisible windows of neighbours. There is 32m from 5 Jubilee Road, 18m from 3 Jubilee Road and at least 29m from the houses at Station Road or the proposal is at such an acute angle that the 24m between properties would not cause overlooking of the house.

It is not considered reasonable to protect the whole of each garden from view and the draft Technical Advice Note sets out suggested reasonable distances between properties in order to protect residential amenity. This proposes that 20m between windows at first floor and 28m between windows at second floor is an acceptable relationship and there are no particular level changes or topographical issues which demonstrate that this would not be practical at this site.

- 5.30 Concern was raised that the access would cause a noise nuisance to the inhabitants at 5 Jubilee road. Whilst it is acknowledged that they have a side kitchen door and secondary windows facing their fence, which adjoins the access road, the limited comings and goings from three houses is not considered to be a cause of noise nuisance. Given the existing fence in-between some of the noise and movement would also be blocked. The initial scheme proposed rumble strips which were a cause for concern to the residents and as they are not considered necessary by the highway officer these have been removed.
- 5.31 The proposal therefore accords with Policy CS1 of the South Gloucestershire Local Plan and the requirements of the NPPF.
- 5.32 Civil matters
Concern has been raised by neighbours that the site does not belong to the applicant but the applicant has provided evidence to indicate that he has ownership of the land. It is also understood as a result of documents submitted that there is a wayleave agreement with SWEB (now Western Power Distribution) for two stay wires and overhead conductors which is terminable by either party giving six months notice to the other party.

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 above assessment has not identified any significant or demonstrable harms that should prevent the presumption in favour of sustainable development in this case.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is 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. Mining – pre-commencement
Previous mining at the site may have left a potential mine entry and potential shallow mine workings at the site.

Prior to the commencement of development the following details/tasks shall be submitted to and agreed in writing by the Local Planning Authority.

- A) a remediation scheme to afford public safety and the stability of the proposed dwellings from the risks posed by the recorded mine entry (shaft);
- B) a scheme of intrusive site investigations;
- C) following the approval in writing by the Local Planning Authority of the scheme of intrusive site investigations (B), the undertaking of that scheme of intrusive site investigations in accordance with the scheme so approved; and the submission of a report of findings arising from the intrusive site investigations ;
- D) The submission of a scheme of remedial works for approval; and
- E) Implementation of those remedial works.

Note: If the remedial works require material changes to the planning application, for example by the relocation of any one of the houses, then a new planning application may be necessary.

Reason

The condition is a pre-commencement condition because it goes to the heart of whether or not the site may be developed safely and to comply with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

3. No dwelling shall be occupied until the access and parking (car and cycle) arrangements have been completed in accordance with drawing no. 415 205 Rev C.

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.

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

Reason

The condition is a pre-commencement condition because it relates to condition 2 (mining legacy) and to ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. Prior to development commencing on site the mitigation scheme set out within the Arboricultural Assessment, including the Arboricultural Method Statement and Tree Protection Plan (TP/2141/1605/TPP) as submitted on 4 June 2016 shall be carried out.

Reason

The condition is a pre-commencement condition because the efficiency of the condition is dependent upon being carried out prior to other works which may affect the long term health of trees and 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.

6. Prior to the relevant part of the development commencing 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 proceed in accordance with the plans set out below:
Location plans and existing block plan 415.100 Rev A
Proposed first floor plans 415.220 Rev A both received 20 June 2016

Proposed block plan 415.200 Rev C

Proposed elevation and section 415.250 Rev B

Proposed first floor plans 415.230 Rev B

Proposed site plan showing ground floor plans 415.205 Rev C all received 22/8/2016

Coal Mining Risk Assessment Report (February 2016, prepared by Earth Environmental & Geotechnical Ltd) as amended and received on 5th July 2016.

Arboricultural Assessment, including the Arboricultural Method Statement and Tree Protection Plan (TP/2141/1605/TPP) as submitted on 4 June 2016

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 46/16 – 18 NOVEMBER 2016

App No.:	PK16/5250/F	Applicant:	Mr R Thorner
Site:	St Lukes House Emerson Way Emersons Green South Gloucestershire BS16 7AR	Date Reg:	23rd September 2016
Proposal:	Change of use of office space (Class B1) to retail (Class A1) for ground floor only as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)	Parish:	Emersons Green Town Council
Map Ref:	367057 177165	Ward:	Emersons Green
Application Category:	Minor	Target Date:	16th November 2016



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100023410, 2015. N.T.S. PK16/5250/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of the ground floor of St Lukes House from an office unit (Use Class B1) to a retail use (Use Class A1). The first floor of the building will remain in a B1 use.
- 1.2 The application site, St Lukes House, is set back from Emerson Way within Emersons Green, with the Emersons Green Retail Park to the north east on the opposite side of Emerson Way.
- 1.3 St Lukes House is a large two storey building with gable ends terminating at each end of the building perpendicular to the ridge line of the building. There is a car parking area to the front of the building, a nursery to the rear, and a library to the south. To the north of the unit is a mixture of uses including retail, financial and professional services, restaurants and café; and non-residential institutions. The car park to the front and all of these units to the north are within the ownership of the applicant as indicated by the 'blue line' on the submitted location plan.
- 1.4 The unit was granted planning permission in February 2002 as a result of a planning appeal against the Authority's refusal of planning ref. PK01/0034/F.
- 1.5 The application site is within the Town Centre of Emersons Green as well as the urban area of East Fringe of Bristol. The mixture of uses to the north of the unit are all within a designated secondary shopping frontage as is a section of the units opposite the application site, the primary shopping frontage then begins and continues into the shopping centre (Emersons Green Retail Park). The emerging PSP Plan document does not change the position of either the primary or secondary shopping frontages.
- 1.6 The submitted details are limited to just an application form, a submitted ground floor, site plan, and location plan. This has not aided the overall assessment of this application, however from discussions officers have also recovered the following information:
 - The unit is likely to be subdivided in the future into a maximum of 6 units;
 - The proposed opening hours for the site would be 8am until 6pm;
 - The service arrangements will be taken to the rear of the site via St Luke's Road;
 - The demand for office accommodation within the wider Bristol area is not high, the applicant has stated that as such a retail use is preferable at the site in order to avoid a vacant unit.
- 1.7 A section of the application site is designated as a site allocated for leisure, open space and community facility within the adopted Local Plan.

2. POLICY CONTEXT

2.1 National Guidance

NPPF	National Planning Policy Framework March 2012
PPG	National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS11	Distribution of Economic Development Land
CS12	Safeguarded Areas for Economic Development Land
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retail
CS29	Communities of the East Fringe of Bristol Urban Area

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

E3	Employment Development within the Urban Area
T7	Cycle Parking
T8	Parkin Standards
T10	Travel Plans
T12	Transportation
RT9	Development in Town Centres

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

PSP10	Health Impact Assessments
PSP12	Transport Impact Management
PSP17	Parking Standards
PSP32	Town Centre Uses
PSP34	Shopping Frontages

The Proposed Submission Draft Policies Sites and Places Plan (PSP plan) is a further document that will eventually form part of the South Gloucestershire Local Plan. The PSP plan will set out new planning policies for South Gloucestershire. Submission and Examination of this plan is expected to take place in late 2016, with scheduled adoption in 2017. Accordingly, with regard to the assessment of this planning application limited weight is attached to the policies within the PSP plan at this time – weight grows as the plan progresses.

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007
CIL Charging Schedule and the CIL and s106 SPD (Adopted) March 2015
Shopfronts and Advertisement Design Guidance SPD (Adopted) April 2012
Waste Collection: Guidance for New Development SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|---|--------------------------|------------|
| 3.1 | APP/P0119/A/01/1069314 | Appeal Upheld | 12/02/2002 |
| | Appeal against the refusal of planning ref. PK01/0034/F. | | |
| 3.2 | PK01/0034/F | Refusal | 19/03/2001 |
| | Erection of building for B1 (Office) use with associated car parking. | | |
| 3.2 | PK01/1715/F | Refusal | 12/10/2001 |
| | Erection of building for (B1) office) use with associated car parking (Re-submission of Planning Application PK01/0034/F). | | |
| 3.3 | PK04/0848/F | Approval with Conditions | 13/04/2004 |
| | Installation of 2no. wall mounted condenser units. | | |
| 3.4 | PK06/1581/F | Approve with Conditions | 04/07/2006 |
| | Retention of 3 No. external wall mounted air conditioning condensers to rear elevation, 2nd installation of 2 further identical condensers. | | |

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No objection, but members have serious concerns over the provision of parking and would seek the advice of the South Gloucestershire Council Transport Officer.
- 4.2 Sustainable Transport
No objection subject to a condition regarding a travel plan being submitted.

Other Representations

- 4.3 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the change of use of the ground floor of a B1 (office) unit, to an A1 (retail) unit within a Town Centre location. The application site is not within a primary shopping area, or a primary or secondary shopping frontage.
- 5.2 Subdivision
The agent has stated that should planning permission be granted, the likely intention of applicant is to subdivide the ground floor unit into a maximum of 6no. units. This is an important consideration, however it was not included within the description of development submitted by the applicant. This is not considered to be a reason to not determine the application, or to do so negatively. This is because Paragraph 013 (ref ID: 13-013-20140306) makes it clear that the subdivision that does not involve physical works that amount to development, and is within the same use class at the buildings existing primary

use (prior to subdivision), does not constitute development. Notwithstanding this, the fact that the ground floor is likely to be subdivided in the future will be taken into account in the assessment of this planning application.

5.3 Principle of Development

5.4 *Retail Development*

- 5.5 Policy CS14 'Town Centres and Retail' aims to protect and enhance the vitality and viability of existing centres in South Gloucestershire in recognition of their retail, service and social functions. Emersons Green is an identified town centre; where there is an identified opportunity for expansion to serve new housing. Policy CS14 states that 'new investment in main town centre uses consistent with the NPPF will be directed into the town centres and district centres, reflecting the scale and function of the centre including making new provision for 34,000 sq.m. net of new comparisons floorspace by 2026 to meet the needs of the communities in South Gloucestershire. The distribution of this floorspace will be through the Policies, Sites and Places Development Plan Document or a replacement Core Strategy/Local Plan'. The draft PSP DPD identifies the application site as being within a primary shopping area.
- 5.6 Section 2, paragraph 24 of the NPPF states LPA's 'should apply a sequential test to planning application for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.'
- 5.7 Policy CS14 is pursuant with the NPPF in not requiring a sequential test for this proposed development as the application site is within a main town centre. As such policy CS14 is supportive of retail development in this area so long as it has a scale commensurate with the areas current or future retail uses. In addition to this, policy CS14 encourages development of this kind to be convenient and accessible to meet the day to day needs of residents and to contribute to social inclusion.
- 5.8 Importantly, policy CS14 should be read in conjunction with the saved policies within the adopted South Gloucestershire Local Plan, until these policies are replaced by the Policies, Sites and Places Development Plan Document.
- 5.9 Turing to the adopted Local Plan, Policy RT1 'Development in Town Centres' states that retail development appropriate to a town centre location will be permitted within the town centres such as Emersons Green. This is provided the development has an acceptable scale and impact on the area.
- 5.10 The emerging PSP Plan includes Policy PSP32 'Town Centre Uses'. This policy states that development proposals for main town centre uses will primarily be directed to town and district centres, it continues to state that:

‘...large scale retail proposal(s) will be acceptable within Primary Shopping Areas, identified on the Policies Map’.

- 5.11 This emerging policy therefore directs large scale retail units toward Primary Shopping Areas, however, the policy does not expressly state that large scale retail units would be unacceptable outside of Primary Shopping Areas.
- 5.12 As the proposal has a floor area greater than 350 sq.m the development is considered to be a large scale retail unit (paragraph 7.62 of Policy PSP32). The host unit is not located within the Primary Shopping Area at Emersons Green as designated by the emerging PSP Plan – the primary shopping area terminates on the opposite side of the road to the application site, as well as at the north western site boundary. Policy PSP32 then states that the scale of additional retail floor space expected within the primary shopping area at Emersons Green is 1,000 sq.m – the proposal represents the change of use to approximately 858sq.m of retail floor space. In the context of the scale of additional floor space, it is clear that this represents a large proportion of this additional retail floor space. Accordingly, the proposal is not strictly in accordance with emerging Policy PSP32 of the PSP Plan, the PSP Plan directs retail growth of the proposal's scale to the Primary Shopping Area within Emersons Green rather than a location just outside of the Primary Shopping Area, but still within the Town Centre.
- 5.13 The fact that the proposal does not strictly accord with Policy PSP32 does not necessarily mean that the principle of development is unacceptable. The amount of weight to attach to Policy PSP32 must be considered. The PSP Plan is not an adopted Development Plan document, it has gone out for formal consultation, but has not yet been inspected, with this in mind officers attach limited weight to this emerging policy. Whilst the NPPF (paragraph 23) states that the extent of the primary shopping areas should be defined, it has been demonstrated the Authority has no adopted defined primary shopping area, but does have an adopted Town Centre designation in Emersons Green, in which the application site is situated. Adopted policy CS14 and RT1 both accept the principle of retail development in this Town Centre location, as such officers find that the development is acceptable in principle.
- 5.14 *Economic Development*
- 5.15 The existing ground floor unit is within an economic development use being a B1 office use. Policy CS13 states that proposals for change of use on economic development site not safeguarded in policy CS12 will not be allowed unless it can be clearly demonstrated that all reasonable attempts have failed to secure a suitable economic development re-use. Annex 2 of the NPPF defines ‘economic development’ as including those within B Use Classes, public and community uses and main town centre uses (excluding residential development). Accordingly, it is clear that the proposed A1 use is an economic development use, however, it is also evident that the use is not a ‘B’ use class, and the resultant economic development from proposed use would be different from that of the existing use.

- 5.16 A market appraisal has not been undertaken and submitted, but the agent has stated that the applicant wishes to change the use of the unit as office accommodation within the area is not in demand, and the applicant fears that the ground floor unit will likely become vacant in future should action not be taken. Indeed from the case officer site visit, the unit does not appear to be in active use, the car park was largely empty.
- 5.17 Officers find that a market appraisal is not necessary in this case, policy CS13 requests that a 'suitable economic development re-use' is achieved at the site, town centres are considered to constitute economic development uses. Accordingly, officers find that policy CS13 is satisfied by the proposal given the location of the development and the point that the proposal will likely result in economic development.
- 5.18 *Other Designations*
- 5.19 Officers also note that a section of the site is designated for leisure, open space and community facilities within the adopted Local Plan, the emerging PSP Plan however does not continue this designation. Importantly, the fact that the existing use, of the site as an office is lawful undermines this extant allocation. With this in mind, the allocation for leisure, open space and community facilities is not considered to materially impact upon the assessment of this application.
- 5.20 *Principle of Development Summary*
- 5.21 The proposal is acceptable in principle subject to the development having an acceptable impact on the vitality and viability of the town centre and also the amenity of the area.
- 5.22 Vitality and Viability of the Centre
The scale of the development has been questioned through emerging policy PSP32. Notwithstanding this, adopted Policy RT1 states that the development should be consistent with the scale and function of the centre, and that the proposal should not detract from the overall vitality and viability of the centre.
- 5.23 Emersons Green is an area that is currently undergoing large amounts of residential development, and this will clearly impact upon the required levels of retail uses and the wider town centre.
- 5.24 Further to this, there were no vacant residential units within the Town Centre at the time at which the case officer visited the site. In summary officers find the scale of the proposed retail space to be acceptable with regard to vitality and viability of the town centre.
- 5.25 Transportation Assessment
Based on the Council's parking standards, the parking requirement is 1 space per 35 sq.m for an A1 unit under 1000 sq.m; this happens to be identical to the required parking requirement for a B1 unit. The Council's highways officer has stated that given that fact that the parking requirement for the existing B1 use unit is identical to the parking requirement for the proposed A1 use, it is concluded that the parking impact of the proposed development would not be

materially different when compared to the extant office use. Accordingly, the proposal is unlikely to result in a materially harmful parking impact.

- 5.26 Notwithstanding this, the Council's highways officer has stated concerns with regard to the how the staff would use the car parking area to the front of the unit. A travel plan has not been submitted in support of this application, this would allow officers to understand the staff parking patterns combined with those of the public utilising the car park. The applicant has stated that they are willing to submit a travel plan, but post planning permission to be secured through condition.

- 5.27 Specifically, the condition suggested by the highway officer is as follows:

'No building or use hereby permitted shall be occupied or the use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. And for avoidance of doubt, the measures will include implementation of 2 hours maximum of waiting limit to the customers' car park. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council'.

- 5.28 Paragraph 206 of the NPPF sets out a number of tests that must be considered when imposing planning conditions. Two of these tests require that conditions are necessary and reasonable. The application site is within an urban area and Town Centre. The condition requested is effectively to control car parking at the site and to encourage sustainable modes of transport. Car park controls in town centre locations is generally best left to the control of private occupiers of town centre sites or town centre parking management companies, after all it is in their interest to ensure adequate car parking is afforded to members of the public who will ultimately provide custom. In the case of this application, the development is within a sustainable location with good access to sustainable modes of transport. Accordingly, given the location of the development and the specific car park management request, officers find that the suggested condition is not necessary or reasonable in this instance. Accordingly, officers recommend an amended condition that requires a travel plan to be submitted, but does not specifically control the car parking for customers is restricted to a maximum of 2 hours only.

- 5.29 The application includes little details with regard to the future users of the site, other than that it is intended that a retail use will be implemented. Officers also understand that the site will likely be subdivided in future. The retail unit(s) would clearly require delivery and service vehicles to enable the retail units function as such. The applicant however has failed to provide any details pursuant to this, other than that delivery and service vehicles would enter the site from St Lukes Road at the rear of the site. The host site is within an urban area in a town centre location, further to this the site's current use is as a B1 use. As such officers are not overly concerned with regard to the generation of delivery and service vehicles, however, it is clear that the existing rear car park is not specifically set up for delivery and service vehicles.

Accordingly, officers recommend a condition that requires the applicant to submit details of a delivery and servicing management plan, which will also include measures and details pursuant to the potential subdivision of the ground floor unit. The condition would also include the delivery hours for the site.

- 5.30 The proposal is therefore acceptable transportation terms, subject the aforementioned conditions.

5.31 Opening Hours

The applicant has suggested that opening hours of the site will be from 8am until 6pm. The site has no residential dwellings or building within the immediate area that may be detrimentally impacted by opening hours later than those suggested by the applicant (closest residents over 40 metres from the application site). With this in mind, officers are hesitant to condition the hours suggested by the applicant, and rather suggest that an opening hours condition of 8am until 10pm (8am until 6pm on Sundays) is imposed.

5.32 Subdivision

As discussed at an earlier stage of the report, the unit will likely be subdivided in future should this application be successful. Officers therefore find it appropriate to recommend that a limit of the subdivision of the unit is in place. The agent has suggested that the unit will likely only be subdivided into 6 units. Officers find 6 units to be acceptable as a maximum, any more units would likely result in a very small units that may have a harmful impact on the integrity, viability and vitality of the town centre.

5.33 Planning Balance

The development represents an acceptable use within a town centre location which fails to materially harm the amenity of the area.

6. CONCLUSION

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

- 6.2 The recommendation to **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 and on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Prior to the first occupation of the ground floor unit(s) as a retail use (Use Class A1) hereby approved, a delivery and service management plan will be submitted to the Local Planning Authority for written approval. For the avoidance of doubt the management plan will include details pursuant to potential and/or future subdivisions of the retail unit approved. Further to this, this condition requires the following details to be included within the submitted delivery and service management plan:

- The type and size of vehicles to be required to service and provide deliveries for the site;
- The expected frequency of delivery and service vehicles;
- Relevant turning areas;
- The location(s) within the site where deliveries will occur.

Reason

In the interests of highway safety and to accord with Policy CS8 and CS14 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

3. The hours for the working of the retail use (Use Class A1) hereby approved shall only be restricted to the following time periods:

Monday to Saturday: 08:00 - 22:00

Sunday: 10:00 - 18:00.

Reason

In the interests of the town centre and the amenity of the area; and to accord with Policy CS14 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy RT9 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

4. The ground floor retail unit (Use Class A1) hereby approved, shall be subdivided into no more than 6 separate units.

Reason

In the interests of the integrity, viability and vitality of the town centre; and to accord with Policy CS14 of the South Gloucestershire Local Plan: Core Strategy (Adopted)

December 2013; and Policy RT9 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

5. Prior to the first occupation of the ground floor unit(s) as a retail use (Use Class A1) hereby approved, a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council.

Reason

In the interests of highway safety and to encourage more sustainable modes of transport, and to accord with Policy CS8 and CS14 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policies T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 46/16 – 18 NOVEMBER 2016

App No.:	PK16/5440/F	Applicant:	Mr & Mrs Aaron Whiston
Site:	12 The Keep Warmley Bristol South Gloucestershire BS30 8YQ	Date Reg:	6th October 2016
Proposal:	Erection of first floor extension above garage, two storey side extension and single storey rear extension to provide additional living accommodation (Resubmission of PK16/0599/F)	Parish:	Bitton Parish Council
Map Ref:	367682 172058	Ward:	Oldland Common
Application Category:	Householder	Target Date:	25th November 2016



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 100023410, 2015. N.T.S. PK16/5440/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a first floor side extension over existing link garage, a two storey side rear extension and single storey rear extension to form additional living accommodation. This application is a resubmission of PK16/0599/F, a very similar and recently approved scheme.
- 1.2 The application site relates to a two-storey link detached modern dwellinghouse situated within a small cul-de-sac in Warmley.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 K670/10 Erection of 314 dwellings on 34.5 acres.

- | | | |
|-----|-------------|--|
| | | Construction of roads, footpaths open space and associated garages and car ports. |
| | Approved | 21.12.78 |
| 3.2 | PK16/0599/F | Erection of first floor side extension over existing link garage, two storey side rear extension and single storey rear extensions to form additional living accommodation |
| | Approved | 18.3.16 |

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

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

4.2 Other Consultees

Sustainable Transport

No objection – the scheme is very similar to the recently approved application PK16/0599/F

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies and all material considerations. Of particular importance is that this application follows a recently approved and very similar scheme. The main difference would be changes to the single storey rear extension which would have a slightly larger footprint than previously approved. Saved Policy H4 is supportive of extensions/alterations within existing residential curtilages provided it meets other considerations such as not having an unacceptable adverse impact on residential amenity. In addition and of particular importance is the overall design of the proposal and its impact on the host property and area in general (CS1); the impact on highway safety and parking standards must also be carefully assessed (T12, CS8, SPD: Residential parking).

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

Design and Visual Amenity

- 5.2 The application site is a part of a small cul-de-sac of similar designed and proportioned properties. The area is characterised by most of the houses being link attached to its respective neighbour by their single garages. No. 12 is linked on either side to its respective neighbours at No. 11 and 14. No. 12, however, and the properties to its west are part of a grouping of three set forward of properties to the east.
- 5.3 The proposal comprises a number of elements and for the sake of clarity it is useful to separate them as below, but it is useful to note that the first floor extension over the garage and the two storey side extension are the same as previously approved and only the single storey rear extension has changed when compared to application PK16/0599/F:
- 5.4 First floor extension over existing garage and connecting single storey flat roof
The property benefits from an attached single storey garage which is also attached to the neighbour at No. 14 and the proposal would introduce a new bedroom above this structure. Adopted policy is supportive of extensions to existing dwellings and similarly, national planning policy encourages development within existing built up areas and therefore within existing residential curtilages. Notwithstanding the comments from the Parish that this would alter the pattern of development in this cul-de-sac, extensions above existing garages on link detached properties such as this are not uncommon and when sympathetically done, do not detract from the street scene. It must further be acknowledged that this small development is not of particular architectural merit, exemplar design or historic worth. It is acknowledged that the proposal would result in changes but given its position within the cul-de-sac and the row of properties if is considered that only an angled view from the main highway when travelling south would be achieved. In terms of its impact on the character of the area and visual amenity in general a refusal on grounds of affecting the street pattern could not be sustained in an appeal situation.
- 5.5 The proposed first floor extension would not completely infill the gap between the application site and the next door neighbour at No. 14 – it would be slightly smaller and as such the remaining gap between the two would be a flat roof over the sliver of garage roof and would also continue out to the proposed new rear building line. Flat roofs are not encouraged as they add nothing to the generally overall aesthetics of a scheme. Here however, it is acknowledged that the design has taken into account the need to retain the garage at ground floor, accommodate first floor living space but at the same time not interfere with the neighbouring property. This is considered acceptable and should issues of maintenance arise that might affect the neighbour, then this would be a civil matter to be discussed between the respective parties. The proposed addition would be set back from the main building line and set down from the main ridge line making the structure appropriately subservient to the main dwelling. Openings would be to the front elevation. The proposed first floor extension above the existing garage is therefore acceptable in design terms.

5.6 Two storey side extension

Following on from this new structure above the garage, is a proposed two-storey side/rear extension and single storey addition. This would effectively infill the gap between the rear of the existing single storey garage and the main house and the single storey would extend out from the existing rear building line by approximately 0.70 metres. Again the two storey element would be set away from the neighbour's house. At first floor this addition would create a study area and storage and at ground floor it would create a new kitchen and entrance into the garage. Openings would be to the rear elevation facing the garden. The two-storey infill with its associated small single storey element is considered acceptable.

5.7 Single storey rear extension

Under the previous scheme PK16/0599/F, the single storey addition measured approximately 6.6 metres in length, 3.2 metres in width, with an overall height of 3 metres was proposed across the main part of the exiting property. It was to have had a flat roof and a large lantern skylight. Under this current application this addition would have a slightly larger footprint, measuring about 9.2 metres in length, the same width at 3.2 metres and 2.6 metres in height. It would have a flat roof, openings would again comprise a large bank of full height bi-fold doors facing the garden with an additional small window in this elevation.

5.8 Design summary

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

Residential amenity

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

5.10 In terms of the neighbour to the west at No. 14 the proposed two-storey side extension would infill behind the single storey garage and at first floor level would be set away from the neighbouring property. It would extend out only as far as the building line of the neighbouring property, apart from the additional

single storey flat roof element which would extend out a further 0.70 metres. Given the orientation of the properties where their rear gardens face due south and given the properties are separated by fencing of approximately 1.8 metres there can be no issues of overshadowing from the proposal that would adversely affect this neighbour.

- 5.11 It is acknowledged that there will be changes resulting from this application and the introduction of a new first floor window for closest neighbours. However, a balanced approach must be taken and given the presence of first floor windows in the main house it is considered that there would be no adverse impact on the residential amenity of neighbours over and above the existing situation sufficient to warrant a refusal of the application.
- 5.12 The above has shown that the proposal would not have an unacceptable adverse impact on the residential amenity of the closest neighbours. Furthermore, sufficient garden space would remain to serve the property and as such the proposal accords with Policy H4.

Sustainable transport

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

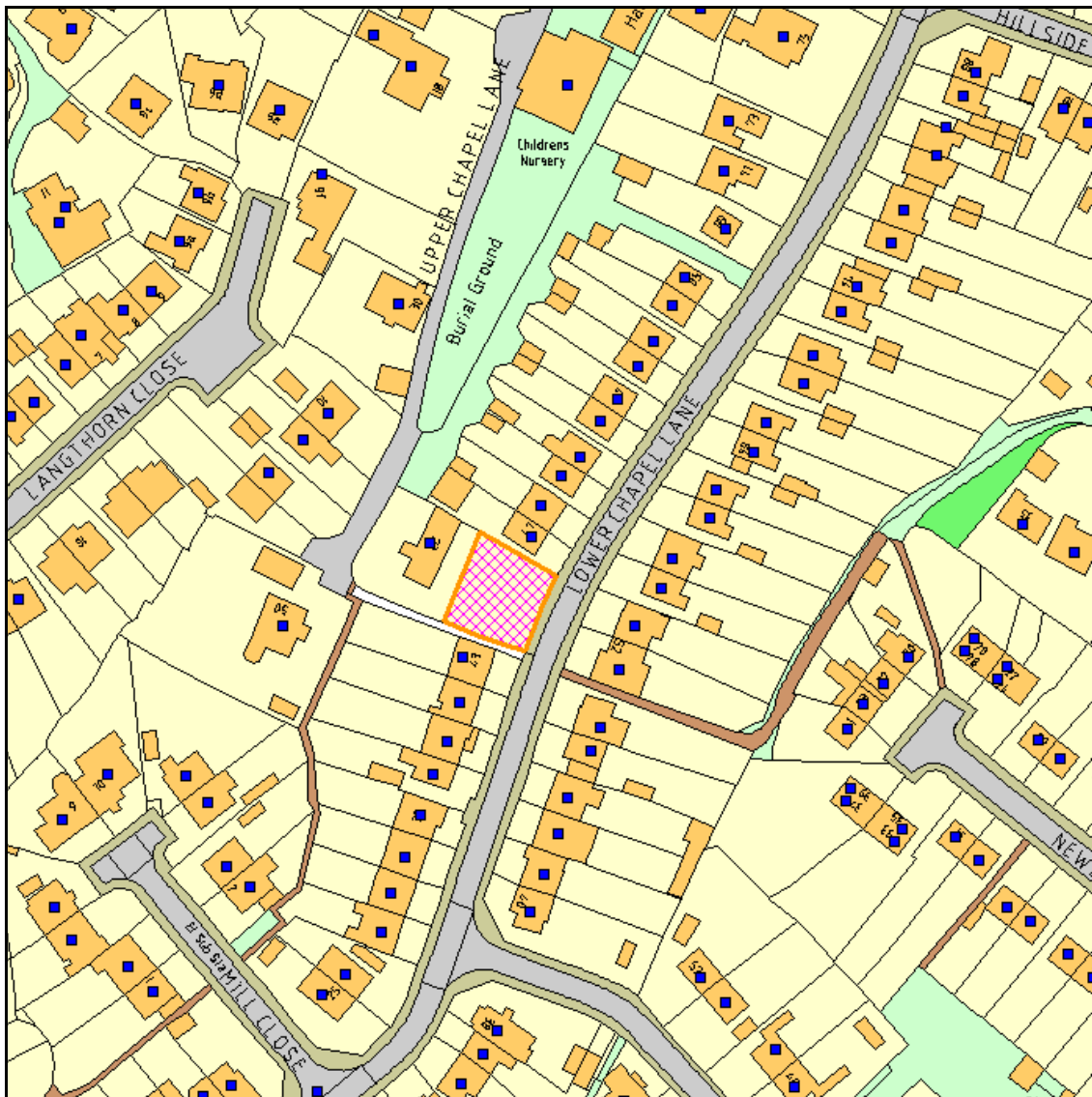
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 46/16 – 18 NOVEMBER 2016

App No.:	PT16/5181/F	Applicant:	Mr Sztypuljak
Site:	Land Adjacent To 23 Upper Chapel Lane Frampton Cotterell South Gloucestershire BS36 2HY	Date Reg:	19th September 2016
Proposal:	Erection of 1no detached dwelling with creation of new pedestrian and vehicular access and associated works to include erection of 2.3m fence.	Parish:	Frampton Cotterell Parish Council
Map Ref:	367126 181124	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	9th November 2016



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PT16/5181/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as comments of objection have been received; these are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a detached dwelling on land between the rear of 23 Upper Chapel Lane and land between nos.47 and 43 Lower Chapel Lane, Frampton Cotterell. The site currently forms part of the garden of 23 Upper Chapel Lane. The site is relatively steeply sloping with land to the west of the site at a higher level than that to the east. The site lies in the defined settlement boundary of the village and a public right of way runs adjacent to the southern boundary of the site. No further land use designations cover the site.
- 1.2 The proposed dwelling will contain 4 bedrooms over the two upper most floors with the majority of living accommodation being located on the ground floor and garaging and storage on the lower ground floor. Two off-street parking spaces are proposed from Lower Chapel Lane.
- 1.3 Design amendments have been made to the proposal during the course of the application to include changes to the roof structure to remove the hipped design which was not considered to be a characteristic feature of the area.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1	Landscape
T12	Transportation
H4	Development within Existing Residential Curtilages
LC12	Recreational Routes

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP16	Parking Standards
PSP37	Internal Space Standard for Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

CIL Charging Schedule SPD (Adopted) March 2015

Frampton Cotterell and Coalpit Heath Village Design Statement

3. **RELEVANT PLANNING HISTORY**

- | | | | |
|-----|---|-------------------------|------------|
| 3.1 | PT01/0486/F | Approve with Conditions | 06/04/2001 |
| | Construction of pitched roof over existing garage | | |

4. **CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council
No objection subject to there being adequate off-street parking
- 4.2 Archaeology Officer
No objection
- 4.3 Highway Structures
Informatives to be listed on decision notice
- 4.4 Lead Local Flood Authority
No objection
- 4.5 Public Rights of Way
Unlikely to affect LFC/40/20
- 4.6 Sustainable Transport
No objection subject to details of vehicular crossover and informative with regard to need to gain appropriate licence from the highway authority

Other Representations

- 4.7 Local Residents
A total of 9 comments have been received from 5 interested parties raising objection to the proposed development for the following reasons:
- Access from Lower Chapel Lane unsuitable
 - Lower Chapel Lane suffers from parking congestion which this development would exacerbate

- Previous development proposals amended to address steep topography of site
- Covenant on land restricts site for use as garden only
- Access will remove on-street parking
- Access should be provided from Upper Chapel Lane; parking should be provided from Upper Chapel Lane
- Further parking congestion would impede access by emergency vehicles
- Development will lead to overlooking, intervisibility and loss of privacy
- Development will lead to a loss of light
- Development will lead to a loss in property value
- Any windows with views over neighbouring properties should be obscure glazed
- Construction works will impact on safety of nearby properties and the play of young children
- Boundary walls should be retained

5. **ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the erection of a new dwelling in Frampton Cotterell.

5.2 Principle of Development

Policy CS5 directs new development in the district to the existing urban areas and defined settlements. As such, the principle of development on this site is established. Further considerations would include the design of the development, any impact on residential amenity, and transport matters.

5.3 However, at present the local planning authority cannot demonstrate a 5 year supply of deliverable housing land and therefore, in accordance with paragraph 49 of the NPPF, the policies in the development plan which restrict the supply of housing are out-of-date.

5.4 When the relevant parts of the development plan are out-of-date, proposals should be assessed against the presumption in favour of sustainable development, as set out in paragraph 14 of the NPPF. This states that applications should be approved unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits of the proposal or specific guidance in the NPPF indicates that the development should be resisted.

5.5 Whilst this application would not conflict with the locational strategy of the development plan, and is therefore acceptable in principle, this application must nonetheless be determined against the presumption in favour of sustainable development, in accordance with the analysis set out below.

Benefit of Development

5.6 Should planning permission be granted, the benefit of this development would be the provision of one dwelling towards housing supply. Given the nature of the site it is considered likely that this dwelling would be completed within a period of five years. The weight that therefore can be attributed towards the benefit is moderate.

Design and Appearance

- 5.7 Along Lower Chapel Lane there is a break in the built form created by the existing garden to 23 Upper Chapel Lane where the two roads are in closest proximity. Lower Chapel Lane is predominantly characterised by mid twentieth century 2-storey semi-detached dwellings. Due to the topography of the area, dwellings to the west are set at a higher level than those to the east with some retaining walls to provide level parking and other dwellings with sloped parking areas. The vast majority of these dwellings are set with their ridge parallel to the street; the evidence of a gable end facing the street is on the short terrace to the south of the junction of Lower Chapel Lane and Bell Road. While there is variety in the type of render used and the amount of detailing provided through the use of brick, render is the dominant external facing material.
- 5.8 The proposed dwelling would present as being 3-storeys in height due to the integral garage and store in the lower ground floor which is part subterranean and set into the slope of the site. The eaves height of the dwelling respects the north-south slope across the site and relates well to both no.47 and 43 Lower Chapel Lane. Originally a hipped roof was proposed but this was considered to be out of character with the area and therefore was amended. As a result, the roof shape presents a gable to the street but retains a hip to the rear to avoid having an adverse impact on 23 Upper Chapel Lane. Whilst this is an unusual roof form, it would not be widely visible in the public realm and therefore is not considered to have a significant impact on the visual amenity of the area.
- 5.9 It is important that the relationship between the proposed dwelling and 23 Upper Chapel Lane as shown on the plans is reflected in the completed development. Given the sloping nature of the site a condition is required to finalise the finished floor level of the development.
- 5.10 On the street, the proposed dwelling would not appear as part of the original 1960s development. However, infill development is acceptable where it is informed by and respects the existing development. In this instance it is considered that the proposal has been informed by the character and appearance of Lower Chapel Lane. The proposal reaches a good standard of site planning and design and is not, therefore, considered to result in a harm in terms of the presumption in favour of sustainable development.

Residential Amenity

- 5.11 Concern has been raised by local residents over the impact of the development on residential amenity. Development should not be permitted that has a significant and demonstrable harm on the residential amenities of nearby occupiers or which fails to provide a good standard of amenity to future occupiers of the proposal.
- 5.12 Taking the application site first, there are two aspects to consider: the amenity offered to the proposed dwelling, and the impact upon the amenities of 23 Upper Chapel Lane.

- 5.13 The proposed dwelling would benefit from a relatively large garden; the submitted plans indicate that the amenity area would extend to 240 square metres. This is in excess of the minimum 70 square metres for a 4+ bedroom dwelling which is proposed under policy PSP43. A plateau would be formed for the dwelling to be sited upon and therefore the amenity space is considered to be usable and sufficient to meet the needs arising from the development. The rooms within the dwelling would have a reasonable outlook, mainly to the south and east. The proposal would benefit from a good standard of amenity.
- 5.14 For 23 Upper Chapel Lane, 300 square metres of amenity space would be retained – which again is in excess of the proposed minimum standard set out in policy PSP43. There is a change in levels in the retained garden area. This make the space slightly less user friendly but given the size of the retained amenity space it is not considered to be harmful. The outlook from 23 Upper Chapel Lane would be effected. Of particular concern would be the windows facing towards the proposed dwelling. At 6 metres distant there is high potential for a significant harm to residential amenity. However, the topography of the site must be taken into account, as reflected in the condition suggested earlier. There is a descent of over 1.5 metres between the two properties. Combined with the hipped roof it is not considered that the proposal would have a significant and demonstrable harm on the outlook from the first floor windows. Concern remains over the impact on the ground floor windows; these would lose outlook to the detriment of residential amenity. This is a harm that would result from the development and it is given moderate weight in terms of the presumption in favour of sustainable development. The first floor window in the proposed house facing no.23 should be obscured glazed to protect the amenity of the existing dwelling.
- 5.15 With regard to nearby occupiers, the property most likely to feel the effects of the development is 47 Lower Chapel Lane, to the north. This property has a window in the side elevation facing over the site. This is a common feature of the properties along the street where the majority of these side windows face the side elevation of the next pair of semis. The erection of the proposed dwelling therefore is not considered to result in an unreasonable harm to the amenity offered to this window. It is also not considered that the projection of the proposed dwelling beyond the building line of the rear elevation of no.47 would be overbearing or prejudicial to the amenity of the rear garden of the dwelling which when construed onto the proposed dwelling would stand at 2 metres. A window is proposed in the side elevation of the dwelling to serve a staircase. Given the existing window in the side of no.47 it is considered necessary that the staircase window is obscure glazed.
- 5.16 Turning to the properties opposite, the proposed dwelling would not have a materially different relationship to the dwellings to the east than the existing dwellings along the west side of Lower Chapel Lane. Therefore it is not considered that the development would result in a significant and demonstrable harm to these properties.

Transport and Highways

- 5.17 For this type of development the main consideration with regard to transport and highways is the provision of adequate off-street parking. The requirement for off-street parking is defined in the *Residential Parking Standard SPD*. In the SPD parking should be provided by a development commensurate with the number of bedrooms in the property. For a 4-bedroom house, a minimum of two off-street parking spaces are required. The plans submitted indicate the provision of two parking spaces to the front of the house and a garage measuring 3 metres by 6 metres. Including the garage, three parking spaces would be provided therefore exceeding the minimum necessitated by the SPD. No objection is therefore raised on parking provision.
- 5.18 Local residents have raised concern about the loss of parking on the highway. The Planning Act cannot control parking on the public highway and the highway cannot therefore be considered as providing dedicated parking places. While the concern raised by residents is noted, it is given little weight in the determination of this planning application.
- 5.19 Lower Chapel Lane is capable of safely accommodating the increase in traffic created through the addition of 1 dwelling. There is no objection on the basis of traffic generation or the safe operation of the highway.
- 5.20 It has been suggested that parking for the proposed dwelling should be accessed from Upper Chapel Lane. Upper Chapel Lane is a narrow highway bounded by walls for a large part of its route and parking for the proposed dwelling on Upper Chapel Lane would be remote. Therefore, officers would not support the provision of parking on Upper Chapel Lane due to the nature of the highway and the low likelihood of the spaces being used given the distance from the proposed dwelling.

The Presumption in Favour of Sustainable Development

- 5.21 The proposed development would result in the provision of one additional dwelling towards housing supply in the district. As the site is located within an established and defined settlement it is a sustainable location for further growth which would not conflict with the provisions of the Development Plan. The benefit has been identified as being moderate.
- 5.22 Through the above analysis, no harm has been identified with regard to the design of the proposal or the impact on transport or highways. These aspects of the proposal are therefore sustainable.
- 5.23 Some harm has been identified with regard to fenestration. However, this harm can be mitigated through the use of obscure glazing and therefore is considered to be a neutral factor.
- 5.24 Some harm has been identified to the outlook of 23 Upper Chapel Lane. This harm is been defined as being moderate in nature.

- 5.25 The test of the presumption in favour of sustainable development is that the harm resulting from development must *significantly and demonstrably* outweigh the benefits of the proposal for the development to be resisted. In this instance a moderate benefit and a moderate harm have been identified. The harm therefore does not significantly and demonstrably outweigh the benefit and therefore the presumption weighs in favour of planning permission being granted.
- 5.26 Other Matters
A number of issues have been raised through consultation responses which have not been addressed in the body of the report. These will be addressed here.
- 5.27 Any covenants on the land are a civil matter and the grant of planning permission would not 'overrule' any other legal agreement. The local planning authority therefore does not pass any comment on the existence or not of a covenant or its impact on the ability of the applicant to implement the development and it is not considered that this is a matter that would prevent the local planning authority from issuing a decision.
- 5.28 The proposed development has been assessed in full. Previous development in the locality would form part of that assessment and the topography of the site is therefore considered to be fully addressed.
- 5.29 While development finance can sometimes be a planning consideration, the impact of this proposal on individual house values is not given weight in determining this planning application as finance considerations within planning are limited to those in the public, not individual, interest.
- 5.30 Plans indicate that the boundary treatments between the site and the adjacent sites would be maintained and improved.
- 5.31 Construction sites are inherently dangerous however the management of construction sites is beyond the remit of planning control. In order to protect the amenity of nearby occupiers, a condition will be imposed to limit the hours when construction work can take place.

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.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. Prior to the commencement of development, an accurate and detailed site survey and section of the proposed development (to include cut-and-fill operations required to create a level slab), using Metres AOD, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. For the avoidance of doubt, the details required by this condition shall include the finished floor levels of the lower ground, ground, and first floors and the height of the eaves and ridge.

Reason

To ensure a satisfactory standard of external appearance, to manage the relationship between the proposed dwelling and 23 Upper Chapel Lane, to protect residential amenity, to ensure the site levels are accurate, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the National Planning Policy Framework. This is required prior to commencement to ensure the development will be carried out as reflected on the plans used to determine the application.

3. Prior to the commencement of the relevant part of development details of the external render 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.

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

Reason

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

5. The off-street parking facilities shown on plan A01-A hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

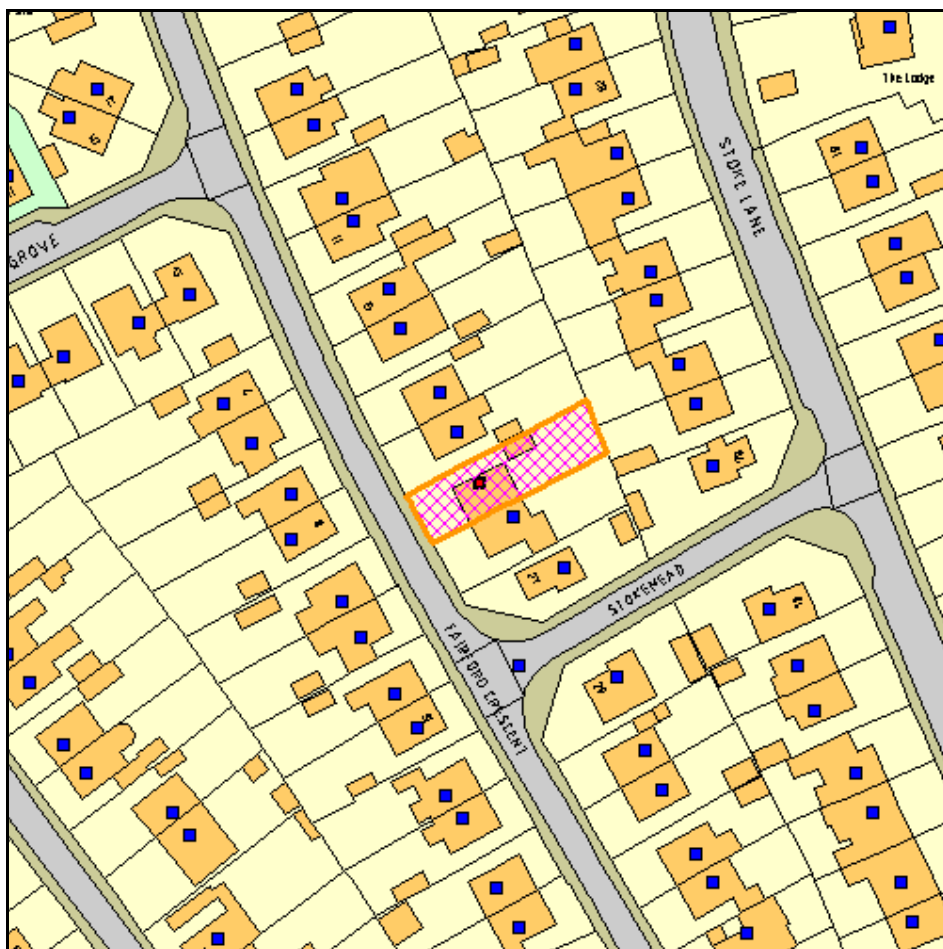
6. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 Monday to Friday, 0800 to 1300 Saturdays, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use 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 the site.

Reason

To protect the amenity of nearby occupiers during construction and to accord with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 46/16 – 18 NOVEMBER 2016

App No.:	PT16/5312/F	Applicant:	Mr C Stratakis
Site:	23 Fairford Crescent Patchway Bristol South Gloucestershire BS34 6DH	Date Reg:	12th October 2016
Proposal:	Erection of a single storey rear extension to provide additional living accommodation. Installation of front and rear dormers to facilitate loft conversion. Erection of outbuilding with garage.	Parish:	Stoke Lodge And The Common
Map Ref:	361039 181773	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Householder	Target Date:	6th December 2016



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REASON FOR REPORTING TO 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 site consists of a semi-detached chalet bungalow located in the built up residential area of Patchway. The main property is finished in a mixture of pebbledash render and hanging tiles with a brown tiled roof. A driveway runs along the north facing side of the property, with a dilapidated garage located to the north-east of the property at the end of the driveway.
- 1.2 The application seeks full permission for the erection of a single storey rear extension to provide additional living accommodation, as well as the installation of front and rear dormers to facilitate a loft conversion. The proposal also involves the erection of an outbuilding with garage.
- 1.3 As the proposed rear dormer and the proposed outbuilding meet permitted development criteria set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, they will not be assessed against Local Plan policies and other material considerations. As the proposed front dormer and proposed single storey rear extension do not meet permitted development criteria, they will be assessed against Local Plan policies and other material considerations as part of this application. This is covered in more detail in section 5 of this report.

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

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 itself has no planning history. However similar works have previously been granted permission at the adjoining property to the south at No. 25 Fairford Crescent, as well as at other neighbouring properties.
- 3.2 P86/2217 *25 Fairford Crescent*
Erection of single storey rear extension to form kitchen accommodation.
Approved: 10.09.1986
- 3.3 N8799 *25 Fairford Crescent*
Erection of front and rear dormer extension to provide four bedrooms and bathroom.
Approved: 28.07.1983
- 3.4 PT07/2028/F *9 Fairford Crescent*
Installation of front and rear dormer windows to facilitate loft conversion. Erection of single storey rear and side extension to provide additional living accommodation.
Approved: 05.09.2007
- 3.5 PT02/0998/F *6 Fairford Crescent*
Installation of dormer in front elevation to facilitate loft conversion.
Approved: 29.04.2002

4. CONSULTATION RESPONSES

- 4.1 Stoke Lodge and the Common Parish Council
Objection – No objection to the loft conversion but object to the proposed outbuilding, as well as the over-development of the property. Felt that the extension to the garage will be turned into an outside rental room and will leave little space for a garden. Surrounding area is a residential area and the Parish Council do not wish to encourage rented garden apartments.

4.2 Other Consultees

Sustainable Transport

No objection - The proposed extension would create 2 extra bedrooms making 4 in total. Adequate off street parking will remain and as such there are no transportation objections.

Archaeology

No objection

Other Representations

4.3 Local Residents

One comment of support was submitted by a neighbouring resident. This outlined that the neighbour has no objection to the proposal and is happy for the extension to go ahead.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application seeks permission for the erection of a single storey rear extension to provide additional living accommodation, as well as the installation of front and rear dormers to facilitate a loft conversion. The proposal involves the erection of an outbuilding with 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 Permitted Development

Proposed rear dormer

The proposed rear dormer meets criteria set out in Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. As such the installation of the proposed rear dormer constitutes permitted development and will not be assessed as part of this application.

5.3 *Proposed outbuilding*

Following correspondence with the agent, it was clarified that the proposed outbuilding would be used partially as a garage, and partially as storage space/hobby area. This usage is considered to be incidental to the enjoyment of the main dwellinghouse. As the proposed usage is incidental, and the proposed height and scale of the outbuilding meet criteria set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, the proposed outbuilding constitutes permitted development and will not be assessed as part of this application.

5.4 *Proposed front dormer*

Due to its location to the principal elevation of the property, the proposed front dormer does not meet criteria set out in Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, and will therefore be assessed as part of this application.

5.5 *Proposed single storey rear extension*

Due to a proposed protrusion from the rear of the property by more than 3m, the proposed single storey rear extension does not meet criteria set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, and will therefore be assessed as part of this application.

5.6 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.

5.7 *Proposed front dormer*

By virtue of the proposed front dormer to the principal elevation of the property, it is acknowledged that its installation would be visible from public areas and would impact upon the streetscene. However as is outlined in section 3 of this report, planning permission has previously been granted for the installation of front dormers at a number of properties along Fairford Crescent, and as such they are commonplace along the road. This includes the adjoining property at No. 25 Fairford Crescent. The submitted plans indicate that the proposed front dormer will be of similar scale and finish to the front dormer at No. 25. As such, it is deemed that the installation of the proposed front dormer would not detrimentally impact upon the streetscene of character of the immediate surrounding area.

5.8 *Proposed single storey rear extension*

Due to its location to the rear of the property, the impacts of the proposed conservatory on the streetscape and the character of the immediate surrounding area would be minimal. Additionally, the scaling and height of the proposed rear extension would allow for it to appear subservient to the main dwelling. Overall, it is considered that the design of the proposed front dormer and rear extension respect the character of the host dwelling and the surrounding area, and therefore conform to the design criteria set out in policies CS1 of the Core Strategy and H4 of the Local Plan.

5.9 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.

5.10 *Proposed front dormer*

It is deemed that, due to the distance between the front elevation of the subject property and the properties located directly opposite at No's. 8 & 10 Fairford Crescent, the proposed front dormers would not result in a significant loss of privacy at these properties through overlooking. Additionally, the proposed front dormer windows would largely look out on the public highway. It is also considered that the proposed front dormer would not have any significant overbearing or overshadowing effects on any neighbouring properties.

5.11 *Proposed single storey rear extension*

By virtue of the single storey nature of the proposed rear extension, it is not deemed that it would negatively impact upon the residential amenity currently enjoyed at the adjacent properties of No's. 21 & 25 Fairford Crescent. Whilst the proposed rear extension would result in a loss of outdoor private amenity space at the site, it is deemed that sufficient space would remain. Overall, in terms of residential amenity, it is considered that the proposed front dormer and rear extension satisfy the criteria set out in policy H4 of the Local Plan.

5.12 Transport

South Gloucestershire Residential Parking Standards outline that a 2 bed dwelling must make provision for a minimum of 1 off-street parking space, and that both 3 and 4 bed dwellings must make provision for a minimum of 2 off-street parking spaces; each measuring a minimum of 2.4m x 4.8m. As the proposal would seek to increase the number of bedrooms at the property from 2 to 4, a minimum of 2 off-street parking spaces would need to be provided as part of the proposal.

5.13 Having undertaken a site visit, it is deemed that the driveway located to the side of the property is sufficiently large as to accommodate a minimum of two parking spaces. As the proposed works would not affect the car parking arrangements at the site, the levels of off-street parking provision are deemed acceptable. However a condition will be attached to any decision, requiring the retention of a minimum of 2 parking spaces at the site. Additionally, it is not deemed that the proposal would negatively impact upon highway safety. As such, no issues relating to transport have been identified.

5.14 Objection Comments

A comment of objection relating to the possible usage of the proposed outbuilding as a rented apartment garden was submitted by the Parish Council. Following correspondence with the agent, it was clarified that the usage of the proposed outbuilding would be incidental to the main dwelling. This correspondence is available within the electronic file for the application (PT16/5312/F). As the usage of the proposed outbuilding is to be incidental to the main dwelling, it meets permitted development criteria and as such can be constructed under permitted development rights.

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. The off-street parking facilities at the site (for all vehicles, including cycles) shall be retained and shall make provision for the parking of a minimum of 2 vehicles.

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. 46/16 – 18 NOVEMBER 2016

App No.:	PT16/5326/F	Applicant:	Mr Paul Woodcraft
Site:	46 Hambrook Lane Stoke Gifford Bristol South Gloucestershire BS34 8QD	Date Reg:	
Proposal:	Demolition of existing outbuildings. Erection of detached garden shed.	Parish:	Stoke Gifford Parish Council
Map Ref:	362908 179513	Ward:	Frenchay And Stoke Park
Application Category:	Householder	Target Date:	30th November 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 comments received from Stoke Gifford Parish Council which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The proposal seeks full planning permission for the demolition of the existing outbuildings and erection of a detached garden shed at 46 Hambrook Lane in Stoke Gifford.
- 1.2 The application site is a two-storey mid-terrace dwelling. The property has a long rear garden and two existing outbuildings which will be demolished.

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
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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

No objection, however there are concerns raised that the adjacent field is identified in future development plans so noise restrictions may become necessary. Permitted development rights should be removed and the use of the new building should remain ancillary.

4.2 Archaeology Officer

No objections to the proposal on archaeological grounds.

Other Representations

4.3 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Both 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 proposal shall be determined against the analysis below.

5.2 Design and Visual Amenity

The application site is a two storey mid terrace dwelling in Stoke Gifford. The application seeks planning permission for the demolition of existing outbuildings and the erection of a detached garden shed. The proposed garden shed will be located to the rear of 46 Hambrook Lane within the rear residential curtilage. The proposed shed will be over 70 metres from the dwelling itself.

5.3 The proposed shed will have a width of 6 metres, length of 6 metres and total height of 4.5 metres. The shed will have a pyramid hip style roof with red concrete tiles to match those used within the main dwelling and surrounding properties. The proposed shed will be built on a brick plinth and the elevations will be clad in timber weatherboard. The windows and doors will be Oak UPVC.

5.4 Overall, 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.

5.5 Residential Amenity

The applicant site is a two storey mid terrace property within the settlement boundary of Stoke Gifford. The proposal seeks permission for the demolition of existing outbuildings and the erection of a new garden shed.

- 5.6 The proposed garden shed will be situated at the very rear of 46 Hambrook Lane. There will be a window and doors in the front elevation which faces the dwelling, these are not considered to result in an increase in overlooking towards neighbouring residents. The proposed shed is not considered to adversely impact the residential amenity of surrounding properties as it is some distance from neighbouring residents reducing the potential for it to be overbearing.
- 5.7 It is noted that Stoke Gifford Parish Council suggest noise restrictions may become necessary because the adjacent field has been identified for future development, whilst the applicant has stated that he will keep his wood working tools in the shed which are occasionally noisy when used it is also noted that they are currently used within the loft. Officers do not believe a condition is necessary such a condition is not considered reasonable.
- 5.8 Overall the proposal would not result in any adverse impacts on the residential amenity of neighbouring occupiers or future occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the Local Plan (adopted) 2006.
- 5.9 Sustainable Transport
No new bedrooms are proposed within the development, furthermore the proposed extension does not affect the existing parking provision. Thus there are no transport concerns.
- 5.10 Other Matters
Stoke Gifford Parish Council have also suggested that the permitted development rights for the property should be removed, officers do not believe this is necessary because it is not normally considered reasonable to remove the permitted development rights save in exceptional circumstances.
- 5.11 The Parish Council have also suggested a condition be added to ensure the proposed shed remains ancillary to the existing dwelling. Officers do not believe this is necessary as whilst it is noted the proposal is for a large shed there is no evidence suggesting it will not be used ancillary to the existing dwelling. It would be difficult to use the building as a separate unit due to the configuration of the site, and more fundamentally to so would need planning permission in its own right.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

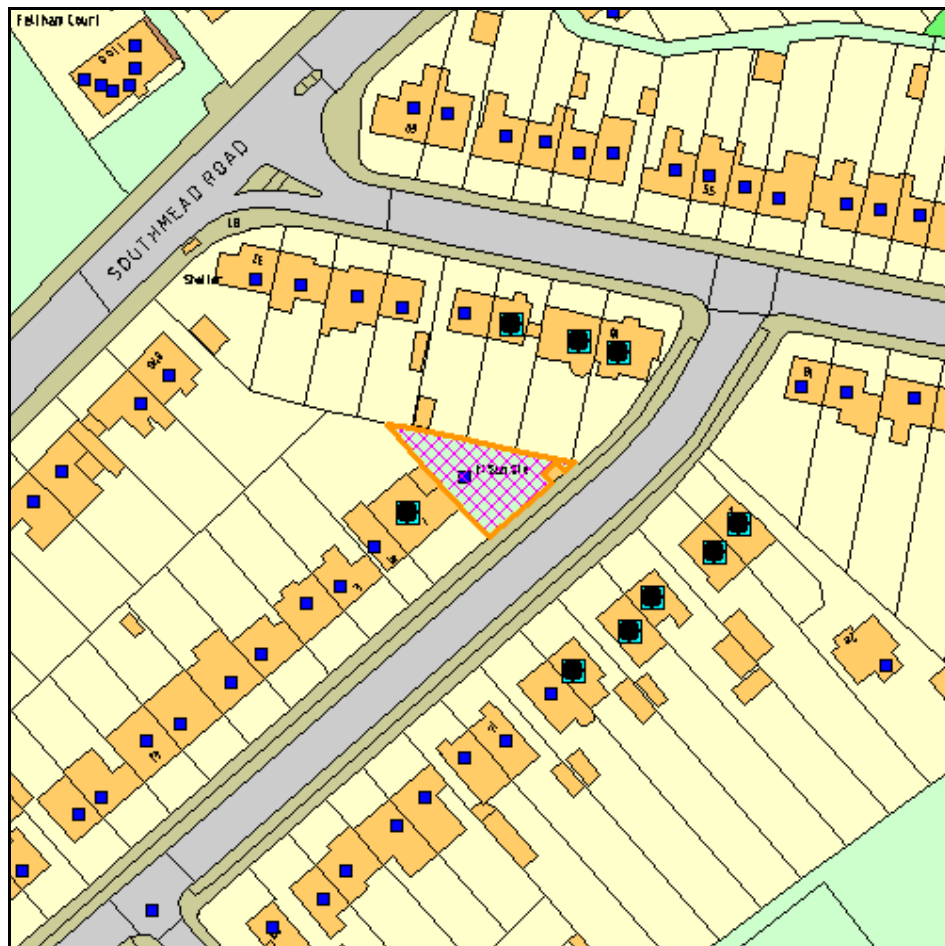
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 46/16 – 18 NOVEMBER 2016

App No.:	PT16/5621/F	Applicant:	Mr And Mrs Brown
Site:	1B Dunkeld Avenue Filton South Gloucestershire BS34 7RH	Date Reg:	14th October 2016
Proposal:	Erection of detached workshop/store.	Parish:	Filton Town Council
Map Ref:	359735 178725	Ward:	Filton
Application Category:	Householder	Target Date:	6th December 2016



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PT16/5621/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey detached workshop/store to the front and side of an existing dwelling.
- 1.2 The application site is no. 1B Dunkeld Avenue in Filton, this dwelling was permitted in 2013 and has been built recently, the unit is not occupied.
- 1.3 The host property's permitted development rights relevant to the construction of outbuildings are intact and therefore exercisable, this development requires express planning permission due to its location and proximity to the boundaries of the site.

2. POLICY CONTEXT

2.1 National Guidance

NPPF National Planning Policy Framework March 2012

PPG 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

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation

H4 Development within Existing Residential Curtilages

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

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP43 Private Amenity Space Standards

At the Council meeting on 29 June 2016, Members determined the next steps for the Policies, Sites and Places (PSP) Plan. Formal consultation on the PSP plan (in accordance with Regulations 19, 20 and 35 of the Town and Country Planning (Local Planning – England Regulations 2012) took place from 21 July – 8 September 2016. The next stage for the PSP plan is submission to the Secretary of State, with adoption expected in May 2017

2.3 Supplementary Planning Guidance

Residential Parking Standard SPD (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT13/3736/F Approve with Conditions 02/12/2013
Erection of 1no. detached dwelling with access and associated works.
- 3.2 PT10/2531/F Approve with Conditions 01/11/2010
Erection of 1 no detached dwelling, pedestrian access and associated works.
(Re-Submission of PT10/1543/F).

4. **CONSULTATION RESPONSES**

- 4.1 Filton Parish Council
None received.
- 4.2 Sustainable Transport
No objection, the proposed building would be ancillary to the adjoining house.
- 4.3 Archaeology
No objections.

Other Representations

- 4.4 Local Residents
Two comments have been received in response to this application, both of which have been objection to the proposal. These comments are summarised below:

Residential Amenity

- The proposal would harm the enjoyment of nearby gardens;
- The proposal would result in overshadowing – it would be 1 metre above the fence height;
- Concerns regarding noise;
- Bedroom windows overlook the proposed outbuilding;
- The proposal would block light to nearby properties.

Design and Visual Amenity

- The building would not look attractive in this location;
- Character of the area would be harmed.

Other Matters

- The wall adjacent to the neighbouring fence would not allow space for the maintenance/construction of the wall;
- Roof gutter would overhang neighbouring fence;
- A smaller lower building would be more appropriate.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of domestic storage building within the residential curtilage of a dwelling in an urban area dominated with residential development.
- 5.2 Principle of Development
Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.
- 5.3 Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within the curtilage of existing dwellings. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.
- 5.4 The application is acceptable in principle subject to considerations regarding design, residential amenity and the proposal's impact on highway safety.
- 5.5 Design and Visual Amenity
Dunkeld Avenue is dominated by semi-detached two storey dwellings with hipped roofs set back within their respective plots from the highway. Some of these properties have gardens to the front of the dwellings, but it is notable that a number of these dwellings have off-street parking to the front. From visiting the area and site, it is evident that whilst there are many side garages, it is relatively uncommon to see a garage/outbuilding to the front of a dwelling.
- 5.6 The host dwelling is a recent addition to Dunkeld Avenue, and is positioned toward the end of the Avenue meaning the dwelling is read as a more recent addition with a distinct character, but not out of keeping, to the majority of dwellings within Dunkeld Avenue. Further to this, there is a substation within the front garden of the host site. The proposed outbuilding would be located to the rear of the existing substation and the front and side of the existing dwelling within a wedge shaped position. The proposed building has a low profile hipped roof and would be lower in height than the single storey elements of the host dwelling.
- 5.7 Officers understand that the application site is not as spacious as the other dwellings within the immediate area, but this is a symptom of more recent development which has occurred since the original development of Dunkeld Road. In terms of site planning and overall design, officers do not find that the site will be overdeveloped as a result of this development.

- 5.8 The elevations will be finished in matching materials to the host unit in a similar style, the tiles will also match those used in the existing dwelling, this is an acceptable materials choice. It is suggested that the garage door would be metal, this is acceptable provided the colour of the door matches that of the existing host dwelling, and as such a condition is recommended to ensure this, the condition should also ensure that all other materials utilised within the proposed garage match those used in the existing dwelling.
- 5.9 Overall subject to the aforementioned condition, the position, scale and choice of materials proposed are acceptable, officers therefore consider that the proposal's design accords with policy CS1 of the adopted Core Strategy.
- 5.10 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 occupiers.
- 5.11 The proposed workshop building is located just off the boundary with no. 20 Charborough Road and will arguably have an impact nos. 22 and 18 Charborough Road. Accordingly, the impact of the proposed outbuilding must be considered with specific reference to the residential amenity of these nearby dwellings.
- 5.12 Nos. 18, 20, and 22 Charborough Road are all to the north of the host site and the proposed outbuilding. Generally, these properties rear gardens and ground level are set approximately 1 metre lower than the comparative ground level within the host unit. Currently, there is a boundary treatment (fence) that is approximately 1.8 metres in height between the host unit and nos. 18 and 20 Charborough Road, this fence then reduces in height as it progresses through no. 20. Further to this, there is a substation that is approximately 2.3 metres in height, this is positioned to the front of the proposed building, but is likely to currently be a minimal feature of the outlook from the rear elevation of no. 20.
- 5.13 Between the rear windows of no. 20 and the proposed garage there is a distance of approximately 16.5 metres, this distance is greater for both nos. 18 and 22. No. 20 also has a conservatory, between the conservatory and the proposed garage, there is a distance of approximately 12.4 metres. Between primary windows (i.e. windows within primary rooms) and walls, a general separation minimum distance of 12 metres is expected in order to provide sufficient levels of natural light or outlook. The proposal is in excess of this 12 metre guidance, and as such even when taking the ground level differences into account, the proposed development is unlikely to harm the outlook or levels of natural light enjoyed by the nearby occupiers. Especially, considering that the proposed building has a low profile roof that's pitch means the roof decreases in height as it approaches no. 20.
- 5.14 Officers note concerns regarding the noise that could potentially emit from the use of the garage. Originally, the proposed garage was described as a workshop/store, the applicant has since submitted a plan labelling the proposed building as a store. The description of the development is still acceptable, the garage will be used as a domestic store, and workshop activities may be take

place within the building, as they do in the majority of domestic garages and outbuildings. Accordingly, officers do not find that noise will be an issue with regard to this development, certainly the proposal is unlikely to materially harm the amenity of nearby residents through its use. Further to this, its size means that a commercial use is unlikely to result from this development, and a commercial use in its own right would likely need planning permission meaning the Authority would have an opportunity to assess its use and its impact on nearby residents.

- 5.15 The development would result in some overshadowing to the units to the north, as does the existing fence and substation. Such overshadowing resulting from this development would not be of a scale to materially prejudice the amenity of the neighbouring occupiers within Charborough Road.
- 5.16 The proposal would be situated in an area dedicated to garden space, however this amenity space is not private in nature due to its location. As such, the loss of this garden space is not considered to be a reason to resist this development with regard to the amount of private amenity space available to the occupiers of the host unit.
- 5.17 Officers have considered imposing a condition where the hours of construction at the site would be subject to restriction. However, given the minimal scale of the development and the nature of Dunkeld Avenue, officers do not find such a condition to be reasonable.
- 5.18 Overall, the proposal's position, scale and proposed use means that the development would be unlikely to materially prejudice the residential amenity of any nearby occupiers.
- 5.19 Transport and Parking
The proposal does not materially increase the number of bedrooms within the application site, and the parking area provided to the front of the dwelling is unaffected. Further to this, vehicular access to the building would likely be difficult due to its position meaning it would be unlikely that the proposed building would be accessed by motor vehicles in the future. Officers do not feel that it is necessary to require the proposed building to operate in an ancillary manner to the main dwelling, given the size and position of the building, it is unlikely that any other use could occur, other than a use ancillary to the main dwelling.
- 5.20 Other Matters
Members of the public have correctly noted that the building would be built in close proximity to the boundary with no. 20 Charborough Road, such comments from the public have gone on to question how elevation would therefore be built and maintained, comments have also questioned if the guttering of the roof would overhang their property i.e. no. 20.
- 5.21 From reviewing the plans it does appear possible that guttering could be in place that would not encroach on any nearby properties, further to this, there are ways of draining a roof without the need for guttering to protrude by a vast distance from such a roof.

- 5.22 The maintenance and construction of the wall may require access to the neighbouring site, this is considered to be civil matter and not a reason to refuse this development. Indeed, there is procedure and legislation which guide such issues, such as the Part Wall Act 1996. Further to this, in order to access land not in the applicant's ownership, permission would be required from the land owner (please note this is not planning permission). The applicant will be reminded of this within an informative note.

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 and on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

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

CIRCULATED SCHEDULE NO. 46/16 – 18 NOVEMBER 2016

App No.:	PT16/5625/F	Applicant:	Mr And Mrs Claydon
Site:	26 Brookside Drive Frampton Cotterell Bristol South Gloucestershire BS36 2AF	Date Reg:	19th October 2016
Proposal:	Erection of two storey side extension to provide additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366549 181832	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	13th December 2016



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100023410, 2015. N.T.S. PT16/5625/F

REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has been referred to the circulated schedule following a representation being received contrary to the recommendation of this report.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a two storey side extension in order to provide additional living accommodation.
- 1.2 The subject property is a mid to late 20th century semi-detached dormer bungalow with a gabled roof and tile covering. The property has predominately rendered and part reconstituted stone elevations. There is a single storey detached garage to the side/rear to be demolished as part of the proposal. To the front and side of the property is an area of hardstanding used as parking.
- 1.3 To the rear of the property is an area of private garden. Boundary treatments are a combination of timber closed panel fences and large evergreen hedges.
- 1.4 The site is located within the built up residential area of Frampton Cotterell.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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
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 PT04/3459/F – Approval – 09/12/2004 – Alterations to roofline and extension to existing front and rear dormers to facilitate first floor extension to form bedroom and bathroom

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No Objection
- 4.2 Other Consultees
None Received

Other Representations

- 4.3 Local Residents
One comment received objecting to the proposal. The representation notes that they consider the proposal to result in an unbalanced appearance of the semi-detached pair whilst the parking of 3 vehicles would take away from the outlook of the neighbouring property and the appearance of the host dwelling from the streetscene. They also note that the proposal could result in additional noise pollution as a result of the parking of vehicles and question whether permission has been sought for the introduction of additional areas of dropped kerb. Lastly the proposal may result in the depreciation of the value of the neighbouring property. These comments will be discussed in the relevant sections of the report below.

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 within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that 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 will match the appearance of the existing dwelling in all of its features and would be of the same scale. Whilst there are not a significant number of extensions of this type in the area it is a common type of domestic extension and would be seen as acceptable in principle subject to the provisions of saved policy H4 of the adopted Local Plan (2006).

- 5.3 Comments have been received objecting to the proposal on design grounds. This representation notes that the proposal would result in the dwelling becoming out of balance with its adjoining neighbour and that this may appear as a terraced dwelling. Dwellings on Brookside drive that are of the same house type as the host dwelling have a single garage to the side of the property that are separated from the neighbouring dwelling. The proposal will replace the existing garage and will not extend as far as the boundary of the applicants ownership. Furthermore the proposal will be slightly set back from the principal elevation and would read as an extension and not as an independent housing unit. Extensions of this type are not unusual and in this case the appearance of the proposal has been considered acceptable.
- 5.4 The proposal has put forward materials of a similar appearance with respect of the roof, rainwater goods and elevations and there is no objection with regard to materials.
- 5.5 Overall, it is considered that the proposed extension would not harm the character or appearance of the area or the subject property and as such is considered acceptable in terms of visual amenity and design. 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, conforming to the criteria in the adopted Local Plan.
- 5.6 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. The additions are to the side of the property and would replace an existing single storey garage. Adjacent dwellings are situated on the same perceived building line and have no windows oriented towards the proposal, consequently dwellings to the North-east or South-west are not seen to be impacted as a result of any loss of light or the related overbearing effect caused by development.
- 5.7 There are no dwellings directly to the front of the dwelling and as a result the proposal is seen to have an acceptable impact on dwellings in this direction. Dwellings to the rear are oriented perpendicular and slightly north of the host dwelling. The proposals will extend away from these dwellings and as a result the extension is not considered to cause any negative impact on these properties.
- 5.8 Objection has been received on residential amenity grounds. The comments largely relate to the proposed parking arrangement and the possibility of additional noise pollution and diminishing the outlook from the front of the adjoining property. It should be noted that no planning permission is required for the introduction of hardstanding meaning it would be unreasonable to refuse the proposal on this basis. Furthermore the proposal will be providing the same number of parking spaces as already existing just in a different arrangement.

The proposal will result in the creation of an additional bedroom in planning terms as the proposed 'games room' could otherwise be occupied as such. This would result in the dwelling having to provide 3 parking spaces and in consideration of this could potentially create additional vehicle movements. While this may be the case the number of additional trips will be minor and is not thought to cause an unacceptable detrimental impact on the neighbouring property as a result of the associated light and noise pollution. The comments also indicated their outlook will be negatively impacted. As previously mentioned there can be no objection to the proposed hardstanding on planning grounds and again it would be unreasonable to refuse the application on this basis.

5.9 The proposal will result in the loss of the garage building. The side extension will have a similar floor area and as a result would not result in the loss of sufficient private outdoor amenity space and is acceptable in relation to this.

5.10 The subject property is located within a built up residential area and given the scale and location of the proposed development will not result in a 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

Currently the property has an area of hardstanding to the front and side of the property and a detached single garage. The current proposal will result in the loss of the detached garage, however the front garden will be resurfaced with permeable paving blocks for the required parking provision and there are therefore no adverse highway concerns to address. Given the proposal will include an additional bedroom, it would be required to provide private parking spaces in accordance with the Residential Parking Standards SPD (adopted) December 2013. For a 5 bedroom house, 3 spaces are required; the proposed arrangement of hardstanding providing space for 3 cars satisfies the requirement and further parking provision would not be required, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). There is no objection to the proposal with regard to highway safety nor the provision of sufficient private car parking spaces.

5.12 Comments have indicated concern over the introduction of a dropped kerb. This is not a feature made apparent on the plans provided but sufficient parking provision has been identified. It should be made clear no planning permission is required for the introduction of a dropped kerb on an unclassified highway such as Brookside Drive. Whilst no planning permission is required a licence would need to be obtained from the Councils Streetcare department were an additional area of dropped kerb provided to accommodate the parking area. An informative will be included to that effect.

5.13 Other Matters

The objection representation made noted that the proposal may devalue the adjoining property by virtue of the two storey side extension that is an uncommon feature in the area. Value of property as far as this case is concerned is not a planning matter and is not taken into consideration in the determination of this planning application.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 That 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 hours of working on site during the period of construction shall be restricted to 07:30 - 18:00 Monday to Friday; 08:30 - 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.

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the extension permitted is first occupied, and thereafter retained for that purpose.

Reason

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