



**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.03/16**

**Date to Members: 22/01/16**

**Member's Deadline: 28/01/16 (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](mailto: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:

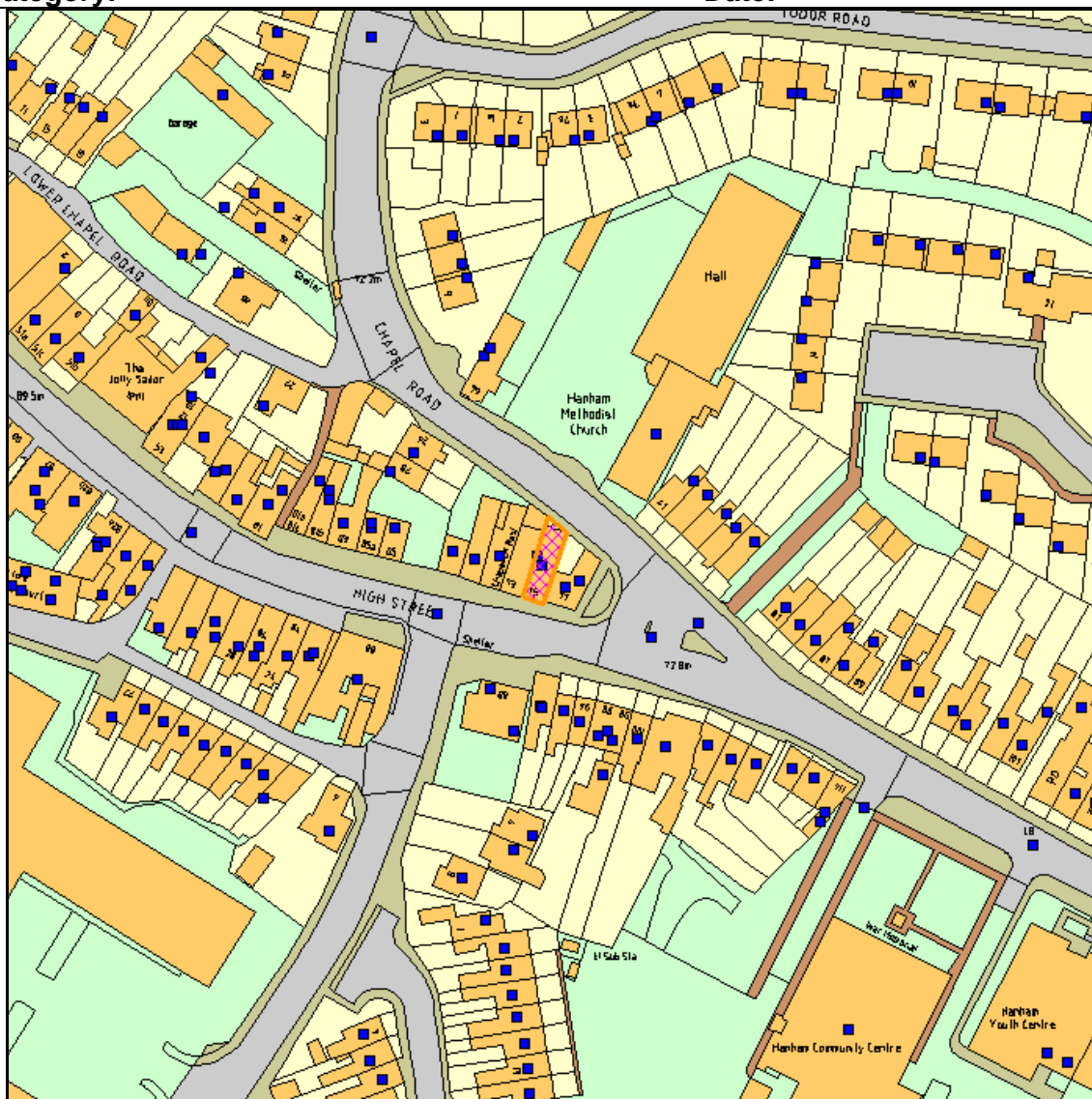
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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](mailto: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 - 22 January 2016

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/2810/F	Approve with Conditions	75 High Street Hanham South Gloucestershire BS15 3DG	Hanham	Hanham Parish Council
2	PK15/4122/F	Approve with Conditions	The Buthay 15 High Street Wickwar Wotton Under Edge South Gloucestershire GL12 8NE	Ladden Brook	Wickwar Parish Council
3	PK15/4743/F	Approve with Conditions	53 Bader Close Yate South Gloucestershire BS37 5UB	Yate North	Yate Town
4	PK15/4791/F	Approve with Conditions	Chipping Edge Estate Hatters Lane Chipping Sodbury South Gloucestershire BS37 6AA	Chipping	Sodbury Town Council
5	PK15/5205/F	Approve with Conditions	Dodington Lane Dodington South Gloucestershire	Cotswold Edge	Sodbury Town Council
6	PK15/5220/F	Approve with Conditions	4 Cleeve Lawns Downend South Gloucestershire BS16 6HJ	Downend	Downend And Bromley Heath Parish Council
7	PK15/5495/F	Approve with Conditions	37 Sandringham Avenue Downend South Gloucestershire BS16 6NQ	Downend	Downend And Bromley Heath Parish Council
8	PT15/0895/F	Approve with Conditions	Royal Oak Inn Tortworth Road Cromhall Wotton Under Edge South Gloucestershire GL12 8AD	Charfield	Cromhall Parish Council
9	PT15/0896/LB	Approve with Conditions	Royal Oak Inn Tortworth Road Cromhall Wotton Under Edge South Gloucestershire GL12 8AD	Charfield	Cromhall Parish Council
10	PT15/2888/F	Approve with Conditions	875 Filton Avenue Filton South Gloucestershire BS34 7HJ	Filton	Filton Town Council
11	PT15/4116/F	Approve with Conditions	28 St Peters Crescent Frampton Cotterell South Gloucestershire BS36 2EJ	Frampton Cotterell	Frampton Cotterell Parish Council
12	PT15/4314/F	Approve with Conditions	45 Over Lane Almondsbury South Gloucestershire	Almondsbury	Almondsbury Parish Council
13	PT15/4389/F	Refusal	Coulstreng Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QH	Frenchay And Stoke Park	Stoke Gifford Parish Council
14	PT15/4988/F	Approve with Conditions	Underhill Baden Hill Road Tytherington Wotton Under Edge South Gloucestershire GL12 8UG	Ladden Brook	Tytherington Parish Council

## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PK15/2810/F	<b>Applicant:</b>	Mrs Yuliva Bulut
<b>Site:</b>	75 High Street Hanham South Gloucestershire BS15 3DG	<b>Date Reg:</b>	15th July 2015
<b>Proposal:</b>	Removal of existing ramp to front elevation. Alteration to shop front, formation of wooden platform and ramp. Installation of flue and extraction duct.(Retrospective)	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	364257 172333	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th September 2015



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PK15/2810/F

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule due to the receipt of one letter of objection from a neighbour

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full retrospective planning permission for external changes to the existing café at 75 High Street, Hanham. The changes include a new shop front and a wooden access platform to the front elevation and an extraction system to the rear. This is a retrospective application as the café has been trading since November 2014.
- 1.2 The proposal relates to a shop unit situated within a primary retail frontage situated on the northern side of High Street Hanham. This application relates to the flue, external seating area and shop front only, the change of use of the unit has already been granted through a separate planning application reference PK15/1708/F.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

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

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS14	Town Centres and Retail
CS23	Community Infrastructure and Cultural Activity

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

T8	Parking standards
T12	Transportation Development Control
RT9	Changes of use of existing A1 retail uses in Primary Shopping Frontages

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted 2007)  
South Gloucestershire SPD: Shopfronts and Advertisements (Adopted) 2012

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK15/2810/F Change of use from A1 to A3 (Retrospective)  
Approved January 2016
- 3.2 PK14/0876/PNC Prior notification of a change of use from ground floor shop (class A1) to café (A3).  
Approved May 2014 (this was for a temporary two year period only)

- 3.3 PK12/0561/F Change of use of ground floor from retail (class a1) to café (class A3) and takeaway (class A5)  
Refused March 2012  
*Refusal reason - The proposed hot food takeaway element of the proposal would result in additional vehicles standing and manoeuvring on the A431, High Street - a principle classified road, in close proximity to a road junction and pedestrian crossing point. It would thereby interfere with the safe and free flow of traffic to the detriment of existing levels of highway safety. The proposal is therefore contrary to Criterion C of Policy RT9 and Policies T8 and T12 of the South Gloucestershire Local Plan (adopted) 2006.*
- 3.4 PK10/1079/F Change of use of ground floor from retail (class a1) to café (class A3) and takeaway (class A5)  
Refused August 2010  
*Refused for two reasons – one relating to impact on viability and a second relating to the impact of the takeaway element on highway safety.*

#### **4. CONSULTATION RESPONSES**

- 4.1 Hanham Parish Council  
No objection

- 4.2 Other Consultees

Highway Structures  
No Objection

Lead Local Flood Authority  
No Objection

Transportation Development Control  
Raises issues that the ramp may not be DDA (Disability discrimination Act) compliant but raises no objection to the scheme

Environmental Protection  
Have insufficient information regarding the extraction system

#### **Other Representations**

- 4.3 Local Residents  
One letter has been received from a local resident raising the following points of objection:
- The works have taken place without permission and are a blight on the urban landscape
  - Reduced access for those with a mobility disability
  - The flue looks like a rocket launch site
  - The various sign boards are unsightly and have been subject to previous enforcement action

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policies RT1 and CS14 of the South Gloucestershire Local Plan Core Strategy allow for restaurants within local centre locations, provided that it is acceptable in terms of existing vitality and viability, scale and function, accessibility, environmental and transportation impacts. Similarly, saved policy RT10 of the South Gloucestershire Local Plan seeks to ensure that any changes of use would not result in unacceptable transportation, environmental, or residential amenity impacts. Policy CS9 of the Core Strategy aims to ensure that new development does not result in an unacceptable level of harm to the environment as a result of pollution to air or through noise or vibration. Policy CS1 seeks to ensure a high standard of design.

### 5.2 Environment and Residential Amenity

Residential development surrounds the site at first floor level, and one of the first floor residential windows is close to the flue. No information has been submitted with the application regarding the precise extraction system that has been installed and therefore, it is not possible for the environmental protection team to provide specific comments on the current system.

5.3 In determining this application consideration is being given to the fact that neither of the previously refused applications have been subject to refusal reason relating to unsuitable extraction systems. Your officer is confident therefore that it is indeed possible to incorporate a suitable system onto the building. Furthermore, consideration is being given to the fact that the current system has been operational for almost 20 months with no complaints being made. In light of these two facts, rather than refusing the application due to lack of detail, it is instead more appropriate to condition that full specification of the extraction system is submitted and agreed within a suitable time frame. In the event that the current system is deemed unsuitable, the condition will allow for implementation of an alternative system.

### 5.4 Design/Visual Amenity

This application affects both the front and rear elevations of the property. To the front, the proposal includes a new shop front and an external raised platform/seating area. To the rear the changes relate to the extraction flue.

### 5.5 Design Changes to the Front Elevation

The new shop front is already in place and blends suitably with the street scene and character of the area. The new shop front is very similar to the shop front it replaced and contains three large panes of glass and a single door which is also glazed. This offers a vibrant frontage to the shop that contributes positively to the vitality and viability of the High Street.

5.5 The external platform/seating area is a timber structure with two steps down to pavement level - it is a replacement for a previous concrete access ramp. Given that the platform is to replace a previous ramp on a similar footprint with similar dimensions, it has a minimal impact on the street scene or character of the area.

5.6 Design Changes to the Rear Elevation

To the rear elevation the application introduces a large flue. It is noted that the neighbour has raised concern that the design of the flue is inappropriate and has a detrimental impact on the character of the area. The flue is currently finished in a silver colour that is indeed very visible in the street scene. That said, the flue is not excessive in scale and does not project above the ridge of the dwelling. Subject to the attachment of a condition requiring the colour of the flue to be changed to a matt black or dark grey, the design and visual impact of the flue would become acceptable for its location.

5.7 Transport

The access ramp/platform is erected entirely on private land and does not therefore interfere with the free flow of pedestrians on the footpath. The councils highway engineer therefore raises no objection to the proposal.

5.8 Other Issues

The letter of objection received and the councils highway engineer have both commented that the front access platform is inaccessible to the disabled because access to the café is up a short series of steps. The applicants do however have a mobile ramp that can be laid over the steps to allow for wheelchair access. In determining the application your officer is mindful that the access platform is highly unlikely to be DDA compliant due to the lack of handrails – this however is an issue that is more appropriately addressed through the specific legislation within the Building Regulations. It is not considered that such a specific area of detail should result in the refusal of this application. However, an informative will be attached to the decision notice reminding the applicants of this more specific legislation.

5.9 The letter of objection also raises the issue of inappropriate signage. Any signage on the premises requires the benefit of separate advertisement consent and is not for consideration as part of this planning application. Again, an informative will be attached to any consent granted reminding the applicants of the need to obtain advertisement consent also.

6. **CONCLUSION**

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

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



## **7. RECOMMENDATION**

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

**Contact Officer: Marie Bath**  
**Tel. No. 01454 864769**

### **CONDITIONS**

1. Within two months of the date of this decision, full details and specification of the existing ventilation and extraction system (including a maintenance schedule) shall be submitted to the Local Planning Authority for written approval. In the event that the existing system is deemed acceptable, the system must be maintained in full accordance with the agreed schedule at all times. In the event that the existing system is deemed unacceptable, full details of an improved or alternative system (including a maintenance schedule) shall be submitted to the Local Planning Authority within four months of the date of this decision for written approval. The improved or alternative system must be fully installed within six months of the date of this decision and maintained in accordance with the agreed schedule at all times.

#### **Reason**

In the interests of environmental protection and to protect the amenity enjoyed by those living in the locality to accord with Policy RT9 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

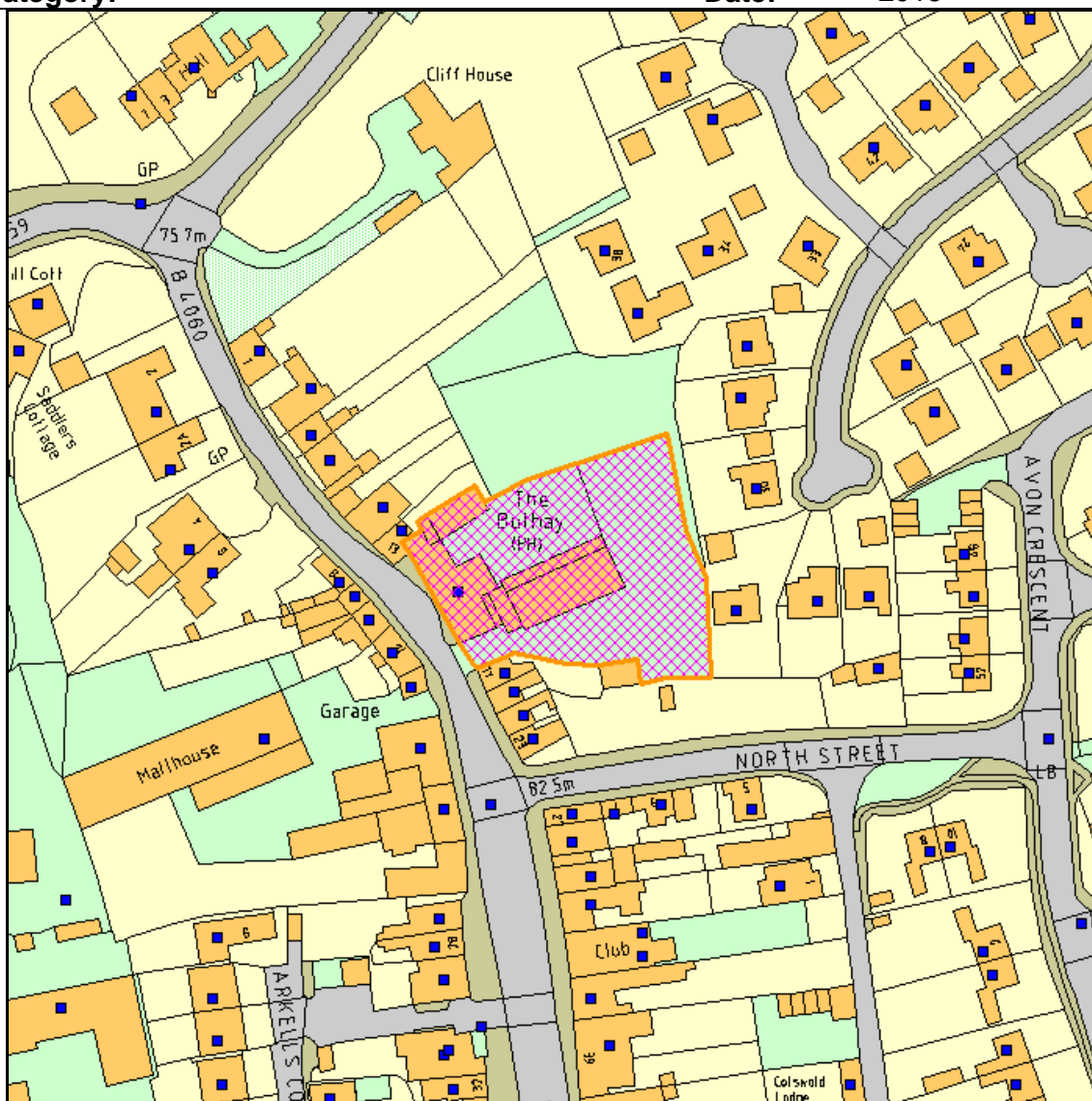
2. All external parts of the extraction and ventilation system agreed through condition 1 must be finished in a matt black or dark grey colour within two months of receiving written approval.

#### **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. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PK15/4122/F	<b>Applicant:</b>	Enterprise Inns Plc
<b>Site:</b>	The Buthay 15 High Street Wickwar South Gloucestershire GL12 8NE	<b>Date Reg:</b>	3rd November 2015
<b>Proposal:</b>	Installation of additional lighting to car park to include 13no. wall mounted half lanterns, 10no. low level floor mounted bollards, 5no. square lanterns and 3no. floodlights.	<b>Parish:</b>	Wickwar Parish Council
<b>Map Ref:</b>	372387 188607	<b>Ward:</b>	Ladden Brook
<b>Application</b>	Minor	<b>Target</b>	24th December
<b>Category:</b>		<b>Date:</b>	2015



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**N.T.S.      PK15/4122/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been submitted to the Council's Circulated Schedule procedure following objections which were received from local residents, which are contrary to the recommendation detailed within this report.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the installation of additional lighting to the car park at The Buthay Public House, High Street in Wickwar.
- 1.2 The lighting proposed includes 13 no. wall mounted half lanterns, 10 no. low level floor mounted bollards, 5 no. square lanterns and 3 no. replacement floodlights.
- 1.3 The Buthay is locally listed, and is situated within the Wickwar Conservation Area. The curtilage of no. 7 High Street, a grade II listed building, is within site from the car park to the north.
- 1.4 A lighting report and plan was received on 4<sup>th</sup> January 2016 to address concerns raised by the Environmental Protection officer.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012  
National Planning Policy Guidance
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)  
T12 Transportation Development Control Policy for New Development  
T8 Parking Standards  
L12 Conservation Areas  
L13 Listed Buildings  
L15 Locally Listed Buildings  
  
South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS5 Location of Development  
CS9 Environment and Heritage  
CS23 Community Infrastructure and Cultural Activity
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)  
Local List SPD

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK11/3709/ADV                      Approve                      16/01/2012  
Display of 2 no externally illuminated static fascia signs, 1 no. externally illuminated hanging sign and 6 no. non illuminated static signs (Retrospective)

3.2 PK11/2228/F Approve 29/11/2011  
Erection of play equipment

#### 4. **CONSULTATION RESPONSES**

4.1 Wickwar Parish Council  
No comment received.

4.2 Other Consultees

Listed Building and Conservation  
No objection.

Sustainable Transport  
No objection.

Environmental Protection  
Requested information regarding light pollution in order to prevent complaints in the future. No objection to amendments received.

Planning Enforcement  
No comment received.

Highway Structures  
No comment.

Lead Local Flood Authority  
No comment.

#### **Other Representations**

4.3 Local Residents

Two letters of objection have been received stating:

- Application states 3 no flood lights however four floodlights are shown on the plans
- Three floodlights exist already on the rear elevation – are these to be replaced? There is no need for them as they will be mostly hidden by a large conifer
- Three existing floodlights already light up bedroom of 32 Turnpike Gate – replacement flood lights should be adjusted to prevent this
- Floodlights attached to the side elevation facing into the garden illuminate the same area as the proposed flood lights, are these necessary?

One letter of support has been received stating:

- Lighting in the car park has been poor or non-existent for some years now, and this move is welcomed
- Lights are discreet
- Will improve safety for customers and pedestrians using the right of way which passes through it.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application does not propose a change of use of the site, and therefore it is pertinent to assess it against policy CS1 of the Core Strategy, which requires development to be of the highest quality of design, in order to enhance the character, distinctiveness and amenity of both the site and its surroundings. The heritage impacts on the Conservation Area and the locally listed building must also be assessed against policy L12 and L15 of the Local Plan and policy CS9 of the Core Strategy. The site is also visible from the curtilage of a nearby grade II listed property, so it also falls to be assessed against policy L13 of the Local Plan in order to retain the significance of the listed building.

### 5.2 Design and Impact on Heritage Assets

The lighting proposed includes 13 no. wall mounted half lanterns, 10 no. low level floor mounted bollards, 5 no. square lanterns and 3 no. replacement floodlights. Whilst the building is not statutorily listed, it does make a significant contribution to the character and distinctiveness of the locality and the conservation area, and so it appears on the Local List. The 13 no. wall mounted half lanterns and the 5 no. square lanterns are of a high quality design, and a condition on the decision notice will ensure that all existing lighting not shown on the proposed elevations is removed to prevent the elevations appearing cluttered. The three floodlights proposed to the rear will replace three existing flood lights and so there is no objection to their location. The low level bollard lighting around the car park is low level and unobtrusive, and does not have an impact on the character of the locally listed building or the nearby grade II listed building, no. 7 High Street. Overall, the development is considered acceptable in terms of policies CS1 and CS9 of the Core Strategy, and policies L12, L13 and L15 of the Local Plan.

### 5.3 Residential Amenity

Environmental Protection initially raised concerns about the level of lighting and how it would impact upon adjacent properties along the High Street to the south, as well as properties on Turnpike Gate to the east. The bollard lighting and square lanterns bordering the car park are the closest to the neighbouring properties, however the lighting report submitted on 4<sup>th</sup> January 2016 indicates that lighting levels will be low and will not have an impact on the adjacent properties. Objection letters from neighbours also raised concerns about the floodlights on the rear elevation and the half lanterns which are proposed to face into the pub garden. The flood lights proposed are to replace three existing flood lights which are less efficient, and the applicant has confirmed that the existing flood lights will be removed. Therefore, the flood lights are considered acceptable as they are proposed as a replacement for, not to be used in conjunction with, the existing flood lights. Even if they were not a replacement, they are an adequate distance away from the closest property on Turnpike Gate to not be detrimental to their residential amenity. Similarly, the five half lanterns proposed to illuminate the same area of rear garden but on the side elevation are to replace four flood lights, which are to be removed. It is considered that the lanterns would be less obtrusive than the existing flood lights and therefore are preferable to the extant situation.

All lights will be restricted so they are not illuminated outside of the opening hours of the public house in order to keep any light pollution caused to a minimum. The proposal is therefore considered acceptable in terms of residential amenity.

5.4 Highway Safety

The lighting proposed will improve safety for pedestrians and vehicular users of the car park due to improved visibility. There is no transportation objection to the proposal.

5.5 Environmental Effects

There are no known environmental impacts other than the potential for light pollution, which has been addressed in conjunction with residential amenity above. The level of lighting proposed is acceptable as demonstrated by the lighting report submitted and light pollution will be restricted late at night to prevent any unnecessary impacts.

5.6 Other Issues

One objection letter refers to the provision of a fourth flood light on the floor plans, attached to the external wall of the women's toilets. This is not mentioned elsewhere in the application and the applicant has confirmed in the application form that only the three replacement flood lights are proposed. In order to clarify, only lighting shown on the Proposed Elevations is permitted and all other lighting must be removed.

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 Planning permission is **GRANTED** subject to the condition in the decision notice.

**Contact Officer: Trudy Gallagher**  
**Tel. No. 01454 862217**

**CONDITIONS**

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

Reason

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

2. The lighting hereby approved shall not be illuminated outside of the opening hours of the public house to which it relates, known as The Buthay.

Reason

In order to reduce light pollution and to protect the residential amenities of neighbouring occupiers, in accordance with policy CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

3. Any existing lighting not shown on the Proposed Elevations in drawing number 1475-03 must be removed prior to the first use of the lighting hereby approved.

Reason 1

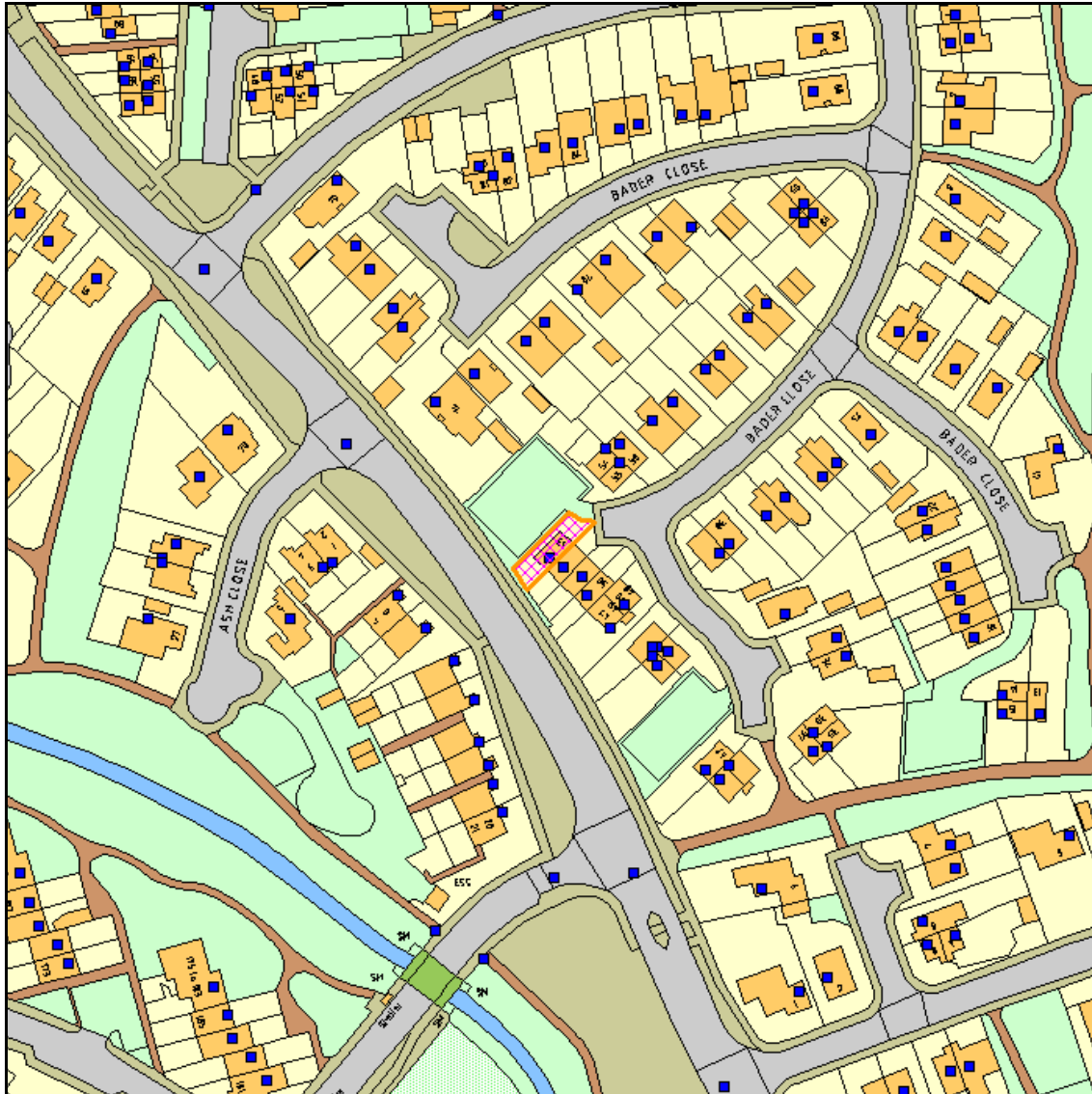
In order to ensure a satisfactory external appearance in accordance with policies CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013, policies L12 and L15 of the Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

Reason 2

In order to prevent an excessive level of lighting to the detriment to residential amenity in accordance with policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PK15/4743/F	<b>Applicant:</b>	Mr D Buckley
<b>Site:</b>	53 Bader Close Yate Bristol South Gloucestershire BS37 5UB	<b>Date Reg:</b>	4th November 2015
<b>Proposal:</b>	Erection of side extension to facilitate subdivision of existing dwelling to form 2no. self contained flats.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	370717 183405	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	28th December 2015



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PK15/4743/F



## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 The application seeks permission for the erection of side extension to facilitate subdivision of existing dwelling to form 2no. self contained flats.
- 1.2 The application relates to an existing end of terrace dwelling located on Bader Close, a cul de sac in the residential area of Yate.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework  
National Planning Policy Guidance
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
H5 Residential Conversions  
T12 Transportation Development Control Policy for New Development  
  
South Gloucestershire Local Plan Core Strategy (Adopted) December 2013  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Residential Parking Standards SPD Adopted December 2013  
South Gloucestershire Council Design Checklist SPD Adopted August 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
Object: Highway Safety/Parking  
  
Sustainable Transportation  
The development proposes to split an existing two bed dwelling into two one-bed flats. A small side extension is proposed to provide access to the second floor flat. There is no vehicular parking within the site boundary but the block plan submitted shows two spaces within a parking court adjacent to the site.

There is no transportation objection to the proposed development subject to a condition that one parking space is permanently allocated to each of the flats prior to first occupation.

#### Highways Structures

No comment.

#### Lead Local Flood Authority

No comment

### **Other Representations**

#### 4.2 Local Residents

One letter has been received as follows:

*'The existing 1st floor bathroom window is of a frosted type and is the only window directly overlooking our otherwise private garden.*

*The window will become the kitchen in the proposed new design and a person standing at the kitchen sink will look directly into our garden.*

*We request that this existing 1st floor bathroom frosted glass window remain frosted in the proposed new layout and we wish you every success with your venture.'*

### **5. ANALYSIS OF PROPOSAL**

#### 5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan states that conversion of existing residential properties into smaller units is acceptable provided that it would not prejudice the character of the surrounding area or the amenities of nearby occupiers, it would provide for sufficient off-street parking and would provide adequate private amenity space.

#### 5.2 Design

The proposals would involve a relatively modest side extension to the existing dwelling which would provide external stairs/access to the first floor property and an entrance porch as well as internal operations. The extension is considered acceptable and in context with the site and surroundings, there is a similar development at the other end of the terrace, materials would match the existing building.

#### 5.3 Residential Amenity

It is not the applicant's intention to retain an obscure glazed window in the side elevation of the first floor, where the bathroom is currently located. This room would be replaced by the kitchen in the first floor flat. The window would immediately overlook the communal car park area to the north west. Beyond this, approximately 18 metres to the north west is the curtilage boundary of the nearest residential dwelling in this direction. Given the nature of the proposed window and the location and distances from the nearest properties to this elevation it is not considered that insisting on obscure glazing is justified or warranted in this instance. It is not considered that an objection on overlooking grounds could be sustained such as to warrant refusal of the application on this

basis. It is not considered therefore that the proposed conversion would have any additional material impact in local amenity terms. Sufficient private amenity space exists in the rear curtilage for both dwellings, further more specific detail and the securing of the implementation of boundary treatment in the subdivision of the garden is recommended to be requested through condition.

5.4 Sustainable Transportation

Parking provision exists in the form of a parking court immediately adjacent to the site. Subject to a condition securing and retaining an off street parking space for each flat, the proposals are considered to meet the Council's requirements for parking and are considered acceptable in this respect. It is not considered that the conversion from one two bedroom dwelling to two one bedrooms flats would have any material impact upon transport or parking issues relating to the property.

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 It is considered that the proposals are acceptable in local amenity and transportation terms and as such accord with Policies H5 and T12 of the South Gloucestershire Local Plan and CS1 of the Core Strategy.
- 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

**Contact Officer: Simon Ford**  
**Tel. No. 01454 863714**

**CONDITIONS**

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

Reason

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

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

Reason

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

3. Prior to the commencement of the development hereby permitted, a plan illustrating the height, positions, design, materials and type of boundary treatment(s) to be erected on all sides of the sub-divided garden, shall be submitted to the Local Planning Authority for written approval. The approved boundary treatment shall thereafter be completed before the occupation of either flat and thereafter retained.

Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H5 of the South Gloucestershire Local Plan and CS1 of the South Gloucestershire Local Plan Core Strategy.

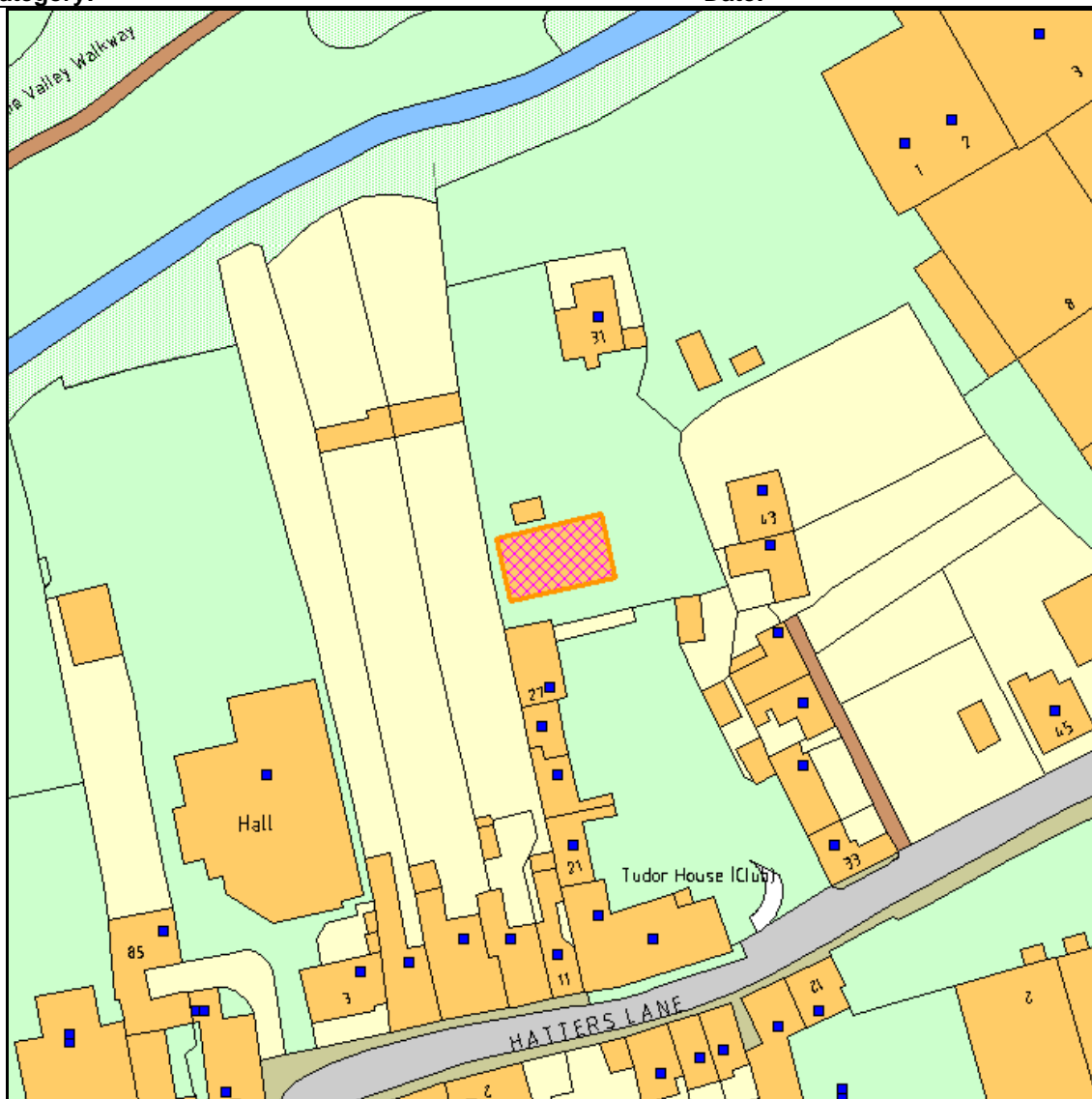
4. One off street parking space shall be provided and retained for each flat as shown on Drawing No.6297/04 (Site and Block Plan).

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. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PK15/4791/F	<b>Applicant:</b>	Mr M Wintle G H Wintle and Son
<b>Site:</b>	Chipping Edge Estate Hatters Lane Chipping Sodbury Bristol South Gloucestershire BS37 6AA	<b>Date Reg:</b>	24th November 2015
<b>Proposal:</b>	Change of use of the existing garage from the storage of vintage motor vehicles museum (Class D1) to storage and distribution (Class B8) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	372921 182303	<b>Ward:</b>	Chipping Sodbury
<b>Application</b>	Minor	<b>Target</b>	18th January 2016
<b>Category:</b>		<b>Date:</b>	



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PK15/4791/F

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This report appears on the Circulated Schedule due to an objection received from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the Change of use of the existing garage from the storage of vintage motor vehicles museum (Class D1) to storage and distribution (Class B8) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site relates to an existing garage situated behind Hatters Lane. The site is located just outside a safeguarded employment area in the market town of Chipping Sodbury and within its Conservation Area.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

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

T12	Transportation Development Control Policy for New Development
E3	Employment Development within the Urban Area
RT1	Development in Town Centres
L12	Conservation Areas
L13	Listed Buildings

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS8	Improving Accessibility
CS13	Non-Safeguarded Areas for Economic Development
CS14	Town Centres and Retail
CS30	Yate and Chipping Sodbury

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P93/2454 Change of use of building from garage for storage of vintage motor vehicles to B1(c) - light industry  
Approved 12.1.94
- 3.2 N4004 Erection of garage to replace existing, 46ft. x 27ft. (14.0m. x 8.3m.).  
Approved 12.1.78

- |     |                      |  |
|-----|----------------------|--|
| 3.3 | N112/LBC<br>Approved | Demolition of existing garage building.<br>12.1.78 |
|-----|----------------------|--|

**Building to the rear of the site:**

- |     |                             |   |
|-----|-----------------------------|---|
| 3.4 | PK09/1244/F<br><br>Approved | Change of use from Residential use (C3) to Office use (B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) . Construction of pedestrian walkway and ramp, additional car parking and associated works. Resubmission of PK09/0546/F.<br>4.8.09 |
| 3.5 | PK09/0546/F<br><br>Approved | Change of use from Residential use (C3) to Office use (B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) . Construction of pedestrian walkway and ramp and associated works<br>30.4.09  |
| 3.6 | N530/7<br><br>Permitted     | Use of Unit 6, Hatters Lane, Chipping Sodbury, for the repair and maintenance of heavy goods vehicles, and the use of the adjoining yard for the parking of such vehicles.<br>29.4.83   |
| 3.7 | N530/5<br><br>Approved      | Erection of a dormer extension to office accommodation.<br>11.9.80  |
| 3.8 | N530/4<br><br>Approved      | Sub-division of warehouse into five commercial light industrial units.<br>21.9.79   |

#### **4. CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council  
No objection

- 4.2 Other Consultees

Conservation/Listed Building Officer

The proposed change of use will not alter the external appearance of the building and, therefore, the impact on the setting of the listed buildings to the south will remain as existing. The issue would appear, however, to be the potential for additional vehicle movements to and from the building as a result of the change of use. It is stated that access will be via the Chipping Edge commercial estate or via the right of way through the carpark past the Conservative Club. This is a grade II\* listed building in the Chipping Sodbury Conservation Area and we need to ensure that its setting (and potentially its

fabric) is not compromised by an increase in the number or size of vehicles using the access road. The applicant should be invited to clarify the access requirements for the site.

Highway Engineer

No objection

Economic Development Officer

No objection: The proposed change of use would result in an additional 111 sq m of B8 use floorspace, in an area which is a hub of similar class-use premises. This proposal would increase economic activity in the area, and therefore the South Gloucestershire Strategic Economic Development Team supports this application.

**Other Representations**

4.3 Local Residents

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

- Concerned about the increase in traffic through Hatters Lane and the subsequent increase in noise as vehicles pass within 10 yards of our toddler's bedroom.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies and all other material considerations. Of particular relevance is the change of use of the premises from the storage of vintage motor vehicles (Class D1) to storage and distribution (Class B8), given its town centre location close to the historic heart of Chipping Sodbury. Saved Policy E3 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits proposals for employment uses within the existing urban area, and the boundaries of settlements, as defined on the proposals map, subject to a number of criteria including environment effects; transportation impact; residential amenity and character of the area. The site falls just outside a Safeguarded Employment Area. Policy CS13 is supportive of suitable economic development re-use of existing buildings. Guidance in the NPPF states that significant weight should be placed on the need to support economic growth and to promote the vitality and viability of existing town centres. Consideration must also be given to its location within the Conservation Area and its proximity to listed buildings and proximity to residential properties in the locality.

The proposal is considered to accord with the principle of development subject to meeting the criteria as discussed below.

5.2 Environmental impact

No specific details have been provided of the intended future occupant of the building. However, given the building has a relatively modest floor area of approximately 117 sq metres, it is considered that the proposed change of use



from the keeping of vintage vehicles to one of more general storage under Class B8 would be unlikely to result in a significant adverse environmental effect. The proposal is therefore acceptable in these terms.

5.3 Transportation Impact

It is noted that the garage on site is an independent building and the applicant would like to utilise it as storage and/or a workshop. There are currently no vintage vehicles utilising the building. The Design and Access Statement declares that the existing access would remain unchanged. This gives the option of accessing the site either through the Chipping Edge commercial estate or via Hatters Lane. It is noted that some concerns have been raised by a local resident in that the change of use of the building as proposed if allowed, could result in increase of HGV traffic to and from this site. A judgement, based on the information available within this application is therefore required. Given the small size of the building (with the floor area 117m<sup>2</sup>) it is considered unlikely that there would be any HGV traffic travelling to this particular building. It is more likely that it would be used by smaller capacity vehicles. The only way to ensure that the Hatters Lane access is not used by HGV would be through a s106 agreement. This process has not been pursued as it is regarded as being out of proportion with the size of the development given the small amount of storage that could be achieved within the building. It would be good practice for any occupant to advise deliveries etc that the preferable ingress/egress route would be through the Chipping Edge Industrial Estate.

There is sufficient off-street parking and turning area on site to accommodate vehicles and in view of this there is no highway objection to this application

5.4 Residential Amenity

The application site is located within the heart of Chipping Sodbury in an area of mixed use businesses, retail, commercial and residential. It sits adjacent to a courtyard serving some residential properties and close to listed buildings. Neighbours in the nearby residential properties have expressed concern regarding possible disruption due to large vehicles using the site. As covered in the above transport section, given the overall modest size of the building, it is unlikely that very large vehicles would frequent the site. Nevertheless, it is considered reasonable that a condition would be attached to the decision notice to limit the hours of deliveries etc to the site.

5.5 Character of the area and impact on Listed Buildings and the Conservation Area

Although the garage is situated close to residential properties and historic listed buildings it is separated from this area by stone walls, domestic garages and associated buildings. It is therefore more readily associated with the industrial estate to the north and east. The change of use proposed would not be out of keeping with the use of this part of Chipping Sodbury and is therefore considered acceptable.

5.6 The closest listed building is the grade II\* listed Conservative Club which abuts Hatters Lane. It is noted that the proposed change of use would not alter the external appearance of the building and as such there can be no objections in terms of its visual impact on the listed building or the wider conservation area in

general. Concerns regarding potential increase in use of this particular access by HGVs has been dealt with in the above sections and a balanced judgement based on the scale of the existing building has judged the proposal acceptable.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

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

**Contact Officer: Anne Joseph**  
**Tel. No. 01454 863788**

## **CONDITIONS**

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

Reason

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

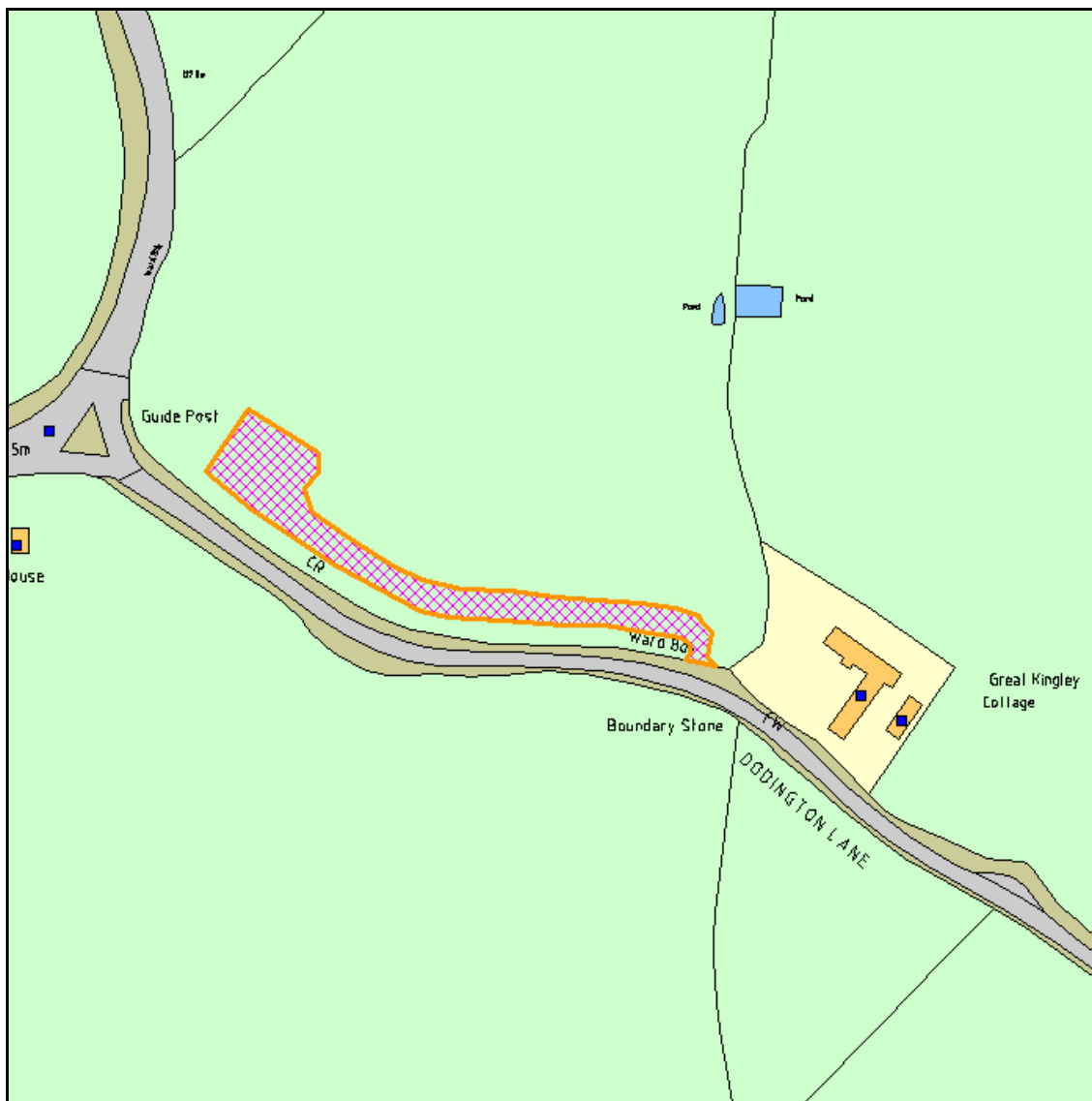
2. The hours of working on site shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery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

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PK15/5205/F	<b>Applicant:</b>	Mr R Carpenter
<b>Site:</b>	Dodington Lane Dodington Bristol South Gloucestershire BS37 6SB	<b>Date Reg:</b>	9th December 2015
<b>Proposal:</b>	Erection of agricultural building for the storage of machinery and fodder with associated access track.	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	373755 180512	<b>Ward:</b>	Cotswold Edge
<b>Application</b>	Minor	<b>Target</b>	2nd February 2016
<b>Category:</b>		<b>Date:</b>	



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PK15/5205/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 erection of an agricultural barn and access track.
- 1.2 The application site is an agricultural field that borders Dodington Lane. The host site is also located within Bristol/Bath Green Belt. The barn will be located at the south western side of the field, and the site will be accessed from an access point at the south eastern side of the field
- 1.3 This application is a resubmission of a previously withdrawn proposal for an agricultural barn. This application was withdrawn in order for the applicant to undertake the necessary ecological surveys and reposition the barn away from the eastern side of the field in order to gain adequate distance from a number of ponds.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

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

##### **South Gloucestershire Local Plan Adopted January 2006 Saved Policies**

E9 Agricultural Development  
L1 Landscape Protection and Enhancement  
L11 Archaeology  
L13 Listed Buildings  
LC12 Recreational Routes  
T12 Transportation Development Control Policy

#### **2.3 Supplementary Planning Guidance**

Development in the Green Belt SPD (Adopted) June 2007  
South Gloucestershire Design Checklist SPD (Adopted) August 2007  
Revised Landscape Character Assessment (Adopted) November 2014  
- Area 6 Pucklechurch Ridge and Boyd Valley

### **3. RELEVANT PLANNING HISTORY**

- |   |             |           |            |
|---|-------------|-----------|------------|
| 3.1   | PK15/2236/F | Withdrawn | 14/09/2015 |
| Erection of an agricultural building for the storage of machinery and fodder. |             |           |            |

#### **4. CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council  
No objection.

- 4.2 Sustainable Transport  
No objection.

- 4.3 Lead Local Flood Authority  
No objection.

- 4.4 Ecology  
No objection, should the application be approved it suggested that a landscape and ecological mitigation plan in accordance with the submitted ecological appraisal is submitted prior to the commencement of development. Such a plan should be secured through condition.

- 4.5 Landscape  
There are concerns about the negative impact of the building on the character and visual amenity of the landscape. It is felt that the original location (PK15/2236/F) is preferable. In the event of consent being felt to be acceptable then additional tree planting is sought and a means of protecting it from hedge trimmers. In the event of consent being felt to be acceptable it is hoped that the above issues are dealt with prior to the application being determined.

- 4.6 Highway Structures  
No comment.

- 4.7 Arboriculture  
No objection subject to a condition regarding a submitted tree survey.

- 4.9 Dodington Parish Council  
Objection, inadequate information to provide an opinion. A further comment from the Parish then stated: As a neighbouring parish Dodington were informed about this application. In December - they objected - as they felt there was insufficient information to help them make an informed decision. They see no reason to object further - but members would like to know if CIL will apply to this proposal or not (with it being agricultural).

## Other Representations

- 4.10 Local Residents  
None received.

## 5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of an agricultural barn with an associated access track, situated within the open countryside and the Bristol/Bath Green Belt.

### 5.2 Principle of Development

The NPPF permits agricultural buildings within the Green Belt as they are not considered to be appropriate development within the Green Belt and therefore, by definition, not harmful to openness (paragraph 89). Further to this, due to the expansive nature of the proposed access track, officers find it appropriate to assess this as an engineering operation, such development is appropriate development within the Green Belt so long as the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt (paragraph 90).

5.3 Saved policy E9 of the adopted Local Plan permits proposals for the erection of agricultural buildings in principle subject to criteria relating to the availability of alternative buildings, access and manoeuvring, environmental effects, and residential amenity. Saved policy L1 of the adopted Local Plan and policies CS1 and CS9 of the adopted Core Strategy seek to protect the character and distinctiveness of the landscape and secure high quality design. The proposal is considered to accord with the principle of development.

### 5.4 Access Track and Manoeuvring

The proposed access track would be formed of compacted Cotswolds stone, such a material is considered to be acceptable. In terms of the Green Belt, the proposal is not considered to materially harm the openness of the Green Belt, it is well related to the existing hedgerow and is relatively minimal in width, however still appropriate for agricultural machinery. Further to this, the proposed access track does not materially conflict with paragraph 80 of the NPPF which sets out the purposes of including land in Green Belt. Overall, the proposed access track does not conflict with the relevant Green Belt policy within the NPPF.

5.5 The access to the barn will be gained from an existing gate at the site, further to this, the proposal is not expected to result in a material increase in movements at the site, when considering that the proposal will effectively just improve facilities at the site in support of making hay.

### 5.6 Alternative Buildings

The agricultural barn is required for the storage of machinery and fodder. The existing field extends to 5.79 acres and is used in the connection of making hay. From a site visit there are no underused or suitable existing buildings available on site, indeed the field is currently devoid of any built form.

5.7 Ecological Impacts

There are a number of water bodies in the vicinity of the development that are likely to support great crested newts (a European Protected Species), an ecological survey was requested by the Council's Ecologist within the previous application, hence this planning application was supported with such information. Pertinent to this proposal are a number of ponds to the east of the proposal and one to the south – such ponds are visible on Ordnance Survey maps. The submitted ecological report (TREcS, dated November 2015) states that while the pond to the east of the site has 'average' potential to support great crested newts, the pond to the south of the site shown on maps is no longer in existence on the ground. The submitted report contains a number of recommendations in order to protect the potential great crested newts, most importantly the report advises that an experienced ecologist searches the site for great crested newts immediately prior to development; and that the development is undertaken and completed between October and the end of February.

- 5.8 Based on the submitted report, if planning permission is granted, the Council's Ecologist has suggested the following condition:

*An Ecological Mitigation and Enhancement Plan will be submitted to the LPA for approval in writing, based on recommendations provided in Section 7 of the Ecological Appraisal (TREcS, dated November 2015). This plan will include types, number and locations of bat and bird boxes (to include a swift box). Development will take place in accordance with the approved plan (L9).*

- 5.9 Officers have to consider this condition in the context of paragraph 206 of the NPPF which sets out the requirements of planning conditions. Officers accept the need to condition the protection of great crested newts in order to ensure their reasonable protection, and as such with regard to great crested newts, officers suggest a condition to ensure development is carried out in accordance with the recommendation of the submitted Ecological Appraisal. However, officers must assess how reasonable, necessary and relevant to the development the suggested condition is in all other respects.

- 5.10 The application field was inspected for reptiles, bats, birds and badgers. The daytime bat inspection did not confirm any features suitable for bat roosting; and no bats were observed emerging from trees in the eastern boundary hedgerow; the transect survey confirmed that bats used the area for commuting and foraging. The survey found no evidence of owls using the site; and a medium potential for birds nesting at the site, mainly in the hedgerows bordering the site. No badger setts were found within 20 metres of the field boundaries, but there was evidence that badgers utilised the field for foraging and commuting. This site was found to be moderately suitable to support foraging of common species of reptiles; and no signs of the Hazel dormouse was found.

- 5.11 The suggested condition requires the applicant to submit an *Ecological Mitigation and Enhancement Plan* prior to the commencement of development in accordance with Section 7 (Recommendations) of the submitted Ecological Appraisal.

These recommendations state that the submitted survey found that bats; badgers; Hazel dormouse; reptiles and birds do not pose any constrain to the proposed development. This section concludes by stating that 'no mitigation measures for other species are compulsory, however, the wildlife potentially present on site would greatly benefit from habitat enhancement'. Accordingly, notwithstanding great crested newts, the suggested condition aims to improve the habitat for the aforementioned species; with specific reference to bats and birds; rather than to mitigate harm.

- 5.12 Paragraph 118 of the NPPF states that '*opportunities to incorporate biodiversity in and around development should be encouraged*'; in a similar vein policy CS9 of the Core Strategy states the new development will be expected to: '*conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity*'. Paragraph 118 and policy CS9 both aim to encourage and enhance biodiversity through new development; but officers consider the minor scale of this development combined with the limited evidence that the proposal is impacting on the aforementioned species to not warrant such biodiversity enhancement requirements. Accordingly, with paragraph 206 of the NPPF in mind, the suggested condition is not found to be necessary, reasonable or relevant to the development to be permitted. In this way, officers only recommend that a condition is imposed on any development permitted to ensure that great crested newts are suitably protected.

5.13 Environmental Impacts

The proposed building would be located within an established agricultural area. On this basis, it is considered that the proposal is unlikely to create any significant environmental effects in terms of noise, pollution, flooding or other such disturbance.

5.14 Design

The proposed barn, as expected, has the appearance of a relatively modern agricultural barn; it would have a dual pitched roof (composed of metal sheeting); concrete panel walls with timber boarding up to eaves height; with a metal roller shutter door on the eastern elevation. The barn would have a maximum height of 6 metres (4.7 metres from ground level of eaves); have a width of 9.1 metres and a length of 18.3 metres; in this way the barn would have a reasonable size and fairly noticeable presence within the field – such presence will be assessed in the 'Landscape' section below. Notwithstanding landscape and setting, the proposed design is acceptable.

5.15 Landscape

The setting of the application site is fairly consistent with the Landscape Character Assessment for the area, in that the host site is composed of rural farmland with a relatively flat landscape. Within the area there is a large amount of pasture land, mostly interjected with hedgerows; country lanes; the occasional farm building; and a limited amount of houses. In this way the proposal is relatively in-keeping with the character of the area provided the proposal's presence within the landscape is not overly dominating, which is a concern due to the scale of the barn.



- 5.16 The barn was originally located on the eastern side of the site (PK15/2236/F, however, due to proximity to great crested newts the proposed barn has been relocated. The case officer agrees with the landscape officer that the barn would be better located in the original location in terms of landscape, however, given the ecological circumstances, the proposed position of the barn is the most appropriate.
- 5.17 In order to lessen the impact of the proposed barn within the landscape, planting has been proposed and welcomed by officers. Tree planting is proposed around the building and also near the western hedgerow; such planting will go some way to mitigate any negative impact on the visual amenity that the proposed barn may have. The landscape officer has suggested additional planting is required, mainly on the south western hedgerow to screen the development from south west, mainly for views when approaching the junction of Dodington Lane and Claypit Hill. The case officer agrees with the landscape officer that additional planting is required to mitigate the barns visual impact in aforementioned location. The only vegetation that would provide screening for the southern and western elevations would be the existing hedgerow which is approximately 1.8 metres in height, such screening is not sufficient to soften the impact of a 6 metre high barn.
- 5.18 Accordingly, should planning permission be granted, it is suggested that a revised landscape plan be submitted in order to address the concern stated above.
- 5.19 There is a tree at the eastern boundary of the site which is protected through a tree preservation order; the development will not impact on this tree. A tree survey was submitted in support of this proposal, the survey concluded that no trees or hedges would be removed as a result of development, and that the development would have a minimal impact on the health of the retained trees and hedgerows should the development be carried out in accordance with the recommended tree protection measures. The Council's arboricultural officer has accepted the recommendations and conclusions made within the submitted tree survey, and suggested that the contents of the tree survey are conditioned. Accordingly, should the development be permitted, officers recommend that the measures within the submitted tree survey are conditioned.
- 5.20 Residential Amenity  
Due to the distance between any residential dwellings and the proposed development, the proposal is not expected to have any detrimental impacts on residential amenity.
- 5.21 Community Infrastructure Levy (CIL)  
Dodington Parish Council raised questions regarding CIL. The proposal is CIL liable, and the officers are aware that there is an error within the submitted CIL form. The Council's CIL team have been alerted to this error. This is not material to the merits of the planning proposal itself.

## 6. **CONCLUSION**

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

## 7. **RECOMMENDATION**

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

**Contact Officer: Matthew Bunt**  
**Tel. No. 01454 863131**

## **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason  
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The permitted development shall be carried out in accordance with Section 7 of the Ecological Appraisal (TREcS, dated 24th November 2015 V4 amended). For the avoidance of doubt in the unlikely event that a great crested newt is encountered, work should not be take place until a licence has been obtained from Natural England.  
  
Reason  
To ensure the works are carried out in an appropriate manner and in the interests of the health of great crested newts, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.
3. Prior to the commencement of the construction of the permitted barn, a revised Landscape Plan, including additional planting, shall be submitted to the Local Planning Authority for determination. The development shall then be carried out strictly in accordance with approved details.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework. This condition does not prevent the commencement of development, hence no reason pertaining to why this condition is prior to commencement of construction is required.

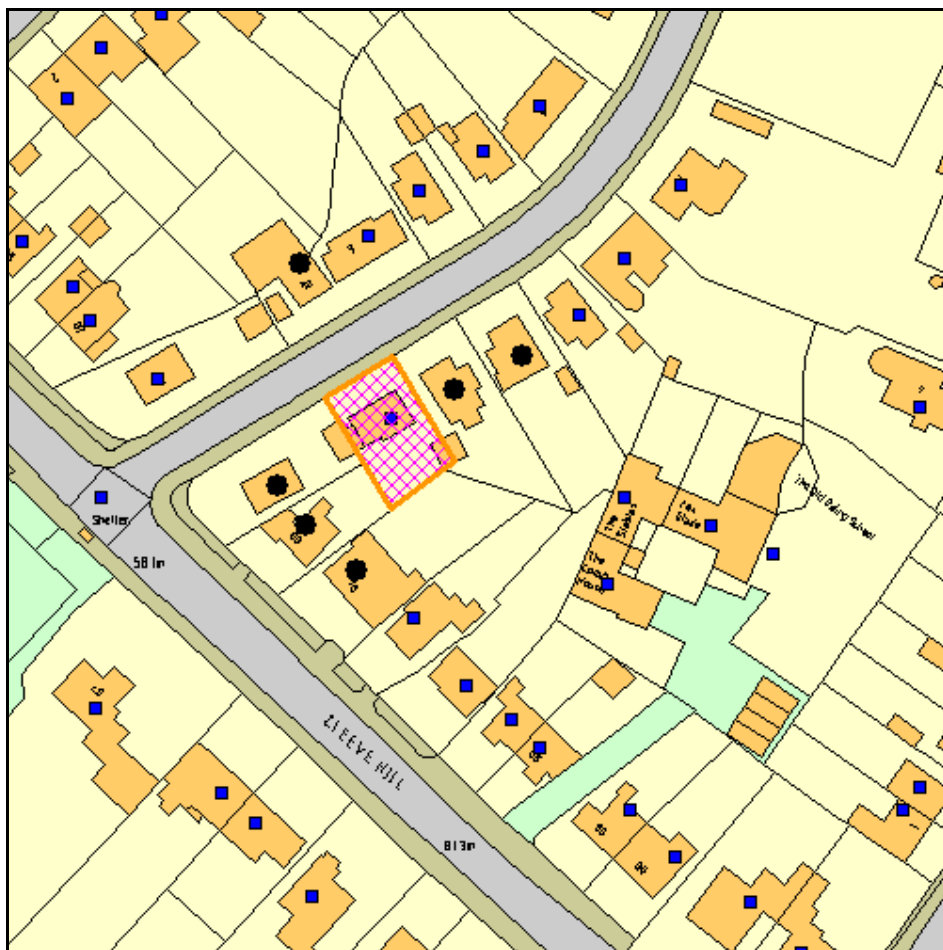
4. The hereby permitted development shall be carried out in strict accordance with the measures outlined within the submitted Tree Survey (All Tree Services Ltd Tree Survey dated November 2015).

Reason

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

## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PK15/5220/F	<b>Applicant:</b>	Mr Russ Lloyd
<b>Site:</b>	4 Cleeve Lawns Downend Bristol South Gloucestershire BS16 6HJ	<b>Date Reg:</b>	7th December 2015
<b>Proposal:</b>	Erection of two storey rear and side extension to provide additional living accommodation. Erection of front porch.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	364854 177149	<b>Ward:</b>	Downend
<b>Application Category:</b>	Householder	<b>Target Date:</b>	1st February 2016



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

The application has been referred to circulated schedule due to a number of comments being received contrary to the recommendation of the officer's report.

### **1. THE PROPOSAL**

- 1.1 The proposal seeks to erect a two storey rear and single storey side and rear extension to provide additional living accommodation, together with the erection of a front porch.
- 1.2 There is an extant planning permission ref. PK15/0885/F for a similar proposal which was given permission on 26th May 2015.
- 1.3 The host dwelling is a detached two storey property from the early to mid-20th century. The property has a single detached garage to the rear; two storey rear projection and a ground floor side extension. The property has vehicular access from Cleeve Lawns giving access to the rear garage via an area of hardstanding. Elevations have a rendered exterior. The roof is a pitched and tiled hipped roof with clay tiles.
- 1.4 The property is situated within the built up residential area of Downend on the former grounds of Cleevehill House and Gardens and is nearby a number of listed and locally listed buildings. The site is situated on a gradient and is set higher in elevation than adjacent properties on Cleeve Hill.

### **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  
T12 Transportation  
L10 Historic Parks and Gardens  
L15 Locally Listed Buildings

##### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

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

#### **2.3 Supplementary Planning Guidance**

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK15/0885/F – Approved – 26/05/2015 – Erectionn of two storey rear extension and single storey side and rear extensions to provide additional living accommodation. Erection of front porch (extant).

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council

No Objection

- 4.2 Other Consultees

Listed Building and Conservation Officer

No Objection but was concerned with the size of the proposed roof light.

Landscape Officer

No Objection on the basis that the existing tree to the front of the boundary is replaced and that additional soft planting in the front garden is undertaken - An arboricultural officer was consulted concerning the ownership of the tree and it was found to belong to the Council.

#### **Other Representations**

- 4.3 Local Residents

3 comments have been received all objecting to the proposal. The main concern within these comments has been the impact the proposal may have on the residential amenity of neighbouring occupiers through overbearing and the resultant loss of light, outlook and privacy. The comments also saw the proposal as overdevelopment of the site. Lastly there were concerns over the drainage and drains for the proposed development due to the location of the existing sewers.

### **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 consists of the erection of a two storey side and rear and the introduction of a new parking arrangement. The property has been extended to the side and rear in the past and has a detached garage to the rear of the curtilage to be retained. The subject property is an attractive 1930's property and is situated in an area of architectural and historic merit.

- 5.3 Whilst the proposal has a significant scale it is not uncharacteristic of dwellings in the area. Other properties in the area have had extensions to rear of the property. Nearby the subject property are a number of buildings which have been listed and locally listed as a result of the contribution they make to local character and distinctiveness. Adjoining the southern boundary of the dwelling is a locally listed building with another on the opposite side of Cleeve Lawns. East of the host property there is a cluster of Listed buildings which were formerly the stables of Cleevehill House; the proposal is unlikely to impact on the setting of the listed buildings however due to the close proximity of the locally listed building it is important that the character of the street and the visual amenity value of the locally listed buildings is retained. The proposal does not seek to significantly alter the front elevations of the property and the streetscene is unlikely to be unacceptably impacted by the development.
- 5.4 The previous approved application had put forward a similar proposal to the current application. The main differences with the design are that the new proposal will protrude from the rear elevation by approximately 1 m further than the previous application. Secondly the design of the rear extension has been altered so instead of extending the existing roof and introducing an area of flat roof it will be in two distinct wings with hipped ends that will only be connected at ground floor. The roof line will be subservient to the original roof (the previous proposal sought to match the existing line and design). A roof light will also be introduced in the rear pitch of the existing roof. Lastly the parking arrangements have been altered. In total the proposal has an additional floor area of around 81m<sup>2</sup>; an increase of approximately 15m<sup>2</sup> from the previous proposal. It has been considered that the new proposal has a greater depth but benefits from a reduction in height. With regard to this reduction in height the proposed roof will not only be subservient to the original roof but will no longer have an area of flat roof and would be a preferable roof design.
- 5.5 The conservation officer was concerned with the size of the proposed rear roof light. With regard to this it will be located in a discreet location between the two wings of the rear extension and it is unlikely it will be visible from any adjoining properties. The roof light will provide natural lighting to the stairwell. The design of the roof light is not unusual and it would be unreasonable to refuse the application on this basis.
- 5.6 Comments have been received concerned that the proposal would represent overdevelopment of the site. In consideration of this the proposal is not significantly larger than the extant approved application in floor area, whilst it has been reduced in height. The property would retain a reasonable amount of outdoor space following the development. On balance the proposal is of a very similar scale to the original proposal and therefore acceptable.

- 5.7 The character of the streetscene is relatively uniform as the majority of the dwellings have been erected in a similar period. The dwellings along the road are evenly spaced and the proposal would not meet the boundary of the property; thereby retaining this feature of the street. A porch will be erected to the front of the property. Though front porches are not a common feature along Cleeve Lawns it has been considered that the introduction of the porch would not have an unacceptable impact on the character of the property and the area.
- 5.8 The proposal has put forward materials of similar appearance to that of the existing dwelling; as a result there is no objection with regard to materials.
- 5.9 The proposed design although somewhat unusual to the rear does not create a significant negative impact on the streetscene and character of the area and would not negatively impact the setting of any listed or locally listed buildings. Overall, it is considered that the proposal would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to be 'in keeping' with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.
- 5.10 Residential Amenity  
Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.
- 5.11 A number of objections have been received largely concerned with the impact the proposal would have on the residential amenity of neighbouring occupiers. The comments have indicated that there are concerns with the overbearing impact the development may have and the resultant loss of outlook, light and privacy. It should be noted that there is an extant planning permission for a similar extension which is shallower by approximately 1 metre. In consideration of this point, though the new proposal is deeper and projects further to the rear it has also seen a reduction in height and would not be considered to have an unreasonable or significantly worse impact than that of the accepted proposal and is therefore satisfactory.
- 5.12 The single storey side extension to the east of the property near the boundary with no.6 due to its low profile will not significantly impact on the adjacent properties residential amenity.
- 5.13 The curtilage of the subject property is relatively built up. Following the completion of the proposal there would be concerns over any further development as the property is required to retain a reasonable amount of outdoor amenity space by the Local Plan.



- 5.14 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal 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.
- 5.15 Sustainable Transport and Parking Provision  
Currently the property has an area of hardstanding to the front and side of the property with access to a single garage against the rear boundary of the curtilage. The proposal would result in the loss of access to the garage however the area of hardstanding to the front will be retained and expanded to allow for sufficient parking. Given that the proposal will not include additional bedrooms, it will not require any additional parking space nor will it have a negative impact on highway safety or the retention of an acceptable level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.
- 5.16 Other Matters  
There were concerns from one of the objectors in relation to the existing and proposed sewers; from the information provided there appears to be a drain which crosses the property which needs to be located and repositioned if necessary. You should contact Wessex Water and an informative will be included to that effect.
- 5.17 The landscape officer commented that the proposal would require the felling of a tree to the front of the boundary. An arboricultural officer was consulted concerning the tree; it was found that the tree lies in the Council's ownership. The council has no objection to the felling of the tree as long as it is replaced with a tree of similar size and species. This is to be agreed with the Council's Streetcare department. The landscape officer has no objection to the proposal but comments that in respect of the leafy character of the street this tree should be replaced and other soft planting should take place within the front garden. A condition will be included on the decision notice to ensure that this tree is replaced with a tree of a similar species and size (to be agreed with the Council).

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

Reason

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. A replacement tree of a similar size and species (to be agreed with the Councils Streetcare Department) shall be planted within the front garden in the first planting season following the development hereby authorised.

Reason

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

## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

App No.: PK15/5495/F

Applicant: Mr Tom Wadowski

**Site:** 37 Sandringham Avenue Downend  
Bristol South Gloucestershire BS16  
6NQ

**Date Reg:** 30th December  
2015

**Proposal:** Demolition of existing garage. Erection  
of two storey side extension to form  
additional living accommodation.

**Parish:** Downend And  
Bromley Heath  
Parish Council

**Map Ref:** 365177 177732

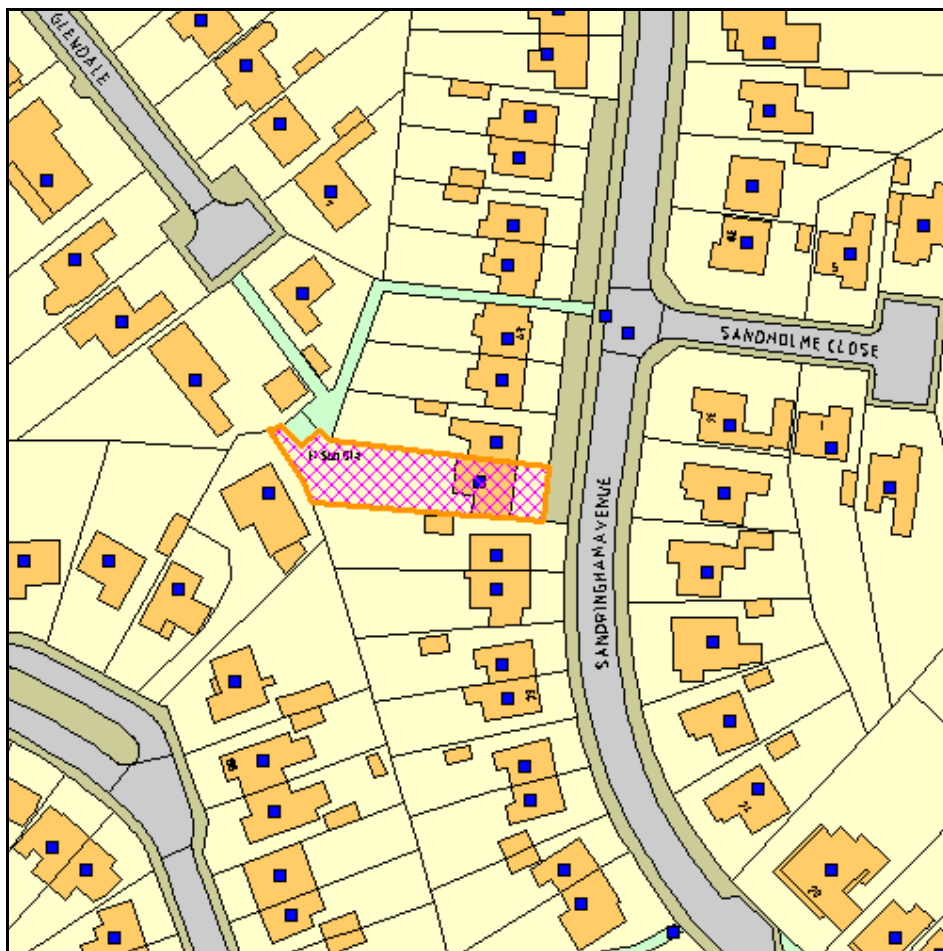
**Ward:** Downend

**Application** Householder

**Target** 17th February

**Category:**

**Date:** 2016



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PK15/5495/F

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the demolition of the existing garage and the erection of a two storey side extension to form additional living accommodation at 37 Sandringham Avenue in Downend.
- 1.2 The host dwelling is a semi-detached two-storey dwelling with a hipped roof. It is built from a mixture of cream render, stone and pebbledash tyrolean render. The dwelling is set down from the residential road of Sandringham Avenue. The site is located within the settlement boundary of Downend.
- 1.3 The site currently has a lean to garage attached to the southern elevation, this is proposed to be demolished.
- 1.4 There is a wide range of materials utilised in the existing property with the elevations being a mixture of different render as well as stone; double roman concrete tiles and white upvc.
- 1.5 Revised parking plans were requested following consultation comments received from Sustainable Transport, the plans were received on 15<sup>th</sup> January 2016 and a period of reconsultation was provided to Sustainable Transport.

### **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

T8 Parking Standards

T12 Transportation

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

#### **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 Downend and Bromley Heath Parish Council

No objection.

4.2 Sustainable Transport

The initial comments concluded that a block plan would need to be submitted as the dwelling needed a minimum number of two parking spaces. The first block plan submitted showed the spaces parallel to the road, this is not often supported by Sustainable Transport. Following discussion the applicant agreed to turn the spaces around. Whilst this shows a gap between the spaces the Sustainable Transport Officer can see no objection to the proposal providing the new space is moved next to the existing, this can be resolved through the use of a condition.

#### **Other Representations**

4.3 Local Residents

An objection comment has been received from a neighbouring resident. The following objections have been raised by a neighbour with regards to the proposed erection of a two storey side extension:

- Whilst there is no objections in principle, they believe that the new windows in the proposal would invade their privacy, the objector had to change their windows when their dwelling was constructed in 2011 and feel the same courtesy should be returned.

### **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policies CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) are both supportive in principle. Saved Policy H4 is supportive providing development is within the curtilage of existing dwellings, the design is acceptable with relation to policy CS1 of the Core Strategy, that there is safe and adequate parking, and also providing the development has no negative effects on transport.

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 semi-detached dwellinghouse in Downend. Due to the topography of the site the host dwelling is set down from Sandringham Avenue. The site has an area of hardstanding at the front of the driveway which is used as a driveway.

The application seeks approval for the demolition of the existing garage and the erection of a two-storey side extension which will be used to provide additional living accommodation. The proposed extension will have a hipped roof like the existing dwelling which will be subordinate to the original dwelling, with the existing total height to the ridge line being 8 metres, and the proposed having a total height to the ridge line of 7.6 metres. The first floor extension will be set back from the building line by approximately 1.3 metres, whilst the ground floor extension will be in line with the building line, this will increase the subservience of the proposal.

The materials utilised will match the existing property, with high quality render from the walls, double roman concrete tiles and white UPVC for the windows and doors.

The design and materials are considered to be in-keeping with the character of the existing dwelling and would respect the character area.

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.

### 5.3 Residential Amenity

Saved policy H4 of the adopted Local Plan states that proposals for development within existing residential curtilages will only be permitted where they would not prejudice the amenity of nearby occupiers.

The applicant site is a semi-detached two-storey property, attached on the northern elevation is no.39 and detached to the south is no.35. There is a small 0.5 metre iron fence acting as the boundary treatment between the host dwelling and no. 35. The existing garage wall that separates the properties will be rebuilt following the demolition of the garage. It is unlikely that no.39 will be affected by the proposal as the proposed two storey side extension will not be visible from their property.

The proposal sees the removal of a second floor side elevation window, but it also sees the introduction of new windows. There are two new windows and a door on the front elevation on both the ground floor and first floor, these are not considered to cause an increase of overlooking or overbearing as they will not overlook any private residential amenity space. There is a new window proposed in the rear elevation, which has raised an objection. The window would be in the first floor rear elevation and a neighbouring resident is concerned that the window would invade their privacy, particularly as they were required to change their windows in 2011 when their dwelling was constructed. The room where the window would be is considered to be a principal room within the dwelling as it is a bedroom. It would not be considered acceptable to condition the windows to be obscure glaze. The proposed first floor plan shows that there will be two windows within this principal room, whilst it is important to protect residential amenity the windows are considered to be an adequate distance from the objector and as such it is unlikely that the proposed window will affect their privacy.

The proposed extensions are unlikely to affect the private amenity space of the existing residents or any future residents as there is a large rear garden available.

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.

#### 5.4 Highways

The host dwelling has an area of hardstanding at the front of the property. The proposal shows that one additional bedroom would be created. The minimum number of spaces required is two parking spaces. Following correspondence with the applicant and the Sustainable Transport Officer it is concluded there is no objection providing the new car parking space is next to the existing, which can be implemented through the use of a condition. Thus the proposal is in accordance with saved policy T12 of the Local Plan (adopted) 2006.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

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

**Contact Officer: Fiona Martin**  
**Tel. No. 01454 865119**

#### CONDITIONS

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

Reason

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

2. Prior to the first occupation of the two storey side extension the parking spaces as shown in Proposed Parking Revised B Proposed Block Plan (PR04) will be created and maintained thereafter as parking spaces.

#### 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. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PT15/0895/F	<b>Applicant:</b>	Mr Mark Fisher
<b>Site:</b>	Royal Oak Inn Tortworth Road Cromhall Wotton Under Edge South Gloucestershire GL12 8AD	<b>Date Reg:</b>	21st May 2015
<b>Proposal:</b>	Conversion of existing barn to facilitate new eating area	<b>Parish:</b>	Cromhall Parish Council
<b>Map Ref:</b>	369942 191057	<b>Ward:</b>	Charfield
<b>Application</b>	Minor	<b>Target</b>	7th July 2015
<b>Category:</b>		<b>Date:</b>	



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PT15/0895/F

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule due to the receipt of objections from the Parish Council and local residents, which are contrary to officers' recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the conversion of an existing barn to provide additional eating area for the Royal Oak Inn, Tortworth Road, Cromhall. As the barn is situated within the curtilage of the listed building Royal Oak Inn, a listed building application, PT15/0896/LB, has been submitted for the proposed internal and external works. .
- 1.2 The site is located within the settlement boundary of Cromhall in accordance with the Proposal's Map Adopted January 2006, a public footpath runs along the eastern boundary of the barn.
- 1.3 During the course of the application, a revised proposal has been submitted to amend the detailed design of the replacement door and to relocate the proposed flue.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012  
National Planning Practice Guidance

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

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

##### **South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)**

L1 Landscape  
L13 Listed Buildings  
T12 Transportation  
LC12 Recreational Routes  
RT11 Retention of Local Shops, Parades, Village Shops and Public Houses  
  
E7 Conversion of Re-use of Rural Buildings

#### **2.3 Supplementary Planning Guidance**

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

### 3. **RELEVANT PLANNING HISTORY**

- 3.1 PT15/0896/LB *Pending Consideration*  
Internal and external alterations to existing barn to facilitate new eating area
- 3.2 P89/1270 Alterations and extension to public house. Construction of car park. Approved 21.06.89

### 4. **CONSULTATION RESPONSES**

#### 4.1 Cromhall Parish Council

The Parish objects the proposal for the following reasons:

- The Parish Council is not confident that enough efforts have been done to stop residents getting blocked in.
- Queries the opening hours for the proposed extension to the business
- Conflict between pedestrians (customers / staff) and drivers over the common land
- Light, noise and smell coming from the barn
- Access for all and toilets, etc. How can one be sure that the new fan won't be operation late into the evening to disturb local residents
- What about the smell from these fans
- Insufficient information is available for an application of this type to be determined fully and satisfactorily

#### 4.2 Environmental Protection Officer

No objection, but advised that the fan extraction system should be in line with the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by Defra in 2005. Development should carry out an assessment in accordance with BS4142 to determine the rating level of the new development it is recommended that during normal daytime hours (0700 to 2300) hours), the BS4142 rating level, measured over 1 hour, should be 5dB below the background (LA90). During the night-time period (2300 to 0700 hours), the BS4142 rating level, measured over 5 minutes should be 5dB below the background (LA90). The Officer confirms that on this occasion it is acceptable to address the issue of noise and odour from the kitchen fan extraction system by means of conditions.

Regarding the artificial light, the officer was noted that the new large glazed window will be facing a neighbouring property. To minimise the potential for complaints of light pollution, the lighting scheme for the site should be designed and operated in accordance with the Institute of Lighting Engineers publication "Guidance Notes for the Reduction of Obtrusive Light".

#### 4.3 Conservation Officer

The principle of using this building as ancillary dining space to the pub is considered acceptable, but the Officer raised concerns to the original scheme that there were inadequate details to the original plan. However, the Officer raised no further objection to the revised proposal.

- 4.4 Drainage Officer  
No objection in principle to the application subject to condition imposed to seek sustainable surface water drainage.
- 4.5 Public Rights of Way  
The development is unlikely affect public footpath OCR9/10, which runs adjacent to the building over the entrance way to the car park, provided that the safety of the public is ensure at all times.
- 4.6 Highway Officer  
No objection.
- 4.7 Community Spaces  
The Authority has no ownership of land adjacent to the site so the Community Spaces Team makes no comment on this application. It should however be noted that the land adjoining the building is designated a village green and is owned by the Parish Council. The applicant must ensure that all materials, scaffolding, plant and arising associated with this proposal are kept within the property's boundary and on the adjacent open space unless agreed with the Parish Council.
- 4.8 Highway Structures  
No comment.

### **Other Representations**

- 4.9 Local Residents  
Two letters of objection have been received from the neighbouring residents of Swallowcroft and Bibstone. The residents' concerns are summarised as follows:
- Insufficient parking spaces available to the proposal, parking facilities is restricted and causes an impact to locals as customers parking blocking the road. Neighbours have been blocked in by other car visiting the public, requesting cars be moved.
  - Inappropriate use of common land to the front of the Royal Oak, including demanding local and visitors get off the land.
  - The Royal Oak Inn does not own the common land and a number of nearby properties have rights of way across the common land, which will be negatively impacted by any further planning proposal.
  - Negative impacts on the enjoyment of neighbouring residents

## **5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the conversion of an existing outbuilding into additional eating area ancillary to Royal Oak Inn.
- 5.2 Principle of Development  
The application site is located within the settlement boundary of Cromhall and it is also situated within a curtilage of listed building the Royal Oak Inn. The site is not situated within a conservation area.

Although there is no specific policy relating to the change of use of rural buildings to provide additional facilities for a public house, saved Policy RT11 of the adopted Local Plan seeks to retain Local Shops, village Shops and Public House, and saved Policy E7 allows proposals for a conversion and re-use of rural buildings for employment uses outside settlement boundary.

- 5.3 Given that the proposal is to convert an existing barn to provide additional eating area for the existing public house, which is also situated within a settlement boundary of Cromhall, officers consider that the proposal should be supported provided that the proposal would not prejudice the visual amenity of the area and the public highway safety of the locality. In addition to this, because the barn to be converted is curtilage listed, consideration should be given to heritage matters.

5.4 Historic Assets, Design and Appearance

The building is curtilage listed due to its historic association with the Royal Oak Inn. Officers raised concerns to the original proposed fenestration and asked for further details of the flue. The applicant has submitted a revised proposal and additional details to address the issues. Officers consider that the design of the proposed conversion is sympathetic to the historic nature and agricultural character of the building. As such, it is not considered that the conversion would not cause unacceptable impact upon the character and appearance of the host building and the locality.

5.5 Residential Amenity

The Environmental Protection Team has been consulted, and the Officer advised that a noise assessment should be carried out in BS4142. Given the location and the scale of the proposal, it is considered that, in this stance, it is acceptable to impose a condition to seek a detailed noise assessment to be submitted and approved prior to the commencement of the development.

- 5.6 Regarding the odour issue, although the proposal is small in scale, the building is situated within the proximity of residential properties. Therefore it would be necessary to impose a pre-commencement condition to seek details of extraction and flue system to ensure that the proposal would not cause unacceptable adverse impact upon the nearby residents.

- 5.7 Regarding the lighting coming from the barn, officers consider that the adverse impact upon the nearby residents would not be significant as the lighting would be installed within the barn and the opening would not be immediately adjacent to residential properties.

5.8 Transportation and Parking

Officers acknowledge concerns raised regarding the highway issues and also noted that the proposal would generate additional parking demand of around 5 car parking spaces. The applicant has submitted a car occupancy survey on the 26<sup>th</sup> June 2015 relating to the occupancy of the Royal Oak car park. Although the information only provides snap shots of the number of spaces occupied on Friday evening and Saturday and Sunday lunch times, the photographs were taken during the busiest periods, the Highway Officer is satisfied that the submitted information showing a minimum of 14 spare spaces

is sufficient to conclude that there will be enough spaces available to accommodate possible maximum demand of 5 spaces generated by the proposal. Therefore there is no transport objection to this application.

- 5.9 Regarding the public highway safety, officers consider that the road is an access to the car park where vehicle speeds will be slow and drivers will be expecting pedestrian, therefore it is considered that there is no highway safety issues with the proposal.

5.10 Public Rights of Way.

A public right of way runs adjacent to the barn. The conversion itself is unlikely to have a significant effect on the recreational route and therefore is acceptable.

5.11 Other Issues

There are concerns regarding the use of the common land, the applicant has been advised that the development and associated activities shall be carried out within the ownership boundary unless a prior written consent has been granted by the land owners.

**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: Olivia Tresise**  
**Tel. No. 01454 863761**

**CONDITIONS**

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

Reason

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

2. The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to Royal Oak Inn, Cromhall,

Reason

The development has been permitted on the particular circumstances of the case and the development would be unsuitable for use as a separate building because greater consideration would need to be made against policies CS5, CS8, CS9 and CS34 of the South Gloucestershire Local Plan Core Strategy and saved Policy RT11 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The use hereby permitted shall not be open to customers outside the following times: 12.00pm to 11:00pm on Mondays to Sundays.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy RT11 of the South Gloucestershire Local Plan (adopted) January 2006.

4. Prior to the commencement of the development, 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 shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

- a. It is a pre-commencement condition in order to avoid any unnecessary remedial work in the future
- b. To reduce and manage the impact of flood risk and to comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012.

5. Prior to the commencement of the development, full details and specification of any extraction and odour abatement system / means of ventilation shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details and maintained as such thereafter.

Reason

To ensure an acceptable standard of odour control in the interests of the amenities of the area and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy RT11 of the South Gloucestershire Local Plan (adopted) January 2006.

6. Prior to the commencement of the development, a noise assessment of the proposed fan extraction system shall be carried out in accordance BS4142, and the assessment report including details of the predicted noise levels from the extraction system and details of design of minimising noise nuisance shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details and shall be maintained as such thereafter.

Reason

- a. This is a pre-commencement condition in order to avoid any unnecessary remedial works in the future.
- b. To ensure an acceptable standard of noise control in the interests of the amenities of the area and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy RT11 of the South Gloucestershire Local Plan (adopted) January 2006.

- 7. A maintenance / cleaning schedule of the proposed extraction and odour abatement system shall be carried out in accordance with the manufacturers' instructions and recommendations.

Reason

To ensure an acceptable standard of odour control and noise in the interests of the amenities of the area and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy RT11 of the South Gloucestershire Local Plan (adopted) January 2006.

- 8. Prior to the commencement of the development hereby approved, details of any grease traps to be installed shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the grease traps shall be installed in full accordance with the details so approved.

Reason

To minimise the risk of blockages to the foul drainage system in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).



## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PT15/0896/LB	<b>Applicant:</b>	Mr Mark Fisher
<b>Site:</b>	Royal Oak Inn Tortworth Road Cromhall Wotton Under Edge South Gloucestershire GL12 8AD	<b>Date Reg:</b>	21 <sup>st</sup> May 2015
<b>Proposal:</b>	Internal and external alterations to existing barn to facilitate new eating area.	<b>Parish:</b>	Cromhall Parish Council
<b>Map Ref:</b>	369942 191057	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th July 2015



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PT15/0896/LB

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule due to the receipt of objections from local residents and the Cromhall Parish Council.

### **1. THE PROPOSAL**

- 1.1 This application seeks listed building consent for internal and external alterations to existing barn / outbuilding to provide additional eating area at Royal Oak Inn, Torworth Road, Cromhall. The building is situated within a setting of listed building.
- 1.2 The application site is an outbuilding, lies to the west of the existing public house. It is curtilage listed due to its association with Royal Oak Inn.
- 1.3 The proposed development consists of internal alterations, the replacement of timber door with new oak glazed doors and the installation of flue with hood. During the course of the application, a revised plan has been submitted to change the location of the flue and the design of the fenestration, and further details of flue have also been submitted.

### **2. POLICY CONTEXT**

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT15/0895/F *Pending Consideration*  
Conversion of existing barn to facilitate new eating area.
- 3.2 PT02/2298/LB Internal alterations to alter screen to lobby and reposition door. Remove existing counter and over bar to rear dining area and replace with new in revised position. Approved 07.01.03
- 3.3 P89/2738/L Blocking up of window in male toilet, installation of flue pipe. Approved 08.11.89
- 3.4 P89/1361/L Alterations re-roofing and extension of public house. Approved 27.06.89

### **4. CONSULTATION RESPONSES**

- 4.1 Cromhall Parish Council  
The Parish objects the proposal for the following reasons:
  - The Parish Council is not confident that enough efforts have been done to stop residents getting blocked in.
  - Queries the opening hours for the proposed extension to the business

- Conflict between pedestrians (customers / staff) and drivers over the common land
- Light, noise and smell coming from the barn
- Access for all and toilets, etc. How can one be sure that the new fan won't be operation late into the evening to disturb local residents
- What about the smell from these fans
- Insufficient information is available for an application of this type to be determined fully and satisfactorily

4.2 Conservation Officer

No objection to the revised plan subject to conditions

4.3 Community Space

With reference to the above planning application, the authority has no ownership of land adjacent to the site so the Community Spaces team make no comment on this application, other to say for information purposes that the land adjoining the building is designated a village green and is owned by the parish council. The applicant must ensure that all materials, scaffolding, plant and arising associated with this proposal are kept within the property's boundary and not on the adjacent open space unless agreed with the parish council.

4.4 Public Rights of Way Officer

No comment

4.5 Environmental Protection Team

No objection, however advised that the fan extraction system should be chosen so that it is in line with the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by Defra in 2005 and the assessment should be carried out in accordance with BS4142 to determine the rating level of the proposal.

**Other Representations**

4.6 Local Residents

One letter of objection has been received and residents' concerns are summarised as follows:

- Increase in traffic
- No plans for additional parking in such a way as to deny us and emergency vehicles access and egress to the neighbouring property
- Smoke and cooking smells from the proposed clay pit oven
- Stray light from the proposed glazed doors would affect the neighbouring residents

**5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks listed building consent for works to facilitate the conversion of the building to a residential annexe.

5.2 Principle of Development

This is an application for listed building consent. As such, the only consideration is what impact the proposed development would have on the special historic or architectural features of the property.

5.3 Assessment of Impact on Heritage Asset

There is no objection to the principle of using this building as ancillary dining space to the pub. There were a number of design issues to the original proposal and the applicant submitted a number of revised proposal and further details to address officers' concerns. Officers consider that the conversion works are considered to be sympathetic to the character and appearance of the existing outbuilding and would not therefore have an adverse effect on the building itself or its setting.

5.4 To protect that the character and appearance of the building, a number of conditions are imposed to seek large scale detailed drawings, samples of materials and repointing.

5.5 Other issues

Officers acknowledge that there are other concerns regarding the proposed change of use of the buildings, and they are considered under the associated planning application PT15/0895/F.

**6. RECOMMENDATION**

6.1 It is recommended that consent be granted subject to the following conditions:

**Contact Officer: Olivia Tresise**  
**Tel. No. 01454 863761**

**CONDITIONS**

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

Reason

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

2. Prior to the commencement of development the detailed design of the following items, including materials and finishes, shall be submitted and approved in writing by the local planning authority:
  - a. all new doors
  - b. all new vents and flues
  - c. rainwater goods (if any). The works shall be completed in accordance with the agreed details

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Samples of any replacement clay roofing tiles shall be submitted and approved in writing by the local planning authority. The works shall be completed in accordance with the agreed samples.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

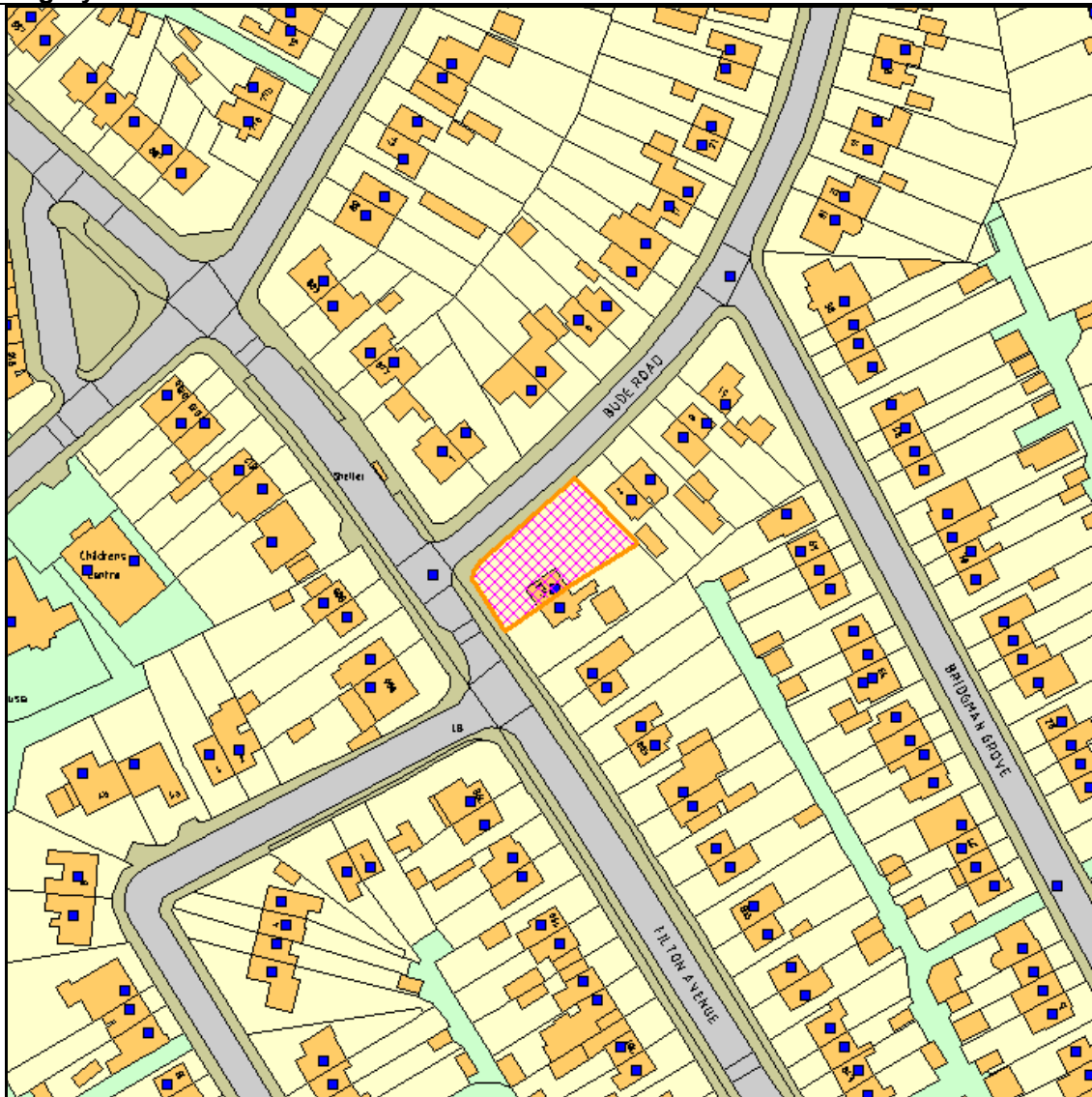
4. A representative sample of any necessary re-pointing shall be completed and approved in writing by the local planning authority. The works shall be completed in accordance with the agreed samples. For the avoidance of doubt all new pointing shall be carried out using lime mortar.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PT15/2888/F	<b>Applicant:</b>	Mr Mark Portlock
<b>Site:</b>	875 Filton Avenue Filton Bristol South Gloucestershire BS34 7HJ	<b>Date Reg:</b>	31st July 2015
<b>Proposal:</b>	Erection of 1no. attached dwelling and erection of detached building to form 2no. self contained flats with access, parking and associated works (in association with amended plans received on 20th December 2015).	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	360869 179414	<b>Ward:</b>	Filton
<b>Application</b>	Minor	<b>Target</b>	25th September
<b>Category:</b>		<b>Date:</b>	2015



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**N.T.S.      PT15/2888/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

The application is circulated as a result of consultation responses which conflict with the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of an extension to the house to form an attached two bedroom house to the side of 875 Filton Avenue. The application also proposes two flats in a purpose built building in the rear garden. The flats would front Bude Road. Four parking spaces in total are provided for the flats and the proposed house off Bude Road and two spaces are shown on the frontage of the original property to serve the original house.
- 1.2 The site is located in the urban area of Filton.
- 1.3 During the course of the application the proposed plans have been amended by:
- reducing the size of the proposed house,
  - removing a two storey rear extension previously proposed at the rear of the original house,
  - correcting the submitted drawings,
  - removing a Juliet balcony from the first floor flat.
  - Revising garden fencing/enclosure
  - Showing cycle and bin store for the flats.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)  
L1 Landscape Protection and Enhancement  
H4 Development in residential curtilages  
T7 Cycle parking  
T12 Highway safety
- South Gloucestershire Local Plan Core Strategy (Adopted) December 2013  
CS1 Design  
CS4a Presumption in favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS25 Communities of the North Fringe of Bristol Area.
- Draft SG Policies Sites and Places DPD  
Policy 44 Private amenity space standards

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT14/3182/F Erection of two storey side extension to form 4no. self contained flats with associated works. Erection of two storey rear extension to existing dwelling to form additional living accommodation. Withdrawn 04.02.2015
- 3.2 PT12/3107/F relates to 873 Filton Avenue were Erection of 1no. attached dwelling with associated works. Erection of two storey rear extension to existing dwelling to form additional living accommodation was permitted on 16.11.2012.

### **4. CONSULTATION RESPONSES**

Reconsultation has taken place which finished on 19/1/2016

- 4.1 Filton Town Council  
No comment received

#### Other Consultees

- 4.2 Lead Local Flood Authority  
No objection

- 4.3 Highway structures  
No comment

- 4.4 Transportation Development Control  
No objection subject to no occupation until the access and parking spaces are provided in accordance with the submitted details. And for secure cycle parking to be provided.

#### **Other Representations**

- 4.5 Local Residents

5 objection comments were received from the initial consultation in relation to the following in matters:

- Unsuitable for the area
- Cramming
- Too much traffic flow along Filton Avenue.
- Already the residents have five vehicles. Suggest making the whole garden a parking lot as they have so many vehicles at present
- Concern about the large building next to writers fence – concerns about its noise and effect on natural light to writers home.
- Concern that this is not the best option of the large pot.
- Oppose more than one extension
- One additional house is ok – not more



- Concern that garden is not maintained – a condition should be attached to ensure garden is maintained if approved.
- Concern at antisocial parking, noise and littering. Very messy garden.
- Concern that the property will become a student let.

No neighbour responses were received as a result of the re-consultation on 5<sup>th</sup> January regarding the amended plans.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

This application stands to be assessed against the policies listed in paragraph 2 above, and in the light of all material considerations. In principle, the proposed development is considered to be acceptable as the site lies within the defined urban area. Consideration is also being given to the fact that the Local Authority is unable to demonstrate a five year supply of housing land and the proposal will contribute positively to the identified housing need. All issues relating to the design, impact on residential amenity, and highway safety are discussed below.

### 5.2 Design and Visual Amenity

The built form in the area is largely semi-detached properties with hipped roofs although there are hipped roof terraces locally and permission has already been granted for an additional house to be erected on the far side of the adjoined semi-detached house under reference (PT12/3107/F).

5.3 Houses locally are generally roughcast rendered or pebble dashed with double roman tiles to the roofs, although some smooth render is evident. This site is a large corner plot with an open grassed garden enclosed by a 1.3m high chain-link fence to the extremity of the site. The proposal is to add a two storey rear extension to the original house and reflect the depth of this as part of the new house. Additional detail has been added to the side elevation in the form of a box bay window.

5.4 Given that the works to the house are designed to closely reflect the existing house and works permitted next door, the proposal is acceptable in terms of street scene.

5.5 In terms of the flats, the property would be located in the rear garden and have the same width and building line at first floor level at the house known as 2 Bude Road, with exception of a minor projection forward of this to create a porch and box bay window. The roof is proposed to be hipped which is appropriate to the location.

5.6 A bin and cycle store is shown in front of the flats which is anticipated to be 4m long by 1.3m high but the elevations are not scaled. As such clarification of this would need to be agreed by condition.

- 5.7 The agent advised on plans that walls would be off-white render with roof to match the existing house, White UPVC and that drives would be tarmac or brick paviors. A mixture of 1.5m and 1.8m high fencing is proposed to secure and offer privacy to a small area of amenity space for the flats and for the houses's gardens, whilst a hedge is proposed to be planted within the existing 1.3m high chain-link fence surrounding the curtilage. Overall subject to a materials condition being attached to secure further landscape details and materials, including clarification of surfacing, the proposal is considered acceptable in design terms and would not be detrimental to visual amenity.
- 5.8 CS17 states that 'building on gardens will be allowed where this would not adversely affect the character of a area and where cumulatively it I would not lead to unacceptable localised traffic congestion and pressure of parking. Such development will be allowed where each home has adequate private/semi-private and/or outdoor communal space and where occupiers have access to adequate open play space in the immediate vicinity'. The gardens proposed for the existing house and proposed house are considered acceptable in relation to the area proposed in the Draft Policies Sites and Places DPD despite that policy having very little weight at present. Overall the development proposed would not be out of scale with the local area is further considered in terms of residential amenity below.
- 5.9 Permitted development rights are proposed to be removed by condition in relation to the new house given that the proposal is already developed to a high level. It is considered that any further additions to the new house would require careful consideration as they may affect visual and residential amenity.
- 5.10 Impact on neighbours  
The main impact of the proposal is on the occupants of the neighbouring house at 2 Bude Road. This has its main front door under a canopy on the side of the house and an obscure glazed window beside the door. The side of the house also gives access to a garage in the rear garden. Above the side door is another obscure glazed window on the side elevation. Whilst the proposed flats would be a new feature alongside 2 Bude Road it is not considered to be so close as to cause a loss of amenity.
- 5.11 The extension to the side of No.875 to create the proposed house would have no impact on residential amenity of the neighbouring properties as they are too far removed to be materially affected. Consideration has been given to the interrelationship between the proposed flats and the original house and it is for that reason that an extension to 875 Filton Avenue, initially forming part of this scheme, has been removed from the scheme. It is now considered that the 11.8m distance between the rear of the original house (875 Filton Avenue) and the side of the flats is acceptable. A lesser distance exists between the new house and the side elevation of the flats (approx. 11m) but this too is considered acceptable, particularly given that the room at the rear of the house is dual aspect with a view out over garden and highway. Maintenance of these sorts of distance are considered important for residential amenity and form another reason for the removal of permitted development rights.

#### 5.12 Transportation

In accordance with current parking standards one space is provided for each of the one bedroom flats, and two spaces are provided for each of the two bedroom houses. Secure undercover cycle parking is indicated for the flats in purpose built structure but space for cycle parking at the houses also need to be provided in the rear gardens. This can be secured by condition and should reflect current standards at 2 per house and 1 per flat. The impact on highway safety is therefore deemed to be acceptable. Conditions requiring the completion of car and cycle parking are required.

#### 5.13 Other issues

Neighbours are unhappy about the existing lack of regard for the tidiness of the garden. There appears to have been issues with previous occupants of the house/landlord not maintaining a tidy curtilage and parking antisocially but the proposal would put the land to good use and the proposal would meet current parking standards for the development. The development offers potential to limit the open garden area by fencing part of the side and rear off for private amenity space and by establishing a hedge to improve the scene around the front and side. The littering and lack of care for the garden is clearly of concern to neighbours but the tidiness of a garden is not a material planning concern which can be used in this case to hinder development.

### 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.

The proposal is considered acceptable subject to conditions notwithstanding the presumption in favour of development in the absence of a five year land supply.

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

### 7. RECOMMENDATION

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

**Contact Officer: Karen Hayes**  
**Tel. No. 01454 863472**

### CONDITIONS

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

Reason

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

2. No dwelling shall be occupied until the access, car and cycle parking arrangements for that dwelling have been completed in accordance with drawing no. 0741 02 Rev F, and the facilities shall thereafter be 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, policy T7 and T12 of the South Gloucestershire Local Plan adopted January 2006; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

3. Notwithstanding the proposed bin and cycle store shown on Plan 0741-02 rev F the flats, nor the dwellings, shall be occupied until covered and secure cycle parking spaces (2 for each house and one for each flat) have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such details shall also show bin storage details for the flats.

Reason

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

4. Prior to the commencement of development 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 the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. The condition is required to be agreed prior to commencement in order to prevent unnecessary remedial action at a later date.

5. Prior to the commencement of development a scheme of landscaping showing proposed planting (and times of planting); boundary treatments and details of surfacing material for areas of hard surfacing shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details prior to occupation of the development.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

6. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

Further development has the potential to have an adverse external appearance on the neighbouring properties, to be detrimental to the residential amenities of the houses subject of this application and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

7. The development shall be carried out strictly in accordance with the plans identified below:

0741-11 received 31/7/2015

0741-01 received 31/7/2015

0741-14 Rev D received 20/12/2015

0741-02 Rev F received 20/12/2015

0741-31 Rev C received 20/12/2015

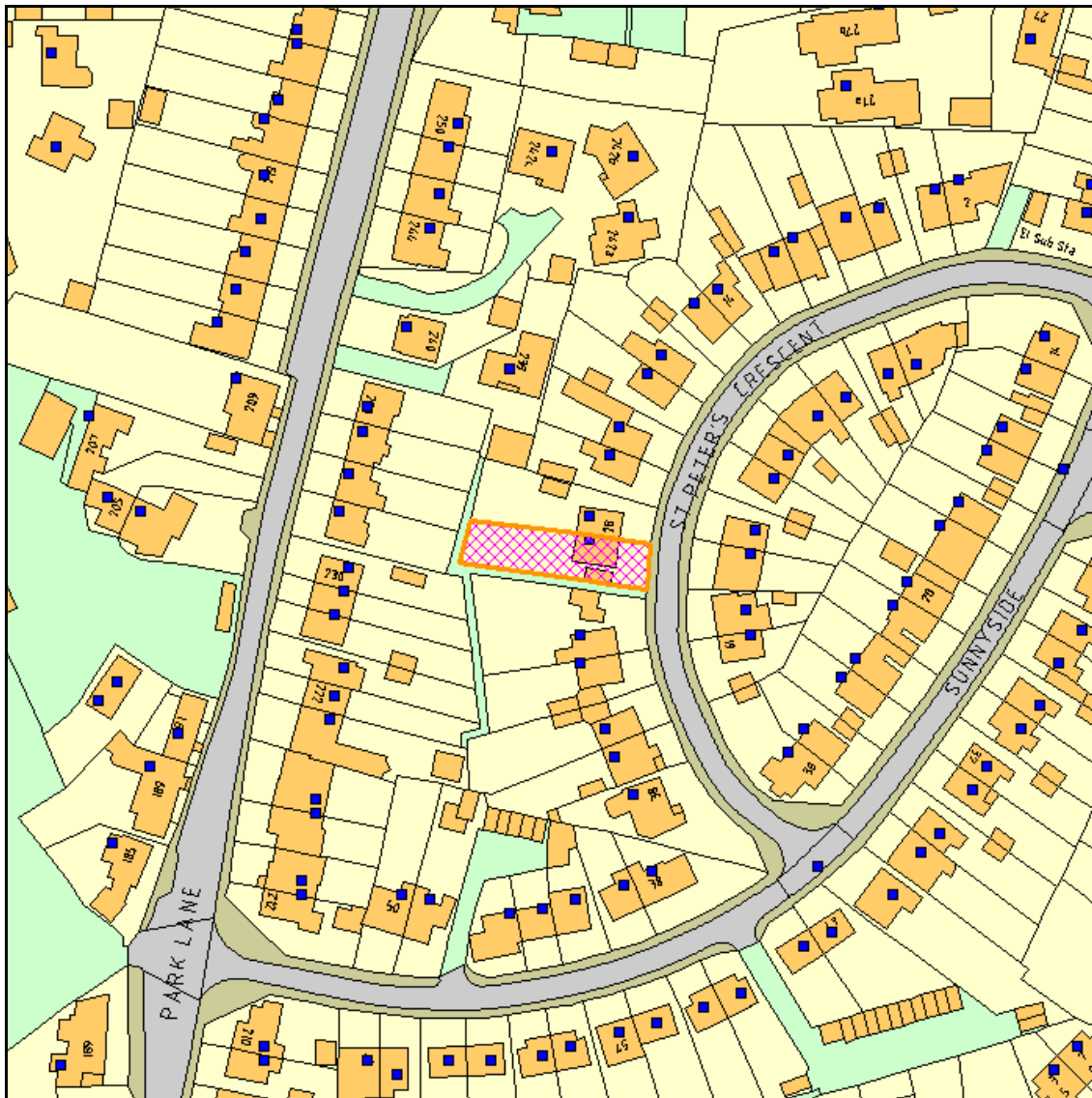
0741-13 Rev E received 20/12/2015

Reason

For the avoidance of doubt.

## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PT15/4116/F	<b>Applicant:</b>	Mrs Tara Paul
<b>Site:</b>	28 St Peters Crescent Frampton Cotterell Bristol South Gloucestershire BS36 2EJ	<b>Date Reg:</b>	9th October 2015
<b>Proposal:</b>	Erection of two storey side and single storey rear extension to form additional living accommodation. Erection of front porch.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	366808 181534	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Householder	<b>Target Date:</b>	2nd December 2015



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PT15/4116/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 two storey side and rear extension, as well as a single storey rear extension to form additional living accommodation. Further to this, the application also includes the proposal to erect a front porch which will also form part of the garage.
- 1.2 The application site is no. 28 St Peters Crescent, a two storey semi-detached dwelling within Frampton Cotterell.
- 1.3 During the course of the planning application a number of amendments have been made to the proposal in order to address issues surrounding design (the scale of the proposal) and also transportation concerns. Appropriate periods of re-consultation occurred as a result of such material amendments.
- 1.4 A previous planning application at the site for a two storey side and single storey rear extension was approved at the site in 2010 (planning ref. PT10/0450/F); however, this planning permission is not longer extant as development did not begin within 3 years.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

##### **South Gloucestershire Local Plan Adopted January 2006 Saved Policies**

T12 Transportation

H4 Development within Existing Residential Curtilages

#### **2.3 Supplementary Planning Guidance**

Residential Parking Standard SPD (Adopted) December 2013

South Gloucestershire Design Checklist SPD (Adopted) August 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT10/0450/F Approve with Conditions 26/04/2010  
Erection of two storey side extension and single storey front and rear extension to provide integral garage and additional living accommodation.

#### **4. CONSULTATION RESPONSES**

4.1 Frampton Cotterell Parish Council

Objection, the proposal is overdevelopment of the site. This objection was reiterated in response to the revised proposal.

4.2 Sustainable Transport

Objection, the submitted plan shows an inadequate level of car parking, however, provided at least three off street car parking spaces are provided within the residential curtilage of the dwelling this objection can be overcome.

#### **Other Representations**

4.3 Local Residents

None received.

#### **5. ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the erection of a number of extensions to a residential dwelling within Frampton Cotterell.

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 Design and Visual amenity

The application site consists of a two storey semi-detached property with an open gable end and a front elevation consisting of a number of materials including cladding; rough stone and brick. St Peters Crescent is composed of a number of semi-detached two storey properties, the majority of which utilise the aforementioned materials and finishes which are evident within the host dwelling. Accordingly, officers do consider there to be a prevailing character within the area; however, such character has been impacted by a number of alterations and extensions to nearby dwellings that have occurred over the years; some of which have retained this character better than others.



- 5.5 The two storey side extension is set back from the principal elevation of the existing dwelling, and the front roof elevation is set down from roof elevation of the existing dwelling. This together with the appropriate width of the proposal allows the proposed side extension to remain subservient to the host dwelling.
- 5.6 The front extension will form a porch and an extension to the garage; such front extensions are not uncommon within the area; and due to the appropriate scale of the front extension, the proposal is considered acceptable.
- 5.7 The two storey and single storey rear extension has an acceptable scale (only extending approximately 2 metres to the rear) and position that allows this section of the proposed development to not impact upon the front elevation of the dwelling and the wider aesthetic of St Peters Crescent.
- 5.8 All extensions will be finished in matching render and face brickwork at corners; such finished are acceptable and will allow the proposal to be largely congruent with the prevailing character of the area. The application form states that roof tiles to be utilised within the development will be of a darker colour to those used in the existing dwelling, this does cause officers concern as in order for the extension to in-keep with the context of the site, similar tiles would be required. Accordingly, should planning permission be granted, it is recommended that it is conditioned that the proposed works are finished in matching tiles. Notwithstanding the roof tiles, all other materials to be utilised within the proposal will be largely matching those used within the finishing the existing dwelling.
- 5.9 In terms of design and site layout, cumulatively, the proposed development has an acceptable scale that does not represent overdevelopment of the site; this is compounded by the sizeable garden that the dwelling currently enjoys.
- 5.10 Overall the proposal has an acceptable design which accords with policy CS1 of the adopted Core Strategy.
- 5.11 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.
- 5.12 The two storey rear extension is set back from the attached neighbouring dwelling meaning this component of the proposal will not materially harm the outlook or levels of natural light that the attached dwelling currently enjoys. The side elevation of the dwelling is south-facing meaning there will be a minor degree of shadowing that falls immediately to the rear of attached dwelling; however, such a minor amount of shadowing will not result in a materially harmful impact on the residential amenity of the occupiers of the attached dwelling.
- 5.13 The single storey rear extension, like the two storey rear component, only extends for a maximum of 2 metres. Due to the distance of this extension, the proposal will not materially harm the outlook of the attached dwelling.

Similarly, as the proposal is single storey the proposal will not materially harm the levels of light the dwelling to the north currently enjoys.

5.14 The two storey side extension is unlikely to have a materially harmful impact on the dwelling to the south, mainly due to the distance between the proposed side elevation and the neighbouring dwelling (over 6 metres at the closest point). Further to this, there are a number of side elevation windows that face the aforementioned neighbouring dwelling. In order to ensure that these aforementioned windows do not result in any overlooking, it is advised that a condition is applied to any planning permission granted that stipulated that these windows are obscure glazed and non-opening above 1.7 metres (measured from ground level).

5.15 Overall, the proposed development would not materially prejudice the residential amenity of any nearby occupier.

5.16 Transport and Parking

The existing dwelling is a three bedroom dwelling, meaning a minimum of two off-street car parking spaces are required to accord with the adopted minimum car parking standard. The proposal will result in a dwelling with four bedrooms and also a study that was formally labelled as a bedroom, with this in mind the property is assessed to be a five bedroom dwelling. To accord with aforementioned parking standard, the dwelling must have a minimum of three off street car parking spaces provided within the curtilage of the dwelling. The garage is large enough to count as one car parking space, and there is room for two car parking spaces to the front of the dwelling. To ensure this level of car parking is provided, should planning permission be granted, it is recommended that a condition is imposed that stipulates that a minimum of three off-street car parking spaces are provided at the property.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**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 hereby permitted extensions, and at all times thereafter, at least three off-street car parking spaces shall be provided within the residential curtilage of the permitted dwelling. Each car parking space must measure at least 2.4 metres by 4.8 metres. For the avoidance of doubt the integral garage shown on plan 5A is sufficient to count as one off street parking space.

**Reason**

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

3. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

**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 use or occupation of the extensions hereby permitted, and at all times thereafter, the proposed windows on the southern 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.

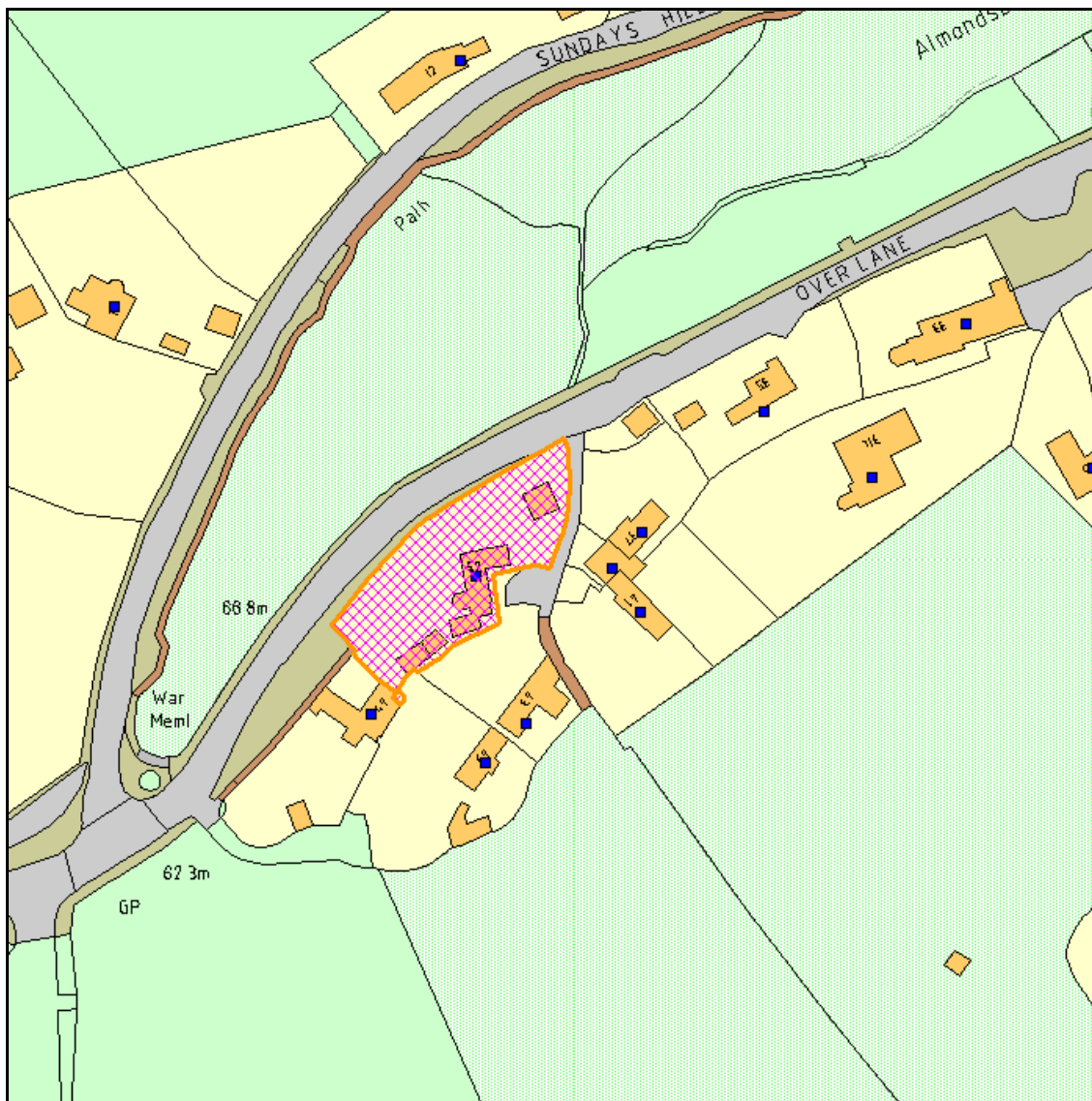
5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the southern elevation of the property.

**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.

## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PT15/4314/F	<b>Applicant:</b>	Mr Martin Rowlands
<b>Site:</b>	45 Over Lane Almondsbury Bristol South Gloucestershire BS32 4BL	<b>Date Reg:</b>	9th October 2015
<b>Proposal:</b>	Demolition of existing extension, conservatory and outbuildings to facilitate the erection of single storey side extension and detached Garden room.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	360211 183718	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Householder	<b>Target Date:</b>	3rd December 2015



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PT15/4314/F

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule for determination as comments of objection have been received which are contrary to the Officer recommendation for approval.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the demolition of a number of existing parts of the dwelling including the front conservatory and part of the run of attached 'outbuildings' to the front and side to facilitate the erection of a garden room to the front elevation. Planning permission is also sought for the erection of a replacement building in the garden. Planning permission is required for this as the height of the structure exceeds permitted development limits.
- 1.2 The application site is a detached dwelling on Over Lane in Almondsbury. The site is located just outside the village's settlement boundary on land designated as part of the Bristol and Bath Green Belt. The site is also outside but close to the boundary of the village's conservation area.
- 1.3 The application site is currently occupied by a detached dwelling set back in the plot. The site is subject to significant topography with a steep drop on the north west boundary to Over Lane. The garden outbuildings tend to follow the contours and be situated along the southern boundary where land is relatively flat.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS5 Location of Development  
CS34 Rural Areas  
  
South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)  
L1 Landscape  
L12 Conservation Areas  
T12 Transportation  
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
Development in the Green Belt SPD (Adopted) June 2006  
Residential Parking Standard SPD (Adopted) December 2013

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT13/4354/F Approve with Conditions 24/01/2014

Alterations to replace existing flat roof of detached double garage to pitched roof to provide garden store

- |     |   |                           |            |
|-----|---|---------------------------|------------|
| 3.2 | PT04/3207/F   | Approve with Conditions   | 22/10/2004 |
|     | Erection of front conservatory  |                           |            |
| 3.3 | PT01/0487/F   | Refusal                   | 06/04/2001 |
|     | Erection of two storey rear extension                                     |                           |            |
| 3.4 | P91/2540  | Approval of Full Planning | 17/11/1991 |
|     | Erection of single storey extension to form playroom/ study               |                           |            |
| 3.5 | P88/2915  | Approval of Full Planning | 23/11/1988 |
|     | Erection of detached double garage  |                           |            |
| 3.6 | P86/2232  | Approval of Full Planning | 01/10/1986 |
|     | Erection of two storey side extension to form kitchen with bedroom above. |                           |            |

#### **4. CONSULTATION RESPONSES**

- 4.1 Almondsbury Town Council  
No objection

##### **Other Representations**

- 4.2 Local Residents  
One comment of objection has been received with regard to the garden room which raises the following points:
- plans do not state the size or height of the garden room
  - pitched roof would affect outlook and visual appearance
  - trees in the vicinity of the garden room to be felled

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the erection of a front extension and a detached garden room at a property in Almondsbury.
- 5.2 Principle of Development  
The application site is located in the open countryside and in the green belt. Policy H4 does allow for extensions and alterations to existing dwellings subject to an assessment of design, amenity and transport. As the site is in the green belt, development must also comply with green belt considerations. The proposed development is acceptable in principle but should be determined against the analysis set out below.
- 5.3 Green Belt  
The government attaches great importance to green belts with the fundamental aim of keeping the land permanently open in nature. To achieve this, there is a general assumption against development in the green belt unless it falls into one of the predefined exception categories. These are set out in paragraph 89 of the NPPF.

One of the categories is the extension and alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building.

- 5.4 Planning permission on this site was refused in 2001 for a two-storey rear extension as it would result in a disproportionate addition over and above the size of the original building as the original house had already been extended to the side. The officer's report at the time provides very little detailed analysis of the size of the extension or the cumulative increases that had been made to the original form of the building. Notwithstanding that, no appeal of the local planning authority's decision was made and therefore this is a highly material decision.
- 5.5 In 2004 a conservatory was added to the front and the officer at the time concluded that a conservatory was a suitable addition and was minimal in nature so it would not be disproportionate. Under this application it is proposed to demolish the conservatory permitted in 2004 and some of the attached single storey sections of the dwelling to erect a replacement 'garden room'. The size of the proposed garden room is larger than the conservatory and other buildings it replaces, but not significantly. It also fills in an existing gap and makes a neater built form. Another point of note is that the orientation of the dwelling seems to have evolved over time. The elevation on which the development is proposed is likely to have been the front elevation of the original building with its gardens stretched out in front. This means that it also acts as a traditional rear elevation would in enabling interaction between the dwellinghouse and garden. Should it be considered a rear elevation, the proposal may have constituted permitted development (although no assessment as to whether the extension complies with the current regulations has been undertaken). Overall, it is not considered that the proposed garden room would result in a disproportionate addition to the original building.
- 5.6 Planning permission is also sought for a garden building situated along the southern border of the curtilage. The site is sloping and the ground behind rises further. It is proposed to erect a pitched roof building to replace a run of flat roofed outbuildings. Planning permission is only required for this structure as it is located within 2 metres of the boundary of the curtilage and exceeds 2.5 metres in height. However, the impact on openness of this structure is low. It replaces an existing structure and the changes in ground level means that it abuts the topography of the hillside. Therefore it has some but not a significant impact on openness. In terms of green belt, the garden building is considered acceptable.
- 5.7 Design  
The design of the proposed buildings both utilise a pitched gable roof structure. The gable ends that face into the garden are heavily glazed with the other external finishes matching those used on the main dwelling. The design of the buildings is not harmful to visual amenity and reflect a standard of design and appearance that it is reasonable to expect at a residential dwelling.

5.8 Residential Amenity

Development should not be permitted that has a prejudicial impact on residential amenity. This should be considered in terms of the application site and all nearby occupiers. It is not considered that the proposal would have an adverse impact on the amenities offered to the application site as sufficient private amenity space is retained.

- 5.9 Concern has been raised that the proposal would have an adverse impact on the amenities of the adjacent neighbour. The topography of the site vastly reduces the impact of the proposed development on the outlook or amenities of nearby occupiers. As a result it is not considered that the proposal would result in a prejudicial impact. The distance of separation from neighbouring properties is acceptable and there would be no loss of privacy or overbearing impacts. In conclusion, the impacts on residential amenity are not considered to be prejudicial and therefore the development is acceptable in this regard.

5.10 Transport and Parking

The proposed development would not increase the travel demands generated by the application site or affect the current parking provision. Therefore the development does not have a material impact on transport and parking and the proposal is acceptable.

5.11 Other Matters

Comments have been received which have not been addressed in the body of this report. These shall be considered here.

- 5.12 Plans need not state the size and dimensions of development proposals as it is required that plans are submitted to scale. From a scaled document the sizes and dimensions can be obtained.

- 5.13 The site is located outside of the conservation area and therefore no consent is required from the Council for tree works unless that tree is subject to a preservation order. Should the neighbour wish to undertake tree works, it is not considered that the proposal contained in this application would prevent these from being undertaken.

**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 condition listed below.

**Contact Officer: Griff Bunce**  
**Tel. No. 01454 863438**

### **CONDITIONS**

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

Reason

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

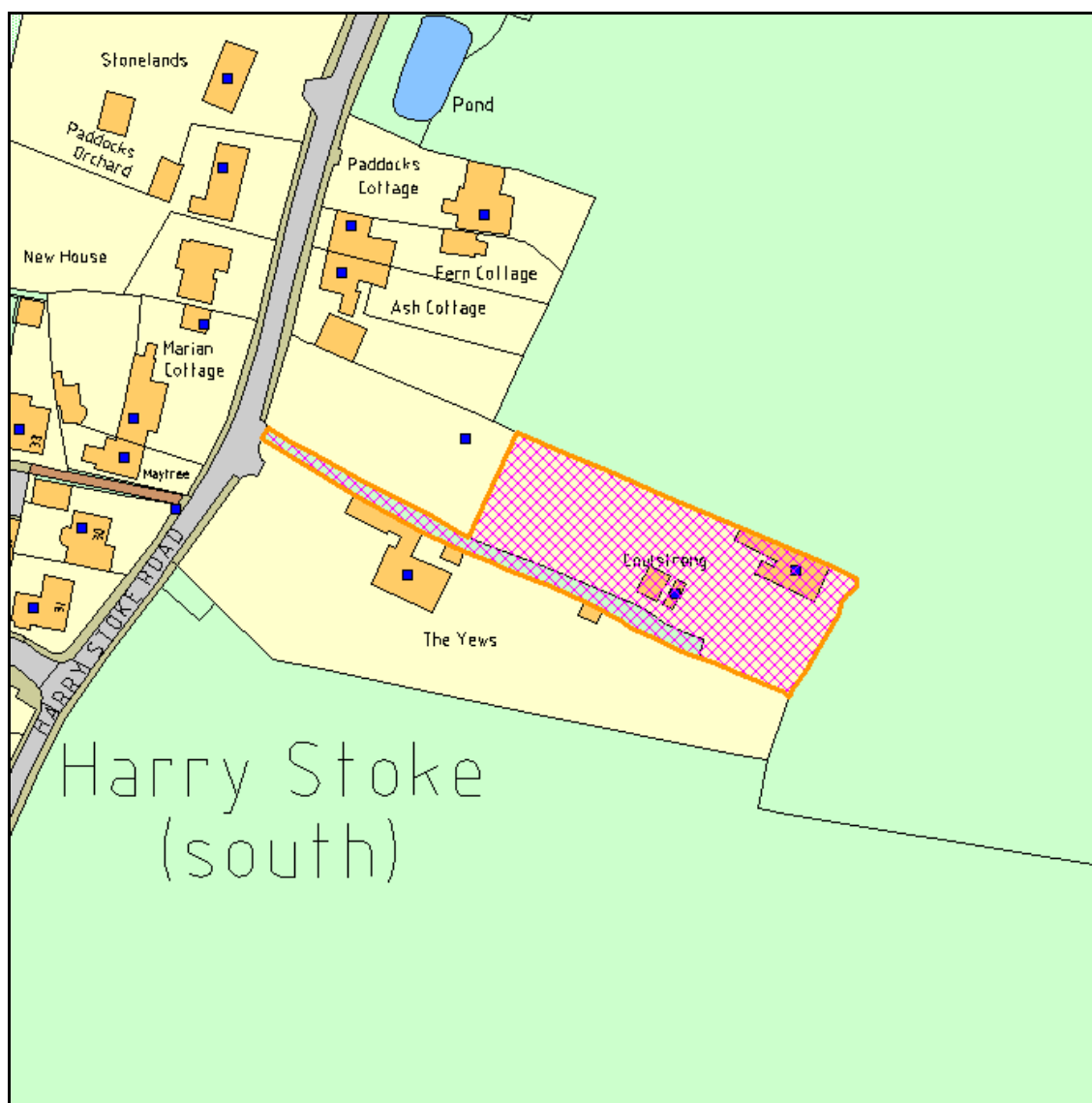
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PT15/4389/F	<b>Applicant:</b>	Mr John Hole
<b>Site:</b>	Coulstreng Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QH	<b>Date Reg:</b>	28th October 2015
<b>Proposal:</b>	Demolition of existing dwelling and garages, and erection of 3no. detached dwellings and 1no. detached garage with associated works.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362212 178859	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd December 2015



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## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule for determination as comments of support have been received. These comments are contrary to the officer recommendation for refusal and therefore the application must be circulated to Members prior to a decision being issued.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the demolition of the existing dwelling on the site and the erection of three detached dwellings and a detached garage building. The proposed dwellings consist of 2 four-bedroom houses along the northern boundary of the site and 1 five-bedroom house to the east.
- 1.2 The application site is known as Coulstreng and is accessed from Harry Stoke Road. Coulstreng is a locally listed building and is situated in a highly visible location, particularly when viewed from the southeast such as at the junction of the ring road and Coldharbour Lane. In terms of other constraints, land to the north of the site is of archaeological interest as it includes earthworks indicating a historic settlement. The site itself is also within the historic boundaries of Harry Stoke. An area-based tree preservation order is in force on land to the north and east of the site. A public right of way is situated close to the site.
- 1.3 Land to the north and east of the site has been included within strategic development allocations 'Harry Stoke' (which is currently being built out) and 'Land East of Harry Stoke'. Recent development has been implemented to erect two new dwellings to the west of the site between the site and Harry Stoke Road. Access to the site is provided from a track along the southern boundary of the site.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design  
CS4a Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS15 Distribution of Housing  
CS16 Housing Density  
CS17 Housing Diversity  
CS25 Communities of the North Fringe of Bristol  
CS27 East of Harry Stoke New Neighbourhood

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape  
L9 Species Protection  
L11 Archaeology  
L15 Buildings and Structures Which Make a Significant Contribution to the Locality  
T7 Cycle Parking  
T12 Transportation  
H4 Development within Existing Residential Curtilages  
LC12 Recreational Routes

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007  
Local List SPD (Adopted) February 2008  
Residential Parking Standard SPD (Adopted) December 2013  
Landscape Character Assessment SPD (Adopted) November 2014  
Waste Collection SPD (Adopted) January 2015  
CIL and S106 SPD (Adopted) March 2015  
East of Harry Stoke New Neighbourhood SPD (pre-adoption draft)

3. **RELEVANT PLANNING HISTORY**

3.1 There is no planning history on this site

4. **CONSULTATION RESPONSES**

4.1 Stoke Gifford Parish Council

Local member to consider calling to site

4.2 Archaeology Officer

Objection: The sites is within the medieval settlement of Harry Stoke and adjacent to a known shrunken medieval village. No supporting information has been submitted to address this. A desk-based assessment and, if necessary, field evaluation is required prior to determination.

4.3 Conservation Officer

Objection: Case has not been made to support the loss of the locally listed building.

4.4 Ecology Officer

Objection: Ecology survey submitted shows that further bat surveys are required. Great Crested Newts are also known to be in the locality.

4.5 Highway Structures

No comment

4.6 Landscape Officer

Objection: No appraisal as to how the development would relate to the Harry Stoke development. Layout is too tight to some boundaries to enable effective planting or screening. Landscaping scheme is required.

4.7 Lead Local Flood Authority

No objection subject to percolation tests. Applicant should note the proximity of the site to a public sewer.

4.8 Transportation Officer

No objection subject to condition controlling surfacing of driveway.

4.9 Tree Officer

No objection

**Other Representations**

4.10 Local Residents

One comment of support has been received which make the following points:

- Access to the site has been improved and is acceptable
- Coulstreng is only locally listed
- Coulstreng is virtually uninhabitable
- Development is effectively infilling between the new neighbourhood and Harry Stoke
- No great crested newts or bats were found on the site

Two comments of objection have been received which make the following points:

- Boundaries are shown inaccurately
- Drainage by soak away is not possible
- Drive is too narrow to accommodate additional traffic and there is poor visibility
- Great crested newts are within 60m of the site
- Property should be renovated and not demolished
- Proposal is not in keeping with the prevailing density of the locality
- Trees should be replaced
- Works on the site over the past 12 months have damaged existing trees and hedges

**5. ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the demolition of the existing dwelling on the site and the erection of three dwellings in its place on a site in Harry Stoke.

5.2 Principle of Development

The application site is located within the existing urban area of the north fringe of Bristol. It is also with the strategic land allocation of Harry Stoke in the 2006 Local Plan. The site is therefore within the existing settlement and under policy CS5 would be a preferential location for development. The Council has recently been found not to be able to demonstrate a 5-year housing land supply. To this extent, in accordance with paragraph 49 of the NPPF, the Council's housing policies (i.e. policies CS5, CS15 and CS34 - where they relate to housing) are currently out of date and applications should be assessed against the presumption in favour of sustainable development.

Notwithstanding this, the proposed development does not conflict with policy CS5 and therefore the housing land supply issues are relevant but not considered to have a significant impact on the determination of this application.

- 5.3 A number of other constraints cover the site. Coulstreng is a locally listed building and there is known ecology in the vicinity of the site. To be acceptable in principle, the development must address these issues.

*Heritage: Conservation*

- 5.4 Coulstreng is included on the South Gloucestershire Local List in recognition of the contribution the building makes to the character and distinctiveness of the locality. Although the landscape character has and continues to change, through large scale urbanisation of the north Bristol fringe, this places even greater emphasis on preserving and retaining items of the existing built form that helps reflect the origins of the settlement and which make a significant contribution to both local distinctiveness and place making. The Harry Stoke Masterplan will leave an undeveloped buffer between the application site and the new strategic development. Therefore a degree of the existing open setting will be preserved and so the open setting to the east and the south will not be entirely lost.
- 5.5 Policies CS9 and L15 are particularly relevant when considering the loss of the locally listed building. CS9 does not distinguish between designated and non-designated heritage assets and states that heritage assets should be conserved, respected and enhanced in a manner appropriate to their significance. Policy L15 places an expectation that locally listed buildings are retained. A recent appeal decision (APP/P0119/W15/3014305) at 'Bollywood Spice' tested policy L15 against the NPPF. The inspector found that paragraph 135 of the NPPF does provide protection for non-designated heritage assets but that this should be based on a balanced assessment of the buildings significance against the benefits of the proposal. The NPPF does not, however, place a requirement for development to mitigate any loss of character when a locally listed building is demolished.
- 5.6 In applying weight to this appeal decision, to assess this application the local planning authority must consider the heritage significance of the existing building and the effect of its loss in terms of heritage significance and local character and distinctiveness. This assessment should not refer to the proposed redevelopment.
- 5.7 Coulstreng dates from 1872. The property is a detached two-storey building in a local vernacular style. Coulstreng is locally listed due to its historic and architectural contribution to the character and distinctiveness of the local area. Due to the local topography it would have been a prominent building in medium and long views. As remains currently the case, even with the modern developments to the west, the open, undeveloped landscape backdrop still allows the building to make a significant contribution to local distinctiveness by providing a degree of legibility of the history and the origins of the landscape and land use.

- 5.8 In terms of the building's significance the open setting and relative visual isolation on the eastern side of Harry Stoke Road gives the building a prominence that makes a significant contribution to its context. This in turn can be considered to make a positive contribution to the sense of local distinctiveness. Therefore the starting point for the consideration of any development proposals is to ensure that the prominence of the locally listed building is maintained. The landscape character and context is however changing with large scale residential development to the east and 2 detached units being now under construction directly to the west. The changes to the landscape will therefore be dramatic with the urbanisation of the once open fields of Harry Stoke.
- 5.9 The development of the Harry Stoke strategic development allocation will have a significant impact on the existing open setting to the east; the land immediately to the east and north will facilitate open space and with some formal play pitches. Therefore, there will visual and physical separation between the application site and the new housing. The provision of some clear water between the locally listed building and the new development will ensure - although greater reduced - the building retains a degree of visual separation and prominence. Whilst it is accepted that the landscape character is changing, the prominence of the locally listed building has been incorporated in to the masterplan for the Harry Stoke development and can therefore be expected to be preserved.
- 5.10 The building is therefore of heritage significance and makes a positive contribution to character and local distinctiveness. The Local Planning Authority would therefore seek to retain the locally listed building unless the balance in favour of the development would justify its loss.
- 5.11 The applicant has submitted a case as to why the building cannot be preserved in the form of a structural report. The structural report is based on a visual inspection only its identifies that the building has suffered from lack of maintenance; has seen a number of roof alterations/interventions and is leaking; has suffered from what is considered to be subsidence due to the presence of cracking; and the floors, roof and walls are likely to be inadequately tied together. To ensure that the building is up-to-standard, the report suggests the following works are undertaken:
- replace all existing timbers
  - roof works and strengthening
  - add damp proof membrane
  - repair and stich cracks
  - repointing.
- 5.12 The report concludes or recommends that the 'costs of the repairs may be prohibitive compared to the cost of the rebuilding in a more energy efficient construction'.

- 5.13 No costings are provided and therefore the conclusions cannot be given much weight. Whilst the cost of repair is likely to be fairly significant, the building is not beyond repair. Therefore the case has not been made that the loss in terms of heritage significance and local character and distinctiveness is outweighed by the benefits of the development. The Local Planning Authority is therefore of the conclusion that the locally listed building should be retained and worked into the redevelopment proposals of the site.

*Heritage: Archaeology*

- 5.14 Harry Stoke is a settlement with medieval origins. The application site is located within the known boundaries of the medieval settlement. It is also adjacent to a known shrunken medieval village (to the north).
- 5.15 Given that the site is undoubtedly of archaeological interest and the proposed development would lead to ground disturbance it is important that any surviving in-situ ground archaeology is appropriately managed. In order to assess the likelihood of archaeology a desk based assessment is required. This may lead to field investigation. However, until this information is received, the Local Planning Authority is unconvinced that the development would not harm archaeology and therefore an assessment is required as part of the planning application.

*Ecology*

- 5.16 An ecological survey has been submitted with the application. This survey has identified that the buildings on site offer 'medium' bat potential. It is also known that Great Crested Newts are present in the locality and currently subject to a mitigation scheme in connection with the Harry Stoke development. The survey recommends that a full assessment with regard to newts is undertaken to ascertain whether they are present on site.
- 5.17 Both bats and newts are European protection species. Case law has established that in order to properly engage with the Habitat Regulations, Local Planning Authorities must be satisfied that the development would not affect protected species and that adequate mitigation measures are in place prior to granting planning permission.
- 5.18 Therefore, the application must be supported by further ecological information. An assessment should also be made for reptiles as this could affect the site layout.

*Design*

- 5.19 Policy CS1 requires development in the district to meet the highest possible standards of site planning and design. Although the Council cannot currently demonstrate a 5-year housing land supply, CS1 is not a housing policy and therefore is still attributed full weight. To the front of the site, recent development proposals have been permitted that have a traditional cottage design. In pre-application advice, the applicant was informed that the design for the development should draw on and respect that permitted at the front of the site. It is not considered that this advice has been followed.



- 5.20 The proposed dwellings are not considered to meet the high standard of design expected by this policy. The properties have an elongated form which results in a dominant roof structure. Plots B and C are situated close to the site boundary and therefore allow little interaction from the rear. The topography of the site has resulted in some steps across the site by these are not reflected in the design of the proposed houses. The layout leaves a large amount of space within the site and it is not clear as to its purpose either as private amenity space or being more 'public' in nature. The proportions of the proposed properties are not considered to respect the advised cottage style and therefore would not sit comfortably with the development nearing completion to the front of the site or the other traditional building nearby.

#### *Landscape*

- 5.21 Much of the landscape setting has been discussed in relation to the setting of the locally listed building. The loss of the existing building would have an impact on the historic continuity of the landscape. The existing building, and the traditional fruit tree planting, are important factors in the character of the landscape. The application has failed to undertake an appraisal of how the development would fit in with the new neighbourhood.
- 5.22 Furthermore, the layout of the development provides little opportunity for effective boundary treatment and planting. Therefore, it is not considered that the application would not be able to provide sufficient mitigation to address the adverse and harmful impacts of the proposal. A robust landscaping scheme is required on this site and it is not considered that the current development proposal would be able to meet this expectation. There are no objection with regard to tree works.

#### *Overall Planning Balance*

- 5.23 As set out in the analysis above, the proposal is faced by a number of constraints. These need to form part of the planning balance in weighing the benefits of the proposal against the benefits. The benefit of the development is additional housing in an area, generally, considered to be a sustainable location for growth. However, weighting against the development is the loss of the locally listed building, the impact on archaeology, the potential impact on biodiversity, and the quality of the design.
- 5.24 Paragraph 135 of the NPPF states that the impact of development on the significance of a non-designated (in this case locally listed) heritage asset should be weighed and a balanced judgement formed having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.25 The development would result in the total loss of the building and the building is considered to have significance for the reasons set out above. When considering this in conjunction with the other identified harms it is considered that the balance falls towards refusal.
- 5.26 Should an application be submitted which addresses the potential harms identified, by submitting archaeology and ecological information and improving the design, then the balance would need to be reassessed.

It is not considered that the loss of the locally listed building is an 'in principle' reason to resist development but the balance in favour of the development would need to outweigh the harm of the loss of the locally listed building. It is suggested that further consideration is given to retaining the locally listed building and allowing for greater development to the west as this would be seen more favourably by the Local Planning Authority.

5.27 Residential Amenity

Development should not be permitted that has a prejudicial impact on residential amenity. This should be considered in terms of the application site, future occupiers and the occupiers of all nearby properties.

5.28 It is not considered that the proposal, if permitted, would have a prejudicial impact on the residential amenity of nearby occupiers. The two properties under construction to the front take into account the access driveway and therefore the additional traffic along this route is unlikely to have a substantial impact upon amenity. The proposed houses would not result in any significant levels of overlooking or intervisibility.

5.29 However, the site layout does not provide clearly defined private amenity space for the proposed dwellings. This is more of a design criticism than an amenity concern. It is highly likely that it would be possible to provide private amenity space to meet policy expectations and therefore this should not form a refusal reason on the basis of residential amenity in its own right.

5.30 Transport and Parking

Site access is provided from Harry Stoke Road. Past concerns over the intensification of the use of this access has been addressed with regard to the amount of development. It is now considered that the proposed access would be consistent with policy and guidance. A condition would be attached to any consent to confirm the details of the surfacing material of the access road.

5.31 Car parking has provided in accordance with the Residential Parking Standard SPD. The proposed development therefore is in accordance with the relevant transport and parking policies.

5.32 Other Matters

A number of matters have been raised which have not been addressed in the body of this report. This shall be considered below.

5.33 For development of this scale it is likely that drainage matters could satisfactorily be managed through the Building Regulations process. Therefore, it is not considered that a SUDS condition would be necessary in this instance.

5.34 Should there be a concern about the impacts of construction works on trees, these should be referred to the Council's enforcement and tree teams for investigation.

5.35 Contributions and CIL

The proposed development would be CIL liable however the scale of development falls below the thresholds for other contributions to be sought.

**6. CONCLUSION**

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

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

**7. RECOMMENDATION**

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

**Contact Officer: Griff Bunce**  
**Tel. No. 01454 863438**

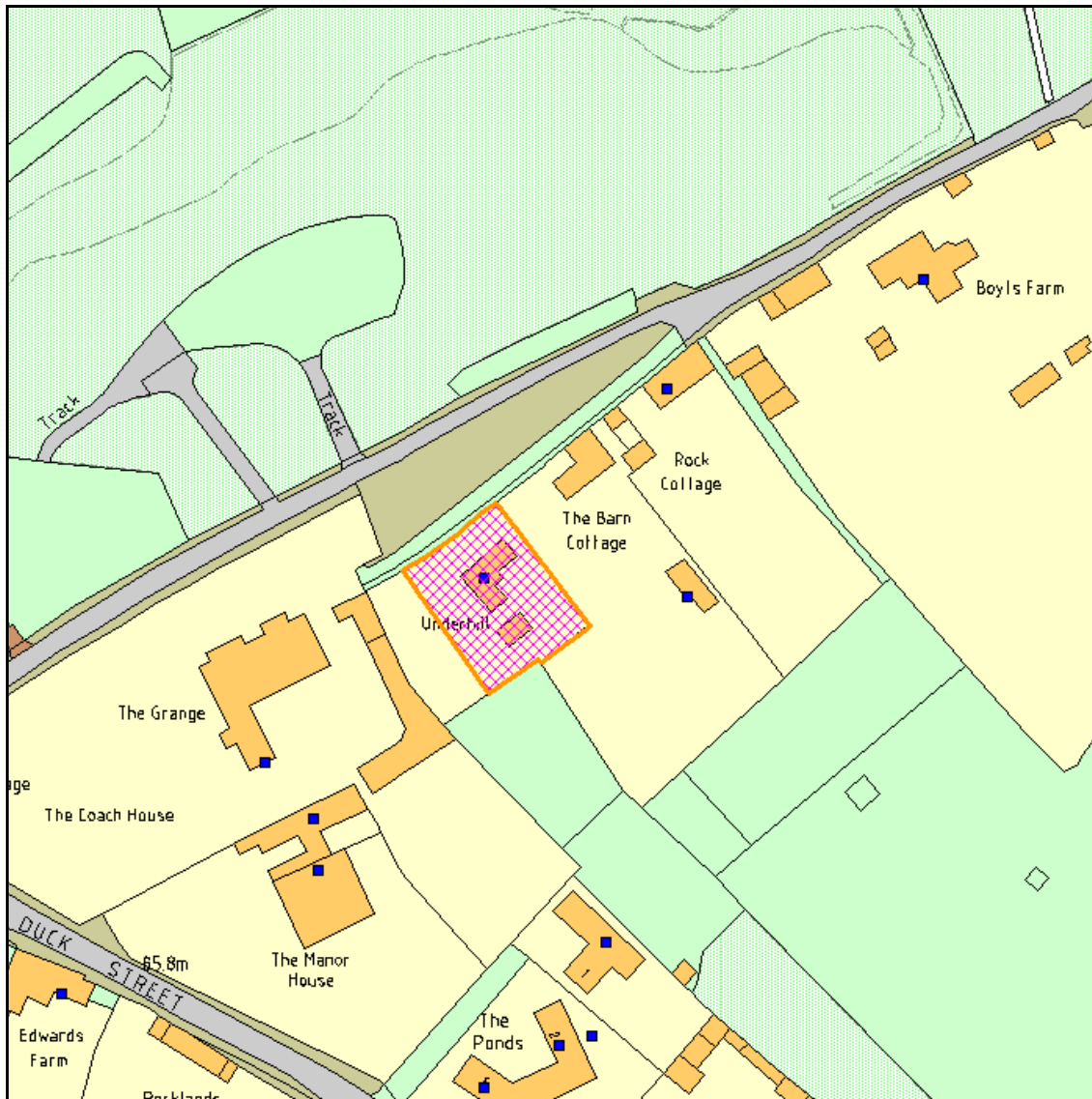
**REFUSAL REASONS**

1. The proposed development would result in the loss of a building which is on the South Gloucestershire Local List for its historical significance and the contribution it makes to the character and distinctiveness of the locality. The loss of this building would be harmful to the open character of the landscape and the setting of the historic settlement of Harry Stoke and the loss would have a detrimental impact on the distinctiveness of the locality. The applicant's case to support the demolition of the building has failed to satisfactorily demonstrate that the demolition is required or present circumstances to justify the harm caused by demolition would be overcome. The proposal is therefore contrary to Policy CS1, CS9 and CS25 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1 and L15 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), the South Gloucestershire Design Checklist SPD (Adopted) August 2007 and the provisions of the National Planning Policy Framework.
2. The application site is in an area of archaeological interest. The application is not supported by an archaeological assessment which considers the potential for archaeology to be present. In the absence of such information the Local Planning Authority is not satisfied that the development would not result in harm to any surviving archaeology. Therefore, the proposed development is considered contrary to Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), and the provisions of the National Planning Policy Framework.

3. The application is supported by an ecological survey which has identified that the existing building offers medium potential to support bats and further surveys are required. The ecological survey has recommended that a full assessment for Great Crested Newts is undertaken. The application is not supported by the further bat surveys or a full ecological assessment for newts. In the absence of sufficient supporting ecological information, the Local Planning Authority is not satisfied that the development would not result in harm to protected species. Therefore the proposal is contrary to Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the provisions of the National Planning Policy Framework.
4. The design of the proposed dwellings is not considered to respect the character, appearance, or distinctiveness of the locality or reflect the landscape setting of the site, and the development would not successfully integrate into the existing built form. The proposed development is therefore considered to be contrary to Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1 and L15 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the provisions of the National Planning Policy Framework.

## CIRCULATED SCHEDULE NO. 03/16 – 22 JANUARY 2016

<b>App No.:</b>	PT15/4988/F	<b>Applicant:</b>	Mr R Bryant
<b>Site:</b>	Underhill Baden Hill Road Tytherington South Gloucestershire GL12 8UG	<b>Date Reg:</b>	25th November 2015
<b>Proposal:</b>	Erection of two storey rear extension to form additional living accommodation.	<b>Parish:</b>	Tytherington Parish Council
<b>Map Ref:</b>	367018 188372	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Householder	<b>Target Date:</b>	20th January 2016



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PT15/4988/F

## **REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE**

The application appears on the Circulated Schedule in light of the receipt of neighbour objection comments that are contrary to the Officer's recommendation.

### **1. PROPOSAL AND SITE DESCRIPTION**

- 1.1 The applicant seeks full planning permission to erect a two-storey rear extension to Underhill, Baden Hill Road, Tytherington.
- 1.2 The plot is set within a Conservation Area and an SSSI. The building is set back from, and down from, the Baden Hill Road and is accessed by a small driveway leading to the former service entrance to The Grange. The property itself is a large detached property with a pitched roof with interlocking red tiles and grey coloured stone facing. Access is off a single track road from Baden Hill Road. There is a medium sized front garden with a 1.2 metre stone wall to the front boundary and a driveway to the side of the property that extends along the east side elevation with parking and a detached rear garage with a pitched roof to the rear.

### **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  
CS8 Improving Accessibility  
CS9 Environment and Heritage  
  
South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
L12 Conservation Areas  
L13 Listed Buildings
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted 2007)  
South Gloucestershire Council Residential Parking Standards SPD (Adopted 2013)

### **3. RELEVANT PLANNING HISTORY**

PT14/3064/F	Refusal	09.10.2014
Erection of 1no. detached dwelling with access and associated works.		

**Planning history relevant to The Grange, Duck Street (to the west side elevation);**

PT14/3061/F                      Approve with Conditions                      26.02.2015  
Conversion of existing outbuilding to form 2no. dwellings with associated works  
(Resubmission of application PT14/0354/F)

PT14/3062/LB                      Approve with Conditions                      26.02.2015

Internal and external alterations to facilitate conversion of existing outbuildings to 2no dwellings (Resubmission of PT14/0355/L)

**Planning history relevant to Barn Cottage, Baden Hill Road (to the east side elevation);**

PT15/2042/F                      Approve with Conditions                      29/06/2015  
Demolition of garage and stable block and erection of replacement garage and stable block.

**4. CONSULTATION RESPONSES**

4.1 Tytherington Parish Council

Tytherington Parish Council support this application.

4.2 Sustainable Transport

- The proposed development will increase the bedrooms within the dwelling to four.
- The existing vehicular access and parking are unaffected by this development.
- The level of parking available complies with the Council's residential parking standards.
- There is no transportation objection to the proposed development.

4.3 Archaeology Officer

- No comment

4.4 The Listed Building and Conservation Officer

- The building is an unlisted stone built dwelling situated within the Tytherington Conservation Area.
- Planning permissions have recently been approved for a new dwelling at the rear and the relocation of stables to the east.
- The proposal is to extend the building at the rear in a form that is found elsewhere in the village.
- The extension will not have any impact on the setting of either The Grange (Grade II) or Boyts Farm (Grade II).
- Providing the correct materials are used (stone walling and clay tile roofing) the proposal will not appear out of character with the street-scene.
- No objection subject to samples of all external facing and roofing materials and a sample panel of the new stone walling.

- The eaves, ridge and verge of the new extension should be conditioned to match the existing building.
- Consideration could be given to introducing a chimney on this extension to serve as a ventilation route for the kitchen and bathroom rather than wall-mounted vents.

## **Other Representations**

### **4.5 Local Residents**

One objection comment was received from Barn Cottage, Tytherington

- The track leading to Rock Cottage, Barn Cottage and Underhill was stopped up in 1884 and has become private property owned by the adjacent owners,
- The track is unsuitable for large contractors vehicles because it is narrow and also because of risk of damage that they would cause to the foundations of Rock Cottage and Barn Cottage, whose front walls are up against the edge of the track.
- When Barn Cottage was being extended all heavy building materials were unloaded on to Baden Hill Road and then either wheeled or carried to the site or were lifted down the bank opposite the entrance by a JCB or similar.
- The track is not suitable for upgrading due to the drainage problems outlined in other correspondence.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows the principle of extensions within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. Policy CS9 'Managing the Environment and Heritage' of the South Gloucestershire Core Strategy aims to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. Similarly, Policy L13 of the adopted Local Plan aims to protect the setting of a listed building, and Policy L12 of the adopted Local Plan will only permit development within a conservation area where it would preserve or enhance the character or appearance of the conservation area.

### **5.2 Visual Amenity**

The proposal consists of a two storey rear extension. The materials proposed are natural rubble stone to match the existing and second hand clay tiles to match the existing. As the property is situated within the Tytherington Conservation Area it will be conditioned that a sample of all external facing and roofing materials and a sample panel of the new stone walling shall be provided.



Providing that this condition is met, the design and use of materials are considered to be informed and in keeping with the character of the existing dwelling. The building is currently 'L' shaped with a two-storey rear wing and the proposal is to extend this by creating a double gable to the east facing elevation. It is also considered by the Conservation Officer that the eaves, ridge and verge of the new extension should be conditioned to match the existing building.

The proposal is to extend the property in a form that is found elsewhere in the village and as the proposed materials are in-keeping with the existing building it is not considered that it will have any impact on the setting of either The Grange or Boyts Farm which are both Grade II listed buildings. The Conservation Officer explained that consideration could be given to introducing a chimney on this extension to serve as a ventilation route for the kitchen and bathroom rather than wall-mounted vents. Revised plans were received from the agent on 20<sup>th</sup> January which show the creation of a chimney on the east side elevation. It is considered that the inclusion of the chimney is in-keeping with the existing property and the extension. It has been noted that there have been no plans submitted for the front and west side elevation and it was confirmed by email on 20<sup>th</sup> January 2016 that these elevations have not been included as they will remain unchanged.

Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

### 5.3 Residential Amenity

The dwelling is detached with neighbours to both side elevations. The neighbouring properties are of a sufficient distance separated by gardens and sufficient boundary treatment. The proposed side extension will not include any windows to the east side elevation nearest to the boundary of the neighbouring dwelling. There is also considered to be sufficient boundary treatment surrounding both Barn Cottage to the east elevation and The Grange to the west elevation therefore, the extension is not considered to have any impact on the levels of privacy or light that they currently enjoy. Planning permission has recently been given (PT14/3061/F) to convert the existing outbuilding associated with The Grange into two dwellings. This is situated to the west side elevation of the property and it is considered that as the west side boundary is to remain unchanged it is unlikely that there will be any significant impacts in terms of overlooking and loss of privacy and light for both Underhill and the new properties within the current residential curtilage of The Grange. From drawing no.2417/111 associated with PT14/3061/F it shows that the dwellings are single storey and there is sufficient space and boundary treatment between Underhill and the new dwellings to the west. The Conservation Officer has stated that planning permission has recently been granted for a dwelling to the rear of Underhill. However, permission was refused in 2014 (PT14/3064/F) for the erection of one dwelling on the land to the rear of Underhill, Tytherington. The Conservation Officer has also stated that there is a relocation of the existing stables to the east which was given approval (PT15/2042/F). From drawing no.100 it shows that the proposed new stable block is situated to the rear of Underhill, within the curtilage of Barn Cottage to the east.

It is considered that as the structure is to be single storey, no windows are proposed to the side elevation nearest to Underhill and as there is no change in the access road between Underhill and Barn Cottage, there will be no significant negative impacts in terms of noise, overlooking and loss of light.

Overall, it is considered that the proposal would not harm the living conditions currently enjoyed by the neighbouring dwellings and the proposed neighbouring properties and as such, is considered acceptable.

#### 5.4 Sustainable Transport

The application is proposing to increase the total number of bedrooms within the property from 3 to 4, and there is sufficient parking space for two vehicles to the rear of the property. Therefore, there are no objections in terms of parking and highway safety.

#### 5.5 Other issues

Concerns have been raised from Barn Cottage, which explain that the track is unsuitable for large contractor vehicles because it is narrow and also because of risk of damage that they would cause to the foundations of Rock Cottage and Barn Cottage, whose front walls are up against the edge of the track. However, considering that this is a minor extension it is not considered that there will be a lot of transport generated or particularly large vehicles associated with the construction of the extension. A condition will be placed that ensures the construction working hours however, the access regarding the track cannot be controlled with a condition and the applicant is reminded to view the informatives within the Decision Notice in relation to land ownership. As this is a private track as stated in the comments, the applicant will need to make separate arrangements with the relevant owners regarding delivery. Similarly the effect on the structure of the existing properties near the site is also a civil matter and the applicant is again advised to refer to the informatives on the Decision Notice.

### 6. CONCLUSION

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

6.2 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: Chloe Buckingham**  
**Tel. No. 01454 867967**

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

**Reason**

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

3. Prior to the commencement of development 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**

Samples are required prior to the commencement of development to avoid any future enforcement action and to ensure a satisfactory standard of external appearance in the Tytherington Conservation Area, and to accord with and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

4. Sample panels of the new stone walling, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

**Reason**

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. All new external works and finishes (including the eaves, ridge and verge) shall match the existing original building in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.