



**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. 17/16

Date to Members: 28/04/16

Member's Deadline: 05/05/2016 (5.00 pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Dates and Deadlines for Circulated Schedule
During the May Bank Holidays 2016

Schedule Number	Date to Members 9am on	Members Deadline
17/16	Wednesday 27 April 2016	Thursday 05 May 2016 5pm
21/16	Wednesday 25 May 2016	Thursday 02 June 2016 5pm

For clarity I have highlighted changed deadlines in RED.
All other dates remain as usual.

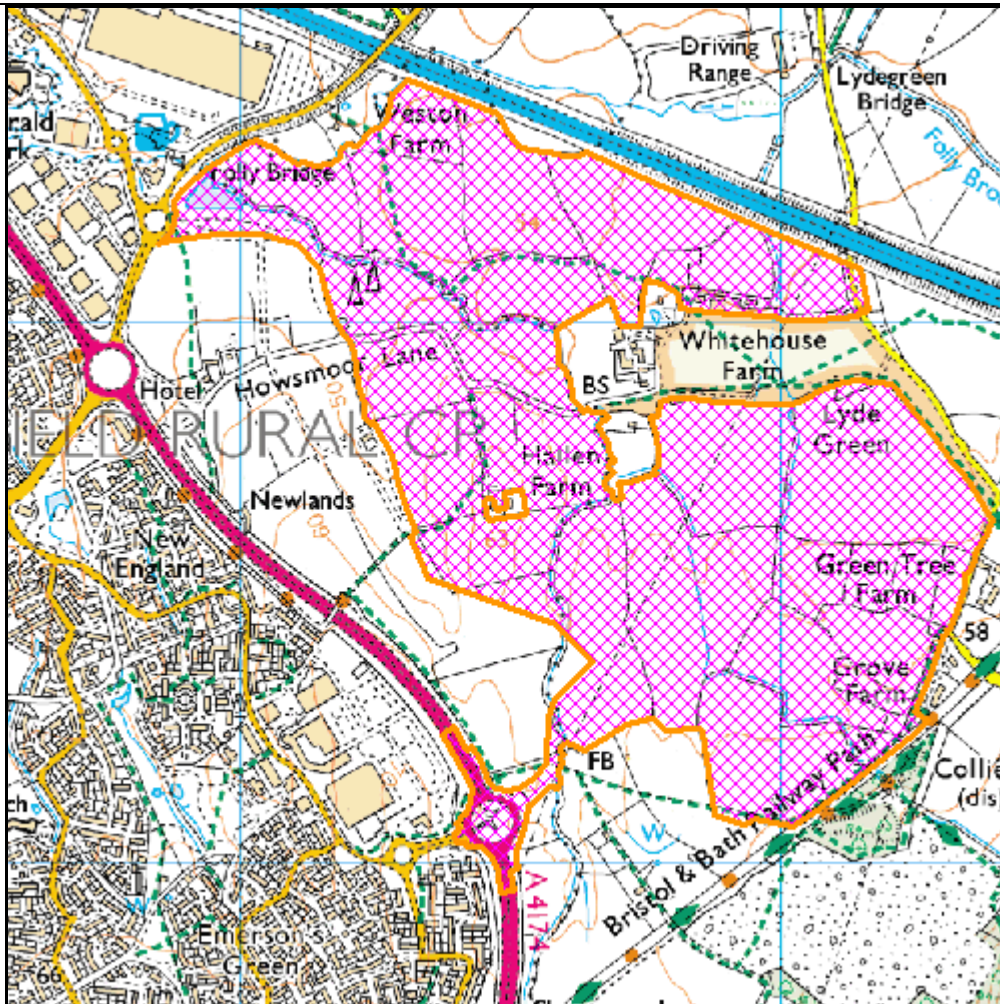
CIRCULATED SCHEDULE 28 April 2016

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/4232/RV	Approve with Conditions	Land At Emersons Green East Land To East Of Avon Ring Road South Of M4 Motorway And North West Of Disused Railway	Emersons	Emersons Green Town Council
2	PK16/0194/F	Approve with Conditions	Workshop Horton Road Horton South Gloucestershire BS37 6QH	Cotswold Edge	Horton Parish Council
3	PK16/0375/F	Approve with Conditions	Box Tree The Inner Down Old Down South Gloucestershire	Severn	Olveston Parish Council
4	PK16/1244/CLP	Approve with Conditions	34 Kensington Road Staple Hill South Gloucestershire BS16 4LX	Staple Hill	None
5	PK16/1281/F	Approve with Conditions	9 Brunel Close Warmley South Gloucestershire BS30 5BB	Siston	Siston Parish Council
6	PT15/5060/RM	Approve with Conditions	Land At Morton Way Phase 2 Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council
7	PT16/1318/CLP	Approve with Conditions	Lobthorn 10 Bridle Way Alveston South Gloucestershire BS35 3RF	Thornbury South And Alveston	Alveston Parish Council

CIRCULATED SCHEDULE NO. 17/16 – 28 APRIL 2016

App No.:	PK15/4232/RVC	Applicant:	Emersons Green Urban Village
Site:	Land At Emersons Green East Land To East Of Avon Ring Road South Of M4 Motorway And North West Of Disused Railway Line.	Date Reg:	15th October 2015
Proposal:	Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m ² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m ² of small scale A1,A2, A3 A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (class D1). Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined. Variation of Condition relating to trigger for construction of Tiger Tail on M32 attached to approved Outline application.	Parish:	Emersons Green Town Council
Map Ref:	367495 177657	Ward:	Emersons Green
Application Category:	Major	Target Date:	1st January 2016



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100023410, 2008.

N.T.S.

PK15/4232/RVC

1. REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to an objection contrary to the officer recommendation.

2. THE PROPOSAL

- 1.1 Outline planning permission PK04/1965/O for a mixed use urban extension on 99 hectares of land including residential development of up to 2550 dwellings and up to 100,000 sqm of B1, B2 and B8 employment floorspace was originally granted permission in 2012, and the construction of the phases one and two of the residential development are now at an advanced stage. Subsequent to this, a Section 73 application was approved in 2014 to vary Condition 17 of this consent. This approved the change to the trigger point for works at junction 1 of the M32 in order to allow the occupation of more Class B employment floor space before the required highway improvement scheme (the tiger tail) at Junction 1 of the M32. The amount of floorspace triggering these works was originally 3,000 sqm in the original outline consent, and the subsequent S. 73 application increased this to 15,000 sqm. The current S.73 application is for a further change to the trigger point to specifically refer to the amount of Class B1 office floorspace rather than the total Class B floorspace. In support of this the applicant has submitted a Transport Technical Note that seeks to demonstrate that the level of traffic associated with up to 7,538 sqm B1 floorspace and a total of up to 25,698 sqm Class B1 floorspace would not have a significant impact on the M32 junction 1.

The relevant condition currently states as follows:

*The developer shall not occupy or otherwise bring into use more than **15,000 sqm** gross of the Class B employment floor space hereby approved until an improvement scheme in the form of a tiger-tail diverge on the south-bound carriageway at Junction 1 of the M32 has been completed and opened for public use. The scheme shall be:*

- i). In accordance with drawings numbered KW-HEMG-POO-1067 Rev B; or*
- ii). In accordance with an alternative scheme broadly in accordance with drawing KW-HEMG-POO-1067 Rev B which takes account of any works carried out to this section of the motorway network by the Highways Agency before the works specified in (i) above commence. Such a scheme is to be submitted to and agreed by the local planning authority (in consultation with the Secretary of State for Transport).*

Reason

To ensure that the M32 and M4 motorways continue to serve their purpose as part of a national system of routes for through traffic in accordance with the Highways Act 1980 by minimising disruption of the road resulting by traffic generated by the application site and in the interests of road safety and in accordance with Policy T12 of the South Gloucestershire Local Plan.

1.2 The new condition would state as follows:

*The developer shall not occupy or otherwise bring into use more than **either 7,538 sq m gross of the Class B1 employment floor space, OR a total of 25,698 sqm of Class B employment floorspace hereby approved** until an improvement scheme in the form of a tiger-tail diverge on the south-bound carriageway at Junction 1 of the M32 has been completed and opened for public use. The scheme shall be:*

- i). In accordance with drawings numbered KW-HEMG-POO-1067 Rev B; or*
- ii). In accordance with an alternative scheme broadly in accordance with drawing KW-HEMG-POO-1067 Rev B which takes account of any works carried out to this section of the motorway network by the Highways Agency before the works specified in (i) above commence. Such a scheme is to be submitted to and agreed by the local planning authority (in consultation with the Secretary of State for Transport).*

3. POLICY CONTEXT

3.1 National Guidance

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

3.2 Development Plans

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

T12 Transportation Development Control Policy for New Development
M2 Major mixed use development proposals at Emersons Green East

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS7 Strategic Transport Infrastructure
CS29 Communities of the East Fringe of Bristol Urban Area

4. RELEVANT PLANNING HISTORY

PK04/1965/O Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1, A2, A3, A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavillion (Class D1) and health centre. Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined.
Approved 14th June 2013.

Development Control East Committee on 15th February 2013 approved the Detailed Masterplan associated with outline planning permission PK04/1965/O at Emersons Green East.

PK10/0473/F Construction of Multi Modal Interchange, Green Road and access to the A4174 Ring Road from Rosary Roundabout. Full planning permission granted 7.1.13

Pk14/2705/RVC- Variation of Condition 17 attached to approved application PK04/1965/O, to increase the volume of Class B employment floorspace occupied prior to the construction of a 'tiger tail' diverge at Junction 1 of the M32, from **3,000 sqm to 15,000 sqm**. Permission granted 24.10.14

5. CONSULTATION RESPONSES

5.1 Emersons Green Town Council

Emersons Green Town Council Planning Committee wish to raise an Objection: The Planning Committee Object to the Planning Condition 14 being removed, since any assistance with traffic flow at the M32 Junction 1, would be beneficial. The trigger point for the construction of the tiger tail was originally set at occupied floorspace of 3,000 sq metres, this was subsequently increased to 15,000 sq metres by application PK14/2705/RVC. The Committee objects to this being increased further to 25,698 sq metres and asks for the tiger tail diverge improvements on the south-bound carriage way at Junction 1 of the M32 to be completed and opened for public use without further delay.

Highways England

No objection.

SGC Transportation

The application is to vary the trigger point for the implementation of a capacity improvement scheme (condition 14) at junction 1 of the M32 required by the then Highways Agency who have since changed to Highways England. The non-provision of this scheme would not have a detrimental impact on the Local Highway Authority road network and as such no transport objection is raised to the Application.

My consultation response to Planning Application PK15/3502/RVC, to remove the same condition is still relevant for this application because the submitted information refers to a revised Masterplan with a total Employment Gross Floor Area (GFA) of 25,698sqm., and no application has been submitted to change the total Employment GFA approved for PK04/1965/O which was 100,000sqm. B1/B2/B8.

The employment trip generation, distribution and routing agreed in the 2006 Transport Assessment for the Outline Application would not be the same for a revised Masterplan which reduces the total Employment GFA from 100,000sqm. to 25,698sqm and therefore any application to make such a change would need to be accompanied by an updated Transport Assessment including a revised GBATS highway network model.

6. ANALYSIS OF PROPOSAL

6.1 Policy Context

The original planning permission – PK04/1965/O granted outline permission for a major mixed use development, in accordance with Policy M2 of the South Gloucestershire Local Plan. The Transport Assessment submitted with that application was found to be sound and the application, which included a range of measures as alternatives to the private was considered to fully comply with Policy M2 of the SGLP, subject to the applicant entering into conditions and a Section 106 Agreement to secure works and contributions including

- A contribution towards the North Fringe Major Scheme
- MMI implementation
- Public transport subsidy
- Off-site access works
- Contribution towards new footbridge
- Contribution towards car club
- Conditions to limit floorspace and require off- site works to M32 junction 1.

6.2 Since the original application was determined there have been a number of changes to the policy framework, including the introduction of the NPPF and NPPG, as well as the adoption of the South Gloucestershire Local Plan Core Strategy, and the relevant policies are listed in Section 3 above. Policy T12, the transportation development control policy that was used for the determination of the original application remains in place. It is not considered that the other policy changes result in any significant changes to the way in which the current application to relax the trigger date for off site works relating to the Strategic Highway Network needs to be assessed.

6.3 Environmental Impact Assessment

Guidance contained at paragraph 016 Ref. ID:17a-016-20140306 of the NPPG relates to RVC applications where the original application required an EIA. The supporting information for the original Outline planning permission – PK04/1965/O included an Environmental Statement and subsequent addendums which are all publically available on the Council's website. The current S 73 application does not seek to alter the overall quantum of development of the site, or relate to any environmental matters. For this reason it is considered reasonable that there is no need to submit a new Environmental Statement for this particular S 73 application.

6.4 Transportation

6.5 It is necessary to consider the reason for imposing the condition in the first place. The reason given is: *To ensure that the M32 and M4 motorways continue to serve their purpose as part of a national system of routes for*

through traffic in accordance with the Highways Act 1980, by minimising disruption of the road resulting by traffic generated by the application site and in the interests of road safety and in accordance with Policy T12 of the South Gloucestershire Local Plan. The condition was imposed at the request of the Highways Agency, now Highways England (HE). Consequently the comments of HE on the current application are of overriding importance.

- 6.6 In support of the application the applicant has submitted a letter from the HE who have considered the Transport Technical Note submitted with the application. This assumes a greater proportion of the employment site being proposed for B8 warehouse uses, which are typically less intensive in traffic terms during the highway network peak hours compared to office or industrial land uses. Further that the total quantum of employment development is significantly reduced to that proposed in 2006 and 2014. The HE conclude that the mitigation scheme for localised widening and Tiger Tail improvements at junction 1 of the M32 would not be required to mitigate the traffic associated with development in the revised Class B floorspace amounts.
- 6.7 It is acknowledged that the Council's Transport DC officer raises no objection to the application, but notes that a change to the overall proposed amounts of floorspace would require a new TA. Officers can confirm that there is no proposed revised masterplan, and the proposed trigger still enables the approved total amount of floorspace – 100,000 sqm to take place, if necessary, but anything over the new trigger of 25,698 sqm total Class B would trigger the Tiger Tail.
- 6.8 It is acknowledged that Emersons Green Town Council have objected to the application on the grounds that the works to junction 1 of the M32 should be carried out without further delay in order to assist with the traffic flow. Officers consider however that the purpose of the condition is not to mitigate existing traffic issues (at present there is no completed Class B development at EGE under the Outline application in question). The condition was originally requested by HE (at the time Highways England) and relates to the strategic highway network only. As HE are happy with the revised trigger, based on a revised Class B floorspace amounts, there is no reason not to approve the application.
- 6.9 It is considered therefore that the condition should be amended as proposed as the trigger is at a justifiable and reasonable level of development to require the works to be carried out.

7. CONCLUSION

- 7.1 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.
- 7.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (adopted 2006) and South Gloucestershire Local Plan: Core Strategy (adopted December

2013) set out above, and to all the relevant material considerations set out in the report.

8. RECOMMENDATION

- 8.1 Permission be granted for the amendment of condition 14 attached to planning permission PK14/2705/RVC (formerly Condition 17 of PK04/1965/O) , in accordance with the wording below and subject to the imposition of all other conditions, as updated, attached to this consent.

Background Papers PK15/4232/RVC

Contact Officer: Helen Ainsley
Tel. No. 01454 863643

CONDITIONS

1. Submission of Reserved Matters

Details of the layout, scale and appearance of the buildings to be erected, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before development on land to which the reserved matters relate commences. Development thereafter shall be carried out in accordance with the approved details.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 10 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).

3. The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

4. Submission of phasing plan

Applications for the approval of the reserved matters shall be in accordance with the phasing plan as approved - Drawing No. 19306-9405-9908, unless otherwise agreed in writing by the Local Planning Authority and the phasing plan as agreed shall be fully adhered to, unless otherwise agreed in writing by the local planning authority.

Reason

To ensure that the development is comprehensively planned, designed and phased to ensure maximum practical integration between different land uses within and beyond the site is achieved to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013) and M2 of the Adopted South Gloucestershire Local Plan (January 2006).

5. Compliance with Masterplan and Design and Access Statement

Applications for the approval of the reserved matters shall be in accordance with the approved parameter plans and principles and parameters described and illustrated in the Emersons Green East Design and Access Statement - July 2010- and with the approved detailed master plan and design code for the geographical phase as shown in the approved phasing plan to which the reserved matters application relates, unless otherwise agreed in writing by the local planning authority. A statement shall be submitted with each reserved matters application, which demonstrates that the application proposals are in compliance with the Emersons Green East Design and Access Statement and with the relevant detailed master plan and design code, or (where relevant) explaining why they do not.

Reason

To ensure that high standards of urban design and comprehensively planned development, designed and phased to ensure maximum practical integration between different land uses within and beyond the site is achieved to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013) and M2 of the Adopted South Gloucestershire Local Plan (January 2006).

6. Affordable Housing

Prior to the submission of reserved matters applications (excluding applications relating to exempt infrastructure works), a site wide affordable housing plan (Affordable Housing Distribution Plan - dated 17.6.13 Rev A) and an accompanying schedule (Affordable housing Base and Target Schedule (dated 4.7.13. Rev B) was submitted and approved in writing by the local planning authority, these show the distribution of 25 % of the total dwelling number across the site in the residential land parcels shown in the approved phasing plan submitted pursuant to condition 4 above. For each development parcel, the plan and the accompanying schedule shows:

- the number of affordable dwellings to be provided;
- the mix of dwellings (in terms of the number of bedrooms and the proportion of houses and flats, broken down between social rented affordable housing units and intermediate units in that parcel.)

The subsequent reserved matters applications that show the proposed layout of the development shall show the proposed locations of the affordable dwellings. Development shall thereafter be carried out in accordance with the site wide affordable housing plan, accompanying schedule and reserved matters approvals, unless otherwise agreed in writing by the local planning authority.

Reason

To ensure that the distribution of affordable houses assists the creation of an inclusive mixed community in accordance with Policy M2 of the adopted South Gloucestershire

Local Plan (January 2006), and Policy CS18 of the adopted South Gloucestershire Local Plan Core Strategy (Dec 2013) .

7. Sustainable Construction

The energy statement approved by the Council is - Energy Conservation Strategy December 2013 (Halcrow PJF089-001-120216 Version 14). Applications for approval of reserved matters within the phase that the Energy Statement relates, shall be carried out in accordance with the approved Energy Statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To achieve improved energy conservation, reduce CO2 emissions and protect environmental resources in accordance with Policy the South Gloucestershire Design Checklist SPD and Policy CS1 of the the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013).

8. Landscape Details

No development shall take place on land to which the reserved matter relates until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. Such details shall accord with the principles of the approved Emersons Green East Landscape Framework Plan, (Barton Willmore) Drawing no. 19306/03 Rev E. These details shall include: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines, manholes); retained historic landscape features and proposals for restoration where relevant. Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.

Reason

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with South Gloucestershire Local Plan Policy L1 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013).

9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out within the first planting season prior to occupation of the final dwelling on land to which the reserved matter relates or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with South Gloucestershire Local Plan Policy L1 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013).

10. The plans and particulars submitted in accordance with condition 1 and 10 shall include:
- a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
 - b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
 - c) details of any proposed tree works to any retained tree or of any tree on land adjacent to the site;
 - d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the RPA (root protection area) as defined in BS5837 2005 of any retained tree or of any tree on land adjacent to the site; and
 - e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.
 - f) details of street trees shall include specification of root protection measures, and details of street tree management to encourage high level growth and maintain a clear zone directly above sewers.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

All fencing to be in accordance with BS5837 2005 'Trees in Relation to Construction' and retained and maintained for the duration of the construction period.

Reason

To protect and enhance the character and appearance of the area, the amenities of future occupiers, and to protect adopted sewers, in accordance with South Gloucestershire Local Plan Policy L1 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013).

11. No development shall take place on land to which the reserved matter relates until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with South Gloucestershire Local Plan Policy L1 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013).

12. The submission of any reserved matters pursuant to condition 1 above adjacent to the Folly Brook Tributary Corridor shall include detailed sections of the Folly Brook

Corridor, to correspond with the proposed planting plan and design proposals contained within the Landscape and Ecological Management Plan (Cooper Partnership Ltd) dated June 2008 and MMI addendum dated August 2010, shall be submitted to and approved in writing by the Council. Only such details as approved shall be implemented.

Reason

In the interests of nature conservation and landscape character, in accordance with Policies L1 and L9 of the South Gloucestershire Local Plan.

13. Limits on B1, B2 and B8 Floorspace

The development hereby approved shall contain no more than 100,000, sq m gross of employment floor space (B1, B2, B8 and C1). (The Use Classes are those set out in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason

To ensure that the M32 and M4 trunk roads continues to serve its purpose as part of a national system of routes for through traffic in accordance with the Highways Act 1980 by minimising disruption of the road resulting by traffic generated by the application site and in the interests of road safety, and in accordance with Policy T12 of the South Gloucestershire Local Plan (adopted January 2006)

14. Improvement Scheme: M32 Junction 1

The developer shall not occupy or otherwise bring into use more than either 7,538 sq m gross of Class B1 employment floor space, OR a total of 25,698 sqm of Class B employment floorspace until an improvement scheme in the form of a tiger-tail diverge on the south-bound carriageway at Junction 1 of the M32 has been completed and opened for public use. The scheme shall be:

- i). In accordance with drawings numbered KW-HEMG-POO-1067 Rev B; or
- ii). In accordance with an alternative scheme broadly in accordance with drawing KW-HEMG-POO-1067 Rev B which takes account of any works carried out to this section of the motorway network by the Highways Agency before the works specified in (i) above commence. Such a scheme is to be submitted to and agreed by the local planning authority (in consultation with the Secretary of State for Transport).

Reason

To ensure that the M32 and M4 motorways continue to serve their purpose as part of a national system of routes for through traffic in accordance with the Highways Act 1980 by minimising disruption of the road resulting by traffic generated by the application site and in the interests of road safety and in accordance with Policy T12 of the South Gloucestershire Local Plan.

15. Travel Plans

No development comprising any of the B1, B2 and B8 floorspace hereby approved shall commence until an overall Travel Plan Framework covering all the B1, B2 and B8 floorspace hereby approved has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Framework shall set out:

- the aims and objectives of the Framework, including reducing the need to travel by car, encouraging healthy commuting and work related journeys;
- a monitoring strategy and targets for the reduction of single occupancy car related journeys over the first five years of the development;
- measures for achieving the approved aims, objectives and targets in the event that monitoring reveals that those targets are not being achieved.

Reason

To encourage means of transportation other than the private car, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).

16. The relevant B1, B2 or B8 floorspace hereby approved shall not be occupied until an Occupier Travel Plan based on the Travel Plan Framework has been submitted to and approved in writing by the Local Planning Authority (the 'relevant B1, B2 or B8 floorspace' being the floorspace to which the Occupier Travel Plan relates). The Occupier Travel plan shall include provision for:

- a staff travel survey to be carried out;
- an assessment of operational constraints such as out of hours travel;
- an assessment of opportunities for intervention such as car sharing, subsidised travel on public transport and travel information;
- allocation of parking spaces for specific user needs such as pool cars and car sharers;

and shall set individual Occupier Travel Plan targets for reducing single occupancy car related journeys with procedures and timetables for implementation, monitoring and reporting.

Reason

To encourage means of transportation other than the private car, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted January 2006).

17. Limit on Retail Development

The retail floor space (Class A1, A2, A3, A4 and A5) hereby approved shall not exceed 2,450 sq m in total unless otherwise agreed in writing by the local planning authority. The Use Classes are those set out in the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason

To protect the vitality and viability of existing local centres in accordance with Policy RT7 of the adopted South Gloucestershire Local Plan (January 2006).

18. The retail development hereby approved shall be implemented in accordance with the phasing plan to be approved pursuant to Condition 4 above. There shall be only one retail unit (Class A1) hereby approved up to 500 sq.m gross floor area. The remaining units in these use Classes shall be no more than 200sq m.

Reason

To ensure that a mix of small scale local shops and services are provided in different locations throughout the site, in the interests of providing a variety of units, in the interests of vitality, and to minimize the need to travel by private car, in accordance with Policy RT8 of the South Gloucestershire Local Plan.

19. Waste Recycling Facilities

The approved phasing plan (Drawing 19306-9405-9908) submitted pursuant to Condition 4 above shows the approximate location of a waste recycling area within Phase 1. Applications for the approval of reserved matters at the identified location shall include details of waste recycling facilities on an area not exceeding 225 sq m. Such details shall include a timetable for implementation and a variety of shared recycling banks. The provision of waste recycling facilities shall be carried out in accordance with the approved details and implementation plan, unless otherwise agreed in writing by the local planning authority.

Reason

To ensure that adequate provision is made for the storage and collection of recyclable materials and for recycling on site in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013).

20. Archaeology

No development shall take place in the relevant geographical phase as approved in the phasing plan submitted pursuant to Condition 4 above until there has been submitted to and approved in writing by the Local Planning Authority a phased programme of archaeological monitoring and recording for the site. 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 L11 of the South Gloucestershire Local Plan.

21. Construction Waste Management Audit

Construction Waste management Audit drawing numbers PJF089-600-0013 REV E and 0011 REV G and the Construction Waste Audit document by Halcrow (Oct 2012) have been approved. Development shall be carried out in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To accord with Policy 1 of the West of England Joint Waste Core Strategy (adopted March 2011) and Policy CS 1 and CS2 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013).

22. Noise

Prior to the construction of any residential development falling within Noise levels LAeqTdB 63-72 (formerly Noise Exposure Category C (PPG24) as shown on drawing number CA02061/040 (Wardell Armstrong 2026 Daytime Scenario : No Mitigation measures) engineering details of the design and method of construction of the noise fence adjacent to the M4 motorway (drawing numbers 972-135B and 972/132B by Cooper Partnership 2007 hereby approved) shall be submitted to and approved in

writing by the Local Planning Authority (in consultation with Secretary of State for Transport) and such details as approved shall be constructed in their entirety prior to the occupation of any residential development falling within Noise Exposure Category C (PPG24) as shown on drawing number CA02061/040 (Wardell Armstrong 2026 Daytime Scenario : No Mitigation measures), unless otherwise agreed in writing by the Council to be constructed in phases.

Reason

To protect the amenities of the occupiers of completed dwellings and to accord with Policy CS 9 of the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013).

23. The rating level of noise emitted from plant and machinery at the industrial and commercial development hereby approved shall not exceed the background noise level at any time. The noise level shall be determined on the boundary of the nearest residential areas shown on the approved Masterplan and shall be measured and assessed in accordance with the British Standard BS4142: 1997 (as amended) 'Method for Rating Industrial Noise'.

Reason

To minimise disturbance to neighbouring occupiers and to accord with Policy EP1 of the South Gloucestershire Local Plan (January 2006).

24. Car and Cycle Parking

The Reserved Matters submissions shall include detailed plans showing the provision of car and cycle parking facilities in accordance with the standards set out in Policies T7 and T8 of the South Gloucestershire Local Plan (Adopted January 2006). The development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the associated buildings; and thereafter retained for that purpose, unless otherwise agreed in writing by the Local Planning Authority.

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 Policies T7, T8 and T12 of the South Gloucestershire Local Plan (January 2006).

25. Construction Traffic

The means of access for construction traffic shall be submitted to and approved in writing by the Local Planning Authority and provided before the development commences on land to which the reserved matter relates and no other access points for construction traffic shall be provided unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

26. Hours of Working

The hours of working on site during the period of construction shall be restricted to 8am-6pm Mondays to Fridays; and 8am-1.00pm on Saturdays and no working shall

take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the site. Any 'working' outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To minimise disturbance to neighbouring occupiers and in accordance with Policy EP1 of the South Gloucestershire Local Plan (January 2006).

27. Wheel Washing

No development shall take place on land to which the reserved matter relates, until details of wheel-washing facilities to be provided on site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to development commencing on land to which this reserved matter relates and maintained during the period of construction. All commercial vehicles shall have their wheels washed before entering the public highway.

Reason

To safeguard the amenities of the locality and in the interests of highway safety in accordance with policy T12 of the South Gloucestershire Local Plan (January 2006)

28. Ecology and Protected Species

Tree and hedgerow protection plan Sheet 1 of 2 (919948) 23-01 Rev E and Sheet 2 of 2 (919948) 23-01 Rev E and 23-03 Rev B (Barton Willmore) have been approved by the Council. The development shall be carried out in accordance with this approved scheme for the protection of retained hedgerows.

Reason

To protect the character, appearance and bio-diversity of the area and the amenities of future occupiers in accordance with Policies L1, and L9 of the South Gloucestershire Local Plan (Adopted January 2006) and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013).

29. The Wardell Armstrong Slow-worm Mitigation Strategy (Oct 2011) constitutes the mitigation strategy for slow-worms agreed in writing with the Council. The strategy includes details of proposed receptor site(s), any further surveys and the methodology of translocation and any slowworm mitigation measures required within individual and future phases of development within the red line application area to accord with this overall strategy. All works are to be carried out in accordance with said strategy.

Reason

To protect the wildlife and the ecological interests of the site, in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

30. The Wardell Armstrong great Crested Newt Mitigation Strategy (Oct 2011) constitutes the approved mitigation strategy for great crested newts. The strategy includes details of all works subject to licence under Regulations 53/56, including surveying and translocation, and any mitigation measures required within individual and future

phases of development within the red line application area shall accord with this overall strategy. All works are to be carried out in accordance with said strategy.

Reason

To protect the wildlife and the ecological interests of the site, in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

31. The Wardell Armstrong Badger Mitigation Strategy (April 2013) constitutes the approved measures in respect of:
- (i) The identification, through an updated site survey, of badgers, and/or their setts, as required by the badger Act 1992.
 - (ii) The protection of badgers, and/or their setts as identified through the site survey, and a badger mitigation strategy for EGE as a whole. The mitigation strategy shall be carried out in full.

Reason

To protect the wildlife and ecological interests of the site, in accordance with Policy L9 of the adopted South Gloucestershire Local Plan, and to ensure the integration of any later sett closures/mitigation as the social groups' territories covers several different application sites.

32. The Landscape and Ecological Management Plan (Cooper Partnership Ltd June 2008) and its addendum, hereby approved (August 2010) shall be fully implemented at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect and manage the retained hedgerows, new semi natural habitat and Folly Brook tributary, in accordance with Policy L9 of the adopted South Gloucestershire Local Plan.

33. Overhead Power Lines

No residential development shall take place within the development parcels shown on the approved phasing plan submitted pursuant to condition 4 above, within which the proposed underground cable corridor runs, as shown on drawing number 972-130F (Landscape and Ecology key Diagram within the LEMP Cooper Partnership June 2008), until a scheme, including timetabling, for under grounding the 132kV overhead power lines and removal of pylons as shown on this drawing, has been implemented or unless otherwise agreed in writing by the LPA or an amendment (to accommodate the retention of the power lines in whole or in part) to the Development Framework Plan and detailed masterplan has been submitted to and approved in writing by the Local Planning Authority.

Reason

The approved Development Framework Plan is based on the assumption that the 132Kv overhead power lines as shown in Cooper Partnership Drawing 972- 130F will be undergrounded. In the event that this does not happen, or only happens in part, an amended Development Framework Plan and detailed masterplan which takes into account the presence of the 132Kv overhead power lines, will need to be approved before development can take place within the development parcels shown on the approved phasing plan pursuant to condition 4 above, through which runs the proposed underground cable corridor shown on drawing number 972-130F (

Landscape and Ecology key Diagram within the LEMP Cooper Partnership) as amended (June 2008 and August 2010) in order to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013), and the adopted Emersons Green Development Brief (October 2006).

34. BBC Masts.

The BBC Masts shall be relocated off site prior to the completion of 350 dwellings. If the masts have not been relocated by the completion of 350 dwellings, a location for the temporary siting of the pitches to be provided on the mast site shall be agreed in writing with SGC. These temporary pitches shall be laid out and made available for use prior to the occupation of the 751st dwelling.

Reason

The approved Master Plan is based on the assumption that the BBC Masts will be relocated off-site. In the event of delays to this that would jeopardise the preparation and provision of the pitches at the correct time as set out in the Section 106 Agreement, there will need to be appropriate temporary provision made in order to accord with Policies CS9 and CS24 of the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013) and the adopted Emersons Green Development Brief (October 2006).

35. The approved scheme for the prevention of pollution during the construction phase (Britannia Rev B) shall be fully implemented in terms of :-

1. Site security.
2. Fuel oil storage, bunding, delivery and use.
3. How both minor and major spillage will be dealt with.
4. Containment of silt/soil contaminated run-off.
5. Disposal of contaminated drainage, including water pumped from excavations.
6. Site induction for workforce highlighting pollution prevention and awareness.

Reason

To ensure that the proposed site investigations and remediation will not cause pollution of Controlled Waters in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013).

36. Prior to the submission of any reserved matters applications, details of the a scheme for the provision and implementation of the method of working and restoration and future maintenance of the Emersons Green east Development Folly Brook Catchment Surface Water Drainage Strategy dated May 2006 by Halcrow Group Limited (or as amended) shall be submitted for approval in writing by the Local Planning Authority. All such details as approved shall be fully implemented.

To meet these requirements the details must include:

- i) A future maintenance strategy document;
- ii) Agreement with the LPA on who will carry out future maintenance of the surface water drainage infrastructure (ponds, watercourses, control structures etc);
- iii) Agreement with the LPA on future financing arrangements to maintain the above.

Reason

To ensure a satisfactory means of drainage, and level of ecological interest, and to accord with Policy L9 of the South Gloucestershire local Plan and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013)

37. A strip of land 8 metres wide adjacent to the top of the banks of all watercourses fronting or crossing the site must be kept clear of all new buildings and structures except where approved by any reserved matters permission, (including gates, walls and fences). Unless otherwise agreed in writing by the Council, ground levels must not be raised within such a strip of land.

Reason

To preserve access to the watercourse for maintenance and improvement, in the interests of Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013).

38. The reserved matters for layout submitted pursuant to condition 1 shall include cross sections of any proposed culverts.

Reason

To ensure a satisfactory means of drainage is provided, and to accord with policies L18 and L17 of the South Gloucestershire Local Plan.

39. Drawing numbers PJF089-C100-501 REV F, 502 REV F, 503 REV F, 505 REV C, 506 REV C, 507 REV C, 508 REV B, 509 REV C, 510 REV C, 511 REV D, 512 REV B, 517 REV A, 518 REV A have been approved by the Council as the scheme for the provision of foul drainage. The scheme shall be completed in accordance with the approved plans before development commences.

Reason

To prevent pollution of the water environment, in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013).

40. There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason

To prevent pollution of the water environment, in accordance with Policies L17 and EP1 of the South Gloucestershire Local Plan.

41. Sustainable drainage and prevention of pollution

The Council has approved two documents to be read together:

- Drainage Strategy and Flood Risk Statement. Emersons Green Folly Brook Catchment. Taylor Wimpey. 1st October 2012 (Halcrow Version 6).
- Technical Addendum - Drainage Strategy and FRS (EGE Development Oct 2012) 24th May 2013 - PJF089-21-TN01- Rev B (Halcrow).

The following flood storage drawings have been approved by the Council:

PJF089- 530 Rev A, 531 Rev A, 532 REV A, 533 REV A, 534 REV B, 537 REV B, 539 REV A, 540 REV B, 541 REV B, 542 REV A, 543 REV A, 544 REV A, 545 REV A.

The scheme shall be implemented in accordance with the approved programme and details.

Reason

To alleviate the increased risk of flooding in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013)

42. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved

Reason

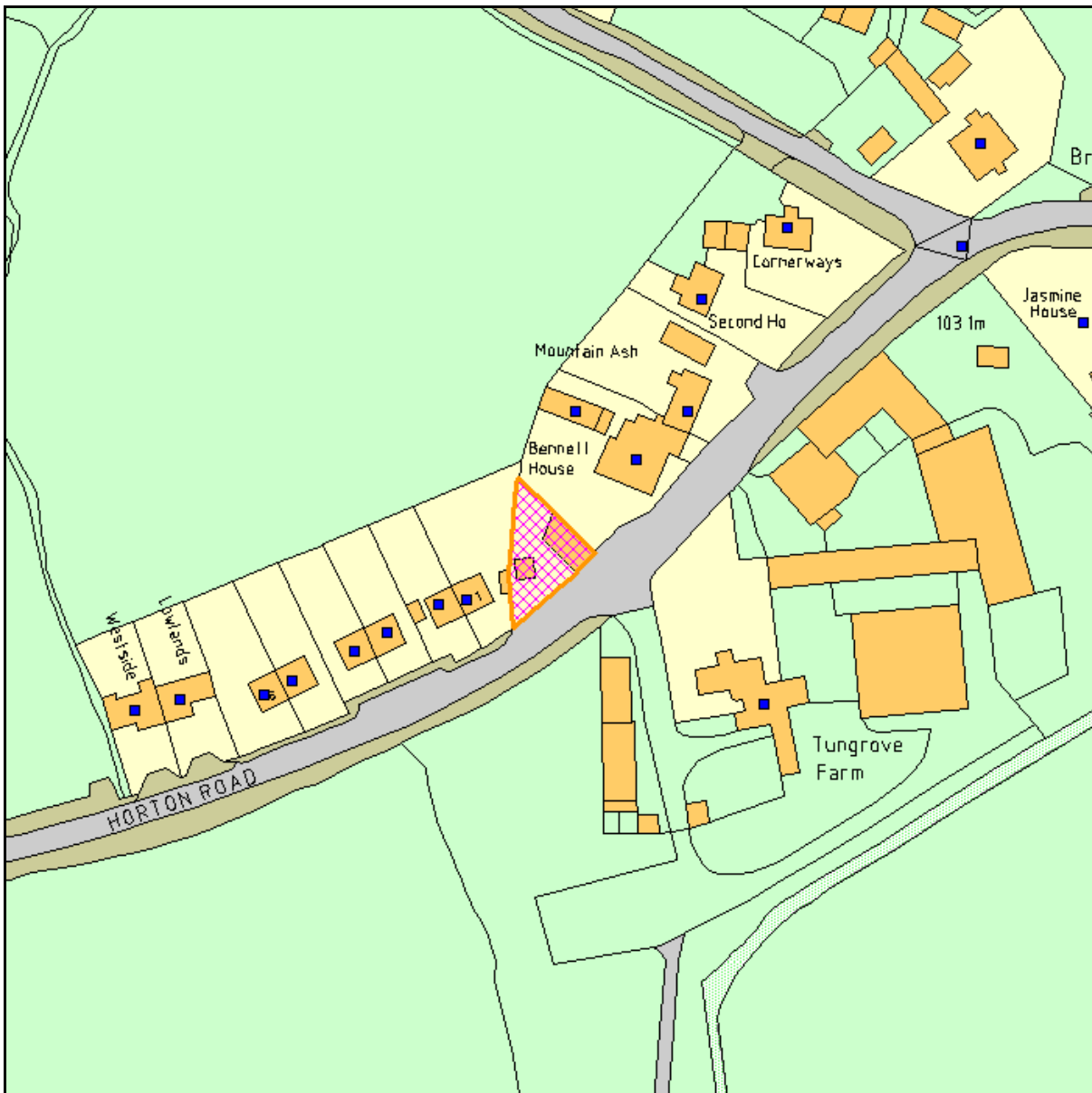
To prevent pollution of the water environment, in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted Dec. 2013).

43. Definition of Exempt infrastructure works:

- (a) Internal circulation route and other principal streets and associated lighting/safety apparatus, drainage, public utilities apparatus and works Connections to the Folly Roundabout;
- (b) Connections to the Rosary Roundabout;
- (c) Works in accordance with the Scheme for Strategic Surface Water Drainage: Emersons Green East Folly Brook Catchment Surface Water Drainage Strategy Volumes 1& 2 May 2006: Halcrow Group Ltd.
- (d) Works in accordance with the Scheme for Strategic Foul Water Drainage;
- (e) Strategic footways and cycleways which extend over more than one Development Zone or are located outside a Development Zone;
- (f) M4 noise fence as shown on Cooper Partnership drawing numbers 972-135B and 972/132B by Cooper Partnership 2007 hereby approved
- (g) Undergrounding of electricity pylons
- (h) Pedestrian bridge over Avon Ring Road.

CIRCULATED SCHEDULE NO. 17/16 – 28 APRIL 2016

App No.:	PK16/0194/F	Applicant:	Mr S Littlewood
Site:	Workshop Horton Road Horton Bristol South Gloucestershire BS37 6QH	Date Reg:	4th February 2016
Proposal:	Erection of a dwelling house	Parish:	Horton Parish Council
Map Ref:	375424 184469	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	30th March 2016



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PK16/0194/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a dwellinghouse.
- 1.2 The applicant site is situated within the settlement boundary of Horton and is a small plot of land between Bennett House and no.1 Horton Road.
- 1.3 The applicant site is situated in close proximity to the Grade II listed building of Tungrove Farmhouse. There is an existing building on the site which is a single storey garage. The current development looks unmaintained with the land overgrown and scattered rubble around the site.
- 1.4 The planning application is a resubmission of PK15/0355/F which was withdrawn in April 2015 following a recommendation for refusal from the Listed Buildings and Conservation Officer.
- 1.5 Following a discussion with the Listed Buildings and Conservation Officer revised plans were received from the agent on 30th March 2016, because of the significant amendments and negotiations made a 7 day period of reconsultation was offered.
- 1.6 There is an existing building on the site which will be retained. The building is currently used by the applicant as storage.

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

L1 Landscape Protection and Enhancement

L9 Protected Species

L13 Listed Buildings

L15 Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality

T7 Cycle Parking

T8 Parking Standards

T12 Transportation

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS13 Non-Safeguarded Economic Development Sites
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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 | PK15/0335/F | Withdrawn | 28/04/2015 |
| | Erection of 1no. new dwelling with workshop, access and associated works. | | |
| 3.2 | PK06/1789/F | Withdrawn | 03/06/2008 |
| | Demolition of existing workshop and erection of building to provide workshop and dwelling with associated works. | | |
| 3.3 | P94/2126 | Refusal of Outline Planning | 14/09/1994 |
| | Erection of one dwelling and garage (outline). | | |

4. CONSULTATION RESPONSES

- 4.1 Horton Parish Council
No objections to this application.
Following reconsultation Horton Parish Council have no objections to the revised plans.
- 4.2 Sustainable Transport
The Sustainable Transport Officer raises no objection to the proposal on the grounds that it is similar to the proposal from 2015 (PK15/0355/F), as with the previous application the no objection is subject to conditions.
- 4.3 Lead Local Flood Authority
Originally queries were raised regarding the disposal of surface water. Following correspondence with the agent who outlined that a 'grey water system' would be used on site; the Lead Local Flood Authority (LLFA) Officer has no objection to this application as the proposed method is acceptable.
No objection was raised following reconsultation.
- 4.4 Highway Structures
No comment. Following reconsultation the highway structures team still raised no comment to the proposal.

4.5 The Ecology Officer Natural and Built Environment Team

Although this is a relatively small site, it is vegetated and may provide habitat for protected species such as reptiles and nesting birds. It is also adjacent to a building which may have bat interest possibly adversely affected by the development.

4.6 The Listed Building & Conservation Officer Natural and Built Environment Team

Originally the Conservation and Listed Building Officer was not able to support the application on design grounds and because it would not preserve the setting of Tungrove Farm with its listed and curtilage listed, as such the proposal would contradict a number of policies.

Following correspondence between the Conservation and Listed Building Officer and the agent and negotiations being made, including the proposal being scaled down. The Conservation and Listed Building Officer has revised their comments regarding the application and now supports the proposal based upon these amended drawings.

Other Representations

4.7 Local Residents

One letter of objection from a neighbouring resident stating that:

- There is support in principle however they are concerned about the potential for overlooking. As such they suggest that the two windows proposed on the north-eastern elevation which will provide light to the stairs be replaced with velux roof lights.

Following reconsultation the neighbouring resident still objects because there is a window overlooking his property and suggests it should be removed, if light is required over the stairs then a velux roof light would be much more appropriate.

5. ANALYSIS OF PROPOSAL

5.1 The application seeks full planning permission for the erection of a dwellinghouse at The Workshop, Horton Road which is within the settlement boundary of Horton.

5.2 Principle of Development

Paragraph 14 of the National Planning Policy Framework (NPPF) makes a general presumption in favour of sustainable development. Paragraph 14 of the NPPF makes it clear that where development plans are absent, silent or relevant policies are out of date, the Local Planning Authority should grant planning permission unless;

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

The recent planning appeal decision (APP/P0119/1/14/2220291) approved the development of 106 dwellings in Charfield. The outcome of that appeal is found that South Gloucestershire Council can no longer demonstrate that it has a five year supply of deliverable housing. As such weight should be given to paragraph 49 of the NPPF with regards to this application, which sets out that:

- Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

As such policies CS5, CS15 and CS34 are now out-of-date as South Gloucestershire Council cannot demonstrate a five-year supply of deliverable housing sites. The proposed development therefore falls within the requirements of paragraph 14 of the NPPF and as a result the proposed development should be approved, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal; which are the provision of new housing towards the five-year supply of deliverable housing sites.

5.3 Policy CS1 of the Core Strategy (adopted December 2013) states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should enhance and respect the character, distinctiveness and amenity of the site and its context. As well as this the density and overall layout should be well integrated with existing adjacent development and connect with wider transport links, safeguard existing landscapes and contribute to the vision and strategic objectives of the locality. Saved Policy H4 is supportive providing development is within the curtilage of existing dwellings, the design is acceptable with relation to policy CS1 of the Core Strategy, that there is safe and adequate parking, and also providing the development has no negative effects on transport. Furthermore, Policy T12 seeks to ensure that development would have no adverse impact on highway safety.

5.4 As the site is situated within close proximity to a Grade II listed building, policy CS9 of the Core Strategy is also relevant. The policy seeks to protect and manage the environment, as such developments should respect and enhance the environment.

The proposal shall be determined against the analysis below.

5.5 Design and Visual Amenity

The applicant site is situated on Horton Road within the settlement boundary of Horton. There are a mixture of housing styles, with two storey semi-detached dwellings to the south of the applicant site and detached dwellings to the north of the site. The applicant site is opposite Tungrove Farmhouse which is a grade II listed dwelling. The existing site is a triangular plot of land with a single storey garage located on it, the total site area is 280 square metres.

The design of the proposal has changed following the withdrawal of PK15/0355/F.

- 5.6 Policy CS1 of the South Gloucestershire adopted Core Strategy is the main policy to consider with regards to design and visual amenity. Policy CS1 requires development to be of the highest possible design. Under policy CS1 developments should enhance and respect the character, distinctiveness and amenity of the site and its context. As the site is in close proximity to a Grade II listed building the proposal should comply with policy L15 of the South Gloucestershire Local Plan (adopted) January 2006 which highlights that proposals will be expected to respect and enhance the environment and contribute to the character and distinctiveness of the locality; as such the design must not harm the setting of the nearby listed building.
- 5.7 The proposed development is a two storey detached dwelling with a ground floor workshop which will be used as a study/ home office and storage. The site is widest next to the highway, this is where the proposed dwelling would be situated, the proposed dwelling will be an 'L' shaped building with the widest part nearest to the highway. The proposed dwelling will be finished in a mixture of natural stone and render to the side elevations, the proposed roof would be plain or red double roman roof tiles; these materials are considered to respect the character and appearance of the surrounding area. The proposal has been scaled down following correspondence between the Listed Building and Conservation Officer and the agent.
- 5.8 The proposed dwelling will have 1.5 floors. With the proposed roof line reduced compared to PK15/0355/F. The dwelling will have a front gable and a pitched roof to the west which intercepts the roof line.
The proposed dwelling would not be in line with the existing building line, however, the existing single storey garage already provides a break in the building line.
- 5.9 The design and materials would be in-keeping with the character of the existing dwelling and would respect the character area.
The proposal respects the character of the site and the wider context as well as being of an appropriate scale and proportion with the original dwelling and surrounding properties. Thus, the proposal satisfies policy CS1 of the adopted Core Strategy.
- 5.10 Residential Amenity
The introduction of a new dwelling would result in changes to the amenity of neighbouring properties, however it is considered that the degree of change would not be unacceptable given the location and the distance between properties.
- 5.11 There are a number of windows proposed, a number of which would be located in the west (side) elevation. However, the majority of these are to be located on the ground floor. The first floor window on the west elevation will view the driveway and parts of the front garden of no.1 Horton Road. The proposed windows in the rear elevation will view the rear garden and the fields beyond it and are unlikely to result in an adverse impact regarding overlooking.
There are proposed windows in the front elevation which will have an outlook of Horton Road.

There are two windows proposed in the east (side) elevation, one of which is a rooflight and the second provides light to the stairs. A neighbouring resident is concerned that it will overlook his property. However the Officer notes that it is not for a principal room and as such will not result in an adverse amount of overlooking.

- 5.12 It is considered that there is adequate amenity space available for the existing residents and any future residents.
- 5.13 The workshop area of the proposal will be used as a home office/ study and storage area. It is not considered that this will be detrimental to any neighbouring residents.
- 5.14 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.
- 5.15 Sustainable Transport
The plans submitted show that there will be two off-street vehicle parking spaces within the curtilage of the dwelling. This achieves the standards set out within South Gloucestershire Council's Residential Parking Standard, as two spaces are required for a three-bed dwelling. The Sustainable Transport Officer's comments remain the same as the previous application (PK15/0355/F). There are no objections to the scheme subject to conditions that the parking be provided prior to occupation, be constructed from a permeable bound surface and entrance gates should be hung/fixed and open inwards/ slide (they cannot open outwards).
- 5.16 Heritage
The site is in the setting of Tungrove Farm which is listed and curtilage listed. Originally the proposal was contradictory to a number of policies. Following correspondence with the Conservation and Listed Building Officer and the submission of a scaled back scheme the proposal no longer contradicts these policies.
- 5.17 Ecology
The site is relatively small but is well vegetated and as such may provide habitat for protected species such as reptiles and nesting birds. The site is also adjacent to a building which may have bat interest which may be adversely affected by the development. The applicant has submitted an Ecology Appraisal from July 2015, there is no evidence of any protected species in the site and as such the Officer does not believe the proposal will adversely impact the ecology.
- 5.18 Drainage
The method of drainage is to be a 'grey water scheme' this is deemed acceptable by the Lead Local Flood Authority (LLFA), however a condition will be added to make sure this scheme is implemented.

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 building shall not be occupied until the associated vehicle parking areas and manoeuvring areas have been drained and surfaced with bound surface material (and not gravel or loose stone) in accordance with the details approved in writing by the Local Planning Authority. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason

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

3. Prior to occupation of the building, the area between the edge of Horton Road and building on site shall be surfaced with permeable bound surfaced material and maintain these satisfactory thereafter.

Reason

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

4. The entrance gates shall be hung/ fixed and inwards opening and retained 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.

5. The hours of working on site during the period of construction shall be restricted to 08:00hrs to 18:00hrs Mon to Fri; and 08:00 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 neighbouring occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

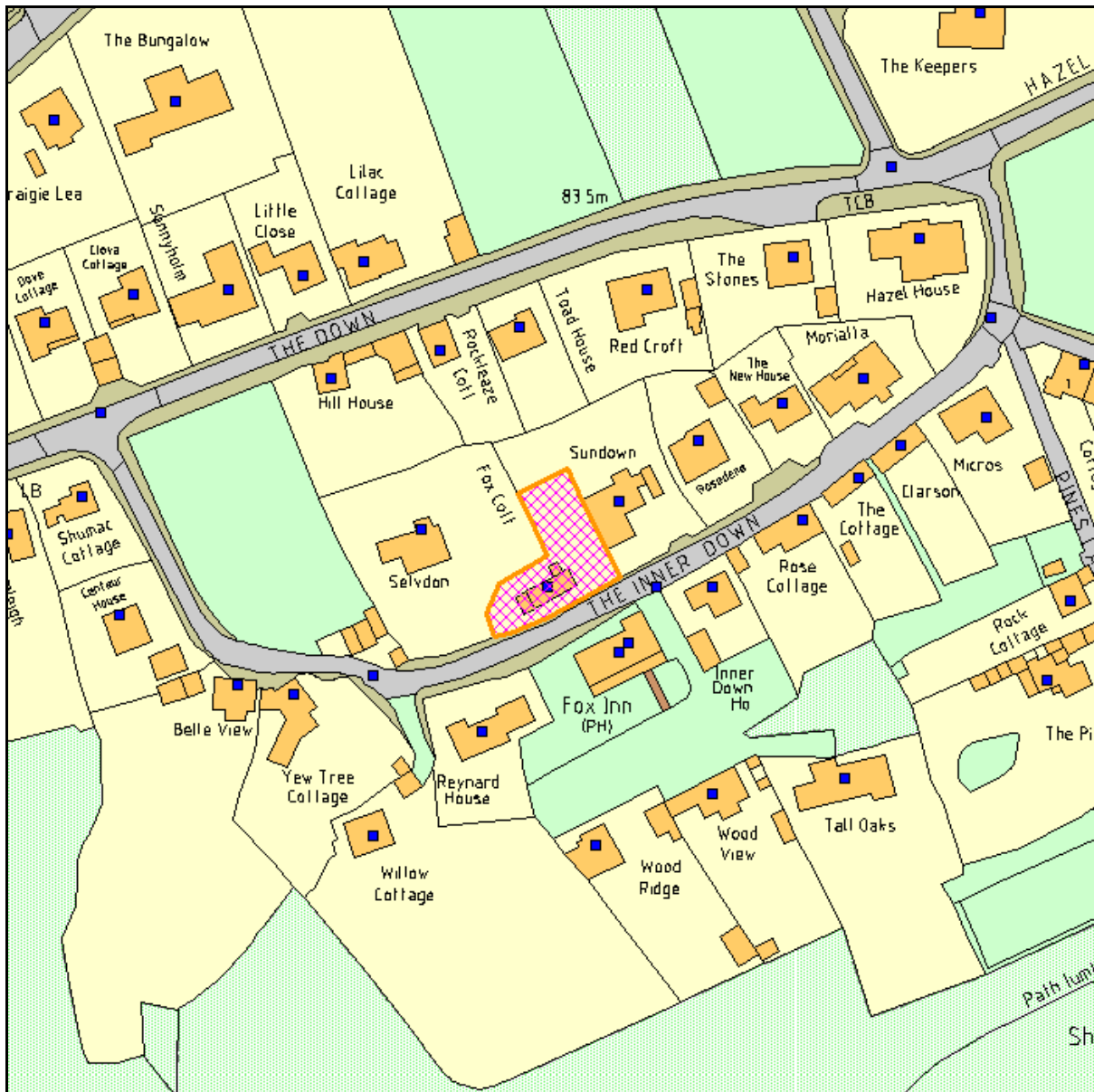
6. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 17/16 – 28 APRIL 2016

App No.:	PK16/0375/F	Applicant:	Ms Jill Atherton
Site:	Box Tree The Inner Down Old Down South Gloucestershire BS32 4PR	Date Reg:	29th February 2016
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	Olveston Parish Council
Map Ref:	361757 187362	Ward:	Severn
Application Category:	Householder	Target Date:	22nd April 2016



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PK16/0375/F

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of a concern raised by Olveston Parish Council, the concern being contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a two-storey, 3-bedroom cottage, located within the heart of the hamlet of Old Down. The site lies beyond any settlement boundary within the open countryside and Bristol/Bath Green Belt. The dwelling is a Locally Listed building.
- 1.2 It is proposed to erect a two-storey side extension to replace an existing single-storey side extension. The proposed extension would provide a utility room at ground floor level with an extended bedroom at first floor level.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework (NPPF) 27th March 2012
The National Planning Practice Guidance (NPPG) 2014

2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013

CS1 High Quality Design
CS4a Presumption in favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Areas

South Gloucestershire Local Plan (Adopted) January 2006

L1 - Landscape Protection and Enhancement
L15 - Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality.
H4 - Development within Existing Residential Curtilages
EP2 - Flood Risk and Development
T12 - Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) Adopted August 2007
The South Gloucestershire Council Residential Parking Standards SPD (Adopted) 2014.
Development in the Green Belt (SPD) Adopted June 2007

2.4 Emerging Plan

Proposed Submission : Policies, Sites & Places Plan March 2015
PSP1 - Local Distinctiveness

PSP2 - Landscape
PSP7 - Development in the Green Belt
PSP9 - Residential Amenity
PSP12 - Development Related Transport Impact Management
PSP17 - Parking Standards
PSP18 - Heritage Assets and The Historic Environment
PSP21 - Flood Risk, Surface Water and Watercourse Management
PSP39 - Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP44 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/2961/F - Alterations to existing dwelling to raise the level of the roofline. Refused 13 Nov. 2002 for reasons of adverse impact on character and visual amenity.
- 3.2 PT03/0048/F - Alterations to existing dwelling to raise the level of the roofline. Approved 10 Feb. 2003
- 3.3 PT07/1655/F - Erection of 2-storey rear extension to provide additional living accommodation. Approved 12 July 2007

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
This is in a Hamlet within the Green Belt and has been extended several times in the past, Olveston Parish Council feel that it may be considered overdevelopment.

4.2 Other Consultees

Historic Environment Officer
No objection

Listed Building and Conservation Officer
The proposal affects a locally listed building which is simply and traditionally detailed. I take the view that if carefully constructed with matching materials the proposals will not harm the character of the locally listed building. There are therefore no objections on Conservation grounds.

Other Representations

- 4.3 Local Residents
No responses

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para. 14 of the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.
- 5.2 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants' to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.3 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.
- 5.4 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.5 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only limited weight can currently be given to most of the policies therein.

Green Belt Issues

- 5.6 The site lies within the Bristol/Bath Green Belt. The NPPF para. 79 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.7 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (NPPF para. 87). Local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt unless they fall within one of the exceptions listed at para. 89 of the NPPF. Amongst other things, the exceptions include the following:

- *The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*
- 5.8 The term ‘disproportionate additions’ is not empirically defined in the NPPF. Whilst the Council’s ‘Development in the Green Belt’ SPD provides limits in the region of 30% volume increase over that of the original dwelling, as being generally acceptable, this has been deemed to be inconsistent with the Framework’s provisions, which call for a more subjective assessment (see appeal ref. APP/P0119/D/14/2226825). The Inspector for the aforementioned appeal considered that the extent to which extensions will or will not harm the purposes of the Green Belt will vary according to the individual circumstances of each case, and are not invariably dependent on volume increases.
- 5.9 In this case the original cottage has previously been extended by raising the eaves and roof ridge, and by the construction of a two-storey rear extension. Together with the extension now proposed, the overall net volume increase would be in the region of 59%. Nevertheless, the property is not in an isolated position within the countryside but more in the heart of Old Down, where it is surrounded by buildings of a similar scale and where limited infilling would be accepted. The building’s foot-print would not be increased and the proposed extension, would be perceived as a relatively modest addition to the dwelling, which officers do not consider would rank as a disproportionate addition in the terms of the Framework. The proposal is therefore not inappropriate development and by definition would not therefore be harmful to the openness of the Green Belt.
- 5.10 Design and Conservation Issues
The proposed extension would be built on the same foot-print as the existing single-storey lean-to extension and as such would be 2.8m wide and 3.1m deep. The extension’s eaves and ridge would be set down from those of the host dwelling. The proposed roof pitches would match those of the existing dwelling. As such the proposed extension would integrate very well within the existing built form and would appear subservient to the main building.
- 5.11 The materials to be used in construction i.e. render to match that existing and roof tiles to match are acceptable and these can be secured by condition. The proposed window design and rainwater goods would also be acceptable.
- 5.12 In design terms, the proposal therefore accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.
- 5.13 Transportation Issues
There is unrestricted parking along both sides of Inner Down. The existing dwelling has 3 bedrooms and the proposed extension would not provide any additional bedrooms but merely enlarge an existing one. There is currently space for two cars to park on the driveway and this alone would satisfy the minimum parking standards required by The South Gloucestershire Residential Parking Standards SPD, for a 3-bedroom dwelling.

- 5.14 There are no transportation objections to the proposal, which accords with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and The South Gloucestershire Residential Parking Standards SPD.
- 5.15 Landscape Issues
The proposal would not affect any landscape features. The proposal would therefore accord with Local Plan Policy L1.
- 5.16 Residential Amenity
Given the scale and location of the proposed extension, it would not result in a significant overbearing impact for neighbouring occupiers.
- 5.17 The property is served by a generous amount of private garden space to the rear; adequate private amenity space would therefore be retained to serve the extended dwelling.
- 5.18 In terms of loss of privacy from overlooking or inter-visibility between habitable room windows; officers consider that it is inevitable in a populated, residential area such as this, that gardens are overlooked to some extent from neighbouring first floor windows. To the north there would be more than adequate distance to facing windows at the rear of houses in 'The Down'. No windows are proposed for the side elevation of the extension or the first floor front elevation, where only a roof-light is proposed in the roof slope; given the proximity of The Fox public house and Reynard House to the south, a condition to prevent the insertion of additional windows, is justified.
- 5.19 It is considered therefore that subject to the aforementioned condition, there would be no issues of inter-visibility or loss of privacy. Furthermore, there are no concerns relating to loss of daylight/sunlight. The impact on residential amenity is therefore deemed to be acceptable.
- 5.20 Environmental Issues
The site is not in an area at risk of flooding; neither does it lie within a Coal Referral Area. Any noise during the construction phase would be on a temporary basis only and the hours of working can be controlled by condition.
- 5.21 CIL
The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging was delegated to the Director of ECS with charging commencing on 1st August 2015. This development, having a floor area of less than 100sq.m., is not however CIL liable.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED subject to the conditions listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. 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 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the requirements of the NPPF.

3. Other than those shown on the plans hereby approved, no windows including roof lights or dormers, shall be inserted at any time in the first floor side and front elevations or roof slopes of the extension hereby approved.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the requirements of the NPPF.

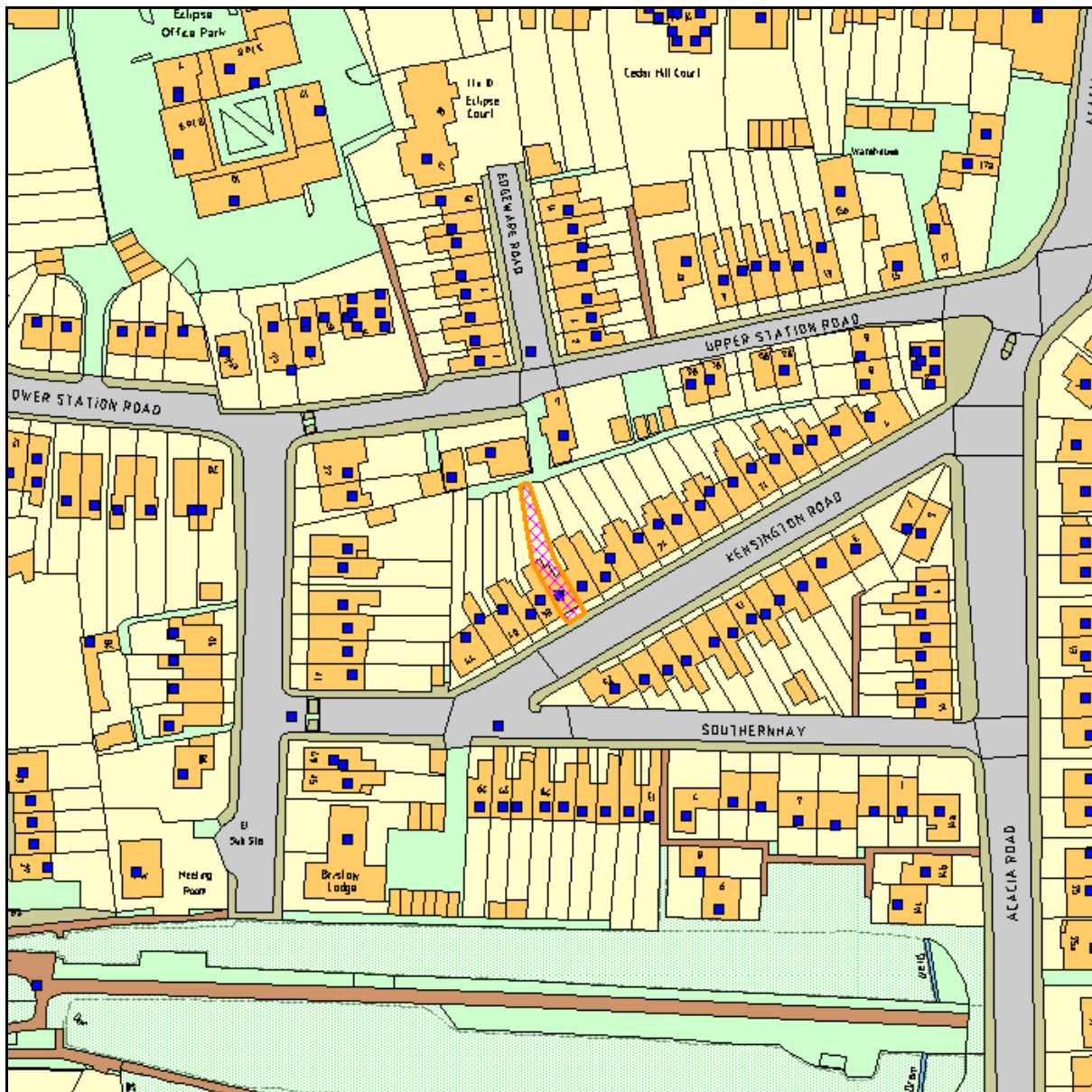
4. The materials to be used in the construction of the external surfaces as well as the roof tiles of the extension hereby permitted shall match those used in the existing building.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies H4 and L15 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 17/16 – 28 APRIL 2016

App No.:	PK16/1244/CLP	Applicant:	Miss Sara Ball
Site:	34 Kensington Road Staple Hill Bristol South Gloucestershire BS16 4LX	Date Reg:	18th March 2016
Proposal:	Application for a certificate of lawfulness for the proposed installation of a rear dormer.	Parish:	None
Map Ref:	364507 175796	Ward:	Staple Hill
Application Category:	Certificate of Lawfulness	Target Date:	10th May 2016



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PK16/1244/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks a formal decision as to whether or not the proposed development for the installation of a rear dormer at 34 Kensington Road Staple Hill would be permitted under the regulations contained within the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 This application is not an analysis of planning merit, but an assessment as to whether the development proposed accords with the above regulations. There is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history recorded for this property.

4. CONSULTATION RESPONSES

- 4.1 Town/ Parish Council
Area is unparished.

Other Representations

- 4.2 Local Residents
No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 The following evidence was submitted to the Local Planning Authority on 15 March 2016 –
 - Site location plan
 - Existing and proposed elevations

6. ANALYSIS OF PROPOSAL

- 6.1 This application seeks a Certificate of Lawfulness for the proposed installation of a rear dormer to facilitate a loft conversion at a property in Staple Hill.
- 6.2 Principle of Development
An application for a Certificate of Lawfulness is purely an evidential test and is a formal way to establish whether or not the proposed development can be implemented lawfully without the need for planning permission. Thus there is no consideration of planning merit, the application is based on facts presented. The submission is not a planning application and therefore the Development Plan is not of relevance to the determination of this application.
- 6.3 The key issues in this instance is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class B (for the dormer windows) of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 6.4 Assessment of Evidence: Dormer windows
Schedule 2 Part 1 Class B allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof, subject to meeting the following criteria:

B.1

Development is not permitted by Class B 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 permission for use as a dwelling under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

- (b) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;**

The plans submitted indicate that the proposed works do not exceed the maximum height of the existing roof.

- (c) Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;**

The alterations to the roofline are at the rear of the dwellinghouse.

- (d) The cubic content of the resulting roof space would, as a result of the works, exceed the cubic content of the original roof space by more than –**

- (i) 40 cubic metres in the case of a terrace house, or
(ii) 50 cubic metres in any other case'**

The dwellinghouse is a semi-detached property, the resulting roof space will not exceed the cubic content raised in either d (i) or d (ii).

(e) It would consist of or include –

- (i) the construction or provision of a veranda, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

The proposed development does not consist of or include any of e (i) or e (ii).

(f) **The dwellinghouse is on article 2(3) land**

The dwellinghouse is not located on article 2(3) land

6.5 Development is only permitted by Class B subject to the following conditions:

B.2

Development is permitted by Class B subject to the following conditions

–

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

The proposed dormer extensions will be constructed from materials to match those used on the existing dwelling. This condition is therefore satisfied.

(b) **the enlargement must be constructed so that –**

(i) **other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –**

(aa) **the eaves of the original roof are maintained or reinstated' and**

(bb) **the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge or the eaves; and**

(ii) **other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and**

The proposed development joins the original rear roof of the property.

(c) **any window inserted on 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.**

The dormer window would be located on the rear elevation of the dwellinghouse.

6.6 The proposed loft extension is **considered to comply** with Schedule 2 Part 1 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 **and is therefore permitted development.**

7. RECOMMENDATION

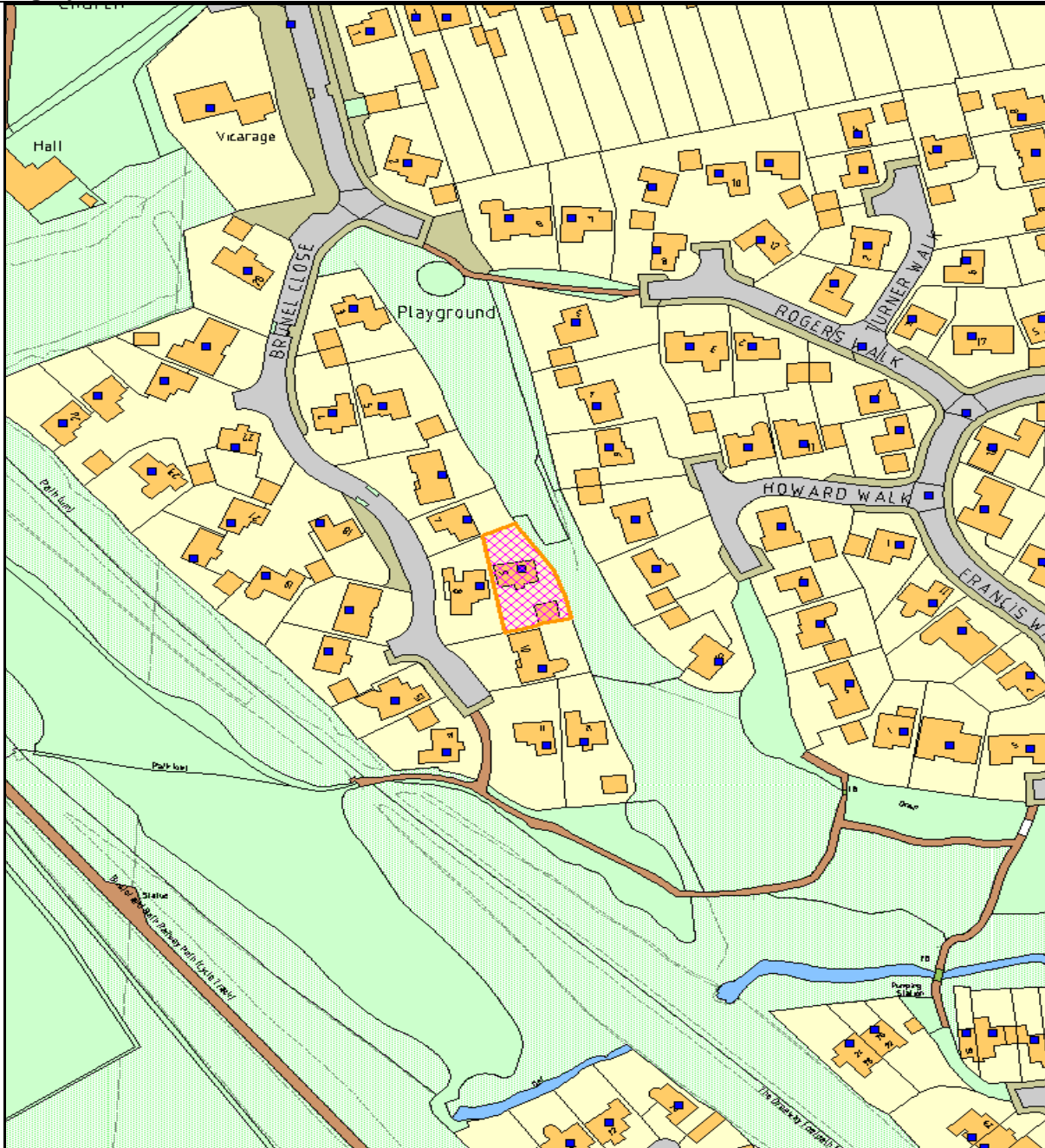
- 7.1 That a Certificate of Lawfulness for Proposed Development is **granted** for the following reason:

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CIRCULATED SCHEDULE NO. 17/16 – 28 APRIL 2016

App No.:	PK16/1281/F	Applicant:	Mr And Mrs Carr
Site:	9 Brunel Close Warmley Bristol South Gloucestershire BS30 5BB	Date Reg:	24th March 2016
Proposal:	Erection of two storey front extension, front canopy and erection of 2no front and 2no rear dormer windows to provide additional living accommodation.	Parish:	Siston Parish Council
Map Ref:	367535 173043	Ward:	Siston
Application Category:	Householder	Target Date:	16th May 2016



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PK16/1281/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule following an objection from the Parish and also from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two-storey front extension, a front canopy and the erection of 2no. front and 2no. rear dormer windows to provide additional living accommodation. The application site relates to a two-storey detached property situated within the established settlement of Warmley.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage
CS24	Open Space Standards

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 K6277/2 Erection of 27 no houses with associated garages and the formation of public open space
Approved 19.8.94

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Objection: over development of the site, dominating the landscape

4.2 Other Consultees

Sustainable Transport

No objection subject to condition

Other Representations

4.3 Local Residents

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

- Disruption to life during construction period due to noise and disturbance
- Concerned about parking and turning being affected during build and potentially afterwards due to new extension depending on how far it sticks out front
- My house is at a slightly different angle and the proposed windows look like they will be facing directly into one of our small front room windows, taking away some of our rights to privacy – do not want to keep blind shut
- Due to the size of the extension we will be losing light and gaining an overshadow
- May affect the visual layout due to overdevelopment

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies and all material considerations. Of particular relevance is the overall design and impact on the appearance of the host property and area in general (CS1); impact on residential amenity for the host property and its neighbours is fully assessed (H4) as is the impact on highway safety and residential parking standards as a result of the proposal (T12, CS8, SPD: Parking Standards).

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

Design and Visual Amenity

5.2 The application site is a large detached property situated within a cul-de-sac, Brunel Close. This select area is made up of detached properties which vary slightly in design and style. No. 9 and its immediate neighbour No. 8, are situated on a small spur road off the main Brunel Close. No. 9 occupies the most eastern corner. It is therefore side-on to the garage of No. 10 to the south and the garden of No. 7 to the north.

5.3 No. 9 is a modern red brick property with the main entrance positioned centrally incorporated within a two-storey front projection. The proposed two-storey front extension would be to the east of this central bay on part of the grassed front garden. It would measure approximately 5 metres square with eaves to match the existing house and a dropped ridge height. Openings would be in the south and east elevations only. A small canopy is proposed over the front door and a total of 4no. rooflights within the main existing roof, two to the front and two to the rear are also proposed as part of the development.

- 5.4 It is acknowledged that the proposed front extension would be a large addition to this property and both the neighbour at No. 8 and the Parish have objected on the grounds of overdevelopment of the site. Regard must be given to current planning policy where extensions within existing residential curtilages are supported both national and local planning policy. It must further be recognised that No. 9 is already an individual detached property of some size and given its corner position within the cul-de-sac it is considered that the proposal would not appear an incongruous addition to the existing house. Its 'tucked away' position means it would not be highly visible from the public realm and it would therefore not impact adversely on the landscape of this estate. This is a significant aspect of the assessment of this scheme, as on the face of it such an extension has the potential to unbalance an otherwise symmetrical (albeit fairly standard) front elevation. It is the fact that it is at 90 degrees to the street, and set back and the context has "L" shaped house footprints in evidence which all mitigate against this. In terms of its overall scale, this extension although substantial would not be out of proportion. Furthermore, it is not likely that a refusal on the basis of its appearance and size could be sustained in an appeal situation. Good quality materials to match the external appearance of the host property would further assist its integration into the street scene.
- 5.5 On balance and recognising that due to the orientation and plot size a larger than most extension can be achieved on this site, it is considered that the scheme would be acceptable in terms of its design, scale, massing and materials proposed and is therefore recommended for approval.

Residential Amenity

- 5.6 Impact on the amenity of neighbours at No. 7, No.10 and No. 8 will be considered in turn. The terraced garden of the application site is at a lower level than the garden of its neighbour to the north, No. 7. The respective gardens are separated by high fencing. No. 7 is at right angles to the application site and it is considered that the introduction of two new dormer windows in this rear elevation would not have an adverse impact on these neighbours over and above the existing situation. Similarly with regard to the impact on the property to the south, No. 10 Brunel Close, this property is also side-on to the application site, at a slightly lower level and separated from it by the large double garage serving the application site. The introduction of the two new dormers windows in the main front roof elevation would again not have an adverse impact over and above the existing situation given the presence of existing windows, at ground and first floor levels. The proposed two storey front extension would however, introduce a new first floor window in the south elevation that would be closer to No. 10. This window would serve the proposed enlarged bedroom and notwithstanding the presence of the large garage in between the two there would be the opportunity for an element of overlooking of No. 10's garden that does not currently exist. At the moment the main house is at an approximate distance of 13 metres from the rear garden of No. 10 and the introduction of this extension would reduce that to about 8 metres. To protect the amenity of this neighbour it seems reasonable to include a condition to ensure this window is of obscure glazing and non-opening below a certain height. This is only suggested on the basis that this window would have a secondary role (it would not be appropriate to obscure

glaze the main window to a bedroom). The larger principal window serving this bedroom would face westwards and remain clear glazed.

- 5.7 Moving on to the potential impact on neighbours at No.8. This is also a substantial property. It has an inverted 'L' shaped footprint with the benefit of an integrated single garage to the east, closest to the application site at No. 9. The properties are not immediately side by side as the application site is set back from No. 8 Brunel Close by about 8 metres (excluding the front porch element). The garage of No. 8 is therefore the closest elevation to the application site and it is noted that there are no windows here, but three small windows are present in the side elevation of the main house. These it is assumed, serve as a second window to the sitting room, a downstairs WC and a first floor bathroom. Although no precise measurements are shown, these windows are judged to be less than 1 metre in height by 0.5 metres wide. The main window of concern would therefore be the ground floor window serving the sitting room. This is noted as being a supplementary window to the large bay window which faces directly south in this property.
- 5.8 Any potential impact on amenity is assessed very carefully. Window-to-window separation is one of these areas. Guidelines suggest that where windows serving primary living accommodation are opposite then a distance of 20 metres will ensure privacy levels are protected. This is however, only a general starting point and the individual characteristics of the site may allow some degree of variation. This is the case here where the proposed side extension would not be directly opposite the side elevation of No. 8. The neighbour has acknowledged that the house is angled away from the application site and Officers calculate this to be about a 16 degree angle. The proposed two-storey front extension would be about 14 metres from this window. Although there would be some changes, regard must be given to the fact that the small window of the neighbour's property is not the primary window serving that room, that the property is angled away from the application site and there would be a not insubstantial distance separating the two. On balance it is considered that the impact on neighbours is acceptable in this modern estate and location where development is supported in principle .
- 5.9 The neighbour has expressed concern that the proposal would result in loss of light and the creation of a shadow. The proposed extension would be to the east of this neighbour and would result in a building line approximately level with that of the neighbour. It is acknowledged that the neighbour may experience some changes to the degree of sunlight from the rising sun but given that the application site is already bound by high, mature planting along this eastern edge it is considered that the changes would not be significant or such to warrant the refusal of the application. It is inevitable that construction will create some degree of noise and disruption for neighbours. The level of development must be acknowledged and as this would be a domestic extension within an existing residential curtilage the fact that there would be some noise resulting from construction is therefore not a sufficient reason to refuse a scheme. Any disruption will be limited to the period of the build, but a condition will be attached to limit the hours of work on site. This is considered appropriate to minimise disruption to neighbours.

- 5.10 The proposed extension would be within the front garden on part of an area currently laid to grass. The rear garden would remain unaffected and as such it is considered sufficient amenity space would remain to serve the property following the development.
- 5.11 On balance and taking into consideration comments raised the proposal is considered to be acceptable and to accord with policy. It is therefore recommended for approval.

Sustainable Transport

- 5.12 Planning permission is sought to extend the existing dwelling to provide additional living accommodation. After development the bedrooms within the dwelling will increase to five. The existing vehicular access and parking is unaffected by this development. The level of parking available complies with the Council's residential parking standards. There is no transportation objection to the proposed development subject to a condition that the garage is kept for the storage of motor vehicles only and is maintained as such thereafter.
- 5.13 Comments have been received expressing concerns regarding impact on parking and access during and possibly after construction. Nos. 8, 9 and 10 share an access off the main drag. Each has its own driveway and it appears that the different colour and materials used clearly mark out the various boundaries. It is therefore surprising that the neighbour has concerns regarding impact on parking and access during and after construction. During construction it is likely that trade vehicles would be able to park and manoeuvre within the site and would not impact on the parking area outside the neighbour's garage. If there is a problem then this would be a civil matter to be taken up with the respective parties at the appropriate time. The parking for No. 8 is clearly marked as is the parking area for No.9 which will be completely unaffected by the development given the extension would be constructed on the front garden in between their garage and dwellinghouse.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

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

Reason

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

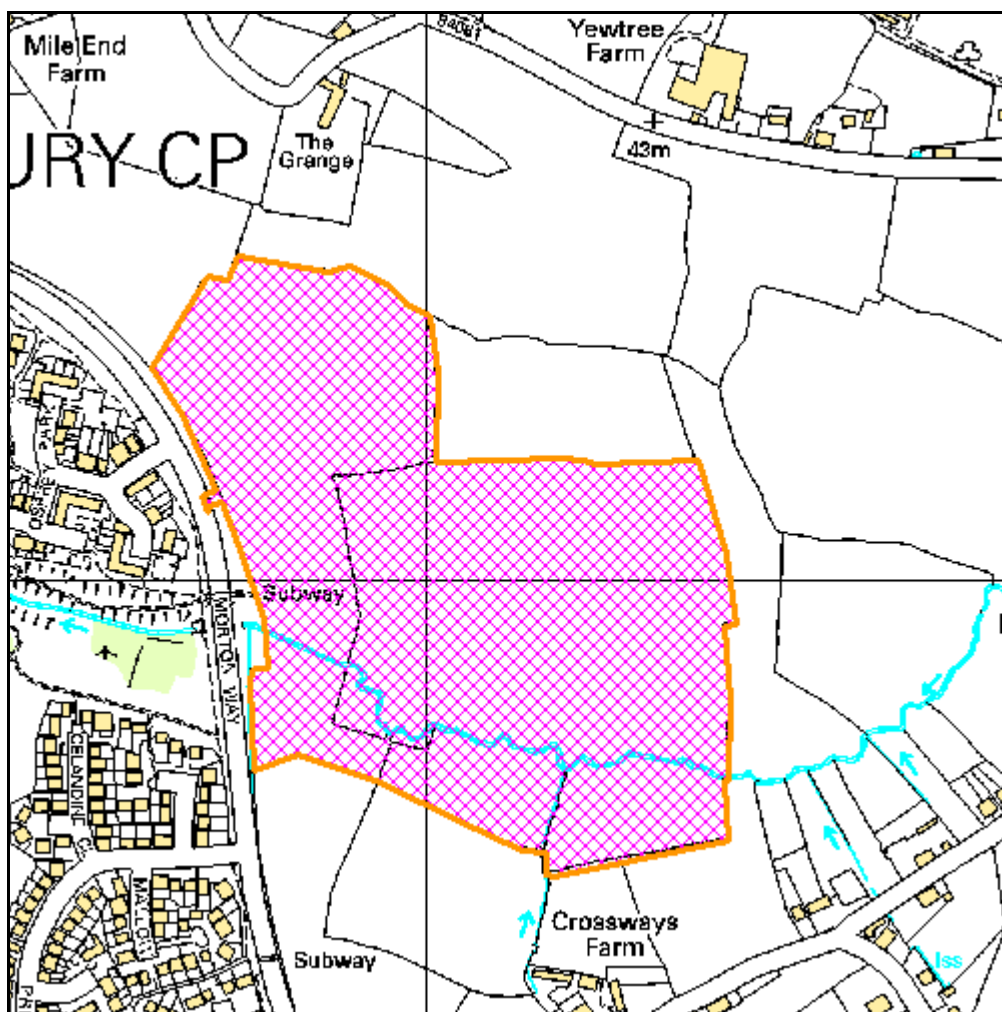
3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the south elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in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

Reason

To protect the 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.

CIRCULATED SCHEDULE NO. 17/16 – 28 APRIL 2016

App No.:	PT15/5060/RM	Applicant:	Bloor Homes
Site:	Land At Morton Way Phase 2 Thornbury South Gloucestershire	Date Reg:	30th November 2015
Proposal:	Erection of 110 no. dwellings with landscaping (including a country park), car parking and associated works (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT14/2398/RVC formerly PT12/2395/O).	Parish:	Thornbury Town Council
Map Ref:	364841 190754	Ward:	Thornbury North
Application Category:	Major	Target Date:	26th February 2016



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100023410, 2008.

N.T.S.

PT15/5060/RM

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because responses have been received from members of the public, which are contrary to the recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of 108 dwellings with landscaping (including country park), car parking and associated works. The proposed reserved matters application follows the approval of outline planning permission PT14/2398/RVC (formerly PT12/2395/O) for up to 300 new dwellings and associated infrastructure.

The outline application comprised a hybrid scheme, consisting of full planning permission for the erection of 109 dwellings and associated infrastructure (phase 1) and outline planning permission (with all matters reserved except means of access) for the development of the remainder of the site (phases 2 and 3) for up to 191 new dwellings and a local shop (Use Class A1) (up to 270 square metres) with supporting infrastructure.

- 1.2 The application site is approximately 13.78 hectares in area and located centrally within the 22ha wider outline site. The site comprises a number of agricultural field parcels, separated by mature boundary hedges. The topography of the site is generally level to the northwest but slopes down steeply south and southeast to the Pickedmoor Brook stream corridor before rising up on the opposite side. A number of Public Rights of Way cross the site from east to west and north to south, providing access to the wider countryside. The grade II* listed building Morton Grange is located to the north of the application site at a distance of approximately 114 metres.
- 1.3 The site is located to the east of Morton Way from which the vehicular access has been approved. Phase 1 development, which is largely complete, and agricultural fields abut the northwest boundary; agricultural fields abut the northeast and eastern boundary; agricultural fields on which phase 3 development has outline approval abuts the southern boundary of the site. The site is located just outside the defined Thornbury settlement boundary, which stops at Morton Way.
- 1.4 The proposal comprises a mixture of dwellings and flats of 1, 2, 3, 4 and 5 bedrooms ranging between 1, 2 and 2.5 storeys in height. Planning and Compliance statements have been submitted in support of the proposal.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance
The Community Infrastructure Levy Regulation 2010
- 2.2 Development Plans

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

L1 Landscape Protection and Enhancement

L9 Species Protection

L11 Archaeology

L13 Listed Buildings

L16 Protecting the Best Agricultural Land

EP2 Flood Risk and Development

T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS2 Green Infrastructure

CS4a Presumption in Favour of Sustainable Development

CS6 Infrastructure and Developer Contributions

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS16 Housing Density

CS17 Housing Diversity

CS18 Affordable Housing

CS23 Community infrastructure and cultural activity

CS24 Green Infrastructure, Sport and Recreation Standards

CS32 Thornbury

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

The South Gloucestershire Waste SPD (adopted)

The South Gloucestershire Residential Parking Standards SPD (adopted)

Affordable Housing and Extra Care Housing SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/015/SCR, Screening Opinion for an outline permission for the development of up to 500 new homes, new access roads from Morton Way and associated works. EIA not required, 26/04/11.
- 3.2 PT12/2395/O, Residential development across 22.43 hectares of land comprising up to 300 new dwellings (Use Class C3) and a local shop (Use Class A1) with supporting infrastructure and facilities including vehicular access from Morton Way, public open space and landscaping. Hybrid application comprising full planning application for 109 new dwellings, outline application with all matters reserved except access for up to 191 new dwellings and a local shop. Permission granted at appeal, 23/05/13.
- 3.3 PT13/3585/RVC, Variation of condition 23 to include amendments to planning permission PT12/2395/O to allow amended house types and minor variations to the layout of the Phase 1 part of the development. Approval, 17/01/14.
- 3.4 PT14/2398/RVC, Variation of condition 22 to include amendments to planning permission PT12/2395/O to allow amended house types and minor variations to the layout of the Phase 1 part of the development. Approval, 29/10/14.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

No objection in principle but members expressed concern that the access to the proposed football pitches was difficult. If the pitches were used by local clubs, parking would also be an issue. Members also questioned the need for the provision of more football pitches in the town and suggested it should be kept as informal green space and that residents should be consulted on their preference for this area of open space.

4.2 Waste and Recycling Officer

Overall this is a good layout for waste collections and although I was not able to find a drawing showing vehicle track the roads look to be adequate. I would however, make the following points: the bin presentation points for 217, 218 and 219 is not shown but if it is within 10m of the road then there is no problem. It would be better if bins for 129, 130, 131, 132, 159, 162, 163, 169, 170, 173 were brought nearer the end of the road. The bin presentation area for 180, 181 and 182 is not practical for getting bins to the road.

4.3 Office for Nuclear Regulation

No objection

4.4 Highway Structures Officer

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

4.5 Highways England

No objection

4.6 Conservation Officer

I would advise the following amendments should be sought:

- ☐ To provide the level of mitigation required for the grade II* heritage asset, the buffer to the north needs to be widened, especially to the north-western corner;
- ☐ The level of planting – in regard to large specimen trees should also be maximised;
- ☐ The materials to the north facing frontage should be natural stone and render, not buff brick.

4.7 Affordable Housing

No objections to revised plans

4.8 Historic England

The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

4.9 PROW Officer

No objection

4.10 Avon and Somerset Constabulary

Plots 124, 158-162, 165, 174-175, 207, 217-218 have parking areas in front of garages. Because these areas between buildings are likely to be dark it would be advantageous to either provide additional light in the area or habitable rooms overlooking the area.

It is preferable that footpaths are not placed to the back of properties. If they are essential then they must be gated and gates should be as near the front building line as possible.

Running through the centre of the site is a series of paths designed to follow the existing PROW. At plot 147 the design is vulnerable to users adopting the desire line and cutting the corner rather than the created path. Consideration is required to forming some form of barrier to the boundary of 147 or redirecting the path along the desire line.

4.11 Transportation DC Officer

There are no transportation objections to revised drawing no. SW0002-SL-101J, subject to the following condition:

No development shall commence until a Stage 1 Road Safety Audit of the highway layout has been completed and submitted to and approved in writing by the Local Planning Authority.

4.12 Drainage Officer

No objection subject to conditions

4.13 Archaeological Officer

An archaeological evaluation took place on this land and the results of this are included in the application documents. The results were largely negative and the limited archaeology that was found is of low significance. As such there is no objection to the proposal.

4.14 Urban Design Officer

The applicant has made significant improvements to the scheme to address the Urban Design comments. I therefore, have no further objection.

4.15 Environmental Protection

No objections in principle

4.16 Landscape Officer

Regarding the north eastern boundary, they have amended it as we asked and it is now acceptable. The other amendments still need to be done via condition as was agreed.

4.17 Environment Agency

Based on the additional information provided we can remove our objection to the reserved matters application.

4.18 Avon Fire and Rescue

Avon Fire and Rescue Service will have additional Hydrant requirements associated with this application, please see attached plan as to our hydrant requirements. Avon Fire and Rescue Service has calculated the cost of installation and five year maintenance of a fire hydrant to be £1,500 per hydrant. The cost should be borne by the developer.

4.19 Public Open Space Officer

No objection

4.20 Tree Officer

I would be happy for the 'no dig' access road to the north of T31-T5 to go ahead subject to method statement and watching brief.

4.21 Ecology Officer

There are no comments on ecology except to say that development will proceed in accordance with conditions agreed under the outline proposals.

Other Representations

4.22 Local Residents

Four letters of objection have been received from members of the public. The following is a summary of the reasons given for objecting:

There is already a retail store within Primrose Drive in easy walking distance;
Why cant the money assigned for the retail unit be used more effectively in Thornbury;
Large increase in traffic in Grovesend Road to A38 leading to traffic queues on A38;
Large increase in traffic onto Bristol Road B4061 and difficulties turning right when leaving leisure centre;
Thornbury infrastructure cannot support more new build estates with those already going ahead at Park Farm, Thornbury Fields and PT16/006/SCR;
Will add pressure on parking in the Town and will not encourage flourishing of the towns shops;
The properties will be expensive and will not be affordable;
There is insufficient police presence to cope with additional residents;
This will be a blot on the landscape;
I would like to compare the house sizes, quantities and affordables with phase 1;
I object to properties being more than two-storeys high;
Is adequate Public Open Space being provided that would be adequately managed and maintained;
What is to stop POS being developed?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the development has been established with the approval of planning permission under application PT12/2395/O for up to 300 new dwellings and a local shop at land off Morton Way North, which is allocated by

policy CS33 of the South Gloucestershire Local Plan Core Strategy. The outline planning permission reserved all matters for future consideration except access.

Condition 4 of application PT14/2398/RVC requires reserved matters to be based upon the information contained within the Design and Access Statement dated November 2012 and the Addendum dated April 2013, which include an illustrative masterplan; various parameter plans; context analysis; and urban design strategy.

Following officers comments, a revised S106 open space compliance plan has been submitted which highlights the following provision: 7.7ha country park, 0.33ha allotments, 1.42ha sports fields (including 0.1865ha safeguarded area), 0.0445ha equipped children's play space, 0.2015ha unequipped children's play space, and 0.7915ha informal open space. Officers are satisfied that the type and amount of land uses proposed accords with the approved Land Use parameter plan and the requirements of the approved S106 agreement. Whilst no details of the retail unit have been submitted with this reserved matters application, the proposed layout makes provision for this land use by setting aside 600 square metres of retail space adjacent to the vehicular access.

5.2 Accordingly, it is considered that the proposed development is acceptable in principle.

5.3 Urban Design
Parameter Plans

The proposed dwellings comprise a maximum height of 2.5 storeys; however, no dwelling is higher than 2 storeys on the northern and eastern edges of the site, which abut open countryside and this accords with the building heights parameter plan. The overall site density of approximately 33 dwellings per hectare falls within the density range set in the approved building density parameter plan with higher densities to the western edge and lower densities to the north and east rural edges. Accordingly, it is considered that the proposal accords with the building heights and building density parameter plans and will ensure an appropriate transition from urban to rural edge.

Street Hierarchy

The primary street extends from the main access and through the centre of the site, and links to phase 1 development. It comprises a 5.5 metre wide (approx.) road, a 2 metre wide footway, and a 2 metre wide footpath separated by a grass verge. Other streets in the development comprise secondary streets, which are to be adopted, and private drives. Originally the layout plan demonstrated secondary roads with separate footways; however, this resulted in a proliferation of footpaths across the site, which along with PROW paths resulted in an excessively engineered scheme. Revised plans submitted have removed footpaths for secondary roads, so that they are shared surface routes; and the Council's Transportation Officer has raised no objections on the basis of pedestrian safety. The width of the streets at approximately 7 metres and short length (no more than 80 metres), will help keep vehicular speeds low and ensure that the streets will be safe for pedestrians and motorists to share. Private drives are primarily located around the edge of the development, and

their narrow width will give these areas an informal/low key feel. The main difference between the proposed layout and the masterplan is that private drives do not wrap entirely around clusters of dwellings; however, the layout still provides an adequate level of permeability through the development.

The revised layout has incorporated the public rights of way that cross the site primarily within public open space so that a good level of amenity and green character will be retained to these routes. The PROW have also been retained on their existing routes except for where they require a diversion across a road to ensure they remain as direct as possible and reflect pedestrian desire lines.

Waste Collection and Storage

The majority of properties have bin storage areas in rear gardens where they will be well screened from views from the public realm, with collection points opposite the front door to be collected roadside by refuse vehicles. Properties accessed from private drives would be served by shared bin muster areas. The Local Planning Authority raised concerns that bins may not be returned to properties after collection and would instead be left on muster points. Screen walls are therefore, proposed around certain muster points to screen views of refuse bins in the interests of the visual amenity of the area. Amendments have also been made to the layout of the parking spaces to the front of plots 181-182 to make moving bins from the muster point to collection vehicles practical; and to move muster areas closer to adopted highway areas. The bin muster areas are no further than 20 metres from adopted an adopted highway, which will ensure that collection crews will not need to travel an unreasonable distance for collection.

Layout and Appearance

Primary Frontage

The Design and Access Statement (DAS) states that primary frontages are to reflect the more formal nature of the key primary routes and will generally have a greater degree of continuous frontage and a strong building form and rhythm. The materials and styles should principally reflect key local characteristics. The main aim of the DAS is to ensure strong frontages to the primary routes to create a good sense of place and legibility. There has been a great deal of negotiation between the Local Planning Authority and the developer to try to improve frontages on the primary route to accord with the design principles set out in the DAS, and the Urban Design Officer now considers the proposal to be acceptable.

The plans originally submitted demonstrated a lack of continuous frontage; some units had the appearance of being squeezed in to fit the site and did not address the street well; there was also a lack of formality and rhythm to the elevations exacerbated by the number of different house types and material variations proposed. In response, revised plans have been submitted which have improved the appearance of the primary frontage.

The revised plans demonstrate that properties, such as 194, turn corners much better and directly front the street, whilst plots 191-194 and 210-208 are linked via drive through canopies to provide more continuous frontages. Plots 138-140, 213-211, 209-208, 194-193 and 176-171 have a distinctive appearance

and provide elements of repetition and rhythm, which will provide more formality to this part of the scheme. These properties comprise traditional roof form, vertically proportioned sash style windows, traditional eaves detailing, bay windows, which reflect local characteristics. The location of these properties also serves as marker buildings to terminate key views in the development and provide a good level of legibility. In addition, most properties on the main frontage have brick chimneys to reflect local characteristics and provide interest to the roofscape.

The majority of the properties to the main frontage are proposed in stone (both natural and Bradstone Keinton with 10% Brecon mix) and pastel coloured render (Weber Roughcast), as opposed to brick, to reflect local characteristics. Where brick is proposed to main frontage properties, it is Hanson Hampton Rural Blend, which has a traditional appearance and will relate well to phase 1 development. Condition 5 of the outline consent requires sample panels of stone, render and brickwork to be erected on site and agreed with the Local Planning Authority prior to the commencement of the development. A condition on this basis is therefore, not required.

Edge/Rural Frontages

The DAS states that rural frontages are to have a more informal and fragmented building line with a high level of discontinuous frontage particularly where development meets the planted buffer along the northern edge. Dwellings facing rural fields along the north and eastern edges of the site adhere to the aims of the design and access statement as these properties are detached with large areas of space between to provide a fragmented frontage. Materials have been revised so that eight out of twelve dwellings comprise a natural stone finish, while four are cream rough cast render. The roof gables facing the northern boundary facing towards the grade II* listed building have also been made steeper so that they have a more traditional appearance. Eleven out of the twelve properties comprise chimneys, which reflects local characteristics and will provide interest to the roofscape.

POS Frontage

The DAS states that POS frontages should provide a high degree of natural surveillance over POS; provide strong building form and high degree of enclosure framing the spaces; frontages should also principally reflect key local characteristics in terms of materials and style.

The plans previously submitted failed to provide strong frontages to the POS; however, revisions have been made to the siting of plots 127-144 to provide a far more consistent building line to frame and overlook the POS much better. The appearance and form of plots 154-160 and 166-163 have also been rationalised to provide improved rhythm and formality to the country park frontage.

The appearance of plots 127-134 and 146-153 have also been significantly improved through the use of stone and rough cast render in a variety of pastel colours, consistent design of porch canopies, chimneys, and square proportioned cottage style windows. Accordingly, these properties will reflect more local characteristics set out in the DAS. The front facing gables in plots

146-153 and 127-137 have been made steeper by increasing the ridge height to help break up, and add more interest to the roof form. The materials proposed of Ibstock Brunswick Red, Hanson Hampton Rural Blend, Ibstock Arden Special Reserve, Bradstone Keinton with 10% Brecon mix, Natural stone and Weber roughcast render are acceptable in principle. Condition 5 in the original consent requires sample panels showing brick, stone, and render to be erected on site prior to commencement and agreed with the Local Planning Authority. A condition on this basis is therefore, not required.

In terms of roofing materials red/brown Sandtoft rustic double pantile, Sandtoft brown pantile, and Marley Eternit Garsdale slate tiles are proposed for phase 2. These roof materials are the same as those used in phase 1 development. The materials are considered to be acceptable, and a condition for samples of the roofing materials to be submitted to and agreed with the Council is not required.

The Crime Prevention Designer raised no objections to the proposal but did comment on three aspects of the proposal. Officers consider that following the receipt of revised plans, and subject to an appropriate lighting scheme, which is a requirement of condition 6 of the outline consent, the proposal will provide an adequately secure design.

Public Rights of Way

The original layout submitted significantly altered the line of existing public rights of way that cross the site which resulted in the routes being roundabout and did not reflect desire lines. The revised plans have addressed this issue and ensure that PROW are primarily left on their original routes and only require diverting to cross roads. The PROW are primarily incorporated within POS which will ensure that a high degree of amenity and green character will be provided to the routes.

Landscaping

Treatment of North/East Buffer

This landscape buffer has been increased in width following concerns raised by the Local Planning Authority, and it is now considered that it better reflects the masterplan and DAS. Notwithstanding this, the choice of tree species originally proposed, which included Liquidamber, Yew and a range of other ornamental species, was not considered suitable. Officers considered that the use of native species and Oaks in particular, where there is sufficient room, is more appropriate given the proximity to the open countryside. It was also considered that the extent of the buffer mix planting should be increased to provide more of a dense screen to limit wider views back towards the development from the listed farmhouse and wider landscape. Following negotiation between Council Officers and the developer, further revised plans have been submitted, which have increased the density of planting along the north/east boundary to provide a more effective screen of views into the site from the listed building to the north and the surrounding countryside; the planting mix has also been amended to include more native species.

The footpaths through the landscape buffer were originally proposed as stone to dust so that they would have an informal/low-key feel given the proximity to open countryside; however, officers considered that a more robust and durable

surface treatment was required, which will require less future maintenance. As a compromise, the revised plans demonstrate Bitumen Macadam for the majority of the footpaths, with a small section extending between plots 202-205, which links to open fields to the north, as stone to dust to retain more of an informal/low-key feel to this area.

The Landscape Officer considers that the landscape design of the north/east buffer is now acceptable and has raised no objections.

Landscaping within Residential Areas

The Landscape Officer raised issues relating to the proximity of plots 167 and 161 to retained trees; however, the plans identify a specialist no dig construction for development that encroaches into the RPA of these trees. The Council's Tree Officer has raised no objections to the development subject to the submission of a method statement for the no dig area, which also incorporates pile and beam foundations for plots 167 and 161, and watching brief to be agreed by the Local Planning Authority. The Tree Officer has no objections to the proximity of plots 167 and 161 to the trees as the original tree report submitted, and accepted as part of the outline planning application, allowed for a smaller Construction Exclusion Zone (CEZ) than what is now proposed. Accordingly, subject to condition there is no objection on this basis.

The Landscape Officer has raised a number of other issues with landscaping within residential areas such as the location of root barriers to proposed street tree planting, which may result in the trees struggling to thrive; a lack of tree pit details for trees in hard surfacing; an insufficient amount of tree planting within rear gardens of plots; over use of knee rail fencing, such as outside plots 127-144; the need for a composite plan to show landscaping along with POS to address conflicts between the landscaping and POS typologies plans. Given that these outstanding landscape matters to be addressed relating to landscaping within residential areas are relatively minor in nature, and fundamental matters such as the landscape treatment of the north/east buffer and the clarification of the quantum of open space to be provided have been satisfactorily addressed, it is considered that these outstanding matters can be addressed by an appropriately worded condition.

Landscape Design for Country Park

The proposals make provision for a large 7.7ha country park to the south of the residential development. A number of improvements have been made to the landscape design through the submission of revised plans. These include the continuation of the new native hedgerow westwards to join the existing roadside hedgerow to provide better connectivity; an amendment to the tree species to include more larger stature trees such as English Oak and Field Maple, and more Alder and Willow near the brook; the omission of the species *Prunus Spinosa* around the allotment area as this would create an ongoing maintenance problem; the change of pathways from rolled hoggins to a more robust and durable material.

However, a number of issues remain such as a lack of information regarding path gradients and levels within the country park; clarification regarding the actual specification of the final footpaths; details of local ground raising to

obscure sewer covers very proud of ground level; clarification of potential conflict with existing Wessex Water sewers. Again, given that these outstanding landscape matters to be addressed relating to the country park are relatively minor in nature, and fundamental matters such as the landscape treatment of the north/east buffer and the clarification of the quantum of open space to be provided have been satisfactorily addressed, it is considered that the outstanding landscape matters can be addressed by an appropriately worded condition.

A tree protection plan has been submitted and is considered acceptable. A condition is recommended for the fencing to be erected in accordance with the plan prior to the commencement of the development in the interests of the health and visual amenity of trees.

Public Open Space

Concerns raised by the Council's POS officer in relation to the quantum of POS being provided have been addressed through the submission of a revised Section 106 Open Space Compliance Plan, which identifies the POS to be provided using the categories agreed in the S106. The outstanding issues raised by the POS Officer relate to the detailed design and provision of POS and associated equipment, and as officers are satisfied that the layout accommodates the required quantum of open space, the outstanding details can be provided through Public Open Space covenants stipulated in the S106 Agreement and landscaping condition specified as part of this application.

The pitches, open space (including the country park), attenuation pond and allotments would be managed and maintained by a private management company.

Residential Amenity

The closest existing neighbouring properties are those to the west of the site on the opposite side of Morton Way. With a separation distance of some 40 metres at the closest point, it is not considered that existing neighbouring occupiers will be significantly adversely affected through loss of natural light or privacy. There would also be an acceptable relationship between dwellings proposed at the northwestern edge of the application site and dwellings approved at phase 1, as there is an adequate level of separation to ensure that no significant adverse issues would be created in terms of loss of natural light or privacy.

The original layout submitted would have provided a poor standard of residential amenity for certain future occupiers of proposed dwellings due to the relationship with other dwellings in the application site. For example, gardens of plots 110/111 would have been adversely affected in terms of natural light and overbearing impact by units which were originally located directly south adjacent to the rear garden boundaries of the neighbouring properties. Plots 129/132 were originally squeezed in to fit the site such that they had a contrived relationship with neighbouring properties, which would have resulted in poor living standards for future occupiers. This was because rear windows were just 1.2 metres from, and directly faced, a blank side gabled wall in the neighbouring property. This would have resulted in a very poor outlook for

future occupiers; and an unreasonable level of overlooking into the garden of the neighbouring property. Plots 193-195 were sited in a contrived position squeezed in to fit the site rather than following the direction of the street; and consequently, the rear gardens of these plots would have been unreasonably overshadowed by the flank gable wall of plot 191-192 directly south.

The issues referred to above have been satisfactorily addressed through revised plans such that future occupiers would enjoy an adequate standard of residential amenity.

Where directly facing, back to back separation distances are no less than 18 metres with the majority being 19 metres or greater. Where back to back separation distances are less than 18 metres, such as between 214 and 216, the oblique relationship of the dwellings is such there would be no significant adverse privacy issues.

The rear gardens of 192, 204, 123 and 207 were, considered too small in relation to the size of properties they would serve. The revised plans, by amending the siting of certain garages, provide larger gardens to these properties more proportionate to the size of the dwellings. Accordingly, rear garden sizes are considered adequate to provide an acceptable standard of amenity to future occupiers.

The majority of garages are set back and extend beyond the rear building line of dwellings. The applicant has not acceded to the officer's request to move the garages forward as this would restrict external access into rear gardens. However, garage roofs have been re-orientated to avoid gables enclosing, and having an overbearing effect on rear gardens.

Given the above, there are no objections in respect of residential amenity.

Transportation

The Council's Transportation Officer originally made a number of specific comments regarding the layout of the scheme. This included the need for a traffic calming feature at the transition between phases 1 and 2; issues accessing plot 121 due to conflict with landscaping; the width of car parking spaces between plots 175 and 174, 173 and 172; the need for a pedestrian route on the north side of the main access; reducing the length of parking spaces to the rear of 152-153 to 6 metres to discourage tandem parking, which would overhang the pavement; increasing the size of certain turning heads; and widening the access road from Morton Way to the allotments and sports fields to 5.5 metres to accommodate any larger vehicles that may be associated with these uses. The Council's Transportation Officer has subsequently raised no objections following revised plans being submitted.

The Transportation Officer has confirmed that a stage 1 Road Safety Audit (RSA) is required to be undertaken for the highway layout of the site. Although a stage 1 RSA is normally undertaken prior to consent being granted, as it may necessitate changes being made to the highway layout, in this instance the Council's Transportation Officer and Development Implementation Engineer have scrutinised the layout and are satisfied that it is very unlikely that any

material highway layout changes will be required to be undertaken. Therefore, a condition for a RSA to be undertaken prior to commencement of development is an acceptable condition.

The Council's Transportation Officer has highlighted the requirement for a link to be provided from the application site to the footway along the east side of Morton Way secured by the S106 agreement under the outline consent, and for dropped kerbs to be provided to secure a crossing point over Morton Way adjacent to the phase 2 vehicular access to link to the western footway. The developer has not acceded to the request for a crossing point and link to the western footway because these works were not secured as part of the S106 for the outline permission where providing a safe and appropriate means of access to serve the development was considered. A Grampian style condition to provide the crossing and link to the western footpath is therefore, unreasonable and unnecessary and does not pass the tests for applying conditions as set out in the NPPF, as the pedestrian and vehicular requirements resulting from the development have already been considered and addressed at the outline stage. A link from the development to the eastern footway is considered reasonable and sensible to provide an acceptable level of permeability; although the link was not proposed at outline stage, the need for this link is clear in the context of the reserved matters application where the detailed layout of the scheme is considered. A Grampian condition is therefore, necessary and reasonable to ensure the link is provided.

Affordable Housing

A total of 38 affordable units are proposed in this phase, which is split into 30 social rent (6x 2 bed flats, 2x 2 bed bungalow, 3x 2 bed flats, 11x 2 bed houses, 6x 3 bed houses, 2x 4 bed houses) and 8 intermediate shared units (4x 1 bed flats, 3x 2 bed houses, 1x 3 bed houses). The affordable housing mix proposed was discussed with the Council at pre-application stage and is provided in broad accordance with the S106. The Council's Affordable Housing Officer has confirmed that minor variations from the S106 mix is acceptable in this instance as the applicant has agreed the overall percentage and mix of affordable housing required by the S106 will be delivered across Phases 2 and 3.

An issue with the initial layout submitted was that the affordable units formed a cluster larger than that permitted by the S106 agreement of no more than 8 affordable dwellings. Plots 110-117 and 126-137 formed a cluster of 20 dwellings, as the boundaries of the parking areas and ancillary areas were contiguous with each other. The revised plans have addressed this clustering issue and distribute the affordable housing in accordance with the S106 agreement.

Revised drawings of the two single storey wheelchair units have been submitted which demonstrate that door widths will have an 850mm clear opening, corridors are a minimum width of 1200mm, and that level access will be provided, which will ensure that they will be accessible by wheelchair users. As the car port to these units is provided between two solid walls, they need to have a width of 3.6 metres, as a minimum, to allow accessibility for a range of vehicle and wheelchair sizes. Revised plans submitted now indicate sufficient

clearance in accordance with the Council's wheelchair specification. The applicant has confirmed that the proposals will comply with the S106 in respect of Code for Sustainable Homes Level 3, Secured by Design Part 2 and the Lifetime Homes Standard.

Conservation

In the appeal decision for the outline application (PT12/2395/O) the Inspector stated that the proposal would affect the setting of three grade II listed buildings along Gloucester Road – Yew Tree Farmhouse (circa mid 18th century), The Old Malthouse (circa late 17th century), Manor Farmhouse (circa late 16th century) and the grade II* listed Morton Grange (circa 15th century), which is located off Gloucester Road.

The proposed reserved matters will have the greatest effect on the setting of Morton Grange, which is located to the north of the site. The Inspector considered that the proposal would result in the loss of connection between the listed building and its wider setting and the ability to see the building from some public rights of way, but closer views would be unaffected including those from Gloucester Road, which is the historic route from which it is seen. He concluded therefore, that the extent of harm to the setting of the building would be less than substantial.

The DAS submitted with the outline application contains a “Landscape Strategy”, which identifies the need for a strong green edge adjacent to listed buildings and farmsteads. The Heritage Statement submitted with the outline application also states that the potential effects on listed buildings may be mitigated through design measures such as the consideration of scale, massing and construction materials within the immediate vicinity of the listed buildings; and soft landscaping measures such as vegetation screening between the buildings and the development.

Officers initially raised concerns that the green edge shown within the DAS (albeit indicatively) was much greater than shown on the plans submitted. Therefore, there were concerns that the green edge would be ineffective in respect of its intended purpose to screen views, as it would not provide a suitable depth of planting such that the proposed houses would be far more intrusive than envisaged at outline stage.

Officers also raised concerns that the layout along the northern edge was muddled and messy due to inconsistent forms, materials, designs and orientation, which would result in the development appearing far more harmfully intrusive than it needed to. Officers considered that the use of natural stone along the edge should be increased, and the only variation should be with render, such that there should be no re-con stone or brick to this frontage. The listed Building Officer also requested the use of short terraces or semi-detached units to assist in grouping built form to reduce the overall mass of the frontage, and providing more interesting forms.

Revised plans have been submitted which have enlarged the green buffer. The buffer in the DAS is approximately 3100 square metres in area, whilst the buffer on the proposed layout is approximately 3900 square metres in area. In

addition, the appearance of dwellings forming the northern frontage has been improved through alterations to materials so that eight out of twelve dwellings comprise a natural stone finish, while four are cream rough cast render. No brick or re-constituted stone is proposed to this frontage to provide a more consistent and sympathetic appearance given the proximity to rural fields. Revised plans also demonstrate steeper roof gables to properties facing the northern boundary so that they have a more traditional appearance. Although the proposed layout still demonstrates a fragmented arrangement of dwellings along the north/east edge, this is advocated in the approved DAS and master plan; therefore, there is no objection on this basis.

Negotiations between officers and the applicant have resulted in a much wider and more densely planted buffer screen, which is more in-line with the masterplan and design and access statement approved at outline stage; therefore, there are no conservation objections to the proposal.

Ecology

The principle of residential development has already been accepted in this location; however, condition 10 in the outline planning permission requires schemes for mitigating the impact of the development upon local populations of hedgehogs, slow-worms, bats and badgers to be approved by the Local Planning Authority.

An updated Extended Phase 1 Habitat Survey Report dated 20th November 2015 prepared by WYG has been submitted in support of the proposal. This updates ecological surveys previously undertaken by WYG in 2010 and 2012.

The report identifies that the site contains a large number of mature trees and hedgerows on site, most of which are a mix of species poor and species rich. A number of these habitats are considered likely to provide suitable habitat for roosting bats, dormouse and breeding birds, as well as foraging and commuting habitat for bat species. The majority of existing trees and hedges will be retained and protected through the development, and supplemented by additional native planting. In addition, where hedgerow is required to be removed to facilitate access, they will be through species poor hedgerow and works will be supervised by an Ecological Clerk of Works in line with the methodology set out in the Phase 1 Habitat Survey.

Reptiles

The report sets out that as no reptiles were found within or adjacent to the phase 2 site, it is unlikely that reptiles are using this area of the site.

Birds

Hedgerows, trees and tall ruderal habitats on site provide suitable features for breeding birds. Removal of this vegetation may impact nesting birds, which are protected under the Wildlife and Countryside Act 1981 (as amended); therefore, the report states that any such work should be undertaken outside the bird breeding season (typically March to September). An informative note will be attached to bring this to the attention of the developer.

Bats

A bat activity survey has been carried out at the site, which found that at least seven species of bats were recorded using the habitats at the site. The area found to support the highest frequency of bat activity/number of bats was along the brook running through the centre of the site within the proposed country park; bat activity was limited along the north/eastern boundary of the site.

In terms of effects on roosts, the report states that a probable roost was identified within a tree to be retained in the country park where there would be no likely significant or indirect impacts, such as by lighting. In terms of the effects on foraging/commuting habitat, the report states that whilst two large sections of the internal habitat, namely poor semi-improved grassland, is going to be removed by the development proposals, the majority of the connective habitat is going to be retained on site, including the brook running through the centre of the site. In addition, the proposal includes the provision of new hedgerow, attenuation basin, formal play space, allotments, sports pitches and country park, which will provide new habitats.

The report states that in order to avoid disruption to bat activity, a suitably qualified ecologist should advise with the lighting scheme. Lighting details have yet to be submitted and are subject to a condition in the outline application. An informative note will therefore, appropriate to bring this to the attention of the developer.

The report states that hedgerows should be connected to existing hedgerows or tree lines to enhance connectivity across the site and the provision of additional hedgerows will help offset the severance of hedgerows around the site, by improving connectivity across the southern section of the site. The planting of the tree boulevards throughout the site will provide additional linear corridors above that currently present. The report also states that the tree and hedgerow planting should incorporate naïve species typical of the local area. The initial landscape details submitted demonstrate extensive hedgerow and tree planting to the north and east boundaries with native species. The final landscape design of residential areas and country park will be subject to condition; and will be required to reflect the recommendations of the bat survey.

The survey recommends the installation of at least 20no. artificial bat roosts be installed on trees on site around the site boundary in order to provide ecological enhancement. The Landscape and Ecological Management Plan submitted provides details of provision of bat boxes, tubes and bricks throughout the site. A condition is attached to ensure development is carried out in accordance with the Landscape and Ecological Management Plan.

Dormice

The report states that as hedgerows will primarily be retained, and any to be removed have low potential for dormice, it is considered unlikely that dormice will be affected. Where sections of hedgerow are to be removed, this will be supervised by an Ecological Clerk of Works and be constructed in two stages, the hedgerow sections cut to 300mm during November to March to avoid breeding bird season and completed in April/May to avoid impact on hibernating dormouse (in the unlikely event of their presence).

Badger

The report states that there is evidence that badgers use the site for foraging and/or commuting. Badgers and their setts are fully protected under the Protection of Badger Act 1992; therefore, it is recommended that an update badger survey is carried out a minimum of three months prior to preparatory and construction works commencing, and again within one week to these works to reassess the status of the setts. An informative note is recommended to bring this to the attention of the developer.

Drainage

In terms of surface water drainage, it has been agreed that an area of 1.26ha from phase 2 will connect into phase 1, and this area was incorporated into the final phase 1 drainage design. The rest of the site will fall to an existing brook to the south of the site at a restricted run off rate of 5.2 l/s. To achieve this run off rate, an attenuation basin is proposed with a volume of 725 cubic metres. The run-off rate is lower than specified in the Flood Risk Assessment and Drainage Strategy, which will result in more water being stored in the basin; however, subject to a condition in respect of the provision and implementation of surface water run-off limitation, there is no objection to this. Following concerns raised by the Local Planning Authority regarding the overly engineered design of the basin, revised plans have been submitted, which reduce the gradient on the south, west and east sides of the basin to no greater than 1:4. The north side of the basin is still 1:3; therefore, a condition is required in respect of safety fencing. A three metre wide maintenance strip is proposed around the edge of the basin.

In terms of foul drainage, part of the phase 2 site will link by gravity to an existing foul water pumping station located within the phase 1 site. The remainder of the site will drain to an existing foul water sewer to the south of the site.

Subject to conditions in respect of any health and safety features required and a full operation and maintenance strategy for the attenuation pond, and a scheme for the provision and implementation of surface water run-off limitation, the proposal is considered to be acceptable in terms of drainage.

Archaeology

The results of an archaeological evaluation that took place at the site have been submitted with the application. The results were largely negative and the limited archaeology that was found is considered of low significance. Whilst it has helped to provide an understanding of the wider Romano-British landscape in particular, it does not warrant further archaeological work. Accordingly there is no archaeological objection.

Further Matters

The following points respond to the concerns raised by members of the public.

There is already a retail store within Primrose Drive in easy walking distance/why cant the money assigned for the retail unit be used more effectively in Thornbury?

Although there is already a retail store at Primrose Drive, a retail store was considered appropriate in this location by virtue of the approved outline application. The S106 agreement requires contributions towards library services, youth facilities and community facilities; however, no contribution is required to be paid towards the retail facility.

There will be a large increase in traffic in the area/Thornbury infrastructure cannot support more new build estates with those already going ahead and will add pressure on parking in the town.

The principle of the development has already been approved; therefore, the impact of the development on the surrounding highway network and infrastructure was deemed acceptable. Objections in relation to the impact on the existing highway network and facilities therefore, fall outside the scope of this application.

The properties will be expensive and will not be affordable.

The proposal provides affordable housing in-line with S106 agreement agreed as part of the outline consent. The cost of other units on the site will be set by the market and is outside the scope of this application.

I would like to compare the house sizes, quantities and affordables with phase 1.

Plans and details relating to phase 1 are publically available on the Council's Planning Website.

Is appropriate POS being provided and will it be adequately managed and maintained/what's to stop it being developed?

The quantum of POS provided accords with the requirements set by parameters in the outline DAS and S106. Adequate maintenance and management of these areas is a requirement of the S106 agreement. Any future development on POS will be assessed on its own merits, as the change of use of land would necessitate planning permission being sought.

In response to the Town Council's comments, a condition is attached to ensure adequate access is provided to the pitches, and for the safeguarded area to be laid to an appropriate surface to ensure there is sufficient parking to serve the pitches. The provision of pitches is a requirement of the S106; therefore, there is no objection to this type of POS.

The comments made by Avon Fire and Rescue are noted; however, the impacts of the development on existing infrastructure provision have already been considered. This matter is therefore, outside the scope of this reserved matters 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 Reserved Matters Consent is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No.

CONDITIONS

1. The bin storage shown on the drawings hereby approved shall be provided before the plots to which it relates are first occupied, and thereafter retained for that purpose.

Reason

In the interests of the amenities of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided for the plot to which it relates before the dwelling is first occupied, and thereafter retained for that purpose.

Reason

In the interests of the amenities of the area and highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and Policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. No development on any plots where works that encroach into the Root Protection Area (RPA) of trees as shown on the drawing "Tree Protection Plan" no. JBA14/336TP02 A shall commence until an Arboricultural Method Statement to include details of excavation, building foundations and a watching brief have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To protect the health and visual amenity of trees and hedges in the interests of the character and visual amenity of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This must be a pre-commencement condition as it is not possible to protect trees retrospectively.

4. Notwithstanding the details submitted, within 3 months of the date of this decision, a revised scheme of landscaping shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the details shall include details of: furniture, play equipment, boundary treatments, details of the specification of

footpaths within the country park, details of the treatment of manholes in the country park, details of root barriers and tree pits, proposed planting and a timetable for any planting, composite landscaping and POS plans, path gradient and levels within country park, details of bridges in the country park (they should not impact on the capacity of the watercourse), details of lighting. The development shall be carried out in accordance with the agreed details.

Reason 1

To ensure that the capacity of watercourses is not impacted by the development to avoid any flooding and drainage issues and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Reason 2

In the interests of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

5. No development shall be commenced until a Stage 1 Road Safety Audit of the highway layout of the site has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

In the interests of highway safety and to accord with policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This must be a pre-commencement condition as it is essential that road safety is adequately addressed at the outset and cannot be resolved retrospectively.

6. A pedestrian link from the site to the footway on the eastern side of Morton Way shall be provided in accordance with drawing "site plan no.SW002-SL-101J-COL" prior to the first occupation of any dwelling at the site.

Reason

In the interests of highway safety and to provide safe and suitable access for pedestrians and to accord with policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

7. The safeguarded area shown on the plan "Section 106 Open Space Compliance Plan" no.JBA 14/366-SK03 Rev E shall be drained, levelled and laid to hardcore and provided to a condition agreed in writing by the Local Planning Authority prior to the first use of the sports pitches.

Reason

To provide ancillary parking facilities for users of the pitches to reduce the need to park on street in the interests of the amenities of the area and highway safety and to accord with policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

8. Notwithstanding the details submitted prior to the first use of the sports pitches a revised layout plan demonstrating adequate access and egress arrangements for vehicles entering and leaving the safeguarded area shown on the plan "Section 106 Open Space Compliance Plan" no.JBA 14/366-SK03 Rev E shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the first use of the sports pitches.

Reason

To ensure an acceptable means of access in the interests of highway safety and to accord with policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

9. Development shall be carried out in accordance with the Landscape Management and Maintenance Scheme no. JBA14/366 Rev A dated March 2016 submitted with the application.

Reason 1

In the interests of the character and visual amenity of the site and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Reason 2

In the ecological interests of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

10. No development shall commence until tree and hedgerow protection fencing has been erected at the site in accordance with the drawing "Tree Protection Plan" no. JBA 14/336 TP02A. All tree and hedgerow protection fencing shall be left in place for the duration of the development.

Reason

To protect the health and visual amenity of trees and hedges in the interests of the character and visual amenity of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This must be a pre-commencement condition as it is not possible to protect trees and hedgerows retrospectively.

11. Prior to the construction of the attenuation pond as shown on Site Plan (Drawing No. SW002-SL-101J) and Site Sections Attenuation Pond (Drawing No. SW002-C-EN2140) details of any health and safety features required shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the first occupation of any dwelling at the site.

Reason

In the interests of the health and safety and to ensure that the development provides the necessary mitigation against flooding for the lifetime of the development and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

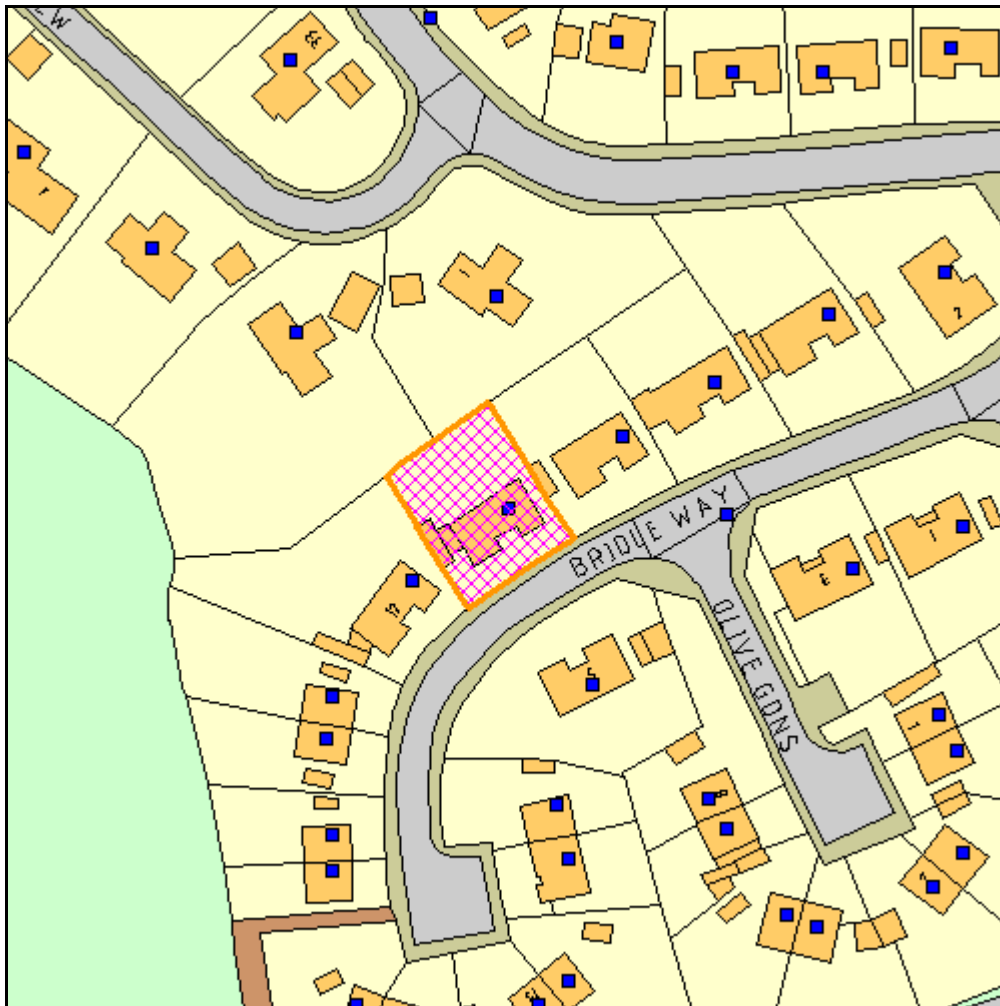
12. Prior to the commencement of the development, a scheme for the provision and implementation of surface water run-off limitation, which shall satisfy the requirements of the SFRA level 2 and the approved Flood Risk Assessment and Drainage Strategy shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of surface drainage is provided and to prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage and to accord with policies CS9 of the adopted South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This must be a pre-commencement condition as adequate drainage provision must be implemented at the outset and cannot be easily addressed retrospectively

CIRCULATED SCHEDULE NO. 17/16 – 28 APRIL 2016

App No.:	PT16/1318/CLP	Applicant:	Mr Mark Jeffries
Site:	Lobthorn 10 Bridle Way Alveston Bristol South Gloucestershire BS35 3RF	Date Reg:	23rd March 2016
Proposal:	Application for a certificate of lawfulness for the proposed demolition of existing structures and erection of single storey side extension.	Parish:	Alveston Parish Council
Map Ref:	362893 187692	Ward:	Thornbury South And Alveston
Application Category:		Target Date:	13th May 2016



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PT16/1318/CLP

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks a formal decision as to whether or not the proposed erection of a single storey side at Lobthorn 10 Bridle Way Alveston would be permitted under the regulations contained within The Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 This application is not an analysis of planning merit, but an assessment as to whether the development proposed accords with the above regulations. There is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history available.

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
No objection to the proposal.
- 4.2 Public Rights of Way
No comment as it is unlikely to affect the right of way (OOL 44) running along the footpath in front of the property.
- 4.3 Open Spaces Society
No comments received.
- 4.4 The Tree Officer
No comments received.

Other Representations

- 4.5 Local Residents
No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 The following evidence was submitted to the Local Planning Authority on 18 March 2016 –
 - Existing Block Plan

- Site Location Plan
- Existing and Proposed Elevations
- Existing Ground Floor
- Proposed Block Plan
- Proposed Ground Floor

6. **ANALYSIS OF PROPOSAL**

6.1 This application seeks a certificate of lawfulness for a proposed single storey side extension at a property in Alveston.

6.2 **Principle of Development**

An application for a Certificate of Lawfulness is purely an evidential test and is a formal way to establish whether or not the proposed development can be implemented lawfully without the need for planning permission. Thus there is no consideration of planning merit, the application is based on facts presented. The submission is not a planning application and therefore the Development Plan is not of relevance to the determination of this application.

6.3 The key issue in this instance is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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

6.5 **Assessment of Evidence: Single Storey Side Extension**

Schedule 2 Part 1 Class A allows for the enlargement, improvement or other alteration of a dwellinghouse, subject to meeting the following criteria:

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

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

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

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

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

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

The height of the single storey 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 single storey 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 proposed single storey side extension would not extend beyond a wall that forms the principal elevation of the original dwellinghouse or a wall that fronts a highway and forms a side 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 is for a single storey side elevation, it does not extend beyond the rear wall of the original dwellinghouse, nor does it 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 proposed extension would be single storey.

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

The proposed extension would be within 2 metres of the boundary curtilage of the dwellinghouse, however the height of the eaves would not exceed 3 metres in height.

- (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 proposal does extend beyond a wall forming a side elevation of the original dwellinghouse, however it would not exceed 4 metres in height, have more than a single storey or 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 veranda, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.

The proposed extension does not include any of the above.

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

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

The application site is not situated within article 2(3) land.

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

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

The materials which will be utilised will be coursed stone to match the existing elevations.

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be –

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

This is not applicable for the proposed development.

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

This is not applicable for the proposed development.

7. RECOMMENDATION

7.1 That a Certificate of Lawfulness for Proposed Development is **GRANTED** for the following reason:

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Contact Officer: Fiona Martin
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CONDITIONS

1. Evidence has been provided to demonstrate that the proposed side extension would be allowed as it is considered to fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.