



**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. 51/16

Date to Members: 22/12/2016

Member's Deadline: 04/01/2017 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Dates and Deadlines for Circulated Schedule
Christmas & New Year Period 2016/17

Schedule Number	Date to Members 9am on	Members Deadline 5pm
50/16	Thurs 15 Dec 2016	Weds 21 Dec 2016
51/16	Thurs 22 Dec 2016	Weds 04 Jan 2017
01/17	Fri 06 Jan 2017	Thurs 12 Jan 2017
Timetable back to normal.		

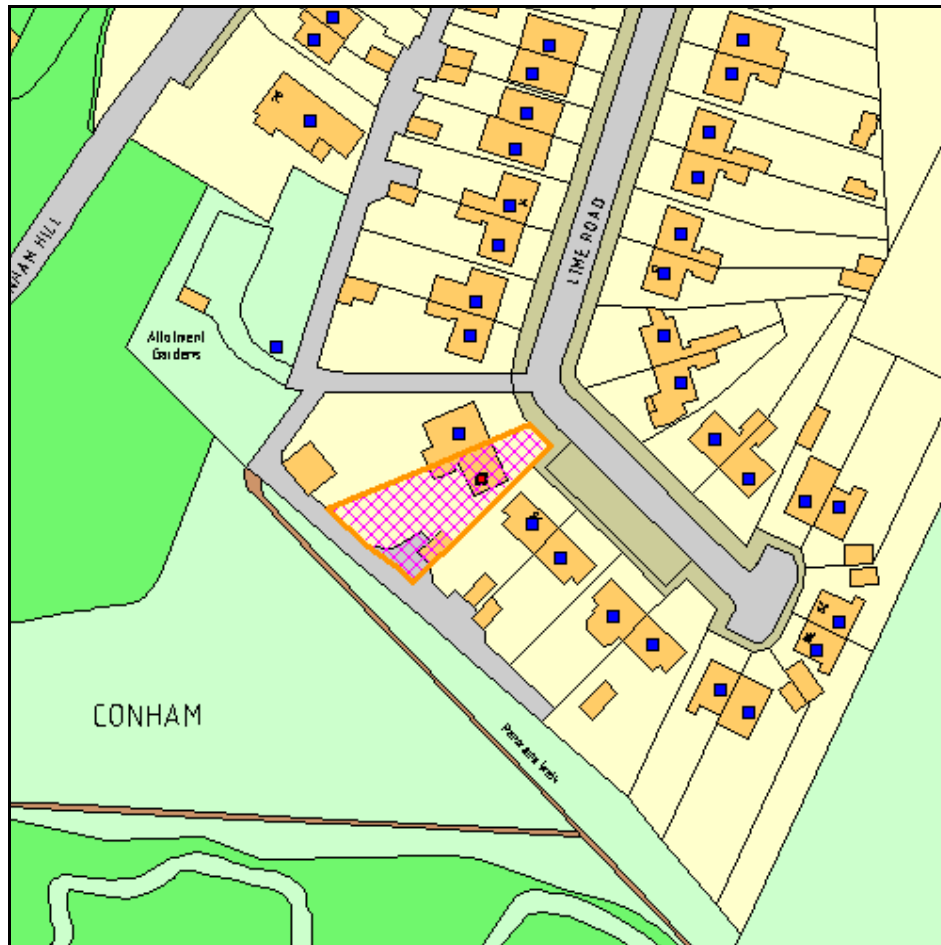
Highlighted in Red above are details of the schedules that will be affected by date changes due to the Bank Holidays at Christmas & New Year 2016/17.

CIRCULATED SCHEDULE - 22 DECEMBER 2016

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/3998/F	Approve with Conditions	24 Lime Road Hanham South Gloucestershire BS15 3AR	Hanham	Hanham Parish Council
2	PK16/4373/F	Approve with Conditions	63 Courtney Way Kingswood South Gloucestershire	Woodstock	None
3	PK16/5383/F	Approve with Conditions	Unit 3 The Old Mill Chapel Lane Warmley South Gloucestershire BS15 4NQ	Siston	Siston Parish Council
4	PK16/5465/TRE	Approve with Conditions	Bluebell Dibden Lane Emersons Green South Gloucestershire BS16 7AF	Emersons	Emersons Green Town Council
5	PK16/5664/RVC	Approve with Conditions	Mama Bears Day Nursery 3A Coronation Road Downend South Gloucestershire BS16 5SN	Downend	Downend And Bromley Heath Parish Council
6	PK16/5667/RVC	Approve with Conditions	Mama Bears Day Nursery 3A Coronation Road Downend South Gloucestershire BS16 5SN	Downend	Downend And Bromley Heath Parish Council
7	PK16/6136/F	Approve with Conditions	Warmley Court 33 Deanery Road Kingswood South Gloucestershire BS15 9JB	Siston	None
8	PK16/6137/CLP	Approve with Conditions	9 Dyrham View Pucklechurch South Gloucestershire	Boyd Valley	Pucklechurch Parish Council
9	PK16/6166/F	Approve with Conditions	1 Brewery Cottages Brewery Hill Upton Cheyney South Gloucestershire BS30 6LZ	Bitton	Bitton Parish Council
10	PK16/6243/F	Approve with Conditions	3 Milford Avenue Wick South Gloucestershire BS30 5PG	Boyd Valley	Wick And Abson Parish Council
11	PT16/1330/LB	Approve with Conditions	Rear Of 444 Church Road Frampton Cotterell South Gloucestershire BS36 2AQ	Frampton Cotterell	Frampton Cotterell Parish Council
12	PT16/1362/F	Approve with Conditions	444 Church Road Frampton Cotterell South Gloucestershire BS36 2AQ	Frampton Cotterell	Frampton Cotterell Parish Council
13	PT16/3918/F	Approve with Conditions	Olveston Sports And Social Club Foxholes Lane Tockington South Gloucestershire BS32 4PF	Severn	Olveston Parish Council
14	PT16/4939/F	Approve with Conditions	Lime Tree New Passage Pilning South Gloucestershire BS35 4NG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
15	PT16/5716/F	Approve with Conditions	17 Wolfridge Ride Alveston South Gloucestershire	Thornbury South And	Alveston Parish Council
16	PT16/5987/PDR	Approve with Conditions	20 Wades Road Filton South Gloucestershire BS34 7EE	Filton	Filton Town Council
17	PT16/6120/F	Approve with Conditions	Ley Hay Church Hill Olveston South Gloucestershire	Severn	Olveston Parish Council
18	PT16/6270/F	Approve with Conditions	20 Beech Leaze Alveston South Gloucestershire BS35 3NE	Thornbury South And	Alveston Parish Council

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/3998/F	Applicant:	Davies
Site:	24 Lime Road Hanham Bristol South Gloucestershire BS15 3AR	Date Reg:	1st August 2016
Proposal:	Conversion of outbuilding from incidental games room to ancillary living accommodation (retrospective)	Parish:	Hanham Parish Council
Map Ref:	363336 172103	Ward:	Hanham
Application Category:	Householder	Target Date:	21st September 2016



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 100023410, 2008. N.T.S. PK16/3998/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the circulated schedule for determination to take in to account comments of objection which have been received. The officer recommendation is for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of an outbuilding into use as ancillary living accommodation. From the aerial photographs of the site held by the Council, there is no evidence that the building was on the site in 2014. Having assessed the building against the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the GPDO”) regardless of when the building was erected planning permission would be required because:
- the building is with 2 metres of the boundary of the curtilage of the site and exceeds 2.5 metres in height (the building is 3.3 metres in height); and
 - the eaves height of the building exceeds 2.5 metres in height; and,
 - the use of the building is not incidental.
- 1.2 Notwithstanding the description of development, this application will assess the development as a whole. From the case officer’s site visit, the development is substantially complete (perhaps with the exception of the use) and therefore the application is retrospective in nature. The use of the building will be discussed in more detail in the body of this report.
- 1.3 The application site is located within the existing urban area of the east fringe of Bristol. The boundary of the urban area runs along the rear boundary of the application site; land to the west is within the Bristol and Bath Green Belt. There are no further land use designations or constraints that affect the development.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS8 Improving Accessibility

CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T12 Transportation

H4 Development within Existing Residential Curtilages

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

3. RELEVANT PLANNING HISTORY

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

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No objection
- 4.2 Sustainable Transport
Details of car parking are required

Other Representations

- 4.3 Local Residents
Four comments of objection have been received which raise the following points:
- Neighbours not consulted
 - Work undertaken without gaining planning permission
 - Development consists of the erection of a new building not conversion of existing outbuilding
 - Fence height had to be raised to protect privacy
 - Original building was smaller
 - Parking issues in cul-de-sac
 - Parking within the property has been fenced off preventing access
 - Fire hazard
 - Turning area fenced off making access down rear lane difficult

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for a residential outbuilding at a dwelling in Hanham.

- 5.2 Principle of Development
Under policy H4, development within the curtilage of existing residential dwellings is broadly supported subject to an assessment of the design, impact on residential amenity, and transport impacts. Therefore the proposed development is acceptable in principle and should be determined against the analysis set out below. However, in the interests of determining the impacts of the development it should be established as to whether the use of the building would be ancillary to or incidental to the main dwelling in nature.

Ancillary or Incidental Use

- 5.3 Disregarding the physical dimensions of the building for the meantime, Class E of Part 1 of the Second Schedule of the GPDO grants a deemed planning permission for buildings within the curtilage of a house subject to the use of such buildings being 'incidental'.

- 5.4 Incidental uses are those that are complimentary to, rather than forming an essential part of, the residential use of the site. When a use would, or could, form an essential part of the residential use – i.e. it forms primary living accommodation – then the use is ancillary to the main dwelling when not located in the dwelling itself. Planning permission is required for the erection of curtilage buildings which are used for ancillary purposes. The uses indicated on the existing plans of a gym and games rooms would be incidental; they are not essential elements of a dwelling. However, the proposed plans indicate a living and sleeping area (although critically they do not indicate any cooking or washing facilities and therefore the building is not considered to comprise an annex) which would be ancillary in nature.
- 5.5 Constructed as a timber building, it is not considered that the structure would be conducive to forming long-term living accommodation. It would be a matter of fact and degree as to whether the occasional use of the building as sleeping accommodation would amount to an ancillary use in planning terms. Therefore (notwithstanding the annotation on the submitted plans) whether the proposal forms incidental or ancillary accommodation is ambiguous. However, if planning permission had been granted on the basis that the building offered incidental accommodation, the use of the building for ancillary accommodation – when no operational development was required to facilitate the ancillary use – would not require a further planning permission. Furthermore, the installation of cooking and washing facilities would also not require planning permission should they be installed at a later date when the resulting use does not form a separate dwelling in its own right.
- 5.6 With regard to the formation of a separate dwelling, it was noted on the case officer's visit that a fence has been erected to divide the garden, splitting the main house from the garden building. The fence is not shown on the submitted plans. This fence includes a gate and does not prevent access between the two sides. Under Class A of Part 2 of the GPDO the fence itself is likely to benefit from a deemed planning permission. Whilst the fence may appear to result in the subdivision of the site, the erection of the fence in its own right would not result in the formation of a separate planning unit (which would require the express permission of the local planning authority). It would be unreasonable to argue that the fence was unacceptable as many gardens use different screening methods to create sub-areas of different character or, for example, to create safe areas for pets and children.
- 5.7 Taking all of the above into consideration it is considered important to ensure that the building is not used for any purpose other than ancillary purposes to the main residential dwelling itself and remains in a single planning unit. In order to achieve this, a condition will be attached that restricts the use of the building to those purposes ancillary to the residential use of the site.
- 5.8 Design
The building is constructed from timber. It has the appearance of a large 'summer house' or similar garden structure. Generally it is fairly modern in appearance and does not look out of character in its setting. Indeed should the building have been lower in height (and not subject to an ambiguous use) the materials and appearance of the building would be beyond the control of the

local planning authority. In terms of the appearance and layout of the building, no objection is raised.

5.9 Residential Amenity

Planning permission is required for the building, in part, because its height exceeds that permissible under the GPDO. Where building of a certain height are in close proximity to the boundaries of the site, the development may have an impact on residential amenity. In this instance the areas that may be affected are privacy, and sunlight/overbearing.

5.10 Located to the rear of the plot, the building is away from the highest value amenity areas of the nearby dwellings, which is the area of garden immediately adjacent to the dwellings. The building is positioned close to existing buildings in the neighbouring site and therefore it is not considered that would result in any overbearing impact of the prejudicial loss of light. Whilst positioning to the rear may result in windows which face one another, as the building subject to this application is single storey only it is considered unlikely to have a material impact on privacy. Given that the building would be used for ancillary purposes it cannot be considered that the use would result in a harmful impact on privacy.

5.11 In terms of residential amenity impacts, the proposal is not considered to result in a prejudicial impact on the amenities of any nearby occupier. Therefore the development is acceptable in this regard.

5.12 Transport and Parking

For development of this nature, the main consideration with regard to transport is parking. Parking provision is set out in the Residential Parking Standard SPD and should be provided at a level commensurate with the number of bedrooms in a property. Concern has been raised by local residents and the highways officer with regard to the provision of off-street parking at the application site.

5.13 Aerial photographs and a site visit confirm that a garage is located to the rear of the property which is accessed down a narrow track. In terms of the desirability and functionality of parking areas, the provision of a parking area and garage to the rear of the property scores relatively poorly. The site is only accessible down a single track unpaved access track with a number of sharp corners and limited lighting. The area beyond is an area of public open space. Given the 'tucked-away' nature of the location, the functional link to the dwellings the parking areas serve, and the limited access, it is unlikely that the parking area would be considered secure or subject to high levels of public visibility.

5.14 A fence has been erected over the mouth of the parking area and garage. It was noted from the site visit that there is a gate in the fence but suitability of this gate for vehicular access is questionable although unproven. Therefore the fence is considered to act as a constraint to using the area for vehicular parking. As with the fence discussed in paragraph 5.6, some fences can be erected as permitted development. At present this fence exceeds 1 metre in height and would therefore require planning permission as when a fence is next

to a highway used by vehicular traffic it must not exceed 1 metre in height to be permitted development.

- 5.15 This matter was raised with the agent who subsequently confirmed that the fence would be reduced in height to accord with Part 2 Class A of the GPDO. However, there is a balance here to be made between the impacts of development and reasonable intervention by the local planning authority. Under this planning application, the local planning authority has the ability to remove permitted development rights. Therefore whilst the fall-back position of fencing across the existing vehicular parking is noted, the fall-back position is only given partial weight as there are means available to the local planning authority to prevent the removal of the parking area.
- 5.16 In this instance, given that permitted development rights could be removed, greater weight is given to the Residential Parking Standard SPD which would require the provision of on-site vehicular parking. Plan 199-PLA-001B indicates that the existing parking area will be retained. A condition will be used to secure the level of parking as indicated on the submitted plans.
- 5.17 Other Matters
A number of matters have been raised through the public consultation on this application which have not been addressed in the main body of this report. These will be considered below.
- 5.18 Officers can confirm that consultation was undertaken on this application in accordance with the Statement of Community Involvement. Whilst development may have commenced without the appropriate planning permission, should this application be granted it would regulate the situation and therefore no weight is attributed to the breach of planning control.
- 5.19 Building Regulations do cover outbuildings under certain circumstances. Fire risks are managed under the Building Regulations. Where a building falls below the threshold to require Building Regulations approval it is considered that the fire risk is sufficiently low as to not present a significant public harm.

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 building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 24 Lime Road, Hanham.

Reason

The development has been permitted on the particular circumstances of the case and should the development be used for such purposes it would require further consideration under policies CS1 and CS8 and policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

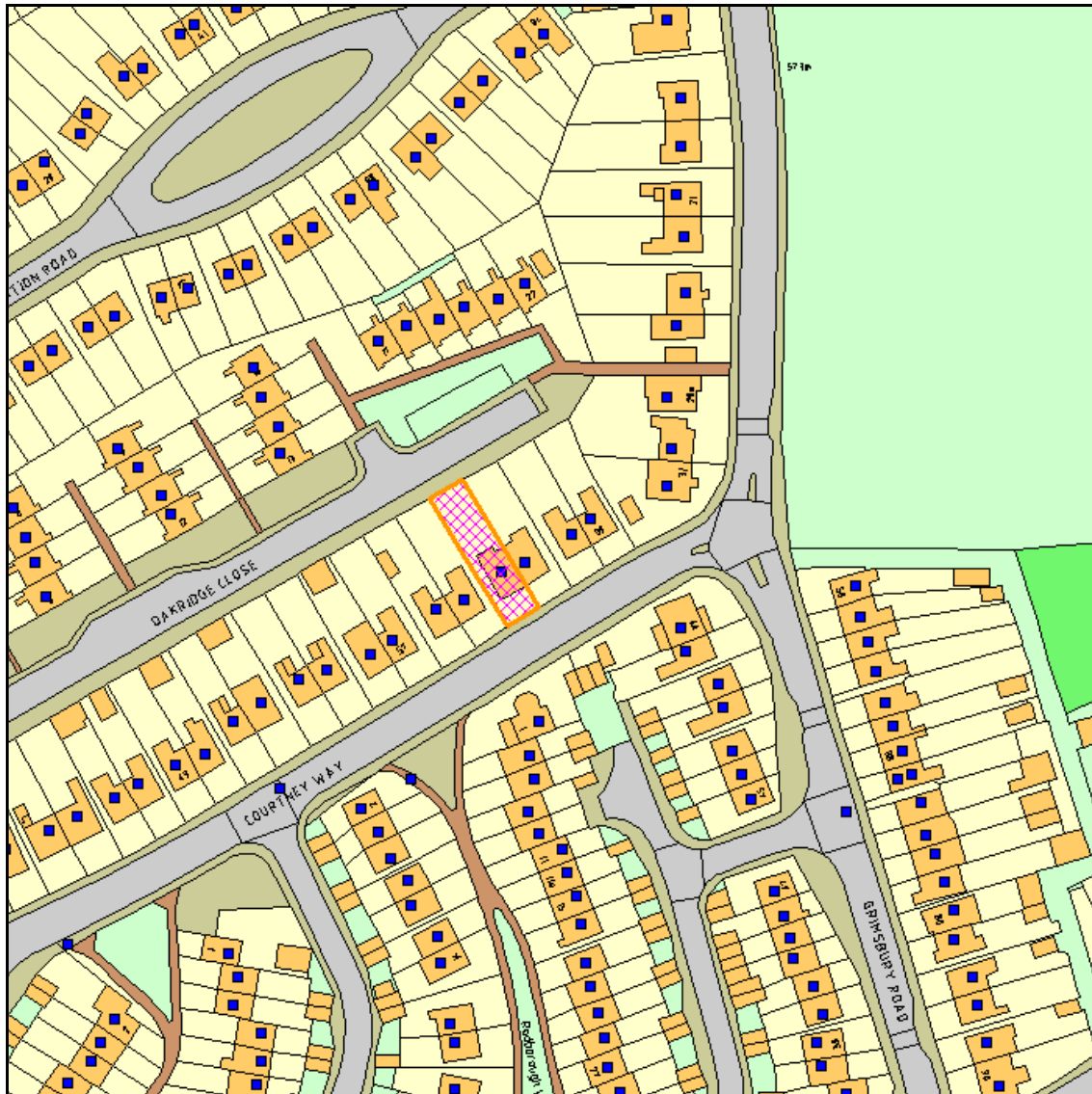
2. The off-street parking facilities and vehicular access as shown on plan 199-PLA-001B hereby approved shall be provided within 2 months of the date of this decision and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/4373/F	Applicant:	Mr R Rodman
Site:	63 Courtney Way Kingswood Bristol South Gloucestershire BS15 9RY	Date Reg:	25th July 2016
Proposal:	Erection of a first floor rear extension to provide additional living accommodation.	Parish:	None
Map Ref:	366176 173355	Ward:	Woodstock
Application Category:	Householder	Target Date:	15th September 2016



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REASON FOR APPLICATION APPEARING ON CIRCULATED SCHEDULE

This application is appearing on the Circulated Schedule due to the receipt of three objections from neighbouring residents.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a first floor rear extension to provide additional living accommodation.
- 1.2 The application site relates to a semi-detached two-storey house located within the urban area of Kingswood. The property has previously been extended in the form of a single storey rear extension. This application seeks to extend to first floor level using the same footprint as the single storey extension.
- 1.3 During the course of the application, a number of revised plans have been submitted following negotiations with the agent concerning the width of the first floor extension. The Officer has advised that the width should be reduced and set away from the neighbouring boundary. Revised plans have been submitted and neighbours have been re-consulted, due to the concerns raised.
- 1.4 The proposed rear elevation first floor extension would measure approximately 4.5 metres wide, 4 metres long, 5 metres to eaves and 7.2 metres ridge height.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

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

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

PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages, Including
Extensions and New Dwellings
PSP43 Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/2007/F Erection of single storey rear extension to form additional living accommodation (Resubmission PK04/1218/F)
Approved 30.07.04
- 3.2 PK04/1218/F Erection of single storey rear extension to form additional living accommodation
Refused 26.05.04
- 65 Courtney Way (attached neighbouring property)
- 3.3 PK05/3093/R3F Erection of single storey side and rear extension to form additional living accommodation
Deemed 05.12.05

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Unparished
- 4.2 Sustainable Transport
Although the number bedrooms will increase as result of this proposal, I am satisfied that the access and parking situation will not be affected by this development as such, it is unreasonable to refuse the application on highway safety ground.

There is therefore no highway objection to this application.

Other Representations

- 4.3 Local Residents
Two objections have been received from local residents and one objection from Merlin Housing Society in respect of No. 65:
- Loss of light;
 - Create oppressive wall face and will feel more enclosed;
 - No. 65 property and rear garden has been extensively adapted, providing a rear ground floor extension incorporating a bedroom, living area and wet room for their severely disabled son who is a wheelchair user;
 - Main access is at the rear of the property. The bulk and density of the extension would be directly outside the main access door and only 2 metres away;
 - Extension will feel overbearing and claustrophobic;
 - Impact on privacy due to proposed windows;
 - Patio area in rear garden would be overlooked;

- Reduced natural light to kitchen, son's bedroom and upstairs rear bedroom (No. 65);
- Proposed extension would have a detrimental impact on the quality of family life;
- Proposed first floor extension is being built up right to the party wall line and will have a detriment to amenities of resident's and will limit the openness;
- Extension is too large and should be reduced in size especially where adjacent to the boundary;
- Access is needed to Merlin's land to build the extension (Access to Neighbouring Land Act and the Party Wall Act) and no approach has been made so far.
- Previous objections still apply to amended scheme;
- Bulk of the build still remains unchanged.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The proposals stands to be assessed against the above listed policies and all material considerations. Policy H4 of the adopted Local Plan 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 the highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space. The proposal is considered to comply with the principle of development, subject to a detailed analysis below.

5.2 Design/Visual Amenity

The proposal would extend the dwelling on the rear elevation at first floor level only. The existing single storey extension measures approximately 4.5 metres wide, 3.8 metres long, 2.2 metres to eaves and 3.9 metres to the ridge height. The existing single storey rear extension is set away from the boundary by 1.7 metres. The proposed first floor extension will follow the same footprint and would extend the third bedroom and include a bathroom on the first floor. The proposal would have a hipped roof, with four windows on the rear (north) elevation facing out towards the property's garden. There would an additional small side window on the west elevation and a Velux window in the roof. These windows would serve the new first floor bathroom.

5.3 A number of concerns have been raised about the proposed size and bulk of the first floor extension. The adjoining neighbour No. 65 also has a large single storey side and rear extension, which includes a bedroom and wet room for their disabled son. Originally, the proposal would extend at first floor level adjacent to the boundary, then step in at 0.9 metres, following the existing ground floor extension footprint. The revised proposal now means the first floor is set 1.5 metres away from the boundary. Whilst there is a small side elevation window at No. 65, this is not the principal window serving the ground floor bedroom as there is also a large window/door on the north elevation. The rear extensions are No. 63 and No. 65 currently mirror each other.

Given both the proposed first floor extension (No.63) and existing ground floor extension (No. 65) are also located away from the boundary by a similar distance, it is considered unlikely that the proposal would result in a significant loss of light or appear bulky and oppressive. There remains a sufficient distance between existing and proposed built form.

5.4 Overall, the proposed design reflects the character of the host dwelling and neighbouring properties and is considered to be of an appropriate standard of design. The proposed extension, through negotiation and revisions, has been reduced in width and the bulk and massing of the development has been improved to an acceptable size.

5.5 Residential Amenity

The proposed extension would increase the living accommodation on the rear elevation at first floor level. There would be two small additional windows on the side elevation (adjacent to No. 61), however these would serve a bathroom. There would be one additional window on the rear elevation serving the extended bedroom. It is considered that the additional windows are unlikely to result in any material increase in overlooking or impact on the privacy of neighbouring residents.

5.6 Overall, the proposed size and location of the extension is not considered to have any significant impact on the existing levels of residential amenity. The extension is situated a suitable distance from neighbouring properties on both sides and therefore is unlikely to result in any harm by reason of overbearing impact. Ample private amenity space would remain to serve the host dwelling.

5.7 Transportation

The number of bedrooms within the property will not increase. The Transportation Officer has confirmed that the access and parking arrangement will not be affected by the proposal, and as such there is no highway safety objection.

5.8 Other Matters

A comment has been received regarding Merlin Housing Associations stating the applicant will require access to build the extension under the Access to Neighbouring Land Act and the Party Wall Act and so far no approach has been made. Whilst this is a civil matter, it is likely the applicant is awaiting the decision to be issued prior to making the necessary arrangements with the neighbours. There is no requirement that these arrangements are made prior to the submission of the application.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is **APPROVED**, subject to the attached conditions.

Contact Officer: Katie Warrington
Tel. No. 01454 864712

CONDITIONS

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

Reason

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

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

Site Plan, received by the Council on 21 July 2016.

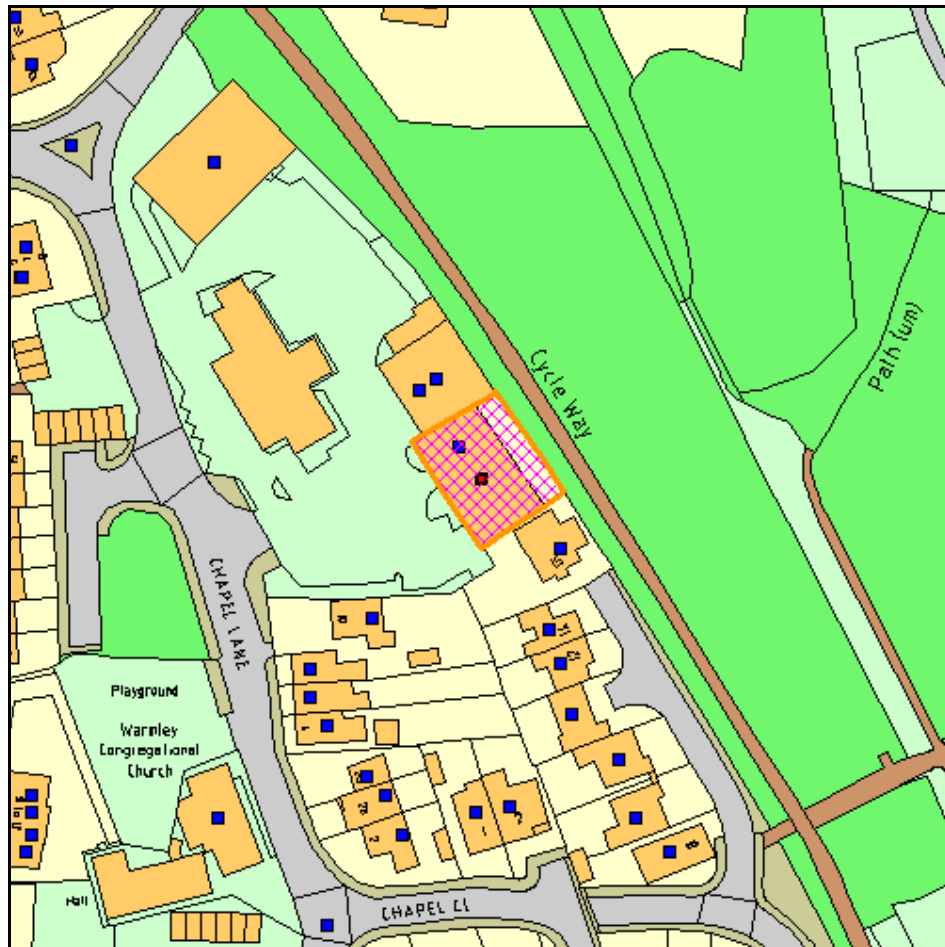
Combined Plan (3582/P1 & 3582/P2 Rev D), received by the Council on 26 October 2016.

Reason

To ensure that the development is carried out in accordance with the plans and drawings, as assessed in the application, and in the interests of the visual amenity of the site and the surrounding locality. To accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/5383/F	Applicant:	Mr Jon House
Site:	Unit 3 The Old Mill Chapel Lane Warmley Bristol South Gloucestershire BS15 4NQ	Date Reg:	17th October 2016
Proposal:	Installation of 2no doors and 6no windows to facilitate sub-division into two separate units.	Parish:	Siston Parish Council
Map Ref:	366998 173689	Ward:	Siston
Application Category:	Minor	Target Date:	8th December 2016



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1. **THE PROPOSAL**

- 1.1 The proposal seeks install 2no doors and 6no windows to facilitate the subdivision of an existing business unit into two smaller units.
- 1.2 The subject property is a late 20th century two storey industrial unit within a purpose built park. The property is a modern unit with part brick and part profile metal elevations with a portal frame construction. There is parking to the south-west of the building.
- 1.3 The site is level and situated in the built up area of Warmley in an established business park on the edge but within the settlement boundary.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS11 Distribution of economic development land

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

E1 Proposals for Employment Development
E3 Criteria for Assessing Employment Development within Urban Areas
T12 Transportation

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards
PSP21 Environmental Pollution and Impacts

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006

3. **RELEVANT PLANNING HISTORY**

- 3.1 P97/4082 – Approval – 25/04/1997 – Erection of single storey extension.
- 3.2 K4236/3 – Approval – 11/06/1990 – Change of use from B1 to builder's yard, storage, carpenters workshop, & area for offices. Alterations to elevations.
- 3.3 K4236/1 – Approval – 18/06/1984 – Erection of 3no. industrial units.

- 3.4 K446/8 – Approval – 14/11/1983 - Residential development on approx. 0.63 hectare at part of Warmley station.
- 3.5 K4236 – Approval – 10/01/1984 – Industrial Development of approx. 0.17 hectare (outline).
- 3.6 K446/4 – Refusal – 28/10/1980 – Outline application for the erection of general industrial nursery units & ancillary offices. Alterations to existing vehicular & pedestrian access
- 3.7 K446/3 – Refusal – 28/10/1980 – Outline application for the erection of general industrial nursery units and ancillary offices. Lorry parking area. Alterations to existing vehicular & pedestrian access
- 3.8 K446/2 – Refusal – 15/04/1980 – Outline application for the erection of general industrial nursery units and ancillary offices. Lorry parking area. Alterations to existing vehicular & pedestrian access
- 3.9 K446/1 – Refusal – 16/10/1975 – Use of land for the parking of vehicles in accordance with revised plan received by authority.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
In the event the proposals would result in additional vehicular traffic the council would object to the proposal. This has been taken to mean the council object to the proposal and is discussed in detail below.

- 4.2 Other Consultees

- Lead Local Flood Authority
No Objection

- Highway Structures
No Comment

- Transport Officer
No Comments

- Economic Development
No Objection

Other Representations

- 4.3 Local Residents
No Comments Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Proposals for employment related development within the urban area will be permitted provided that: Development would not have unacceptable environmental affects; adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic or on street parking; development would not prejudice the existing residential amenities and the character of the area is not adversely affected. The proposed sub-division of the unit and this in itself would not require permission, so the only relevant considerations are the introduction of additional openings, its impact on design and the impact on the residential amenity of nearby occupiers. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development.

5.3 The proposal consists of the introduction of 2no doors and 6no windows in order to facilitate the subdivision of the existing unit to provide 2 independent units. The subject property is separated into two perceived parts as it stands, one of which providing an open plan area the other is largely office space over two floors. The proposal would see the two parts separated into their respective predominant uses and additional openings provided to the office space. The sub-division itself would not require permission and it is only the impact on design and residential amenity that should be under consideration within this application.

5.4 The scope of the external alterations is minor and the proposal would not be considered to have a negative impact on the character of the host site or its context and as such is considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policy CS1 and the criteria identified in the adopted Local Plan.

5.5 Economic Development

The subject site is located within the settlement boundary of Warmley in an existing and established business park and would be assessed against Saved Policy E3 of the Local Plan (2006). This is supportive of development related to employment assuming development would not have unacceptable environmental affects; adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic or on street parking; development would not prejudice the existing residential amenities and the character of the area is not adversely affected The proposal would facilitate the subdivision of the existing unit into

two separate units and the proposal would not be seen to give rise to a significantly higher level of noise, environmental or light pollution. Furthermore it is unlikely to result in a significantly higher level of vehicular movements and there is no objection to the proposal with regard to economic development.

5.6 Residential Amenity

The proposal consists of the introduction of additional openings to facilitate the subdivision of the unit. As aforementioned the proposal does not require permission for the subdivision itself. Consequently it is only reasonable to assess the potential harm to residential amenity as a result of the additional openings. In this case the portion of the structure that is affected by the proposed windows is the area in which office space is the predominant use. The unit is not expected to create any additional noise pollution nor give rise to additional loss of privacy or light pollution and is considered acceptable with regard to residential amenity considerations.

5.7 Sustainable Transport and Parking Provision

The parish council question the proposal on the grounds of vehicular movements and their related impact but comments from the transport officer indicate there is no real concern over the impact on highway safety or parking provision. Policy T8 of the Local Plan indicates that B1 uses should not exceed 1 space per 35m² of gross internal floor space where the property is less than 2500 m² which is the case with the proposed divided units. No additional floorspace is proposed and it should be noted that the subdivision of the unit itself does not require planning permission. Consequently it has been viewed as unreasonable to refuse the application on the basis of transport considerations as there is no control over the subdivision and any potential change in travel behaviour.

5.8 Currently the property has an area of parking to the south-west of the unit. The proposal would not impact on this arrangement and would not provide any additional floor space. As a result the parking will not be impacted. The proposal is therefore considered to accord with Saved Policies T8 and T12 of the Local Plan (adopted) January 2006 and there are no adverse highway concerns to address. The council has no objection to the proposal in relation to highway safety or parking provision.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

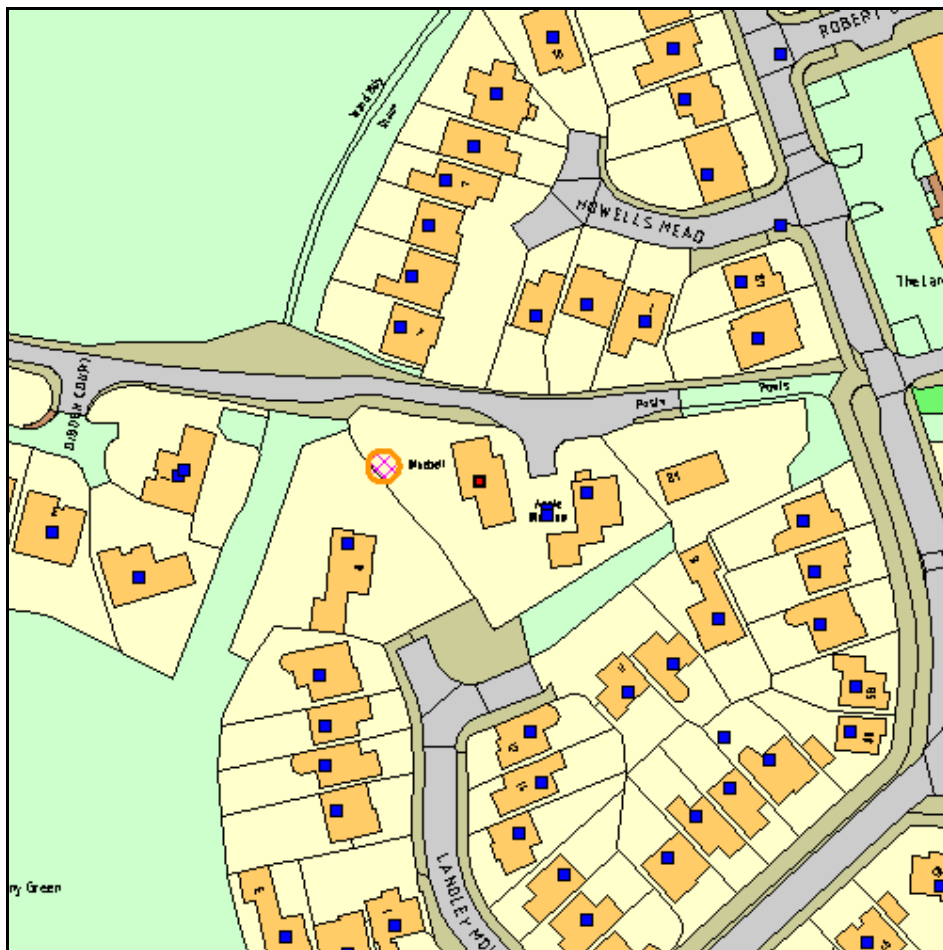
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/5465/TRE	Applicant:	Mr Paul Bateman
Site:	Bluebell Dibden Lane Emersons Green South Gloucestershire BS16 7AF	Date Reg:	9th November 2016
Proposal:	Works to 1no Oak tree to end weight, reduce lower limbs on property side only to achieve a 4m clearance from property. Covered by KTPO 03/91 dated 29 July 1991.	Parish:	Emersons Green Town Council
Map Ref:	366627 177285	Ward:	Emersons Green
Application Category:		Target Date:	3rd January 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Works to 1no Oak tree to end weight, reduce lower limbs on property side only to achieve a 4m clearance from property. Covered by KTPO 03/91 dated 29 July 1991.
- 1.2 The tree is situated on the boundary between Bluebell, Dibden Lane and no.8 Langley Mow, Emersons Green South Gloucestershire.

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 PK09/0299/TRE, Site Address: 8 Langley Mow, Emersons Green, South Gloucestershire, BS16 7DS, Decision: REFU, Date of Decision: 09-APR-2009, Proposal: Works to pollard to 1 metre above stem 2no. Oak trees covered by Tree Preservation Order KTPO 03/91 dated 29 July 1991., CIL Liable
- 3.2 PK09/0944/TRE, Site Address: 8 Langley Mow, Emersons Green, South Gloucestershire, BS16 7DS, Decision: COND, Date of Decision: 09-JUL-2009, Proposal: Works to crown thin by 15% 2no. Oak trees covered by Tree Preservation Order KTPO03/91 dated 29 July 1991., CIL Liable:
- 3.3 PK14/1073/TRE, Site Address: Bluebell House, Dibden Lane, Emersons Green, Bristol, South Gloucestershire, BS16 7AF, Decision: COND, Date of Decision: 16-MAY-2014, Proposal: Works to 1no. Oak tree to remove low branch and prune back upper outer face of canopy by 1.5m to give 2m clearance from dwelling covered by Tree Preservation Order KTPO03/91 dated 29 July 1991., CIL Liable:
- 3.4 PK16/6249/F is a current planning application for a single storey extension to the rear of Bluebell House.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council Planning Committee have made comments objecting to the application and wishing to see an Arboricultural report and seeking the advice of the South Gloucestershire Council Tree Officer.

Other Representations

4.2 Local Residents

A neighbouring resident has objected to the proposal due to the detrimental impact this would have on the screening between his property & Bluebell House, the adverse impact on a protected tree and the loss of privacy and overlooking each other's properties.

5. ANALYSIS OF PROPOSAL

5.1 Works to 1no Oak tree to end weight, reduce lower limbs on property side only to achieve a 4m clearance from property. Covered by KTPO 03/91 dated 29 July 1991.

5.2 Principle of Development

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

5.3 Consideration of Proposal

The proposed works are to prune back the low to middle crown by approximately 2 metres in order to achieve a clearance from the building of 4 metres. No removal of lower crown is proposed and it is not considered, therefore that screening will between properties will be lost.

5.4 There is no requirement on an applicant to provide an Arboricultural report unless the reason for the works is in relation to the tree's condition. This is not the case here.

5.5 It is not considered that the works proposed will have a detrimental impact on the tree. The work is considered reasonable and proportionate and no adverse effect is anticipated on either the tree's long term health nor on the amenity it provides.

6. RECOMMENDATION

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

Contact Officer: Simon Penfold
Tel. No. 01454 868997

CONDITIONS

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

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the

South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

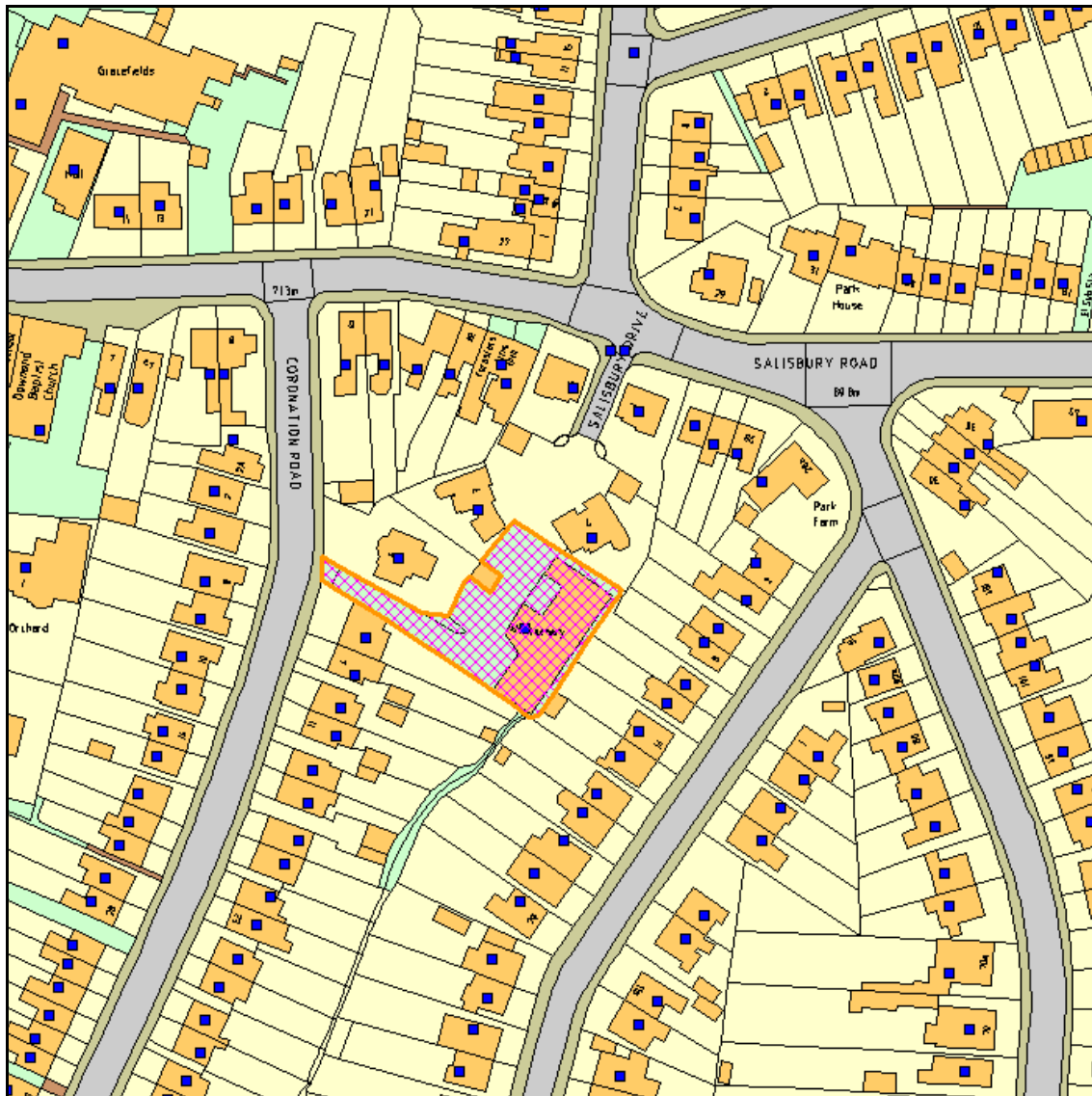
2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

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

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/5664/RVC	Applicant:	Mama Bears Day Nursery
Site:	Mama Bears Day Nursery 3A Coronation Road Downend South Gloucestershire BS16 5SN	Date Reg:	18th October 2016
Proposal:	Removal of condition c) i) attached to planning permission K2204/2.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365226 176515	Ward:	Downend
Application Category:	Minor	Target Date:	8th December 2016



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 100023410, 2008. **N.T.S.** **PK16/5664/RVC**

REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule following the receipt of objections two local households; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

1.1 This application seeks consent to vary condition C attached to planning consent K2204/2 granted on 4/2/1985 which was for a Doctors Surgery and car parking. The condition as attached currently reads as follows:

Before the surgery hereby approved is completed or occupied, the following works shall be carried out and thereafter maintained to the satisfaction of the District Planning Authority:-

- i) surfacing and marking out of the car parking spaces and manoeuvring areas*
- ii) surfacing of access road between Coronation Road and the proposed surgery.*
- iii) erection of boundary waling as indicated on the approved plans*

Reason

In the interests of the amenities of nearby residents and to ensure that the development is carried out in a satisfactory manner.

1.2 The proposal is to completely remove the condition which would facilitate the ancillary land to be used for other ancillary purposes. In this case the applicant shows that they wish to use the land for ancillary outdoor playspace.

1.3 The application relates to Mama Bears Day nursery which, being a D1 use, did not require planning permission for a change of use from the doctors surgery.

1.4 A traffic Impact statement was requested as part of the scheme and this indicates that:

- The proposed play area is required to improve the outdoor facilities to enable the nursery to take 0-4 years olds. This is to create additional capacity within this age group in anticipation of the extension in the Free Early Learning Entitlement from 15 to 30 hours from September 2017.
- There is no proposal to extend the building and as such, there will be no increase in the total number of registered children at the nursery. This application to extend the outdoor play space is merely to facilitate the change in the mix of the age of the children cared for. Therefore it is not
- considered that the development proposals will result in a change in existing parking habits, as the number of children attending the nursery will remain as existing.
- There is a maximum of 64 children registered at the nursery. It has been confirmed that on a typical day, occupancy is approximately 80 percent.

This equates to a maximum of 51 children in attendance at any one time. The nursery opening times are expected to be from 0800 to 1800 hours, which are as existing.

- It has been confirmed by Mama Bears Nurseries that that staff work on a roster system. At full occupancy it is anticipated that up to 20 staff would be employed in total but with a maximum of 13 staff on-site working with children. A manager, a cook, and a cleaner are also employed onsite.
- The site currently benefits from a total of 11 car parking spaces including two disabled parking spaces. The proposals will result in a net loss of three car parking spaces and one disabled space.
- The applicant's report concludes that the maximum number of occupied spaces on-site at any surveyed time segment was five Spaces and that there is ample opportunity to park on Coronation Road, or elsewhere on-street within 200 metres of the site.
- A Travel Plan is provided.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS8 Improving accessibility

CS9 Managing the environment and heritage.

CS29 Communities of the east fringe of Bristol urban area.

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

LC4 proposals for education and community facilities within the existing urban area and defined settlement boundaries

T6 Cycle routes

T7 Cycle parking

T8 Parking standards

T9 Parking standards for people with disabilities

T12 Transportation development control policy for new development

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

PSP8 Residential amenity

PSP16 Parking standards

2.3 Supplementary Planning Guidance

South Gos. Design Guide SPD

3. RELEVANT PLANNING HISTORY

- 3.1 K2204/2 Erection of doctors' surgery, construction of car parking spaces approved 4 February 1985.
- 3.2 K2204/4 Single storey extension to existing doctors surgery Approved 10 August 1992 with a condition reading as follows: The development shall not be occupied until the parking area shown on the approved drawing has been provided and completed in accordance with the approved plans and the parking area shall not thereafter be used for any purpose other than for the parking of vehicles.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection

4.2 Other Consultees

Sustainable transport

No objection subject to conditions relating to provision and maintenance of the revised parking scheme. And that the approved 'Travel Plan' shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation. Further that the approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

Environmental protection

If they are already using then not much of a change....limit the use of the garden to within nursery opening times, hours of use to the region of 9-5 so that early morning use doesn't cause any harm.

Other Representations

4.3 Local Residents

Objection has been received from two local households in relation to the following matters;

- removal of parking spaces will be to the detriment of the neighbouring streets. The conditions of K2204/2, were sent out "In the interests of the amenities of the nearby residents" why should their interests no longer matter.
- Concern at noise created as play area will be right up to neighbours boundaries and will reverberate off the wall shown.
- Concern about climbing frames and lack of privacy.
- Concern at displacement of vehicles onto Coronation Road
- Concern that the existing parking problems results in neighbours digging up their front gardens to create parking and contributing to flood matters.

- Concern at lack of replacement provision and it is not the responsibility of the local neighbourhood and council to bear the increased social and economic costs to accommodate the expansion of a commercial enterprise and impact on council budgets.
- Suggestion that the use should go elsewhere to expand or stay as they are as a younger children nursery not taking older pre-schoolers.
- Lack of demonstration about large delivery lorries.
- Proposal does not mitigate for the harm caused
- Proposal hinders accessibility and concern there is not sufficient parking
- Concern that the applicant did not enter public consultation or pre-application advice prior to submitting the application.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the use of this site is accepted given that it was an acceptable change within the use class D1 from the doctors surgery to a nursery. The application simply seeks to limit the numbers of designated parking spaces from eleven to seven (including a disabled space). As such the relevant policies for consideration are those relating to parking facilities for a nursery and those relating to changes to the residential amenity of the surrounding neighbours.

5.2 Policy LC4 states that the development, expansion or improvement of education and community facilities within the existing urban area and within the boundaries of settlements,...will be permitted provided that the proposals are highly accessible by foot and bicycle, would not unacceptably prejudice residential amenities and development would not have unacceptable environmental or transportation effects. Further that the development would not give rise to unacceptable levels of on street parking to the detriment of amenities of the surrounding area and highways safety.

5.3 Policy CS29 includes policies which seek generally to protect and enhance sport and recreation provision to correct the under provision in this area. Whilst this small out door area is not specifically the nature of what the policy is seeking to achieve it is broadly in line with this part of the special strategy in that it advocates recreation.

5.4 Accessibility and parking.

Planning permission is sought to vary an existing planning condition which would facilitate a dedicated area for outdoor play at this nursery to enable the nursery to provide facilities more suitable to the full preschool range (0-4 years olds rather than just 0-2.5 year olds).

5.5 There is no proposal to extend the building and as such, there will be no increase in the total number of registered children at the nursery. This application to extend the outdoor play space is merely to facilitate the change in the mix of the age of the children cared for.

- 5.6 Comments from some concerned neighbours are noted and are addressed below.
- 5.7 The proposed outdoor play area will be located in part of the car park to the northwest of the nursery building, on the site of three existing car parking spaces. The site currently benefits from a total of 11 car parking spaces including two disabled parking spaces. The proposals will result in a net loss of three car parking spaces and one disabled space. An assessment has been made for the on-site and on-street parking opportunities available for staff and parents to park in the vicinity of the site within the peak hours.
- 5.8 Associated with this current application, the applicant's agent TPA has carried out a parking survey within the AM Peak (08:00 – 09:00) on 22nd November 2016 and within the PM Peak (17:00 – 18:00) on the 23rd November 2016 to confirm existing on-street parking capacity within 200 metres of the site (including parking survey of Coronation Road, Salisbury Road from its junction with North Street to Chesterfield Road) for the peak drop off and pick up times at the Nursery. At the start of the morning peak hour, the result shows that ten on-site spaces out of a total of 11 were unoccupied and 21 spaces were available on Coronation Road. The survey results shows that the time with the highest number of vehicles parked in the car park was 08.30 (three vehicle) and at 17.30 (5 vehicles). The survey results also suggest that the majority of on-street parking opportunities were available on Coronation Road itself with a minimum of 17 and a maximum of 21 available within the time segments surveyed as part of the assessment.
- 5.9 From the site inspection, Officers confirm that on-street parking on Coronation Road outside and close to the application site occurs. From the transport officer's own site observation, it is clear that the majority of parents either use the existing on-site car park or park legally on-street within the vicinity of the nursery. The South Gloucestershire Council parking standards for a day nursey requires 1 space per 2 staff plus a requirement for adequate and safe space for the pickup/set down of children. Plans submitted with this application shows that total of 7 (seven) parking spaces will be retained on site. Transportation Officers are satisfied that the proposed number of spaces on site is adequate to serve the nursey's parking needs and further satisfied that the proposed reduction in parking provision (i.e. 11 spaces reduced to 7 parking – a net loss of 4 spaces) can occur without any harm to users of the facility or surrounds. It must also be reported that the original consent on site did not included provision of a 'travel plan'. Associated with the current application, the applicant has submitted a 'Travel Plan' in order to encourage staff and parents to travel by means other than private car. This can be made into a planning condition if planning consent is being considered on the site.
- 5.10 Taking an overall view the site is in a sustainable location being located in a densely populated location and where access via cycle and walking routes is possible. The proposal is not to increase numbers of children but to facilitate outdoor space to accommodate the educational needs of 0-4 year olds and as such it may be more feasible to deliver multiple children at one time thus filling the nursery in less parent trips.

5.11 In view of the matters raised above there is no highway objection to this application but it is recommended that planning conditions are imposed to secure the Travel plan and the modified parking arrangements.

5.12 Impact on neighbours/the environment.

The area being taken out of parking is close to three back gardens in particular and one neighbour has raised objection to the additional noise which may follow from the play area. There is currently a small outdoor area within the front elevation of the building. This application would facilitate a dedicated larger outdoor play area within the 2m high boundary walling and enclosed by a further proposed 2m high wall between the car park and the play area. This would be for use incidental to the nursery. The additional wall is considered to be permitted development up to two metres high and the soft poor surfacing is not considered to require planning permission in its own right. There is no restriction on hours of operation of the building but it would be reasonable to define hours of use of the new outdoor play area. It would not be reasonable to restrict how many children may partake in the outdoor space at any one time nor what noise levels they may emit whilst enjoying the outdoor space. It is envisaged that this would be very transient as play changes and children are potentially able to drift in and out of the care setting. The use of soft flooring would assist in limiting noise but it is also acknowledged that the wall to be constructed could 'redirect' noise back to the blank sides of the adjacent houses. Notwithstanding this the use of the play area as outdoor space associated with the children's day nursery is not considered to materially affect the residential amenity of neighbours and should the play area not be well managed by the nursery staff noise nuisance can be investigated by Environmental Protection under other legislation. Hours of use of the outdoor space is recommended to be 9-5pm during the week and whilst such facilities tend not to open on weekends a 9-1pm condition is considered necessary in case they do extend their hours or have open days. These times of operation are more restrictive than normal business use time restrictions but felt necessary and justified by the type of potential noise likely to be emitted.

5.13 Flooding

One neighbour raises the continued changes of gardens to parking area as being driven by an inability to park on the streets surrounding their houses. The proposal has shown that this is not the cause of lack of space during opening times of the nursery and this is not attributed directly to the use of the site. The site itself despite being at a lower level than the access road is in flood zone one and is not at risk of flooding.

5.14 Previous conditions

It is proposed above to add conditions regarding the travel plan and implementation of the proposed parking but it is correct process to consider whether any of the existing conditions also need to be reattached to this variation of planning consent. This this is mind condition 'a' was a time condition and 'b' was a materials condition. The development was built out and as such it is not necessary to reapply either of these conditions, particularly as the site is discretely located well away from where it will not affect the street scene. Condition 'c' currently the subject of this application also sought that the boundary walling was completed and maintained and for the hard surfacing of

the drive. The walling remains necessary to secure the site and to limit noise impact on neighbours. The drive is hard surfaced and would need to remain so to facilitate the proposed car parking spaces. This can be included in the condition proposed by the highways officer. As such conditions retaining the walling and relating to the tarmacked drive are recommended.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 As the application is to remove a condition there is not requirement for a three year time condition but works to facilitate the resultant play area results in a need to include triggers for the revised parking facilities to be carried out. These are included in condition one.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

1. Within 60 days of the erection of a boundary structure between the the play area and the proposed car park, the proposed car park, which shall be hardsurfaced, shall be set out as shown on the Block Plan in drawing 882_Mama Bear_Downend_A102 received 13 October 2016. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles in connection with the use of the building.

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.

2. The approved 'Travel Plan' submitted on 2 December 2016 shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation. The Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

Reason

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

3. The walling around the site shall be maintained as such.

Reason

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

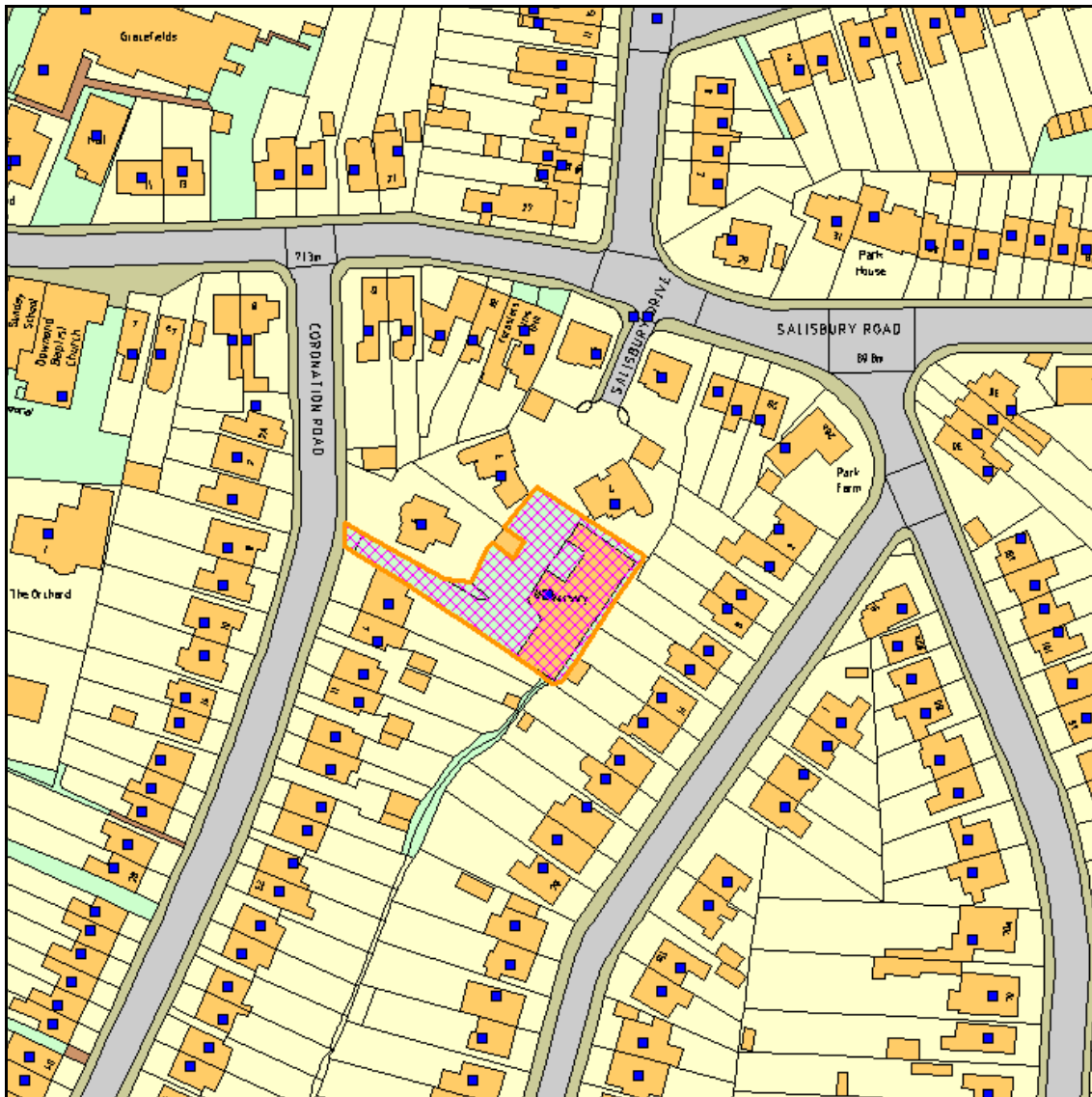
4. The resulting outdoor play area shall not be used except for between 09.00 and 17.00 hours on weekdays and between 09.00 and 13.00 on Saturdays nor at any time on Sundays or Bank Holidays.

Reason

In the interests of the amenity enjoyed by those living in the locality to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/5667/RVC	Applicant:	Mama Bears Day Nursery
Site:	Mama Bears Day Nursery 3A Coronation Road Downend South Gloucestershire BS16 5SN	Date Reg:	18th October 2016
Proposal:	Variation of condition 2 attached to planning permission K2204/4 to create additional garden space.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365226 176515	Ward:	Downend
Application Category:	Minor	Target Date:	8th December 2016



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REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule following the receipt of objections two local households; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks consent to vary condition 2 attached to planning consent K2204/4 granted on 10/8/1992 which was for the extension of a Doctors Surgery. The condition as attached currently reads as follows:

The development shall not be occupied until the parking area shown on the approved drawing has been provided and completed in accordance with the approved plans and the parking area shall not therefore be used for any purpose other than for the parking of vehicles.

Reason

To ensure that the development does not lead to obstruction of the adjacent streets nor prejudice general safety or efficient traffic movement in those streets by waiting vehicles.

- 1.2 The proposal is to completely remove the condition which would facilitate the ancillary land to be used for other ancillary purposes. In this case the applicant shows that they wish to use the land for ancillary outdoor playspace.
- 1.3 The application relates to Mama Bears Day nursery which, being a D1 use, did not require planning permission for a change of use from the doctors surgery.
- 1.4 A traffic Impact statement was requested as part of the scheme and this indicates that:
- The proposed play area is required to improve the outdoor facilities to enable the nursery to take 0-4 years olds. This is to create additional capacity within this age group in anticipation of the extension in the Free Early Learning Entitlement from 15 to 30 hours from September 2017.
 - There is no proposal to extend the building and as such, there will be no increase in the total number of registered children at the nursery. This application to extend the outdoor play space is merely to facilitate the change in the mix of the age of the children cared for. Therefore it is not considered that the development proposals will result in a change in existing parking habits, as the number of children attending the nursery will remain as existing.
 - There is a maximum of 64 children registered at the nursery. It has been confirmed that on a typical day, occupancy is approximately 80 percent. This equates to a maximum of 51 children in attendance at any one time. The nursery opening times are expected to be from 0800 to 1800 hours, which are as existing.

- It has been confirmed by Mama Bears Nurseries that that staff work on a roster system. At full occupancy it is anticipated that up to 20 staff would be employed in total but with a maximum of 13 staff on-site working with children. A manager, a cook, and a cleaner are also employed onsite.
- The site currently benefits from a total of 11 car parking spaces including two disabled parking spaces. The proposals will result in a net loss of three car parking spaces and one disabled space.
- The applicant's report concludes that the maximum number of occupied spaces on-site at any surveyed time segment was five Spaces and that there is ample opportunity to park on Coronation Road, or elsewhere on-street within 200 metres of the site.
- A Travel Plan is provided.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS8 Improving accessibility

CS9 Managing the environment and heritage.

CS29 Communities of the east fringe of Bristol urban area.

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

LC4 proposals for education and community facilities within the existing urban area and defined settlement boundaries

T6 Cycle routes

T7 Cycle parking

T8 Parking standards

T9 Parking standards for people with disabilities

T12 Transportation development control policy for new development

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

PSP8 Residential amenity

PSP16 Parking standards

2.3 Supplementary Planning Guidance
South Glos. Design Guide SPD

3. RELEVANT PLANNING HISTORY

3.1 K2204/2 Erection of doctors' surgery, construction of car parking spaces approved 4 February 1985.

- 3.2 K2204/4 Single storey extension to existing doctors surgery Approved 10 August 1992 with a condition reading as follows: The development shall not be occupied until the parking area shown on the approved drawing has been provided and completed in accordance with the approved plans and the parking area shall not thereafter be used for any purpose other than for the parking of vehicles.
- 3.3 PK16/5664/RVC Removal of condition c) i) attached to planning permission K2204/2. Pending

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council
No objection

4.2 Other Consultees
Sustainable transport

No objection subject to conditions relating to provision and maintenance of the revised parking scheme. And that the approved 'Travel Plan' shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation. Further that the approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

Environmental protection

If they are already using then not much of a change....limit the use of the garden to within nursery opening times, hours of use to the region of 9-5 so that early morning use doesn't cause any harm.

Other Representations

4.3 Local Residents

Objection has been received from two local households in relation to the following matters;

- removal of parking spaces will be to the detriment of the neighbouring streets. The conditions of K2204/2, were sent out "In the interests of the amenities of the nearby residents" why should their interests no longer matter.
- Concern at noise created as play area will be right up to neighbours boundaries and will reverberate off the wall shown.
- Concern about climbing frames and lack of privacy.
- Concern at displacement of vehicles onto Coronation Road
- Concern that the existing parking problems results in neighbours digging up their front gardens to create parking and contributing to flood matters.
- Concern at lack of replacement provision and it is not the responsibility of the local neighbourhood and council to bear the increased social and economic costs to accommodate the expansion of a commercial enterprise and impact on council budgets.

- Suggestion that the use should go elsewhere to expand or stay as they are as a younger children nursery not taking older pre-schoolers.
- Lack of demonstration about large delivery lorries.
- Proposal does not mitigate for the harm caused
- Proposal hinders accessibility and concern there is not sufficient parking
- Concern that the applicant did not enter public consultation or pre-application advice prior to submitting the application.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the use of this site is accepted given that it was an acceptable change within the use class D1 from the doctors surgery to a nursery. The application simply seeks to limit the numbers of designated parking spaces from eleven to seven (including a disabled space). As such the relevant policies for consideration are those relating to parking facilities for a nursery and those relating to changes to the residential amenity of the surrounding neighbours.

5.2 Policy LC4 states that the development, expansion or improvement of education and community facilities within the existing urban area and within the boundaries of settlements,...will be permitted provided that the proposals are highly accessible by foot and bicycle, would not unacceptably prejudice residential amenities and development would not have unacceptable environmental or transportation effects. Further that the development would not give rise to unacceptable levels of on street parking to the detriment of amenities of the surrounding area and highways safety.

5.3 Policy CS29 includes policies which seek generally to protect and enhance sport and recreation provision to correct the under provision in this area. Whilst this small out door area is not specifically the nature of what the policy is seeking to achieve it is broadly in line with this part of the special strategy in that it advocates recreation.

5.4 Accessibility and parking.

Planning permission is sought to vary an existing planning condition which would facilitate a dedicated area for outdoor play at this nursery to enable the nursery to provide facilities more suitable to the full preschool range (0-4 years olds rather than just 0-2.5 year olds).

5.5 There is no proposal to extend the building and as such, there will be no increase in the total number of registered children at the nursery. This application to extend the outdoor play space is merely to facilitate the change in the mix of the age of the children cared for.

5.6 Comments from some concerned neighbours are noted and are addressed below.

- 5.7 The proposed outdoor play area will be located in part of the car park to the northwest of the nursery building, on the site of three existing car parking spaces. The site currently benefits from a total of 11 car parking spaces including two disabled parking spaces. The proposals will result in a net loss of three car parking spaces and one disabled space. An assessment has been made for the on-site and on-street parking opportunities available for staff and parents to park in the vicinity of the site within the peak hours.
- 5.8 Associated with this current application, the applicant's agent TPA has carried out a parking survey within the AM Peak (08:00 – 09:00) on 22nd November 2016 and within the PM Peak (17:00 – 18:00) on the 23rd November 2016 to confirm existing on-street parking capacity within 200 metres of the site (including parking survey of Coronation Road, Salisbury Road from its junction with North Street to Chesterfield Road) for the peak drop off and pick up times at the Nursery. At the start of the morning peak hour, the result shows that ten on-site spaces out of a total of 11 were unoccupied and 21 spaces were available on Coronation Road. The survey results shows that the time with the highest number of vehicles parked in the car park was 08.30 (three vehicle) and at 17.30 (5 vehicles). The survey results also suggest that the majority of on-street parking opportunities were available on Coronation Road itself with a minimum of 17 and a maximum of 21 available within the time segments surveyed as part of the assessment.
- 5.9 From the site inspection, Officers confirm that on-street parking on Coronation Road outside and close to the application site occurs. From the transport officer's own site observation, it is clear that the majority of parents either use the existing on-site car park or park legally on-street within the vicinity of the nursery. The South Gloucestershire Council parking standards for a day nursey requires 1 space per 2 staff plus a requirement for adequate and safe space for the pickup/set down of children. Plans submitted with this application shows that total of 7 (seven) parking spaces will be retained on site. Transportation Officers are satisfied that the proposed number of spaces on site is adequate to serve the nursey's parking needs and further satisfied that the proposed reduction in parking provision (i.e. 11 spaces reduced to 7 parking – a net loss of 4 spaces) can occur without any harm to users of the facility or surrounds. It must also be reported that the original consent on site did not included provision of a 'travel plan'. Associated with the current application, the applicant has submitted a 'Travel Plan' in order to encourage staff and parents to travel by means other than private car. This can be made into a planning condition if planning consent is being considered on the site.
- 5.10 Taking an overall view the site is in a sustainable location being located in a densely populated location and where access via cycle and walking routes is possible. The proposal is not to increase numbers of children but to facilitate outdoor space to accommodate the educational needs of 0-4 year olds and as such it may be more feasible to deliver multiple children at one time thus filling the nursery in less parent trips.
- 5.11 In view of the matters raised above there is no highway objection to this application but it is recommend that planning conditions are imposed to secure the Travel plan and the modified parking arrangements.

5.12 Impact on neighbours/the environment.

The area being taken out of parking is close to three back gardens in particular and one neighbour has raised objection to the additional noise which may follow from the play area. There is currently a small outdoor area within the front elevation of the building. This application would facilitate a dedicated larger outdoor play area within the 2m high boundary walling and enclosed by a further proposed 2m high wall between the car park and the play area. This would be for use incidental to the nursery. The additional wall is considered to be permitted development up to two metres high and the soft poor surfacing is not considered to require planning permission in its own right. There is no restriction on hours of operation of the building but it would be reasonable to define hours of use of the new outdoor play area. It would not be reasonable to restrict how many children may partake in the outdoor space at any one time nor what noise levels they may emit whilst enjoying the outdoor space. It is envisaged that this would be very transient as play changes and children are potentially able to drift in and out of the care setting. The use of soft flooring would assist in limiting noise but it is also acknowledged that the wall to be constructed could 'redirect' noise back to the blank sides of the adjacent houses. Notwithstanding this the use of the play area as outdoor space associated with the childrens' day nursery is not considered to materially affect the residential amenity of neighbours and should the play area not be well managed by the nursery staff noise nuisance can be investigated by Environmental Protection under other legislation. Hours of use of the outdoor space is recommended to be 9-5pm during the week and whilst such facilities tend not to open on weekends a 9-1pm condition is considered necessary in case they do extend their hours or have open days. These times of operation are more restrictive than normal business use time restrictions but felt necessary and justified by the type of potential noise likely to be emitted.

5.13 Flooding

One neighbour raises the continued changes of gardens to parking area as being driven by an inability to park on the streets surrounding their houses. The proposal has shown that this is not the cause of lack of space during opening times of the nursery and this is not attributed directly to the use of the site. The site itself despite being at a lower level than the access road is in flood zone one and is not at risk of flooding.

5.14 Previous conditions

It is proposed above to add conditions regarding the travel plan and implementation of the proposed parking but it is correct process to consider whether any of the existing conditions also need to be reattached to this variation of planning consent. This this is mind condition '1' was a time condition. The development was built out and as such it is not necessary to reapply this condition. Condition '3' was a condition requiring the erection of walling which was erected. The walling remains necessary to secure the site and to limit noise impact on neighbours. As such a condition retaining the walling is recommended.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 As the application is to remove a condition there is not requirement for a three year time condition but works to facilitate the resultant play area results in a need to include triggers for the revised parking facilities to be carried out. These are included in condition one.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

1. Within 60 days of the erection of a boundary structure between the play area and the proposed car park, the proposed car park, which shall be hardsurfaced, shall be set out as shown on the Block Plan in drawing 882_Mama Bear_Downend_A102 received 13 October 2016. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles in connection with the use of the building.

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.

2. The approved 'Travel Plan' submitted on 2 December 2016 shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation. The Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

Reason

To ensure the satisfactory provision of parking facilities and to encourage means of transport other than the private motor car and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local

Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

3. The walling around the site shall be maintained as such.

Reason

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

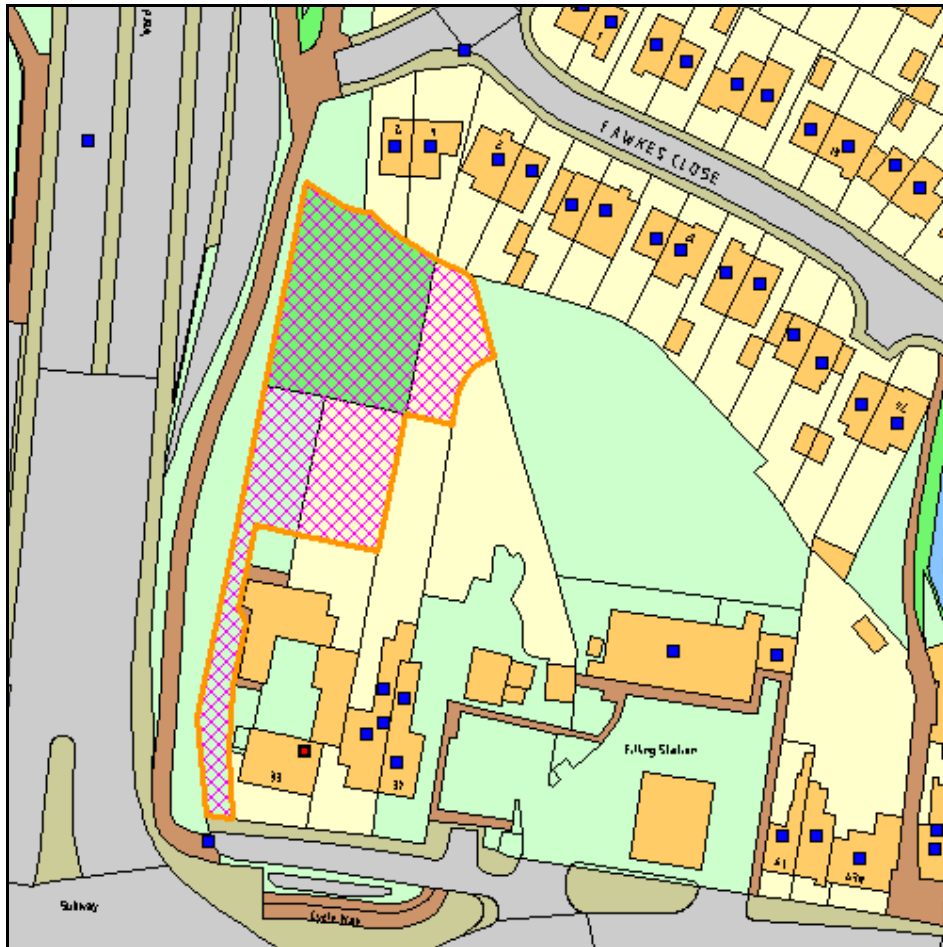
4. The resulting outdoor play area shall not be used except for between 09.00 and 17.00 hours on weekdays and between 09.00 and 13.00 on Saturdays nor at any time on Sundays or Bank Holidays.

Reason

In the interests of the amenity enjoyed by those living in the locality to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/6136/F	Applicant:	Litfield Land Ltd
Site:	Warmley Court 33 Deanery Road Kingswood South Gloucestershire BS15 9JB	Date Reg:	14th November 2016
Proposal:	Erection of a single storey building to provide 10no. bed care facility (Class C2) with associated works.	Parish:	None
Map Ref:	366625 173603	Ward:	Siston
Application Category:	Minor	Target Date:	5th January 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is circulated as a result of the comments of Siston Parish Council which are in conflict with the offer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a vacant plot of land located to the rear of Lansdowne House, which lies in Warmley, adjacent to the A4174 Bristol Ring Road with access from Deanery Road. The site is otherwise immediately surrounded by domestic gardens to the north and east and a C2 care facility to the south.
- 1.2 Lansdowne House is a Grade II Listed Building which was converted to a Nursing Home in 1995. This required the demolition of outbuildings and the construction of a large single-storey extension. The construction of the ring road was carried out between 1986 and 1994. This required the re-alignment of the boundary to Lansdowne House and the stopping up of Deanery Road at the property. Lansdowne House was originally a farm house with a large amount of land; the Nursing Home does not require such a large external area.
- 1.3 It is proposed to erect six one bedroom care apartments and four nurse based single rooms, 2 staff sleep over facilities and a family sleep over room in ground floor accommodation. The proposal also shows two communal lounges. Vehicular access would be from the end of Deanery Road and to the western side of Lansdowne House. Seven parking spaces are also proposed.
- 1.4 The proposal is to be finished in render and timber cladding with a slate roof.
- 1.5 All consultations expire on 23 December during the course of this report being circulated. Should any new issue be raised then the report will be re-circulated, taking the comments into account.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning Practice Guidance March 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013

CS1	Design
CS5	Location of Development
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS20 -	Extra Care Housing

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
L1	Landscape Protection and Enhancement
L5	Open areas
L13	Listed Buildings
EP2	Flood Risk and Development
EP4	Noise Sensitive Development
EP6	Contaminated Land
T7	Cycle Parking Provision
T8 -	Parking Standards
T12 -	Transportation Development Control Policy for New Development
LC2 -	Provision for Education Facilities (Site Allocations and Developer Contributions)
LC3 -	Proposals for Sports and Leisure Facilities Within the Existing Urban Areas
LC4 -	Proposals for Educational and Community Facilities Within the Existing Urban Area.
LC12 -	Recreational Routes

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

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

Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) adopted 23rd August 2007
South Gloucestershire Council Residential Parking Standards (Adopted) 2013.
Trees on Development Sites SPD Adopted Nov. 2005
Affordable Housing SPD 2014

3. RELEVANT PLANNING HISTORY

- 3.1 K7937 - Change of use from residential (C3) to Nursing Home (C2) and erection of single-storey rear extension.
Approved 14 July 1995
- 3.2 P86/4157 - Demolition and setting back of boundary wall for the construction of the Avon Ring Road Stage II.
No objection 14 April 1986
- 3.3 P94/4049 - Demolition of part of existing stone garden wall and construction of new boundary wall.
No objection 18 March 1994
- 3.4 P95/4249 - Works to elevations, doors and windows, and internal alterations.
Demolition of single-storey outbuilding to rear of dwelling.
Listed Building Consent 14 July 1995

- 3.5 PK13/4742/F Erection of 2no. dwellings with associated works Approved 14.05.2014 [this uses the same site as the proposal and as such only this or the current scheme would take place]
- 3.6 PK14/2752/F Erection of two storey building to provide 7no. care apartments (C2 use class) approved

4. CONSULTATION RESPONSES

- 4.1 Parish comments
Unparished site therefore no comment received

Siston Parish Council (Adjoining Parish)

Siston Parish Council object for the following reasons:

In reiterating previous concerns over danger from increasing vehicular movement at this section of Deanery Road, councillors feel that any encouragement given to yet more use of the same access that serves the very busy Tesco Express retail and petrol filling facility will add to the regular tailbacks along this section of the A420, as well as the many hazards for drivers, pedestrians and cyclists.

- 4.2 Other Consultees (including internal consultees of the Council)

Environmental Protection

The specifications for the proposed building provided in the submitted acoustic report dated 24th February 2015, shall be implemented to achieve the required noise mitigation from the ring road.

Where a final design and construction method has yet to be finalised, consultation with Building Analysis and Testing Limited (author of the acoustic report) should be made to ensure the relevant facades achieve the required mitigation levels specified in the report. Construction sites informative also suggested.

Possible land contamination of the site requires investigation - condition required.

Sustainable Transport

No objection.

Conservation Officer

The application seeks permission for a single storey building to replace the previously approved two storey block of care apartments located to the north of the grade II listed Warmley Court. The new building now extends into land previously not included in the approved scheme, allowing it to be pushed slightly further away from the single storey block at the rear of Warmley Court. The two previously approved schemes have clearly established the principle of development in this location and the reduction of the development from two storey to single storey should reduce the prominence and visual intrusion of the development in the setting of the listed building. The reduction in the height of the building has resulted in a much larger footprint, but the layout of the site is

such that this should not impact on the setting of Warmley Court. Similar material conditions should be applied to any approval.

Care Quality Commission
Did not want to be notified

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

Archaeology
This application is situated within the settlement of Deanery Road, which may have Medieval origins. It is also situated within an area of likely historic mining activity. Watching brief required.

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

Tree Officer
No response

Other Representations

4.3 Local Residents
No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

It is considered that the Local Plan policies as stated below are broadly in compliance with the NPPF. It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings. The NPPF encourages efficient use of land and paragraph 47 requires the need to '*boost significantly the supply of housing*'. However paras. 48 and 53 resist development in residential gardens that would cause harm to the local area.

The South Gloucestershire Local Plan Core Strategy was adopted in Dec. 2013 and the policies therein are part of the development plan. Policy CS20 and the Affordable Housing and Extra Care SPD recognise the need for and seek to assist in meeting the genuine need for extra care housing. This application provides six sheltered C2 (residential institution) flats with a staff bedroom facility and four full care bedrooms and is considered to be a public benefit due

to the service it would provide for its residents. Policy CS17 advised that housing developments need to contribute to the provision of homes that are suitable for the needs of older people, people with disabilities and those with special needs in a way which integrates these people with the wider community.

Policy CS16 seeks efficient use of land for housing. It states that: *Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.*

In this case the relevant Local Plan is The South Gloucestershire Local Plan, which was adopted Jan 6th 2006. The site lies within the Urban Area and being formerly residential curtilage, there is no in-principle objection to the development of the site for residential use.

5.2 Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits development within existing residential curtilages, including extensions to existing dwellings and new dwellings subject to criteria that are discussed below. Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 seeks to secure good quality designs that are compatible with the character of the site and locality.

5.3 Density

The NPPF seeks to make efficient use of land in the Urban Area for housing. The previous application PK14/2752/F covered a smaller footprint, leaving the north for the site unused and provided seven C2 care apartments. As such the principle of using the land for development is largely already established. Having regard to the site constraints, in particular the neighbours and close proximity to the listed building, and character of the locality, officers consider that the proposed building is sufficiently large, so as to provide efficient use of the site.

5.4 Scale, Design and Conservation Issues

Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 only permits new development where good standards of site planning and design are achieved. Criterion 1 of Policy CS1 requires that siting, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Furthermore, Local Plan Policy H4 criterion A requires new development to respect the massing, scale, proportions, materials and overall design Lansdowne and character of the street scene and surrounding area. Policy L13 requires development to preserve the setting of Listed Buildings.

5.5 The application site lies to the rear of the Grade II listed Lansdowne House in an area that historically served as its garden and orchard prior to the construction of the A4174 in the late 1990s which cut the site virtually in half. The main listed building, a 19th century detached 2 storey dwelling with rendered walls, slate roof and coped verges now occupies a location

overlooking a large roundabout, with the ring road approximately 15m from its western gable. The building has been previously extended and altered during its use as a care/nursing home and internally, the building has been heavily altered under previous consents. The principal front rooms of the ground floor remain essentially unaltered in proportion and some architectural features survive. To the rear are single storey additions, some modern, others being old outbuildings, that have also been heavily altered to provide additional rooms; these are however considered to be curtilage listed. They form a u-shaped courtyard to the rear of the listed building and are separated from the access drive by metal railings.

- 5.6 To the rear of these outbuildings lies the application site which has already gained planning permission for two detached houses or six C2 care flats. At present, the area is divided into a parking area and a grassed area, only a small proportion of which is currently defined as a garden area. The area is essentially an open space divided by a fence to the rear of the listed building which provides a sense of its former, open setting, one that has been significantly undermined by the encroachment of the ring road. From the wider area, the single-storey outbuildings are seen as low, ancillary additions to the rear of the listed building. The main block remains the dominant feature, occupying a prominent position in the streetscene that, when combined with the architectural ornamentation and extensive gardens, would have created a statement of the owner's wealth and social status – it is more than a simple farmhouse. Aside from the single-storey outbuildings, the land to the rear remains undeveloped and is perceived from within and from outside the site as part of the original gardens of the listed building. The contribution this land makes to the listed building is the fact that it remains undeveloped and thus preserves the last vestiges of the open gardens and orchards that up until the early 1990s still surrounded the listed building. However planning permission was granted in May 2014 for two houses of similar height to the current proposal which has set a precedent for development at the site, within reason.
- 5.7 The proposal to erect care apartments and bedrooms follows a similar theme to a previous application but remains at ground floor only. Overall whilst the proposal is now one single mass of built form in the old garden of Lansdowne House its form would have less impact on the remaining care home than previous schemes for the site, whilst providing a public benefit in that the proposal offers a service to people learning to live alone. As such the harm to the listed building caused by developing in its garden is balanced against the consented development and the public benefit derived. Consequently, the proposed care facility is acceptable in principle subject to a materials condition.
- 5.8 Transportation Issues
This application seeks permission for a Care Facility, specifically for patients who require full time care with a long period of recuperation. From planning history of the site, it is noted that the SG Council has recently allowed permission for 7no. bed care home on the same site as part of the applicant no. PK14/2752/F – therefore the principal of the development for a care home has already been established and agreed by the Council. The current proposal is for a 10 bed care unit which is three more than consented scheme in 2014.

Access to the site will be provided via an existing route from Deanery Road. The section of Deanery Road serving the site has access off the access to an Esso filling station and Tesco Express convenience store. There is a right-turn ghost island access for westbound traffic on the A420. The site is within close proximity to a bus stop located a short walking distance on Deanery Road. There is also a pedestrian/cycle path which runs along the eastern boundary of the site, providing links to Kingswood.

In terms of parking, a plan submitted with the application shows 7no. Car parking spaces and this is considered adequate for this development. The plan also shows cycle parking spaces.

It is noted that the Siston Parish Council's has expressed concerns about the potential increase traffic using the junction with Deanery Road. In this context, officers make the following comments.

Based on the assessment of traffic generation, it is considered that the proposal for a 10no. bed care unit will be likely to generate around two vehicular trips in the morning and afternoon peaks hours on the adjoining highway network and about 25 daily trips. In terms of net impact, the proposed development is just three more bed units than was consented in 2014, when the South Gloucestershire Council did not object, and therefore the net impact is less than a third of the figures indicated above. Such level of traffic is not considered significant and will not adversely affect road safety and as such it is considered inappropriate to refuse the application on highway's ground.

In view of the above mentioned matters there is no highway objection to this application subject to a condition requiring that the car and cycle parking are implemented prior to occupation of the building.

5.9 Landscape Issues

Officers must have regard to the impact of the proposal on open space, and the impact on the landscape in general in accordance with Policies L5 and L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013. Policy L1 requires those attributes and features of the landscape which make a significant contribution to the character of the landscape or distinctiveness of the locality, to be conserved and enhanced. There is little tree cover of note in the garden as it has been left to be overgrown however there is potential to maintain a large willow within the boundary of 35 Deanery Road and a further couple of trees close to the boundary of the site, together with potential for enhancement planting close to Fawkes Close. As such a condition is recommended to secure a landscaping scheme.

- 5.10 The application site forms part of the former garden of Lansdowne House. Due to the presence of the existing buildings to the south, the high wall to the west and belts of high vegetation to the south and east the plot is not generally visible from the public domain and as such makes only a minor contribution to the character, amenity and distinctiveness of the wider locality. The principle contribution that the open space makes is to the setting of the Listed Building

and this has been discussed above. On balance therefore the scheme is considered to be acceptable in landscape terms.

5.11 Impact on Residential Amenity

The site lies within the urban area and is residential in character. Officers must consider whether the proposal would, in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, have any adverse impact on residential amenity in terms of, overbearing impact or loss of privacy from overlooking or inter-visibility between habitable room windows; and whether adequate amenity space would be provided to serve the care accommodation proposed.

5.12 In terms of residential amenity space provision; the plot is surplus to the requirements of the existing Care Home and sufficient communal garden are provided to serve the use. Communal facilities are considered acceptable for the C2 care use proposed. Furthermore the site lies in a sustainable location, close to the centres of Warmley and Kingswood.

5.13 The proposal being ground floor only is not considered to materially affect neighbouring dwellings as it would not have any significant overbearing impact or significant loss of privacy.

5.14 With regard to the living conditions of the care apartments' inhabitants the applicant has commissioned a noise survey given the sites location close to the ring road. The Environmental Health Officer raised no concern about air quality at the site but has recommended a condition to secure the suggestions in the report.

5.15 Environmental Issues

Matters of noise, contamination and disturbance must be considered in relation to the NPPF and Policies EP4 and EP6 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.16 The site lies adjacent to the Avon Ring Road which is a source of noise. This has been considered in paragraph 5.15 above. Furthermore there is some anecdotal evidence that the site may be contaminated and that old shallow mine workings lie beneath it.

5.17 Only the site access is located in the coal notification area but as The Coal Authority have previously recommended that Coal Authorities Standing Advice is attached to a decision at this site, this has been added to the recommendation.

5.18 As regards possible contamination, the Council has no record of the site being contaminated but as a result of anecdotal evidence the EHO considers it justified to impose a further condition to secure site investigations and mitigation measures should any contamination be found. Further whilst there may be some disturbance during the construction phase, this would be on a short term basis only and the hours of working on site can be controlled by a condition.

5.19 Subject to the aforementioned conditions, there are no objections on Environmental Health grounds.

5.20 Drainage Issues

Officers must consider whether or not the site is subject to an unacceptable level of flooding and whether an appropriate drainage scheme has been secured in accordance with the NPPF. The drainage team advise that SUDS condition is necessary and as such a condition is recommended.

5.21 Archaeology

This proposal covers a significantly larger portion of the site than the previous schemes in an area which may have Medieval origins. As such a watching brief is considered necessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

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

Reason

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012.

3. The access, car parking and manoeuvring areas shall be implemented in full accordance with the approved details shown on the Proposed Site Plan Drawing No. 2835-PA-103, prior to the first occupation of the building and retained for that purpose.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall commence until representative samples or details of all external facing materials and roof tiles have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.

Reason 1

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.

Reason 2

To preserve the setting of the nearby Listed Building in accordance with Policy L13 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and policy CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

5. The hours of working on site during the period of construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, 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 Policies CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013

6. Anecdotal evidence has suggested the potential for contamination on this site which could give rise to unacceptable risks to the proposed development. The following conditions should therefore be included in any approval.
 - A) Desk Study - Anecdotal evidence suggests previous uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably competent person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.
 - B) Intrusive Investigation - Where potential contaminants are identified under (A), prior to the commencement of development an investigation shall be carried out by a suitably competent person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground

water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures. (Note (A) and (B) may be combined if appropriate).

- C) Verification Strategy - Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing with the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

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

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

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

Reason

Having regard to possible contamination of the land and in the interests of future occupiers in accordance with saved Policy EP6 of the South Gloucestershire Local Plan (Adopted) Jan 2006 and policy L9 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013. This is a pre-commencement condition as mitigation works may need to be carried out prior to the commencement of building at the site.

- 7. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and

areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies L1 of The South Gloucestershire Local Plan (Adopted) January 2006 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013. This is a pre-commencement condition as later implementation would negate the purpose of the condition.

8. Prior to the commencement of the development hereby approved, a scheme for protecting the proposed development from noise from the Avon Ring Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the scheme so approved.

Reason

To minimise disturbance to future occupiers of the development hereby approved in accordance with Policy EP4 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, policy L9 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and the provisions of the NPPF. This is a pre-commencement condition as the noise implications may affect the layout of the building which needs to be resolved prior to commencement.

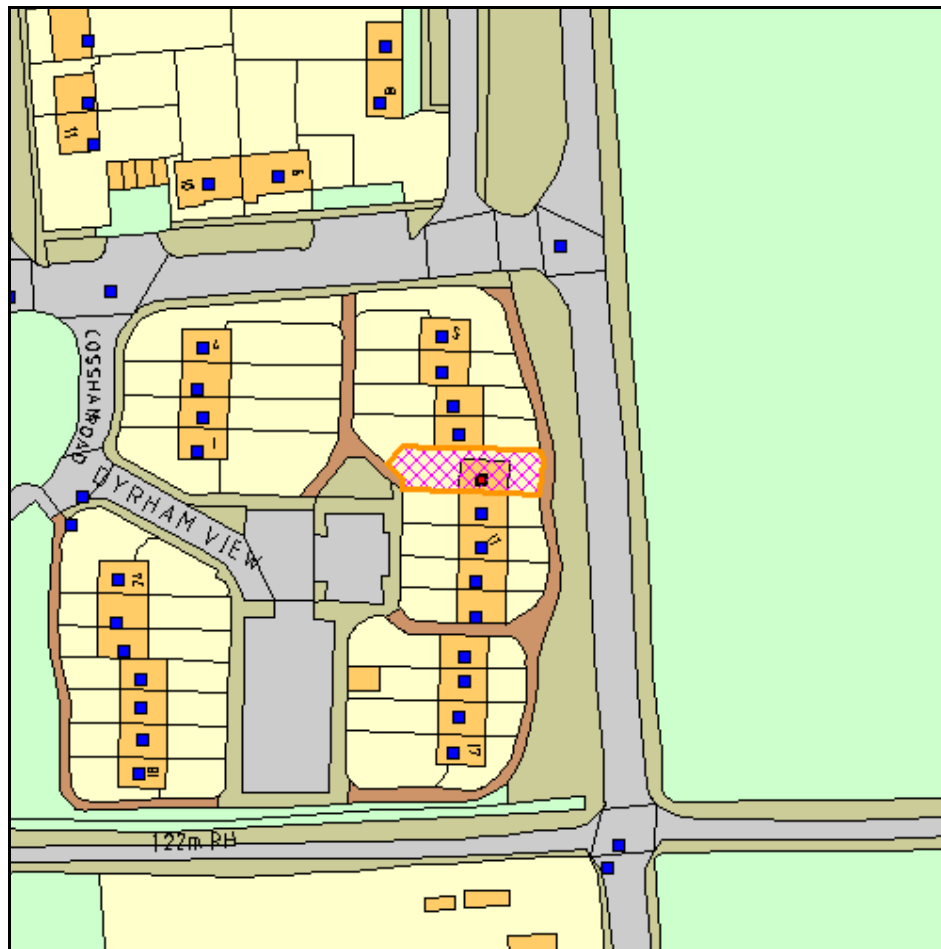
9. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in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

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition as later implementation would result in the loss of potential finds and recording opportunities.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/6137/CLP	Applicant:	Mr Richard Neil McNally
Site:	9 Dyrham View Pucklechurch Bristol South Gloucestershire BS16 9TF	Date Reg:	18th November 2016
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a single storey side extension.	Parish:	Pucklechurch Parish Council
Map Ref:	370350 175822	Ward:	Boyd Valley
Application Category:		Target Date:	11th January 2017



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 100023410, 2008. N.T.S. PK16/6137/CLP

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The applicant is seeking a formal decision as to whether the proposed single storey side extension to 9 Dyrham View, Pucklechurch would be lawful.

1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

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

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

3. RELEVANT PLANNING HISTORY

3.1 N2741 Erection of 42 Houses and two-storey block of 8 flats
 construction of access road and parking spaces.
 Approved: 29.09.1976

4. CONSULTATION RESPONSES

4.1 Ward Councillors
No comments received

4.2 Pucklechurch Parish Council
No objection

4.3 Wick and Abson Parish Council
No comment received

Other Representations

4.3 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Existing Site Location Plan
Proposed Site Location Plan
(Received by the Local Authority 6th November 2016)
- Existing Elevations
Proposed Elevations
Existing and Proposed Floor Plans
(Received by the Local Authority 16th November 2016).

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

- 6.2 The key issue in this instance is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GPDO (2015).

- 6.3 The proposed development consists of a single storey extension to the side of the property. This development would fall within Schedule 2, Part 1, Class A, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

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

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

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

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

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

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

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

The height of the eaves of the side extension would not exceed the height of the eaves of the existing dwellinghouse.

- (e) **The enlarged part of the dwellinghouse would extend beyond a wall which—**
(i) **forms the principal elevation of the original dwellinghouse;**
or
(ii) **fronts a highway and forms a side elevation of the original dwellinghouse;**

The extension does not extend beyond a wall which fronts a highway or the principal elevation of the original dwellinghouse.

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

The proposal does not extend beyond the rear wall of the original dwellinghouse by more than 4 metres, or exceed 4 metres in height.

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

Not applicable.

- (h) **The enlarged part of the dwellinghouse would have more than a single storey and—**
(i) **extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**

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

The extension would be single storey.

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

The extension would be within 2 metres of a boundary, however the eaves would not exceed 3 metres.

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

The extension would extend beyond a wall forming a side elevation of the original dwellinghouse. However the extension would not exceed 4 metres in height, would not have more than a single storey, and would not have a width greater than half the width of the original dwellinghouse.

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

The development would not include any of the above.

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

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

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

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

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

The submitted plans indicate that the proposal will be finished in materials similar to those used in the exterior finish of the existing dwellinghouse.

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

Not applicable.

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

Not applicable.

7. RECOMMENDATION

- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

REASON

Evidence has been provided to demonstrate that the proposed extension would be allowed as it is considered to fall within the permitted rights afforded to householders under Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/6166/F	Applicant:	Ms Roz Burmester
Site:	1 Brewery Cottages Brewery Hill Upton Cheyney Bristol South Gloucestershire BS30 6LZ	Date Reg:	15th November 2016
Proposal:	Erection of single storey rear extension to provide additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	368998 169630	Ward:	Bitton
Application Category:	Householder	Target Date:	5th January 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a result of consultation responses received raising certain queries and concerns over the proposals.

1. THE PROPOSAL

- 1.1 The application is for the erection of single storey rear extension to provide additional living accommodation.
- 1.2 The property is an end of terrace dwelling located within the village of Upton Cheyney. The site is located within the Green Belt, AONB and Upton Cheyney Conservation Area. The building is locally listed.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
L2 Cotswolds AONB
L12 Conservation Areas
L15 Locally Listed Buildings

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment and Heritage
CS34 Rural Areas
- 2.3 Supplementary Planning Guidance
Upton Cheyney Conservation Area SPD
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD
South Gloucestershire Council Green Belt SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objections

Conservation Officer
No objections in principle, the proposals should include conservation rooflights.

Archaeology
No objections

Other Representations

4.2 Local Residents

One letter raising queries and concerns has been received, as follows:

'Having looked at the scale drawings of the proposed extension I am unclear on the following stated in the application: "Proposed lean to roof to be taken above height of the adjoining property. Party wall to be taken up and all areas made good where disturbed". The plans/drawings are unclear of the definition of the difference of roof height of the proposed extension to my own property. The drawings do not appear to show the height difference (or it is very small). I would like to know what the height difference is in CMs and how the ridge line will look between the two properties. The drawings do not reflect the recent addition of three velux roof lights to the rear elevation of the property'

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. The site is also located within the Green Belt and AONB and Upton Cheyney Conservation Area, so additional consideration will need to be made in these respects.

5.2 Green Belt

The site is located in the designated Green Belt. Green Belt policy seeks to protect the openness of the Green Belt. Residential development is considered an appropriate form of development in the Green Belt unless it is considered disproportionate. The relatively modest extension to the rear would not constitute a disproportionate net increase in volume of the existing property, in its own right or in combination with any previous development. In this instance therefore the proposals are considered to be of an acceptable scale in relation to the existing dwelling and as such do not impact upon the openness of the Green Belt and is therefore not considered inappropriate development.

5.3 AONB

It is not considered that the proposals for this extension to an existing dwelling within the existing curtilage of the dwelling to the rear of the row of properties, within the village boundary of Upton Cheyney, at this location would have any impact upon the AONB or its principle and aims in this instance.

5.4 Conservation Area/Design Issues

1 Brewery Cottages is one of a terrace of three cottages that were formed through the residential conversion of the former Springfield Brewery – hence

their name. Number 1 to 4 Brewery Cottages collectively form a locally listed building in recognition of the contribution the building makes to the character and distinctiveness of the locality. The proposed scheme would see an existing modest rear extension attached to a neighbour's rear wing demolished to make way for a larger rear extension that aim to would mirror the neighbour's extension approved under PK11/0091/F in terms of form and design. The rear elevation of 1 Brewery Cottage is not considered to be prominent within the public realm. It is therefore considered that along with the limited scale of the proposal, the proposed rear extension will have no direct impact on the character or appearance of the Upton Cheyney Conservation Area. The materials and form are also considered to be appropriate for this locally listed building and the significance of the conservation area would be preserved. The rooflight is recommended to be of conservation style.

5.5 Residential Amenity

The proposals would replace an existing part of the dwelling with a lean-to roof against a similar extension on the neighbouring side, with an extension similar to that on the neighbouring property, again with lean-to roof against the neighbouring property. There would be a small raised parapet linking the two roofs approximately 10cm higher than the adjoining roof. This increase is not considered to raise any amenity impacts. The drawing adequately illustrate the proposals for the purposes of considering the planning application. The length, size, location and orientation of the proposals are not considered to give rise to any significant or material overbearing impact on adjacent properties. Further to this sufficient garden space remains to serve the property. Additional rooflights referred to do not form part of this application for consideration.

5.6 Highways

There would be no increase in the amount of bedrooms in the dwelling which would impact upon current parking arrangements.

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 proposals are of an appropriate standard in design and are not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact and are acceptable in its Green Belt, AONB, Locally Listed and Conservation Area contexts. As such the proposal accords with Policies H4, L2, L12 and L15 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 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 subject to no objections being received prior to the expiry of the stated consultation period.
- 2) Should any objections be received prior to the expiry of the consultation period, then a further report acknowledging and addressing any objections, will be produced and recirculated on the Schedule.

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. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed rooflight shall be a Conservation style rooflight.

Reason

To ensure a satisfactory standard of external appearance in the Upton Cheyney Conservation Area and the rank of locally listed buildings, and to accord with and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

3. The hours of working on site during the period of construction shall be restricted to 07.30 - 18.00 Mondays to Friday, 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.

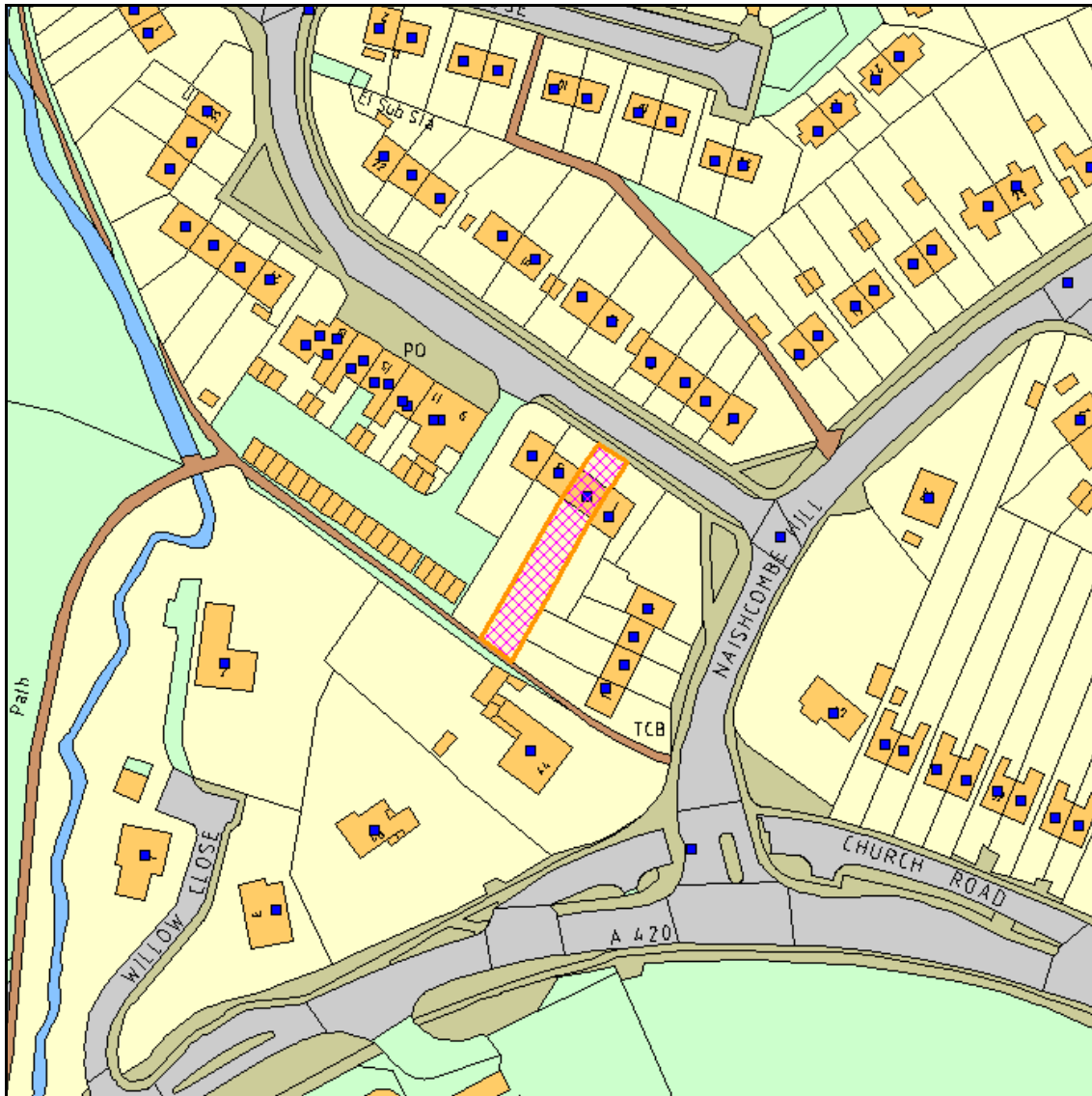
4. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PK16/6243/F	Applicant:	Mr And Mrs S Burgess
Site:	3 Milford Avenue Wick Bristol South Gloucestershire BS30 5PG	Date Reg:	16th November 2016
Proposal:	Erection of single storey rear extension to form additional living accommodation	Parish:	Wick And Abson Parish Council
Map Ref:	370000 172968	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	9th January 2017



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 100023410, 2008. **N.T.S.** **PK16/6243/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a single storey rear extension to form additional living accommodation at 3 Milford Avenue in Wick.
- 1.2 The host dwelling is a two storey mid-terrace property located within a defined settlement boundary. The applicant site is also situated within the Bristol/ Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history for this property.

4. CONSULTATION RESPONSES

- 4.1 Wick and Abson Parish Council
No comments received.
- 4.2 Public Rights of Way
No objection as the proposed works are unlikely to affect the right of way running to the rear of the property.
- 4.3 Open Spaces Society
No comments received.

Other Representations

- 4.4 Local Residents
One letter has been received from a neighbouring resident raising the following concerns:
- The external soil pipe to my property (no 1) will be housed within the new extension of no.3 what will happen if we need to access the soil pipe?
 - The retained external boundary wall adjoins my property, how will the Lead flashing be attached to the wall and how will surface/ rainwater be drained away?
 - Will the existing two external privacy fence panels and posts be taken away to be replaced by those mentioned in the plans?

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The principle of the proposed development will be assessed against Sections 9 (Green Belt) of the National Planning Policy Framework; as well as policy CS5 of the Core Strategy (adopted December 2013). Because of the site's location the Green Belt the Development in the Green Belt Supplementary Planning Document (adopted June 2007) will also be a material consideration.
- 5.2 Additionally, Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) and emerging Policy PSP38 of the PSP Plan (June 2016) are supportive of development within the residential curtilage of existing dwellings providing there are no negative effects on residential amenity, transport and visual amenity. Additionally, Policy CS1 of the Core Strategy exists to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context. The site is also located in a 'Rural Area' Policy CS34 of the Core Strategy seeks to protect and enhance these areas. The proposal shall be determined against the analysis below.
- 5.3 Green Belt
The application site is situated within the Bristol/ Bath Green Belt. The Green Belt is of great importance to the Government, the aim of Green Belt policy is to keep land permanently open. When assessing the proposal it should be considered whether the proposed development is an inappropriate

development for the Green Belt in relation to the NPPF, whether the development causes any other harm and whether the development requires special circumstances necessary to justify development. Furthermore as stated within the Development in the Green Belt Supplementary Planning Document (adopted June 2007) additions to existing dwellings should only be considered acceptable if the proposal is not disproportionate; the proposed development compliments the existing character and it does not harm the openness of the Green Belt. Disproportionality is assessed on a case-by-case basis, but ideally house extensions should not exceed 30%.

5.4 From the information accessible to the Local Planning Authority it is clear that the dwelling has not previously been extended and it is considered that the small single storey rear extension will not result in a volume increase above 30%. It is considered that the single storey rear extension is an acceptable addition in the Bristol/ Bath Green Belt.

5.5 Design and Visual Amenity

The application site is a two storey mid terrace property with stone elevations the site is located within the settlement of Wick and is situated on the residential road of Milford Avenue. The application seeks planning permission for the erection of a single storey rear extension to form additional living accommodation.

5.6 The proposed rear extension will be located on the south-western elevation and will have a lean to style roof with the rear door having a hipped roof. The proposed extension is considered to be acceptable in scale and in proportion with the original dwelling. Additionally, the proposed extension would be finished in materials to match the host dwelling and surrounding properties. As such, it is considered that the proposal satisfies policy CS1 of the adopted Core Strategy.

5.7 Residential Amenity

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

5.8 The applicant site is a terraced two-storey property situated between nos. 1 and 5 Milford Avenue. The boundary treatments at the site consist of a 1.8 metre fence between the applicant site and no.1 and a small wall and fence between the host dwelling and no. 5. The proposed single storey rear extension is not considered to result in an adverse increase in overlooking.

5.9 The proposed extension may result in some overbearing because of the minimal boundary treatments between the applicant site and no. 5 however it is not considered to be adversely overbearing because it is single storey and will only extend beyond the existing rear elevation by 3 metres. The proposed extensions are unlikely to affect the private amenity space of the existing residents or any future residents as there is a large rear garden available.

5.10 Overall the proposal would not result in any adverse impacts on the residential amenity of neighbouring occupiers or future occupiers. As such the proposal is

considered acceptable in terms of saved policy H4 of the Local Plan (adopted) 2006.

5.11 Highways

There is sufficient parking available to the rear of the property with a total of 3no. spaces available in a courtyard area. The proposed single storey rear extension will not impact this current arrangement, as such there are no transportation objections to the proposal.

5.12 Other Matters

A neighbouring resident has raised three concerns to the proposal. These concerns regard the soil pipe and drainage whilst these are not material planning considerations the agent has advised the following:

- There will be an access panel to the soil pipe for maintenance access;
- The lead flashing will be built into the extension wall and surface water will run off into the ground;
- The existing fence panels will be removed and then later reinstalled when the extension is complete.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

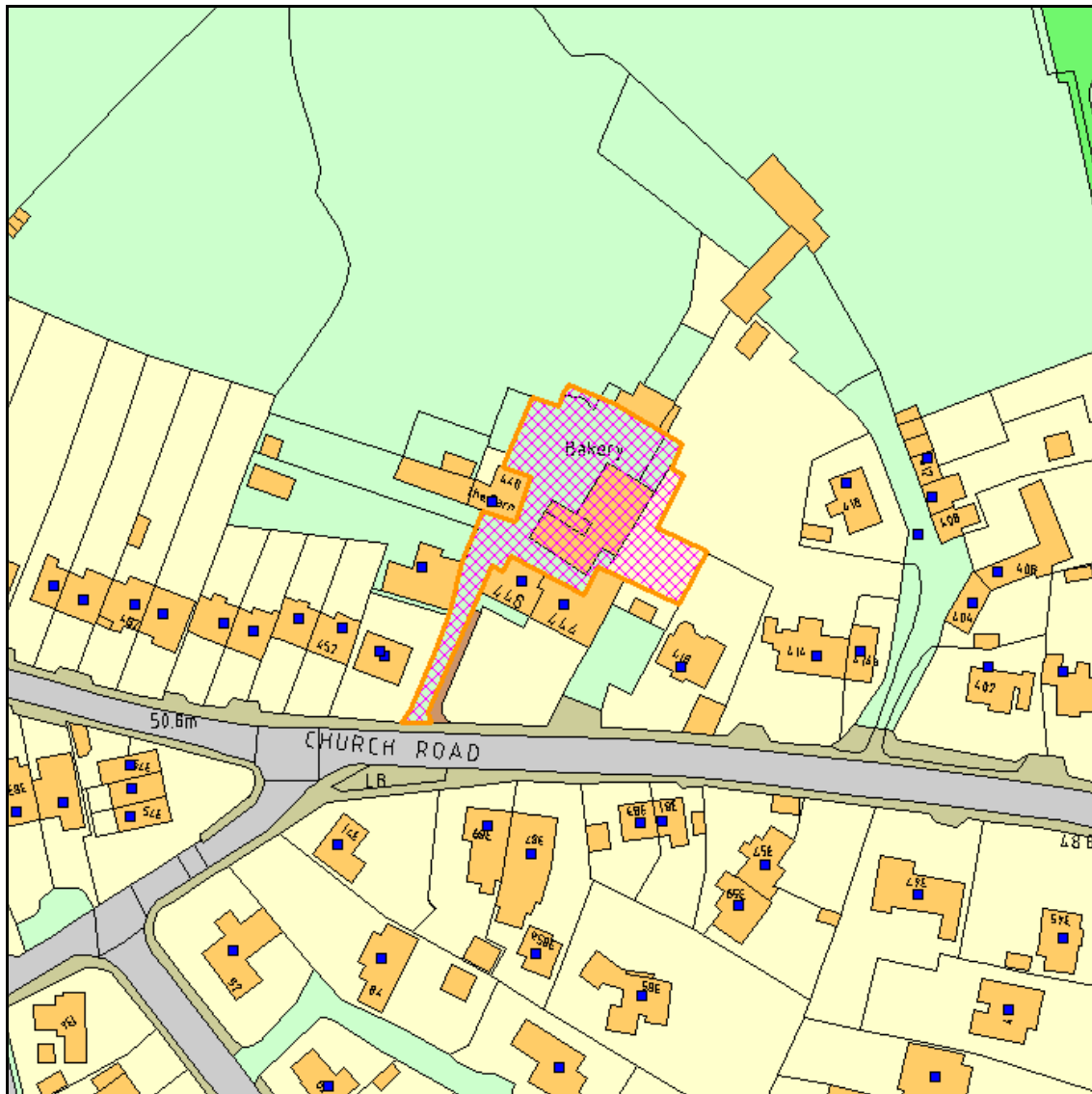
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PT16/1330/LB	Applicant:	Station Financial
Site:	Rear Of 444 Church Road Frampton Cotterell Bristol South Gloucestershire BS36 2AQ	Date Reg:	4th April 2016
Proposal:	Demolition of single storey building. Conversion of existing building and erection of new one storey/two storey building to provide 4no flats with associated works. (Amendment to previously approved scheme PT10/1841/LB).	Parish:	Frampton Cotterell Parish Council
Map Ref:	366377 182077	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	25th May 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks listed building consent for the conversion of an existing building into a residential unit, and the demolition of an existing building in order to facilitate the erection of a building to facilitate 3nos. residential units. In the interests of clarity it should be clear that the erection of a building to facilitate 3nos. flats does not require listed building consent, only the act of demolishing the building does.
- 1.2 The application relates to land behind no. 444 Church Road, Frampton Cotterell; this building is Grade II listed with the application site falling within the curtilage of this listed building. The site straddles the Frampton Cotterell settlement boundary with the land beyond within the Green Belt.
- 1.3 In 2010 planning permission and listed building consent were granted for a very similar development at the site. All the relevant conditions for both permissions (full and listed) have been discharged. The applicant states that foundations were laid for a section of the previously approved development (unit 2), and hence the previously approved development in 2010 has been lawfully implemented. Section 56 of the Town and Country Planning Act 1990 ("the Act") sets out considerations with regard to 'the time when development [has] begun', in accordance with section 56 of the Act, the laying of foundations would constitute the development beginning. From visiting the site it is evident that a strip of foundation has been laid for what would be unit 2, aerial photographs from 2013 appear to reflect this. Accordingly, on the balance of probabilities officers consider the previous consents at the site to be lawfully implemented and therefore extant.
- 1.4 This application is proposed in order to correct a number of errors within the originally permitted plans that were identified during building control assessments.
- 1.5 Over the course of the application a number of amendments have been made to the proposal, involving changes to the proposal's design, site planning and site area. In response to each amendment appropriate periods of consultation followed each material amendment.
- 1.6 As well as this application for listed building consent, there is also an application for planning permission submitted to the Local Planning Authority which is pending determination, the planning reference number for this application is PK16/1362/F.

2. POLICY CONTEXT

- 2.1 National Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L12 Conservation Areas

L13 Listed Buildings

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

PSP1 Local Distinctiveness

PSP17 Heritage Assets and the Historic Environment

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

3. RELEVANT PLANNING HISTORY

- PT09/5262/F: Demolition of single storey building. Conversion of existing building and erection of new one storey/two storey building to provide 4no. retirement units with associated works.
Approved with Conditions: 15th July 2010
- PT10/1841/LB: Demolition of single storey building. Conversion of existing building and erection of new one storey/two storey building to provide 4 no. retirement units with associated works.
Approve with Conditions: 20th September 2010
- P92/1656: Erection of two dwellings.
Withdrawn: 26 August 1992
(*Land between 414 and 444 Church Road*)
- P92/1777: conversion of dwelling into four flats; construction of new vehicular access.
Withdrawn: 26 August 1992 (*444 Church Road*)
- P92/2231: Demolition of existing outbuilding and erection of detached dwelling.
Permitted: 9 December 1992 (*Land between 444 & 414 Church Road*)

- P92/2232: Demolition of existing outbuilding; change of use of dwelling to form four flats, re-roofing of building, construction of vehicular access and car parking areas. Permitted: 9 December 1992 (*444 Church Road*)
- P92/2233/L: Demolition of existing outbuilding; change of use of dwelling to form four flats, re-roofing of building, construction of vehicular access and pedestrian access and car parking areas.
Permitted: 9 December 1992 (*444 Church Road*)
- P94/2142/L: Minor works of demolition and partial rebuilding of three chimneystacks, installation of seven mechanical vents.
Permitted: 26 September 1994 (*444 Church Road*)
- P94/2364: Partial rebuilding of three chimneystacks.
Permitted: 9 November 1994 (*444 Church Road*)
- P95/2630: Erection of detached dwelling and garage.
Undecided. (*Land adjacent to 444 Church Road*)
- P95/2631/L: Demolition of stonewalls to facilitate erection of pedestrian and widened vehicular access. Permitted (*Land adjacent to 444 Church Road*)
- PT04/2956/F: Conversion and extension of barn to form dwelling.
Withdrawn: 20 October 2004 (*Rear of 446 Church Road*)
- PT04/2959/F: Conversion and extension of existing barn to form 2 flats.
Withdrawn: 20 October 2004 (*446 Church Road*)
- PT05/2056/F: Conversion and extension of existing dwelling to form two flats; widening of existing access and associated car parking; erection of replacement boundary and replacement boundary wall.
Permitted: 22 August 2005 (*446 Church Road*)
- PT05/2057/LB: Demolition and replacement of boundary wall.
Permitted: 22 August 2005 (*444 Church Road*)
- PT06/2114/F: Conversion of basement to living accommodation.
Refused: 11 August 2006 (*446 Church Road*)
- PT06/2896/LB: Demolition of garden store to facilitate erection of single-storey side extension and erection of garden shed and 1.8m high boundary wall. Refused: 13 November 2006 (*Flat 2, 444 Church Road*)
- PT07/1881/F: Erection of two-storey rear extension to facilitate conversion of existing barn to one dwelling.
Permitted: 30 July 2007 (*Rear of 446 Church Road*)
- PT08/0039/F: Erection of two-storey rear extension to facilitate conversion of existing barn into one dwelling (amendment to approved scheme).
Permitted: 31 January 2008 (*Rear of 446 Church Road*)

- PT08/0906/F: Erection of two-storey rear extension to facilitate conversion of existing barn into 2 dwellings.
Refused: 30 April 2007 (*446 Church Road*)
- PT08/1707/LB: Replacement of existing French doors.
Permitted: 28 July 2008 (*Flat 2, 444 Church Road*)

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

Objection. The development would result in traffic hazards with regard to the access on Church Road. Further to this, the position of the bin store is in an inappropriate location, the building is in an heritage site and will alter the character of the village.

Listed Building and Conservation Officer

No objections, the amended proposal addressed previous concerns and therefore there is now no objection to the proposal subject to a number of conditions.

Other Representations

4.2 Local Residents

One letter of objection has been received in response to this application, the comment has been summarised below:

- Concerns over access safety;
- Encroachment upon easements: reduction in car parking and annexation of right of way;
- Breach of quiet enjoyment covenant;
- Blocked access to parking spaces;
- Drainage concerns;
- Lighting concerns;
- Lack of refuse for no. 446 (2 flats);
- Reiteration of concerns of the Parish Council.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks Listed Building Consent for works to a grade II curtilage listed building.

5.2 Principle of Development

This is an application for listed building consent. As such, the only consideration is what impact the proposed development would have on the special historic or architectural features of the property in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Specifically, when considering whether to grant listed building consent for any works the local planning authority shall have special regard to the

desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.3 Assessment of Impact on Heritage Asset

No. 444 Church Road forms a Grade II listed farmhouse dating from the mid seventeenth century. It has been subject to alteration in the recent past and has been converted into flats. There are a number of original barns and outbuildings that served the property that remain. These include the threshing barn in use as a commercial garage/ engineering garage and a further barn to the north of this that has been converted and restored to residential accommodation.

5.4 The application relates to a former bakery building immediately behind no. 444 Church Road, and the demolition of the associated single storey building. The proposed conversion and extension of the former bakery building is considered acceptable, the proposal is sensitive and similar to that already permitted at the site (planning ref. PT10/1841/LB). The Conservation Officer has supported this assertion, recommending a number of conditions in order to secure large scale details:

- structural works;
- window and door details (large scale);
- eaves, verge and ridge details;
- sample panel of rough cast lime render; and
- a roof tile sample.

5.5 In accordance with the Conservation Officer's recommendation, such conditions will be imposed in the event of approval.

5.6 In line with the previous consent at the site conditions will also be imposed with regard to internal finishes and the retention of existing historic features.

5.7 A temporary bin collection area is proposed near the site access which officers consider to be appropriate. Officers note concerns with regard to the aesthetic impact of locating such bins here, however, it is only a collection point and not a permanent bin store. As such officers do not consider collection point to materially harm the character of the area or heritage assets in the area. Nonetheless, as the collection point does not impact upon the historic fabric of the host building, it is not for consideration within this assessment.

5.8 Overall, the proposal will facilitate the demolition of a building that fails to contribute positively to the character or setting of the nearby listed buildings, and also the conversion of a curtilage listed building which is currently in a poor state of repair. With this in mind, officers attach positive weight to the development.

5.9 Other Matters

Concerns relating to access safety; car parking; right of ways; residential amenity; drainage; lighting and refuse storage are not within the scope of consideration as set out within section 16(2) of the Planning (Listed Buildings

and Conservation Areas) Act 1990. The majority of these concerns are however addressed within the accompanying full planning application PT16/1362/F.

5.10 Planning Balance

Officers recognise the proposal is effectively a resubmission of previously approved development that has been implemented and can therefore be built-out with no further involvement from the Local Planning Authority. Further to this, officers have found that the development would have a beneficial impact on the heritage assets within the area, and therefore find no reason to resist this development.

6 CONCLUSION

6.1 The recommendation to **approve** listed building consent has been taken in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990. Specifically with regard to Section 16(2) which requires Local Planning Authorities to determine applications with special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7. RECOMMENDATION

7.1 It is recommended that Listed Building Consent be **GRANTED** subject to the conditions listed below and below/on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

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 relevant stage of development, the design and details including materials and finishes of the following shall be submitted and approved in writing by the Local Planning Authority:

- o Eaves, verges and ridges;
- o All new windows (including cill and head details);
- o All new doors;
- o Rainwater goods;
- o Reveals;
- o Extract vents and flues (where appropriate);
- o Rooflights (where appropriate);
- o Chimneys (where appropriate);
- o Dormer windows, including cheeks, roofing and eaves.

With the exception of the extract vents, flues and the rainwater goods, the design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. The development shall then be undertaken in strict accordance with the approved details. For the avoidance of doubt this condition only regards The Old Bakery.

Reason

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

3. Prior to the relevant stage of development a sample panel of roughcast lime render of at least one square metre shall be constructed on site to illustrate the proposed finish, colour and texture of render. The development shall then be completed in strict accordance with the approved sample panel, and the sample panel shall remain on site until the completion of the development. For the avoidance of doubt this condition only regards The Old Bakery.

Reason

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

4. Prior to the relevant stage of development a representative sample of the reclaimed clay roofing tile to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details. For the avoidance of doubt this condition only regards The Old Bakery.

Reason

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

5. Notwithstanding the previously submitted details, prior to works to The Old Bakery, a schedule and specification of repairs relating to the retention and restoration of the fireplace and chimney breast, including the oven and timber bressumer beam, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details. For the avoidance of doubt this condition only regards The Old Bakery.

Reason

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

6. Prior to the relevant stage of development, details of all internal wall finishes to the solid stone walls of The Old Bakery building shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

7. Prior to the commencement of development, details of all proposed structural works pursuant to The Old Bakery building shall be submitted and approved in writing by the Local Planning Authority.

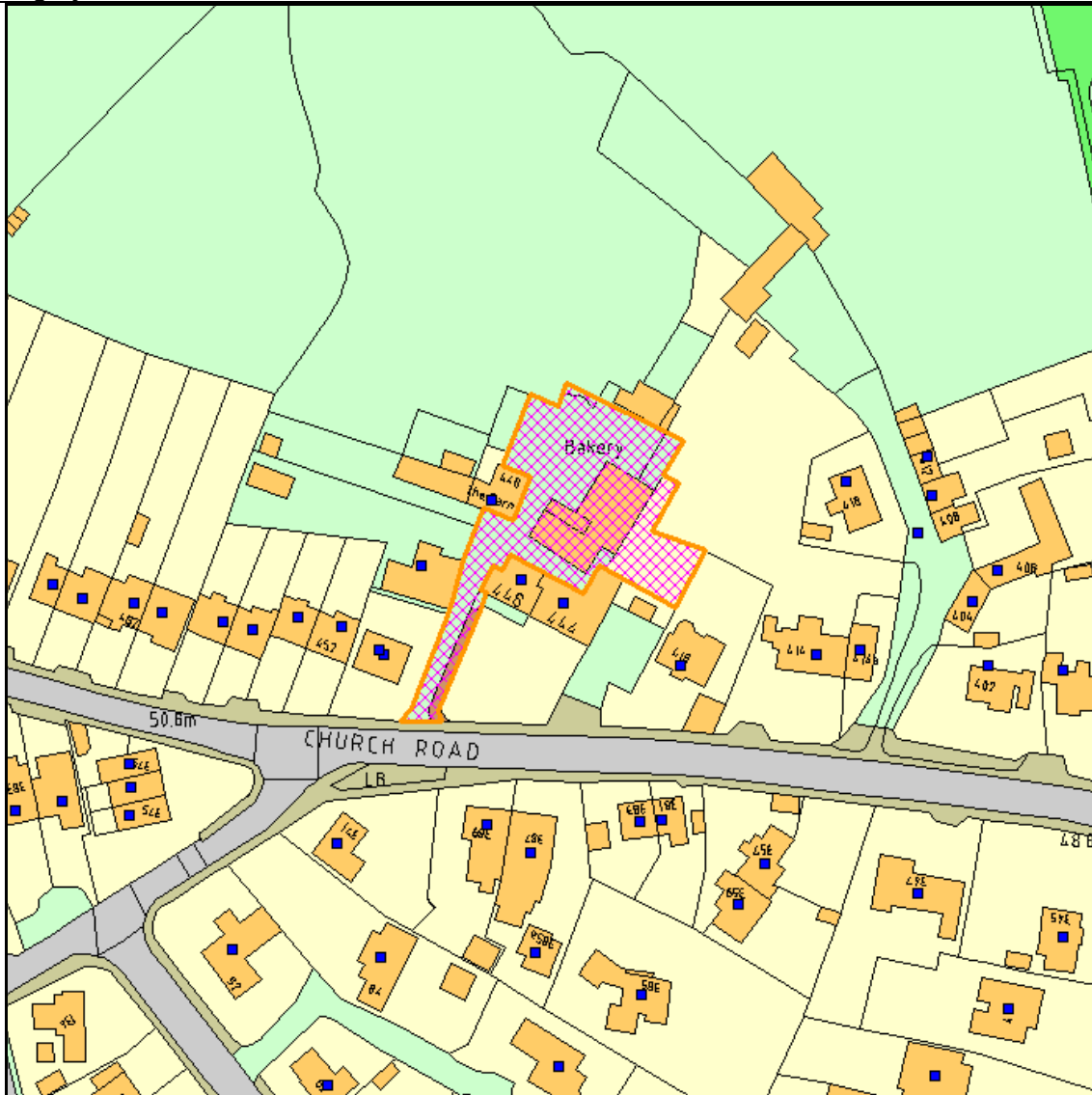
Reason

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

ITEM 12

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PT16/1362/F	Applicant:	Station Financial
Site:	444 Church Road Frampton Cotterell Bristol South Gloucestershire BS36 2AQ	Date Reg:	4th April 2016
Proposal:	Demolition of single storey building. Conversion of existing building and erection of new one storey/two storey building to provide 4no flats with associated works. (Amendment to previously approved scheme PT09/5262/F) Erection of 6no photovoltaic panels above a proposed pergola.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366377 182077	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	25th May 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of an existing building and the erection of a new building to provide 4no. residential units. The proposal also includes the demolition of an existing building which is required in order to facilitate the erection of the proposed building. As well as this, 6no. photovoltaic panels are proposed to be fixed above a proposed pergola.
- 1.2 The application relates to land behind no. 444 Church Road, Frampton Cotterell; this building is Grade II listed with the application site falling within the curtilage of this listed building. The site straddles the Frampton Cotterell settlement boundary with the land beyond within the Green Belt.
- 1.3 Unit 1 will be within the converted bakery building and will provide two bedrooms. Unit 2, 3 and 4 will be located in a newly built separate structure which has a main two storey section containing units 2 and 4, and then an attached single storey structure containing unit 3.
- 1.4 In 2010 planning permission and listed building consent were granted for a very similar development at the site. All the relevant conditions for both permissions (full and listed) have been discharged. The applicant states that foundations were laid for a section of the previously approved development (unit 2), and hence the previously approved development in 2010 has been lawfully implemented. Section 56 of the Town and Country Planning Act 1990 ("the Act") sets out considerations with regard to 'the time when development [has] begun', in accordance with section 56 of the Act, the laying of foundations would constitute the development beginning. From visiting the site it is evident that a strip of foundation has been laid for what would be unit 2, aerial photographs from 2013 appear to reflect this. Accordingly, on the balance of probabilities officers consider the previous consents at the site to be lawfully implemented and therefore extant.
- 1.5 This application differs from the previously approved development in the following ways:

Proposed New Building (3no. flats):

- Southern Elevation – external stairs and minor fenestration alterations;
- Western Elevation – error with drawing corrected to show the eaves line;
- Eastern Elevation – error with original drawing corrected and amendments to fenestration;
- Northern Elevation – minor fenestration alterations.

Proposed Old Bakery (1no. flat):

- Southern Elevation – fenestration and single storey building amendments;
- Western Elevation – fenestration amendments;

- Eastern Elevation – fenestration and single storey building amendments;
- Northern Elevation - fenestration and single storey building amendments.

Site Planning, Car Parking and Pergola

- Amendment to position of car parking spaces;
- Erection of a pergola with photovoltaic panels above.

Active Elderly

- The original scheme was to provide housing for the active elderly (retirement housing), however, a condition was not considered to be necessary meaning the use of the previously approved scheme is unrestricted Use Class C3 'residential'.

- 1.6 The existing buildings within the application site were utilised in connection with a bakery, this bakery has not traded since 2006. The two storey element of these buildings retains historic significance in that it dates back to 1889 (historic maps).
- 1.7 As well as this application for full planning permission, there is also an application for listed building consent submitted to the Local Planning Authority which is pending determination, the planning reference number for this application is PK16/1330/LB.
- 1.8 Over the course of the application a number of amendments have been made to the planning application, involving changes to the proposal's design, site planning and site area. In response to each amendment appropriate periods of consultation followed each material amendment.

2. POLICY CONTEXT

2.1 National Guidance

NPPF	National Planning Policy Framework March
PPG	Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

L1	Landscape Protection and Enhancement
L9	Species Protection

L13	Listed building
T7	Cycle Parking
T12	Transportation Development Control Policy for New Development
H3	Residential Development in the Countryside

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP37	Internal Space and Accessibility Standards for Dwellings
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- PT09/5262/F: Demolition of single storey building. Conversion of existing building and erection of new one storey/two storey building to provide 4no. retirement units with associated works.
 Approved with Conditions: 15th July 2010
- PT10/1841/LB: Demolition of single storey building. Conversion of existing building and erection of new one storey/two storey building to provide 4 no. retirement units with associated works.
 Approve with Conditions: 20th September 2010
- P92/1656: Erection of two dwellings.
 Withdrawn: 26 August 1992
(Land between 414 and 444 Church Road)
- P92/1777: conversion of dwelling into four flats; construction of new vehicular access.
 Withdrawn: 26 August 1992 *(444 Church Road)*

- P92/2231: Demolition of existing outbuilding and erection of detached dwelling. Permitted: 9 December 1992 (*Land between 444 & 414 Church Road*)
- P92/2232: Demolition of existing outbuilding; change of use of dwelling to form four flats, re-roofing of building, construction of vehicular access and car parking areas. Permitted: 9 December 1992 (*444 Church Road*)
- P92/2233/L: Demolition of existing outbuilding; change of use of dwelling to form four flats, re-roofing of building, construction of vehicular access and pedestrian access and car parking areas. Permitted: 9 December 1992 (*444 Church Road*)
- P94/2142/L: Minor works of demolition and partial rebuilding of three chimneystacks, installation of seven mechanical vents. Permitted: 26 September 1994 (*444 Church Road*)
- P94/2364: Partial rebuilding of three chimneystacks. Permitted: 9 November 1994 (*444 Church Road*)
- P95/2630: Erection of detached dwelling and garage. Undecided. (*Land adjacent to 444 Church Road*)
- P95/2631/L: Demolition of stonewalls to facilitate erection of pedestrian and widened vehicular access. Permitted (*Land adjacent to 444 Church Road*)
- PT04/2956/F: Conversion and extension of barn to form dwelling. Withdrawn: 20 October 2004 (*Rear of 446 Church Road*)
- PT04/2959/F: Conversion and extension of existing barn to form 2 flats. Withdrawn: 20 October 2004 (*446 Church Road*)
- PT05/2056/F: Conversion and extension of existing dwelling to form two flats; widening of existing access and associated car parking; erection of replacement boundary and replacement boundary wall. Permitted: 22 August 2005 (*446 Church Road*)
- PT05/2057/LB: Demolition and replacement of boundary wall. Permitted: 22 August 2005 (*444 Church Road*)
- PT06/2114/F: Conversion of basement to living accommodation. Refused: 11 August 2006 (*446 Church Road*)
- PT06/2896/LB: Demolition of garden store to facilitate erection of single-storey side extension and erection of garden shed and 1.8m high boundary wall. Refused: 13 November 2006 (*Flat 2, 444 Church Road*)
- PT07/1881/F: Erection of two-storey rear extension to facilitate conversion of existing barn to one dwelling. Permitted: 30 July 2007 (*Rear of 446 Church Road*)

- PT08/0039/F: Erection of two-storey rear extension to facilitate conversion of existing barn into one dwelling (amendment to approved scheme).
Permitted: 31 January 2008 (Rear of 446 Church Road)
- PT08/0906/F: Erection of two-storey rear extension to facilitate conversion of existing barn into 2 dwellings.
Refused: 30 April 2007 (*446 Church Road*)
- PT08/1707/LB: Replacement of existing French doors.
Permitted: 28 July 2008 (*Flat 2, 444 Church Road*)

4. **CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council
Objection. The development would result in traffic hazards with regard to the access on Church Road. Further to this, the position of the bin store is in an inappropriate location, the building is in an heritage site and will alter the character of the village.
- 4.2 Sustainable Transport
No objection subject to conditions regarding cycle and car parking arrangements.
- 4.3 Environmental Protection
No objection, but the historic use of the site as a bakery may have caused contamination. A condition is therefore suggested.
- 4.4 Housing Enabling
No comment, the site is below the threshold to trigger affordable housing.
- 4.5 Listed Building and Conservation Officer
No objections, the amended proposal addressed previous concerns and therefore there is now no objection to the proposal subject to a number of conditions.
- 4.6 Tree Officer
No objection to amended plans.
- 4.7 Highway Structures
No comment.
- 4.8 Ecological Officer
No objection subject to a condition requiring an ecological mitigation and enhancement plan is submitted.
- 4.9 Landscape Officer
No objection however it may be worth relocating the photovoltaic cells to the vacant square corner of the parking area in order to maximise solar gain.

4.10 Lead Local Flood Authority

No objection subject to a condition requiring a SUDS scheme to be submitted.

Other Representations

4.11 Local Residents

A number of objection letters have been received in relation to this application, primarily from 2 nearby residents. Their comments are summarised below:

- No refuse area allocated for the flats within 446;
- The path should be removed in order to allow two vehicles to pass at the entrance, facilities should also be provided to allow pedestrians and vehicles to pass;
- The proposal will block other parking spaces within the site;
- The proposal would result in access to the warehouse to the rear being blocked and possibly the warehouse being removed. This would result in a loss of local employment.
- Encroachment upon easements: reduction in car parking and annexation of right of way;
- Breach of quiet enjoyment covenant;
- Drainage concerns;
- Lighting concerns;
- Reiteration of concerns of the Parish Council.

It should be noted that these comments have all been submitted at various stages of this planning applications, meaning some comments may have been made in relation to plans that are now superseded.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission to convert and partially demolish an existing building in order to facilitate 1no. residential unit, and also the erection of a building that will facilitate 3no. residential units.

5.2 Principle of Development

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

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

unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.

- 5.4 Additionally, the policies found to be out-of-date (saved policy H3 and policies CS5 and CS34), are all concerned with the retention of settlement boundaries, and generally not supporting residential development outside of settlement boundaries or urban areas. With this in mind, such policies command limited weight in the determination of this planning application with specific regard to restricting the location of the development.
- 5.5 In simple terms, this means the Local Planning Authority can no longer refuse planning applications for residential units based on the sole fact that the development is outside of recognised settlement boundary. Rather, residential development should be assessed in terms of adopted up-to-date development plan policies and paragraph 14 of the NPPF. Notwithstanding this, the structures proposed are all within a recognised settlement boundary.
- 5.6 In keeping with the decision-taking approach set out within paragraph 14 of the NPPF, this proposal will be assessed in terms of whether the proposal's benefits would be outweighed by any adverse impacts that would result from the development, such adverse impacts would have to be significant and demonstrable.
- 5.7 A key material consideration is the extant planning permission PT09/5262/F. This planning permission is considered to represent the fall-back position for the application site, as if this application was refused, the applicant could still build-out a very similar development to the proposal presented within this application. With this in mind, planning ref. PT09/5262/F constitutes a material consideration that attracts significant weight in the determination of this planning application.
- 5.8 Housing Supply
The proposal represents a clear benefit in the addition of 4nos. new residential units to the Council's five year housing land supply.
- 5.9 Location of Development
As with the previously approved development at the site, the proposal straddles the Frampton Cotterell settlement boundary. The proposed units are situated just within the settlement boundary, but the orchard to the east of the units, and parking area to the north of the units are both outside of the recognised settlement boundary and with the Green Belt.
- 5.10 The Development Plan policies which restrict the location of housing are considered to now be 'out-of-date' and are therefore not applicable to this application. With this in mind, with specific regard to the elements of the proposal falling outside of the existing settlement boundary, officers must turn to the NPPF and its relevant policy on the location of dwellings in rural areas. Paragraph 55 of the NPPF promotes sustainable development in rural areas, but states that new isolated dwellings in the countryside should be avoided within the countryside, unless there are special circumstances.

- 5.11 Given that the Authority has already supported residential development in this location (planning ref. PT09/5262/F), and also the fact that parking and orchard are associated with units proposed within a sustainable area, officers find the location of the development to be acceptable in terms of paragraph 55 of the NPPF.
- 5.12 Aspects of the development are within the Green Belt where certain forms of development are restricted, the proposed buildings are not within the Green Belt, apart from the proposed pergola. To the north and east of the proposed units 2, 3, and 4 is the Green Belt, this area is currently hardstanding and scrubland/orchard.
- 5.13 Paragraph 89 of the NPPF outlines where there are exceptions to this consideration. One of these expectations is the *'limited infilling the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*
- 5.14 To the north the units the majority of the hardstanding will be replaced with grass, and the remaining hardstanding will be retained for car parking, further to this, a lightweight pergola will also be erected with photovoltaic panels sitting on top of such a pergola. The orchard area to the east of the unit will be utilised as an orchard/garden space, as the proposal is for flats, it is not necessary to restrict permitted development rights.
- 5.15 The orchard adjacent to the unit will be utilised in a connection with the proposed residential unit, although it is expected to retain its primary function/appearance as an orchard area. Given the fact that planning ref. PT09/5262/F included the orchard within the proposal, officers do not find that the use of the orchard will materially change as planning ref. PT09/5262/F has been implemented.
- 5.16 The development to the north of the units are considered to be neutral in terms of its impact on the openness of the Green Belt. Whilst the development of the pergola introduces a new structure, the removal of hardstanding is considered to reduce the proposal's impact on the openness of the Green Belt. Accordingly, the development is considered to accord with paragraph 89 of the NPPF, especially when considering that a previously approved extant scheme proposed to developed the same site area.
- 5.17 Officers note the majority of the proposal abuts the Green Belt, considering the existing structures on the site, officers do not feel that the proposal will materially harm the Green Belt.
- 5.18 Overall the proposal's location and impact on the Green Belt is considered to be acceptable, especially when considering that a similar development was approved at the site in 2010.

5.19 Loss of a Business Use

The proposal, if approved and built-out, would facilitate the permanent loss of a former bakery and also an existing warehouse. The former bakery has not been operational since approximately 2006.

5.20 The proposed parking area would effectively block vehicle access to the existing warehouse which is outside of the site area for the development. The history for the site suggests that this warehouse was built without the required planning permission, however due to the time period in which the warehouse has been in situ (circa 2006), the building is now immune from planning enforcement action. The previous scheme approved at the site included plans that suggested the warehouse would be demolished, however, the warehouse was outside of the site area, and the permission held no requirements for the warehouse to be demolished – planning ref. PT09/5262/F can therefore be lawfully built out with no requirement for the warehouse to be demolished.

5.21 The agent for the application has suggested that there is legal agreement in place attached to the development of the site that requires the warehouse to be demolished upon re-development of the former bakery. Officers attach limited weight to this as it is a civil agreement separate to this planning application.

5.22 Neither the warehouse nor former bakery is within a safe-guarded or interim safeguarded area, as defined by tables 1 and 2 listed under policy CS12 of the adopted Core Strategy.

5.23 The adopted Core Strategy suggests economic development uses includes development within the B Use Classes. Policy CS13 states, proposals for the change of use on economic development sites not safeguarded in policy CS12, within the boundaries of urban area will not be allowed unless it can be clearly demonstrated that all reasonable attempts have failed to secure a suitable economic development re-use. Where these circumstances occur, then priority will be given to alternative use in the following sequence:

1. A mixed use scheme;
2. A residential only scheme.

5.24 Policy CS13 is considered to be a policy that restricts housing delivery, in that it requires that certain assessments are undertaken prior to a change of use being permitted. As such in accordance with paragraph 49 of the NPPF, officers attach limited weight to policy CS13 as it is considered to be 'out-of-date'. With this in mind, the applicant does not have to submit information that demonstrates that all reasonable attempts have failed to secure a suitable economic re-use. The principle of the cessation of an employment use at, and outside of the site is therefore considered to be acceptable.

5.25 Providing further weight to this stance is the fall-back position at the site where planning ref. PT09/5262/F has been lawfully implemented, meaning the permission can be built-out, having the same impact on the business uses at/just outside of the site as this proposal.

- 5.26 Accordingly, the loss of the former bakery use and potential loss of the warehouse is not considered to be a reason to refuse to grant planning permission.
- 5.27 Design and Heritage
No. 444 Church Road forms a Grade II listed farmhouse dating from the mid seventeenth century. It has been subject to alteration in the recent past and has been converted into flats. There are a number of original barns and outbuildings that served the property that remain. These include the threshing barn in use as a commercial garage/ engineering garage and a further barn to the north of this that has been converted and restored to residential accommodation.
- 5.28 The application relates to a former bakery building immediately behind no. 444 Church Road. The main building (subject to this application) forms a rendered 1.5 storeys height structure with a metalled roof with attached single-storey buildings behind.
- 5.29 The building as a whole occupies an 'L' shaped footprint with an area of hardstanding adjoining the vehicular access with this access continuing through to a larger parking area behind. Given the position of this building (behind no. 444 Church Road), it is not readily visible from public views gained along Church Road.
- 5.30 This application seeks planning permission for the conversion and extension of the existing 1.5 storey building to provide a two-bedroom residential unit. The application includes the demolition of the existing modern attached structures, these would be replaced with a part two-storey and part single-storey detached building that would provide 3no. residential units. The new 'block' would occupy an 'L' shaped footprint with the two storey section aligning with the existing rear building line of the bakery building, the single storey section would then extend to the east parallel with the northern elevation of the bakery building. The structure along with the bakery building would then form a semi-enclosed courtyard and shared outdoor amenity space.
- 5.31 Over the course of the application a number of amendments have been submitted in response to officer comments. These amendments have addressed officer concerns, indeed the Conservation Officer has no objection to the proposal subject to conditions regarding further details being submitted with regard to:
- structural works;
 - window and door details (large scale);
 - eaves, verge and ridge details;
 - sample panel of rough cast lime render; and
 - a roof tile sample.
- 5.32 As the structural works only concerns the conversion of the bakery, these will be secured through the listed building application – planning ref. PT16/1330/LB.

- 5.33 Hard landscaping is proposed, for example within the courtyard. A condition is therefore recommended to ensure a suitable material is utilised within the courtyard. Further to this, officers recommend a condition that requires the submitted landscape plan to be implemented and completed in accordance with the submitted details. Six photovoltaic cells are proposed above a pergola to the north of the units 2,3, and 4. This section of the development is considered to have an appropriate scale that is positioned a reasonable distance from the listed buildings as to allow for the setting and significance of these heritage assets to be not materially impacted.
- 5.34 It is not necessary to remove permitted development rights through condition as flats accommodation does not benefit from such permitted development rights.
- 5.35 The proposal will facilitate the demolition of a building that fails to contribute positively to the character or setting of the nearby listed buildings, and also the conversion of a curtilage listed building that currently is in a poor state of repair. With this in mind, officers attract positive weight to the development.
- 5.36 Trees
Three apple trees are in proximity to the built elements of the development – specifically 2no. apple trees in close proximity to Unit 3, and 1no. apple tree in close proximity to the existing courtyard. These aforementioned trees are to be retained and temporary fencing is suggested to be the protection measures within the submitted block plan. The tree officer has not objected to the most recent plans demonstrating these protection measures, as such a condition will be imposed to ensure the protection measures are carried out. With this in mind, trees at the site are not considered to be a constraint to granting planning permission.
- 5.37 Ecology
An Extended Phase 1 Habitat Report (Davies Ecology, dated July 2016) has been provided, followed by a bat survey (Davies Ecology, dated August 2016).
- 5.38 Of significance the submitted survey found a number of possible access points and crevices within the existing buildings that could provide bat roosts. Further to this, the survey returned findings old droppings from common pipistrelle bat. Although a dusk and separate dawn survey found no bats exiting or entering the building, three species of bats were recorded in the immediate vicinity foraging, and commuting into the adjacent semi-natural habitat to the north. As well as this, common pipistrelle flight line was recorded traversing the building from east to west.
- 5.39 In light of these findings, and in line with the recommendations of the submitted ecological reports, officers find it appropriate recommend a condition that requires an Ecological Mitigation and Enhancement Plan to be submitted.
- 5.40 Residential Amenity
The windows proposed within the western elevation of both buildings are unlikely to materially harm privacy of any nearby occupiers, similarly the

windows facing the courtyard will not result in a loss of privacy for future or nearby occupiers. Further to this, due to intervening features and distance, the windows within the eastern elevation of the proposal are not likely to materially harm the privacy enjoyed by any nearby occupiers.

- 5.41 A window within the southern elevation of the converted bakery building would likely give rise inter visibility issues, with the unit(s) to the south. As such, in line with the submitted plans, a condition should be imposed that requires this window to be obscure glazed and non-opening.
- 5.42 The proposed conversion and built structure both have acceptable scales meaning the development would not result in an overbearing impact on any nearby occupiers, similarly, the levels of light enjoyed by nearby residents would not be materially reduced.
- 5.43 The boundary treatments proposed are acceptable, there purpose in the case of this application is to mark the boundary rather than to provide privacy. It is noted that the orchard shares a boundary with a private garden to the east, a line of lopped trees marks this boundary and a post and rail fence will also constructed. This existing treatment is considered to be sufficient with regard to privacy.
- 5.44 The amenity space proposed for the four 2 bedroom flats appear to be appropriate in both size and quality. It is likely that such amenity space will be private communal space for the four flats. Such amenity space is common for flatted accommodation, as such officers consider to be appropriate.
- 5.45 Overall, the proposal is considered to have an acceptable impact with regard to residential amenity.
- 5.46 Transport and Parking
The principle of four residential flats in this location has been accepted by nature of planning ref. PT09/5262/F. Indeed the transport officer has not objected to this proposal, and given the limited generation of traffic associated with four residential flats, officers do not find the site access to be a reason to refuse this development. Especially when the site could still be lawfully used as bakery which would likely generate levels of traffic in excess of what four residential flats would.
- 5.47 A temporary bin collection area is proposed near the site access which officers consider to be appropriate. Officers note concerns with regard to the aesthetic impact of locating such bins here, however, it is only a collection point and not a permeant bin store.
- 5.48 Policy T7 of the Local Plan requires that each residential flat provides 1 safe and secure cycle parking space. Facilities are proposed that fulfil this requirement in accordance with policy T7.
- 5.49 Two bedroom residential units are required to provide 1.5 car parking spaces per unit by the adopted Residential Parking SPD. This means the proposal is required to provide 6 parking spaces, each flat is encouraged to be allocated 1

of these parking spaces, with the remaining 2 parking spaces being visitor spaces. The proposal includes 6 car parking spaces all in appropriate positions that enable adequate vehicle turning and do not materially impact the existing car parking spaces to the west of the application site. It is recommended that such parking spaces are subject to a condition in order to ensure that the development is carried out in accordance with the submitted Block Plan and Landscaping Plan.

5.50 In summary, the development is likely to have an acceptable highway safety impact, the proposal will also not materially harm the amenity of nearby occupiers.

5.51 Environmental Protection

The Council's Environmental Protection Team have requested that a condition be imposed with regard to onsite investigation of the bakery building. This is because they suggest that the previous use of the site as a bakery may have given rise to contamination. Officers must have regard to the fall-back position at the site which would be building-out of planning ref. PT09/5262/F. This permission did not require any investigation with regard to contamination, and as such officers find it unreasonable to now require such information through condition. Accordingly, such a condition should not be imposed.

5.52 Site Drainage

The Council's drainage officer has requested that details of a Sustainable Drainage System (SUDS) is submitted for the proposal. A drainage plan has been submitted that involves a SUDS scheme has been submitted but the drainage officer has not commented. Officers must consider how reasonable and necessary it is to request in first place that a SUDS scheme be submitted. The development is small in scale being only a 4nos. residential flat scheme on a brownfield site. SUDS schemes are generally more appropriate for larger scale scheme. Further to this, at building control stage it will be ensured that the site is drained effectively. Accordingly, officers find the drainage information submitted to be acceptable given the scale and nature of the development.

5.53 Lighting

Officers note the concerns of a member of the public that no lighting has been proposed as part of this development, considering the scale of the development, officers do not find a lack of proposed lighting to be a reason to refuse this development.

5.54 Other Matters

Matters pertaining to the ownership warehouse are considered to be civil matters that do not constitute material weight in the determination of this planning application. Similarly, easements and covenants mentioned by members of the public are civil issues, and therefore are not for consideration within this planning application. Officers note comments from a neighbour questioning where the other residential units will be able to locate their bins etc. This is not the concern of this planning application, as the proposed development does not materially reduce the bin storage areas for these properties.

5.55 Planning Balance

Officers recognise the proposal is effectively a resubmission of previously approved development that has been implemented and can therefore be built-out with no further involvement from the Local Planning Authority. As well as this, officers are of the opinion that the proposal represents a limited improvement from the previous permission at the site.

5.56 Officers find it appropriate to return to paragraph 14 of the NPPF. The proposal has been assessed in terms of whether the proposal's benefits would be outweighed by any adverse impacts that would result from the development, in accordance with paragraph 14, such adverse impacts would have to be significant and demonstrable. As demonstrated by this report, the proposal has a number of benefits largely associated with the contribution of four residential units toward the Council's five year housing land supply and also the beneficial impact the development would have with regard to the heritage assets at the site. No adverse impacts have been identified, as such in accordance with paragraph 14 of the NPPF, officers consider that the development should be approved subject to the discussed conditions.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Prior to the relevant stage of development, the design and details including materials and finishes of the following shall be submitted and approved in writing by the Local Planning Authority:
- o Eaves, verges and ridges;
 - o All new windows (including cill and head details);
 - o All new exterior doors;
 - o Rainwater goods;
 - o Reveals;
 - o Extract vents and flues (where appropriate);
 - o Rooflights (where appropriate);
 - o Chimneys (where appropriate);
 - o Dormer windows, including cheeks, roofing and eaves.

With the exception of the extract vents, flues and the rainwater goods, the design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. The development shall then be undertaken in strict accordance with the approved details.

Reason

In the interests of high quality design and the setting and significance of the curtilage listed host building and nearby heritage assets; and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

3. Prior to the relevant stage of development, a sample of any material to be used within the hard landscaping shall be submitted and approved in writing by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details.

Reason

In the interests of high quality design and the setting and significance of the curtilage listed host building and nearby heritage assets; and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policies L1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

4. Notwithstanding condition 3, prior to the first occupation of the residential units hereby approved, the hard and soft landscaping at the site shall be carried out and completed in accordance with the approved Block Plan and Landscaping Plan, 287.11 Rev. E.

Reason

In the interests of high quality design and the setting and significance of the curtilage listed host building and nearby heritage assets; and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policies L1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

5. Prior to the commencement of development, temporary fencing shall be erected in accordance with the approved Block Plan and Landscaping Plan, 287.11 Rev. E. The temporary fencing shall be retained until all construction works pursuant to units 2, 3 and 4 and the courtyard is complete.

Reason

In the interests of tree protection and the setting and landscape of the application site; and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

6. Prior to the commencement of development, an Ecological Mitigation and Enhancement Plan shall be submitted and approved in writing by the Local Planning Authority. The plan should include the approach set out within the Recommendations section on pages 1-2 of the Extended Phase 1 Habitat Report (Davies Ecology, dated July 2016), and also hedgehog protection, and the precautionary approach stated in Section 5 of the Bat Survey Report (Davies-Ecology, dated August 2016). The development shall then be undertaken in strict accordance with the approved details.

Reason 1

To protect wildlife and the ecological interests of the site in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

Reason 2

It is necessary for the requested details to be submitted and approved prior to the commencement of development in order to avoid harm to any wildlife that could result from the construction works. Further to this, a number of recommendation that must shape the requested plan requires enhancement and mitigation measures that must be integrated into the development as a whole.

7. In accordance with Elevations Plan, 287.7 A, the southern elevation window of the 'The Old Bakery' marked W2, shall be obscure glazed and non-opening below 1.7 metres when measured from floor level within the room in which it provides outlook.

Reason

To protect the residential amenity of the area and to accord with the provisions of the National Planning Policy Framework.

8. Prior to the first occupation of the residential units hereby approved, 6 car parking spaces shall be implemented and constructed in strict accordance with the Block Plan and Landscaping Plan, 287.11 Rev. E. The car parking spaces shall be retained as such thereafter.

Reason

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

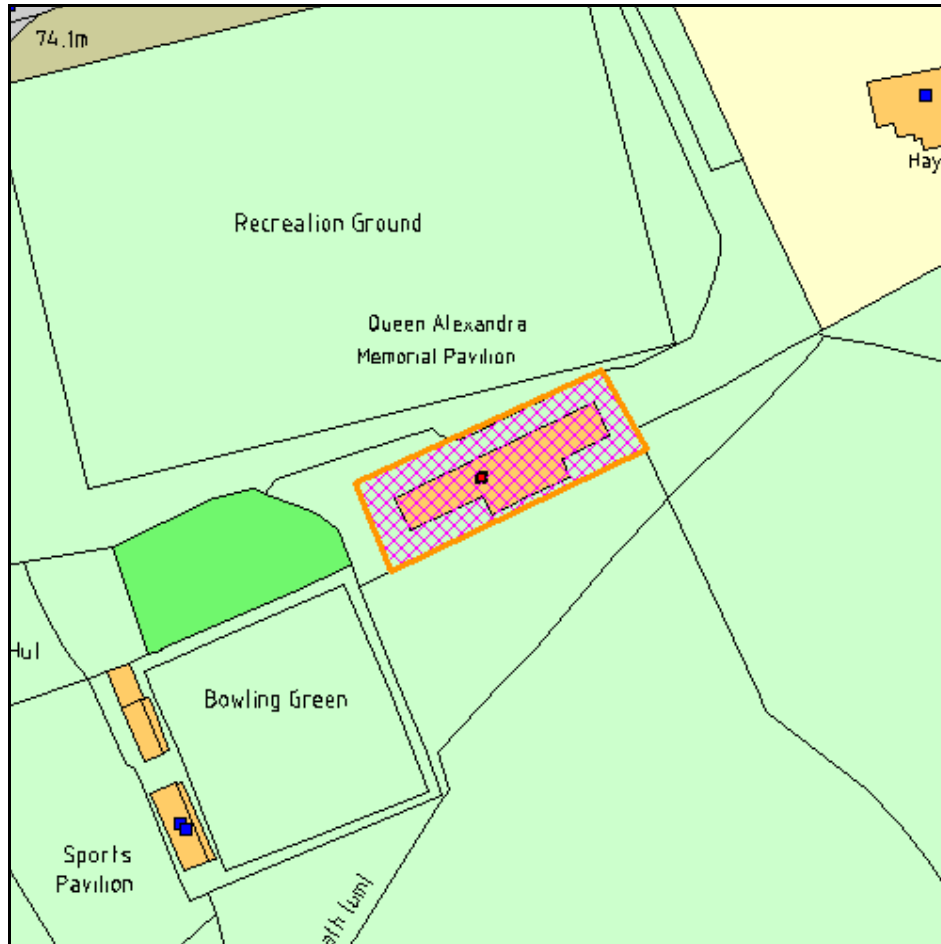
9. Prior to the relevant stage of development a representative sample of the reclaimed clay roofing tile to be used in the development shall be submitted and approved in writing by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details.

Reason

In the interests of high quality design and the setting and significance of the curtilage listed host building and nearby heritage assets; and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PT16/3918/F	Applicant:	Olveston Parish Council
Site:	Olveston Sports And Social Club Foxholes Lane Tockington South Gloucestershire BS32 4PF	Date Reg:	24th August 2016
Proposal:	Erection of single storey rear extension to include decking area to roof to create viewing platform. Erection of single storey side extension to form storage areas.	Parish:	Olveston Parish Council
Map Ref:	361232 187206	Ward:	Severn
Application Category:	Minor	Target Date:	18th October 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is for development by the Local Authority and by councillors of the Council. Under the current scheme of delegation it is required to be taken forward by circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks consent for the erect of a single storey rear and single storey side extension to the existing clubhouse to provide additional storage and viewing areas at Olveston Sports and Social Club, Foxholes Lane, Tockington.
- 1.2 The subject property is a late 20th century single storey clubhouse within a larger sports club providing football, cricket and bowling accommodation. The property is a modern unit with partially clad in rubble but predominately rendered elevations and a pitched and gabled roof. As existing to the rear there is a lean-to pergola that is to be demolished to facilitate the erection of the rear extension and viewing platform.
- 1.3 Access is via a private lane from Foxholes Lane. A number of parking spaces are provided to the north and south of the clubhouse.
- 1.4 The site is level and situated on the fringes of the built up area of Tockington within the Bristol/Bath Greenbelt and outside of any defined settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

T8 Parking Standards
T12 Transportation
LC5 Sports and Leisure Facilities Outside of the Existing Urban Areas
LC9 Protection of Open Space and Playing Fields
L1 Landscape Protection and Enhancement

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Development in the Greenbelt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

PT00/0017/F – Approval – 10/03/2000 – Demolition of part of existing timber pavilion and erection of replacement. Erection of single storey rear extension.

P98/1331 – Approval – 18/12/1998 - Refurbishment and extension of existing single storey building to facilitate continued use as a sports pavilion and occasional use for Parish Council meetings.

P89/1866 – Approval – 05/07/1989 – Demolition of part of existing sports pavilion and erection of side extension to form new toilets, showers, changing facilities and store

N890 – Approval – 09/01/1975 – Erection of extension to sports pavilion to provide kitchen and toilets. (outline).

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council
No Comment Received

4.2 Other Consultees

Lead Local Flood Authority
No Objection

Highway Structures
No Comment

Transport Officer
No objection subject to the appendage of a condition requiring submission of details for approval.

Other Representations

4.3 Local Residents
No Comments Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Section 9 of the NPPF (2012) is supportive of recreational and sporting developments and CS23 of the Core Strategy states the Council and partners will work to provide additional, extended or enhance community infrastructure and encourage participation in cultural activity. Saved Policy LC5 states that development of sports facilities outside the existing urban areas will be permitted provided that they are well located and highly accessible by public transport, foot and by bicycle; development would not unacceptably prejudice

residential amenities; development would not have unacceptable environmental or transportation effects; and development would not give rise to unacceptable levels of street parking to the detriment of the amenities of the surrounding area and highway safety.

5.2 The NPPF states certain development in the Greenbelt is considered acceptable subject to an assessment of its impact; this includes provision of appropriate sports and recreation facilities so long as it does not conflict with the purposes of including land within the Greenbelt. The South Gloucestershire Development in the Greenbelt SPD (2007) is supportive of the development of essential sports facilities in the Greenbelt. The proposal is subject to the consideration below.

5.3 Greenbelt

As already mentioned the proposal is for improvements to an existing sports facility that provides for a mix of sporting accommodation. The grounds have a number of existing buildings. The subject property provides the main clubhouse and is best associated with the football grounds.

5.4 The proposals seek consent to erect an extension to replace an existing structure whilst also making best use of the buildings volume by introducing a decking area for spectators at the roof level. The proposal would also involve the introduction of some additional storage space. Sport England requires that such facilities are in line with regulations in relation to the size of the club etc. The substantive element of the proposal, the rear extension, is located in a discreet location that faces away from Foxholes Lane and towards the Cricket pitch. There is an existing pergola in the location of the proposal and the proposal will replace this structure and would extend along the remainder of the rear of the building. Within this space additional social space will be provided as well as the re-arrangement and improvement of the changing rooms. This would also include the introduction of disabled changing facilities. A decking area will then be introduced above the proposed extension and changing rooms that will be access by stairs to the south. This part of the proposal would offset a proportion of the volume increase as it will replace the existing gable roof with a flat roof that has the same eaves level. Two very small extensions to the south-western end will house the additional storage. These uses could be considered essential sporting facilities which is something supported by section 9 of the NPPF (2012) and the Development in the Greenbelt SPD (2007).

5.5 Information from the applicants suggest the football club has been in existence on the site since the early 20th Century. During this time the demands of the club have likely changed in terms of facilities and a number of alterations and extensions have occurred. Some of which have involved demolition. Given this history it is unclear what comprised the 'original building'. Consequently it has not been possible to accurately calculate the cumulative volume of additions to the original building. That said it has been possible to calculate the volume above that of the existing structure. The proposal will replace the existing pergola with a structure of materially the same size. The addition will take place entirely at the south-western portion of the building for which the original volume was in the region of 360m³. The addition has a volume in the region of 370m³. The NPPF paragraph 89 states exceptions to inappropriate

development are appropriate sports facilities and for replacement of a building provided the new building is in the same use and not materially larger than the one it replaces. Whilst the proposal would not replace the existing building had the application for been such development it would be supported by the LPA. On this basis the additional 10m³ the extension would provide could be considered to be materially of the same size. Furthermore the use of the building would not change. The proposal is therefore seen as acceptable.

5.6 The proposals will not encroach any further onto the open countryside and will provide outdoor sports facilities that by their very nature help to preserve the openness of the Greenbelt. The scale of the proposals are relatively minor and due to their discreet location, their use and positive contribution to local sports facilities are viewed as acceptable with regard to adopted Greenbelt Policy.

5.7 Design

Development will only be permitted where good standards of site planning and design are achieved. Policy CS1 of the Core Strategy and the Design Checklist SPD set out the Council's position on design. Acceptable development proposals must demonstrate the designs are informed by, respect and enhance the character, distinctiveness and amenity of the site and its context. In doing so, the design should be informed by its surrounding area in relation to character, materials, colour, scale and detailing.

5.8 The proposed extension will project to the rear of the building and is discreetly located. The building has no particular aesthetic value as a functional structure. The proposals are not seen to detract from the appearance of the building or to have a negative impact on the character of the area in general and there is therefore no objection to the proposed design.

5.9 The proposal has put forward render to match the existing external materials and there is no objection with regard to materials. Overall the proposal is viewed as having an acceptable quality of design and is viewed as being in accordance with Policy CS1 of the Core Strategy.

5.10 Residential Amenity

The proposal is for improvements to a sports facility outside the existing settlement boundary. As such it would be required to adhere to the provisions of Saved Policy LC5 of the adopted Local Plan (2006). This states that development should be permitted provided that it would not unacceptably prejudice residential amenity, highway safety or the environment.

5.11 The proposal does not seek to increase the amount of playing time but to provide better facilities. As a result it is not expected there will be significant numbers of additional users of the site. The extension will not be situated any closer to the surrounding dwellings than the existing building and consequently the facilities are not likely to give rise to an unacceptable level of noise pollution. The proposal does not include any floodlighting and as a result the operating hours are thought to be the same as existing.

5.12 Furthermore the proposal is not likely to be a major traffic generator and is only likely to be at capacity when larger games occur. Given this consideration the

noise pollution from parking is not viewed to result in an unacceptable impact on the amenity of nearby dwellings.

5.13 Transport

The proposal seeks to improve the existing facilities. It is unclear at this point what parking provision there currently is so it has not been possible to meaningfully assess the parking and transport implications of permitting the development. Comments from the councils transport officer and the case officer requested additional information but this has yet to be provided. The subject site is located outside of the settlement boundary and is in the open countryside. As a result public transport is not very regular. Given this consideration it is likely users of the site will arrive by private motor vehicles and this could have transport implications. Following development it is not thought that there would be a significant number of additional users. Whilst it is not thought there would be an unacceptable impact on highway safety in the area it is recommended that development does not commence until this issue has been clarified. This will be controlled by the appendage of an appropriate worded condition requiring the approval in writing of the LPA.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. Prior to the commencement of development detailed plans showing the provision of car parking facilities and coach parking facilities in accordance with the standards set

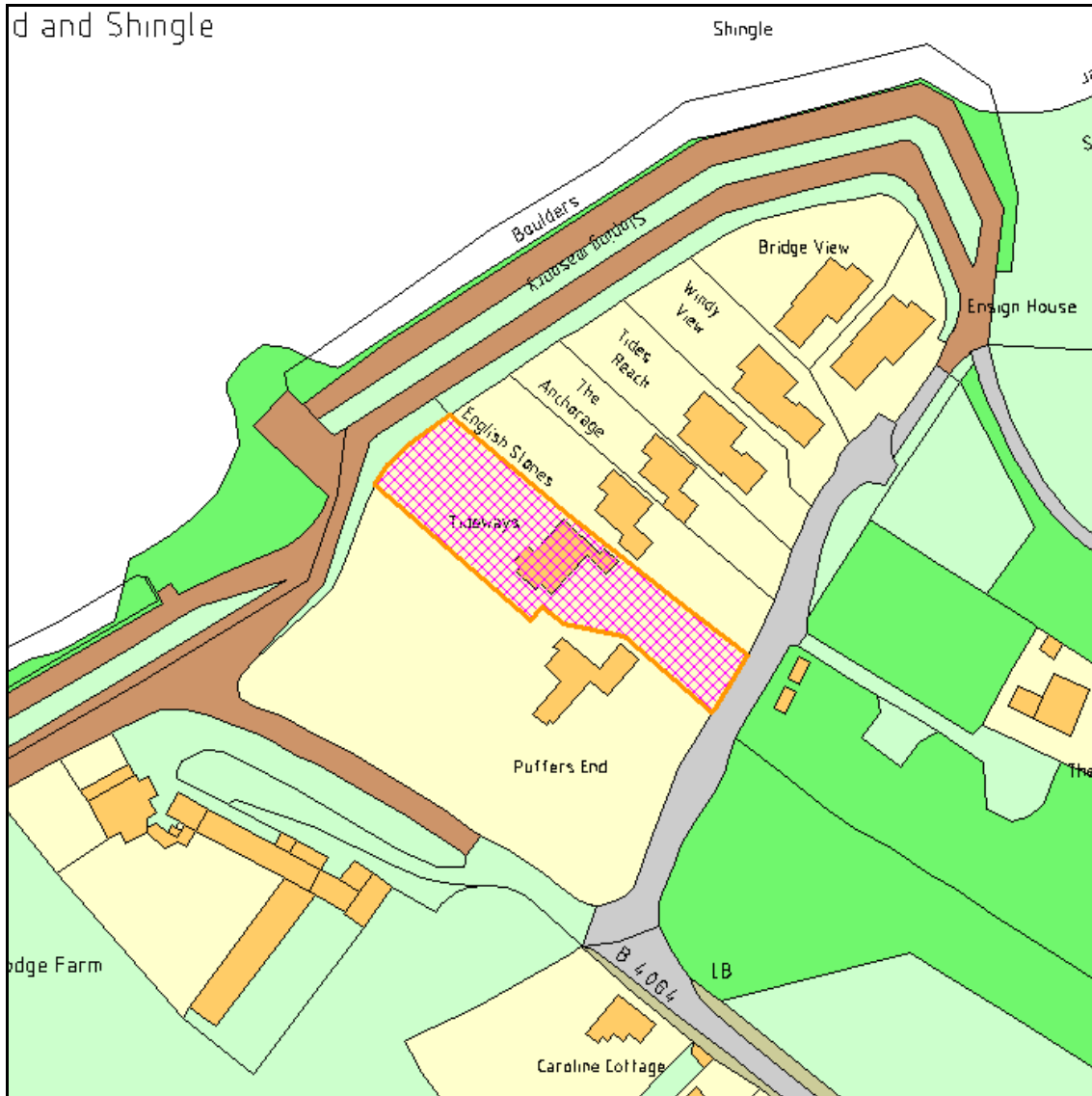
out in Saved Policy T8 of the Local Plan (2006) shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking 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 Saved Policy T8 of the Local Plan (Adopted) January 2006. This information is required prior to the occupation of the building as it relates to the potential impact on the highway network and to ensure this impact is acceptable.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PT16/4939/F	Applicant:	Mr Michael Harrison
Site:	Lime Tree New Passage Pilning Bristol South Gloucestershire BS35 4NG	Date Reg:	1st September 2016
Proposal:	Demolition of existing dwelling and erection of 1no. replacement dwelling and detached garage with associated works.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354370 186383	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	26th October 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule list following a consultation reply from a member of the public to the contrary of the officer recommendation detailed within this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to demolish an existing dwelling known as Lime Tree, New Passage, Pilning and replace it with 1 no. dwelling, garage and associated works. The dwelling was formerly known as Tideways.
- 1.2 The application site is outside of any defined settlement boundaries within the open countryside. The site falls within the adopted Bristol/Bath Green Belt. The site is adjacent to the Severn Estuary and is within Flood Zone 3a.
- 1.3 Whilst the site does not have any ecological designations itself, it is immediately adjacent to the Severn Estuary Site of Special Scientific Interest and Special Area of Conservation.
- 1.4 Amendments were received during the course of the application to address residential amenity issues, to reduce the size of the dwelling, and to provide additional ecological information and flood risk assessment. A period of re-consultation was carried out with the relevant consultees.
- 1.5 The adjacent property, Puffers End, is a locally listed building.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing Environment and Heritage
- CS16 Housing Density
- CS17 Housing Diversity
- CS34 Rural Areas

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

- L1 Landscape Protection and Enhancement
- L9 Protected Species
- L11 Archaeology
- L15 Local List
- H3 Residential Development in the Countryside
- H4 Development within Existing Residential Curtilages

H11 Replacement Dwellings in the Countryside
EP2 Flood Risk and development
LC12 Recreational Routes

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history at the site in the past 25 years.

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

It is requested that Lime Tree is assessed for listed building status due to the site history, the period of design and the importance of the architect. Lime Tree and Puffers End were designed as a pair and proper assessment should be undertaken before any decision is reached.

4.2 Other Consultees

Tree Officer

Tree survey required.

Emergency Planning Unit

No comment.

Ecology Officer

No objection subject to conditions.

Natural England

Natural England is satisfied that these proposals are unlikely to have a significant effect on the Severn Estuary European site.

Public Rights of Way

No objection.

Open Spaces Society

No comment.

Sustainable Transport

No objection.

Environment Agency

Objection withdrawn following amended FRA subject to conditions.

Lead Local Flood Authority

No objection following clarification of surface water disposal methods.

Landscape Officer

No objection subject to conditions.

Archaeology

No objection.

Highway Structures

No comment.

Listed Building Officer

No objection.

Lower Severn Drainage Board.

No comment.

Other Representations

4.3 Local Residents

One letter of objection has been received stating the following:

- Lime Tree and Puffers End were designed as a pair of properties to form a turntable around the former railway terminus
- History and significance of site should be assessed
- Architect went on to design other significant buildings – should be recommended for listed building status

Five letters of support have been received stating the following (although it should be noted that one is from a family member of the current occupier):

- Existing property in need of updating
- New Passage known for eclectic architecture and this is in keeping with that ethos
- Latest plans have been modified to address neighbour's concerns regarding overlooking
- No taller than adjacent house
- Will add diversity to the neighbourhood
- Current property does not have disabled access and new proposal will have ramped access to ground floor, which includes a bedroom and bathroom

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Green Belt

Section 9 of the NPPF makes it clear that Local Planning Authorities should consider the erection of new buildings in the Green Belt as inappropriate development. Exceptions to this are listed under paragraph 89 of the NPPF which, amongst others, identifies the following type of development is an exception: *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.*

- 5.2 'Materially larger' is not defined by the NPPF and there is no specific guidance to this effect within the Council's Development in the Green Belt SPD. The SPD

does however state that a replacement dwelling must be of a similar size and scale to the original dwelling. It also provides guidance on volume increases that are likely to be considered acceptable for extensions, which is between 30-50% over and above the volume of the original dwelling. The proposal as originally submitted was approximately 54% larger than the volume of the original dwellinghouse, however amendments have reduced this down to approximately 48% volume increase over and above the size of the original dwelling. In terms of openness, the dwelling is situated in between existing built form and the proposed height will mirror the adjacent two-storey dwelling. Whilst some reduction in openness is likely, as the height of the property is to be raised, it is not considered to harm the five purposes of including land within the Green Belt detailed within paragraph 80 of the NPPF. The development is therefore considered to be acceptable in Green Belt terms.

5.3 *Location of Development*

The application proposes to demolish the existing dwelling and replace it with a new dwelling on a site which falls in an unsustainable location outside of the defined settlement boundaries and within the open countryside. The existing house appears to be in a salvageable state of repair however it is particularly dated. The application has made no comment on the structural repair of the existing building but does go into some detail on the sustainability principles and the lack of energy efficiency at the current dwelling, which has no insulation in the roof, single glazed windows, and a very high carbon footprint with heating and hot water supplied by oil.

5.4 The requirement of saved policies H3 and H11 of the Local Plan (Adopted 2006) is that replacement dwellings in the countryside, outside of the settlement boundaries, will only be allowed where the residential use has not been abandoned, where the existing dwelling is incapable of retention in its current state, and where the new dwelling is of a similar size and within the same curtilage as the existing. It is noted however that these policies pre-date the provisions of the NPPF and the policy tests are not directly reflected within the wording of the NPPF. The aim of the policies is however relevant, and seeks to protect the countryside for its own good.

5.5 It is noted that the new dwelling would not meet the second policy test of H11 such that it is capable of retention and could be habitable. Weight is however afforded to the greater benefits of replacing the existing out-dated property with a more energy efficient building. On balance it is considered that the benefits of replacing the building would outweigh the policy requirement of retaining the existing building and would meet the Government's presumption in favour of sustainable development. Given that the site is an existing residential curtilage it is not considered that the development would compromise the aim of preserving the countryside for its own good.

5.6 *Flood Risk*

The application site falls within Flood Zone 3a, which is identified as being at a high risk of flooding. Moreover, a dwelling is identified as a 'highly vulnerable' form of development as detailed within the National Planning Practice Guidance.

- 5.7 As set out by the National Planning Policy Framework, (para. 100) inappropriate development in areas at risk of flooding should be avoided. As such, where a proposal for residential development in an area of high flood risk is considered, it is necessary to firstly satisfy the requirements of the 'sequential test'. As set out in the National Planning Policy Framework, the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding' (para 101, NPPF). A sequential test has not been received, however as the proposal is to replace 1 no. existing residential unit with another, and all of the site is within flood zone 3, it is not possible to move the development to an area with the lowest flood risk. Whilst the proposed dwelling is larger, in terms of flood risk there is no intensification of the site.
- 5.8 Following the passing of the Sequential Test it is necessary to move onto the Exception Test. For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
 - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 5.9 Both elements of the test will have to be passed for development to be allocated or permitted' (para 102 NPPF). The replacement dwelling offers an improvement on the current situation, whereby the occupiers are vulnerable in a single storey residence, currently classed as 'very vulnerable' in the NPPG. Officers accept that the refuge area in the first floor accommodation provided is a significant improvement on the extant situation, and it is therefore considered to meet the first criteria.
- 5.10 To address the second part, a Site Specific Flood Risk Assessment (SSFRA) has been submitted by the applicant. The FRA originally submitted with the application did not comply with the requirements set out in paragraph 9 the Technical Guide to the NPPF, as it failed to identify current ground levels, existing and proposed finished flood levels, consider how people will be kept safe from flood hazards identified, consider the impact of a range of flood events and lastly it failed to consider the requirement for a flood emergency plan. An amended Flood Risk Assessment was submitted to address these issues on 14th November 2016, and so the Environment Agency withdrew their objection, subject to conditions ensuring the mitigation methods in the FRA are implemented. The proposal is therefore considered to pass the Exception Test.
- 5.11 Design and Heritage
An objection from a member of the public and the Parish Council have been received as they consider that the property to be demolished should be assessed to see whether it is eligible for listed status. It is noted that the adjacent house, Puffers End, is on the Local List. The Listed Building officer

has been consulted for comment as to whether Lime Tree would be eligible for either local or national listing.

- 5.12 Lime Tree, previously known as Tideways was nominated for local listing back in 2010 and was considered by the consultant for inclusion simply because the adjacent Puffers End (by the same architect) was already on the list and was, then, less extended than Puffers End. It was concluded that neither property was particularly remarkable or innovative. Both buildings are relatively modern, estimated to be in the 1960s, and so they were not built to relate to the railway turntable as has been indicated in objection comments, as this was dismantled in the 1920s. The property is not considered to meet the requirements for either local or national listing and there is no objection to its removal as it is not of any particularly architectural merit. Furthermore, the replacement dwelling would not cause any significant harm to the setting of locally listed Puffers End.
- 5.13 With the exception of Puffers End, which appears to be single storey from the public realm, the majority of properties along New Passage are detached with two-storeys and are of a contemporary design. A number of houses have a mono-pitch roof, and this design is to be mirrored in the replacement dwelling hereby proposed. A large flat roof area is also proposed, and the dwelling will be finished in contemporary materials, the details of which to be agreed by condition. The property will have a number of feature windows, including a large circular window on the studio and a rear balcony. A detached garage is also proposed to the front of the site. The development is considered to represent high quality design and is acceptable in terms of policy CS1 of the Core Strategy.
- 5.14 Residential Amenity
When the application was submitted, the plans showed the balcony spanning both the south-west and north-west elevations of the property. It was considered that the south-west balcony would directly overlook the rear garden of Puffers End. This has now been removed, and alterations to the first floor windows of this elevation have been received so that they only serve a dressing room and bathroom, both of which can reasonably be expected to be obscure glazed and this will be conditioned on the decision notice in the event the application is approved. The neighbour to the east has an obscure glazed facing window which is unlikely to serve a principle room, and the impact will be minimal as the adjacent part of the proposed dwelling to the boundary is single storey with a flat roof. To the west, Puffers End is situated much further forward in the plot and therefore the proposed dwelling will not overbear or overshadow the facing principal windows at Puffers Lane. The extant relationship between Puffers End and Lime Tree is such that there is some inter-visibility from ground floor principal windows of Lime Tree into the rear garden of Puffers End, and some ground floor principal windows will on the proposed dwelling will continue to do so. As this situation is existing, and given the large residential curtilage that Puffers End benefits from, this is not considered to be detrimental to their residential amenity.
- 5.15 The proposed four bedroom dwelling (counting the studio as a potential bedroom in the future) will benefit from adequate private amenity space

following the implementation of the development. There is no objection from a residential amenity perspective.

5.16 Transport

The access to the replacement dwelling from the public highway will not be changed by this proposal, and two off-street parking spaces, in compliance with the Residential Parking Standards SPD, can be provided within the site boundary as the property benefits from a large driveway. There is no transportation objection.

5.17 Ecology

The Severn Estuary European Site is designated for its wintering and migratory bird assemblage, estuarine fishes, habitats and invertebrates. Adequate information regarding the impact of the proposal was submitted on 15th December 2016 to supplement the previously submitted preliminary assessment, and subject to a condition ensuring that development take place in strict accordance with the submitted mitigation measures, there is no ecological objection to the proposal. Ecological gain, in accordance with policy L9 of the Local Plan, will be secured by conditioning the location of a sparrow terrace.

5.18 Trees and Landscaping

The south-western boundary with Puffers End is well vegetated and provides effective screening between the two properties, and it is not clear from the proposal whether this boundary will need to be removed to facilitate the increased width of the new dwelling. A landscaping scheme will be conditioned to ensure that in the event this boundary is removed, it is mitigated for with replacement planting. Suitable landscaping is particularly important due to the proximity of the site to the Severn Way, which is a designated major recreational route.

5.19 A survey of the existing trees on site was submitted and the request of the Tree officer, and there is no objection to the trees proposed for removal. Details of the root protection zones to protect the trees to be retained will be submitted as part of the landscaping scheme.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason:

In the interests of visual amenity of the landscape and to accord with policy CS1, CS9 and CS34 of the Core Strategy (Adopted) December 2013 and policy L1 and LC12 of the Local Plan (Adopted) January 2006. This information is required prior to commencement in order to prevent remedial works later on.

3. Prior to first occupation of the dwelling hereby approved, details of the location of a sparrow terrace, as recommended in the Preliminary Ecological Appraisal (Crossman Associates, October 2016), will be submitted to the Local Planning Authority for approval in writing.

Reason

In order to secure ecological gain from the development in accordance with L9 of the Local Plan (Adopted) January 2006 and CS9 of the Core Strategy (Adopted) December 2013.

4. Development must be implemented in strict accordance with the mitigation measures described in the letter dated 12th December 2016, authored by Aaron Davies. Any deviation from this plan must be submitted to the Local Planning Authority for written approval.

Reason

In order to prevent harm to protected species in accordance with policy L9 of the Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

5. The development shall be carried out in strict accordance with the Flood Risk Assessment November 2016 by M C Harrison and the following mitigation measures detailed within it:
- The finished ground floor level must be set no lower than 9.44 metres Above Ordnance Datum (AOD).
 - Flood-proofing measures as detailed on page 12 section 9 of the FRA.

Reason

To reduce the risk of flooding to the proposed development and to future occupants, in accordance with policy CS9 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

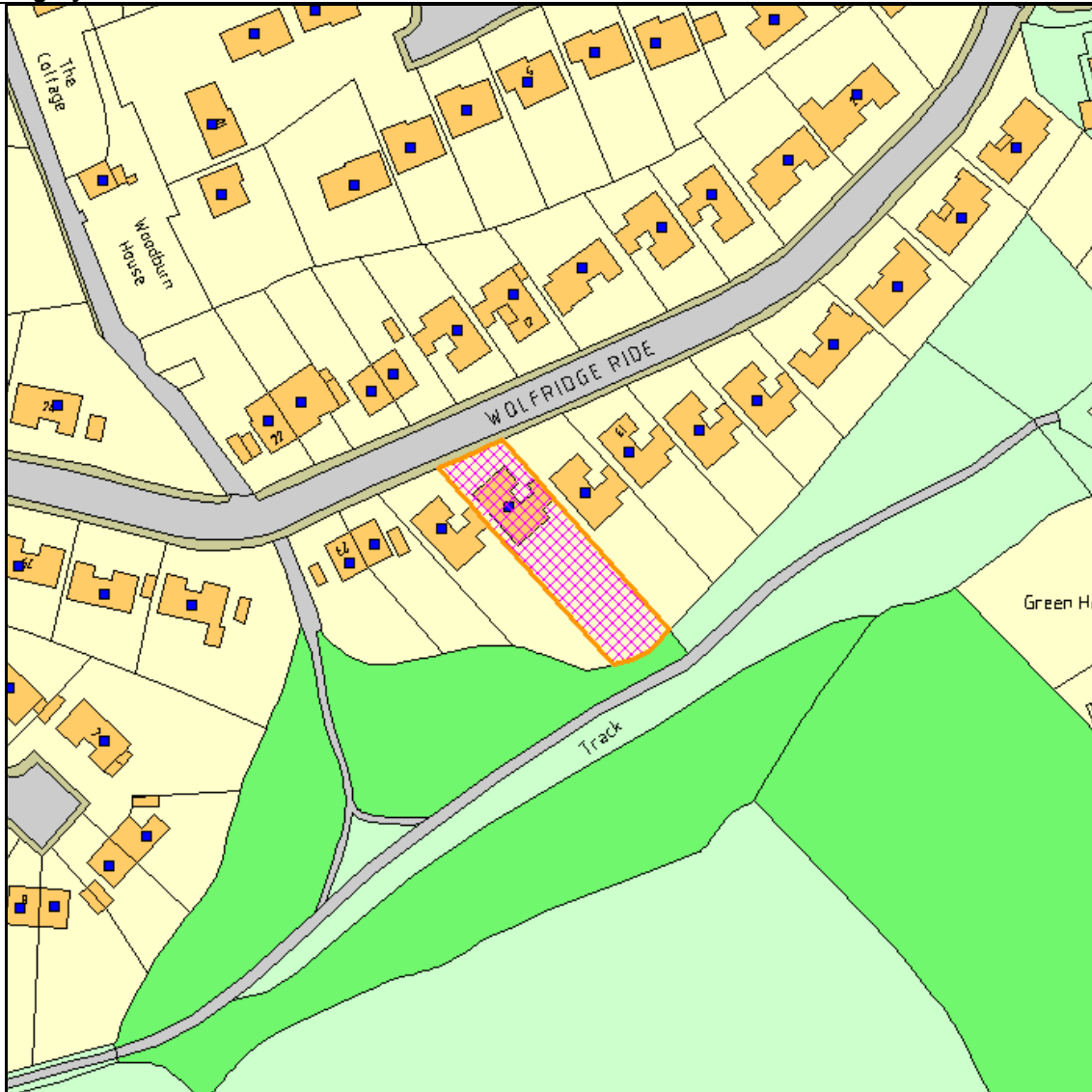
6. All proposed first floor windows on the south-west elevation shall shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

In order to prevent overlooking and to accord with policy CS1 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PT16/5716/F	Applicant:	Mr Tom O'Rourke
Site:	17 Wolfridge Ride Alveston Bristol South Gloucestershire BS35 3RA	Date Reg:	26th October 2016
Proposal:	Alterations to roof line to facilitate loft conversion and installation of obscurely glazed side dormer. Erection of a single storey front and side extension to provide additional living accommodation. Alterations to side extension roof to change from a flat to pitched roof. Installation of flue.	Parish:	Alveston Parish Council
Map Ref:	363108 187742	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	16th December 2016



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REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application relates to No. 17 Wolfridge Ride, Alveston. The application seeks full planning permission for alterations to the roof line to facilitate a loft conversion and the installation of an obscurely glazed side dormer, the erection of a single storey front and side extension to provide additional living accommodation, as well as alterations to the roof of a side extension to change from a flat roof to pitched roof. The proposal would also involve the installation of a flue.
- 1.2 The application site consists of a detached bungalow set towards the front of a relatively large, narrow plot. The application site is situated within the settlement boundary of Alveston, within the Bristol and Bath Green Belt. The main dwelling is finished in facing brick with white render and timber boarding. The dwelling incorporates a brown concrete tiled gable end roof. The immediate surrounding area is characterised by uniformed bungalows; constructed and finished in almost identical style to the subject property. It is noted that several bungalows have previously had roof lines altered and dormer windows installed to create additional, first floor living accommodation.
- 1.3 Amended plans were requested and received on 8th December 2016. The amended plans received were the 'Proposed Plan & Elevations' (Drawing No. PL02 Rev E), and 'Location and Block Plan' (Drawing No. PL03 Rev A). These plans indicate the addition of a front facing first floor window and further velux windows, the removal of the 2 originally proposed side bedroom dormers, alterations to the proposed side bathroom dormer, alterations to the external materials used in the finish of the property, and the provision of three car parking spaces as part of the proposal.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages

T12 Transportation

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

PSP8 Residential Amenity

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

South Gloucestershire SPD: Green Belt (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 N8628 *Application Site*
Erection of single storey rear extension to form lounge, bedroom and bathroom, and front extension to garage.
Approved: 05.05.1983
- 3.2 PT08/2788/F *15 Wolfridge Ride*
Installation of 1 no. dormer to side elevation.
Refused: 27.11.2008

Application refused on the basis that the proposed dormer window would be out of keeping with the dwelling and other nearby properties. Additionally, deemed that proposed dormer would detrimentally impact amenities of the occupiers of the adjoining property, and that obscure glazing of dormer window would impact upon residential amenity at subject property. Dismissed at appeal due to overbearing and overlooking impacts on adjoining property.
- 3.3 PT05/3442/F *15 Wolfridge Ride*
Erection of single storey side extension to form utility room and demolition of existing front of garage to facilitate extension to porch and garage.
Approved: 05.01.2006
- 3.4 PT04/0274/F *15 Wolfridge Ride*
Alterations to roofline and installation of 1 no. dormers in side elevation to facilitate loft conversion to form 2 no. bedrooms and bathroom.

Original application sought permission for 2 no. dormers on side elevation. However permission was granted for the installation of 1 no. dormer with obscure glazed window.

- 3.5 PT14/1873/F 9 Wolfridge Ride
Alterations to roofline and installation of side dormer window to facilitate loft conversion.
Approved: 08.07.2014
- Permission granted, however condition attached to permission requiring the glazing on the side southwest elevation to be obscured glass to a level 3 standard or above, in order to protect the privacy and amenity of neighbouring occupiers.*
- 3.6 PT14/3611/NMA 9 Wolfridge Ride
Non-material amendment to PT14/1873/F to insert 1no. additional velux window and reposition 2no. velux windows.
No Objection: 07.10.2014

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

Original Plans

No objection

Amended Plans

No comment received

4.2 Other Consultees

Sustainable Transport

Original Plans

Lack of information - the proposed development will increase the bedrooms within the dwelling to five. The Council's residential parking standards state that a dwelling with five or more bedrooms provide a minimum of three parking spaces within the site boundary. Part of the development proposes the demolition of the existing garage.

No detail has been submitted on the proposed parking arrangements for this dwelling after development. Before further comment can be made a revised, to scale, block plan needs to be submitted which clearly shows the vehicular access and parking arrangements for this site.

Amended Plans

No objection - a further revised parking plan has now been submitted which shows three parking spaces which comply with the Council's residential parking standards.

The proposed development will require alterations to the existing vehicular crossover onto Wolfridge Ride and the Applicant is requested to obtain the permission of South Gloucestershire Council's Developments Implementations Team as Highway Authority before any works on the public highway are carried out.

Subject to the following conditions, there is no transportation objection to the proposed development:

1. The proposed parking to be provided prior to commencement of the development and then satisfactorily maintained thereafter.
2. The driveway/parking area to have a permeable bound surface and be satisfactorily maintained as such thereafter.

Other Representations

Local Residents

4.3 Original Plans

5 comments of objection to the original plans for the application were submitted by local residents. These objections raised 4 main issues:

- Overdevelopment of the site
- Design of the proposal and subsequent impacts on the character of the immediate surrounding area.
- Potential impacts of the proposed dormer windows, velux windows and sloped garage roof on the residential amenity of neighbouring properties.
- Impacts of the proposal on parking provision at the site.

Overdevelopment of Site

Concerns were raised over the overdevelopment of the site. The conversion of the property from a 3-5 bedroom house was considered to be extensive.

Design and Impacts on Character of Immediate Surrounding Area

Concerns were raised over the extent to which the proposal would alter the overall appearance of the property. It was felt that the proposal would result in a property that is out of keeping with the area.

Impacts on Residential Amenity

The majority of objections made related to the impacts of the proposed dormer windows on the residential amenity currently enjoyed by the occupiers of neighbouring properties. Concerns were raised that the installation of dormer windows would result in overlooking in to No. 15 to the north-east, and particularly to No. 19 to the south-west due to the elevated position of the subject property in relation to No. 19. Further issues were raised relating to the overbearing impact and potential loss of light caused by the proposed dormer windows. Concerns relating to overlooking through the proposed velux windows, potential overbearing impacts of the alterations to the side extension roof, and impacts of rainwater run-off through alterations to this roof were also raised.

Impacts on Parking Provision

Concerns were raised over the impacts the loss of the existing garage could have on parking provision at the site. The main concern was that the proposal would encourage more on-street parking on an already overcrowded street.

Photos

In addition to objection comments, photographs were submitted highlighting the potential impacts that the proposal could have on the residential amenity currently enjoyed at an adjoining property.

4.4 Amended Plans

Following the submission of revised plans, comments from 3 of the 5 original objectors were received. These raised no objection to the revised plans, however concern was raised in one comment over whether the levels of parking provided would be sufficient for a 5 bed property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for alterations to the roof line to facilitate a loft conversion and the installation of an obscurely glazed side dormer, the erection of a single storey front and side extension to provide additional living accommodation, as well as alterations to the roof of a side extension to change from a flat roof to pitched roof. The proposal would also involve the installation of a flue. Extension and alterations to existing properties is managed through policy H4 of the Local Plan. This policy is generally supportive subject to an assessment of design, amenity and transport. However, the site is located within the green belt and any development must accord with the principles of green belt policy to be acceptable.

5.2 Green Belt

National planning policy states that great importance is attached to green belts. In order to preserve the openness of Green Belt land, development within the Green Belt is strictly controlled. Development within the Green Belt is generally considered inappropriate. However, there are limited categories of development within the Green Belt that are not considered to be inappropriate. One of these is the extension of a building provided that it does not result in a disproportionate addition over and above the original size of the building, as is set out in Paragraph 89 of the NPPF.

5.3 A test of proportionality (outlined in the South Gloucestershire Supplementary Planning Document: Development in the Green Belt (Adopted) 2007) is used as a means of assessing whether or not an addition to a dwelling can be considered proportionate to the original dwelling. Generally, additions resulting in a volume increase of less than 30% above the volume of the original building are likely to be considered acceptable. Those resulting in a volume increase of 30%-50% are to be carefully assessed against further criteria. Those resulting in a volume increase of more than 50% are likely to be considered in excess of any reasonable definition of 'limited extension'; and therefore may be disproportionate in nature.

- 5.4 Volume calculations show the volume of the original dwelling to be approximately 645m³, the volume of the existing dwelling to be approximately 725m³, and the resulting volume should planning permission be given to be approximately 844m³. As such, the cumulative increase in the volume of the building should the planning permission be granted would represent a 30.8% increase to the volume of the original dwelling. As such, although the volume increase is towards the lower end of the 30%-50% bracket, the proposal will be assessed against further criteria in order to ascertain whether the proposal would constitute a disproportionate addition. In this case, the other factors under consideration are the design and layout of the proposed additions.
- 5.5 The additions proposed would involve the increase in the ridge height of the dwelling by approximately 1 metre, the addition of a front and side extension (infilling the existing outdoor porch area), the installation of a side dormer and the incorporation of a lean-to garage roof. As the footprint of the dwelling would only be increased through the infilling of the porch, the built form of the building would remain relatively unaltered. Additionally, it is deemed that the moderate increase in ridge height of 1 metre would represent a proportionate addition to the dwelling. The size and design of the proposed side dormer, as well as its siting towards the centre of the south-west side elevation of the property would allow for it to appear proportionate to the main dwelling. Overall, having considered the overall increase in volume from the original building, as well as the design and layout of the proposed additions, it is deemed that the proposal would result in proportionate additions to the dwelling, and as such would not constitute inappropriate development within the Green Belt.
- 5.6 Design and Visual Amenity
Policy CS1 of the Core Strategy and saved policy H4 of the Local Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- Alterations to roof
- 5.7 Original plans indicated an increase in the ridge height of the dwelling by approximately 1 metre, as well as the installation of 3 side dormers, and a number of velux windows. 2 side dormers were to be installed on the south-west elevation, and would serve a proposed first floor bedroom and bathroom. One dormer was to be installed on the north-east elevation, and would serve another bedroom. The 2 bedroom dormers were to be located towards the principal (north-west) elevation, with the bathroom dormer located behind the bedroom dormer towards the centre of the side elevation. The dormers incorporated a sloping roof, with a slightly shallower pitch than that of the roof of the main dwelling.
- 5.8 An increase in ridge height has previously been approved at neighbouring properties, and as such the increase of the ridge height of the subject property by approximately 1 metre was deemed to be acceptable.

Additionally, with regard to design, the installation of velux windows was also deemed to be acceptable. However the design of the dormers as originally proposed was deemed to be unacceptable. It was considered that the sloping roof design of the proposed dormers was out of keeping with the locality, and detrimentally impacted upon the character and distinctiveness of the main dwelling. A dormer with a pitched roof design, protruding straight out from the ridge of the main dwelling was deemed to be more in keeping with the locality and respect the character of the main dwelling to a greater extent. However it was deemed that having 3 dormers incorporating this design, with the width and protrusion of those proposed, would be overly dominant within the streetscene.

- 5.9 Revised plans involve the removal of the 2 side bedroom dormers, and alterations to the proposed south-west bathroom dormer; incorporating a pitched roof design and non-sloping ridge, as has been implemented at neighbouring properties. It is deemed that these amendments result in a scheme that is more in keeping with the dwelling and surrounding area. The revised plans also involved the installation of a front facing first floor window. This is also a feature that has been implemented at neighbouring properties, and as such is deemed to be in keeping with the subject property and immediate surrounding area. It is also considered that no design issues arise from the installation of a proposed juliet balcony to the rear elevation.

Single storey front and side extension

- 5.10 By virtue of the location of the proposed single storey extension to the front and side of the property, the extension would be visible from the public areas offered along Wolfridge Ride. As such the extensions would have some impact on the streetscene and character of the area. However due to the modest scale of the proposed extensions and the location largely within an outdoor porch area, this impact is deemed to be negligible.

Alterations to side extension roof

- 5.11 Despite being visible from Wolfridge Ride, it is not deemed that the proposed alterations to the side extension (garage/annexe) would significantly impact upon the character of the surrounding area or the main dwelling.

Installation of flue

- 5.12 By virtue of the location of the proposed wood burning flue to the rear of the property, it is not deemed that its installation would have any impact on the character of the immediate surrounding area or streetscene. Additionally, it is deemed that the finish of the flue is in keeping with the main dwelling.

Materials

- 5.13 Original plans proposed the usage of timber boarding in the external finish of the front elevation, rear elevation, proposed dormer windows and proposed new side extension roof of the subject property. The front elevations of properties along Wolfridge Ride are relatively uniformed, and are characterised by a brick and white render finish. As such is was deemed that the implementation of timber boarding to the front elevation would fail to sufficiently respect the character of the surrounding area.

In addition to this, dormer windows that have been previously approved at neighbouring properties have been finished in brown hanging tile. It was deemed that the usage of timber boarding to finish the proposed dormers would be out of keeping with the locality. However it was deemed that the usage of timber boarding in the finish of other parts of the property would not have such a significant impact. In addition to this, the finish of the proposed roof would match that of the existing.

5.14 Revised plans indicate the retention of the render and brick finish to the front of the property. The finish of the proposed bathroom dormer is unclear. As such, a condition will be attached to any decision requiring this dormer to be finished in a brown hanging tile, similar to that used at neighbouring properties. The usage of timber boarding at other parts of the property, and the retention of concrete roof tiles is deemed to be acceptable.

5.15 Overall, it is deemed that the proposal as is indicated in the revised plans conforms to design criteria outlined in policy CS1 of the Core Strategy and H4 of the Local Plan.

5.16 Residential Amenity

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

5.17 When considering the impacts of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties, the main properties under consideration are the neighbouring properties to the north-east at No. 19 Wolfridge Ride, and to the south-west at No.15. The impacts on the occupiers of No. 16, located directly opposite the application site, have also been taken in to consideration.

Alterations to roof

5.18 The impacts of the originally proposed side bedroom dormers on the residential amenity of neighbouring properties was deemed to be unacceptable. It was deemed that the installation of clear glazed windows to the side elevations of the property would detrimentally impact upon the privacy of neighbouring residents through overlooking.

5.19 Revised plans involve the removal of the bedroom dormers, the obscure glazing of the proposed bathroom dormer window, and the installation of front, rear (juliet balcony) and velux windows to provide natural light to first floor rooms. It is not deemed that the proposed front and rear windows would result in a loss of privacy at neighbouring properties through overlooking. Revised plans indicate that the proposed velux windows would be approximately 1.7 metres above the first floor height, and as such would not result in any significant overlooking effects.

Single storey front and side extension

- 5.20 By virtue of the siting, design and scale of the proposed single storey front and side extension, it is considered that its erection would have no significant impacts on the residential amenity of neighbouring residents.

Alterations to side extension roof

- 5.21 It is acknowledged that the proposed lean-to roof would be constructed in close proximity to the boundary with a neighbouring property. However it is not deemed that the alteration of the side extension roof from a flat roof to a lean-to roof would significantly detriment the residential amenity of the occupiers of the neighbouring property.

Installation of flue

- 5.22 Due to the distance between the proposed flue and the neighbouring property to the south-west at No. 15, it is not deemed that the installation of the flue would significantly impact upon the residential amenity enjoyed at this property.

- 5.23 As the footprint of the building would only be marginally increased as a result of the proposed works, it is deemed that sufficient outdoor private amenity space would remain at the site. Overall, with regard to impacts on residential amenity it is deemed that the proposal as is indicated in the revised plans accord with criteria outlined in policy H4 of the Local Plan.

5.24 Transport

The proposal seeks to increase the number of bedrooms at the property from 3 to 5. Original plans provided no indication of the proposed parking arrangements. South Gloucestershire Residential Parking Standards SPD outlines that a 5 bed property must make provision for a minimum of 3 parking spaces, each measuring a minimum of 2.4 metres x 4.8 metres. Revised plans indicate the provision of 3 parking spaces to the side and front of the main dwelling. These parking spaces meet the minimum size standards, and as such the parking arrangements are deemed to be adequate.

- 5.25 However in line with Transport Officer comments on the application, a condition will be attached to any decision requiring a minimum of 3 parking spaces to be provided prior to the first occupation of the proposed extensions. Additionally, it is not deemed that the proposal would have any detrimental impacts on highway safety. As such, following the submission of revised plans, it is considered that the proposal conforms to criteria set out in policies H4 and T12 of the Local Plan, as well as South Gloucestershire Residential Parking Standards SPD.

5.26 Works at Neighbouring Properties

Section 3 of this report outlines the planning history of the application site, as well as the planning history of neighbouring properties relevant to this application. As is outlined in this section, the alteration of the roofline of properties along Wolfridge Ride in order to facilitate loft conversions has generally been considered acceptable. However the installation of first floor side dormers as part of the loft conversions has generally been avoided.

This can largely be attributed to the assessment that the impacts of the side dormers on the character of the locality, and the residential amenity of the occupiers of neighbouring properties would be unacceptable. The exception to this has been the installation of single side dormers with obscurely glazed windows; providing the obscure glazing of the window does not detrimentally impact the residential amenity of the occupiers of the subject property.

5.27 It is deemed that following the submission of revised plans, the proposed works respect, to a greater extent, the previous works that have been granted permission and implemented at neighbouring properties.

5.28 Objection Comments

Overdevelopment of Site

It is considered that whilst the proposal seeks to significantly increase the usable floor space at the property, the increase in footprint would remain relatively minimal. It is also deemed that the increase in ridge height would not result a contrived addition to the property. Overall it is deemed that the further development of the site as is indicated in the revised plans is acceptable.

Design and Impacts on Character of Immediate Surrounding Area

Following the removal of the originally proposed bedroom dormers, alterations to the proposed bathroom dormer and alterations to the proposed external finish of the property, it is deemed that the proposal sufficiently respects the character and distinctiveness of the host dwelling and immediate surrounding area.

Impacts on Residential Amenity

Following the removal of the originally proposed side bedroom dormers, it is not considered that the proposal would significantly detriment the residential amenity of neighbouring residents through overlooking, overbearing or overshadowing.

Impacts on Parking Provision

The revised block plan indicates the provision of 3 parking spaces, each measuring a minimum of 2.4m x 4.8m. This parking arrangement is deemed to be sufficient for a 5 bed property as is proposed.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

2. The proposed dormer window shall be finished in a brown hanging tile.

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.

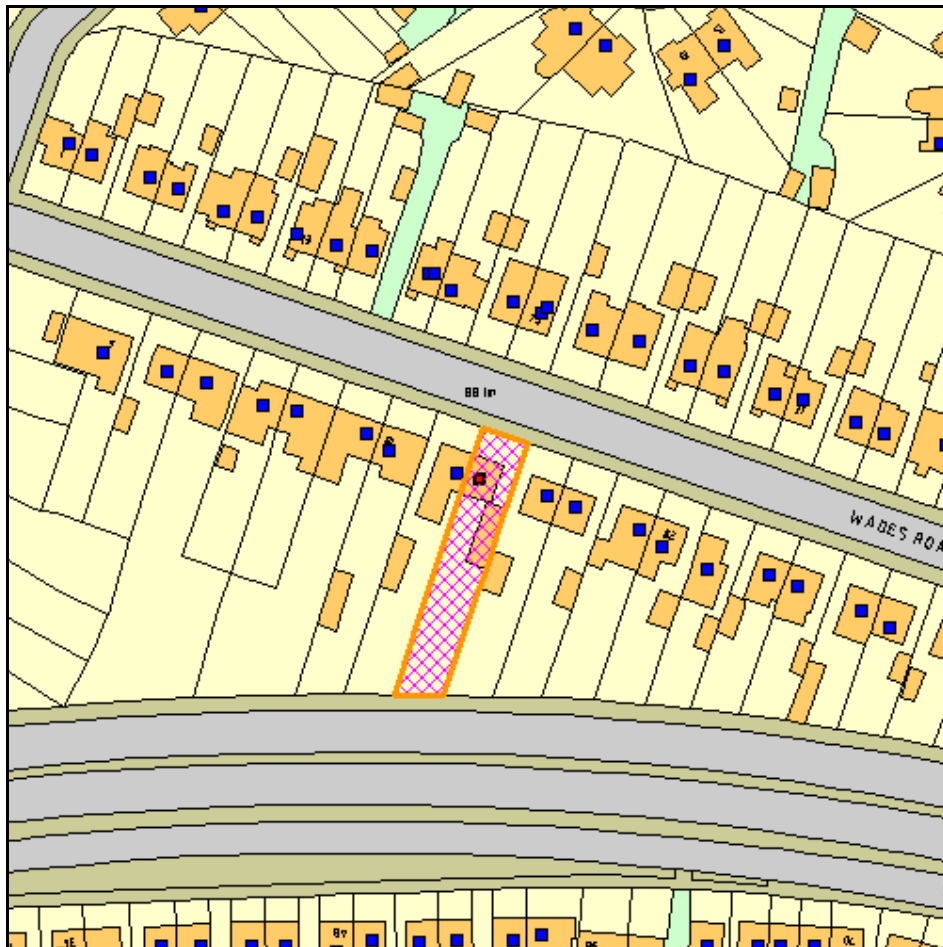
3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan (PL03 Rev A) hereby approved shall make provision for the parking of a minimum of 3 vehicles (measuring at least 2.4m by 4.8m), and shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PT16/5987/PDR	Applicant:	Mr Derek Russell
Site:	20 Wades Road Filton Bristol South Gloucestershire BS34 7EE	Date Reg:	28th October 2016
Proposal:	Conversion of existing ground floor store room to form 2 no. additional bedrooms with shower room .	Parish:	Filton Town Council
Map Ref:	360578 179119	Ward:	Filton
Application Category:		Target Date:	20th December 2016



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N.T.S. **PT16/5987/PDR**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to comments received from local residents contrary to the Officers decision.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the conversion of the existing ground floor store room to form two additional bedrooms with shower room at 20 Wades Road in Filton.
- 1.2 The host dwelling is a two-storey semi-detached dwelling within the settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P91/1635 Erection of double garage with integral porch (in accordance with amended plans received by the council on 3rd July 1991)
Approval Full Planning 28.07.1991
Condition:

'The (double) domestic garage(s) hereby authorised shall be used solely for the garaging of private vehicle(s), for domestic storage or for uses incidental to the enjoyment of the occupiers of the associated dwelling and for no trade or business use whatsoever.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties.'

4. CONSULTATION RESPONSES

4.1 Filton Parish Council
No comments received.

4.2 Sustainable Transport
Originally officers needed clarity on the application with regards to the access and parking arrangements at the site particularly regarding the access to the window in front of the bay window. However following a solution raised by the applicant of removing the existing front wall there is no transportation objection to the proposal.

Other Representations

4.3 Local Residents
Two letters of objection have been received from neighbouring residents raising the following points:

- Noise- if the occupants play music in their rooms this will cause considerable disturbance to surrounding households;
- Parking- the increased multiple occupancy will create more parking problems as there are already vehicles at the property- this will cause problems for neighbours – the space in front of the property is not accessible due to rubbish;
- Drains- the drains are connected with neighbouring properties and would cause problems and disturbance with building work.
- Windows- would infringe privacy
- Property maintenance- there is lack of maintenance at the property as existing.

5. ANALYSIS OF PROPOSAL

5.1 The application seeks planning permission for the conversion of the existing ground floor store room to provide additional living accommodation at 20 Wades Road in Filton.

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

5.3 Design and Visual Amenity

The application seeks planning permission for the conversion of the existing ground floor store room to additional living accommodation in the form of two additional bedrooms with a shower room. The proposal will not result in the footprint of the property changing nor will the elevation visible from the street scene change.

5.4 There will be new windows in the south and west elevations which will be white pvc to match the existing windows. As the building already exists there will be no further changes to the materials used.

5.5 It is considered that the proposal respects the character of the site and the wider context as well as being of an appropriate scale and proportion with the original dwelling and surrounding properties because there will be minimal change with relation to the design of the store. Thus, the proposal satisfies policy CS1 of the adopted Core Strategy.

5.6 Residential Amenity

Saved policy H4 of the adopted Local Plan aims to ensure that residential development within established residential curtilage does not prejudice the residential amenity of any neighbouring occupier.

5.7 The proposal seeks planning permission for the conversion of the existing ground floor store room to additional living accommodation in the form of 2no. additional bedrooms and a shower room.

5.8 As a result of the works there will be new windows on the south (rear) and west (side) elevations. The boundary treatments at the site consist of 1.8 metre timber fences. It is noted that an objection comment has been received suggesting the windows would infringe privacy however due to the nature of the site officers do not consider the proposal to result in an adverse increase in overlooking.

5.9 Noise has also been raised as an issue by a neighbouring resident as a neighbour considers that a further two bedrooms will result in more noise and also if the occupants play music in their rooms it will cause a disturbance to surrounding householders. Whilst officers note there could be some increase in noise the impacts are not considered to be adverse.

5.10 Overall, the proposed conversion of the existing store is not considered to detrimentally impact residential amenity and as such, the proposal is considered to accord with saved policy H4 of the adopted Local Plan 2006.

5.11 Transport

The proposed conversion will result in 20 Wades Road being a five bed property, to comply with the Councils Residential Parking Standards three parking spaces are required. Concern was originally raised by the Council's Transport Officer regarding the access to the space at the front of the property. Following correspondence with the applicant the solution is to remove the existing hedge and wall to allow access to the space. Further to this the Transport Officer raises no objection.

- 5.12 Neighbouring residents have also raised concerns regarding parking. There is concern because there are already vehicles at the property causing problems for neighbours the increased multiple occupancy will increase these problems. Additionally the space at the front of the property is not accessible due to rubbish and overgrown vegetation.
- 5.13 Officers consider the property to comply with standards and note that parking on Wades Road and surrounding roads is unrestricted; as such there are no transportation objections to the proposal.
- 5.14 Other Matters
Concern has been raised with regards to the drains and the potential of problems and disturbance caused by building work, whilst this can sometimes be material it is not considered that this proposal will make significant changes to drainage, nor require extensive building operations given that the building already exists. Secondly, concern has been raised regarding property maintenance as there is currently a lack of maintenance; this is not considered to be a material consideration for this planning application.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PT16/6120/F	Applicant:	Mr And Prof Williams
Site:	Ley Hay Church Hill Olveston Bristol South Gloucestershire BS35 4BZ	Date Reg:	16th November 2016
Proposal:	Erection of detached double garage	Parish:	Olveston Parish Council
Map Ref:	360008 187325	Ward:	Severn
Application Category:	Householder	Target Date:	9th January 2017



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REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a detached double garage at Ley Hay, Church Hill, Olveston.
- 1.2 The application site consists of a two storey detached property set within a relatively large plot. An existing single storey garage is located to the rear of the main property. The application site is located off of Church Hill, within the defined settlement boundary of Olveston, the Olveston Conservation Area, and within the Bristol and Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation
L12 Conservation Areas

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

PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Development in the Green Belt SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P87/2596/C Incidental works of demolition to facilitate conversion of workshop/garage to form granny annexe (in accordance with the amended plans received by the council on 16TH october 1987).
Approved: 04.11.1987
- 3.2 P87/2565 Conversion of barn to form granny annexe (in accordance with the amended plans received by the council on 14TH october 1987).
Approved: 28.10.1987
- 3.3 P84/1652 Erection of first floor rear extension to provide two additional bedrooms.
Approved: 27.06.1984
- 3.4 N6588/1 Erection of domestic garage.
Approved: 08.12.1983
- 3.5 N6588 Alterations and extensions to existing dwelling to form study/workroom, toilet, porch and utility room at ground floor level and bedroom and bathroom at first floor level. Erection of front porch.
Approved: 15.05.1980

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

4.2 Other Consultees

Conservation

No objection

Sustainable Transport

No comment

Other Representations

4.3 Local Residents

One comment relating to the application has been submitted by a local resident. This raises a number of points to be considered:

- That all existing trees and shrubs stay in situ and at current height to the west of the development.
- That the height of the garage is clarified, kept to a minimum and does not exceed that of boundary hedges.

- That the garage door is an off white colour the same as the render to main property.
- That roofing tiles are the same style as the external residential building and main house.
- That no external light is fitted to front of garage which would illuminate the second floor of The Cottage.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a detached double garage. Extension and alterations to existing properties is managed through policy H4 of the Local Plan. This policy is generally supportive subject to an assessment of design, amenity and transport. However, the site is located within the Green Belt and any development must accord with the principles of Green Belt policy to be acceptable.

5.2 Green Belt

National planning policy states that great importance is attached to green belts. In order to preserve the openness of Green Belt land, development within the Green Belt is strictly controlled. Development within the Green Belt is generally considered inappropriate. However, there are limited categories of development within the Green Belt that are not considered to be inappropriate. One of these is the extension of a building provided that it does not result in a disproportionate addition over and above the original size of the building, as is set out in Paragraph 89 of the NPPF. Despite not constituting the extension of a building, as the proposed garage is to be located within the same residential unit as the main dwelling, the proposal is deemed to fall within this category.

5.3 In this case, due to the scale and massing of the proposed garage (proposed volume of approximately 100m³), as well as its design and location, it is deemed that the proposed garage would constitute a proportionate addition within the existing planning unit. Any potential harm to the Green Belt is also reduced by the location of the application site within a defined settlement boundary and a relatively built up residential area. Overall it is deemed that the proposed garage would represent a proportionate addition within the planning unit, and as such would not constitute inappropriate development within the Green Belt.

5.4 Design and Visual Amenity

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

- 5.5 By virtue of the location of the site away from the main access off of Church Lane, and the significant screening around the boundary of the site in the form of vegetation and exposed rock faces of varying heights, the proposal would not be visible from any public areas. Without entering the application site, the main dwelling and proposed garage could only be seen from a neighbouring property to the south, at The Cottage. As such, whilst being located within the Olveston Conservation Area, it is deemed that any impacts of the proposed garage on the character of the immediate surrounding area would be negligible.
- 5.6 The proposed garage would incorporate a ridge height of approximately 4 metres, a width of approximately 5.6 metres and a length of approximately 6 metres. It is deemed that the scale and massing of the proposed garage would respect that of the main dwelling. Additionally, it is outlined within the submitted Design & Access Statement that the materials used in the finish of the walls and roof of the proposed garage would match those of the main dwelling. However due to the location of the application site within a conservation area, conditions will be attached to any decision ensuring that the render and roof tiles used in the external finish of the proposed garage match those used in the finish of the main dwelling. Subject to this, it is considered that the proposal conforms to design criteria outlined in policy CS1 of the Core Strategy and H4 of the Local Plan.
- 5.7 Residential Amenity
Policy H4 of the Local Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space.
- 5.8 As is previously outlined, the proposed garage would only be visible when viewed from the neighbouring property to the south, at The Cottage. However due to the distance between the proposed garage and the neighbouring property, as well as the sympathetic design of the proposed garage, it is not deemed that the proposal would have any impact on the residential amenity currently enjoyed by the occupiers of this property. Whilst it is acknowledged that the proposal would result in a loss of outdoor private amenity space, it is deemed that sufficient space would remain at the site. Overall, with regard to residential amenity, it is deemed that the proposal satisfies criteria outlined in policy H4 of the Local Plan.
- 5.9 Transport
During a site visit it was noted that a large gravelled area is located to the front of the property. It is deemed that this gravelled area, combined with the 2 parking spaces afforded by the new garage constitutes ample parking provision at the site. Additionally the proposal would have no impact on highway safety, and as such it is not deemed that there are any transport issues relating to the proposal.
- 5.10 Conservation Area
Policy L12 of the Local Plan outlines that development within or affecting a conservation area will only be permitted where it would preserve or enhance the character or appearance of the conservation area.

5.11 As is previously outlined, due to its location, it is not deemed that the proposed garage would impact upon the character of the wider conservation area. As such, the main consideration is the impact of the proposed garage on the character and distinctiveness of the main dwelling. It is deemed that scale, massing, design and finish of the proposed garage respect the character of the dwelling, and as such the proposal would not detrimentally impact upon the character or appearance of the conservation area and subsequently conforms to policy L12 of the Local Plan.

5.12 Objection Comments

With regard to the comments raised relating to the design of the proposed garage and the impacts of the garage on surrounding trees and shrubs, it is considered that the design is in keeping with the main dwelling, and that the erection of the garage would not significantly impact upon any trees or shrubs. With regard to the potential installation of an external light, whilst no details of such a light have been submitted, it is considered that an external light would not significantly impact upon the residential amenity of neighbouring residents.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions included on the decision notice, and subject to no objections being received prior to the expiry of the stated consultation period.

7.2 Should any objections be received prior to the expiry of the consultation period, then a further report acknowledging and addressing any objections, will be produced and recirculated on the Schedule.

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

2. The roof tiles to be used in the development hereby permitted shall match those of the main dwelling in colour, texture and profile.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

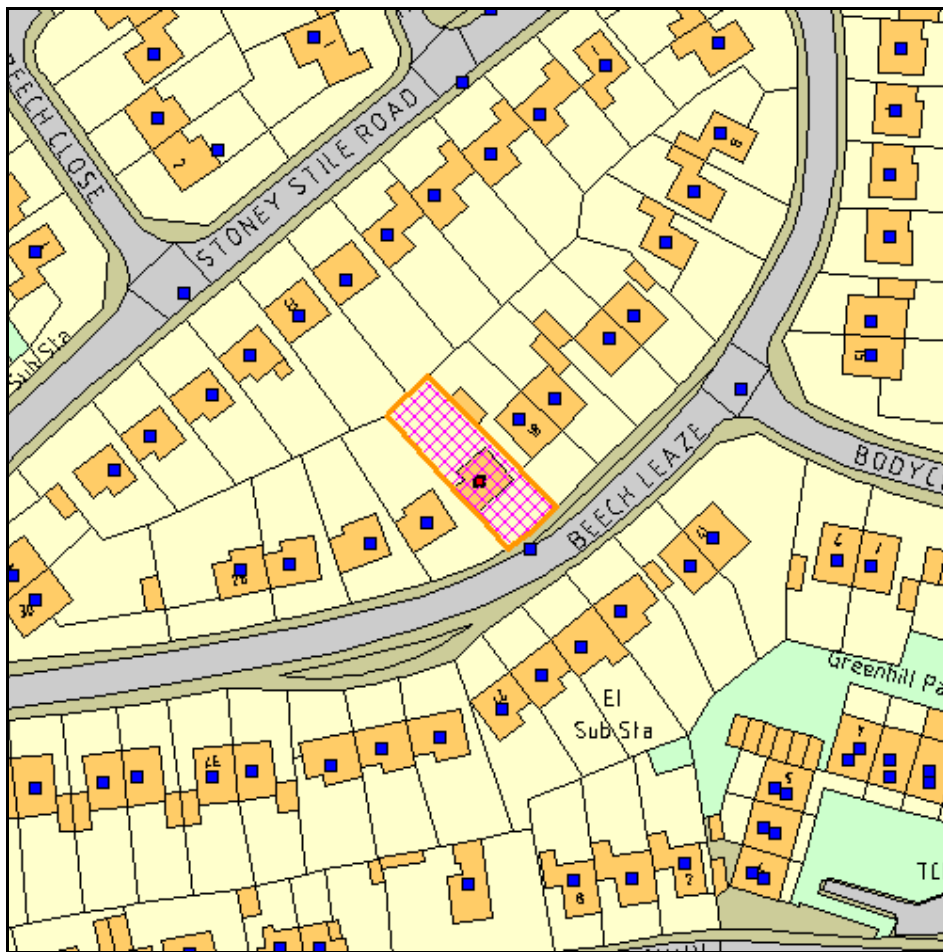
3. The colour, type and texture of the rendered finish to the external walls of the proposed garage shall match that of the main dwelling.

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; Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 51/16 – 22 DECEMBER 2016

App No.:	PT16/6270/F	Applicant:	Mr And Miss Baker And Rudrum
Site:	20 Beech Leaze Alveston Bristol South Gloucestershire BS35 3NE	Date Reg:	16th November 2016
Proposal:	Erection of single storey side and rear extension to form additional living accommodation	Parish:	Alveston Parish Council
Map Ref:	363156 188087	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	9th January 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

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 detached property situated within the established settlement of Alveston.
- 1.3 During the course of the application, additional details regarding the parking provision were requested and received by the LPA.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

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

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 PT16/5586/PNH Refused 07/11/2016

The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.9m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 2.9m.

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

No objections.

4.2 Other Consultees

Sustainable Transport

Revised plans showing parking arrangement needed.

Update:

Block Plan & Section AA received 30/11/2016.

Other Representations

4.3 Local Residents

Two letters have been received from local residents. The comments are summarised as:

- Overbearing
- Loss of light
- Loss of outlook
- Light pollution from lantern
- 25/45 degree guide applies
- Out of keeping with property and area
- Same design so refusal reason for previous application (ref. PT16/5586/PNH) should apply.
- No dimensions on drawings
- Incorrect scale
- Extension construction, maintenance and repair work must be carried out from within garden of No. 20.
- S7 of application form states there are no trees on adjoining properties, within falling distance of the boundary. Tree is back garden of No. 22 unaccounted for and potentially at risk.

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 impact on the character of the area of the development the impact on the amenity of the existing dwelling and that of its neighbours and the impact on highway safety and on-street parking.

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

5.3 Design and Visual Amenity

The application site benefits from a single-storey flat roofed garage to the northwest. The proposed single storey side extension would infill the area behind this element and would extend to stretch across the entire rear elevation. In total, the rear addition would measure about 10 metres wide by 4.15 metres deep (from rear elevation). It would achieve a height 2.8 metres and 3.4 metres including the lantern. The raised wall between the garage and utility will be faced with horizontal Cedar boarding and the extension finished in render.

5.4 It is acknowledged that the proposal would result in a large addition to the existing property and comments have been received expressing concern regarding it being out of proportion to the original house. However, development within existing residential curtilages is encouraged. In terms of design, scale and massing, the proposed single storey side and rear extension is considered appropriate to the host and not inappropriate to the character of the area in general. It is recognised that with regards to materials, the rear structure would be different. Render is not an uncommon material. In this instance, the proposed addition is to the rear, modern in design and contemporary styled. There are, therefore, no objections to the proposed materials.

5.5 Residential Amenity

Concern has been expressed that the proposed extension would decrease the amount of sunlight entering this next door neighbour's garden and property. The neighbour in question is located to the northeast, at No. 18. It is noted there would be some small changes to evening light entering rooms in the side of No. 18, but given the single storey nature of the development, this would not be a sufficiently adverse impact so as to warrant a refusal.

5.6 Closest neighbours, at No. 22, to the northwest are at an angle away from the property. This neighbour has a rear conservatory. The neighbour has expressed concern that the proposal would result in shadowing, overbearance and loss of outlook.

5.7 Reference is made to the 25/45 degree rules. Such methods and practical measures to assess how a development may impact upon residential amenity are suggested in the Council's emerging note (Technical Advice Note: Assessing Residential Amenity June 2016). It is clear even within this document that these are not intended to be a set of mandatory rules; rather guidance that might be taken into account depending on the given case.

5.8 For clarity, the 25/45⁰ rules in question has been taken into account. The proposed extension would be to the northeast of this neighbour. Regarding the 25⁰ rule, the Council's note states "no facing building should break a 25⁰ angle from a horizontal point 2 metres above ground level..." The proposal is not facing, but to the side. However, the 45⁰ rule is applicable. No part of the proposal breaks a 45⁰ angle drawn from the centre of the neighbouring conservatory.

- 5.9 Given the orientation of the properties, it is noted that there would be some small changes to the early morning light entering No. 22, but given the single storey nature of the development, this is not considered to be a sufficiently adverse impact so as to warrant a refusal.
- 5.10 The proposed extension would extend beyond this neighbour's rear building line by 3 metres at a height of 2.8 metres. It must be noted that national planning laws allow, in some instances, single storey side and rear extensions of up to 6 metres in length at 3 metres in height without the need for a full planning application, if permitted development rights for the property are in tact (as would be the case here). Given the orientation and separation of the properties, it is not considered that the proposal would have an overbearing impact on this neighbour.
- 5.11 A lantern light would supplement the openings proposed in the northwest elevation. Comments from the neighbour regarding light pollution are noted, but an artificially lit conservatory would have a similar impact. Again, the proposal is unlikely to impact on these neighbours to such a degree sufficient to warrant a refusal.
- 5.12 In planning terms, there is no right to a view, but it is reasonable for development to secure high quality and healthy living conditions for neighbours by ensuring an acceptable outlook. It is acknowledged that one side of the neighbouring conservatory will face onto the 3 metre elevation of the extension, but the rest of the conservatory faces the neighbouring garden and there would be a not insubstantial distance separating the two.
- 5.13 Neighbours to the rear are some distance away and as such they would not be adversely affected.
- 5.14 On balance, it is considered that the impact on neighbours is acceptable in this estate and location where development is supported in principle.
- 5.15 Sustainable Transport
Part of the ground floor extension proposes to reduce the length of the existing garage. The remaining length does not meet the Council's minimum size requirements so cannot be included as part of the parking requirements for the dwelling. The development does not propose to increase the first floor of the dwelling, but no detail has been provided on the existing layout of this floor. For information, vehicular parking requirements for a dwelling are assessed on the number of bedrooms. A dwelling with up to four bedrooms requires a minimum of two parking spaces. Revised plans show that two parking spaces can be provided to the frontage of the site. Subject to a condition regarding the provision of two parking spaces being provided prior to the first occupation of the extension, there are no objections to the scheme.
- 5.16 Other matters
A neighbour has commented that trees would be affected by the proposal. It is acknowledged that the application form should have identified any trees likely to be affected by the development, but in this instance it is also recognised that the trees in question are typical of those found in gardens and do not benefit

from Tree Preservation Orders. The works to the trees, whether this be felling, lopping or topping would therefore be acceptable.

- 5.17 Comments from a neighbouring dwelling with regards to construction, maintenance and repair 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 parties.
- 5.18 With regards to the neighbours being unable to understand the plans, the plans are sufficiently clear in illustrating the proposed development and proportionate to this scale of development.
- 5.19 Neighbours have queried why the previous refusal reason for the householder prior notification cannot be applied to this application. Firstly, national planning laws allow larger extensions of up to 6 metres to be built into the garden without the need for full planning permission if certain criteria are met. Secondly, before building, a prior notification is required so that the Council can notify the neighbours and consider consultation replies. In this case, given the proposal did not first comply with the national planning laws criteria, it was deemed not to be permitted development and thus required full planning permission so this application was submitted.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

2. Prior to the first occupation of the extension, the off-street parking facilities shown on the plan Block Plan & Section A-A drawing no. 0757/5 (received 30/11/2016) for two vehicles hereby approved shall be provide and thereafter retained for that purpose.

Reason

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