



**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. 29/16

Date to Members: 22/07/2016

Member's Deadline: 28/07/2016 (5.00 pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

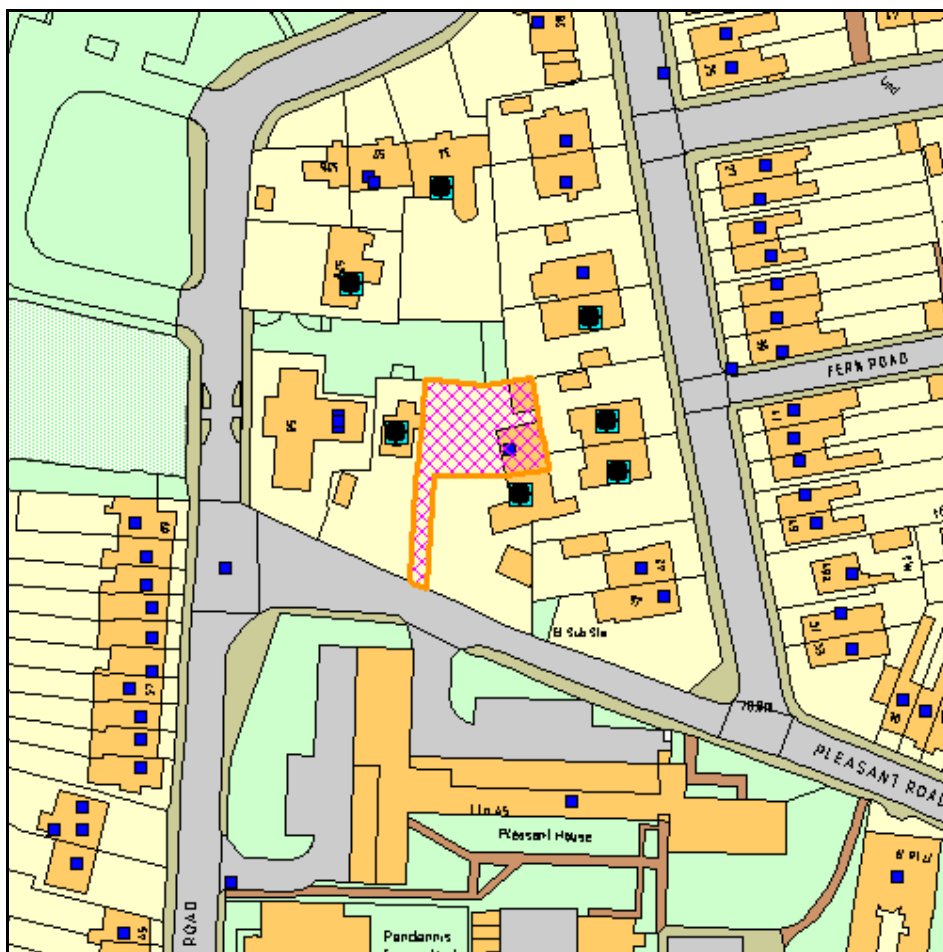
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s)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

CIRCULATED SCHEDULE - 22 July 2016

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/1702/F	Approve with Conditions	36 Pleasant Road Staple Hill South Gloucestershire	Staple Hill	None
2	PK16/2128/LB	Approve with Conditions	Highfield Farm Sandpits Lane Hawkesbury Upton Badminton South Gloucestershire GL9 1BG	Cotswold Edge	Hawkesbury Parish Council
3	PK16/2978/F	Approve with Conditions	3 Couzens Close Chipping Sodbury South Gloucestershire BS37 6BT	Chipping	Sodbury Town Council
4	PK16/3294/F	Approve with Conditions	36 York Close Yate South Gloucestershire BS37 5XB	Yate North	Yate Town
5	PK16/3491/F	Approve with Conditions	61 Morley Road Staple Hill South Gloucestershire	Staple Hill	None
6	PT16/0088/O	Approved Subject to	The Folly Crossways Lane Thornbury South Gloucestershire BS35 3UE	Thornbury North	Thornbury Town Council
7	PT16/0713/R3F	Deemed Consent	Bradley Stoke Leisure Centre 1 Fiddlers Wood Lane Bradley Stoke South Gloucestershire BS32 9BS	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
8	PT16/2532/F	Approve with Conditions	Furze Down Farm Lower Tockington Road Tockington South Gloucestershire	Severn	Olveston Parish Council
9	PT16/3149/TRE	Refusal	Land r/o 78 Jellicoe Avenue Stoke Gifford South Gloucestershire BS16 1WJ	Frenchay And Stoke Park	Stoke Gifford Parish Council
10	PT16/3509/F	Approve with Conditions	6 Foxglove Close Stoke Gifford South Gloucestershire BS34 8LH	Frenchay And Stoke Park	Stoke Gifford Parish Council
11	PT16/3512/F	Approve with Conditions	8 Foxglove Close Stoke Gifford South Gloucestershire BS34 8LH	Frenchay And Stoke Park	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 29/16 – 22 JULY 2016

App No.:	PK16/1702/F	Applicant:	John Cliss
Site:	36 Pleasant Road Staple Hill Bristol South Gloucestershire BS16 5JL	Date Reg:	20th April 2016
Proposal:	Demolition of existing extension. Erection of two storey side extension to form additional living accommodation. Erection of detached single outbuilding to form shed/workshop.	Parish:	None
Map Ref:	364749 176237	Ward:	Staple Hill
Application Category:	Householder	Target Date:	14th June 2016



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PK16/1702/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 is for the demolition of an existing extension/outbuilding and the erection of a two storey side extension to provide additional living accommodation and erection of single storey garage and the erection of a detached single outbuilding to form shed/workshop.
- 1.2 The site is a semi detached rendered dwelling. It is situated off a private driveway that provides the parking and access to the property in between other properties, from Pleasant Road. The site is located within the residential and urban area of Staple Hill, with a variety of different properties and layouts in the immediate vicinity.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
H4 Residential Development
T12 Transportation for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007
South Gloucestershire Residential Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/4413/F – Two storey side extension and single storey garage. Refused 11th December 2015.

This application was refused for the following reasons:

'The proposed new extension by virtue of its siting, design, scale and massing is considered to result in an out of proportion and incongruous form of development which does not respect or enhance the character of the existing building or of the area, is out of keeping with the existing building and surrounding area and as such is not in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and does not achieve the highest possible standards of design and site planning required by Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013.'

'The proposed development by reason of its location, mass, height and design would have an overbearing impact upon adjoining properties which would be to the detriment of residential amenity and would also be contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Adopted December 2013.'

'By virtue of inadequate off-street parking provision on site for the existing house and the extension, the proposal would lead to an increase of on-street congestion thereby adding hazards faced by the travelling public. The development is therefore contrary to Policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006, CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and the provisions of the South Gloucestershire Residential Parkings Standards SPD.'

4. CONSULTATION RESPONSES

4.1 Parish Council No Parish

Sustainable Transportation

No details for off-street parking and vehicle turning area has been submitted with this application. Submission of suitable plan to show these will be helpful. If the Council is minded to approve this then, it is recommended that a planning condition is imposed so that there are a minimum of 2 car parking spaces on site plus, suitable off-street turning area is provided on site to ensure that the vehicles can enter and exit the site entrance in forward gear.

Other Representations

4.3 Local Residents

3 objection responses have been received, as follows:

1. The first raises concern regarding the proposed garage:

- Concerns over building along their wall
- new buildings should be 2 feet inside boundary to allow maintenance of both properties
- could be turned into a granny annex
- Will restrict light from property in front
- Overbearing impact

2. The second raises concerns as to whether any windows would overlook

3. The third letter raises concern over the impact to the rear of the property, in particular:

- the height of the extension will seriously reduce sunlight for all afternoon and evening
- It will be quite a large structure taking up, along with original building, the whole width of our garden, giving us a feeling of being enclosed and claustrophobic and affecting the use and enjoyment of the conservatory

- Access to our garden would be required to enable work to be carried out and having recently had the garden landscaped, I would be worried as to what extent it would be made good.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space. Policy T12 of the SGLP and the Council's Residential Parking Standards SPD seek to ensure adequate parking and access. Policy CS1 seeks a high standard in design and site planning, including siting, form, scale, height, massing, detailing, density and layout that respects, enhances and integrates with the existing area.

5.2 The proposals are essentially a resubmission of the previous application, referred to in the planning history above. The main issues for consideration are therefore whether the concerns raised, resulting in the reasons for refusal, have been addressed to a satisfactory degree.

5.3 Of note, there were no objections to the original application on the basis of the 2 storey side extension. Officers however identified potential concerns with the design and amenity impacts, resulting in the reasons for refusal highlighted above.

5.4 Design

Concerns were previously raised over the design of the proposed extension, in particular concerns were of a completely different and very shallow roofpitch, in contrast and at odds to the host dwelling. The proposed extension had a greater footprint than the original existing dwelling and brings the building line forward. The current proposals have reduced the footprint, scale and bulk of the extension and brought the front building line in line with the remainder of the original dwelling. The roofline has also been designed more sympathetically and integrates to a better degree. The proposed outbuilding is a relatively simple, modest single storey design and would not be considered unacceptable or materially out of context. The design of the proposals is now considered acceptable and address the previous refusal reason.

5.5 Residential Amenity

The proposed side extension would extend along the shared curtilage boundary with the rear of the property behind, on Shrubbery Road. Concerns were previously raised by Officers with regard to introducing a rear facing wall of 4 metres high, with pitched roof on top. This elevation would essentially act as the rear wall of the adjoining properties curtilage boundary. This is just over approximately 5 metres from the rear of the dwelling on this elevation. Of note in this respect it is acknowledged that there is an existing flat roofed outbuilding at part of the location of the proposed extension, this is to a height of

approximately 2.3 metres along the shared boundary. The redesign of the proposed extension and the change in roof pitches means that the rear facing wall would be reduced to 3.1 metres to the eaves. Thereafter the pitched roof would be sloping away from the neighbouring property to a maximum height at the apex would be 5.6 metres. The rear wall of the extension would replace the existing outbuilding and would follow the rear building line of the remainder of the house which has two storey and single storey elements to this elevation. Given the revised height of the rear of the extension, the existing situation and context of the relationship between the properties it is considered that the design addresses potential amenity impacts to an acceptable degree and that the proposals would not give rise to an overbearing impact such as to warrant or sustain a refusal on these grounds. Skylight chambers to allow light to the ground floor are proposed in the pitch of the roof, however these would not be considered to give rise to overlooking issues, but no rear windows are proposed. One elevated, obscure glazed, non opening window is proposed in the north elevations, however, given its design, this would not be considered to give rise to overlooking. A condition can however be recommended to ensure it is obscure and non opening.

- 5.6 It is not considered that the proposed outbuilding given its size and location would give rise to any significant impact upon adjacent properties. The height nearest the shared boundary would be 2 metres, boundary treatment could be constructed to a height of 2 metres without the requirement for planning permission. The proposal would be set approximately 90cm off the shared boundary to this elevation. In the case of both the extension and the outbuilding, the granting of planning permission would not grant rights to enter, build upon, carry out works or maintenance on property not within the applicants control, which would need agreement of the landowners in each case.

5.7 Highways

Concerns were previously raised over the adequacy of parking provision within the site. There was a proposed garage in the previous application, that owing to its size and location led to an under provision of parking for what would have been a five bedroomed dwelling. The current application is reduced to four bedrooms and the location of the outbuilding has been moved. Existing off-street access would be utilised to the property and the allocated off street parking areas. It is considered that there is sufficient scope to provide adequate off-street parking that meets the Councils requirements. A condition is recommended to ensure this, along with adequate turning facilities is secured and retained.

6. CONCLUSION

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

- 6.2 The recommendation to grant 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 recommended

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

4. Prior to the commencement of development detailed plans showing the provision of a minimum of two off street car parking spaces and turning area, in accordance with the standards set out in the Residential Parking Standards SPD (Adopted) December 2013 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking and turning 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.

Reason

This is a pre-commencement condition to ensure that adequate parking provision is incorporated and retained within the site at an early stage.

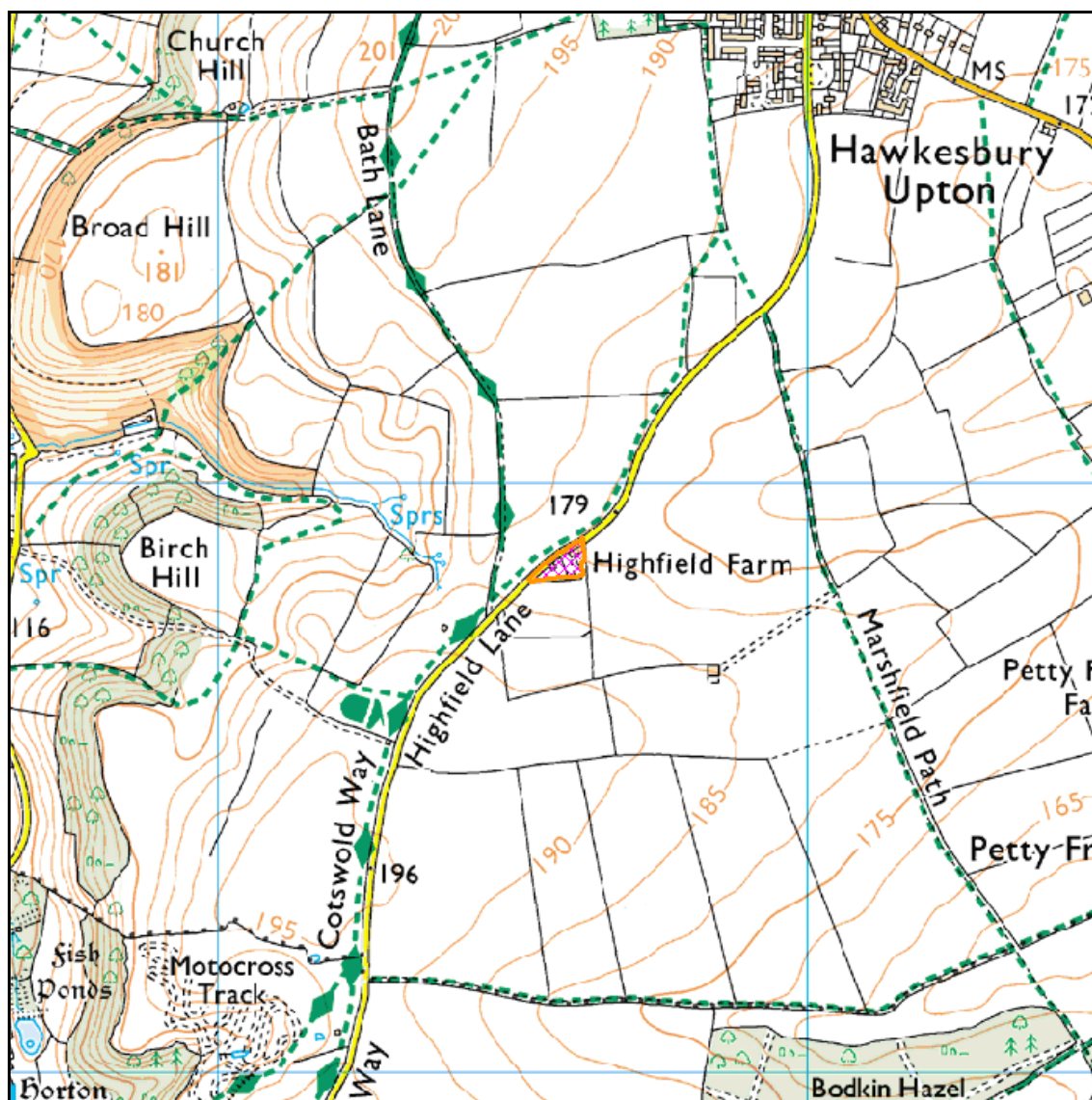
5. The glazing on the first floor north elevation shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

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. 29/16 – 22 JULY 2016

App No.:	PK16/2128/LB	Applicant:	Mr And Mrs Oliver Latter
Site:	Highfield Farm Sandpits Lane Hawkesbury Upton Badminton GL9 1BG	Date Reg:	12th May 2016
Proposal:	Internal and external refurbishment and repairs, replacement of 4no. windows, erection of two storey side and single storey rear extensions to form additional living accommodation with landscaping and associated works.	Parish:	Hawkesbury Parish Council
Map Ref:	377568 185862	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	5th July 2016



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PK16/2128/LB

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The following report appears on the Circulated Schedule due to comments received from the Georgian Society.

1. THE PROPOSAL

- 1.1 The applicant seeks listed building consent for internal and external refurbishment and repairs and the replacement of 4no. sash windows, the erection of a two-storey side and single storey rear extension to form additional living accommodation with landscaping and associated works.
- 1.2 The application site relates to a two-storey detached grade II listed farmhouse situated within the open countryside. The property in question is Highfield Farm, Sandpits Lane, Hawkesbury Upton.
- 1.3 During the course of the application revised plans were requested to address issues of the proposal being too large and thereby unsympathetic to the original dwellinghouse.
- 1.4 This application should be read in conjunction with PK16/2124/F.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)
The Setting of Heritage Assets (GPA 3)

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/2124/F Erection of two storey side and single storey rear extensions to form additional living accommodation with landscaping and associated works

Pending consideration
- 3.2 PK16/2621/LB Conversion of outbuilding to ancillary residential accommodation
Pending consideration

4. CONSULTATION RESPONSES

- 4.1 Hawkesbury Upton Parish Council
No objection
- 4.2 Other Consultees

Listed Building Officer

Objection: the scale of the extensions raises concern, are not subservient to the main house. Revisions requested.

Updated comments:

The amendments that have been made to the scheme have ensured the scale of the extensions can be regarded as being in keeping with the scale, massing and proportions of the host building. No objection subject to conditions regarding samples of facing stone work and rainwater goods.

Georgian Society

Objection: proposed extension too cumbersome for a building of this size and delicacy, the proposal should be reduced in size

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against National Planning Policy Framework March 2012 and Planning (Listed Buildings and Conservation Areas) Act 1990.

5.2 *Impact on the listed building*

Highfield Farm is a modest farmhouse dating from the early nineteenth century (although the possibility that it is earlier has not been ruled out). It has an attractive principal elevation, a polite façade reliant on its symmetry and simplicity. The rear elevation is the most visible to the public as it fronts onto the main road.

5.2 During the course of the application given the objections received from the Listed Building Officer and the comments from the Georgian Society, revised plans were requested to reduce the overall size of the proposed two-storey side extension.

5.3 The amendments that have been made to the scheme have ensured the scale of the extensions can be regarded as being in keeping with the scale, massing and proportions of the host building. This mainly has seen the two storey side extension reduced from 5.5m to 4.6m, the ridge of the extension set down and the front of the extension set back by 500mm to ensure it clearly reads as being a subservient addition that can be viewed within the historic context of the building. With the principal elevation being a polite double fronted farmhouse that possesses a symmetrical elegance, any side extension would have an impact on its character and appearance, but as noted below, the amendments that have been secured will ensure that despite the increase in massing and change in form, the characteristics inherent within the principal elevation will be preserved.

- 5.4 Although matters of design are ones of some subjectivity, it is considered that in approaching the two-storey side extension, the right balance needs to be struck in the visual relationship it will have with its host. As, if through design and scale an extension is seen to integrate too successfully, then this can lead to a distortion of character and form of the host building. Conversely, if an extension fails to assimilate and reads as a discordant addition, then this would just as visually damaging.
- 5.5 What the proposed scheme achieves is considered to be the right balance in that the massing and proportions of the side extension gives the extension a character and appearance that although respectful, does not try to mimic the proportions of the main house. It therefore does not try to visually compete with the host and by not seeking to replicate its proportions, there is no distortion of the historic scale and massing of the building. In contrast reducing the extension down to 1no. bay would achieve a greater degree of assimilation, but the level of integration would be such that in views of the principal elevation, by repeating the proportions of the polite design of the host building, the overall result would be a dilution of its character, scale and form. Overall the result is a side extension that clearly allows the “new” and the “old” to be read separately and in historic context it leaves the host building the dominant feature.
- 5.6 The proposed rear extension would add a further gable roofed wing to the existing two wings present at either end of the rear elevation. Although the more public elevation, the character of the rear is one of informality, arguably vernacular which contrasts to the polite formality inherent to the front elevation of the main part or, original house. The rear extension would reflect the existing vernacular character and although there remains a degree of concern about the cumulative scale of the extension, it is difficult to consider the rear extension would be so harmful to the significance of the listed building that an objection could be sustained. To expand on this point, externally the significance of the building can be considered to be mainly derived from the formal appearance of the front elevation - its classical proportions and ashlar façade. The vernacular appearance of the rear elevation, although an important part of the development or history of the building, is not considered to be of such interest. Subsequently, it is considered that the proposal would result in the existing character and appearance of the rear elevation being preserved. In the absence of a roof plan, it is not however clear how the rear projecting wing would attached itself with the existing building and so details of this will be required through a condition.
- 5.7 Internally the partitions are to remain and so the cross passage configuration would be preserved. To access the extension 2no. openings at ground floor are to be created. The proposed new opening to access the new reception through to the kitchen is located within an existing two-storey rear wing and would see an existing window opened up, which is acceptable. There was however initial concern with the opening proposed for the snug, as the opening would be set to the left of an existing fire place/ chimney breast. On inspection this room is limited in scale and the chimney breast is at least faced with modern stone with cement mortar. Its appearance and character detracts from the building and so the proposals for it to be plastered over are welcomed.

It is not considered that the proposed new opening would upset any existing sense of balance within the room and it can be noted that the existing cupboard doors are to be extended to help retain (when they are closed) a balance with the cupboard doors to the other side of the fire place.

- 5.8 The windows on close inspection are considered to be modern sashes with crudely detailed chamfered glazing bars which although painted externally, are stained internally. Their loss is acceptable (as it would result in no loss of historic fabric) and the design and specification of the slim line (4mm glazed panels with 7mm cavity) double glazed sash windows replacements is also not considered to be contentious.
- 5.9 Although the proposals will result in the loss of historic fabric, this is not considered to be significant and would not affect the historic or architectural interest of the building. Subject to the conditions attached to the decision notice regarding details of external and internal doors, vents and flues, eaves, verges, ridges and valleys and new internal joinery rainwater goods, the proposed scheme is acceptable in terms of its impact on the listed building.
- 5.10 Comments from the Georgian Society are noted. The Council's Listed Building Officer is satisfied that the alterations would respect the host property but as the Georgian Society has not removed its objection this report appears on the circulated schedule.

6. CONCLUSION

- 6.1 The recommendation to **grant** Listed Building Consent has been taken having regard to the section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in the National Planning Policy Framework.

7. RECOMMENDATION

- 7.1 That the application be **approved** subject to the conditions outlined on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

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 shall be submitted and approved in writing by the local planning authority.

- a. All new external and internal doors (including frames and furniture)
- b. All new vents and flues
- c. Eaves (including rainwater goods), verges and ridges and valleys (in particular the junction of the new extension and the existing rear wing)
- d. All new other internal joinery (stairs/ skirting boards)

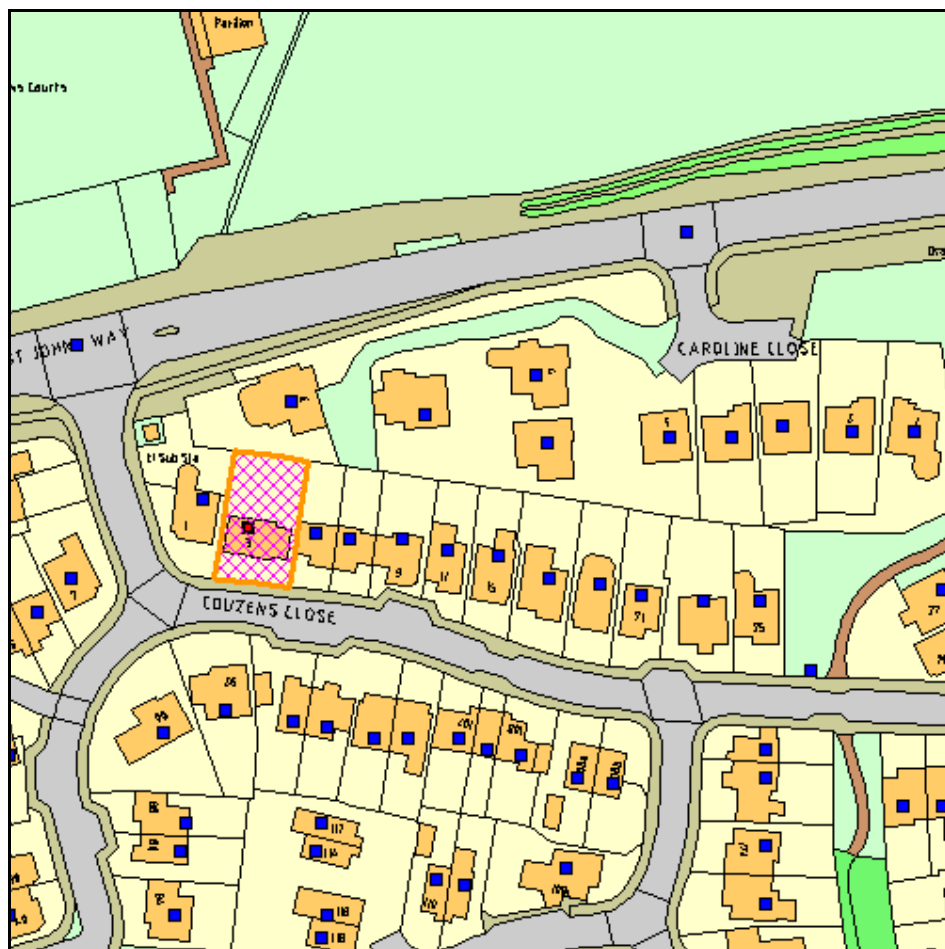
The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

CIRCULATED SCHEDULE NO. 29/16 – 22 JULY 2016

App No.:	PK16/2978/F	Applicant:	Mr Peter Napthine
Site:	3 Couzens Close Chipping Sodbury Bristol South Gloucestershire BS37 6BT	Date Reg:	25th May 2016
Proposal:	Change of use of part of garage from Residential (Class C3) to Dog Grooming Business (sui generis) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). (Retrospective).	Parish:	Sodbury Town Council
Map Ref:	372861 182615	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	18th July 2016



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PK16/2978/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is reported to Circulated Schedule because although Chipping Sodbury Town Council raised no concern they went on to raise concerns.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the change of use of part of the existing attached residential garage from residential (Class C3) to a dog grooming business (*Sui Generis*).
- 1.2 The site is a detached house in a residential estate location in Chipping Sodbury. The garage is located on the side of the house and access to the business area is via the existing side gate to the existing personnel door at the back of the garage. The front of the garage is retained for domestic use such that bikes/bins could be stored securely.
- 1.3 A statement received as part of this application indicates that:
 - the business would be run by the applicant's partner with no other employees.
 - The business would operate from their residential garage.
 - Hours of operation sought are 09.00 to 17.00 Monday to Friday and 12.00 to 16.00 on Saturdays.
 - Mostly there would only be one dog at a time.
 - There would be no congestion from parking as dogs will only be dropped off and picked up by their owners.
 - There would be no alteration to the visual appearance of the building.
 - Waste would be disposed of appropriately.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012 (NPPF)
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
E3 Proposals for Employment Development within the Urban Area
T12 Transportation Development Control Policy for New Development
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design

Supplementary Planning Policy Guidance
South Gloucestershire Residential parking Standards SPD adopted Dec 2016

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Chipping Sodbury Town Council
No objection but 'have strong concerns with regard to noise generation and trust that Environmental Health would monitor the situation prior to permanent planning permission being granted'.
- 4.2 Transportation
No objection, but would like to see two car parking spaces for the house and one for the business.
- 4.3 Environmental protection
No objection but suggest conditioning the proposed hours as those submitted and that only one customer dog is on site at any time unless another dog is from the same customer household.

Other Representations

- 4.4 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. There is therefore a presumption in favour of development subject to further consideration in relation to the policies of the local plan.
- 5.2 The applicant seeks planning permission for the change of use of a residential garage to a dog grooming business. This would be considered the creation of an employment use, and the main policy consideration would be saved Policy E3 of South Gloucestershire Local Plan (Adopted) January 2006 (saved policies). The following extract from the policy is relevant to this proposal:
- A. Development would not have unacceptable environmental effects; and*
- B. Adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on-street parking, to the detriment of the amenities of the surrounding areas and highway safety;*
- C. The character of the area or settlement is not adversely affected.*

- 5.3 Residential amenity and design are covered by Policy CS1 High Quality Design of South Gloucestershire Local Plan Core Strategy Adopted December 2013. The proposal must also satisfy saved Policy T12 Transportation Development Control of the South Gloucestershire Local Plan (Adopted) January 2006 as the business use will generate additional visitors to the site, albeit a small increase due to the number of dogs feasibly groomed per day.
- 5.4 Residential Amenity
The proposed business use would result in a small number of increased movements to and from the site but dogs do not stay on site after treatment. The dog grooming business operates with only one employee, the applicants partner, and would likely have only 2-3 dogs per weekday and 1-2 on a Saturday. The business works on a time slot basis and normally only one dog would be on site at any time. The Councils Environmental Health officer seeks to prevent more than one customer dog being on site at any time, although a second dog from the same household as the first would be acceptable. This should limit any disturbance to nearby residential properties. As such a condition is attached to that effect. Dog numbers and visitors are limited due to the size of the garage in any case and facilitating dogs from the same household to be brought and collected together will reduce visits to the site.
- 5.5 Dogs are kept within the garage during the grooming process and a small fence has already been erected within the garden to limit much access past the garage door. The garage has already been converted internally and it is clear that all washing and noise related to the business use of this part of the residence will take part internally behind a double glazed garage door.
- 5.6 The application site is surrounded by residential development. The proposal will generate additional visits to and from the property but these visits are not considered to be material in number in relation to the nature of the street and would only be within sociable hours. Therefore to ensure that the hours of operation and vehicle movements associated with the business are unlikely to disturb nearby neighbours it is recommended that a condition is attached to the planning permission to limit hours to those requested. This condition will ensure that the dog grooming business only operates between the hours Monday to Friday 09.00 to 17.00 and Saturdays 12.00 to 16.00 with no dog grooming business use on Sundays and Bank Holidays.
- 5.7 On this basis, it is considered that the proposed development would not give rise to unacceptable levels of disturbance, which would prejudice the environment or residential amenity. The development therefore accords with policies CS1 and E3.
- 5.8 Chipping Sodbury Town Council allude to Environmental Health monitoring the site prior to permanent planning permission being granted. It is known that works to the garage have been carried out already but the business is not operational and this is not an application for temporary planning permission. There is therefore nothing to monitor prior to a decision being made and subject to the conditions set out below there is no reason to grant only a temporary planning consent.

5.9 Transportation

The site is in a quiet residential street and there are no parking restrictions in operation with ample on street parking available for customers including in two small laybys in the streetscape. The house also has two onsite parking spaces, one of which would likely be used by customers dropping off dogs unless they are walked to site.

5.10 The Highways officer has recommended that an additional car parking space should be made available for such a business use. However given the limited visits to the property to drop off and pick up dogs, the likelihood that that one of the off street spaces would be available during operational hours, the short dwell time of the customer dropping of a dog and the ample on street unrestricted parking and layby facility witnessed by your officer, it is considered unreasonable to require a further parking space in this instance. Furthermore the creation of an additional space would also require the removal of a hedge along the front of the property which is a characteristic of the street. The business is shown to be operated only by a resident at the house and in light of this, given that 'staff' parking over and above residential parking would not be necessary it is considered necessary to condition that the business remains operational only by a resident at 3 Couzens Close.

5.11 Accordingly there is no objection in highway safety terms. On this basis the development accords with policy T12 and E3.

5.12 Design

The development would not result in any external alterations to the garage or dwelling house. Therefore the character and appearance of the area and visual amenity would be maintained, in accordance with policies CS1 and E3.

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 planning 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. The use hereby permitted shall not be open to customers outside the following times Monday to Friday 09.00 to 17.00 hours and Saturdays 12.00 to 16.00 hours. No working on any Sunday or Public Holiday.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies E3 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

3. The business use shall operate only in accordance with the 'Statement in relation to Business Model' received 19/5/16'.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies E3 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

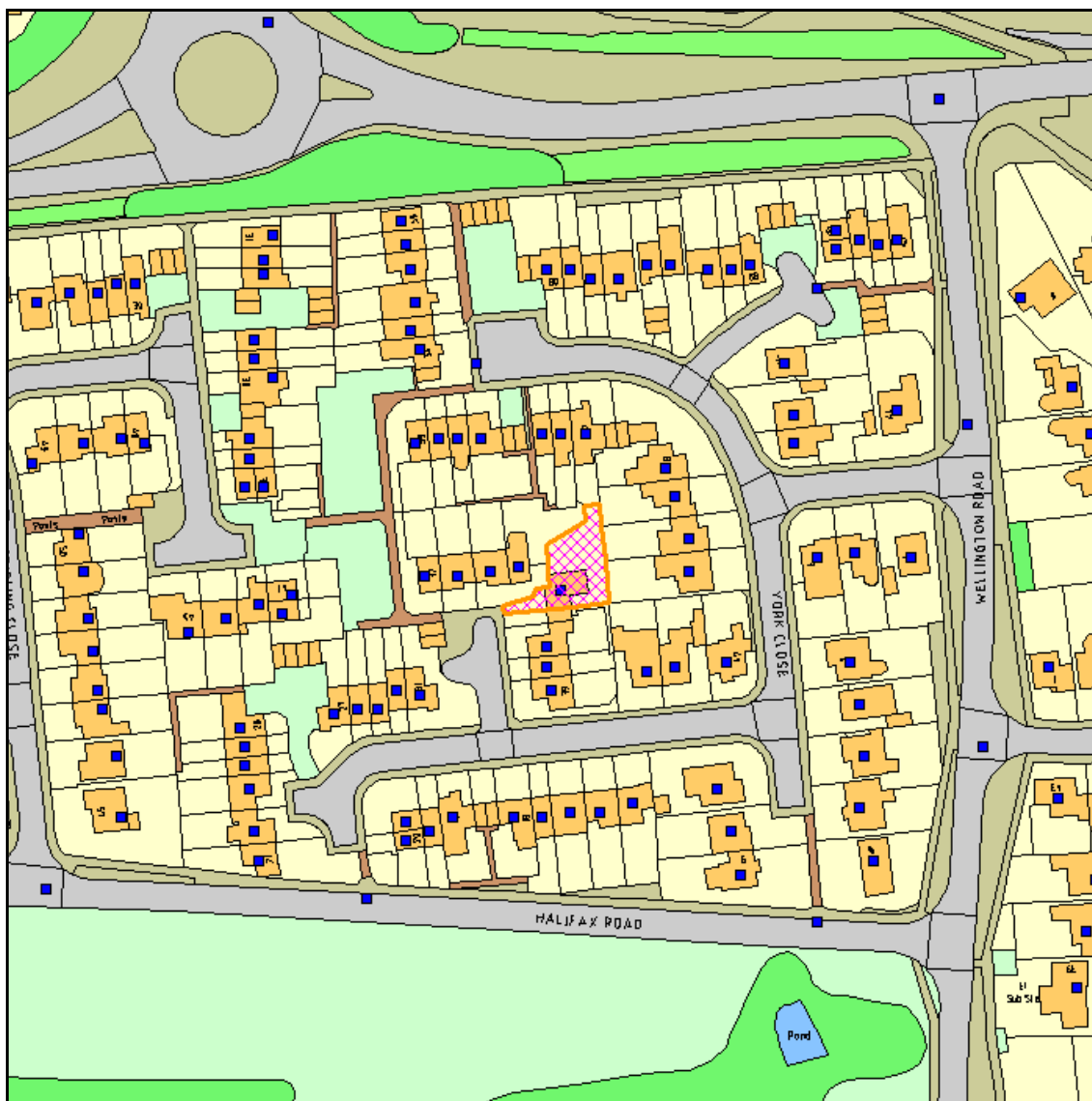
4. Only one customer dog, or two customer dogs if from the same household, shall be on site or at the address known as 3 Couzens Close at any time.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies E3 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

CIRCULATED SCHEDULE NO. 29/16 – 22 JULY 2016

App No.:	PK16/3294/F	Applicant:	Mr Tim Gray
Site:	36 York Close Yate Bristol South Gloucestershire BS37 5XB	Date Reg:	1st June 2016
Proposal:	Erection of first floor side extension and single and two storey rear side extensions to provide additional living accommodation.	Parish:	Yate Town Council
Map Ref:	371082 183604	Ward:	Yate North
Application Category:	Householder	Target Date:	21st July 2016



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PK16/3294/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following comments received from the Town Council contrary to Officer recommendation.

1. THE PROPOSAL

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

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Planning Policy Guidance 2016

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
CS30 Yate and Chipping Sodbury

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

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

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|---------|--------------------------|------------|
| 3.1 | N593/92 | Approved with Conditions | 28/07/1983 |
|-----|---------|--------------------------|------------|

Erection of 76 dwellings with associated garages, construction of access roads and provision of landscaping. (In accordance with the revised layout plan received by the Council on 14th July 1983).

- 3.2 N593/68 Refused 16/09/1982
Erection of 133 houses and associated roads, footpaths, accessways, screen walls and garages (in accordance with the revised plans received by the Local Planning Authority on 1st September, 1982).
- 3.3 N593/4 Approved with Conditions 19/07/1976
Erection of 1,101 terraced, semi-detached and detached dwellings and garages; erection of 1 small supermarket and six shops with flats above; construction of associated estate roads, footpaths and parking spaces; provision of open spaces, a primary school, social services facilities and community facilities, on approximately 125 acres.
- 3.4 N593/1 Approved with Conditions 19/07/1976
Residential and ancillary development on approximately 125 acres (Outline).

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Object

Has the house behind been consulted?

If the house behind are concerned, then we share their concerns.

4.2 Other Consultees

Sustainable Transport

The development proposes to extend the existing dwelling to provide additional living accommodation. After development the bedrooms within the dwelling will increase to four. Although the existing garage will remain after development, the reduced width will make it unsuitable for the storage of a motor vehicle thereby reducing the level of parking available within the site boundary.

The Council's residential parking standards state that a dwelling with up to four bedrooms requires a minimum of two parking spaces to be provided. Without the garage the site would only have one parking space after development which would result in additional on-street parking which would cause congestion and hazards for other road users.

In light of the above, the development is recommended for refusal.

Updated comments

A revised plan has now been submitted which shows that the proposed alterations to the existing garage have been removed. As there will now be no change to the existing parking arrangements and the level of parking available complies with the Council's residential parking standards for the size of the proposed dwelling, there is no transportation objection to the proposed development.

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

5.2 Design and Visual Amenity

The application site is part of a small cul-de-sac of similar designed and proportioned properties. The area is characterised by most of the houses being link attached to its respective neighbour by their single garages. No. 36 is linked on one side to its respective neighbour at No. 38. No. 36, however, and the properties to its south are part of a grouping of four, but the host dwelling is set back from the other three.

- 5.3 The proposal comprises a number of elements and for the sake of clarity it is useful to separate them as below:

5.4 *First floor extension over existing garage*

As mentioned above the property benefits from an attached single storey garage which is also attached to the neighbour's garage at No. 40. The proposal would introduce a new bedroom above this structure. The proposed first floor extension would infill the gap between the application site and the neighbour's garage at No. 38. Should issues of maintenance arise that might affect the neighbour, then this would be a civil matter to be discussed between the respective parties. The proposed addition would be flush with the main building line and match the main ridge line. Openings would be to the west elevation. The proposed first floor extension above the existing garage is therefore acceptable in design terms.

5.5 *Two storey side/rear extension and single storey lean-to extension*

Following on from this new structure above the garage, is a proposed two-storey side/rear extension and single storey lean-to addition. This would effectively infill the gap between the rear of the existing single storey garage and the main house and the proposed extensions would extend out from the existing rear building line by approximately 2.45 metres. Again, the two storey element would be up to the boundary line with the neighbours.

At first floor, this addition would create a new bedroom and at ground floor it would create a new kitchen. Openings would be to the south and north. The two-storey infill with its associated single storey element is considered acceptable.

5.6 *Design Summary*

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

5.7 *Residential Amenity*

The proposed first floor side and two storey rear/side extensions would as mentioned above, infilling behind the single storey garage and up to the boundary with the neighbour at No. 38. Neighbours at No. 37 are separated from the proposed extensions by No. 38's linked garage and their respective attached single storey garage. Officers note that there is a first floor side landing window in the opposing elevation of this property; although there would be changes resulting from the development it is considered that as the room does not serve a primary function, the impact on the residential amenity would not be of an unacceptable level.

5.8 Moving onto the adjacent neighbour to the south at No. 38. Neighbours here access their garage via their own private alleyway running to the rear of No. 37 and to the side of the application site. The boundary between the host property and this alleyway is marked by 1.8 metre high fencing, but this will be replaced by the side elevation of the proposed two storey side/rear extension. A high level window is proposed in this wall. Given the degree of separation between the application site and neighbours to the south, the proposal would not have a negative impact on the terrace here in York Close.

5.9 The proposed two-storey rear/side and single storey extensions would extend out from the rear building line by about 2.45 metres. Neighbours to the east at No. 43 are about 15 metres away from the proposed extension, separated by 1.8 metre high fencing. It is acknowledged that there will be changes resulting from this application, but the orientation of the site results in the extension being to the west of No. 43 limiting the impact in terms of shadowing to late evening. The impact on the residential amenity would therefore not be of an unacceptable level.

5.10 A first floor window and a ground floor window/door will be introduced in the north elevation facing the rear garden. Neighbours to the north at No. 47 are approximately 25+ metre away from the proposed two-storey side/rear extension, separated by 1.8 metre high fencing. Given the degree of separation between the application site and neighbours to the north, the proposal would not have a negative impact on the end-of-terrace property her in York Close.

- 5.11 A first floor window would be located in the front elevation facing front gardens of a row of properties to the west, a footpath and a set of detached double garages. Such views are not uncommon for housing layouts of this kind.
- 5.12 The above has shown that the proposal would not have an unacceptable adverse impact on the residential amenity of the closest neighbours. Furthermore, sufficient garden space would remain to serve the property and as such the proposal accords with Policy H4.
- 5.13 Sustainable Transport
Following the development, the extended property will have 4no. bedrooms. Vehicular parking for a dwelling is assessed on the number of bedrooms available within a dwelling. A dwelling with four bedrooms requires a minimum of two parking spaces to be provided within the site boundary. Details show one vehicle within the garage and one parking space can be achieved on the existing driveway. The proposal therefore accords with adopted parking policy and can be recommended for approval.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

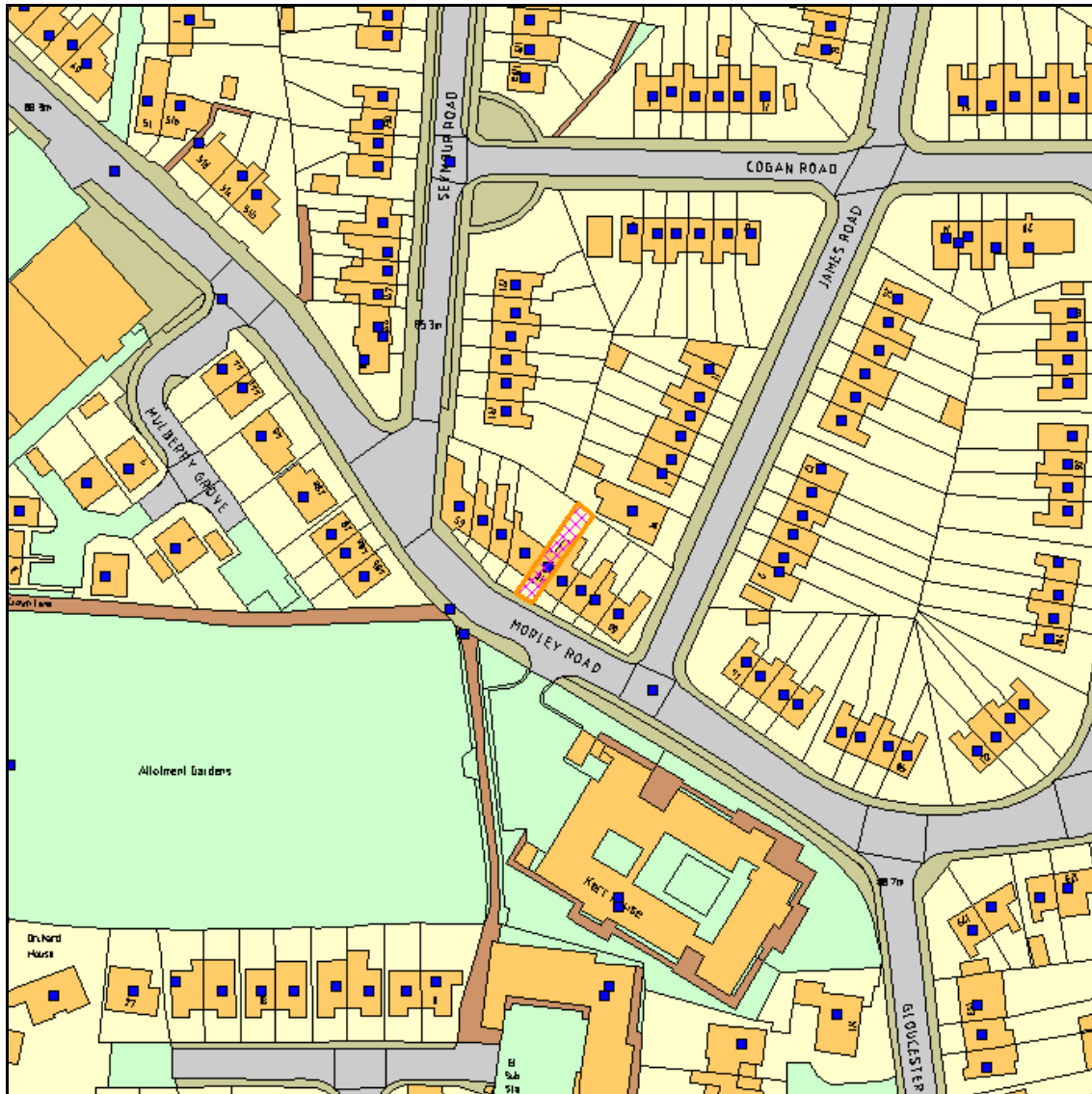
2. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the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

Reason

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

CIRCULATED SCHEDULE NO. 29/16 – 22 JULY 2016

App No.:	PK16/3491/F	Applicant:	Mr Liam Horton
Site:	61 Morley Road Staple Hill Bristol South Gloucestershire BS16 4QY	Date Reg:	3rd June 2016
Proposal:	Erection of a single storey side and rear extension to provide additional living accommodation.	Parish:	None
Map Ref:	365071 175331	Ward:	Staple Hill
Application Category:	Householder	Target Date:	29th July 2016



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PK16/3491/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey side and rear extension to provide additional living accommodation.
- 1.2 The application site relates to a two-storey terraced property situated within the established area of Staple Hill.
- 1.3 During the course of the application revised plans were received which changed the design of the scheme to remove any features overhanging the garden of the next door neighbour.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy 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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Residential Development within Existing Residential Curtilages
- 2.3 Emerging policy: South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016
PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages
- 2.4 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
The area is unparished

Other Representations

4.2 Local Residents

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

- No objection in principle
- Our wall runs alongside the boundary and the extension will be built up to the wall. We want our wall to remain intact with no structural damage or its stability compromised
- How will wall be finished as will not be accessible once complete
- No drawings showing the height of the extension
- The rainwater guttering should not overhang our garden

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. Of particular importance is the resulting appearance and the impact on the host property and character of the area in general. Any impact on residential amenity of both the application site and its closest neighbours must also be fully assessed.

It is considered that the proposal accords with the principle of development and this is discussed in more detail below.

5.2 Design and Visual Amenity

The application site benefits from a two-storey rear extension across half the width of the rear elevation. This feature also has a small single storey flat roofed element projecting further into the rear garden. The proposed single storey rear extension would infill the area to the side of the two-storey part and its hipped roof would wrap around to incorporate the existing single storey extension. In total the rear addition would measure about 6 metres wide. The length would match that of the existing extension and plans indicate it would achieved a height of 2.2 metres to eaves and an overall height of 3 metres. It would have a hipped roof across the single storey element and the boundary in between it and the neighbour to the west would be a 3 metre parapet wall.

5.3 Good quality materials would be used in the construction and in terms of its design, scale and appearance the proposals is considered acceptable.

5.4 Residential Amenity

The changes in the design as submitted during the course of the application are now considered to address all concerns regarding any development overhanging the neighbour's garden. As can be seen in the design section the proposal would have a parapet roof closest to this neighbour and in addition the design shows there would be no openings in the side elevation and therefore no issues with regards to overlooking or inter-visibility would arise from this development. Given the orientation of the properties, it is noted that there would be some small changes to the early morning light entering No. 59 but as the application site already has a two-storey rear extension then this would not have a sufficiently adverse impact so as to warrant a refusal of the application.

5.5 Other matters

Comments from the neighbouring dwelling with regards to the potential impact on an existing wall and maintenance issues are noted. However, this does not fall under the remit of a planning application assessment and as such must be dealt with as a civil matter between the two the parties.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

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

Reason

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

Applicant: Home Orchards
Developments Ltd

Date Reg:

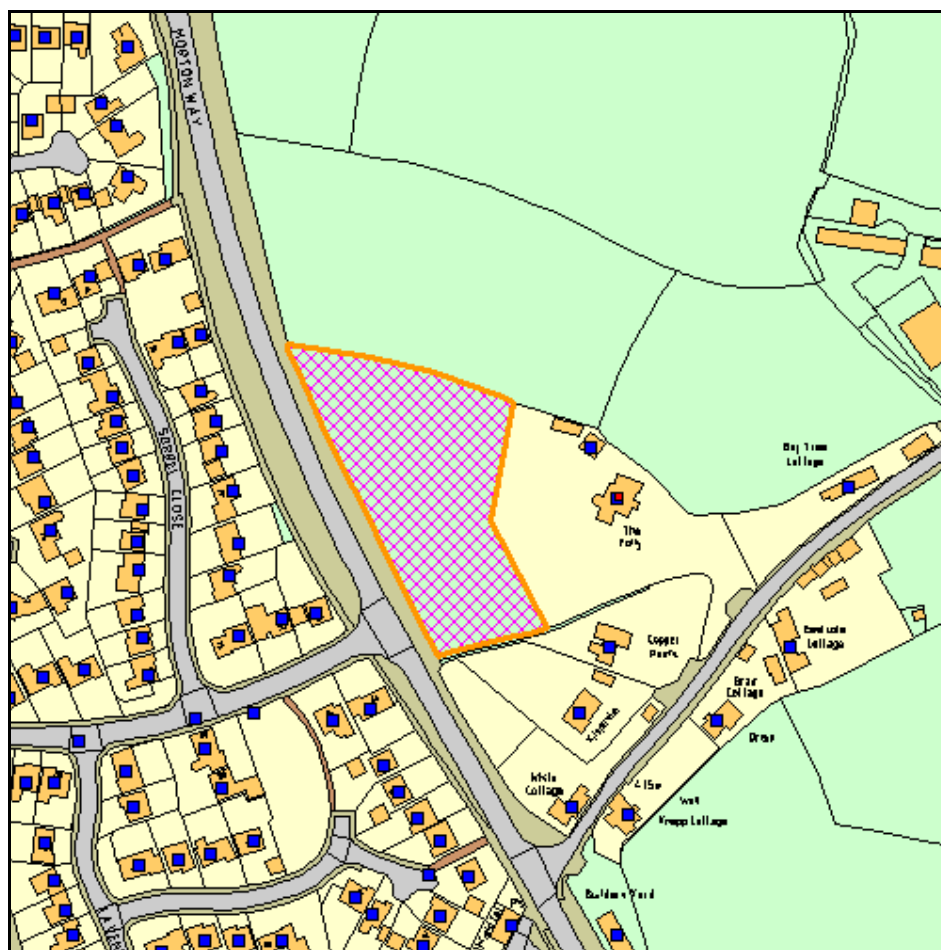
Parish: Thornbury Town Council

Ward: Thornbury North

Target 14th April 2016

Category:

Date:



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PT16/0088/O

REASON FOR REPORTING TO CIRCAULTED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of objection from local residents and Thornbury Town Council.

1. INTRODUCTION

- 1.1 This application seeks outline planning permission for the erection of 9 no. dwellings at the Folly Crossways Lane, Thornbury. The means of access is to be determined at this outline stage and all other matters, (scale, layout, appearance and landscaping), are reserved for future consideration. A new access is proposed to serve the development from Morton Way. An Extended Phase 1 Ecological Survey has also been submitted.
- 1.2 The site is approximately 0.5 hectares in area and consists of a field of semi-improved grassland, which lies to the east of Morton Way and just outside the settlement boundary of Thornbury and it is not situated within any land-use designations or the Bristol / Bath Green Belt. The site is classified Grade 2 in accordance with the Defra Agricultural Land Classification Map.
- 1.3 The site comprises a field, which is within part of the curtilage of The Folly and there are a number of residential properties lies to the south and southeast of the site. The boundaries include a row of hedgerows on the western side of the site. There are other trees generally along the boundaries of the site. It is proposed to remove a part of the hedgerow at the west of the site to create a new access. The indicative layout shows that the existing trees and shrubs along the site boundary would be retained and the new dwellings would be set back from the existing tree groups, and there are new plantings within the proposed public open space.
- 1.4 Opposite to the site along Morton Way, there is a group of two-storey detached dwellings fronting onto Morton Way. To the north, there is a Bloor Homes site, which has been granted planning permission for a residential development.
- 1.5 The proposal, would introduce a new access road from Morton Way to the site. Although the layout of the development is not being proposed as part of this outline application, the indicative site plan shows there would be 2 groups of dwellings along the new access. Five of them would be backing onto Morton Way with some planting in rear gardens along the western boundary. An area of public open space is also proposed within the site. The plan has indicated that the development comprises a group of detached dwellings with a double garage.
- 1.6 The proposal would include 35% affordable housing on site along with on-site provision of public open space. The applicant has also agreed to enter into a legal agreement to secure the obligations as set out in Section 7 of this report

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) March 2012
National Planning Policy guidance (NPPG) 2014

2.2 Development Plans

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

H3 Housing in Rural Areas
T12 Highway safety
L9 Species Protection
L11 Archaeology
L16 Protecting the best agricultural land
LC2 Contributions for Education Facilities
LC1 Contributions for Community Facilities

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS5 Location of Development
CS6 Infrastructure and developer contributions
CS8 Improving Accessibility
CS9 Heritage and the natural environment
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community Infrastructure and Cultural Activity
CS24 Sport and recreation standards
CS34 Rural Areas

2.3 Supplementary Planning Guidance and other relevant documents

Residential Parking Standards SPD (Adopted 2013)
Affordable Housing and Extra Care Housing SPD (Adopted May 2014)
South Gloucestershire Biodiversity Action Plan (Adopted)
The South Gloucestershire Design Check List SPD (Adopted August 2007)
Trees on Development Sites SPD Adopted Nov. 2005
Waste Collection Guidance for new developments January 2015 SPD
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – Adopted March 2015
South Gloucestershire Health Improvement Strategy 2012-2016

2.4 Emerging Plan

Policies, Sites & Places Development Plan Document (Draft) June 2014

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity

PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourses Management
PSP21	Environmental Pollution and Impacts
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 P93/1987 Erection of two storey side / rear extension to form study, dining room, kitchen, utility room, family room and conservatory with two bedrooms, two bathrooms and dressing room over. Approved 19/09/1987

It should be noted that the following outline planning permission was allowed by the Planning Inspector in 2013 on the adjacent site (Bloor Home residential development), which lies to the north of the application site. (It should be noted that this approved development is situated within the allocated site in the adopted Core Strategy).

- 3.2 PT12/2395/O Residential development across 22.43 hectares of land comprising up to 300 new dwellings (Use Class C3) and a local shop (Use Class A1) with supporting infrastructure and facilities including vehicular access from Morton Way, public open space and landscaping. Hybrid application comprising full planning application for 109 new dwellings, outline application with all matters reserved except access for up to 191 new dwellings and a local shop.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
Objection. The proposed development is outside the development boundary and is, therefore, inappropriate. The low density of housing shows poor use of the land and does not contain a mix of dwellings that would meet the local needs, particularly as it contains no affordable housing
- 4.2 Wessex Water
Regarding the water supply and waste connections, the applicant is advised that Bristol Water is responsible for water supply in this area. Waste water connections will be required from Wessex Water to serve the proposed development.
- 4.3 Archaeology Officer
No objection subject to a condition requiring the undertaking of a programme of archaeological evaluation to be undertaken and submitted in support of any reserved matters applications.
- 4.4 Waste Engineer
No objection.

- 4.5 Highway Drainage Engineer
No objection subject to a condition requiring details of surface water drainage including SUDS.
- 4.6 Art and Development Officer
No comment.
- 4.7 Urban Designer
No objection to the principle of development but would request that any subsequent reserved matters for layout, appearance, etc should be informed by a local character appraisal and that any grant of permission for this application is made 'notwithstanding' the submitted layout.
- 4.8 Landscape Officer
No objection subject to a condition requiring a 1:200 scaled planting plans together with a landscape and ecological management as part of the reserved matters applications.
- 4.9 Arboricultural Officer
Trees and hedges occupy the boundary of this site and could potentially be affected by the site layout of the proposals. It is advised to submit a tree report to BS5837:2012 including an arboricultural implications assessment, an arboricultural method statement and a tree protection plan.
- 4.10 Highway Officer
No objection subject to a Grampian condition that requires the proposed footway link and footway within the development to be completed prior to the first occupation in accordance with plan 030W16/01.
- 4.11 Ecology Officer
No objection subject to conditions requiring the existing hedgerow not to form part of the garden layout and a reptile including European hedgehog survey to be carried out and submitted to the local planning authority for approval.
- 4.12 Children and Young People Team:
No comment.
- 4.13 Enabling Officer
The application is for 9 dwellings on 0.51 hectares. Policy CS18 requires developers to achieve 35% on-site affordable housing on all new housing developments in urban areas of 10 or more dwellings, or 0.33 hectares irrespective of the number of dwellings or in rural areas where the threshold will be 5 or more dwellings, or 0.20 hectares irrespective of the number of dwellings. The site is located outside the settlement boundary of Thornbury and is therefore considered as a rural site triggering policy CS18 in terms of number of dwellings and site area.
- Based on a total of 9 dwellings, 3 of them should be provided as affordable housing. Two of 3-bed houses should be provided for social rent and 1 of 3-bed house should be provided for shared ownership.

4.14 Community Infrastructure Officer

The outline application for erection of 9no dwellings currently falls below our threshold for requiring S106 contributions towards open spaces which is a net gain of 10 or more dwellings. However, the application includes an area of on-site open space. Based on the submitted plan, should the Council be required to adopt the on-site open space and take on the future maintenance, then a contribution of £21,921.07 would be required. Should the applicant proposes private management of POS, then the Council charges a fee of £768.32 plus £500 core service fee to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity.

Other Consultation Responses

4.15 Local Residents

Five letters of objection and one letter of general comments have been received and the following is a summary of the comments received from members of the public during the consultation period associated with this application. (Full comments can be viewed from the Council website)

Highway issues

- As long as the access to the development is not onto Crossways Lane we do not object to the proposals
- Strongly object to access being sought onto Crossways Lane as the Lane already suffers from major congestion issues due to its narrow width and lack of any pedestrian footpaths. The Lane is heavily used for recreational walking, running, horse riding and cycling at all times of the day and during every day of the week. Morton Way entrance to Crossways Lane is dangerous due to a blind corner.
- Change dramatically the Crossway Lane for the worse
- The new junction is poorly located and likely to risk further accidents on Morton way
- Having an entrance for only 9 dwellings seems questionable
- Recent building works causing disruption to traffic flow and damaging the verges
- Bloor Home development provides for finance solely towards a Quiet Lane scheme on Crossways Lane. Thus this status is assured and any plans which lead to traffic along the lane to cater for a housing development leading off it, the proposal is incompatible with this. Increase in traffic onto Crossways Lane, either during the building phase or after completion, would not be in line with the agreed Quiet Lane status plans.

Environmental issues

- Loss of hedgerows and a large range of wildlife habitat. Strongly disagreed with the Extended Phase 1 Habitat Survey. A small plot of green land becomes invaluable to the survival of local wildlife species. Further and detailed habitat / ecological are undertaken throughout the next 12 months before any ecological conclusion.

- Ruin the natural environment
- Encroach on the natural boundary between the greenfield area to the south and the sprawling development already taking place
- The proposal does not display appropriate use of the space available.

Amenity issues

- The development brings no social or economic benefit to Thornbury
- The recent large residential development destroy this small market town with strong community spirits
- The Bloor Home provides a Crossways Lane Separation Strategy. The proposal undermines this Strategy, which is to provide green space in the form of recreational area, community orchard or allotments between the development and the existing conurbation of Crossways. The proposal directly onto the Bloor site with no green space separation shown. The separation should be a feature of the design as such the no. of houses being reduced on either the north or the south side of the development.
- Creating extra noise, traffic and light pollution from headlights, do not want a large building site creating noise at all hours, dust , mud, mess and construction traffic polluting our space
- Affect children health due to dust pollution
- The site has a potential to house more than 9 individuals and this would stretch the existing local amenities including healthcare and education facilities.
- The ultimate requirement is for affordable housing.

5. Principle of Development

- 5.1 The application stands to be assessed against the above listed policies and all material considerations. On 27th March 2012 the National Planning Policy Framework (NPPF) was published. The policies in this Framework are to be applied from this date with due weight being given to the saved policies in the South Gloucestershire Local Plan 2006 (SGLP) subject to their degree of consistency with this Framework. It is considered that the Local Plan policies as stated in this report are broadly in compliance with the NPPF.
- 5.2 The Annual Monitoring Report (December 2015) shows that South Gloucestershire Council does not currently have a five year housing land supply. As such paragraph 49 of the NPPF is engaged and Policy CS5 is considered out of date. Paragraph 49 declares that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF goes on to state that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. Notwithstanding the above, the adopted development plan is the starting position.

- 5.3 In this proposal, of particular relevance is that the site is situated just outside the defined settlement boundary of Thornbury (which is identified by the adopted Core Strategy, Changes to the Policies Map) and therefore in the open countryside where development is strictly controlled. This is emphasised under paragraph 55 of the NPPF which the avoidance of isolated homes in the countryside unless there are special circumstances. Saved Policy H3 of the Local Plan expressed the same spirit. The Folly is located within the Rural Areas, as defined in the Council's adopted Core Strategy, and it lies outside the closest settlement boundary of Thornbury. The Core Strategy Inspector confirms in his Report (paragraph 63) that he supports the Council's view that a dispersed pattern of development in the rural areas is not sustainable. Although it is acknowledged that Policy CS5 is out of date due to the lack of 5 year land supply, the principle of limiting development in the countryside is embodied in Policy CS5 (Location of Development) and also in CS34 (Rural Areas) of the Core Strategy. Emerging PSP 40 also restricts rural development and these policies set the context for which development affecting a rural area must be assessed against.
- 5.4 Paragraph 55 of the NPPF deals with development in rural areas stating that in order to promote sustainable development housing should be located where it will *enhance or maintain the vitality of rural communities* but that local planning authorities *should avoid new homes in the countryside unless there are special circumstances*. These can include:
- the essential need for rural workers to live near their place of work; or
 - where it would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
 - where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
 - be of exceptional quality or innovative design
- 5.5 Although the site is situated outside the existing settlement of Thornbury, it is immediately adjacent to the defined settlement boundary of Thornbury to north and to the east. The planning history reveals a major residential scheme has consent within that area. There are also more sporadic residential development (including The Folly) to the east and south. Effectively this relatively modest parcel of land will be wrapped around by development. Furthermore, the site is situated along Morton Way and there are bus stops available within the locality. There are also a number of schools in the area, e.g. new Siblands School, Crossways Infant and Junior School, as such the site can be considered as sustainable location. The Town centre is reached just as easily as from the adjacent major residential development scheme. On this basis the site could not reasonably be called isolated, and would not read as open countryside as such. Accordingly there is no significant or demonstrable harm on this basis to resist the presumption in favour of residential development.
- 5.6 **Agricultural Land**
Paragraph 109 of the NPPF states the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils and Policy

CS9.9 of the adopted Core Strategy seeks to maximise opportunities for local food cultivation by (a) avoiding the best and most versatile agricultural land. The site is classified as Grade 2 Agricultural Land which is a lower grade of land. The site comprises a relatively small amount of land located between the consented major housing scheme to the north and more sporadic residential development to the east and south. Accordingly, the loss of this from agricultural production is most unlikely to materially affect the best and most versatile agricultural land. It is considered to comply with the approach in policy CS9.

- 5.7 There is a presumption in favour of the development, the 9 additional houses would make a modest contribution to overall housing supply and 3 of these would be affordable housing units which attracts considerable weight in favour. It is in a sustainable location directly adjacent to the development boundary and other residential development.

Reserved matters

All matters relating to landscaping, access, design, scale and layout are reserved, accordingly the following matters are considered in general terms at this stage.

5.8 **Density**

The proposal would result in an additional 9 units to the housing supply, 3 of which would be affordable homes. This would equate to a density of approximately 17 houses per hectare. This is a low density development, and it is right to consider whether this represents the most appropriate approach to this site. As described above this site is sandwiched between the major housing development to the north; and sporadic residential development. It therefore presents itself as a transitional area between what will potentially be 30-50 dwellings per hectare on the modern housing development and 5 dwelling per hectare or less for the established detached houses along Crossways Lane. It is accepted that this would be a reasonable design approach, and would allow scope for a high quality design between these two areas.

A further reason for questioning the appropriateness (or otherwise) of the density is in relation to whether there is an attempt to avoid affordable housing triggers. This is not the case here as will be seen from the section on affordable housing.

5.9 **Design and Visual Amenity**

The illustrative plan shows a traditionally engineered low density 'cul-de-sac' arrangement with 9 detached units, with projecting garages and backing onto Morton Way. Officers consider that the indicated layout fails to respond to local distinctiveness and would be car dominated. Notwithstanding this the site provides the opportunity to serve a mix of units, in a layout that responds to the rural character of the site and local distinctiveness and provide surveillance over Morton Way. As it is an outline application, officers therefore have no objection to the principle of the development subject to appropriate conditions notwithstanding the submitted layout. Any subsequent reserved matters application will need to be informed by a local character appraisal (locally

distinct forms and buildings found in Thornbury centre and nearby historic buildings), but not a description of the 1980's estate opposite. It is clear that the illustrative plan is unlikely to be acceptable in terms of layout, but does show that this level of development can be accommodated.

5.10 Landscape assessment

This is a reserved matter the details of which would be submitted in a subsequent full planning application but nevertheless, some general impact can be anticipated and the following assessment is useful.

- 5.11 The Council Landscape Officer has considered the submitted scheme and officers also acknowledge residents' objection regarding the impact upon the Crossways Separation Strategy. Although it would extend development further south to the edge of bowl landform, the proposed development does not encroach into the higher landform and ridgeline, therefore the development would be visually well contained within the wider landscape. Officers consider that the proposal would not undermine the existing Crossways Separation Strategy due to its location, however consider the final layout should tie in with the residential development by Bloor Home, which lies to the north of the site. Subject to conditions securing a detailed and appropriate planting plan and a landscape and ecological management plan as part of the future reserved matters application, it is considered that the proposed development would not be harmful to the landscape character of the locality.

5.12 Access and Transportation issues

Officers and the Council Highway Officer acknowledge the residents' concerns regarding the highway safety relating the new junction onto Morton Way and the potential traffic onto Crossway Lane, and the potential impact upon the Quiet Lane Scheme agreed by the Council with the Bloor Home development.

- 5.13 Paragraph 32 of NPPF states that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residential cumulative impacts of development are severe.
- 5.14 The Highway Officer considers that the access arrangement is capable of serving much higher density from the transportation perspective. The proposed development will be served by a simple junction onto Morton Way, which is subject to a 40mph speed limit in the vicinity of the site. Public transport and a bus stop are available within a relatively short distance from the site. Although this is limited to a local service, it does link with wider services available on the High Street. It is therefore considered that the proposal would unlikely to cause a significant and demonstrable harm to warrant a refusal of this application on highway ground.
- 5.15 Officers acknowledge that there is a financial contribution by Bloor Home development towards the Quiet Lane Scheme onto Crossways Lane. Given the scale and the location of this development, officers consider that the proposal would only make minimal impact upon the Scheme and it would not

undermine the agreed Scheme. Additional contributions from this scale of development would not meet the national tests.

- 5.16 Therefore there is no highway objection to this proposal subject to a condition to secure a footway link and footway within the development.

5.17 Ecology

Officers acknowledge the residents' concerns regarding the ecological impact of the proposal. The Council Ecologist has considered the submitted plan, including the Extended Phase 1 Ecological Survey and the subsequent further details.

- 5.18 It is a 0.5ha site consists of a field with several habitat types, lying immediately east of Morton Lane on the eastern edge of Thornbury. Agricultural land lies to the north, while to the south and east are residential properties and gardens. There are no statutory wildlife sites within 1km of the site. One Site of Nature Conservation Interest, Crossways Wood, lies within 1km south of the site but is extremely unlikely to be affected by the proposal. The Council Ecologist has noted that two trees in the northern hedgerows have high bat roost potential and the existing hedgerows have potential to support Hazel dormouse. The applicant submitted an Extended Phase 1 Habitat Survey and a further report regarding Great Crested Newts as the ditch and the other habitats on site have potential to support this species.

- 5.19 Officers have considered the submitted ecological details and concluded that there is no ecological objection to the proposal subject to conditions securing the existing hedgerows not to form part of garden layouts and a reptile survey to be carried out and its report submitted with the future reserved matters applications.

5.20 Drainage

The applicant indicates that the foul sewage will be connected to mains sewer and the surface water will be disposed of via sustainable drainage system. Officers and the Drainage Engineer have considered the proposal and raised no drainage objection to the proposal subject to a condition securing details of surface water drainage proposal.

5.21 Archaeology

The proposed development lies within an area of known archaeological potential however an archaeological evaluation has not been carried out to clarify the nature and extent of surviving archaeological remains nor has appropriate archaeological mitigation been put forward. On the basis that archaeological evaluations have been undertaken in the vicinity of the site and in light of the fact that the application is in outline only, it is possible to relocate the dwellings within the site if archaeological remains of national importance are revealed during subsequent archaeological work. In this instance, officers consider that the evaluation could be undertaken in advance of the submission of any reserved matters applications. Therefore there is no archaeological objection to the outline application subject to a condition requiring the undertaking of a programme of archaeological evaluation to be undertaken and

submitted in support of any reserved matters applications. The evaluation should include geophysical survey and trial trenching to test the results of the geophysical survey and should be undertaken prior to the undertaking of any ground disturbance in respect of the proposed development and construction of the proposed access.

5.22 Affordable housing

Policy CS18 deals with the need for affordable housing provision to meet housing need in South Gloucestershire. As such development should aim to achieve 35% affordable housing on all new housing developments. In rural areas the threshold is 5 no. or more dwellings or a site of 0.20ha. As this scheme is for 9 no. houses, this equates to three affordable units. It is acknowledged that the applicant has agreed the required provision of affordable housing units including the tenure split. The proposal therefore comply with the adopted Core Strategy and the relevant SPD subject to a S106 agreement to secure 3 no. affordable housing units and tenure split (including the Design and Specification criteria, etc)

- 35% of dwellings to be delivered as affordable housing. Based on a total of 9 dwellings, **3 should be provided as affordable housing units.**
- Tenure split of 80% social rent and 20% intermediate housing, as identified by the West of England Strategic Housing Market Assessment (SHMA) 2009. Based on the **SHMA tenure split 2 dwellings should be provided for social rent and 1 dwelling should be provided for shared ownership.**
- A range of affordable unit types to meet housing need based upon the findings from the SHMA 2009 as shown below:

The proposed development is comprised of 8 x 3 bed houses and 1 x 4 bed house. Based on these proposals we would require the following affordable housing mix;

2 x 3 bed houses for social rent

1 x 3 bed house for shared ownership

Should the applicant consider changing the overall mix we would accept one of the social rented units as a 2 bed house and the shared ownership dwelling as a 2 bed house.

Social Rent

Percentage	Type	Min Size m2
23%	1 bed 2 person flats	47
7%	2 bed 4 person flats	69
38%	2 bed 4 person 2 storey houses	77
22%	3 bed 5 person 2 storey houses	90
10%	4 bed 6 person 2 storey	112

	houses	
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Intermediate

Percentage	Type	Min Size m2
44%	1 bed 2 person flats	47
17%	2 bed 4 person flats	69
19%	2 bed 4 person 2 storey houses	77
19%	3 bed 5 person 2 storey houses	90
1%	4 bed 6 person 2 storey houses	112

- **No wheelchair standard dwellings are required as part of this application.**
- **Affordable housing is to be delivered without any public subsidy.**

5.23 Public Open Space

Policy CS6 of the adopted Core Strategy seeks to secure the necessary infrastructure, services and community facilities to be provided for all new development of a “sufficient scale”. The comments from the Community Infrastructure Officer reflect that this proposal (being a “minor” development) falls below the threshold whereby planning obligations towards Public Open Space would be sought.

- 5.24 Nevertheless because the illustrative plan includes an area labelled public open space the Community Infrastructure Officer goes on to set out further comments on various scenarios for adopting this or otherwise. The fact remains that in adopted policy terms such on site provision of POS at such a small site cannot be justified. Accordingly, requiring this by a section 106 would not pass the “necessity” test. It follows, that neutral weight should be given to this matter in the assessment of the overall benefits of the scheme. The Council would not require it as part of the policy; and has no justified means of securing it. Furthermore, it is questionable how useful such a small piece of land would be in this location in terms of wider public benefit.

5.25 CIL tests and Planning Obligations

Legislation was introduced in 2010 that allows local councils to set a Community Infrastructure Levy (CIL). South Gloucestershire commenced CIL charging on 1 August 2015. Charges are liable for development of one or more dwellings. Affordable housing units are exempt from CIL payments but the other properties would attract a fee. The Council is able to spend CIL receipts upon infrastructure listed in its “Regulation 123” list. It cannot also require planning obligations upon the same matters, and in this way the scope of section 106 agreements are more limited than was previously the case. Affordable Housing is not considered to be “infrastructure” which is why (subject to policy) it is still a component of a section 106 agreement.

- 5.26 Some of the comments received relate to the cumulative impact upon other services within Thornbury. The CIL charge is the mechanism whereby the Council is able to mitigate against the impact of development. Further planning obligations would not meet the statutory tests, nor be supported by planning policy in relation to a scheme of this scale.
- 5.27 It is considered that the S106 financial obligations calculated in terms of affordable housing needs meet the statutory tests in being necessary to make the development acceptable in planning terms, is directly related to the proposed development and is fairly and reasonably related in scale and kind to the development.
- 5.28 Conclusion
The proposal is for the erection of 9no. new dwellings of which three units of affordable housing have been proposed. The benefits of new housing and in particular affordable housing units to the housing supply is given considerable weight. It is considered that the proposal represents a sustainable development in terms of the NPPF three strands (social, economic and environmental), and that there are no significant or demonstrable harms that outweigh the benefit such that the presumption in favour should be resisted.
- 5.29 Whilst both national and locally adopted planning policy is clear that development in rural areas and on the good quality of agricultural land is restricted, significant weight is given to the proposal due to its sustainable location and the provision of housing supply. As such, the balance weighs in favour of the presumption of development.

6. CONCLUSION

- 6.1 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, in particular the advice in the NPPF.

7. RECOMMENDATION

- 7.1 That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following;
- i) *Affordable Housing*
35% of dwellings to be delivered as affordable housing at nil public subsidy, as defined by the National Planning Policy Framework. Based on a scheme of 9 dwellings this will trigger a requirement for 3 affordable homes delivered on the basis of a Tenure split of 80% social rent and 20% shared ownership housing, as identified by the Wider Bristol Strategic Housing Market Assessment (SHMA) 2015, equating to;

Two of 3-bed houses are social rent and one of 3-bed house is shared ownership dwellings, and;

In accordance with all detailed requirements as set out in the Enabling Officer's comment.

Reason

To provide appropriate on-site affordable housing proportionate to the scale of the development In accordance with Policy CS18 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013

- 7.2 That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.
- 7.3 Should the agreement not be completed within 6 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

1. Outline Planning Permission

Notwithstanding the submitted indicated site plan, drawing no. 1030W16/01, details of the appearance, landscaping, layout and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Requirement for Reserved Matters

Application for the approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Commencement of the Development Approved

The development hereby permitted shall not begin later than two years from the date of the approval of the last of the reserved matters to be approved.

Reason

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

4. Access Arrangement

The access to the development hereby permitted shall be carried out in accordance with the following approved plan: 1030W16/01 received by the Council on 8th January 2016.

Reason

To ensure the satisfactory provision of the access, in the interests of highway safety and to accord with saved Policy T12 of the South Gloucestershire Local Plan January 2006 and Policy CS8 of the South Gloucestershire Local Plan Core Strategy December 2013.

5. Archaeological Investigation

Notwithstanding the submitted site plan drawing no. 1030W13/01, prior to submission of any reserved matters applications or undertaking of any ground disturbance including geotechnical investigation in association with the outline development hereby approved, a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation. For the avoidance of doubt the programme should include a desktop study supported by geophysical survey and trial trenching to test the results of the geophysical survey. The results of this programme shall be submitted in support of any reserved matters application.

Reason

In the interest of archaeological investigation or recording, and to accord with saved Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

This is a pre-commencement condition to avoid the need for future remedial action and ensure that an appropriate programme of mitigation can be agreed as part of any reserved matters application that may be submitted.

6. Drainage Details

No development shall commence until surface water drainage details including Sustainable Drainage Systems (SUDS) for flood prevention, pollution control and environmental protection have been submitted and approved in writing by the Local Planning Authority. A detailed development layout showing surface water and SUDS proposal shall be submitted with any reserved matters applications. No development above the surface of the ground shall begin until surface water and foul water discharge works have been carried out in accordance with approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) January 2006.

This is a pre-commencement condition to avoid the need for future remedial action

7. Ecological Survey

Prior to submission of any reserved matters applications, a reptile and European hedgehog survey shall be carried out and the result with suitable mitigation and enhancement measures shall be submitted with any reserved matters applications. Thereafter, the approved mitigation and enhancement measures shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In order to protect and enhance the wildlife habitat in the area and to accord with saved Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006; and Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013.

This is a pre-commencement condition to avoid the need for future remedial actions and to ensure that appropriate measures can be agreed as part of any reserved matters applications that may be submitted.

8. Landscape and Ecological Management Plan

Prior to the commencement of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing with the Local Planning Authority. The Plan shall accord with the provisions detailed within the Extended Phase 1 Habitat Survey Ref.: 006HODL100 prepared by Abricon dated 18 December 2015 forming part of the application. The said plan shall also include details of Bat, bird, insect and hedgehog boxes to be installed on the site; planting the hedgerows with suitable native species, including fruit/nut/berry producing species, to plug gaps and form thick corridors of vegetation. Thereafter the development shall proceed in accordance with the agreed details and shall be retained as such.

Reason

In the interests of wildlife habitat and the biodiversity of the site and the locality and to accord with saved Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006; and Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013.

This condition is a pre-commencement condition in order to ensure that the wildlife habitat is adequately surveyed and protected before development commences.

9. Details of reserved matters applications

The reserved matters to be submitted under Condition 1 of this permission for the landscaping, the following details shall be submitted as part of any reserved matters applications:

- a. details of street lighting layouts and equipment specification and any external private lighting,
- b. details and locations of bin storage area and cycle stores for individual dwellings,
- c. an Arboricultural Implications Assessment, an Arboricultural Method Statement, a Tree Protection Plan, a detailed plan showing all works, including underground and above ground works, within any Roots Protection Areas of the existing trees and hedgerows on land or on the perimeter of the site boundary, and all works shall be carried out in accordance with the approved details.
- d. a layout showing the existing hedgerows to be retained and shall not form part of the garden of the proposed dwellings, and
- e. a pedestrian link to the residential development opposite Morton Way.

Reason

In the interests of visual amenity, the long term health of the trees and hedgerows, to protect the residential amenity of the neighbouring occupiers, to protect and enhance the wildlife habitat in the area, and to encourage means of transportation other than the private car, and to accord with Policy CS1, CS8 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and saved Policy L1 and T12 of the South Gloucestershire Local Plan Adopted January 2006.

10. Construction hours

The hours of working on site during the period of construction shall be restricted to Monday - Friday 7.30am to 18.00pm, Saturday 8.00 am to 13.00pm; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

11. Construction Environmental Management Plan

Prior to the commencement of the development hereby approved a site specific Construction Environmental Management Plan (CEMP) shall be agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

For the avoidance of doubt, the CEMP shall address the following matters:

- (i) Procedures for maintaining good public relations including complaint management and public consultation;
- (ii) Mitigation measures as defined in the British Standard BS 5228: Parts 1 and 2 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance. Piling will not be undertaken and Best Practice alongside the application of BS 5228 shall be agreed with the LPA;
- (iv) The use of a Considerate Contractors or similar regime for the site induction of the workforce highlighting pollution prevention and awareness;
- (v) Measures to control the tracking of mud off-site from vehicles;
- (vi) Measures to control dust from the demolition and construction works approved;
- (vi) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained;
- (vii) Adequate provision for the delivery and storage of materials; and
- (viii) Adequate provision for contractor parking.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

This is a pre-commencement condition in order to avoid any remedial works in the future.

CIRCULATED SCHEDULE NO. 29/16 – 22 JULY 2016

App No.:	PT16/0713/R3F	Applicant:	South Gloucestershire Council
Site:	Bradley Stoke Leisure Centre 1 Fiddlers Wood Lane Bradley Stoke South Gloucestershire BS32 9BS	Date Reg:	18th February 2016
Proposal:	Erection of front entrance foyer, external cladding and alterations to front facade and extension to existing carpark.	Parish:	Bradley Stoke Town Council
Map Ref:	362247 182062	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Major	Target Date:	16th May 2016



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PT16/0713/R3F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination in accordance with the scheme of delegation. The reasons for referral are that the application has been submitted on behalf of South Gloucestershire Council and that objection have been received which are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a number of alterations and extensions to Bradley Stoke Leisure Centre. These include: erection of extension to front entrance foyer; installation of external cladding (including alterations to the principal elevation); and, extension and re-organisation of the car park.
- 1.2 Bradley Stoke Leisure Centre is located in close proximity to the town centre, educational establishments, and residential properties. It is within the existing urban area of the north fringe of Bristol. To the rear of the site is an area of woodland.

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
CS23 Community Infrastructure and Cultural Activity
CS25 Communities of the North Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
T7 Cycle Parking
T8 Parking Standards
T12 Transportation
LC3 Sports and Leisure Facilities

3. RELEVANT PLANNING HISTORY

- 3.1 Bradley Stoke Leisure Centre has extensive planning history. Only relevant applications are listed below. Full details of the planning history can be found on the council's website.
- 3.2 PT15/5516/R3F Deemed Consent 24/03/2016

Erection of single storey rear extension to extend existing gym, installation of new windows and door and alterations to car park

- 3.3 PT15/2646/F Approve with Conditions 27/10/2015
Construction of a concrete skatepark with associated works.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
Objection: insufficient information with regard to landscaping
- 4.2 Ecology
No objection
- 4.3 Economic Development
No objection
- 4.4 Environmental Protection
Construction hours should be controlled by condition
- 4.5 Landscape
Objection: additional landscaping information required
- 4.6 Sustainable Transport
Proposal has been amended and is now acceptable
- 4.7 Urban Design
Partial objection: No objection to external cladding - this modernises and adds interest to the building; objection on the basis of insufficient information with regard to landscaping.

Other Representations

- 4.8 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission to make improvements to the external appearance of the building and reorder and extend the existing car park.
- 5.2 Principle of Development
Policy LC3 is supportive of the principle of the proposed development subject to an assessment of the sustainability of the location, the impact on residential amenities, environmental and transport impacts, and considerations of parking. Therefore the proposed development is acceptable in principle and should be determined against the analysis set out below.

5.3 Visual Appearance

Bradley Stoke Leisure Centre is a large, brick built, building with a grey sheeted roof. The principal part of the building is 2-storeys in height with single storey sections flanking the taller part of the building. The original part of the building was finished predominantly in a buff brick with detailing in an amber brick. An extension was added to the centre to provide a swimming pool which used the buff brick but also introduced large sections of coloured render. The building is set back from the roads behind a car park.

- 5.4 It is proposed to clad the main 2-storey section of the building currently finished in brick with 'Trespa' panels in a blue colour. These are high-pressure compact laminate panels which are formed from either paper or wood chips, then impregnated with resin before being heated under high pressure to form a fibre matting before having the final surface added and being pressed. Over the existing 2-storey glazed part of the building, new louvered panels would be installed. A new extension is planned to create a larger and more visually prominent entrance to the building. The single storey element of the building to the left-hand side of the new entrance would be rendered and finished in white.

- 5.5 Changes to the building are also proposed to the library section of the building. Here, two new large windows will be inserted towards the entrance to the building.

- 5.6 On the rear of the building there would be a number of small alterations including the repositioning of escape doors and changes to the existing fenestration. This elevation is largely excluded from public views and the changes are not considered to make a significant material change to the appearance of the building.

- 5.7 The proposed works would generally give the building a more modern appearance. Whilst the introduction of the Trespa panels would increase the number of materials used on the building, it is not considered that it would result in the building having a confused appearance. Initially there was some concern that the proposed cladding would sit uncomfortably with the existing brickwork but the colours of the cladding has been rationalised and it is now considered that the proposal would make a positive contribution to the street scene.

5.8 Transport and Parking

The application site is located within Bradley Stoke town centre, as defined in the forthcoming Policies, Sites and Places Plan. The site is therefore in a sustainable location with good access by public transport, walking, and cycling.

- 5.9 Concern was raised at first that the extension to the car park would promote car based trips to and from the site at the expense of more sustainable means of transport such as cycling. In order to address this, revised plans were submitted that included new covered cycle parking facilities areas close to the entrance. This has overcome concern that there was insufficient provision for cyclists at the site, which after all is sustainably located, and is satisfactory.

- 5.10 As part of the council's policies, in order to promote means of travel other than the private car, parking provision is limited by policy T8. On this site, the maximum parking under policy T8 is 268 spaces with an allowance of 5% for disabled parking. The original plans submitted would exceed the maximum number of spaces permitted for a D2 use, providing 315 spaces, whilst at the same time failing to provide sufficient disabled parking or motorcycle parking.
- 5.11 Revised plans have been submitted which have increase the flexibility of the proposed additional car parking by allocating some of the spaces for coach parking (18 spaces) when required and improving motorcycle and disabled parking provision. On the basis of the revision, the transport officer's original objection has been overcome and the proposal is now considered acceptable. The use of the car park in this manner would address the local parking problems in the area by providing, in effect, overflow parking in the coach bays at peak times and off-street coach parking as and when necessary. This is given weight in the determination of this application and, in the planning balance, outweighs the fact that the site would exceed the maximum parking standards permitted by T8.
- 5.12 This development is mainly related to the appearance of the building and would not make a significant difference to the trips associated with the site. As such, it is not considered that this development would have a material impact on traffic generation or the movement of traffic on the public highway.
- 5.13 Landscape
Concern was raised by the town council, urban design and landscape officers with regard to the impact that the development would have on the landscaping on the site. The extension of the car park would cut into areas which are currently used to provide planting and a small bund.
- 5.14 To address the concerns raised, the applicant has submitted a landscape strategy for the site. This is a relatively detailed document designed to assess the impact that the development would have on the existing landscaping and the scope to introduce new landscaping.
- 5.15 The existing trees on the site are verging on being semi-mature. As they have not yet reached this stage of their development the replacement of any trees to be lost is acceptable subject to confirmation of the size, species and location of the trees. Works to cut into the existing bund would lead to a regrading of the site. The strategy indicates that such works are possible within the site.
- 5.16 Although objections have been raised with regard to the landscaping, the submitted strategy is satisfactory in demonstrating that a landscaping scheme secured through a planning condition would be both feasible and functional. Therefore, it is considered that subject to such a condition, the proposal would not have an adverse impact on the character and amenity of the area and improvements in the form of additional landscaping could be achieved. On this basis it is not considered that the impact on landscaping would be sufficient reason to resist the development as it can be adequately managed by condition.

5.17 Residential Amenity

A small number of residential units in the form of flats are located close to the site on the other side of Fiddlers Wood Lane. It is considered unlikely that the proposal would have a noticeable impact on the amenities enjoyed by the occupants of these units. No objection is raised to the proposal on the grounds of residential amenity. A condition will be used to limit the hours of construction.

5.18 Environmental Effects

Given the nature and scale of development, it is unlikely that there would be any adverse impact on the environment. No objection is raised in this regard.

5.19 Adverts

The plans indicate advertisements to be positioned on the building. These would require advertisement consent under a separate application. This report should not be construed as having considered or granted permission for the display of any adverts on this site.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. Prior to the installation of any cladding on the building, the final colour of the cladding shall be submitted to and approved in writing to the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

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

3. The cycle parking facilities shown on plan 35001-21F shall be provided in full prior to the first use of the extended car park and thereafter retained for that purpose.

Reason

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

4. Prior to the commencement of works required in relation to the car park extension, a scheme of landscaping, which shall include: details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments; areas of hardsurfacing; and, a scheme of landscape management for a period of 5 years, shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details. Planting shall be carried out in the first planting season following the completion of the car park extension.

Reason

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

5. The hours of working on site during the period of construction shall be restricted to 07:30 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 during construction works, and to accord with Policy LC3 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

6. This development shall be carried out in accordance with the plans identified below: 35001-01B Existing Floor Plans, 35001-02A Existing Floor Plans, 35001-03 Site Location Plan, 35001-15G Proposed Floor Plan, 35001-22B Existing Parking Layout, received by the Council 12 February 2016; 35001-10G Proposed Floor Plan, 35001-21F Proposed Parking Plan, and 35001-30E Proposed Elevations, received by the Council 16 May 2016.

Reason

In the interests of clarity and proper planning.

CIRCULATED SCHEDULE NO. 29/16 – 22 JULY 2016

App No.:	PT16/2532/F	Applicant:	Mr And Mrs R Marshall
Site:	Furze Down Farm Lower Tockington Road Tockington Bristol South Gloucestershire BS32 4LE	Date Reg:	17th May 2016
Proposal:	Change of use of land from agricultural to equestrian to facilitate the erection of stable block and store	Parish:	Olveston Parish Council
Map Ref:	360750 185883	Ward:	Severn
Application Category:	Minor	Target Date:	12th July 2016



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PT16/2532/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as it represents a departure from relevant Green Belt Policy within the Development Plan.

In this case any resolution to grant planning permission for this development does not need to be referred to the Secretary of the State for Communities and Local Government as the development is not of a large enough scale and it would not have a significant impact on the openness of the Green Belt (referral criteria is set out in the Departure Direction 2009).

1. THE PROPOSAL

- 1.1 The application relates to a paddock located on the western side of Lower Tockington Road to the south of Tockington and adjacent to Furze Down Farmhouse and outbuildings. There is an existing gated access into the paddock from Lower Tockington Road and further gated access from the paddock to the fields beyond. The site lies in open countryside within the Bristol & Bath Green Belt but outside the Tockington Conservation Area and Settlement Boundary.
- 1.2 Due to a change in circumstances the applicants are looking to downsize from their existing stables off Moor Lane and 14 acres of pasture, all of which is to be sold. This would leave Furzedown Farm comprising house, outbuildings and 8.68 acres.
- 1.3 Planning permission is sought for the change of use of the land from agricultural to equestrian use; plus the erection of a timber stable block to provide 3 stalls, wash down area, tack room and storage area to be located to the north of the farmhouse. The existing site access would be utilised.
- 1.4 The stables would be used only for the applicant's own horses. The proposed stables would be sited close to the residential accommodation to ensure that the horses are within sight and sound in case of an emergency and to ensure that the horses are safe.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

L1	-	Landscape Protection and Enhancement
L9	-	Species Protection
L16	-	Protecting the Best Agricultural Land
EP2	-	Flood Risk and Development
E10	-	Horse related development
T8	-	Parking Standards

T12 - Transportation
LC5 - Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary
LC12 - Recreational Routes

2.3 South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

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

2.4 Emerging Plan

Proposed Submission : Policies Sites and Places Plan – June 2016

PSP2 - Landscape
PSP7 - Development in the Green Belt
PSP11 - Development Related Transport Impact Management
PSP16 - Parking Standards
PSP20 - Flood Risk, Surface Water and Watercourse Management
PSP21 - Environmental Pollution and Impacts
PSP30 - Horse Related Development

2.5 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) – Adopted August 2007
Development in the Green Belt SPD – Adopted June 2007
Trees on Development Sites – Adopted Nov. 2005
SG Landscape Character Assessment (Revised and Adopted) Nov 2014.

3. RELEVANT PLANNING HISTORY

3.1 PT12/0124/PNA - Prior notification of the intention to erect an agricultural building for the storage of feed/bedding and agricultural machinery.
No objection 14 Feb. 2012

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

No objection

Other Consultees

Highway Structures

No comment

Lead Local Flood Authority

No response

Landscape Officer

No objection

Transportation D.C.

We do not consider that this proposal will materially change the travel demand associated with this site, especially as it appears that all the horses will be under the same ownership as the farm. In order to maximise the likelihood that this is the case, we would recommend that conditions are placed on any planning permission granted for this site. These conditions will give greater certainty that all the activities undertaken on the site are related to a single user and that no commercial activities will take place. This would, in-turn, limit the impact of this development on the adjoining highway network. Hence, it is recommended that these conditions make reference to the following matters:

No more than 3 horses shall be kept on site.

Access must be obtained from the existing site access.

There shall be no commercial uses or business activities on this site. This shall include a riding school or livery activities.

Subject to the imposition of these conditions, we have no further highways or transportation comments about this application.

Other Representations

4.3 Local Residents

No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The “saved” policies of the South Gloucestershire Local Plan (adopted 2006) also form part of the extant Development Plan.

5.3 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.

- 5.4 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.5 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are *severe*.
- 5.6 Saved Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.
- 5.7 Furthermore saved Policy E10 of the South Gloucestershire Local Plan reinforces the view that *'proposals for horse related development.... will be permitted outside the urban boundaries of settlements'*, subject to the following criteria being met:
- A. Development would not have unacceptable environmental effects; and
 - B. Development would not prejudice the amenities of neighbouring residential occupiers; and
 - C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
 - D. Safe and convenient access to bridleways and riding ways is available to riders; and
 - E. There are no existing suitable underused buildings available and capable of conversion; and
 - F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

The analysis of the proposal in relation to these criteria is considered below.

- 5.8 Impact on the Openness of the Green Belt and Landscape Issues
Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.9 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 87).

- 5.10 Para. 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions which include *“provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”*.
- 5.11 The NPPF at para. 90 goes on to say that *“certain other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt”*. A list of those developments that are not considered to be inappropriate is given and include *“the re-use of buildings provided that the buildings are of permanent and substantial construction”* but these do not include the change of use of land.
- 5.12 The proposed stable building, being an appropriate facility for an equestrian use, is therefore not considered to be inappropriate development within the Green Belt.
- 5.13 The application also includes the change of use of agricultural land to land for the recreational keeping of horses. Officers must therefore conclude that this proposed change of use is inappropriate development. Furthermore case law has established that changes of use of land are inappropriate. On this basis therefore, very special circumstances are required for this element of the scheme if the application is to be approved.
- 5.14 In this case the proposed use is a recreational one i.e. equestrianism, which retains the open nature of the field and would not compromise any of the five purposes listed at para. 80 of the NPPF for designating land as Green Belt. The actual impact on openness is negligible, and can be further protected by the use of conditions. Officers consider that this clearly outweighs any harm to openness by reason of inappropriateness and amounts to very special circumstances to justify a departure from Development Plan Policy.
- 5.15 The proposed stable block would be ‘L’ shaped and measuring 12.6m long by 4.8m wide on the northern wing and 14.4m long by 4.8m wide on the southern wing with 2.472m to eaves and 3.999m to ridge height and appropriately constructed of timber under a pitched tiled roof. The stable would be located adjacent to the eastern edge of the paddock. There are robust hedges enclosing the site so the stable would be barely visible from the adjacent roadways.
- 5.16 A landscape plan showing the hard-standing and parking areas and proposed new planting has been submitted to the landscape officer’s satisfaction. Stock proof fencing would be used to protect the new tree planting. Any trees or plants which, within a period of five years become damaged, diseased, die or are removed; would be replaced in the next planting season with others of a similar size and species. There are therefore no landscape objections to the proposal.

5.17 Impact on Residential Amenity

Other than being adjacent to the applicant's house, the application site occupies a relatively isolated position, so much so that the nearest residential properties would not be adversely affected. Equestrian uses are only to be expected in such a rural location. No external lighting is proposed.

5.18 Transportation Issues

The site is accessed directly off Lower Tockington Road. The access gate is shown on the submitted plans as set back into the site, presumably to allow horse boxes to pull off the lane before opening the gate.

5.19 Given its sensitive location, officers have concerns about possible over intensification of use of the site and therefore recommend conditions to limit the number of horses kept on the site to 3, with no commercial uses or business activities on the site, such as riding school or liveries. The applicants have confirmed that they are the owner occupiers of the house and land and that the stables would only be used for their own horses.

5.20 Environmental Issues

The disposal of foul waste should be undertaken in accordance with the DEFRA Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency and Environmental Health controls. The site does not lie within a flood zone.

5.21 E10: Access to Bridleways

There are no direct links from the site to bridleways, however the site has plenty of grazing land and very good access to the local lanes. Officers consider it the norm for such rural routes to be used by horse riders. On this basis, it would be difficult to substantiate a refusal reason for this application on the grounds of lack of bridleways.

5.22 E10: Preferred use of other existing buildings on the site

This criterion is not relevant to this proposal, there being no other suitable buildings in the field.

5.23 Welfare of Horses

The 8.68 acre site is considered to provide more than adequate grazing land in accordance with British Horse Society recommendations. The stables are considered to be appropriately designed for housing horses.

5.24 Ecology

The site has no special ecological designations and can already be used to graze horses.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That the application be advertised as a departure from the Development Plan.
- 7.2 That in the event that no further comments are received before the expiry date of 5 Aug. 2016 relating to the period of advertising the application as a departure from the Development Plan, that planning permission be GRANTED subject to the conditions listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. At no time shall the land and stables the subject of this permission be used for general public livery, riding school or other business purposes whatsoever.

Reason

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

Reason

In the interests of highway safety, and to accord with Policies E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The number of horses kept on the site edged in red on the plans hereby approved, shall not exceed 3.

Reason 1

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

In the interests of the welfare of horses, to accord with the guidance of the British Horse Society; and Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Reason 3

In the interests of highway safety, and to accord with Policies E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No permanent jumps, fences (other than of a temporary nature for the purposes of land management), gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

5. Any temporary jumps erected on the land shall be stored away to the side of the associated stable, immediately after use.

Reason

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

6. At no time shall there be any burning of foul waste upon the land the subject of the planning permission hereby granted.

Reason

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the first use of the site for the purposes hereby approved, the access and parking areas shall be implemented in accordance with the approved Landscape Plan and retained as such thereafter.

Reason

In the interests of highway safety, to accord with Policies T12 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

8. All planting shall be carried out in accordance with the approved details shown on the Landscape Plan Drawing No. 51818/02/001 Rev C. The planting shall be carried out in the first available planting season after the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority. Thereafter the planting shall be maintained in accordance with the submitted and approved 5 year management scheme.

Reason

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

CIRCULATED SCHEDULE NO. 29/16 – 22 JULY 2016

App No.:	PT16/3149/TRE	Applicant:	Holdshare Management Services
Site:	Land r/o 78 Jellicoe Avenue Stoke Gifford Bristol South Gloucestershire BS16 1WJ	Date Reg:	17th June 2016
Proposal:	Works to 10no. Silver Birch and 5no. Sycamore trees to crown reduce by 20-30% covered by Tree Preservation Order SGTPO 10/98 dated 3 June 1999.	Parish:	Stoke Gifford Parish Council
Map Ref:	362106 177488	Ward:	Frenchay And Stoke Park
Application Category:	Works to trees	Target Date:	11th August 2016



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N.T.S.

PT16/3149/TRE

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Comments of support have been received which are contrary to the recommendations of the tree officer.

1. THE PROPOSAL

- 1.1 Works to 10no. Silver Birch and 5no. Sycamore trees to crown reduce by 20-30% covered by Tree Preservation Order SGTPO 10/98 dated 3 June 1999.

2. POLICY CONTEXT

2.1 National Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/0641/TRE, Decision: REFU, Date of Decision: 27-MAR-14, Proposal: Works to 10no. Birch trees and 5no. Sycamore trees to reduce crowns by 10-15% covered by Tree Preservation Order SGTPO 10/98 dated 3 June 1999., CIL Liable:
- 3.2 PT07/0498/TRE, Site Address: Stoke Park Stoke Gifford South Gloucestershire, Decision: COND, Date of Decision: 04-APR-07, Proposal: Works to trees covered by Northavon District Council (Hermitage Wood and Long Wood, Stoke Gifford) Tree Preservation Order 1983 and South Gloucestershire Council (Land at Stoke Park) Tree Preservation Order 1999., CIL Liable:
- 3.3 PT00/1634/TRE, Site Address: Stoke Park Hospital, Coldharbour Lane, Stoke Gifford, South Gloucestershire, BS16 1QD, Decision: COND, Date of Decision: 25-JUN-01, Proposal: Works to trees covered by Northavon District Council (Hermitage Wood and Long Wood, Stoke Gifford) Tree Preservation Order 1983 and South Gloucestershire District Council (Stoke Park) Tree Preservation order 1998., CIL Liable:
- 3.4 PT11/0002/TRE, Site Address: Stoke Park, Stoke Gifford, Bristol South Gloucestershire, BS16 1WL, Decision: SPLT, Date of Decision: 14-FEB-11, Proposal: Works to trees covered by Northavon District Council (Hermitage Wood and Long Wood, Stoke Gifford) Tree Preservation Order 1983 and South Gloucestershire District Council (Stoke Park) Tree Preservation order 1998., CIL Liable:

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Defer to Tree Officer

Other Representations

4.3 Local Residents

Comments from a neighbour have been received reiterating that roots from the subject trees are protruding above his lawn. The same neighbour also states that he would like the trees to be effectively managed given their proximity to neighbouring properties and for him to enjoy the benefits of his garden, and ideally a solution to the problem he is experiencing.

5. ANALYSIS OF PROPOSAL

5.1 Works to 10no. Silver Birch and 5no. Sycamore trees to crown reduce by 20-30% covered by Tree Preservation Order SGTPO 10/98 dated 3 June 1999.

5.2 Principle of Development

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

5.3 Consideration of Proposal

The subject trees are semi mature and provide good amenity to the locality.

5.4 The application states that the reason for the works is that the trees are damaging the ground of nearby properties. Although no evidence has been supplied to corroborate this, a letter has been received from a neighbour stating that roots are protruding above his lawn. Pruning the trees will not make any difference to this situation.

5.5 Reducing the height of silver birch trees will result in unsightly and vigorous regrowth that will require periodic re-reductions. Furthermore, silver birch do not react well to fungal pathogens which will enter the tree through the pruning wounds.

5.6 To conclude, the tree works are considered excessive and are likely to be detrimental to the health of the trees and the amenity they offer.

6. RECOMMENDATION

6.1 That permission is **REFUSED**.

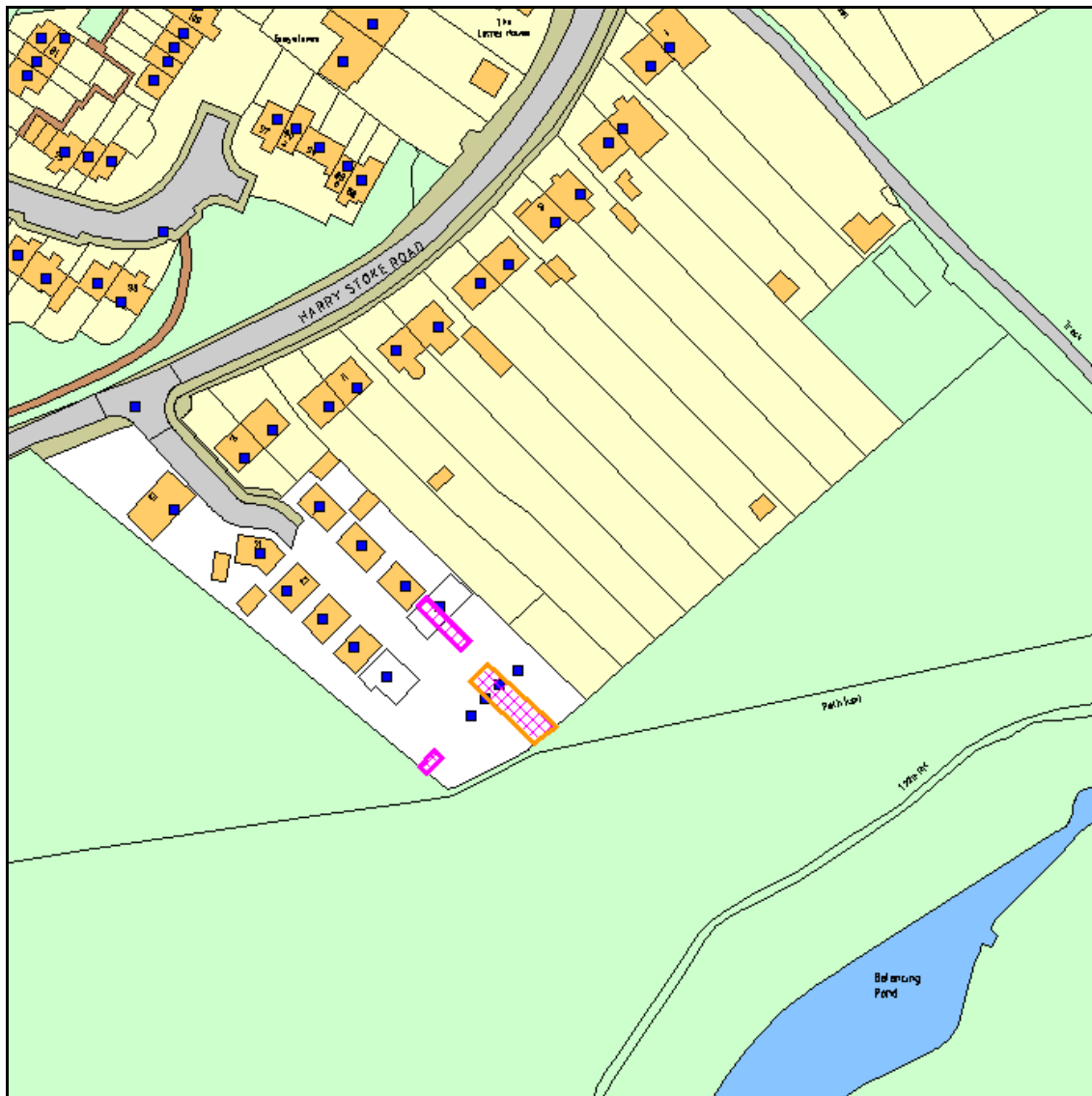
Contact Officer: Phil Dye
Tel. No. 01454 865859

REASON FOR REFUSAL

1. The proposed works would be detrimental to the appearance of the tree and the visual amenity of the locality.

CIRCULATED SCHEDULE NO. 29/16 – 22 JULY 2016

App No.:	PT16/3509/F	Applicant:	Groves Park Ltd
Site:	6 Foxglove Close Stoke Gifford South Gloucestershire BS34 8LH	Date Reg:	7th June 2016
Proposal:	Change of use from a 6no. HMO (Class C4) to a 7no. HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Stoke Gifford Parish Council
Map Ref:	362520 179194	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	29th July 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated because officer recommendation is for consent contrary to the concerns of three households and Stoke Gifford Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a change of use from a House in Multiple Occupation (HMO) for up to 6 students (Class C4) to a Large House in Multiple Occupation (LHMO) for 7 students (Sui Generis). The additional bedroom would be created by splitting a room on the rear of the house currently used as one bedroom into two bedrooms.
- 1.2 The application site is a mid terraced house in Foxglove Close off Harry Stoke Road. The rear of the site is open countryside at present and access is achieved to the rear garden via a path to the northeast side of the terrace. The house has a garage with a parking space directly to the front and a communal bin store is located to the southwest of the house.
- 1.3 HMO's must be licensed by the Council's Private Sector Housing Team; this is a separate process from a planning application. The process includes an assessment of the space standards provided in the dwelling.
- 1.4 Plans submitted with the proposal show that cycle parking for 7 bicycles can be accommodated in the rear garden, together with details of an upright bike stand and dimensions of a shed to enclose the bike stand.

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

CS15 Distribution of Housing

CS17 Housing Diversity

CS25 Communities of the North Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape

T7 Cycle Parking

T12 Transportation

H5 Residential conversions, Houses in Multiple Occupation and reuse of buildings for residential purposes.

2.3 Supplementary Planning Guidance

Residential Parking Standards (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT11/3811/F Land to the rear of 13/14 and 15 Harry Stoke Road – Demolition of garages and outbuildings to facilitate the erection of 13No.dwellings and garage block with access and associated works (in accordance with amended plans received on 1st and 2^{ne} February 2012) Unilateral undertaking signed 30/3/2012.
- 3.2 The following application is also material to the application- PT15/4619/F (7 Foxglove Close) Change of use from a 6no. student HMO (Class C4) to a 7no. student HMO (Sui Generis) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). Refused at committee in February 2016 but allowed on appeal with a full award of costs against the Council in May 2016. The inspector found that the site was highly sustainable and the parking survey undertaken by the applicant indicated that there are spaces available in Foxglove Close and Harry Stoke Road. He found that the available parking was not impractically or inconveniently located and did not consider that one additional bedroom would result in a material shortage in parking provision off road in this location. He also failed to see that even if there had been a material deficiency, that it would have had a harmful effect on highway safety.
- 3.3 PT16/3512/F Change of use from a 6no. HMO (Class C4) to a 7no. HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). This is undetermined at this time. The officer report setting out the assessment of that application is also on this agenda.

4. **CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council
Objection as a result of the following concerns
- Overdevelopment of a new area already designed to make the most of a cramped and steeply sloping site.
 - *Extra demands are now being placed on parking spaces in Harry Stoke Road with the completion of a further 9 dwellings round the corner, together with additional commuter parking following the introduction of another Traffic Regulation Order locally.*
 - *concern that, should cycle usage actually reach the levels required then a “cycle jam” might be anticipated with 21 cycles using the same narrow set of steps adjacent to number 5. More likely then that cycles would be dragged through the properties instead, adversely affecting residential amenity.*
 - *Concern that waste collections may prove impossible due to excessive parking on either Harry Stoke Road or Foxglove Close and the suggestion that Council seeks assurance that, should this application be approved, South Glos Council Waste Management Team consider a*

comprehensive awareness raising campaign when students return in the autumn,

- Concern that landlords need to accept and address their responsibilities, these actions to be reinforced at regular intervals, throughout the year.*

4.2 Adjoining parish Winterbourne Parish

No comment received

4.3 Sustainable Transport

Further to information including an amended parking survey submitted on the 18th July 2016 the following transport comments relate to the site.

The information submitted states that the property is currently a 6 bedroom HMO. Planning permission was not required to change to this use from a standard residential property so the net increase in demand under consideration is the addition of one independently occupied bedroom. The property currently has a single garage plus a single car parking space.

Parking provision has been assessed against Local Plan policy H5 and the Council's adopted residential car parking supplementary planning document (SPD). The Council's minimum parking standard for residential properties with 5 or more bedrooms is 3 spaces but there is no specific Council parking standard for HMO's stating that each application is assessed on its own merits. HMO's are not restricted to students, however given the proximity of the UWE within a reasonable walking and cycling distance, it is likely that most of the occupants will be students who are prohibited from parking on the UWE campus and therefore less likely to own a car. The site is also within reasonable walking and cycling distances from bus services on Fox Den Road, Sainsbury's supermarket, Abbeywood Retail Park and Parkway rail station.

Policy H5 states that conversions of residential properties to HMO's are acceptable provided an acceptable level of off-street parking is identified. The Council's more recent SPD on residential car parking standards indicates that ideally parking should be provided on-plot but, where this is not possible parking may be catered for on street where ; the highway is wide enough to allow for the parking of cars and the free passage of large vehicles such as delivery lorries, refuse trucks and fire appliances, there is no evidence/record of parking problems in the locality, on-street parking in the immediate vicinity of the development would not cause an unacceptable safety hazard to pedestrians, cyclists and other road users.

The parking availability survey supported with photographs now submitted for the period between 28th November and 2nd December 2015 indicates that there are between 6 and 10 spaces available including the two on-site spaces, on Foxglove Close and Harry Stoke Road. These roads are generally 6m and 5.5m wide respectively. This is sufficient to accommodate the existing demand plus any latent demand from 7 Foxglove Close and the small increase of around 0.5 of a car space (according to the census data for car ownership relating to single occupancy flats in the Stoke Gifford area) generated by the proposed change from a 6 bed HMO to a 7 Bed HMO.

The concerns raised by the Parish Council about a cycle congestion is noted. Students and other occupiers are likely to depart and arrive from the house at various times of the day either on foot, cycle or by car. It is not anticipated that there will be any problems with accessing the cycle store via the steps to the side of no. 5 as there is space available for people to wait at the top and bottom.

On this basis no transport objections are recommended subject to a condition securing the cycle parking spaces in the interests of transport choices.

4.4 Public Rights of way

The developer should be aware that there is a public footpath running adjacent to the outlined area (LSG 18) No other comment

Other Representations

4.5 Local Residents

Three households object to the proposal on the following grounds:

- Concern about high occupancy levels and increased demand of emergency services.
- Concern about impact on quality of life on neighbours as a result of litter, noise from more comings and goings, antisocial noise including from parties, shopping trolleys left in the street/bin store, rubbish not being managed appropriately
- Concern that there is not enough parking – each renter could have a car and may not be students.
- Increase in rooms from four to seven over a twelve month period.
- Reduction of garden area to facilitate cycle parking.
- Concern at appearance of bicycle shed and access doors.
- Development will severely alter the character of the neighbourhood as 21 rooms across 3 units will house students or renters, compared to total of c20 people living in the remaining 10 units occupied by families.
- Most visitor cars arrive late at night
- The road surface is paved which is less durable and more easily damaged by extra traffic.
- Double yellow lines should be considered to keep the road clear for emergency vehicles and refuse vehicles.
- According to TP1 of the Land Registry section 12.4.2(a) the property owner must not use the Property other than as a single private dwelling house and ancillary private garage.
- Builders creating the seventh bedroom at 7 Foxglove Close are parking unsociably causing obstruction for the waste disposal vehicles accessing the area and also parking inconsiderately by blocking residents' access to their own parking bays and garages.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for a change of use to a large House in Multiple Occupation (Sui Generis).
- 5.2 Principle of Development
Policy H5 allows for the conversion of existing dwellings into HMOs subject to an assessment of the impact on the character of the area, amenity, and parking. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.
- 5.3 Parking
When assessing a planning application, the planning authority must consider whether there is sufficient off-street parking to meet the needs of the development proposed and then whether on street parking would have severe impacts on the transport network.
- 5.4 The information submitted states that the property is currently a 6 bedroom HMO. Planning permission was not required to change to this use from a standard residential property so the net increase in demand under consideration is the addition of one independently occupied bedroom. The property currently has a single garage plus a single car parking space. These are located in tandem to each other as part of a block of other garages/parking spaces.
- 5.5 Parking provision has been assessed against Local Plan policy H5 and the Council's adopted residential car parking supplementary planning document (SPD) by the Council's Highway Engineer and whilst two off street parking spaces are achieved a case has been put forward to support the use of on street parking by the applicant.
- 5.6 In terms of establishing the likely need for parking associated with a 7 bedroom HMO at this location the Council's minimum parking standard for residential properties with 5 or more bedrooms is 3 spaces but there is no specific Council parking standard for HMO's stating that each application is assessed on its own merits. HMO's are not restricted to students, however given the proximity of the UWE within a reasonable walking and cycling distance, it is likely that some of the occupants will be students who are prohibited from parking on the UWE campus and therefore less likely to own a car. The site is also within reasonable walking and cycling distances from bus services on Fox Den Road, Sainsbury's supermarket, Abbeywood Retail Park and Parkway rail station.
- 5.7 Policy H5 states that conversions of residential properties to HMO's are acceptable provided that an acceptable level of off-street parking is identified. The Council's more recent SPD on residential car parking standards indicates that ideally parking should be provided on-plot but, where this is not possible parking may be catered for on street where; the highway is wide enough to allow for the parking of cars and the free passage of large vehicles such as delivery lorries, refuse trucks and fire appliances, there is no evidence/record of parking problems in the locality, on-street parking in the immediate vicinity of

the development would not cause an unacceptable safety hazard to pedestrians, cyclists and other road users.

- 5.8 The parking availability survey supported with photographs now submitted for the period between 28th November and 2nd December 2015 indicates that there are between 6 and 10 spaces available including the two on-site spaces, on Foxglove Close and Harry Stoke Road which are generally 6m and 5.5m wide respectively. This is sufficient to accommodate the existing demand plus any latent demand from 7 Foxglove Close (recently allowed a seventh HMO bedroom) and the small increase of around 0.5 of a car space (according to the census data for car ownership relating to single occupancy flats in the Stoke Gifford area) generated by the proposed change from a 6 bed HMO to a 7 Bed HMO.
- 5.9 The comments of the Parish Council are noted in respect of a potential 'cycle jam' in the rear access path but occupiers of the HMO are likely to depart and arrive from the houses at various times of the day either on foot, cycle or by car. It is not therefore anticipated that there will be any problems with accessing the cycle store via the steps to the side of no. 5. Moreover there is space available for people to wait at the top and bottom of the steps to the side of the house and the access path only serves one family house, one already consented 7 bed HMO and this property.
- 5.10 As such no transport objections are recommended subject to a condition requiring that seven covered and secure cycle parking spaces are provided to promote sustainable transport choices in accordance with Saved Policy T7 of the Local Plan 2006 which requires that for conversions one space per bed space is required. The agent has provided detail of a cycle storage frame which would be provided within a vinyl coated metal shed measuring 2.16m high, 2.38m deep and 3.2m long, with lockable doors, at the end of the garden. The shed is accessed from the road by a path which gives access around the side of No.5. A lighting scheme was agreed and along the rear of the gardens.
- 5.11 Whilst the neighbours advise that current occupants appear to have poor waste management practices and this has resulted this year in the garage being used to store rubbish this is not a reason to refuse planning permission. An existing communal bin storage area adequately facilitates bin storage for the property.
- 5.12 As such it is not considered that the development would have a material impact on parking provision or highway safety, nor a severe impact on the road network and therefore there is no objection raised on this basis, subject to the retention of the existing two parking spaces, and subject to the cycles being provided as proposed with appropriate lighting of the access route to the back garden.
- 5.13 Character
No enlargement of the dwelling or any external change (other than a cycle store being provided) would result from the proposal. The cycle store is shown to be provided at the rear of the garden and as such it will have no impact on the streetscene.

The inspector in determining the application for a 7 bedroom HMO noted that the proposal for one additional bedroom would not result in a significant increase in activity and that there was no evidence before him to suggest that it would necessarily lead to an over-concentration of the student population in this area. One objector notes that three of the houses in the road are student houses and that the other ten are family housing. This is not as application for another HMO but a modest increase in use of the existing HMO. The increase in residents from 6 to 7 is not considered to have a material impact on the character of the area.

5.14 Amenity

The property would not change from the outside and is not considered to materially prejudice residential amenity. The addition of a shed in the rear garden is not of sufficient scale to effect residential amenity. Objectors are concerned generally about the noise students make in coming and going to the property, given that they are living amongst family homes, but the increase from 6 to 7 residents is not considered to materially affect noise levels affecting the neighbouring homes. A lack of courtesy between neighbours and a lack of management around noise and rubbish is more likely to cause nuisance than the actual comings and goings at the property which cannot be controlled under the Planning Acts.

- 5.15 The property has a small garden which provides adequate space to stand a shed and provide some outside amenity space for the residents.

5.16 Public Rights of Way

The PROW team note that there is a public footpath to the rear of the site but this is beyond the fenced garden area and is not likely to be accessed or affected by the proposal which would be reached from the cul-de-sac side of the house.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: 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. Prior to the first occupation of the seventh bedroom the cycle parking scheme detailed in the submitted plans received 2 June 2016 and 20 July 2016 shall be installed in the southern corner of the garden. Thereafter the development shall proceed in accordance with the agreed scheme and shall be retained as such thereafter.

Reason

To encourage means of transportation other than the private car, to accord with Policy H5 of the saved policy South Gloucestershire Local Plan Adopted January 2006.

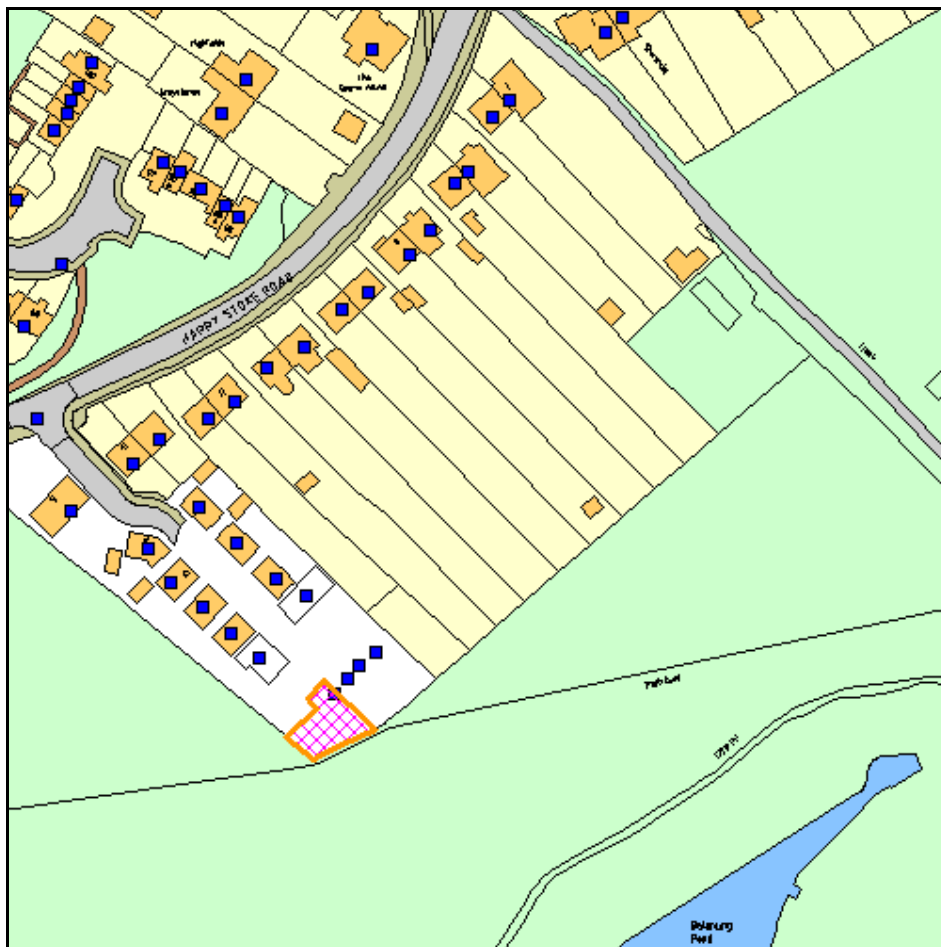
3. The off-street car parking facilities shown on the plan hereby approved shall be maintained to serve the property known as 6 Foxglove Close.

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. 26/16 – 22 JULY 2016

App No.:	PT16/3512/F	Applicant:	C S Properties Ltd
Site:	8 Foxglove Close Stoke Gifford South Gloucestershire BS34 8LH	Date Reg:	6th June 2016
Proposal:	Change of use from a 6no. HMO (Class C4) to a 7no. HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Stoke Gifford Parish Council
Map Ref:	362514 179188	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	28th July 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated because officer recommendation is for consent contrary to the concerns of three households and Stoke Gifford Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a change of use from a House in Multiple Occupation (HMO) for up to 6 students (Class C4) to a Large House in Multiple Occupation (LHMO) for 7 students (Sui Generis). The additional bedroom would be created by splitting a room on the rear of the house currently used as one bedroom into two bedrooms.
- 1.2 The application site is an end of terrace house in Foxglove Close off Harry Stoke Road. The rear of the site is open countryside at present and access is achieved to the rear garden via a path to the west of the house. The house has two parking spaces to the side of the house and a communal bin store is located to the southwest of the house.
- 1.3 HMO's must be licensed by the Council's Private Sector Housing Team; this is a separate process from a planning application.
- 1.4 Plans submitted with the proposal show that cycle parking for 7 bicycles can be accommodated in the rear garden, together with details of an upright bike stand and dimensions of a shed to enclose the bike stand.

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
CS15 Distribution of Housing
CS17 Housing Diversity
CS25 Communities of the North Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
T7 Cycle Parking
T12 Transportation
H5 Residential conversions, Houses in Multiple Occupation and reuse of buildings for residential purposes.

- 2.3 Supplementary Planning Guidance
Residential Parking Standards (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT11/3811/F Land to the rear of 13/14 and 15 Harry Stoke Road – Demolition of garages and outbuildings to facilitate the erection of 13No.dwellings and garage block with access and associated works (in accordance with amended plans received on 1st and 2^{ne} February 2012) Unilateral undertaking signed 30/3/2012.
- 3.2 The following application is also material to the application- PT15/4619/F (7 Foxglove Close) Change of use from a 6no. student HMO (Class C4) to a 7no. student HMO (Sui Generis) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). Refused at committee in February 2016 but allowed on appeal with a full award of costs against the Council in May 2016. The inspector found that the site was highly sustainable and the parking survey undertaken by the applicant indicated that there are spaces available in Foxglove Close and Harry Stoke Road. He found that the available parking was not impractically or inconveniently located and did not consider that one additional bedroom would result in a material shortage in parking provision off road in this location. He also failed to see that even if there had been a material deficiency, that it would have had a harmful effect on highway safety.
- 3.3 PT16/3509/F Change of use from a 6no. HMO (Class C4) to a 7no. HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). This application is under consideration and relates to 6 Foxglove Close. The officer report appears on this agenda.

4. **CONSULTATION RESPONSES**

4.1 Stoke Gifford Parish Council

Objection as a result of the following concerns

- Overdevelopment of a new area already designed to make the most of a cramped and steeply sloping site.
- *Extra demands are now being placed on parking spaces in Harry Stoke Road with the completion of a further 9 dwellings round the corner, together with additional commuter parking following the introduction of another Traffic Regulation Order locally.*
- *concern that, should cycle usage actually reach the levels required then a “cycle jam” might be anticipated with 21 cycles using the same narrow set of steps adjacent to number 5. More likely then that cycles would be dragged through the properties instead, adversely affecting residential amenity.*
- *Concern that waste collections may prove impossible due to excessive parking on either Harry Stoke Road or Foxglove Close and the suggestion that Council seeks assurance that, should this application be approved, South Glos Council Waste Management Team consider a comprehensive awareness raising campaign when students return in the autumn,*

- *Concern that landlords need to accept and address their responsibilities, these actions to be reinforced at regular intervals, throughout the year.*

4.2 Adjoining parish Winterbourne Parish

No comment received

4.3 Sustainable Transport

Further to information including an amended parking survey submitted on the 18th July 2016 the following transport comments relate to the site.

4.4 The information submitted states that the property is currently a 6 bedroom HMO. Planning permission was not required to change to this use from a standard residential property so the net increase in demand under consideration is the addition of one independently occupied bedroom. The property currently has two parking spaces at the side of the house.

4.5 Parking provision has been assessed against Local Plan policy H5 and the Council's adopted residential car parking supplementary planning document (SPD). The Council's minimum parking standard for residential properties with 5 or more bedrooms is 3 spaces but there is no specific Council parking standard for HMO's stating that each application is assessed on its own merits. HMO's are not restricted to students, however given the proximity of the UWE within a reasonable walking and cycling distance, it is likely that most of the occupants will be students who are prohibited from parking on the UWE campus and therefore less likely to own a car. The site is also within reasonable walking and cycling distances from bus services on Fox Den Road, Sainsbury's supermarket, Abbeywood Retail Park and Parkway rail station.

Policy H5 states that conversions of residential properties to HMO's are acceptable provided an acceptable level of off-street parking is identified. The Council's more recent SPD on residential car parking standards indicates that ideally parking should be provided on-plot but, where this is not possible parking may be catered for on street where ; the highway is wide enough to allow for the parking of cars and the free passage of large vehicles such as delivery lorries, refuse trucks and fire appliances, there is no evidence/record of parking problems in the locality, on-street parking in the immediate vicinity of the development would not cause an unacceptable safety hazard to pedestrians, cyclists and other road users.

The parking availability survey supported with photographs now submitted for the period between 28th November and 2nd December 2015 indicates that there are between 6 and 10 spaces available including the two on-site spaces, on Foxglove Close and Harry Stoke Road. These roads are generally 6m and 5.5m wide respectively. This is sufficient to accommodate the existing demand plus any latent demand from 7 Foxglove Close and the small increase of around 0.5 of a car space (according to the census data for car ownership relating to single occupancy flats in the Stoke Gifford area) generated by the proposed change from a 6 bed HMO to a 7 Bed HMO.

Parish Council concerns about a cycle jam are noted. Students and other occupiers are likely to depart and arrive from the house at various times of the

day either on foot, cycle or by car. Further the back garden and cycle store for this property are accessed from the right hand side of the house and not the steps to the side of No. 5 as set out in the Parish's objection.

On this basis no transport objections are recommended subject to a condition securing the cycle parking spaces in the interests of transport choices.

4.6 Public Rights of way

The developer should be aware that there is a public footpath running adjacent to the outlined area (LSG 18). No other comment

Other Representations

4.7 Local Residents

Three households object to the proposal on the following grounds:

- Concern about high occupancy levels and increased demand of emergency services.
- Concern about impact on quality of life on neighbours as a result of litter, noise from more comings and goings, antisocial noise including from parties, shopping trollies left in the street/bin store, rubbish not being managed appropriately
- Concern that there is not enough parking – each renter could have a car and may not be students.
- Increase in rooms from four/five bedroom properties to seven over a twelve month period.
- Reduction of garden area to facilitate cycle parking.
- Concern at appearance of bicycle shed and access doors.
- Development will severely alter the character of the neighbourhood as 21 rooms across 3 units will house students or renters, compared to total of c20 people living in the remaining 10 units occupied by families.
- Most visitor cars arrive late at night
- The road surface is paved which is less durable and more easily damaged by extra traffic.
- On street parking reduced ability of refuse and emergency vehicles to access the street. Double yellow lines should be considered to keep the road clear for emergency vehicles and refuse vehicles.
- According to TP1 of the Land Registry section 12.4.2(a) the property owner must not use the Property other than as a single private dwelling house and ancillary private garage.
- Builders creating the seventh bedroom at 7 Foxglove Close are parking unsociably causing obstruction for the waste disposal vehicles accessing the area and also parking inconsiderately by blocking residents' access to their own parking bays and garages.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for a change of use to a large House in Multiple Occupation (Sui Generis).

5.2 Principle of Development

Policy H5 allows for the conversion of existing dwellings into HMOs subject to an assessment of the impact on the character of the area, amenity, and parking. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.3 Parking

When assessing a planning application, the planning authority must consider whether there is sufficient off-street parking to meet the needs of the development proposed and then whether on street parking would have severe impacts on the transport network.

5.4 The information submitted states that the property is currently a 6 bedroom HMO. Planning permission was not required to change to this use from a standard residential property so the net increase in demand under consideration is the addition of one independently occupied bedroom. The property currently has a single garage plus a single car parking space. These are located in tandem to each other as part of a block of other garages/parking spaces.

5.5 Parking provision has been assessed against Local Plan policy H5 and the Council's adopted residential car parking supplementary planning document (SPD) by the Council's Highway Engineer and whilst two off street parking spaces are achieved a case has been put forward to support the use of on street parking by the applicant.

5.6 In terms of establishing the likely need for parking associated with a 7 bedroom HMO at this location the Council's minimum parking standard for residential properties with 5 or more bedrooms is 3 spaces but there is no specific Council parking standard for HMO's stating that each application is assessed on its own merits. HMO's are not restricted to students, however given the proximity of the UWE within a reasonable walking and cycling distance, it is likely that some of the occupants will be students who are prohibited from parking on the UWE campus and therefore less likely to own a car. The site is also within reasonable walking and cycling distances from bus services on Fox Den Road, Sainsbury's supermarket, Abbeywood Retail Park and Parkway rail station.

5.7 Policy H5 states that conversions of residential properties to HMO's are acceptable provided that an acceptable level of off-street parking is identified. The Council's more recent SPD on residential car parking standards indicates that ideally parking should be provided on-plot but, where this is not possible parking may be catered for on street where; the highway is wide enough to allow for the parking of cars and the free passage of large vehicles such as delivery lorries, refuse trucks and fire appliances, there is no evidence/record of parking problems in the locality, on-street parking in the immediate vicinity of the development would not cause an unacceptable safety hazard to pedestrians, cyclists and other road users.

5.8 The parking availability survey supported with photographs now submitted for the period between 28th November and 2nd December 2015 indicates that there are between 6 and 10 spaces available including the two on-site spaces, on

Foxglove Close and Harry Stoke Road which are generally 6m and 5.5m wide respectively. This is sufficient to accommodate the existing demand plus any latent demand from 7 Foxglove Close (recently allowed a seventh HMO bedroom) and the small increase of around 0.5 of a car space (according to the census data for car ownership relating to single occupancy flats in the Stoke Gifford area) generated by the proposed change from a 6 bed HMO to a 7 Bed HMO.

- 5.9 The comments of the Parish Council are noted in respect of a potential 'cycle jam' in the rear access path but occupants of this house have their own access to the side of the property and as such have no reason to access the flight of steps to the north east of the site. As such no transport objections are recommended subject to a condition requiring that seven covered and secure cycle parking spaces are provided to promote sustainable transport choices in accordance with Saved Policy T7 of the Local Plan 2006 which requires that for conversions one space per bed space is required. The agent has provided detail of a cycle storage frame which would be provided within a vinyl coated metal shed measuring 2.16m high, 2.38m deep and 3.2m long, with lockable doors, at the rear of the garden, directly behind the house.
- 5.10 Whilst the neighbours advise that current occupants appear to have poor waste management practices and this has resulted this year in the garage being used to store rubbish this is not a reason to refuse planning permission. An existing communal bin storage area adequately facilitates bin storage for the property.
- 5.11 As such it is not considered that the development would have a material impact on parking provision or highway safety, nor a severe impact on the road network and therefore there is no objection raised on this basis, subject to the retention of the existing two parking spaces, and subject to the cycle store being provided as proposed.
- 5.12 Character
No enlargement of the dwelling or any external change (other than a cycle store being provided) would result from the proposal. The cycle store is shown to be provided at the rear of the garden and as such it will have negligible impact on the streetscene. The inspector in determining the application for a 7 bedroom HMO at 7 Foxglove Close noted that the proposal for one additional bedroom would not result in a significant increase in activity and that there was no evidence before him to suggest that it would necessarily lead to an over-concentration of the student population in this area. One objector notes that three of the houses in the road are student houses and that the other ten are family housing. This is not an application for another HMO but a modest increase in use of the existing HMO. The increase in residents from 6 to 7 is not considered to have a material impact on the character of the area.
- 5.13 Amenity
The property would not change from the outside and is not considered to materially prejudice residential amenity. The addition of a shed in the rear garden is not of sufficient scale to materially effect residential or visual amenity. Objectors are concerned generally about the noise students make in coming and going to the property, given that they are living amongst family homes, but

the increase from 6 to 7 residents is not considered to materially affect noise levels affecting the neighbouring homes. A lack of courtesy between neighbours and a lack of management around noise and rubbish is more likely to cause nuisance than the actual comings and goings at the property which cannot be controlled under the Planning Acts.

5.14 The property has a garden which provides adequate space to stand a shed and provide some outside amenity space for the residents.

5.15 Public Rights of Way

The PROW team note that there is a public footpath to the rear of the site but this is beyond the fenced garden area and is not likely to be accessed or affected by the proposal which would be reached from the cul-de-sac side of the house.

5.16 Others matters

A neighbour has raised a matter related to the deeds of the house and whilst sight has not been facilitated to this document, this is not a matter for consideration under the planning acts, rather it is a civil matter between relevant parties.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: 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. Prior to the first occupation of the seventh bedroom the cycle parking scheme detailed in the submitted plans received 2 June 2016 shall be installed in the eastern corner of the garden. Thereafter the development shall proceed in accordance with the agreed scheme and shall be retained as such thereafter.

Reason

To encourage means of transportation other than the private car, to accord with Policy H5 of the saved policy South Gloucestershire Local Plan Adopted January 2006.

3. The off-street car parking facilities shown on the plan hereby approved shall be maintained to serve the property known as 8 Foxglove Close.

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.