



**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. 39/16

Date to Members: 30/09/2016

Member's Deadline: 06/10/2016 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

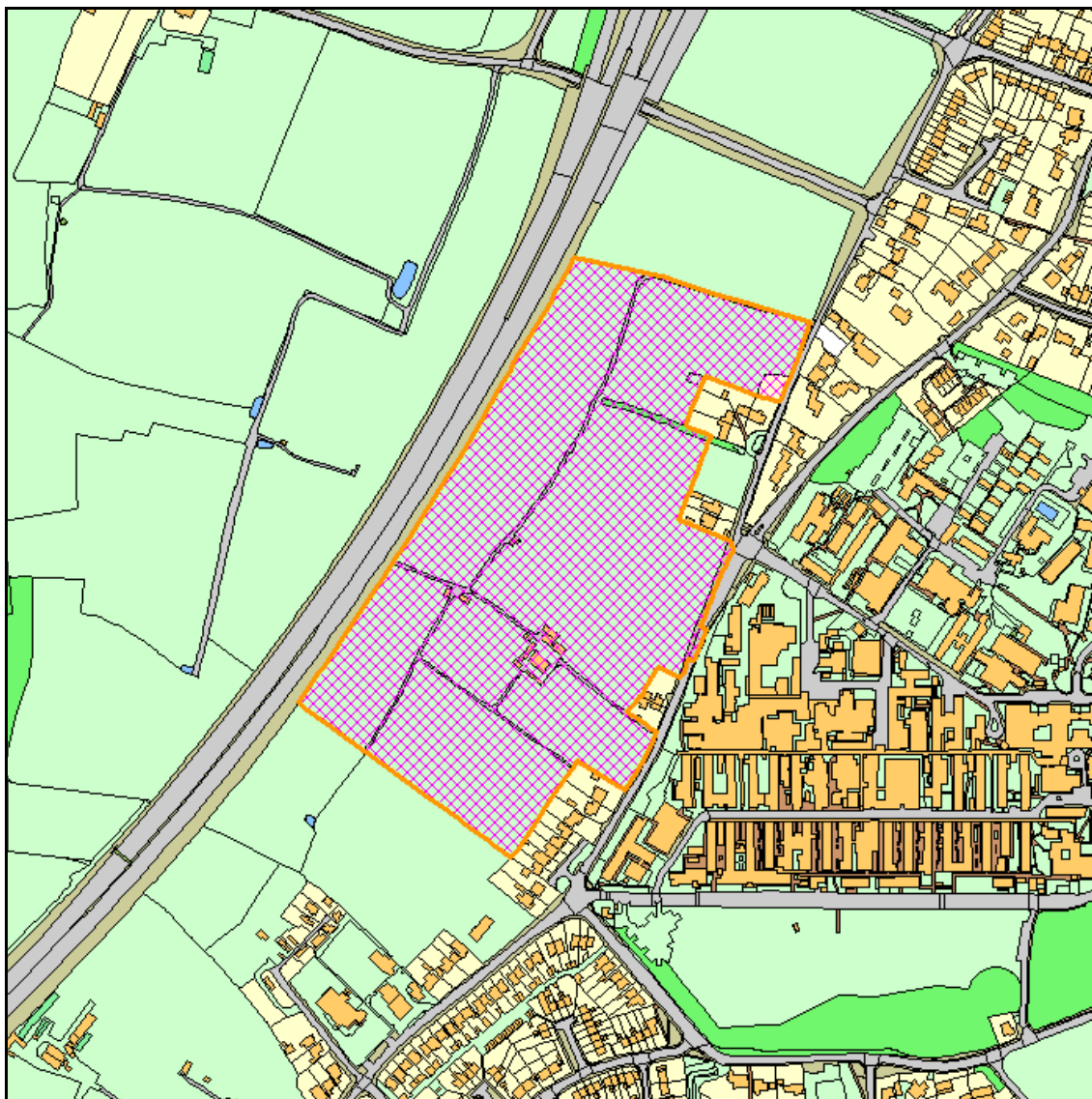
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s)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

CIRCULATED SCHEDULE - 30 SEPTEMBER 2016

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/1631/RV	Approve with Conditions	Land At Frenchay Park Road Frenchay South Gloucestershire BS16 1LE	Frenchay And Stoke Park	Winterbourne Parish Council
2	PK16/3488/LB	Approve with Conditions	Twin Gables Carsons Road Mangotsfield South Gloucestershire BS16 9LW	Siston	Siston Parish Council
3	PK16/3762/F	Approve with Conditions	253 Badminton Road Downend South Gloucestershire BS16 6NR	Emersons	Downend And Bromley Heath Parish Council
4	PK16/3948/F	Approve with Conditions	43 School Road Oldland Common South Gloucestershire BS30 6PH	Oldland	Bitton Parish Council
5	PK16/4021/F	Approve with Conditions	85 Blackhorse Road Mangotsfield South Gloucestershire BS16 9AY	Rodway	Emersons Green Town Council
6	PK16/4214/F	Approve with Conditions	Kingswood Learning Difficulty Service Hanham Road Kingswood South Gloucestershire	Woodstock	None
7	PK16/4560/F	Approve with Conditions	Cotswold Cottage Badminton Road Old Sodbury South Gloucestershire BS37 6LY	Cotswold Edge	Sodbury Town Council
8	PK16/4567/F	Approve with Conditions	85 Bath Road Willsbridge South Gloucestershire BS30 6ED	Bitton	Oldland Parish Council
9	PK16/4624/CLP	Approve with Conditions	Rock Villa 47 Main Road Mangotsfield South Gloucestershire BS16 9NQ	Boyd Valley	Pucklechurch Parish Council
10	PK16/4637/F	Approve with Conditions	50 Lulworth Crescent Downend South Gloucestershire BS16 6RZ	Emersons	Emersons Green Town Council
11	PK16/4861/F	Approve with Conditions	111 Badminton Road Downend South Gloucestershire BS16 6BY	Downend	Downend And Bromley Heath Parish Council
12	PK16/4882/F	Approve with Conditions	5 Heath Rise Cadbury Heath South Gloucestershire	Parkwall	Oldland Parish Council
13	PT16/1687/F	Approve with Conditions	Walnut Tree House Townwell Cromhall South Gloucestershire GL12 8AQ	Charfield	Cromhall Parish Council
14	PT16/3706/F	Approve with Conditions	Crantock Filton Lane Stoke Gifford South Gloucestershire BS34 8QN	Frenchay And Stoke Park	Stoke Gifford Parish Council
15	PT16/4086/F	Approve with Conditions	8 Abbott Road Severn Beach South Gloucestershire	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
16	PT16/4307/F	Approve with Conditions	15 Stoke Lane Patchway South Gloucestershire BS34 6BN	Bradley Stoke Central And Stoke Lodge	Stoke Lodge And The Common
17	PT16/4490/F	Approve with Conditions	34 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QB	Frenchay And Stoke Park	Stoke Gifford Parish Council
18	PT16/4648/ADV	Approve	First Floor 29A High Street Thornbury South Gloucestershire BS35 2AR	Thornbury North	Thornbury Town Council
19	PT16/4690/F	Approve with Conditions	10 Ferndale Road Filton South Gloucestershire BS7 0RP	Filton	Filton Town Council
20	PT16/4721/CLP	Approve with Conditions	6 Park Crescent Frenchay South Gloucestershire BS16 1PD	Frenchay And Stoke Park	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/1631/RVC	Applicant:	Redrow Homes in conjunction with Lockleaze Recreation Gro...
Site:	Land At Frenchay Park Road Frenchay Bristol South Gloucestershire BS16 1LE	Date Reg:	18th May 2016
Proposal:	Variation of condition 31 (approved plans) of permission ref: PT15/0493/F (Demolition of existing derelict buildings and development of a new community sports facility for relocation of Dings Crusaders Rugby Football Club comprising all weather sports pitch and grass rugby pitches (including floodlighting to two pitches), erection of clubhouse building (including community sports hall, changing rooms, spectator seating and viewing area, function/meeting rooms and club shop), car parking, creation of new vehicular and pedestrian/cycle accesses, grounds equipment area and fencing, landscaping, sustainable urban drainage and associated infrastructure works), to allow minor material amendments to the approved plans (amendments include changes to the car parking layout, 2 no new sub-bench canopies, relocation of maintenance store and sub-station, alterations to fencing, alterations to the clubhouse building and external stand seating and access steps.	Parish:	Winterbourne Parish Council
Map Ref:	363380 177633	Ward:	Frenchay And Stoke Park
Application	Major	Target	17th August 2016
Category:		Date:	



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N.T.S.

PK16/1631/RVC

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because objections have been received from members of the public which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 Members will recall that a new community sports facility at Frenchay Park (application PT15/0493/F) was approved at the Development Control (WEST) Committee on 24th September 2015 to allow Dings Crusaders RFC to relocate from their existing base at the Lockleaze Recreation Ground. Their existing base at Lockleaze recreation ground has been granted planning permission for 152 dwellings (application PT15/0510/F) to provide the capital for the new community sports facilities to be developed.
- 1.2 This application seeks planning permission for the variation of condition 31(approved plans) of permission no. PT15/0493/F to allow minor material amendments to the approved plans. The minor material amendments requested comprise the following:
 - Alterations to car parking layout;
 - Alterations to bin store provision;
 - Alterations to the appearance of the clubhouse;
 - Increase in height of the building by approximately 200mm;
 - Alterations to the internal floor area of the clubhouse;
 - Alterations to the equipment store and sub-station.
- 1.3 The application site comprises approximately 10.60 hectares of agricultural land. The M32 motorway abuts the western boundary of the site; an agricultural field abuts the northern boundary; a grass football pitch abuts the southern boundary; the site abuts the rear garden boundaries of residential properties on the eastern boundary, as well as Frenchay Park Road and Old Gloucester Road. The Frenchay Hospital development site is located on the opposite side of Frenchay Park Road; the grade II* listed building Dower House and Stoke Park, which is a grade II registered park and garden, are located to the southeast of the application site at a distance of approximately 1.15km.
- 1.4 The site is located in the open Green Belt outside of any defined settlement boundary. The majority of the site (39%) is grade 1 (excellent quality) agricultural land; 33% is grade 2 (very good quality); the remainder (28%) is grade 3a (good quality).
- 1.5 A screening opinion has been carried out under application PK16/023/SCR. It was the Local Planning Authority's decision that an EIA was not required.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

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

L1 Landscape Protection and Enhancement

L9 Species Protection

L10 Historic Parks and Gardens and Battlefields

L11 Archaeology

L13 Listed Buildings

L16 Protecting the Best Agricultural Land

EP2 Flood Risk and Development

T7 Cycle Parking

T12 Transportation Development Control Policy for New Development

LC5 Proposals for Outdoor Sports and Recreation Outside Existing Urban Areas and Defined Settlement Boundaries

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS2 Green Infrastructure

CS4a Presumption in Favour of Sustainable Development

CS7 Strategic Transport Infrastructure

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS24 Green Infrastructure, Sport and Recreation

CS25 Communities of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

The South Gloucestershire Development in the Green Belt SPD (adopted)

The South Gloucestershire Waste SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT15/0493/F, Demolition of existing derelict buildings and development of a new community sports facility for relocation of Dings Crusaders Rugby Football Club comprising all weather sports pitch and grass rugby pitches (including floodlighting to two pitches), erection of clubhouse building (including community sports hall, changing rooms, spectator seating and viewing area, function/meeting rooms and club shop), car parking, creation of new vehicular and pedestrian/cycle accesses, grounds equipment area and fencing, landscaping, sustainable urban drainage and associated infrastructure works, approved on 4th April 2016.
- 3.2 PT14/2849/F, Demolition of existing changing rooms and clubhouse and proposed development of 95no. dwellings, provision of sports centre, all weather pitches, grass pitches, multi-use games area, car parking, new informal and formal public open space, car parking and other ancillary development - site falls within South Gloucestershire and Bristol City Council areas. (Major application) The development to be considered by South

Gloucestershire Council comprises 95 dwellings multi games arena, formal and informal open space and car parking, approval, 28/07/15.

PT14/3471/F, Construction of new football pitch including drainage and associated landscaping. Upgrade of existing football pitch, approval, 19/01/15.

PT14/2400/F, Change of use of agricultural land to 2no. sports playing pitches (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated works, approval, 12/12/14.

PT15/1377/F, Erection of single storey building to form changing rooms, ancillary facilities and associated works, approval, 01/06/15.

PT13/0002/O, Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved, approval, 05/12/14.

PT13/045/SCR, Screening opinion for provision of new ground and facilities for Lockleaze Recreation, EIA not required, 24.01.2014.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

No objection

4.2 Ecological Officer

I have no comment to make on this application.

4.3 Historic England

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

4.4 Highway Structures Officer

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

4.5 Sports England

After consulting the RFU, Sports England has no comments to make.

4.6 Economic Development

On review of the application presented it is the view of the Strategic Economic Development Team at South Gloucestershire Council that we do not object to this application.

4.7 Wessex Water

No comment

4.8 Conservation Officer

I would therefore concur with the Urban Design Officer's conclusions that the proposed amendments along with resulting in a diminution in the overall quality of the scheme, would appear to increase the visual impact of the structure in this very sensitive location. The lack of information and issues regarding the accuracy of what is shown is also not acceptable.

Consequently with the previous scheme considered to cause harm to the Stoke Park registered garden and the setting of the listed Dower House, it follows that the revised scheme presented, by virtue of its design, layout and form, would materially exacerbate the harm caused and so refusal is recommended unless the scheme is either revised to address the concerns laid out within the Urban Designer's response or is withdrawn.

4.9 Urban Design

Comments on the revised drawings as follows:

- ☐ Welcome the re-instatement of the waste store into the building.
- ☐ Welcome omission of the sign adjacent to the coach parking.
- ☐ On dwg no. PL512 E I note the example of the covered team bench. This is acceptable in principle – a design with a transparent covering. We should approve the model to be used, as the designs can vary considerably and most have solid coverings
- ☐ On dwg no. PL512 E 02 north elevation of the substation there is a note stating the substation gate will be a painted metal hinged gate, however the drawing shows it as cladded. Is this a mistake? My preference is for a cladded gate as per item 'e' on the equipment store.
- ☐ The canopy design has been angled and the cladding made thinner to create a more tapered edge. Whilst this is not as successful as the original design, it is now acceptable.
- ☐ I remain of the opinion that an additional opening in the entrance façade will improve the design

Things remaining to be agreed/conditioned:

- Any external lighting on the building, for example any highlighting of the entrance and 'feature' club name
- The design of the front elevation signage. It appears to be incised into the brick, but this needs to be made clear.
- Design of brick feature on rear elevation
- Building Materials samples and colours
- Spectator seat design and colours
- Team bench design
- Railing design and colour finish
- Cycle stand design

- Block paving for parking/turning areas
- Ground floor doors

4.10 Drainage Officer

I have no objection to this variation of condition application.

4.11 Archaeological Officer

Condition 2 of PT15.0493/F can be discharged on the basis of the submitted evaluation report, development should be carried out in accordance with the details submitted

4.12 Highways England

Offer no objection

4.13 Landscape Officer

I am glad to see that you managed to get the bin store moved. The cross sections through the junior pitch and the second team pitch show the increase in height of the ground over what was submitted. In my view this 1:4 slope and the 1:6 slope to the main pitch makes a poor junction with the surrounding flat landscape, particularly as it is regular and angular. The best solution would be to keep at the original level as this would reduce the slope to an acceptable level.

4.14 Environmental Protection Officer

No objection

4.15 Transportation DC Officer

There is no transportation objection to this proposal.

4.16 Public Rights of Way Officer

The proposal may affect footpath LWB/3, which is at present a dead end path that was severed by the M32 motorway. However, it appears that there are no proposals to infringe upon the line of the footpath and we have no objection to the application.

Other Representations

4.17 Local Residents

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

Not in keeping with the area;

Visitor traffic will be substantial, Frenchay Hospital and Metrobus are in close proximity;

Pedestrian/cycle access is at a dangerous point on the road;

Frenchay needs to retain some of its open space;

Noise and nuisance caused by alcohol would disturb residents.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Members of the Development Control (WEST) Planning Committee resolved to grant planning permission for the development proposed under application PT15/0493/F on 24th September 2015. Therefore, the principle of large scale, and intensive sports use at this site within the Green Belt and outside of any defined settlement boundary, has already been established. In the previously approved scheme, whilst it was accepted that the proposed development represented inappropriate development in the Green Belt, the very special circumstances provided were held by Members to clearly and demonstrably outweigh the harm to the green belt by reason of inappropriateness, and any other harm. The very special circumstances related to the poor condition of the clubs existing facilities, which affected the viability of the future of the club; the lack of any non-green belt alternative sites; and the wider 'special benefits' associated with the proposals.

- 5.2 The proposed amendments are primarily cosmetic and relate to the appearance of the clubhouse building and alterations to the layout of the car park. The site is not larger than the previously approved scheme; therefore the proposal will not encroach any further into the countryside. The main issue is that the proposal increases the height of the building by some 200mm and introduces new external structures such as a team bench enclosures and equipment store. The sub-station and equipment store, previously within a single enclosure, have been separated with the substation located to the opposite side of the vehicular access and the equipment store to the north edge of the 3G pitch. However, they are both small single storey structures, which will be located close to the 3G pitch. Both are also reasonably necessary facilities for outdoor sport, the principle of which has already been established. In addition, the clubhouse is increasing in height by just 200mm; therefore, the Planning Officer considers that the overall cumulative impact of the amendments on the openness of the green belt is very small, and not materially greater than the previously approved scheme. As such, the very special circumstances previously proposed sufficiently outweigh the harm to the Green Belt by reason of inappropriateness, the impact on openness and loss of Best and Most Versatile (BMV) agricultural land.

5.3 Urban Design

The Urban Design Officer originally raised concerns that the separation and relocation into more visible areas of the equipment store and sub-station, and the introduction of a refuse/recycling area and team bench enclosures would result in a more cluttered form of development and increase the impact of these structures in the public realm.

- 5.4 The Urban Design Officer also raised concerns that the proposed amendments could 'water down' of the design of the club house building. For example, the amount of glazing in the main entrance in the principal elevation was reduced in width from 7 metres to 3.5 features, which in addition to the omission of a window detail, resulted in an increase in an area of void and a less visually interesting principal elevation. In addition, on the northern elevation, the spectator stands were raised in height, the access staircases moved to a central position, and the canopy amended from a pitched to a flat design. This resulted in the northern elevation having a less attractive appearance, being more enclosed and bulky.

- 5.5 Following officer negotiations with the applicant, a number of changes have been made to the scheme to improve the quality of the design, making it more in keeping with the originally approved proposal. The external bin store proposed in the car park has been relocated to the original location inside the clubhouse building; and examples of covered team shelters with translucent coverings have been provided, which is acceptable. In conjunction with a rationalisation of the cladding materials for the substation and equipment store enclosures, to be consistent with a timber boarded ticket fence proposed to the east of the 3G pitch, the amendments would result in a less cluttered public realm. In addition, the glazing on the principal eastern elevation of the building has been increased in width to 5 metres; the canopy has reverted to a more elegant pitched and tapered design, which in combination with the relocation of staircases providing access to the stands, will give the northern elevation a more open and refined appearance.
- 5.6 The applicant has not acceded to the Planning Officers request to reinstate a window in the principal eastern elevation as per the previously approved scheme. The Urban Design Officer considers that the principal elevation would benefit from the layering and interest that the window would provide, and has objected to the omission of the window. The applicant's architect has responded that *"the building was conceived as a contemporary 'barn' with carefully arranged groups of openings that responds to specific views and enables other areas to be windowless without appearing inappropriate or lacking coherence (e.g. a sports hall)"*. The Planning Officer considers that the omission of the window, resulting in an area of void in its place, has resulted in a less interesting principal elevation; however, it is not considered that the omission of the window will significantly harm the appearance of the principle elevation; and with the building being set back 131 metres from Frenchay Park Road behind existing vegetation, the eastern principal elevation will primarily only be viewed within the context of the site and will not be prominent from views from the surrounding area. Accordingly, given the improvements made elsewhere to the design of the building, the level of harm resulting from the omission of the window is not considered to be significant enough to warrant a refusal on this basis, when balanced against the benefits of the scheme. The concerns raised by the member of the public that the proposal is out of keeping with the area are noted; however, significant weight is given to the fact that a large sports facility has already been granted at the site by virtue of the previously approved permission, and it is considered that there will not be a significantly greater effect in terms of visual amenity.
- 5.7 Any external lighting on the building, such as the highlighting of the entrance and 'feature' club name, as well as any external signage will require separate consent under Advertisement Regulations. An informative note is appropriate to bring this attention to the applicant.
- 5.8 Conditions previously attached to the consent in relation to urban design will be copied over to the new consent to ensure an adequate standard of external appearance.

5.9 Landscape

The car parking layout has been altered from the previously approved scheme in that some spaces originally proposed as overspill parking have been incorporated into the main car park. There is however, no increase in the overall number of car parking spaces at the site. Although the amended layout has resulted in the loss of some landscaping within the car park, it is a more efficient layout, which omits parking on a large grass area to the north of the car park and will provide a better setting to the adjacent pedestrian path. The Landscape Officer raised concerns regarding the position of five parking spaces located on the access drive, as they would have had a detrimental effect on the appearance of the site entrance; therefore, revised plans have subsequently been received, which have removed these five parking spaces. Although landscaping details were approved in the original application (PT15/0493/F) the plans need to reflect the proposed revised car park layout. A revised landscaping plan has not been submitted as part of the application proposals; therefore, a condition for an amended landscape plan to be submitted is attached. A timescale of 3 months from the date of this decision is considered reasonable.

- 5.10 Following concerns raised by the Landscape Officer that ground levels of the southern junior pitch appear to have been raised, detailed cross sections have been submitted. The sections indicate that the junior pitch would be approximately 0.5 metres higher than the approved pitch in places. The Landscape Officer has also raised concerns that the resulting 1:4 and 1:6 slopes make a poor junction with the surrounding flat landscape, particularly if it is regular and angular. However, considering the development as a whole, the Planning Officer does not consider that there would be a materially greater effect on the landscape than the previously approved scheme, and the Landscape Officers concerns can be addressed by a suitably worded condition to ensure the slopes are graded sympathetically.

- 5.11 Other matters have been raised by the Landscape Officer, including providing enhanced planting to the Frenchay Park Road frontage by increasing the variety of species to give more of a parkland character, and an expansion of tree planting between the floodlit pitches and motorway corridor. Significant weight should be attached to the proposal being the same in these details as the previously approved scheme; therefore, it is considered that the scheme proposed is acceptable in respect of landscape impacts and there is no objection accordingly.

5.12 Impact on Historic Environment

The Council's Conservation Officer objected to the previously approved scheme, and has therefore, objected to the proposed scheme, reflecting the Urban Design Officer's concerns that the design had been 'watered down'. However, the previous decision to approve the development is a material consideration which must be afforded full weight. In addition, the proposal has been revised to improve the quality of the design, and subsequently the only design issue that remains relates to the omission of a window on the eastern elevation of the clubhouse. This elevation will not be visible from the grade II* listed Dower House or the grade II Registered Park and Garden Stoke Park. The application site is approximately 590 metres from Stoke Park and 915

metres from The Dower House and the Planning Officer considers that in this context the amendments proposed are relatively minor in nature. The previously approved scheme holds full weight when considering the proposal, and it is not considered that the amended scheme would have a materially greater effect on designated heritage assets.

5.13 Impact on Archaeological Remains

In the original application (PT15/0493/F) it was determined that there are unlikely to be any remains of national significance on the site. However, it was considered necessary for a scheme of trial trenching to be undertaken to support the geophysical survey undertaken, and a condition was attached on this basis. The trial trenching has been carried out in accordance with the condition and an evaluation report submitted to the Local Planning Authority, which was considered acceptable by the Archaeological Officer. Subject to a condition to ensure the development is carried out in accordance with the evaluation report, there is no objection to the proposal in archaeological terms.

5.14 Residential Amenity

The balcony on the southern elevation of the proposed clubhouse has increased in width from 1.5 metres to 2.3 metres; however, the pitches and floodlighting proposed are no closer to residential properties than the previously approved scheme. Given the level of separation between the clubhouse and residential properties, it is not considered that there would be a significantly greater effect on the residential amenity of neighbouring occupiers than the previously approved scheme in terms of loss of privacy, loss of natural light, noise or disturbance. Conditions from the original consent restricting hours of use of pitches, the clubhouse balcony, floodlighting, and the playing of live/amplified music will be copied over to the new consent.

5.15 Environmental Effects

Noise Impacts

When considering the changes to the scheme, the main issue relates to the car park which has moved closer to the rear garden boundary of the neighbouring properties 271 and 273 Frenchay Park Road; therefore, consideration is required with regards to the impact on neighbouring occupiers in terms of noise. The applicant has submitted a Noise Impact Assessment, which addresses this specific issue. The Assessment has divided car park noise into two elements. Firstly, the car parks up and a door is opened and closed. Secondly, a car boot is opened and closed, a car door opened and closed and then the car departs. The Assessment calculates that for the period with the lowest measured 1-hour noise level, the predicted change in ambient noise level would result in a 'slight impact' (an increase of 2dB) at the closest residential receptors (271 and 273 Frenchay Park Road). The Assessment indicates that guidance states that a change of 3dB is the minimum perceptible under normal conditions to the human ear, and a change of 10dB corresponds roughly to halving or doubling the loudness of a sound; therefore, a change of 2dB should not be perceptible to neighbouring occupiers. The Council's Environmental Health Officer has considered the Noise Impact Assessment submitted and has raised no objections. Accordingly, it is not considered that the proposal would have a significantly greater effect on the residential amenity

of neighbouring occupiers in respect of noise than the previously approved scheme.

5.16 Air Quality Impacts

In the original application (PT15/0493/F) no objections were raised regarding air quality impacts for operational and construction phases. However, for the construction phase, mitigation measures were required in respect of dust emissions to reduce impacts on nearby sensitive receptors. Condition 9 of the original application requires a Construction Environmental Management Plan (CEMP), to include measures to reduce the impacts of dust emissions on neighbouring properties, to be submitted prior to the commencement of development. A Construction Environmental Management Plan (CEMP) has subsequently been submitted to and approved by the Local Planning Authority; therefore, a condition is required to ensure that development is carried out in accordance with the approved CEMP.

5.17 Ecological Impacts

No evidence was found of any buildings at the site being habitat to roosting bats. It was also considered that the dilapidated condition of the buildings meant that they would provide negligible potential to support roosting bats. No ecological objections were raised on this basis and the buildings have now been removed from the site. It was considered that the development, which would retain a significant amount of native hedgerow, would provide an opportunity for biodiversity enhancements; and an Ecological Mitigation and Enhancement Plan condition was attached to the original consent accordingly. An Ecological Mitigation and Enhancement Plan has subsequently been submitted to and approved by the Local Planning Authority to satisfy the condition; therefore, provided that the development is carried out in accordance with the approved details, there is no ecological objections to the proposal. A condition is attached on this basis.

5.18 Transportation

Alterations have been made to the car parking layout. Overspill parking spaces to the north have been omitted, and are now provided as hard standing within the main car park. The location of coach parking has also be relocated in a tandem arrangement adjacent to the 3G pitch. In addition, the previously misaligned north and south loops of the car park have been aligned to provide a simpler circulation route for traffic. No alterations are proposed to the overall number of parking spaces at the site. The Council's Transportation Officer has raised no objections to the amendments and it is considered that there would be no significant adverse effects in terms of highway safety. Conditions on the original consent requiring a Construction Traffic Management Plan (CTMP), and details of pedestrian and vehicular access works to be agreed with the Local Planning Authority have subsequently been discharged. Conditions are required to ensure that the development is carried out in accordance with these approved details.

5.19 Drainage

The site is located within Flood Zone 1; therefore, it is not considered that flooding will pose a significant risk to the development; and the Council's Drainage Officer has raised no objection to the proposed amendments.

Drainage details have been submitted and approved by the Local Planning Authority in respect of condition 11 of the previously approved consent; a condition is therefore, required to ensure that the development is carried out in accordance with these approved details.

- 5.20 Although the site is not in an area that is designated to be at a high risk from previous coal mining activity, there is always the potential for development to be impacted by previous unrecorded coal mining activity. An informative note is considered appropriate to bring this to the attention of the applicant.

5.21 Impact on Trees

No arboricultural objections were raised to the original application, as no category A trees (trees of high quality and value) or vegetation would be removed from the site, and the fact that the majority of the existing trees and vegetation would be retained through the course of the development. Given the nature of the amendments proposed, it is not considered that there would be a materially greater impact on trees or vegetation than the previously approved scheme.

5.22 Ground Contamination

Conditions on the original decision relating the requirement for a desktop study to identify potential risks from contamination at the site, a site investigation, and a subsequent options appraisal and remediation strategy have been discharged by the Local Planning Authority. A verification plan providing details of the data that will be collected in order to demonstrate that the remediation works have been completed is required, and a condition is attached accordingly.

5.23 Review of Planning Conditions

Engineering operations relating to the formation of the car park, suds basins, and pitches have commenced on site. It is also noted that the seeding to the majority of the pitches has been undertaken. The majority of pre-commencement conditions have been discharged, and nearly all outstanding conditions have triggers that are “prior to the first use of the site for recreational purposes” and “prior to construction above Damp Proof Course (DPC) level”, which can be copied over to the new consent. Three pre-commencement conditions are outstanding, and these conditions will be re-written with appropriate timescale for the submission of details to ensure the scheme is completed to a high quality.

5.24 Further Matters

The objections received from members of the public are noted; however, the issues raised such as increase in traffic with Frenchay Hospital and the metrobus being in close proximity, the suitability of the pedestrian and cycle access, loss of public open space, and noise and disturbance from users of the facility have already been considered in the original application, which was approved by the Development Control (West) Planning Committee, and this amended scheme would result in no material changes to the impact in respect of these issues. Accordingly, there are no objections on this basis.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 Planning permission is **GRANTED** subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. The development shall be carried out in accordance with the submitted Archaeological Evaluation Report dated 28th April 2016 approved by the Local Planning Authority on 22nd August 2016.

Reason

In the interest of archaeological investigation or recording and in order to ensure the adequate protection of archaeological remains, and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

2. The development shall be carried out in accordance with the Ecological Mitigation and Enhancement Plan dated April 2016 approved by the Local Planning Authority on 22nd August 2016.

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 (saved policy); and policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. There shall be no use of the sports pitches hereby approved outside the hours of 7:00am - 11pm.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. The first floor terrace/balcony of the clubhouse hereby permitted shall not be in use outside the hours of 7:00am - 11:00pm.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

5. There shall be no playing of live or amplified music within the clubhouse outside of the following times:
Monday - Saturday..... 6:30pm - 11pm
Sundays and Bank holidays.....6:30pm -9pm

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

6. Notwithstanding the details submitted prior to the erection of any floodlighting, a revised lighting analysis report shall be submitted to and approved in writing by the Local Planning Authority. (For the avoidance of doubt the details shall include vertical and horizontal isolux plans on a scalable OS map). The floodlighting shall conform at all times with the agreed details. The floodlighting shall be switched off promptly when the use of pitches has finished and all floodlights shall be turned off at 11:00pm at the latest.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

7. The hours of working on site during the period of construction shall be restricted to the following times:

Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm

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

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

8. The development shall be carried out in accordance with the revised CEMP (rev A) submitted on 2nd August 2016 and approved by the Local Planning Authority on 8th August 2016.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

9. The development shall be carried out in accordance with the Soil Handling and Mitigation Strategy dated April 2016 approved by the Local Planning Authority on 22nd August 2016.

Reason

To ensure appropriate treatment of Best and Most Versatile (BMV) soils to safeguard the potential for local food cultivation and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

10. Development shall be carried out in accordance with the drainage report received on 29th April 2016, and additional information received on 21st June 2016 and approved by the Local Planning Authority on 22nd August 2016.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy EP2 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

11. Prior to the first use of the clubhouse hereby approved, details of grease and fat interceptors to be provided in the clubhouse and a programme of maintenance 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.

Reason

To prevent blocking of the drainage system and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

12. The development shall be carried out in accordance with the agreed ground remediation strategy received on 8th June 2016, Supplementary Ground Investigation Works report received on 14th June 2016 and additional details received on 14th and 19th July 2016. Prior to the first use of the site for recreational purposes a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action 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.

Reason

To ensure adequate measures have been taken to mitigate against contaminated land and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

13. Prior to the first use of the site for recreational purposes a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason

To ensure adequate measures have been taken to mitigate against contaminated land and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

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

Reason

To ensure adequate measures have been taken to mitigate against contaminated land and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

15. Within 3 month of the date of this decision technical specifications of the 3G pitch, including size, line markings, pile length, shockpad and team bench canopies shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To ensure the development is fit for purpose and sustainable and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

16. Within 2 months of the date of the decision a detailed scheme, to include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation 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 recreational use of the site and thereafter be maintained in accordance with the approved details.

Reason

To ensure that the playing fields are prepared to an adequate standard and are fit for purpose and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

17. The playing pitches hereby approved shall be laid out in accordance with the Proposed Site Master Plan no.PL110 Q received by the Council on 30th June 2016 and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sports England, 2011), and shall be made available for use prior to the first use of the approved clubhouse building.

Reason

To ensure the pitches are provided to an adequate standard and in a timely manner to meet the needs of the local community and to accord with policies CS1 and CS24 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy LC9 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

18. Prior to the first use of the pitches hereby approved a hedgerow planting and maintenance plan for the western boundary of the site shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To adequately screen artificial lighting, potential stray balls and potential glare from the from the M32 in the interests of highway safety and to accord with policies T12 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

19. The development shall be carried out in accordance with the revised Construction Traffic Management Plan (CTMP) (rev A) submitted on 19th July 2016 and approved by the Local Planning Authority on 8th August 2016.

Reason

In the interests of highway safety and residential amenity and to accord with policies T12 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

20. The associated highway works shall be carried out in accordance with the transportation details prepared by Hydrock dated April 2016 and approved by the Local Planning Authority on 22nd August 2016 prior to the first recreational use of the site.

Reason

To ensure an appropriate means of access is provided to serve the development in the interests of highway safety and to accord with policies T12 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

21. Prior to the construction of the development above Damp Proof Course (DPC) level samples of materials of all external surfaces of the clubhouse building shall be

submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of appearance and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

22. Notwithstanding the details submitted prior to the construction of the development above Damp Proof Course (DPC) level, a detailed plan at a minimum scale of 1:50 showing detailing on the brick base of the clubhouse building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of appearance and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

23. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the first recreational use of the site or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason

In the interests of the character and visual amenity of the area and to accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

24. The development shall be carried out in accordance with the Arboricultural Method Statement prepared by Tyler Grange and received by the Council on 8th May.

Reason

In the interests of the health of trees in the interests of the character and visual amenity of the area and to accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

25. Within 3 months of the date of this permission, layout plans of car parking areas at a minimum scale of 1:50 with key junctions of materials at a minimum of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of appearance and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

26. Prior to the first use of the site for recreational purposes the following details relating to refuse bins shall be submitted to and agreed in writing by the Local Planning Authority:
- o the detailed design of the bins (they should be wind, weather and seagull proof);
 - o the location of bins across the site;

o a strategy of how waste from spectators/visitors will be collected and separated for storage and collection from the bin store.

The development shall be carried out in accordance with the agreed details.

Reason

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

27. The development shall be carried out in accordance with the energy efficiency and low carbon measures outlined in the addendum energy statement received by the Council on 15th July 2015.

Reason

To achieve improved energy conservation, and protect environmental resources and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that order) the premises shall only be used for the purposes specified in the application, and as shown on drawing nos. PL500 Q and PL501 Q and for no other purpose (including any other purpose in Class D2) on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason

Any use other than that approved will require further consideration by the Local Planning Authority to safeguard the amenities of the area and highway safety to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy T12 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

29. The clubhouse building, car parking area, and 3G pitch shall be removed and the land restored to its former condition if they are no longer required for recreational use up to the end of December 2040.

Reason

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

30. The development shall be carried out strictly in accordance with the submitted plans as detailed below:

Additional elevations (misc) proposed, PL512 G
Received on 12th August 2016

Proposed site master plan, PL110 Q
Proposed ground floor plan, PL500 Q
Proposed elevation, PL511 H

Building detailed elevations, PL531 C
Proposed first floor plan, PL501 Q
Building section proposed, PL521 E
Proposed elevation, PL510 H
Proposed site entrance plan, PL111 G
Received on 30th June 2016

Cross sections for planning, C-SK01 C2
Received on 8th June 2016

Site sections, PL202 B
Part site/building plan roof proposed, PL502 E
Building scale comparison, PL532 A
Building sections proposed, PL520 D
Received on 19th April 2016

Existing site location plan, PL100 A,
Existing site plan, PL101 B,
Received on 15th July 2015.

Reason

In the interest of clarity and in order to define the planning permission.

31. Within 3 months of the date of the decision a landscaping plan to reflect the latest site layout approved 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.

Reason

In the interests of the character and visual amenity of the area and to accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

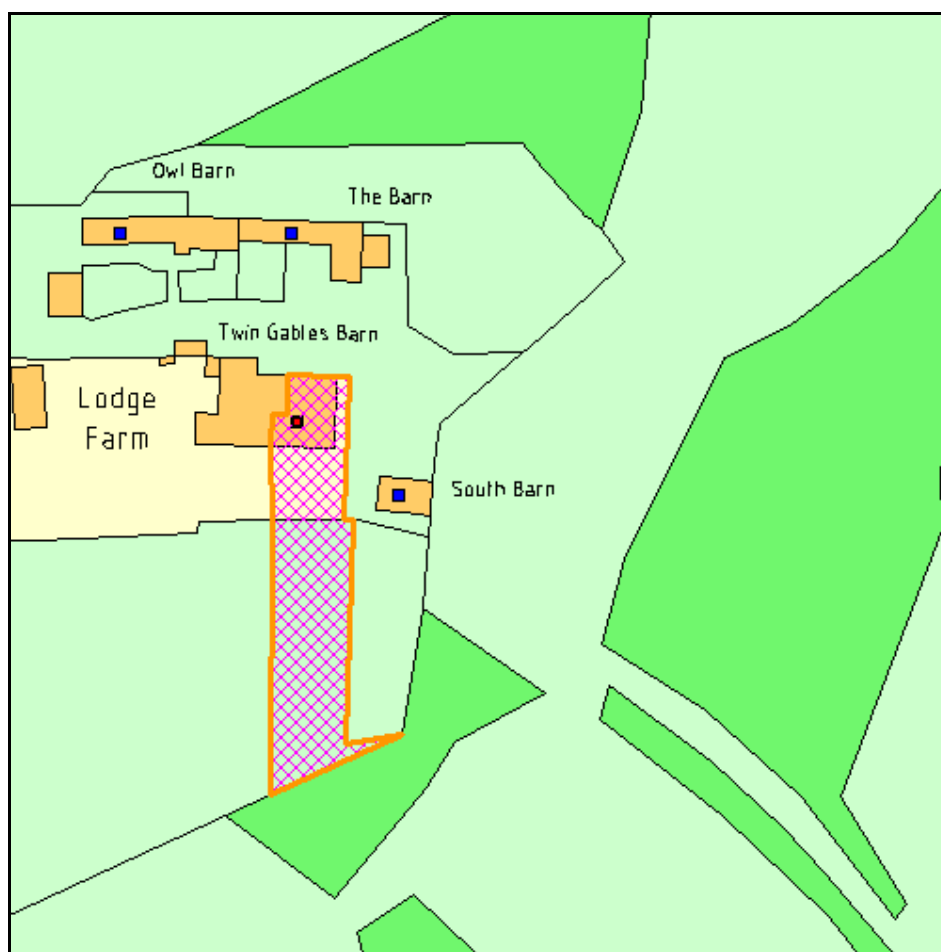
32. Ground levels around the edge of the southern most junior pitch and main grass pitch shall be built up gradually to make up the level difference between the edge of the pitches and the surrounding flat land prior to the first recreational use of the site. For the avoidance of doubt, where there is sufficient space and SUDs engineering requirements allow, a gradient of 1:10 or shallower shall be achieved.

Reason

In the interests of the character and visual amenity of the area and to accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/3488/LB	Applicant:	Mr Michael Foley
Site:	Twin Gables Carsons Road Mangotsfield Bristol South Gloucestershire BS16 9LW	Date Reg:	15th June 2016
Proposal:	Introduction of 3 no. fan lights above existing rear opening, introduction of 1 no. central valley rooflight and extension of an existing mezzanine floor.	Parish:	Siston Parish Council
Map Ref:	367707 175257	Ward:	Siston
Application Category:	Minor	Target Date:	9th August 2016



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PK16/3488/LB

REASON FOR REPORTING TO CIRCULATED SHCEDULE

The application has been referred to Circulated schedule due to comments being received contrary to the findings of this report. As a result under the current scheme of delegation it is required to be taken forward under the circulated schedule procedure.

1. THE PROPOSAL

- 1.1 The application relates to a Grade II curtilage listed building within the curtilage of the property entitled Lodge Farm that is thought to date from the late 17th or early 18th Century. The structure is a 1 and a half storey building with a twin apex roof, rubble elevations and a clay tiles to the roof. The property was once an ancillary building attached to the farm house. The surrounding outbuildings have all been converted to residential uses in recent years with the subject property receiving permission in 2008.
- 1.2 The application seeks to extend and existing mezzanine floor and introduce new windows to the rear portion of the property in the central valley formed between the twin roof apex.
- 1.3 The site is relatively level and situated on a private lane beyond a golf club. The building is surrounded by predominantly residential uses.
- 1.4 The property is situated outside of any defined settlement boundary and within the Bristol/Bath Greenbelt.
- 1.5 The application was previously for a more substantial scheme and included a relatively large rear extension. Following comments from the Listed building and conservation officer and case officer amendments were sought and have been provided.
- 1.6 The original proposal had included a greater scope that necessitated an application for full planning permission. The scheme has been significantly amended following recommendations from the Case Officer and the Listed Building and Conservation Officer and no longer includes any additional built form. The scheme would now be considered to fall into permitted development and no full permission is required. The application reference PK16/3486/F has subsequently been withdrawn. Though the proposal would be considered permitted development it is considered to impact the features that give the building significance and as a listed building does require listed building consent.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy Guidance 2014
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)
The Setting of Heritage Assets (GPA 3)
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
L13 Listed Buildings

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted 2007)

Development in the Greenbelt SPD (Adopted 2007)

3. RELEVANT PLANNING HISTORY

PK14/3417/LB – Approval – 10/11/2014 - Internal alterations to convert bedroom to kitchen including removal of timber and plasterboard stud wall.

PK08/2360/LB – Approval – 07/10/2008 - Internal and external alterations to facilitate the conversion of existing pigsty to form annexe ancillary to existing dwelling. (Resubmission of PK08/0080/LB).

PK08/2357/F – Approval – 07/10/2008 - Conversion of existing pigsty to form annexe ancillary to existing dwelling. (Resubmission of PK08/0041/F).

PK08/2005/LB – Approval – 01/09/2008 - Internal and external alterations to Lodge Farmhouse to facilitate subdivision into 2 no. self contained dwellings. (Application to retain works already carried out.) Erection of boilerhouse to south elevation.

PK08/2003/F – Approval – 01/09/2008 - Alterations to Lodge Farmhouse to facilitate subdivision into 2 no. self contained dwellings. (Retrospective). Erection of boiler house to south elevation.

PK08/0080/LB – Refusal – 07/02/2008 - Internal and external alterations to facilitate the conversion of existing store to form annexe ancillary to existing dwelling.

PK08/0041/F – Refusal – 06/02/2008 - Conversion of existing store to form annexe ancillary to existing dwelling.

PK05/3156/LB – Approval – 20/12/2005 - Alterations to Lodge Farmhouse to facilitate subdivision into 2 no. self contained dwellings. Conversion of 3 no. barns to facilitate 2 no. dwellings and garages (Resubmission of PK05/1135/LB).

PK05/3134/F – Approval – 20/01/2006 - Alterations to Lodge Farmhouse to facilitate subdivision into 2 no. self contained dwellings. Conversion of 3 no. barns to form 2 no. dwellings and garages with associated works (Resubmission of PK05/0951/F).

PK05/1135/LB – Refusal – 03/06/2005 - Alterations and change of use of 3 barns to facilitate conversion to 2 no. dwellings and 1 no. detached garage. Alterations to existing dwelling to facilitate sub division into 2 no. dwellings.

PK05/0951/F – Refusal – 03/06/2005 - Alterations to Lodge Farm to facilitate subdivision into 2no dwellings. Conversion of 2no barns to form self contained dwellings and conversion with associated works.

4. CONSULTATION RESPONSES

4.1 Siston Parish Council
Objection – concerned with any further alterations to this protected area.

4.2 Other Consultees

Archaeological Officer
No objection

Listed Building and Conservation Officer
No objection to the revised proposals

Other Representations

4.3 Local Residents
No Comments Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

According to the Listed Building and Conservation Act (1990) no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character, unless the works are authorised.

5.2 Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Saved policy L13 of the Local Plan states development affecting a listed building will only be permitted where the building and its setting would be preserved and its features that give it significance are retained. Consequently this report will only assess the impact of the proposals on a listed buildings significance weighed against the benefits the proposal would provide.

5.3 Development within the Green Belt would be considered acceptable subject to assessment to elucidate whether they would constitute a disproportionate addition. The NPPF (2012) allows for limited extensions and alterations to buildings within the Green Belt providing that they do not result in disproportionate additions over and above the size of the original building. The proposal would not include any additional built form and consequently is considered to accord with adopted greenbelt policy. The proposal is subject to the consideration below.

5.4 Analysis

The proposal consists of the re-arrangement of the internal configuration of the property and introduction of additional window openings. This includes the

intention to extend an internal mezzanine floor, introduction of 3 fan lights above an existing opening and introduction of 1no. central valley rooflight.

- 5.5 The subject property is a Grade II curtilage listed building constructed in the 17th or 18th Century. The building is constructed of rubble elevations and a clay pitched and twin gabled roof. Policy CS9 of the Core Strategy and Saved Policy L13 of the Local Plan gives the councils view on heritage assets. These assets provide a significant contribution to the character and identity of the area and development should seek to protect and enhance these buildings in accordance with their significance. The property's historic significance is considered to be derived from its external appearance. Consequently any impact on the external appearance as well as the internal arrangement should be assessed. Comments from the Councils Heritage and Conservation Officer have indicated that all the proposals have been considered acceptable. Objection has been received from the Parish council stating that they are concerned with any further alterations to the buildings forming part of listed building curtilage. The proposal has been subject to significant amendments since the original scheme and the only visible part of the proposal will be the additional fan lights to the rear. This rear portion once had a flat roof and was converted to a gable during redevelopment within the last 15 years. It appears as though at this point the rear double folding door was introduced. The fan lights will be introduced above this door and would retain the lintel currently in place. This part of the proposal will be away from the public realm whilst also having an acceptable appearance. There is no objection to the proposed fan lights.
- 5.6 The upper level is not thought to be part of the original fabric of the building and would have been introduced at the time of the flat roof to gable conversion. As a result there is no objection to the expansion of this space to form additional living accommodation.
- 5.7 Materials are not relevant to the planning consideration as the proposal will only include the introduction of additional window openings and the external facing materials will not be impacted.
- 5.8 Listed Building Consent is required for the proposals as they have been considered to have a material impact the features that give the listed building significance. Alterations to the internal partitioning are not original nor visible, are not viewed to negatively impact the balance of the planning consideration. The conservation officer has no objection to these areas and they are therefore viewed as acceptable.
- 5.9 Overall it has been considered that the proposal would improve the amenity of the host dwelling by introducing additional living accommodation and natural lighting whilst not resulting in any material harm to the character of the host dwelling or its context. On balance the proposal has been viewed to have an acceptable impact on the listed building.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

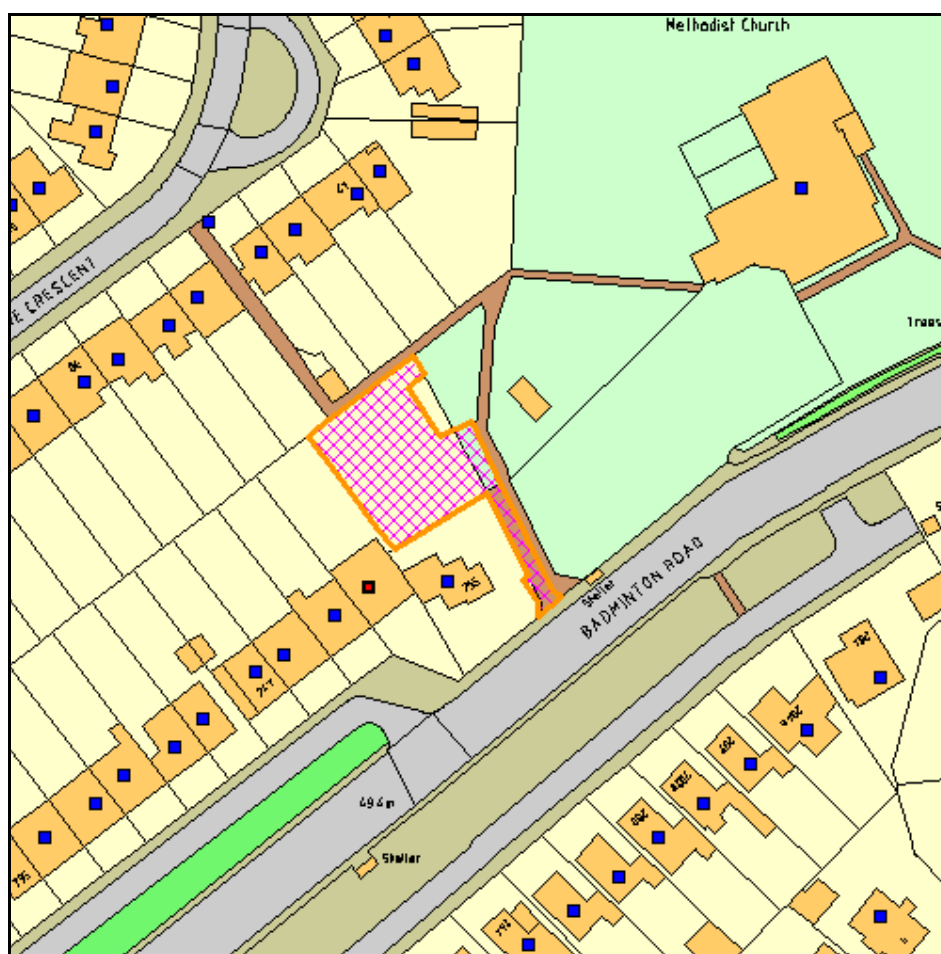
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/3762/F	Applicant:	L And A Developments
Site:	253 Badminton Road Downend Bristol South Gloucestershire BS16 6NR	Date Reg:	27th June 2016
Proposal:	Erection of 1 no. new dwelling and associated works. Amendment to previously approved scheme PK14/3385/F (Retrospective).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365603 177882	Ward:	Emersons Green
Application Category:	Minor	Target Date:	15th August 2016



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PK16/3762/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule to take into account comments of objection received during the public consultation on this application which are contrary to the Officer recommendation for approval.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of one dwelling and associated works. This application is an amendment to a previously approved scheme that was granted planning permission under the Local Planning Authority (LPA) reference PK14/3385/F on 13th November 2014. The amendments have already been implemented meaning the application is retrospective.
- 1.2 The application seeks to gain approval for the following changes:
 - Widening of the site entrance to 4.8 metres and access road to 3.7 metres.
 - Changes to parking and turning facilities.
 - Erection of a single garage that measures 3.9 metres in total height, 6.6 metres in length and 3.3 metres in width.
 - Variation of the external materials for the dwelling.
 - Erection of a porch on the eastern elevation that measures 3.3 metres in total height, 4.3 metres in width and 1.2 metres in length.
 - Changes to the window layout of the dwelling; including the addition of obscure glazed windows on the northern elevation.
 - Change in roof design of the building that facilitates an increase in height by 60cm.
- 1.3 The application site comprises of a parcel of land to the rear of the property No. 255 Badminton Road. The surrounding area is built in form with the erection of 9no. dwellings adjacent to the Badminton Road Methodist Church. North of the site are established dwellings situated along the road Four Acre Crescent. The parcel of land directly to the east of this site has been subject to a planning application for the erection of 1.no detached dwelling and associated works located to the east of this dwelling (PK16/0396/F) . This was refused by the Council on 25th July 2016 as it was considered by Council Officers the development would not sit comfortably in the plot of land and that if permitted, the intensified use of the access road would result in unacceptable highway safety impacts.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

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

H4 Development within Existing Residential Curtilages

T8 Parking Standards

T12 Transportation Development Control

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

2.3 Supplementary Planning Guidance

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

South Gloucestershire Design Checklist (Adopted) August 2007

Residential Parking Standards (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

PK16/0396/F: *Erection of 1.no detached dwelling and associated works. Refused 25th July 2016*

PK14/3385/F: *Erection of 1.no detached dwelling with access and associated works. Granted 13th November 2014*

PK12/1841/F: *Erection of 1.no detached dwelling with access, parking and associated works. Granted 24th May 2013*

PK12/0408/F: Erection of 1no. dwelling with parking and associated works (Resubmission of PK11/2989/F). *Withdrawn*

PK11/2989/F: Erection of 1.no dwelling with parking and associated works. *Withdrawn*

4. **CONSULTATION RESPONSES**

4.1 Downend and Bromley Heath Parish Council

‘No Objection’

Emersons Green Town Council

‘No Comment’

4.2 Other Consultees

Lead Local Flood Authority:

‘The Drainage & Flood Risk Management team have no objection to this application.’

Sustainable Transport:

‘We raised no objection to the previous version and continue to support this application in principle’

However, we had previously expressed concerns about this proposal because of the need to preserve the adjacent footpath and prevent it from becoming absorbed or obstructed by the new properties driveway. To overcome these concerns we requested that a condition be placed on the planning permission granted for this development. This condition would require the full details of the driveway and the means by which the public footpath is to be delineated and preserved be submitted be submitted and approved by the Council before the property is occupied. Otherwise, we have no highways and transportation comments about this application.

Highways Structures:

‘If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.

Or

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

Other Representations

4.3 Local Residents

Objection: 6 letters of Objection have been received and the issues raised are summarised below:

Design –

The roof of the dwelling has been altered in pitch and height. This has resulted in the property appearing significantly larger; resulting in a loss of light to those nearest existing residents.

The new dwelling, due to its increase in height and footprint now appears an imposing structure. This also results in the loss of light and amenity to those nearest dwellings.

Windows have been placed on the north elevation and eastern elevation of the property. While currently obscured glazed, there is no confidence the Council can prohibit the current material being changed at a later date.

The roofing, currently finished in grey roof tile, does not accord with the other properties.

The addition of a porch and garage add to the overall size of the development.

Rooms on the first floor have incorrectly been labelled as 'Kitchens'.

Access -

The developer has managed to widen the access road in two places which is an adopted highway.

Vehicles turning left into the site via Badminton Road will be required reverse onto the public footpath should another vehicle be moving out of the site.

The increase to a 4 bedroom property will increase the number of vehicles present.

The footpath from the new development to Badminton Road has been widened to allow for two cars to pass. This footpath is regularly used and this creates health and safety issues.

The Public Footpath to the rear of the site –

Safety of the footpath has been diminished as a result of the closed board fence being erected adjacent to this.

Other Matters -

Condition 6 relating to planning application PK14/3385/F granted on 13th November 2014 has been breached. An explanation is required as to why this condition is no longer relevant.

Pre-commencement conditions relating to planning application PK14/3385/F granted on 13th November 2014 were not complied with.

Planning history for the site continues to be relevant where previous applications were refused.

The application should only be reviewed by the Council based on the original plot size and should disregard the adjacent plot.

The property is 1.8 metres from the northern boundary. Permitted development rights do not allow an outbuilding greater than 2.5 metres when within 2 metres of the boundary.

Another application has been submitted by the same developer for the plot adjacent that should be a garden, where the previous application was refused. This larger property is not shown accurately in relation to it.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development - Previously Approved Dwelling

5.2 The site benefits from extant planning permission for 1no. dwelling under the LPA reference PK14/3385/F granted 13th November 2014. This application was for the erection of 1.no two storey dwelling and associated works.

5.3 As there is an extant planning permission on the site for a dwelling, the proposal for a single dwelling is accepted in principle subject to the development having acceptable impacts on the surrounding area in terms of design; residential amenity and highway safety. This report will focus on the acceptability of amendments from the previously approved scheme with regards to the Councils adopted development plans and all other material considerations that come into effect.

5.4 Relevant Policies

5.5 The Councils development plan policies ask for development proposals to achieve the highest possible standards of design and site planning. Policy CS1 of the South Gloucestershire Core Strategy (Adopted) 2013 sets out criteria for the assessment of 'high quality' design. Proposals must demonstrate they respect and enhance the character, distinctiveness and amenity of the area.

5.6 Policy H4 of the South Gloucestershire Local Plan (adopted) 2006 is supportive in principle of development within existing residential curtilages. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.

5.7 Policy T12 of the Local Plan requires new development makes adequate, safe and appropriate provision for the transportation demands it will create.

5.8 Supplementary Planning Guidance:

- 5.9 The South Gloucestershire Council Local Plan Policies, Sites and Places Plan has not been formally adopted within the Councils Local Development Framework. Therefore, while some of the policies contained within this document can be used as guidance, less than significant weight should be attached to them.
- 5.10 Emerging Policy PSP1 of the Policies, Sites and Places Plan (proposed) (2016) asks to proposals to provide a positive response to the buildings and characteristics of the surrounding area.
- 5.11 Emerging Policy PSP8 permits development that will not have unacceptable impacts on the residential amenity of occupiers of the proposal or of nearby occupiers.
- 5.12 Guidance contained within the Residential Parking Standards (SPD) (Adopted) 2013 asks for 2.no parking spaces for a four bed dwelling.
- 5.13 Roof Design and Height
- 5.14 Within the 2014 submission, the roof was dual pitched with the northern side tilting upwards. This proposal now features a traditional equal pitched roof, which sees the roof increase in height by 600mm. The materials for the roof have also changed from slate to a more traditional grey roof-tile finish.
- 5.15 Objections received state the proposal now appears overbearing by virtue of an increase in height of 600mm and change to the pitch of the roof. Plans relating to the previously approved scheme indicated the dual pitched roof was primarily in place to accommodate light entering into roof windows. Officers acknowledge the roof design of the previous scheme would have appeared more subtle in appearance. Nevertheless, this proposal must be assessed on its own merits with regards to the adopted development plans. The plans relating to this proposal show the eaves height of the dwelling remains the same, meaning it is necessary to assess whether the increase in the height of the roof adds a degree of visual intrusion, loss of light or loss of outlook.
- 5.16 Of relevance is the distance of the dwelling to those nearest properties. The nearest residential properties on Four Acre Crescent are located approximately 26 metres to the dwelling. The property is separate from these dwellings through two rows of boundaries and the rear gardens of each of the properties. In view of the separation distance, the increase in height will not create unacceptable impacts on existing and future occupiers in terms living conditions or outlook.
- 5.17 This proposal, as with the previous proposal in 2014, represents a form of infill development. Infill development can be defined as development on vacant

land that is enclosed by other built form. Therefore, the dwelling must take account of the height and form of those other dwellings so that it does not appear overbearing to those existing or future occupiers. This dwelling is two-storey and of a similar height to those existing properties situated along Four Acre Crescent and the new properties being developed adjacent to the Badminton Road Methodist Church. The dwelling being infill does occupy a unique position, however taking into account the height and positioning of other dwellings in the surrounding area, it does not result in an overly intrusive building.

- 5.18 Officers have no concerns with the change of material from grey slate to tile. Therefore, taking all matters into account, by virtue of appropriate scale and design, alterations to the roof accord with policy CS1 of the Core Strategy (2013), policy H4 of the Local Plan and emerging policies PSP1 and PSP8 of the Policies, Sites and Places Plan (2016).

5.19 Changes to Window Layout and Sizes

- 5.20 The new dwelling sees both window sizes and layouts changed from the previously approved scheme. The scheme sees a change in window design to adopt more contemporary sizes, with each window finished in grey UPVC. Of importance is the inclusion of 5.no of obscure glazed windows on the north side of the property and change to the window layout on the eastern side; both of which are opposite those nearest properties on Four Acre Crescent.
- 5.21 The previous 2014 scheme (PK14/3385/F) had a planning condition added that prohibited further windows being installed other than those windows indicated within approved plans. The dwelling in the previous scheme showed no windows on the northern elevation of the property. This is the elevation which faces onto the established properties located on Four Acre Avenue. Accordingly, it is necessary to assess whether the addition of these windows detrimentally affects residential amenity of nearby occupiers.
- 5.22 As mentioned above, 5.no obscure glazed windows are located on the north elevation of the dwelling. All of these windows are obscured glazed. Of importance are the two top-opening bathroom windows located just under the eaves of the dwelling and the staircase window that has been implemented centrally. These are the windows which overlook those nearest existing properties and have been a source of concern. The inclusion of obscure glazing means there would be no harmful impact on the occupiers on Four Acre Crescent in terms of privacy. Furthermore, visibility is limited when opening the 2.no top opening bathroom windows. Subsequently, it is necessary deliberate whether the perception of having windows on this elevation is unacceptable. In this instance however, the distance of over 25

metres to those nearest properties means windows on this elevation should not create an uncomfortable feeling for existing occupiers.

5.23 Concerns have also been raised regarding eastern side whereby an unobscured window measuring 1.7 metres in width and 1.2 metres in height is in place. This window primarily overlooks the adjacent plot of land, with limited outlook provided over those nearest gardens along Four Acre Crescent.

5.24 Officers have concluded the changes to the arrangement, sizes and location of windows do not result in any significant level of disturbance or reduction in amenity to neighbouring occupiers. As such, there is no conflict with policy CS1 of the Core Strategy, policy H4 of the Local Plan (2006) or emerging policy PSP8 of the Policies, Sites and Places Plan (2016)

5.25 Materials

5.26 The proposal asks for changes to the external materials. The previously approved scheme in 2014 granted a white render finish to the property with slate tile to the roof. This proposal sees brickwork used 2.1 metres from floor level with the rest of the building up to the eaves being finished in render. Accordingly, it is necessary to consider whether the change in external material results in the dwelling having a detrimental effect the character and appearance of the area.

5.27 The introduction of brick sees the property appear more robust and suburban than the previous design. Situated near to properties finished in brick, it can now be viewed as part of an established pattern of property design rather than a unique feature to the area. The dwelling responds well in context of its current surroundings. The change to this material does not materially harm the character and appearance of the area. As such, the proposal accords with policy CS1 of the Core Strategy (2013) and emerging policy PSP1 of the Policies, Sites and Places Plan (2016).

5.28 Design and Principle Elevation

5.29 Apart from the addition of a small porch on the east side of the building, the dwelling features the same built footprint and occupies the same position as that of the approved dwelling that was granted planning permission in 2014 (PK14/3385/F). The orientation has been changed so that principle elevation of the property is now on the eastern elevation, rather than the southern elevation. This appears to have been implemented in order to provide a focal point to the dwelling, leading into the site via the access. The southern elevation still retains a strong character within this proposal with the retention of large windows, meaning it still keeps many of those features that were considered favourably within the previous submission.

- 5.30 The addition of a porch on the eastern side of the building measures 3.3 metres in total height, 4.3 metres in width and 1.2 metres in length. The materials for this porch match the main dwelling.
- 5.31 The applicant has incorrectly labelled within plans that kitchens are located on the first floor. The submitted plans indicate these are two bathrooms. Nevertheless, planning cannot control the internal layout of the dwelling, meaning this cannot constitute as a refusal reason.
- 5.32 In light of the above, there are no concerns with these changes and subsequently there is no conflict with policy CS1 of the Core Strategy (2013), policy H4 of the Local Plan (2006) and emerging policy PSP1 of the Policies, Sites and Places Plan (2016).
- 5.33 Addition of Detached Garage
- 5.34 This proposal sees the addition of a detached outbuilding that measures 3.9 metres in height, 6.2 metres in length and 3.9 metres in width. The outbuilding is finished in brick to match design of the property and is sited at the rear of the garden.
- 5.35 The outbuilding is considered to be of an appropriate scale and is well designed so that it conforms to the main property. As such, it accords with policy CS1 of the Core Strategy (2013), policy H4 of Local Plan (2006) and emerging policy PSP1 of the Policies, Sites and Places Plan (2016). .
- 5.36 Transportation
- 5.37 The previous planning permission granted in 2014 (PK14/3385/F) indicated the entrance leading into the site would be approximately 4 metres wide. The access road leading to the new dwelling was to be finished in tarmac and would be 3 metres wide. This was considered an adequate width for vehicle movements associated to one dwelling.
- 5.38 Within this proposal the access entrance has been widened to 4.8 metres. Further to this, the access road has been widened to 3.7 metres. The proposed surface material for the entrance is tarmac, the access road will be surfaced in block paving and the footpath to the right of the road will finished in tarmac.
- 5.39 The existing access road is classed as adopted highway. Proposed works to widen the entrance are to land that is not adopted highway. Discussions have been held with Transportation Officers in order to consider whether it is necessary for the Council to ensure the un-adopted land is dedicated, and retained for highway purposes. This would involve either the applicant entering

into a legal agreement, or a planning condition being imposed which would secure the land for highway use. Taking into account the 2014 scheme which involved a smaller access entrance and road, Officers consider it is not necessary within this application to impose either a legal agreement or planning condition. Such a requirement should only be imposed where it is reasonable to do so, and when it is necessary to make the development acceptable in planning terms. Like the previous scheme, it is considered the existing access entrance and road width is sufficient to accommodate this single dwelling and the associated vehicle movements created. Increasing the width of the entrance and access road represents an improvement from the previous 2014 submission (PK14/3385/F), however it cannot be argued to be necessary for the single dwelling.

- 5.40 While this application is retrospective in nature, at present the access road, entrance and footpath have not been surfaced. As specified above, the applicant has indicated what materials will be used to surface the access and footpath. Officers consider however that as the proposed works are to an adopted highway, a further condition will be required in the event planning permission is granted that requires full details of the surface materials intended to be used, demarcation and works to the footpath are submitted to and approved by the Council prior to occupation of the dwelling.
- 5.41 The proposal also sees a slight change in parking and turning facilities. Parking spaces are now parallel to the access road and vehicles turn in a t-shaped turning area. Transport Officers have raised no objection to this change and there are no design concerns.
- 5.42 Guidance contained within the Residential Parking Standards (SPD) 2013 asks for 2.no parking spaces for a four bed dwelling. The dwelling provides these two spaces and therefore the proposal is accordance with this guidance.
- 5.43 Concerns have been raised the dwelling is to be converted into flats, which would thereafter increase vehicle movements. The application is for a dwelling and planning permission will be required from the local authority for any conversion to flats, at which point such matters would be considered as part of the assessment of a separate planning application.
- 5.44 Concerns have also been raised that pedestrians could be put at risk in the event two vehicles attempt to enter or leave the site at a single point. It is acknowledged that when this does happen vehicles may be required to use part of the public footpath in order to allow another vehicle to pass. It is considered however that vehicle movements resulting from one dwelling, at which there will likely be only two vehicles associated to the property, results in this not occurring often. Transport Officers have accepted the width of the

access road at 4.8 metres is suitable to allow two vehicles to safely pass and therefore there are no transport objections.

- 5.45 The proposed access works represent an improvement over the present planning permission granted in 2014. As such, the proposal is in accordance with policies T8 and T12 of the Local Plan (2006).

5.46 Others matters

The applicant has implemented a 1.8 metre close-board fence to secure the property. Concerns have been raised this will foster littering and anti-social behaviour. Taking all matters into account, should planning permission be granted, permitted development rights will exist meaning a fence could be installed without the requirement for express permission from the local authority. Accordingly, there is no site specific reason a fence that would fall within the remit of permitted development rights should not be allowed.

5.47 Planning Balance

- 5.48 In summary, the principle of developing the site for 1.no dwelling is accepted. Officers have considered the amendments to the dwelling against the previously approved dwelling from 2014 (PK14/3385/F). For reasons detailed above, Officers consider the proposal is in accordance with the provisions of the development plan and there are no other considerations that would warrant refusal.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 It is recommended that Planning Permission is **Granted** subject to conditions.

Contact Officer: **Sam Garland**
Tel. No. **01454 863587**

CONDITIONS

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

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 (Saved Policies).

2. Those obscure glazed windows indicated on northern and eastern elevations on the approved plan 'Proposed elevations' (Drawing No: 16.030-104) shall remain obscure glazed at all times.

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 (Saved Policies).

3. Details of proposed works to the access lane (including the entrance) and the new public footpath adjacent to the access road, including demarcation and surface treatment materials, shall be submitted to the local planning authority. The details shall be agreed in writing with the local planning authority and be completed in full prior to the first occupation of the dwelling hereby approved.

Reason

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

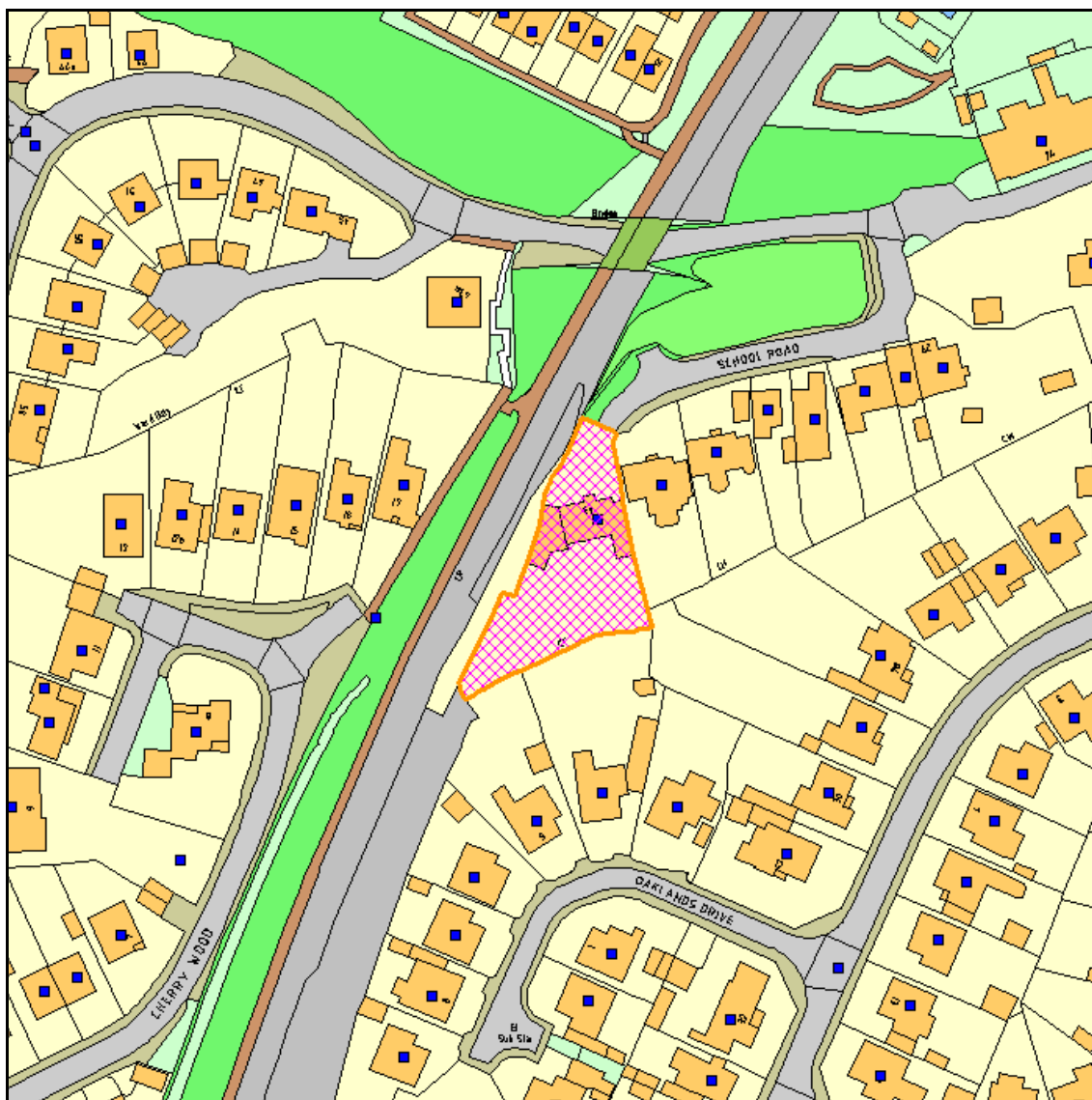
4. The off-street parking facilities (for all vehicles, including bicycles) shown on the plan 'Proposed Site Plan' (Drawing No: 16.030-102) hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the Residential Parking Standards SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/3948/F	Applicant:	Mr And Mrs Hole
Site:	43 School Road Oldland Common Bristol South Gloucestershire BS30 6PH	Date Reg:	11th July 2016
Proposal:	Erection of a single storey rear extension and raising of eaves to form additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	367056 171048	Ward:	Oldland Common
Application Category:	Householder	Target Date:	31st August 2016



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PK16/3948/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey rear extension and raising of eaves to form additional living accommodation.
- 1.2 The application site relates to a detached, dormer bungalow situated at the end of a private road off School Road within the established residential area of Oldland Common.
- 1.3 During the course of the application, revised plans were requested to confirm the parking arrangements for the site.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy Guidance

- 2.2 Development Plans

- South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

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

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

- 2.4 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Residential Parking Standard SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

No objection provided that the neighbours privacy is not compromised.

4.2 Other Consultees

Sustainable Transport

No parking details submitted. 5no.+ bedroomed property requires 3no. parking spaces.

Updated comments:

Revised plans include details of parking on site and the level of parking provision shown is considered adequate and in line with the Council Parking Standards.

Archaeologist

No Objection

Other Representations

4.3 Local Residents

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

- Overlooking No. 10 Oaklands Drive
- Over-development

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular importance is the resulting appearance and its impact on the host property and the area in general (CS1); the impact on the residential amenity of the application site and its neighbours must also be assessed (H4) as must the impact on highway safety and off-street parking (T12, CS8, Residential parking standards SPD).

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

5.2 Design and Visual Amenity

The application site is a detached, dormer bungalow located at the end of a private road serving 8no. properties off School Road. It is the last one in a staggered row of 3no. detached, dormer bungalows and forming a uniform row within the street scene. However, properties further along the private road are more varied in their style and present a less structured pattern with a number of them benefiting from extensions. The proposed development would comprise the erection of a single storey rear extension and raising of the eaves to form

additional living accommodation. This would allow a dining room at ground floor and 2no. additional bedrooms above the existing kitchen and lounge to be accommodated. In total, the first floor would extend across the entire width of the rear elevation, but the single storey would infill an area between the conservatory and kitchen.

- 5.3 Plans show the proposed first floor would have a pitched roof which would raise the eaves height to about 5.2 metres. It would be approximately 11.1 metres long and 4.2 metres deep. The single storey element would measure about 4.8 metres long and 5.2 metres wide and its gabled roof would have a maximum height of 4 metres. Opening would be located in the rear and side elevations only. The existing property is brick rendered with interlocking concrete roof tiles and the proposed first floor and single storey extensions would be built with materials to match.
- 5.4 Comments from a local resident are noted with regards to overdevelopment of the site, but development within existing residential curtilages is encouraged. Two storey and single storey additions are typical and established methods of extending properties. Many similar examples can be found in the local area. The scheme is representative of a typical first floor and not uncommon rear extension and is considered appropriate to the host property. As such, a refusal reason on grounds of overdevelopment could not be defended in an appeal situation.
- 5.5 In terms of the design, scale, massing and materials proposed, the scheme is considered appropriate to both the host property and the character of the area in general. The development is therefore acceptable and is recommended for approval.
- 5.6 Residential Amenity
To the west, the property sides onto a railway line. Neighbours to the east at No. 41 School Road would be closest to the first floor and single storey rear elements, but given these neighbours will remain separated from the proposed extensions by the host dwelling's flat roofed conservatory and utility addition, it is considered that the proposed extensions would not impact negatively on the residential amenity of these neighbours.
- 5.7 Closest neighbours to the south are at No. 10 Oaklands Drive. This property is separated from the application site by well established boundary planting. Concerns have been expressed regarding the proposed first floor windows in terms of impacting on privacy and views into the neighbouring house and garden. Both houses benefit from long gardens and although there would be changes, given the 19 metre distance to the boundary and 35+ metre distance to the neighbouring dwelling, it is considered that the proposed rear facing openings would not have an adverse impact on the amenity of these neighbours. It is important to note that under permitted development, a dormer window up to 50 cubic metres in volume, provided it meets all the other criteria within Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, would have a similar impact and not require planning permission. The proposal is therefore considered acceptable in amenity terms and can be recommended for approval.

5.8 Sustainable Transport

The application site is located on a private road off School Road. Currently the site benefits from a driveway that can accommodate 3no. vehicles. Given that the proposed additions mean there would be another bedroom in the property, the existing parking provision to the front is considered sufficient and to accord with adopted parking standards.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

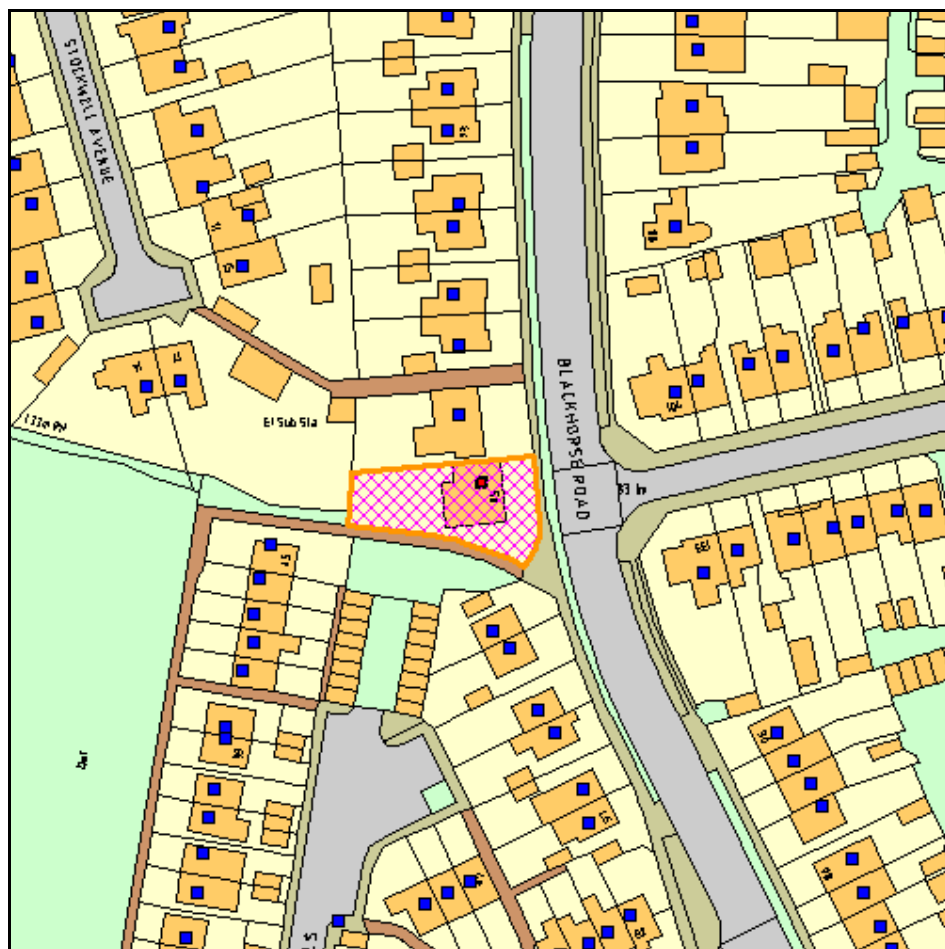
2. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the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

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/4021/F	Applicant:	Mr Martin Thompson
Site:	85 Blackhorse Road Mangotsfield Bristol South Gloucestershire BS16 9AY	Date Reg:	15th July 2016
Proposal:	Change of Use from Residential Dwelling to Childrens Nursery (Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Emersons Green Town Council
Map Ref:	366347 176777	Ward:	Rodway
Application Category:	Minor	Target Date:	6th September 2016



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 100023410, 2015. N.T.S. PK16/4021/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure as objections have been received that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the change of use of a residential property situated on the southern side of Blackhorse Road from a residential property to a children's nursery (Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
There are no physical changes to the building proposed.
- 1.2 Information supplied indicates that 25 children will attend the nursery. It is proposed that the opening hours will be 0700 hours to 1800 Monday to Friday. There will be two part-time staff and 1 full time staff member.
- 1.3 The application site is a bungalow with small front and rear garden situated on the southern side of Blackhorse Road immediately opposite the junction with Jubilee Crescent.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

T8 Parking Standards
T12 Transportation Development Control
LC4 Education and Community Facilities within Existing Urban Area and Defined Settlement Boundaries

Proposed Submission: Policies, Sites and Places Plan June 2016

PSP11 Transport Impact Management
PSP 16 Parking Standards

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history

4. **CONSULTATION RESPONSES**

4.1 Emersons Green Town Council

Objection, the property was originally built for residential use and is in the middle of a built up residential area. Parking availability is very limited and on an extremely busy main road. Any noise from the proposed business will be disruptive to surrounding neighbours.

4.2 Transportation DC

Initial Comments

The main transportation issue relating to this development is parking. According to the SC Council parking standards for day nursery business, one parking space is required per 2 staff plus adequate and safe space for pick up set down for children attending the school.

The application form does not include information on parking provision on site and the plans submitted are considered inadequate to ascertain as what level of parking can be accommodated or if there is space for vehicles turning.

From the latest information submitted by the applicant via e-mail, it has been confirmed that there would be up to 25no. children attending this nursery and 4 staff. However, the applicant has not submitted any detail plan showing parking arrangement or off-street drop-off/pick-up area on site.

The property is located on a busy main road and opposite to a 'T'- with Jubilee Crescent and it is on a route to school and there are on- street parking in the area. It is considered that additional on street parking resulting by this development in proximity to the junction as well as increased vehicular pulling in and out at this location would add to safety conflict.

In view of the above mentioned and its current form therefore, the application is recommended refusal on the following highway's grounds.

The submitted application does not provide for sufficient vehicle parking space, manoeuvring and turning areas to comply with the Local planning Authority's adopted vehicle parking standards which would be likely to encourage vehicles to be left standing on the public highway and in close proximity to a road junction thereby obstructing to the drivers' visibility as well as interfering with safe and free of traffic and causing highway hazards faced by the travelling public all to the detriment of highway safety.

Following the submission of further details the following comments have been received:

Following the earlier highway comments on this application, I note that the applicant has now provided additional information including revised plans. In this context therefore, the Transportation Officer makes the following comments.

A revised plan that has now been submitted with this application shows two parking spaces on site for staff. Additional to this, the revised plan also show that a new vehicular access will be created and alteration is proposed to the existing access in order to create a drop-off and pick up area to the front. In view of this, I am satisfied that the Council's requirement for parking, drop/off and pick/up facility for day nursery is met and as such, there can be no highway objection on issue of parking.

I note that some local residents are objecting to this application on the basis of parking, traffic and road safety.

The site is in an accessible location off-street parking and drop off area will be provided as part of the development proposal and there is also some space on the adjacent highway for those whom decide to drop-off/ pick-up children on the public highway. Para 32 of the NPPF makes it clear that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe. On this basis, whilst accepting additional traffic is likely, it is difficult to argue that the impact of this development on the highway network will be severe.

The transportation officer has also consulted with Council's traffic department with regards to any future works in the area. It must be reported that within its current Capital Programme, the Council's Traffic Management department has a scheme for reviewing waiting restrictions in the Emerson Green Ward (area wide) and this includes reviewing parking situation at the junction between Blackhorse Road with Jubilee Crescent. With this in mind, officers are satisfied that any potential on-street parking resulting from this development will not impact on available visibility splays at the nearby junction and as such, the road safety is unlikely to be not compromised.

In view of all the above-mentioned, if the Council is minded to approve this then, the following conditions are recommended;

No use hereby permitted shall be commenced until the vehicular crossover(s) has been installed and the footway has been reinstated in accordance with the approved plans

No use hereby permitted shall be commenced until the car/vehicle parking area shown on the approved plans has been be completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Environmental Protection

It is the opinion of Environmental Protection that the potential for noise from the proposed development (specifically the use of the garden) would cause an adverse affect to the neighbouring residents. If minded to approve the application as submitted, then I would suggest possible conditions to reduce/minimise the noise as follows:

Acoustic Fence

Details of an acoustic fencing scheme for the rear garden shall be submitted to and approved in writing by the Council prior to the commencement of the development.

The acoustic fencing shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the garden.

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Use of the garden/outside areas

Except for arrivals and departures, any outdoor areas shall not be used by children outside of the hours 09:00- 12:00 and 14:00- 16:00.

Hours of opening

The Day Nursery shall not operate outside of the hours 07:30 to 18:00 Monday to Friday.

The Day Nursery shall not operate at any time on Saturday, Sunday or Bank/ Public Holidays.

Following further discussion the Environmental Protection Officer has agreed to vary the time that the outdoor use can be undertaken to 09.00 to 12.00 and 13.30 to 16.30.

Other Representations

4.3 Local Residents

There have been 8 letters of objection received. The grounds of objection can be summarised as follows:

- Concern that the proposal would put additional pressure on the drainage system
- The proposed development will put additional pressure on already busy road.
- There are significant parking issues in the area and the proposal does not include parking spaces
- The proposal will be detrimental to highway safety at what is already a dangerous location given its position
- The proposal will involve more deliveries and waste to the detriment of the amenity of neighbours
- The building/site is too small to accommodate the children both internally and externally
- The proposal will result in excessive noise
- The proposal will result in a loss of property values
- There is no need for another nursery

- The proposal would result in the loss of a residential property/business premises would be more appropriate

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

CS1 of the Core Strategy (Adopted) 2013 seeks to ensure that proposals are of a high standard in design. Policy CS23 of the Core Strategy outlines the importance of community infrastructure and states that providing services for children and young people is key to the development of sustainable communities. This is in accord with Paragraph 70 of the NPPF which states that the planning system should “*plan positively for the provision of community facilities with an integrated approach to the location of housing and community facilities*”.

Saved Policy LC4 of the Local Plan (Adopted) 2006 advises that proposals for community facilities such as nurseries, within the existing urban areas and the settlement boundaries will be permitted provided that the proposal is located on a site that is highly accessible by foot/bike, provided that it would not unacceptably impact upon residential amenity, it would be unacceptable in environmental or transportation terms and provided that it would not give rise to unacceptable levels of on-street parking to the detriment of the amenities of the area and highway safety.

Policy CS8 of the Core Strategy confirms that priority will be given to providing users with a range of travel options, with a preference to locating development in areas of good accessibility and providing adequate parking. Saved Policy T12 seeks to ensure that proposal are acceptable in terms of transportation, ensuring that the development would not create, or unacceptable exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety.

The principle of the proposed change of use is considered in accordance with national and local planning policies and is considered acceptable in principle however consideration needs to be made of the following material planning considerations

5.2 Residential Amenity

Policy LC4 of the South Gloucestershire Local Plan 2006 (saved policy) supports proposals for Education and Community facilities within the existing urban area with the proviso that the development would not prejudice residential amenity or have an unacceptable environmental effect. Policy CS9 of the Core Strategy indicates that new development will be expected to protect the land, buildings and people from pollution. Emerging Policy PSP 21 states that where there is a noise generating development that would lead to a significant adverse impact an appropriate scheme of noise mitigation would be required.

The application site is situated such that there are residential properties on all sides albeit with a small gap to the south where a narrow lane runs past the

property and the road to the front. The property is a modest single storey property with small garden approximately 12 metres long by 10 metres (at its widest point). The applicant has indicated that there would be up to 25 children of pre-school age. It is indicated at the outset that there would be one full time member of staff and two part time although the applicant has subsequently indicated that it might be necessary to employ extra staff.

Concern has been raised that the proposed development would result in additional noise and disturbance to neighbouring occupiers. The Environmental Protection Officer has indicated some concern regarding the proposal but has recommended, if it is the opinion of the Case Officer to recommend the approval of the application, that a number of conditions that would reduce the impact of the development upon neighbouring occupiers could be applied.

Firstly a condition to secure full details of an appropriate acoustic fence and its location. Secondly while it is noted on the application form it is the intention to be open from 07.00 it is considered appropriate to include a condition to restrict the opening hours of the nursery so that it should not operate outside the hours of 07.30 to 1800 hours on Monday to Friday with a further condition to restrict (with arrivals and departures excluded) the use of the outdoor areas to 09.00 to 12.00 and 13.30 to 16.30. A further condition will restrict the number of children using the nursery to a maximum of 25.

The concerns raised are noted and it is acknowledged that there would be some additional noise and disturbance to neighbouring occupiers, however it has to be recognised that this form of development is usually located within residential areas. It is noted that there are only two properties that share a common boundary with the application site at No.85 Blackhorse Road and No.17 Stockwell Avenue (where an acoustic fence would be appropriate) and there is a degree of separation to other properties. It should also be noted that any impact would be limited to the times that the nursery operates and that would be largely during working hours and not at all at weekends. It is considered that the above conditions would mitigate against any adverse impact particularly a limitation upon the times of outdoor use.

Each site must be judged on its own merits and it is considered for the reasons set out above that in this location, subject to the above conditions the proposed development would not result in significant detriment to residential amenity by reason of the associated noise and disturbance such as would justify the refusal of the application.

5.3 Transportation Issues

Policy T12 of the South Gloucestershire Local Plan (Saved Policy) indicates that new development must make adequate, safe and appropriate provision for the transportation demands that it will create and minimise the adverse impact of motorised traffic. Policy T8 sets out parking standards for non-residential development. Policy LC4 indicates that proposals for education and community facilities within the existing urban area should not have an adverse transportation effect. Emerging Policy PSP11 of the Proposed Sites Policies and Places Plan reiterates the requirements of Policy T12. In addition Para 32

of the NPPF makes it clear that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.

Concerns regarding the impact of the proposal on the surrounding area in terms of highway safety, given the increased use of the site and the nature of that use have been raised by neighbouring occupiers. The property is located on a busy main road and opposite to a 'T' junction with Jubilee Crescent.

Initial concerns raised by Officers related to the ability of staff members to park and the ability to drop off children at the nursery safely. The parking standards for day nursery business are that one parking space is required per 2 staff plus adequate and safe space for the "pick up" and "set down" of children attending the school. This is a maximum standard but indicates what is likely to be required. These concerns were put to the applicant and revised plans were submitted that have been assessed. The revised plans show two parking spaces on site for staff. In addition to this, revised plans also show that a new vehicular access will be created and an alteration is proposed to the existing access in order to create a drop-off and pick up area to the front.

While the concerns raised by neighbouring occupiers are noted therefore the proposed development is now considered acceptable for the following reasons.

Firstly the site is in an accessible location where off-street parking and a drop off area will be provided as part of the development proposal (secured by condition) and there is also some space on the adjacent highway for those whom decide to drop-off/ pick-up children on the public highway. On this basis, whilst accepting additional traffic is likely, it is difficult to argue that the impact of this development on the highway network will be severe as per the test set out in the NPPF (para 32).

Secondly officers have consulted with the Council's Traffic Management Team regarding possible future works in the area and it has been indicated that within its current Capital Programme, there is a scheme for reviewing waiting restrictions in the Emerson Green Ward (area wide) which includes a review of the parking situation at the junction between Blackhorse Road and Jubilee Crescent. With this in mind, officers are satisfied that any potential on-street parking resulting from this development will not impact on available visibility splays at the nearby junction and as such, the road safety is unlikely to be not compromised.

Subject to the conditions set out above the proposed development is considered acceptable in highways terms.

5.4 Other Issues

Concern has been raised that the development would put additional pressure on drainage. It is unclear whether this refers to surface water drainage or foul drainage. With respect to the former no significant additional run-off would accrue from the development and with respect to the later it is not considered given its scale that the proposal would result in any significant impact

Concern has been raised that the proposal would result in a reduction in property values. It should be noted that this is not a material planning consideration. The planning system operates in the interest of public rather than individual/private interest.

Concern has been raised that it would be more appropriate for the development to be located within business premises or a business area rather than a residential property/area. It is acknowledged that the proposal would result in the loss of a residential property, however that would be reversible as the property could revert back to a residential use (subject to permission) in future without significant work required. The loss of just one residential unit is also not significant and must be weighed against the benefits of providing a nursery facility. Furthermore a commercial/business area is not always an appropriate environment for this form of use and there are material benefits to locating one within a residential area close to those who will make use of it.

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 granted subject to the conditions set out below

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
- 2. Prior to the first use of the Nursery (Class D1) hereby approved the car/vehicle parking area and drop-off area shall be completed in accordance with the details shown on J-1609-P Rev A (Proposed Plan) and J-1609-P Rev B (Proposed plan with through route). The area shall be kept free of obstruction and retained as such thereafter.

Reason

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

3. Prior to the first use of the Nursery (Class D1) hereby approved the vehicular crossover(s) shown on J-1609-P Rev A (Proposed Plan) and J-1609-P Rev B (Proposed plan with through route) shall be installed and the footway reinstated.

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 use hereby permitted shall not be operated outside the hours of 07.30 hours to 1800 hours Monday to Friday

Reason

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

5. Prior to the first use of the site as a Nursery (D1) full details of an Acoustic fencing scheme for the rear garden shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the site and shall be maintained as such thereafter.

Reason

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

6. With the exception of arrivals and departures, any outdoor areas shall not be used by children outside of the hours 09.00 to 12.00 hours and 13.30 to 16.30 hours.

Reason

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

7. The number of children at the site (at anytime) shall be limited to a maximum of 25

Reason

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

CIRCULATED SCHEDULE NO. 36/16 – 30 SEPTEMBER 2016

App No.: PK16/4214/F

Applicant: P Yates Ltd

Site: Kingswood Learning Difficulty Service Hanham
Road Kingswood South Gloucestershire BS15
8PQ

Date Reg: 21st July 2016

Proposal: Demolition of existing building and erection of 9no. flats with parking and associated works (resubmission of PK16/0740/F)

Parish: None

Map Ref: 364960 173737

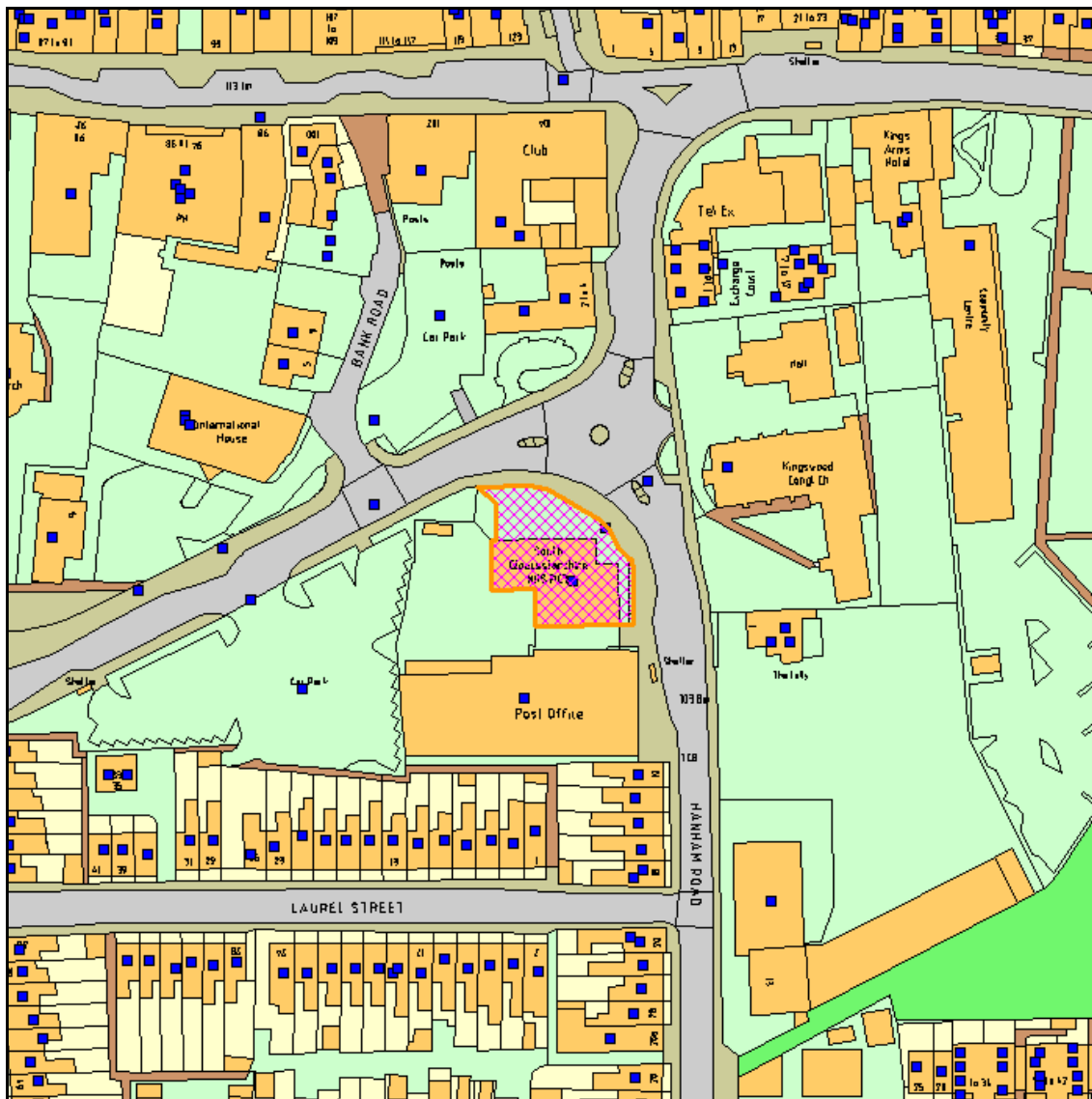
Ward: Woodstock

Application	Minor
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Target 12th September 2016

Category:

Date:



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PK16/4214/F

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of the existing building, last used by the NHS Community Learning Disability Team, to facilitate the erection of a three-storey building to provide 9 no. two bedroom flats with parking and associated works.
- 1.2 The application is a resubmission of a proposal for a two-storey building forming 8 no. two-bedroom flats on the same site (PK16/0740/F) which was refused by the Development Control (East) Committee on 2nd June 2016 for the following reasons:
 1. *The proposed development does not provide sufficient private or communal amenity space suitable for the likely occupants of the dwellings. It is considered likely that these would include families with children. It has not been demonstrated that there is suitable alternative and convenient access to Public Open Space to mitigate for this. In the absence of this the proposal is considered to fail to meet the highest possible standards of design and site planning as required by policy CS1 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013. The detrimental impact on the quality of life for future occupants will be significant and demonstrable. This outweighs the benefits of achieving this number of residential units on the site, contrary to NPPF advice paragraph 17 where high quality design and a good standard of amenity is identified as a core planning principle.*
 2. *The proposal fails to make adequate provision for off-street parking in relation to the number of units proposed. The consequences of not doing so will impact unreasonably on the levels of congestion in the surrounding area, which has been identified as already suffering acute pressure from on-street parking in the adopted Residential Parking Standards SPD (December 2013). This is considered to amount to a significant and demonstrable harm outweighing the benefit of this number of units. It is also contrary to policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; policy CS8 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and the adopted Residential Parking Standards SPD (December 2013).*
- 1.3 The refused application was a resubmission of a third scheme for 12 no. flats at the site (PK15/4828/F) however this was withdrawn by the applicant following concerns regarding parking.
- 1.4 Amendments to the scheme were received on 31st August 2016 to remove the 'amenity deck' from the proposed plans. A period of re-consultation was not deemed necessary as the proposal had not materially changed from the proposal originally submitted. Further amendments to increase the size of the bin store were received on 20th September 2016.

- 1.5 The application site is located within the existing urban area of the east fringe of Bristol. No further designations or constraints cover the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community Facilities
CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L9 Protected Species
T12 Transportation
T7 Cycle Parking

Policies Sites and Places Development Plan Document (Submission Draft) June 2016

PSP1 Local Distinctiveness
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Surface Water Management
PSP32 Local Centres and Facilities
PSP43 Amenity Space

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
(b) Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/0740/F Refusal 02/06/2016
Demolition of existing building. Erection of 8 no. flats and associated works (Re submission of PK15/4828/F).

Refusal reasons:

1- The proposed development does not provide sufficient private or communal amenity space suitable for the likely occupants of the dwellings. It is considered likely that these would include families with children. It has not been demonstrated that there is suitable alternative and convenient access to Public Open Space to mitigate for this. In the absence of this the proposal is considered to fail to meet the highest possible standards of design and site planning as required by policy CS1 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013. The detrimental impact on the quality of life for future occupants will be significant and demonstrable. This outweighs the benefits of achieving this number of residential units on the site, contrary to NPPF advice paragraph 17 where high quality design and a good standard of amenity is identified as a core planning principle.

2- The proposal fails to make adequate provision for off-street parking in relation to the number of units proposed. The consequences of not doing so will impact unreasonably on the levels of congestion in the surrounding area, which has been identified as already suffering acute pressure from on-street parking in the adopted Residential Parking Standards SPD (December 2013). This is considered to amount to a significant and demonstrable harm outweighing the benefit of this number of units. It is also contrary to policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; policy CS8 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and the adopted Residential Parking Standards SPD (December 2013).

3.2 PK15/4828/F Withdrawn 08/01/2016
Demolition of existing building. Erection of 12 no. flats and associated works

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
Un-parished area.

4.2 Other Consultees

Waste Engineer

Amendments requested to shown a bin store of 3.1 metres by 5.2 metres and to address concerns that the bin store is further than the desired 10 metres from the likely refuse collection vehicular stopping point. The stopping point is also likely to be on the highway near to the roundabout and will have an impact on this busy junction.

Lead Local Flood Authority

No objection.

Children and Young People

No comment received.

Environmental Protection

No objection subject to an informative on the decision notice reminding the applicant of their responsibilities towards construction sites.

Highway Structures

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

Housing Enabling

This application seeks planning permission for the erection of 9 flats with parking and associated works and is a resubmission of PK16/0740/F.

As the proposal relates to 9 units, on land measuring less than 0.33 hectares there is no requirement for on-site affordable housing.

Community Services

No comment received.

Sustainable Transport

No objection subject to conditions.

West and Wales Utilities

No comment received.

Ecology Officer

No objection, subject to a condition.

Other Representations

4.3 Local Residents

Two letters of support has been received stating the following:

- As a local resident, it is great to see a scheme with plenty of parking
- Will provide much needed housing
- Attractive building design to replace existing ugly boarded up building

Three letters of objection has been received stating the following:

- Streets are already a car park for post office and garages which don't have staff parking, Derrick Road, Bright Street and Laurel Street are particularly affected
- Access is straight onto an already problematic roundabout
- Inadequate parking for flats will overspill onto surrounding streets
- 13 spaces provided assumes that only two flats will have more than one vehicle – what if they had two vehicles plus a works vehicle? The correct calculation from the South Glos SPD is 16 spaces
- On-street parking will create hazards and restrict access for emergency services

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Kingswood falls within the existing urban area. Policy CS5 sets the strategy for development and directs new development to the existing urban areas and defined settlements. Currently South Gloucestershire Council does not have a five year supply of deliverable housing land, and therefore paragraph 49 of the National Planning Policy Framework is engaged. There is a presumption in favour of sustainable housing development unless significant and demonstrable harm can be identified. Policy CS23 seeks to retain community infrastructure unless specific circumstances can be proven. Therefore, subject to an assessment regarding the loss of community infrastructure, the development is acceptable in principle.

5.2 Loss of Community Infrastructure

Policy CS23 states that existing community infrastructure will be retained unless it can be demonstrated that the use has ceased and there is no longer a demand for it or the facility is no longer fit for purpose. When it can be demonstrated that these circumstances apply then a mixed re-use of the site is promoted over a pure residential reuse.

5.3 No objection was raised during the course of the previously refused application (PK16/0740/F) by either officers or Councillors to the loss of the community building. The application site was previously used by the NHS Community Learning Disability Team, and the site was known as the 'Kingswood Learning Difficulties Service.' The site provided a drop in centre with practitioners, including nurses, on site. The building has now been empty for three years according to the agent, and no evidence has come to light to dispute this, and therefore the use is considered to be ceased. The Community Learning Disability Team have relocated to Church Road, Soundwell, which is a twenty minute walk from the site (1 mile away) and therefore there is no longer a demand. As with the previous proposal, the redevelopment of this site for residential use is in accordance with policy CS23, particularly as the application is also being assessed against paragraph 14 of the NPPF, and residential development should only be resisted where significant and demonstrable harm which outweighs the benefits can be identified.

5.4 Residential Amenity

Development will only be permitted where it does not have a prejudicial impact on residential amenity. Residential amenity considerations should cover the living conditions of the proposed dwellings and the living conditions of all nearby occupiers. The application site is bordered by the Post Office site, a car park, and the roundabout linking Hanham Road to Cecil Road. The residential amenities of surrounding occupiers was not identified as a concern at Committee for the previously refused proposal (PK16/0740/F) however this proposal is materially different as it provides an additional storey, standing at three storeys high. Despite the additional height, it is unlikely that the development will overlook or overbear onto any residential properties as they are some distance away, with the closest being over 25 metres from the boundary of the site to the nearest facing window on the opposite side of

Hanham Road to the east. It is therefore not considered to have a harmful impact on the residential amenity of any nearby occupiers.

- 5.5 Application reference PK16/0740/F was refused at Committee on the grounds that two-bedroom flats are likely to house families, and that the private amenity space provided was inadequate to serve the needs of occupiers, particularly those with children. The amenity space equated to 8.75 square metres per flat, with emerging policy PSP43 stating that two bedroom flats require 5 square metres of amenity space in addition to areas of communal space which are good quality and easily accessible. The current application shows an increase in the amount of amenity areas shown which equate to 11.1 square metres per two bedroom flat. Whilst all of the garden is shown to be communal, one of the ground floor flats directly overlooks an enclosed area of amenity space, and as the space is not large enough to be shared by all 9 units, it is considered more beneficial to the ground flat identified as unit 1 that it has exclusive access to the amenity area, and all other flats share access to the other shared areas of amenity space and their own Juliet balconies. This would also prevent noise pollution which may be experienced by the occupants of unit 1 when other occupiers are utilising the space. A small landscaping scheme will be conditioned and will include the erection of a boundary treatment to enable private access for unit 1 to the amenity space to the east of their Juliet balcony.
- 5.6 The same could be argued for the amenity space directly north of the Juliet balcony serving unit 3, however as this space is surrounded by a footpath on one side, and the car park on the other, it is considered more appropriate to be left open to all as shared space. For those with only a balcony, there is public open space available a four minute walk to the east known as 'Kingswood Park'. It sits in between the Holy Trinity C of E Church on the High Street and Hollow Road, and can be accessed from the High Street, Hollow Road and Edward Road to the south. Overall, the development is found to be in accordance with policy CS1 of the Core Strategy, and the lack of private amenity space for eight of the units would not amount to a significant and demonstrable harm that would outweigh the benefits of additional housing in this sustainable urban location.
- 5.7 Design and Visual Amenity
The proposed building is of three-storeys and has an 'L' shaped footprint with a hipped roof partially hidden by a parapet wall, and two access stairwells with a parapet roof on the east and west elevations. The additional height is considered to be an improvement on the previous design, which appeared rather 'box-like'. Hipped roofs can be seen in the vicinity, with the most similar development being a three storey hipped roof building, finished in render, on the diagonally opposite side of the mini roundabout.
- 5.8 There are architectural styles of development in the vicinity, and the lack of a uniform style has given the developer some freedom to explore a contemporary option. With regards to materials, the roof will be mock slate effect tiles in a dark grey colour, and the external walls will be timber cladded and finished in ivory render, which can be seen in vicinity. The proposed windows and doors will be grey UPVC. Samples of the external materials will be required prior to commencement to ensure they are acceptable.

- 5.9 Due to the position of the development next to the adjacent car park to the west, a tall boundary treatment is required for security reasons and this has been shown on the External Works plan. Low level lighting bollards and automatic lights are proposed to provide extra security, and the pedestrian entrance will be gated. All of these details will be conditioned on the decision notice in the event the application is approved.
- 5.10 Tree planting has been shown on the Proposed Block Plan, and further details of this and other landscaping and areas of hardstanding will be secured by condition. Subject to this, the development is considered to be in accordance with policy CS1 of the Core Strategy.
- 5.11 Ecology
A Bat Survey has been provided (Abricon, dated January 2016), which was also submitted to support the previously refused application. An internal and external buildings inspection found that the building had negligible potential to support roosting bats (protected under the Conservation Regulations 2012 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Swallow and swift boxes have been provided and will be conditioned in the event the application is approved.
- 5.12 Transport
Given the background with the recent highway refusal reason on site, it is apparent that the main issue to overcome is parking provision. The Councils Residential Parking Standards SPD requires 1.5 spaces for every 2 bed apartment plus one visitor space for every five units. So the required parking for this development of 9no. two bedroom units is 13.5 spaces plus one visitors space, which equals 14 spaces (when rounded down to the nearest whole space, as allowed by the SPD). The proposed parking is for only 13 spaces, which is one space short of the required 14. When considering the previous refusal reason, in comparison to the previous scheme the current proposal provides a much greater ratio of parking per flat proposed.
- 5.13 Consideration should be given to the former use of the site which could restart without a need for formal planning application. The application site was previously used by the NHS Community Learning Disability Team, and the site was known as the 'Kingswood Learning Difficulties Service.' The site provided a drop in centre with practitioners, including nurses, on site. This earlier lawful use of the site would result in greater number of traffic movements and parking demand compared to the proposed use. Another factor to take into account is the location of the site which is in a sustainable location within the Kingswood town centre and with easy access to public transport facilities in the area where there are excellent bus services to various destination in south Gloucestershire Council and the neighbouring authority Bristol City. The applicant has submitted a 'travel plan' which is considered acceptable and its implementation could be conditioned should the planning application be approved.
- 5.14 The National Planning Policy Framework is clear that "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*" In this case, the officer

considers that the shortfall of one parking space is not severe enough to justify refusal of this application, given the context of the previous lawful use and the location of the site.

- 5.15 There is no objection from a transportation perspective, provided the parking (including cycle parking) and turning areas are completed prior to first occupation of the new building. Furthermore, a Construction Management Plan should be submitted to the Local Planning Authority in order to reduce the impact on the adjacent busy roundabout, from which the site takes its access.

5.16 Affordable Housing

As the site is in an urban area and is less than 0.33 hectares in area, proposing 9 no. two bedroom units, there is no requirement for affordable housing contributions to be made and so none have been negotiated in this instance.

5.17 Waste

The Council's Waste Engineer commented on the application with concerns that the amount of space within the bin store was not adequate for the 16 bins required to serve 9 no. 2 bedroom properties. Amendments to the size and shape of the bin store were sought to address this, and the amended plans submitted on 20th September 2016 show that 16 bins can now fit easily within the bin store. The Waste Engineer also had concerns that service vehicles may have to stop on or near the roundabout, however this is an existing situation and an objection cannot be sustained on this basis. Pedestrian access into the bin store from the highway through a lockable door has been shown, enabling waste to be quickly removed from the site.

5.18 Planning Balance

The Council's 2015 Authority's Monitoring Report concludes that the Local Planning Authority in South Gloucestershire cannot demonstrate a 5-year supply of deliverable housing land (with the figure standing at 4.28 years) and therefore paragraph 49 of the NPPF is currently engaged. Housing applications should be considered in the context of the presumption in favour of sustainable development, and that the Local Planning Authority should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This proposal will add nine two-bedroom units to the housing supply, and is considered to make a modest contribution. When balancing the benefits to the housing supply that nine units will provide alongside the aforementioned lack of private amenity space and reduced parking requirement, the harm caused by these issues is not significant and demonstrable and is therefore outweighed by the contribution to the housing supply. It is therefore recommended that the application is approved, subject to conditions.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. The information is required prior to commencement to prevent remedial works later on.

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. Information is required prior to commencement to prevent remedial works later on.

4. Prior to the first occupation of the new building, the off-street vehicular parking, cycle storage, lighting measures, waste storage and turning area shall be provided in

accordance with the submitted plans and subsequently maintained satisfactory thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety, security and the amenity of the area, and to provide alternatives to the private car to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; policies T12 and T7 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

5. No development shall commence until a 'Construction Management Plan' has been first submitted to and approved in writing by the Local Planning Authority. The plan shall include details of a method of construction vehicle wheel washing during implementation of the development, delivery times (avoiding importation/removal of spoil during peak hour during) and construction hours, details of the method of accessing the site for construction purposes, method of removal of spoil and soil is to be removed and any road or land closures necessary to achieve this including timescales of closures. Details of staff parking during construction, on site storage area shall all be first agreed with the Council in advance of any development works on site. The development shall be implemented in accordance with the approved plan.

Reason

In the interest of highway safety in accordance with policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS8 of the Core Strategy (Adopted) December 2013. Information is required prior to commencement as it relates to the construction period.

6. The Approved Travel Plan shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority.

Reason

In the interest of highway safety and to encourage alternatives to the private car in accordance with policy T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS8 of the Core Strategy (Adopted) December 2013.

7. The western boundary shown in drawing number 14A shall be a minimum 1.8 metres tall.

Reason

In order to increase security at the site, in accordance with policy CS1 of the South Gloucestershire Core Strategy (Adopted) 2013.

8. The development will be implemented in strict accordance with the enhancements for birds in the form of bird boxes as laid out in Section 6.2.2 of the Bat Survey (Abricon, dated January 2016).

Reason

To ensure that the scheme provides enhancements for swallows and swifts in accordance with policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

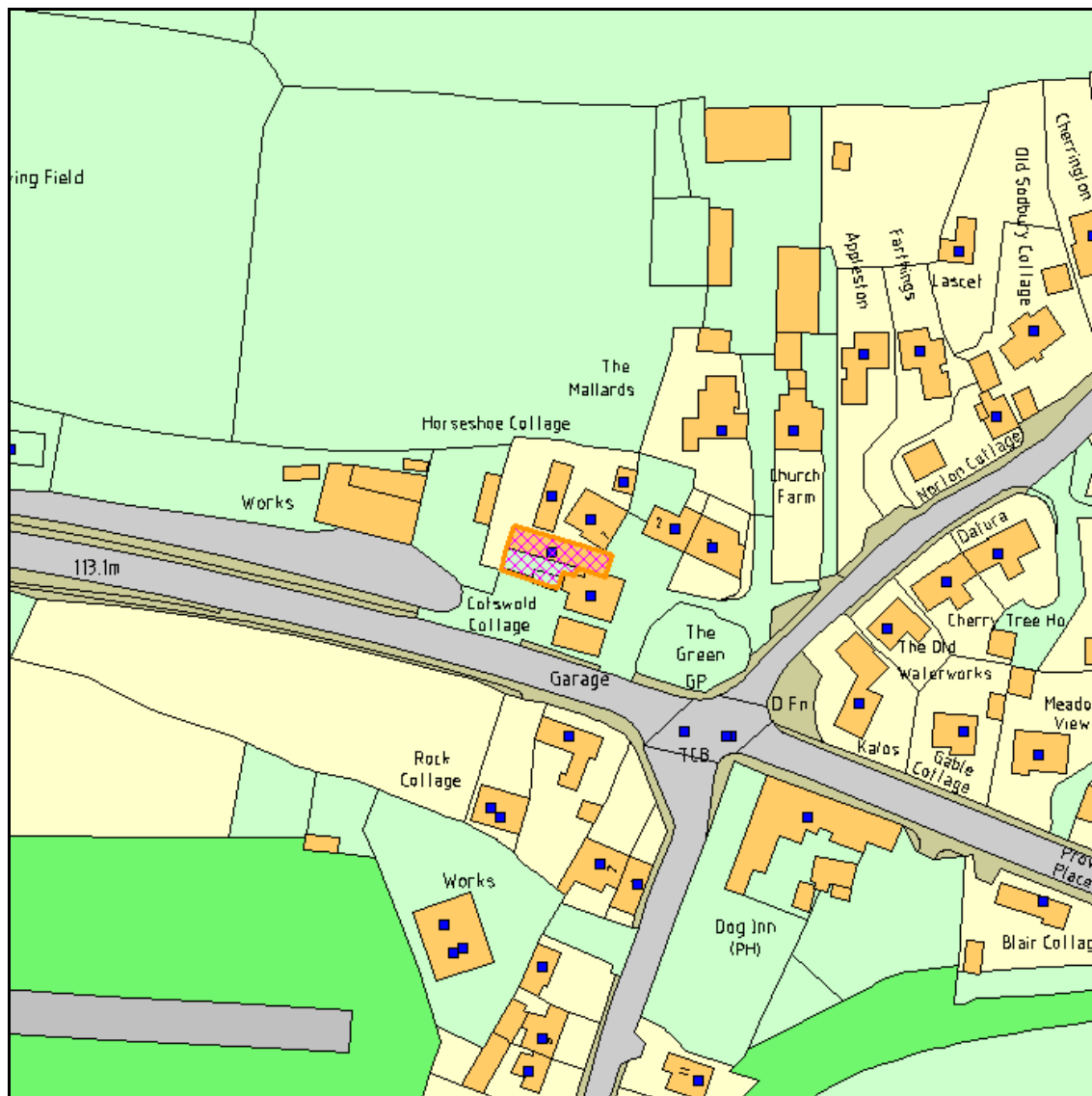
9. During the period of construction no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 7.30am-6.00pm Monday to Friday, 8.00am-01.00pm Saturdays; nor at any time on Sunday or Bank Holidays.

Reason

To protect the residential amenities of those in the area, in accordance with policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/4560/F	Applicant:	Mr And Mrs Snook
Site:	Cotswold Cottage Badminton Road Old Sodbury Bristol South Gloucestershire BS37 6LY	Date Reg:	12th August 2016
Proposal:	Erection of Conservatory to front elevation.	Parish:	Sodbury Town Council
Map Ref:	375284 181575	Ward:	Cotswold Edge
Application Category:	Householder	Target Date:	5th October 2016



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PK16/4560/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 Sodbury Town Council.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a conservatory to the front elevation at Cotswold Cottage in Old Sodbury.
- 1.2 The host dwelling is a two storey stone property located within the settlement boundary of Old Sodbury. The property is adjacent to a Grade II Listed Building and within the Cotswold Area of Outstanding Natural Beauty.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

- H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- L1 Landscape Protection and Enhancement
- L2 Cotswolds AONB

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history relating to the site as a dwelling.

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
Sodbury Town Council believes there is insufficient information and a lack of scaled drawings for a decision to be made.
- 4.2 The Listed Building and Conservation Officer
The proposed conservatory will be visible within the setting of the listed building even with it being set down. It is considered that in this instance any additional harm resulting from the erection of this structure would be slight and the harm could be minimized by agreement of the external detailing of this structure which could be agreed through a condition.

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policies CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) are both supportive in principle. Saved Policy H4 is supportive providing development is within the curtilage of existing dwellings, the design is acceptable with relation to policy CS1 of the Core Strategy, that there is safe and adequate parking, and also providing the development has no negative effects on transport.
Policy CS1 of the Core Strategy exists to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context. Alongside this policy CS9 of the Core Strategy is important to consider as it sets out to manage the environment and heritage, the policy highlights that and new development should ensure heritage assets are conserved, respected and enhanced.
The proposal shall be determined against the analysis below.
- 5.2 Design and Visual Amenity
The application site is an attached property in Old Sodbury. The property is attached to the Cotswold Garage petrol station on Badminton Road. The dwelling is two storey but is set on lower topography than the road. The dwelling has no rear or side garden available. The application seeks permission for a single storey conservatory to the front elevation.
- 5.3 The proposed conservatory will support a hipped style roof and extend beyond the front elevation by 3 metres and have a width on 5.2 metres. The total height of the proposed conservatory will be 2.9 metres. The scale of the proposal is modest and is considered to be in proportion with the existing dwelling. Due to being within a cluster of development there is no front building line and as such the proposal is not considered to be detrimental to the building line. Furthermore, whilst front extensions are normally avoided because of their

prominence it is noted that there are minimal options to extend Cotswold Cottage.

- 5.4 The proposed materials will match the existing dwelling with a mixture of stone and white pvc elevations and a glass roof. This is a common design for a conservatory.
- 5.5 Officers note that the Conservation and Listed Building Officer suggests the external detailing of the proposed conservatory should be agreed by condition. Nonetheless, it is considered that whilst the site is adjacent to No.1 The Green which is a Grade II listed building the proposal will not be visible from the setting of the listed building and as such officers do not feel it is appropriate to condition the external details of the proposal. Furthermore, officers consider that the nearby listed building is already compromised by the Cotswold Garage Service Station which is more visible within the setting of the listed building.
- 5.6 Overall, officers consider that the proposal respects the character of the site and the wider context as well as being of an appropriate scale and proportion with the original dwelling and surrounding properties. Thus, the proposal satisfies policy CS1 and CS9 of the adopted Core Strategy.
- 5.7 Residential Amenity
Saved policy H4 of the adopted Local Plan states that proposals for development within existing residential curtilages will only be permitted where they would not prejudice the amenity of nearby occupiers.
- 5.8 Cotswold Cottage is a two storey attached property in Old Sodbury. The boundary treatments at the site consist of 1.8 metre timber fencing and trellises. The property is situated lower than road minimising what is visible from the road.
- 5.9 The proposed single storey front conservatory is not considered to be overlooking or overbearing as the proposal is located some distance from residential properties.
- 5.10 Overall the proposal would not result in any adverse impacts on the residential amenity of neighbouring occupiers or future occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the Local Plan (adopted) 2006.
- 5.11 Other Matters
Officers note that Sodbury Town Council has raised a comment regarding the information submitted for consideration being insufficient with a lack of scaled drawings to make a decision. The information submitted complies with the National Planning applications requirement list and is considered to be sufficient for a decision to be made.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.: PK16/4567/F

Applicant: Mr Keyton
Matthews

Site: 85 Bath Road Willsbridge Bristol
South Gloucestershire BS30 6ED

Date Reg: 10th August 2016

Proposal: Demolition of existing garage and
erection of two storey side extension,
single storey rear extension, and
installation of flue. Erection of front
proch with access ramp.

Parish: Oldland Parish
Council

Map Ref: 366774 170360

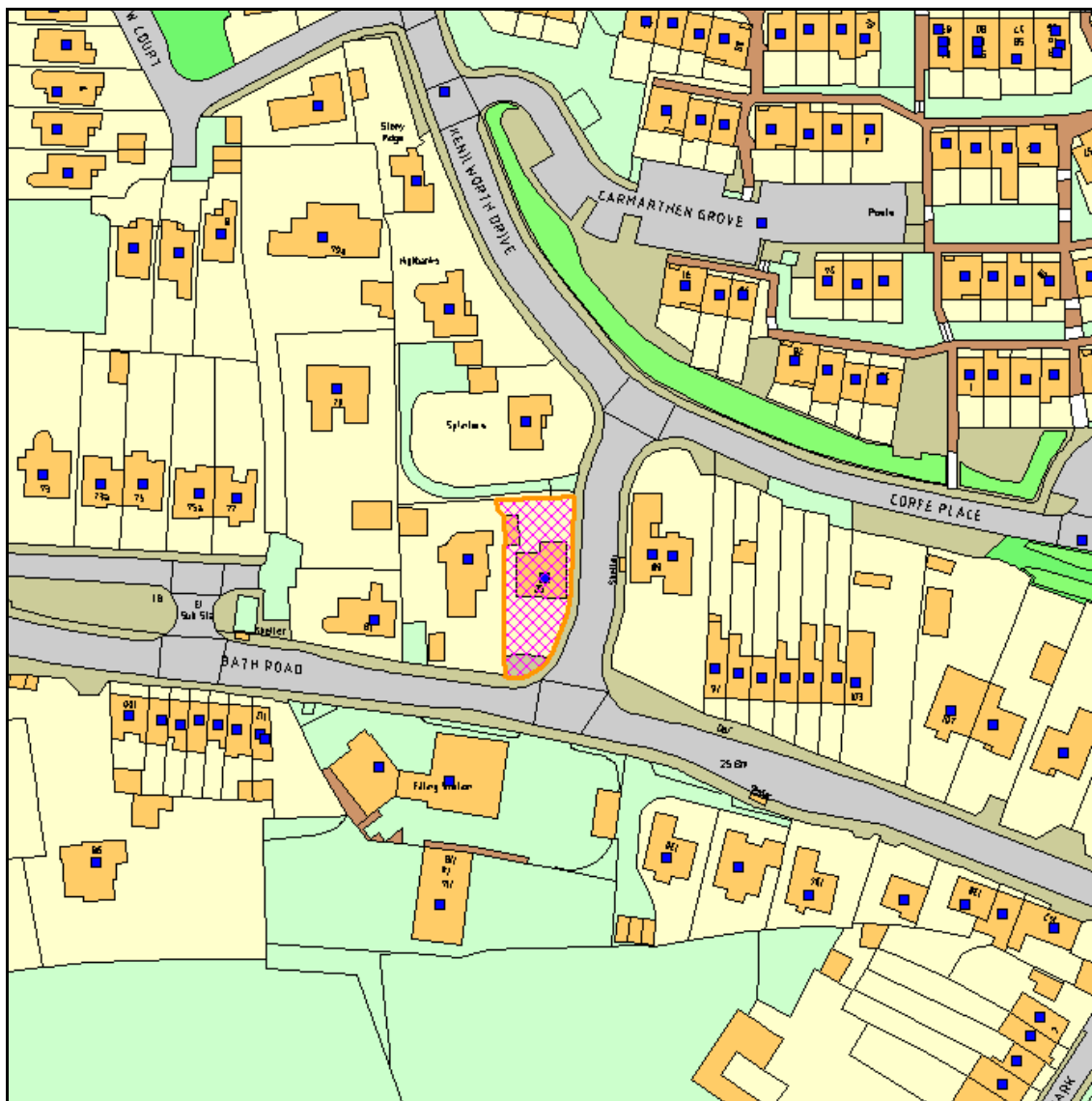
Ward: Bitton

Application Householder

Target 4th October 2016

Category:

Date:



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PK16/4567/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in light of an objection received from local residents.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 This application seeks full planning permission for a number of additions at 85 Bath Road, Willsbridge. The first element of the proposal is the erection of a two storey side extension and a single storey rear extension. It would also involve the erection of a porch and access ramp.
- 1.2 The application site relates to a detached chalet bungalow which lies within a corner plot and which is accessed off the A341 (Bath Road). Its external elevations comprise of painted render, with UPVC windows and a concrete tiled roof. To the front of the application site there is a 1.8 metre boundary wall and access gates. The property is located in a mixed character area, and sits directly opposite a petrol station and car garage. Other dwellings in the vicinity are largely detached and of varied design.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS29 Communities of the East Fringe of Bristol Urban Area

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

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

Emerging Plan

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
No objection.

4.2 Sustainable Transport
*"Even with the extension as proposed, there would remain adequate off-street parking and manoeuvring area on site and the proposal does not affect the existing access arrangement.
In view of this therefore, there is no highway objection to this application."*

Other Representations

4.3 Local Residents
1 objection received from neighbouring occupiers at No.83 Bath Road.
Comments as follows;
- Scale
- Loss of light and overbearing
- Distance between properties

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 and the emerging Policy PSP38 of the PSP Plan (June 2016) allow the principle of extensions within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual amenity
The proposal involves a number of additions to the property, which involves two storey and single storey extensions as well as the erection of a front porch and access ramp.

5.3 *Single storey side extension with additional living accommodation at first floor*
The proposal would introduce an extension to the western elevation of the property. It is proposed that it would be set back from the main front building line of the dwelling by approximately 0.6 metres and from the highest point of the existing dwellings roof by 0.5 metres. It would have a maximum height of 6.5 metres, a depth of 8.8 metres and a width of 2.9 metres. The case officer understands the concerns of nearby occupiers in relation to the scale of the extension, however, the extension uses good design principles, according to

advice as set out in the Councils Design Checklist SPD and the emerging PSP38. With this in mind, its size is considered acceptable in this instance.

- 5.4 Officers raised concerns in relation to the design of a dormer window which was to be placed to the rear of the side extension. As a result of correspondence this has been removed from the scheme, and revised plans show it has been replaced with a rooflight, which is considered an improved design.
- 5.5 The extension would have a pitched roof, replicating that of the existing dwelling and would introduce 1no. window to the front elevation and 3no. high level windows to the western elevation.
- 5.6 *Single storey rear extension*
In addition to the above, a single storey extension would extend beyond the rear of the two storey side extension into the rear garden of the property, on land which is partly occupied by an existing garage. It would have a total depth of 9.6 metres, a maximum height of 4.4 metres and a maximum width of 4.2 metres. Whilst it is considered a large single storey addition, the case officer is mindful that an extension of a similar size could be built without planning permission at the property, under regulations set out in Town and Country Planning (General Permitted Development) (England) Order, Part 1, Class A.
- 5.7 The extension would have a pitched roof with a rear facing gable, it would introduce 4no. rooflights, as well as bi-folding doors which would lead into the rear garden.
- 5.8 *Front Porch and access ramp*
The final element of the scheme is the erection of a front porch which will be assessed by a proposed ramp. The access ramp would lead to an elevated porch, which would be a modest addition to the property. It would measure 2 metres in width, have a depth of 1.7 metres, and a maximum height of 3.5 metres. The existing front entrance is elevated with steep stairs to access such, the ramp would provide improved disabled access into the property.
- 5.9 These elements of the proposal would significantly alter the front elevation of the property, however, given the front boundary wall it is considered that these alterations would not largely be visible to the public realm.
- 5.10 *Cumulative impact*
This application proposes significant additions to the property, and whilst the appearance of the dwelling would be altered, it is not considered that it would constitute a refusal reason in relation to poor design. Especially given that much of the proposal would be entirely enclosed within the rear garden of the property, and all materials would match those found on the existing dwelling. Accordingly, given the assessment above, the development is judged to be acceptable in relation to design and visual amenity and complies with Policy CS1 of the Core Strategy.

5.11 Residential Amenity

The property sits at a corner plot off Bath Road, beyond the highway, opposite is a petrol station and car garage. Directly to the west of the property is No.83 Bath Road and to the east beyond Kenilworth Drive is No.91 Bath Road.

- 5.12 Following Officer concerns, and objections received from No.83 Bath Road, revised plans were requested showing the position of this property in relation to the proposed dwelling. The neighbours are orientated as such that No.83 sits on lower ground level than the host dwelling. A boundary fence separates the two sites, which has a height of 2.3 metres from the ground level of No. 83 and 1.9 metres from the ground level of the application site. Accordingly, no existing overlooking occurs to and from the ground floor windows of the properties.

- 5.13 Concerns were raised by these neighbours that the development would result in a loss of light to their property and would be located close to the shared boundary. The case officer considered the above on a site visit, and following the receipt of revised plans. The side and rear extensions would be approximately 0.4 metres from the shared boundary wall, and approximately 2.5 metres from the eastern boundary of No.83. Historic records show (ref. PK10/2086/F) that No.83 has a bathroom, lounge and kitchen on the ground floor with windows facing towards the host dwelling. It is acknowledged that the erection of the side and rear extensions would have an impact on the light gained through these windows. Records show the kitchen has a secondary window to the rear and the bathroom window is already obscure glazed. Accordingly, whilst I understand that the extensions would cause some change to the existing situation, particularly to the light afforded to these ground floor rooms, it is not considered that it would warrant refusal of the application.

- 5.14 The side extension would introduce 3no. obscure glazed high level windows and the rear extension would introduce 2no. rooflights facing these the eastern elevation of No.83. Therefore, whilst the properties would be located closer to one another, it is unlikely that it would give rise to any material overlooking. Particularly given the existing shared boundary treatment. Having said this, the close proximity is recognised and a condition is issued to ensure that no windows are inserted into the western elevation in order to ensure that there are no future concerns regarding privacy or overlooking.

- 5.15 It is not considered that the proposal would have a significant impact on the existing situation for those occupiers at No.91 Bath Road, given that they are separated by a road and of a suitable distance away. Overall, it is considered the proposed development would not be detrimental to residential amenity and is deemed to comply with saved Policy H4 of the Local Plan (2006).

5.16 Highways

Plans show that there would be a loss of a garage at the site and there would be a total of 3 bedrooms following the proposal. Accordingly, the site would be required to demonstrate it can provide 2 spaces in line with the Councils Residential Parking SPD. It is noted that the transport officer has stated that off-street parking remains adequate and the proposed block shows that 2 spaces

can be accommodated. The access arrangements at the site would not change. Accordingly, there is no highway objection to the development.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to first occupation of the new extensions the two car parking spaces indicated on the Proposed Floor Plan (947 AL(0) 02 A) as received by the Local Planning Authority on 8th September 2016 shall be provided and retained as such thereafter.

Reason

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

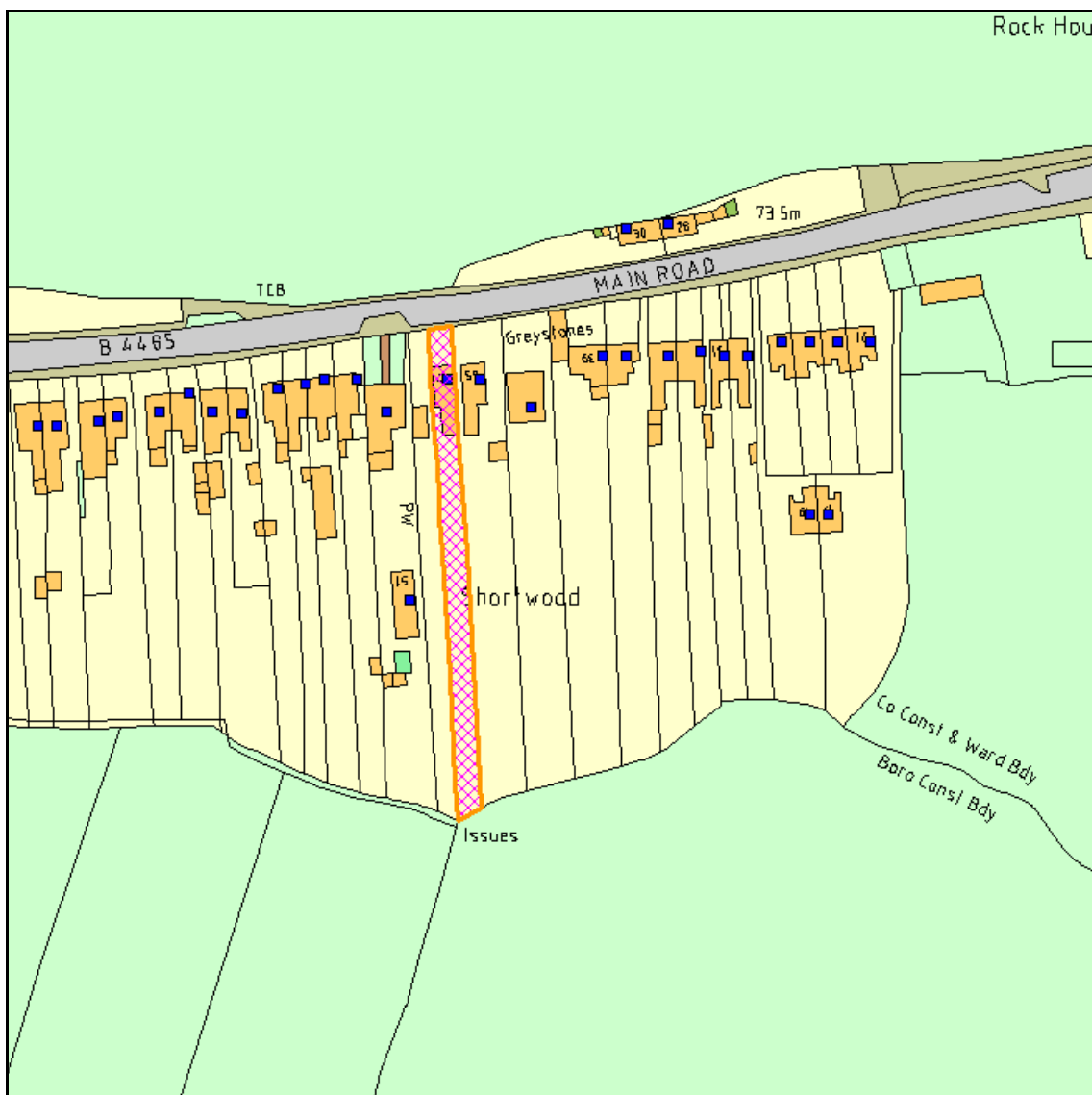
4. The hours of working on site during the period of construction shall be restricted to 08.00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use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

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/4624/CLP	Applicant:	Mr Daryl Waycott
Site:	Rock Villa 47 Main Road Mangotsfield South Gloucestershire BS16 9NQ	Date Reg:	8th August 2016
Proposal:	Application for a Certificate of Lawfulness for the proposed erection of outbuilding to include a gym/office area, together with a workshop/garage, for uses incidental to the enjoyment of the existing dwelling.	Parish:	Pucklechurch Parish Council
Map Ref:	367521 176004	Ward:	Boyd Valley
Application Category:	Certificate of Lawfulness	Target Date:	30th September 2016



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PK16/4624/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of an incidental outbuilding at 'Rock Villa', 47 Main Road, Mangotsfield, would be lawful under the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning Act 1990 (As Amended) 1990 section 192 Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) Schedule 2, Part 1, Class E

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

3. RELEVANT PLANNING HISTORY

- 3.1 P86/1078 Approval 26.02.1986
Erection of two storey side extension to form attached garage with bedroom and bathroom over.
- 3.2 P86/2980 Approval 11.02.1987
Construction of vehicular and turning area.

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

"Application for a Certificate of Lawfulness for the proposed erection of outbuilding to include a gym/office area, together with a workshop/garage, for uses incidental to the enjoyment of the existing dwelling.

Pucklechurch Parish Council reviewed this application at its meeting on 17th August and passed the following resolution: No objection, providing it is used for the purposes as described above."

4.2 Siston Parish Council
No response received

4.3 Other Consultees

Councillor
No response received

Other Representations

4.4 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Proposed Elevations
Proposed Floor Plans
Site Location Plan

All plans received by the Council on 05/08/2016.

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class E of the GPDO 2015.

6.3 The proposed development consists of the erection of an incidental outbuilding. This development would fall within Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the erection of buildings incidental to the enjoyment of a dwellinghouse, provided it meets the criteria as detailed below:

E. The provision within the curtilage of –

(a) Any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.**

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

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

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

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

The ground area of the proposals would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

- (c) any part of the building, enclosure, pool, or container would be situated on land forward of a wall forming a principal elevation of the original dwellinghouse;**

Neither of the proposals will be situated forward of the principal elevation.

- (d) the building would have more than a single storey;**

The proposal will be of a single storey scale.

- (e) the height of the building or enclosure would exceed –**
 - (i) 4 metres in the case of a building with a dual pitched roof,**
 - (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or**
 - (iii) 3 metres in any other case;**

The proposal will have a flat roof and would be within 2 metres of the boundary of the curtilage of the dwellinghouse, therefore this outbuilding will be assessed against (e)(ii), which sets out that it should be a maximum height of 2.5 metres.

Plans show that it would be located sloping land, accordingly, the Town and Country Planning (General Permitted Development) (England) Order 2015, Contents, 2, (2), states that, when measuring height on ground which is not uniform, it is measured from the level of the highest part of the surface of the ground adjacent to it. From the height of the highest part of the ground level adjacent to it, to the highest point of the building's roof it would measure 2.4 metres high. Therefore, it is considered that the outbuilding would comply with this criteria.

- (f) the height of the eaves of the building would exceed 2.5 metres;**

The eaves height of the proposals will be 2.4 metres.

- (g) **the building, enclosure, pool or container would be situated within the curtilage of a listed building;**

The host dwelling is not a listed building.

- (h) **it would include the construction or provision of a verandah, balcony or raised platform;**

It does not include any of the above.

- (i) **it relates to a dwelling or a microwave antenna; or**

The proposal is for incidental uses and do not include a microwave antenna.

- (j) **the capacity of the container would exceed 3,500 litres.**

The outbuilding is not a container.

7. RECOMMENDATION

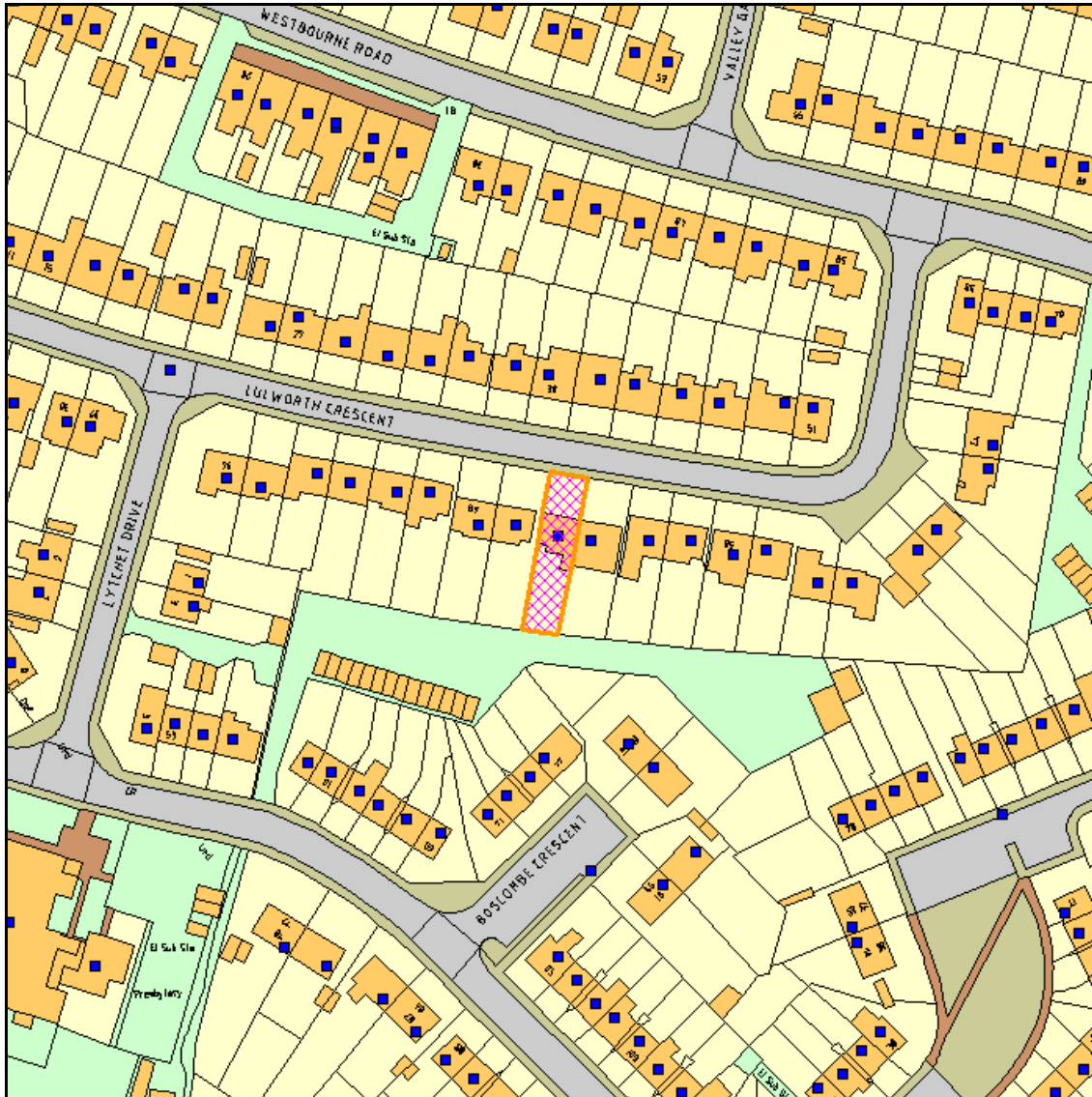
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the following reason:

Evidence has been provided to demonstrate that on the balance of probabilities the proposed incidental outbuilding falls within the permitted rights afforded to householders under Schedule 2, Part 1, Class E of the Town and Country Planning General Permitted Development Order 2015.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/4637/F	Applicant:	Mr And Mrs Bossina
Site:	50 Lulworth Crescent Downend Bristol South Gloucestershire BS16 6RZ	Date Reg:	9th August 2016
Proposal:	Erection of two storey side extension and single storey rear extension to provide additional living accommodation.	Parish:	Emersons Green Town Council
Map Ref:	365780 177530	Ward:	Emersons Green
Application Category:	Householder	Target Date:	3rd October 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to comments received from a local resident that are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a two storey side extension and single storey rear extension to provide additional living accommodation at 50 Lulworth Crescent in Downend.
- 1.2 The host dwelling is a two-storey semi-detached property within an established residential area of Downend. The dwelling has a hipped roof, pebble dash rendered elevations and an attached single storey garage. The surrounding residential properties are of similar designs, size and age.
- 1.3 Revised plans were received on the 8th September 2016 with small changes to the rear fenestration, it was not deemed necessary to reconsult on the change.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

3.1 No planning history available.

4. **CONSULTATION RESPONSES**

4.1 Emersons Green Town Council
No objection to the proposal.

4.2 Sustainable Transport
The block plan submitted shows that adequate parking can be provided to the frontage of the site, as such there are no transportation objections to the proposal.

Other Representations

4.3 Local Residents
One letter of objection has been received from a neighbouring resident highlighting the following points:

- *A hip ended roof for the single storey rear extension would be more in keeping than the gable end which will also affect the sunlight on our patio area.*
- *Where will the down pipe and water go from that part of the extension?*
- *Will the side wall be kept inside of their border?*

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development
Policies CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) are both supportive in principle. Saved Policy H4 is supportive providing development is within the curtilage of existing dwellings, the design is acceptable with relation to policy CS1 of the Core Strategy, that there is safe and adequate parking, and also providing the development has no negative effects on transport.
Policy CS1 of the Core Strategy exists to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context. The proposal shall be determined against the analysis below.

5.2 Design and Visual Amenity
The applicant site is a two-storey semi-detached dwelling in Downend. The application seeks planning permission for the erection of a two-storey side extension and single storey rear extension to provide additional living accommodation.

5.3 The proposed two storey side extension will be built above the existing single storey garage. Officers note that there are similar extensions to this within the area. The proposed two storey side extension will be subordinate to the existing dwelling with the roofline 0.2 metres below the existing. The proposed two storey side extension will continue the existing roof line with a hipped roof style.

- 5.4 The proposed single storey rear extension will extend beyond the rear wall by 1.9 metres and allow the existing kitchen to be extended. The single storey rear extension will have a lean to style roof and will have a maximum height of 3.5 metres.
- 5.5 The works will also result in the existing flat roof conservatory changing to a gable roof, this part of the proposal can be carried out through 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.
- 5.6 The materials proposed for the extensions will match those used in the existing dwelling with sparred render for the elevations, concrete interlocking tiles for the roof and white PVCu windows and doors.
- 5.7 Whilst the two storey side extension will be visible from the streetscene it is considered that the proposal respects the character of the site and the wider context as well as being of an appropriate scale and proportion with the original dwelling and surrounding properties. Thus, the proposal satisfies policy CS1 of the adopted Core Strategy.
- 5.8 Residential Amenity
Saved policy H4 of the adopted Local Plan states that proposals for development within existing residential curtilages will only be permitted where they would not prejudice the amenity of nearby occupiers.
- 5.9 The applicant site is a two-storey semi-detached property on Lulworth Crescent in Downend. The boundary treatments at the site consist of 1.8 metre timber fences. The application seeks planning permission for a two storey side extension and single storey rear extension to provide additional living accommodation.
- 5.10 The proposed two storey side extension will see an existing side elevation window removed. The proposal involves the insertion of a new window on the first floor front elevation serving a bedroom, this is not considered to adversely impact the residential amenity of neighbouring dwellings. There will also be a new window on the first floor rear elevation, this is not considered to result in an adverse increase in overlooking towards neighbouring dwellings.
- 5.11 The proposed single storey rear extension and works on the ground floor include a number of new windows and doors, because of the boundary treatments at the site these are not considered to be detrimental to the residential amenity of neighbouring properties. It is noted that an objection comment has been received regarding the change in roof style of part of the existing rear extension, officers note that this change would be permitted development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 5.12 The proposed extension will not affect the private amenity space of the existing residents or any future resident as the proposal is for a side extension.

5.13 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.

5.14 Highways

The proposal shows that as a result of the works the number of bedrooms will increase to four. South Gloucestershire's Residential Parking Standards Supplementary Planning Document (adopted) December 2013 states that the minimum parking requirement for a four bed dwelling is two off street parking spaces. A block plan has been submitted showing three parking spaces available to the frontage of the site. As such, there are no transportation objections to the proposal.

5.15 Other Issues

The objection comment received raises queries about where the down pipe and water will go from the extensions; this is covered under Building Regulations and is not a planning consideration.

Secondly the neighbour raised a query about whether the walls will be kept inside their boundary, the proposed site plan shows the walls of the extensions will be within the curtilage of the dwelling, if there were and issues it would be covered by other legislation.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

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

Reason

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

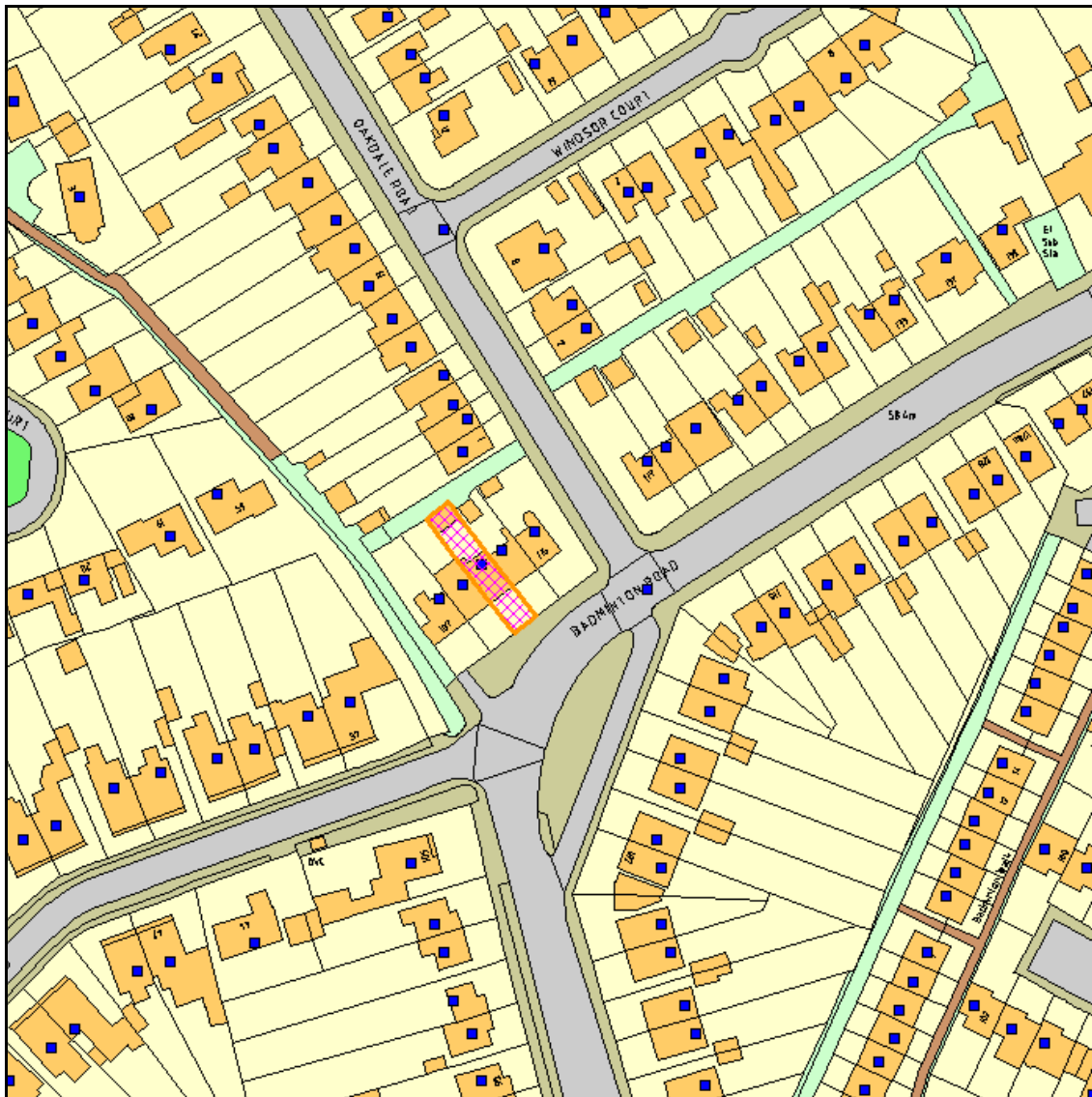
2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the extension is first occupied, and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/4861/F	Applicant:	Mrs Dena Shoebridge
Site:	111 Badminton Road Downend Bristol South Gloucestershire BS16 6BY	Date Reg:	5th September 2016
Proposal:	Erection of a single storey rear extension to form additional living accommodation.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365163 177296	Ward:	Downend
Application Category:	Householder	Target Date:	31st October 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been referred to circulated schedule due to comments being received contrary to the findings of this report. Under the current scheme of delegation it is required to be taken forward under circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a single storey extension to the rear of 111 Badminton Road, Downend.
- 1.2 The host property is an early to mid-20th century single storey dwelling with a two storey bay window, single storey rear extension and pergola. The property is mid-terrace with the end terraced having a gable end. The property has predominately rendered elevations and a gabled pitched roof. To the rear is an existing extension to be demolished.
- 1.3 The extension would span the full width of the existing structure.
- 1.4 The property is situated within the built up residential area of Downend.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006

3. RELEVANT PLANNING HISTORY

- 3.1 No Relevant Planning History

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

Objection –This is a mid-terraced property - Insufficient information on the drawings as to how the extension will take place without seriously affecting the two adjoining neighbouring properties.

4.2 Other Consultees

Public Rights of Way

No objection subject to informative

Other Representations

4.3 Local Residents

One objection received concerned that tying into the party wall may impact their rear extension.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Saved Policy H4 of the South Gloucestershire Local Plan (adopted 2006) is supportive in principle of development within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The proposal consists of a single storey rear extension to provide additional living accommodation. The property has been extended to the rear in the past, this existing extension will be demolished in order to facilitate the erection of the proposal. There are rear extensions to other nearby properties including the adjacent property and the proposal would not be considered out of keeping with the character of the area.

5.3 The proposal will utilise materials of a similar appearance to those in the exiting dwelling and there is no objection with regard to materials.

5.4 Overall, it is considered that the proposed extension would not harm the character or appearance of the area or the existing dwelling; as such is viewed as acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord

with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.

5.5 Residential Amenity

Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling. The majority of the proposal will be screened from the rear by the existing detached outbuilding, as a result the proposal is considered to have an acceptable impact on the properties in this direction. The proposal will not impact properties forward of the principal elevation. The adjoining dwelling to the west has been similarly extended and the proposal will project around the same distance consequently the proposal is not considered to unacceptably impact this property. The dwelling to the east is well screened by the boundary treatments and given the scale of the proposed extension is not considered to result in an unacceptable impact on this property.

5.6 The local plan requires development to retain sufficient outdoor amenity space for the dwelling. It has been judged that the resultant development would not cause the loss of sufficient private amenity space for the subject property.

5.7 The subject property is located within the built up residential area of Downend and given the scale and location of the proposed development, the proposal will not result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 and CS5 of the adopted Local Plan.

5.8 Sustainable Transport and Parking Provision

Currently the property has a covered area suitable for parking vehicles to the rear of the property. The extension will not impact on this current arrangement and as such there are no adverse highway concerns to address. Given the proposal will not include additional bedrooms, it will not require any additional parking space nor will it have a negative impact on highway safety or the retention of an acceptable level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.

5.9 Other Matters

Objection has been received from the neighbouring occupier and parish council. These comments indicate concern over the impact of the proposal on the party wall with the adjoining dwelling to the West and the method of accommodating the proposed development without causing damage to the extension at the neighbouring dwelling. The method of construction and adjoining of the proposed extension to the adjacent dwelling is a matter appropriately addressed under the Party Wall Act 1996. Essentially this is a civil matter that is not a material planning consideration. The applicant has completed certificate B of the planning application form which confirms that the obligations upon the applicant to inform the owners relating to this proposal (where it directly affects the neighbouring properties) has been met.

Whilst approval of this planning application is recommended, the grant of planning permission does not grant civil rights to carry out works that would directly affect third party properties. For clarity, the express consent of the owners of third party properties to carry out the works would be required irrespective of the grant of planning permission.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

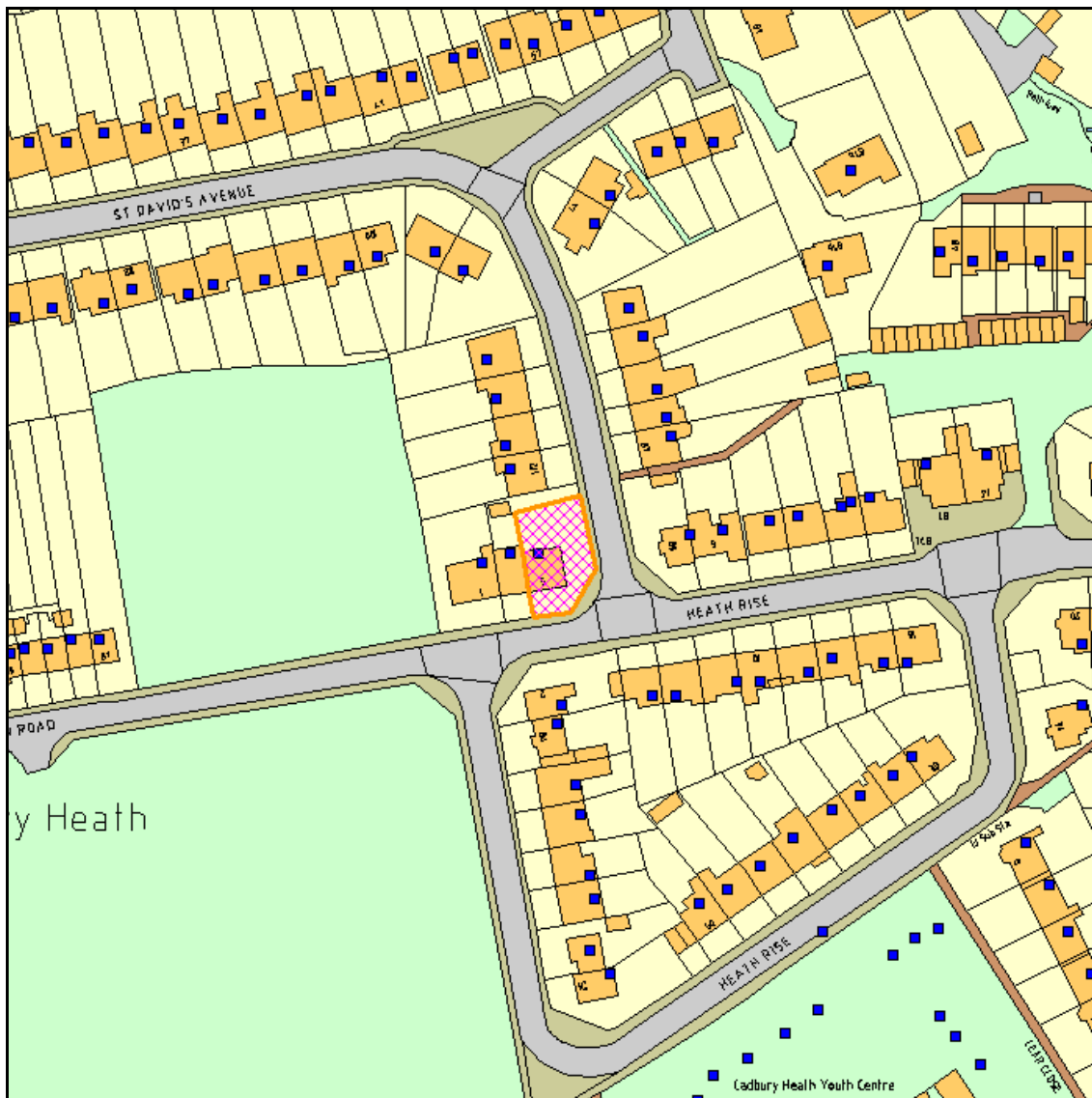
- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PK16/4882/F	Applicant:	Mrs Jean Hodgkins
Site:	5 Heath Rise Cadbury Heath Bristol South Gloucestershire BS30 8DB	Date Reg:	25th August 2016
Proposal:	Sub division of existing dwelling to form 2 no. dwellings, formation of new access and associated works.	Parish:	Oldland Parish Council
Map Ref:	366742 172301	Ward:	Parkwall
Application Category:	Minor	Target Date:	19th October 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule in accordance with procedure due to the receipt of letters of objection from local residents that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning consent for the sub division of an existing dwelling to 2 no. dwellings with the formation of a new access for the existing property off Heath Rise (the new dwelling to have an access off St Davids Road). Two parking spaces will be provided for the existing property and one for the new two bed property). The only external changes are the removal of an existing large garage door on the front elevation and its replacement with a window and door (to the front of the proposed new property). In addition a band of timber cladding across the front of the existing terrace will be carried across. A new door will be located to the rear of the existing property.
- 1.2 The property is an end terrace property and is located within the residential area of Cadbury Heath at the junction of Heath Rise and St Davids Avenue.
- 1.3 The current proposal is essentially the same as that approved in 2011 (PK11/0759/F – see history below).

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H5 Residential Conversion
T12 Development within the Existing Residential Curtilage

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity

PSP11 Transport Impact Management
PSP 16 Parking Standards
PSP22 Unstable Land
PSP37 Internal Space and Accessibility Standards
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.
Residential Parking Standards (Adopted) 2013
Waste Collection Guidance for new developments January 2015 SPD

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK11/0759/F Sub division of existing dwelling to form 2 no. dwellings, formation of new access and associated works (Approved with conditions) 6th May 2011

PK07/2693/F Conversion of existing extension and erection of two storey side extension to form 1no. attached dwelling. Refused October 2007

PK02/0962/F Erection of two storey side extension and rear conservatory. Approved May 2002

4. **CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council
The Parish Council objects to this application on grounds of over-development and inadequate provision for off-street car parking

4.2 Other Consultees

Drainage Engineers

No objection

Highways Structures

No comment

Sustainable Transport

The applicant is seeking full planning permission for the sub-division of the existing dwelling at 5 Heath Rise to form 2no dwellings comprising of a three-bed and a two-bed dwelling. It is noted that some local residents and the Parish Council are objecting to the application on basis of parking. In this context, the transportation officer makes the following comments;

According to the SG Council parking standards, 2 parking spaces are required for a 3-bed and 1.5 spaces are required for a two-bed dwelling. Therefore total of 3.5 space (rounded down to 3) are required for this development. Plan submitted shows 3 parking spaces on site. The proposed level of parking is

considered acceptable and in line with the Councils Parking Standards. It is suggested that suitable planning condition is imposed to ensure that parking spaces as shown on the submitted plans are provided and subsequently maintain thereafter.

The proposed new access is also considered acceptable and there is no highway objection to this. Whilst it has been noted that there is a telegraph pole close to the new access and it would be preferable for this to be moved, it is not considered that it is absolutely necessary to relocate the pole in order to create the new access as proposed. As such it would be unreasonable to attach a condition insisting upon the relocation of the telegraph pole, however an informative can be included to ensure the applicant knows that the pole must be re-located to the satisfaction of the service authority and the highway authority, should they wish to move the pole as advised.

It is further noted that a similar planning application to the current one was approved by SG Council in 2011 as part of application PK11/0759/F.

In view of all the above-mentioned therefore, it is not considered reasonable to refuse this application on parking or highway safety grounds.

Other Representations

4.3 Local Residents

There have been three letters of objection received. The grounds of objection can be summarised as follows:

- Location of a telegraph pole and manhole cover would mean that the access would have to be closer to the junction
- The refuse/recycling storage area should be located in a different position to avoid any impact to the adjoining occupiers
- The proposal will result in detriment to highway safety given the proximity to the junction with St Davids Avenue affecting visibility for cars entering the road particularly given that St Davids Road is a busy throughroute

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application is for the subdivision of an existing property to form two dwellings with an additional access and associated works. The proposal is essentially the same as one previously approved, albeit it a different location for refuse storage is shown (PK11/0759/F).

The previous consent above has lapsed (time-expired) however it is considered that this approval is a material consideration in favour of the current proposal given that it is a relatively recent approval and the details are essentially the same. In addition the policy considerations are the same, the proposal was

assessed in the light of the removal of private gardens from the definition of previously developed land in order to assess the impact upon the character of the area.

South Gloucestershire currently has a shortfall in its provision of housing when measured against the requirement as set out in para 49 of the NPPF to demonstrate a five-year supply of deliverable housing sites. The provision of one additional unit would weigh in favour of the proposal.

Policies H4 and H5 of the South Gloucestershire Local Plan (Adopted) 2006 support the provision of additional residential units within the urban area subject to consideration that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space. These issues are discussed below.

5.2 Design/Visual Amenity

No significant design changes are proposed, for example no extension is proposed. The changes that are proposed involve the removal of a large garage door and its replacement with a window and door and addition of an opening to the rear and also the continuation of timber boarding across the front elevation to match that in the remainder of the terrace. It is considered that these changes are entirely appropriate and will actually improve the visual appearance of the front elevation ensuring that the previous extension integrates with the remainder of the building. It is acknowledged that the new unit would be narrow compared to the existing terrace but given the above changes it is not considered that this would result in any demonstrable harm to visual amenity and the conversion of the dwelling into two separate units would be in keeping with the residential character of the area.

5.3 Residential Amenity

Given the scale and the location of the development, in particular given the nature of the changes proposed it is not considered that the development would adversely detract from the residential amenity of neighbouring occupiers. It is noted that concern has been raised that the refuse storage area should be located at a different location however such storage is self-contained and designed not to result in smells/odours in addition it would be surrounded by a screen. Nevertheless it is considered appropriate to apply a condition to require full details of the refuse storage prior to the first occupation of the units and its retention thereafter. Subject to this condition the proposed development is considered acceptable in these terms.

In terms of the amenity of future occupiers it is considered that sufficient private external amenity space is provided for future occupiers in both dwellings.

5.4 Sustainable Transport

Policy T12 of the South Gloucestershire Local Plan (Adopted), states that when determining proposals for new development the Local Planning Authority will require that the development makes adequate, safe and appropriate provision for the transportation demands which it will create and minimises the adverse impact of motorised traffic.

Concern has been raised that the proposed development which involves a new access will have an adverse impact upon highway safety given the location at the junction of two roads and the busy nature of those roads. It should be noted that the access and parking arrangement is identical to that previously approved in the earlier consent, nevertheless it is appropriate to consider the matter afresh in detail.

Parking Provision

The proposed development will provide 2 parking spaces for the three bedroom property and a single space is to be provided for the two storey dwelling. The parking standards as adopted in 2013 require the provision of 3.5 spaces (rounded down to 3) in total. It is considered that the provision of three spaces at this location is appropriate. A condition will be attached to the decision to ensure that the parking provision is provided prior to the first occupation of the development and retained as such thereafter.

Access

It is considered that the accesses are acceptable in terms of visibility/highway safety. Concern has been raised that a telephone pole close to the access will need to be removed. It is not considered that the pole needs to be moved in order to create the new access and achieve the required visibility. It is not therefore considered essential that the pole is moved however an informative will be attached to the decision notice to remind the applicant that should they wish to do this would have to be with the agreement of the service provider and the highway authority.

Subject to the above condition and the attachment of the informative it is considered that the proposed development is acceptable in highways terms.

5.5 Drainage

No objection to the proposed development is raised in relation to the impact in relation to surface water drainage as the proposal would not have any significant additional impact over and above the existing situation given that no additional structures are to be built. An informative will be attached to the decision notice to remind the applicant that no run-off shall go onto the highway from the new access.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission be granted subject to the conditions below

Contact Officer: David Stockdale
Tel. No. 01454 866622

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 refuse storage shown on Drawing No. 2000 Rev B hereby approved shall be provided prior to the first occupation of the development and shall be retained as such thereafter. For the avoidance of doubt the refuse/recycling facility shall be provided fully in accordance with the Waste Collection Guidance for new developments January 2015 SPD

Reason

In the interests of the amenity of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan 2013 and the Waste Collection Guidance for new developments January 2015 SPD

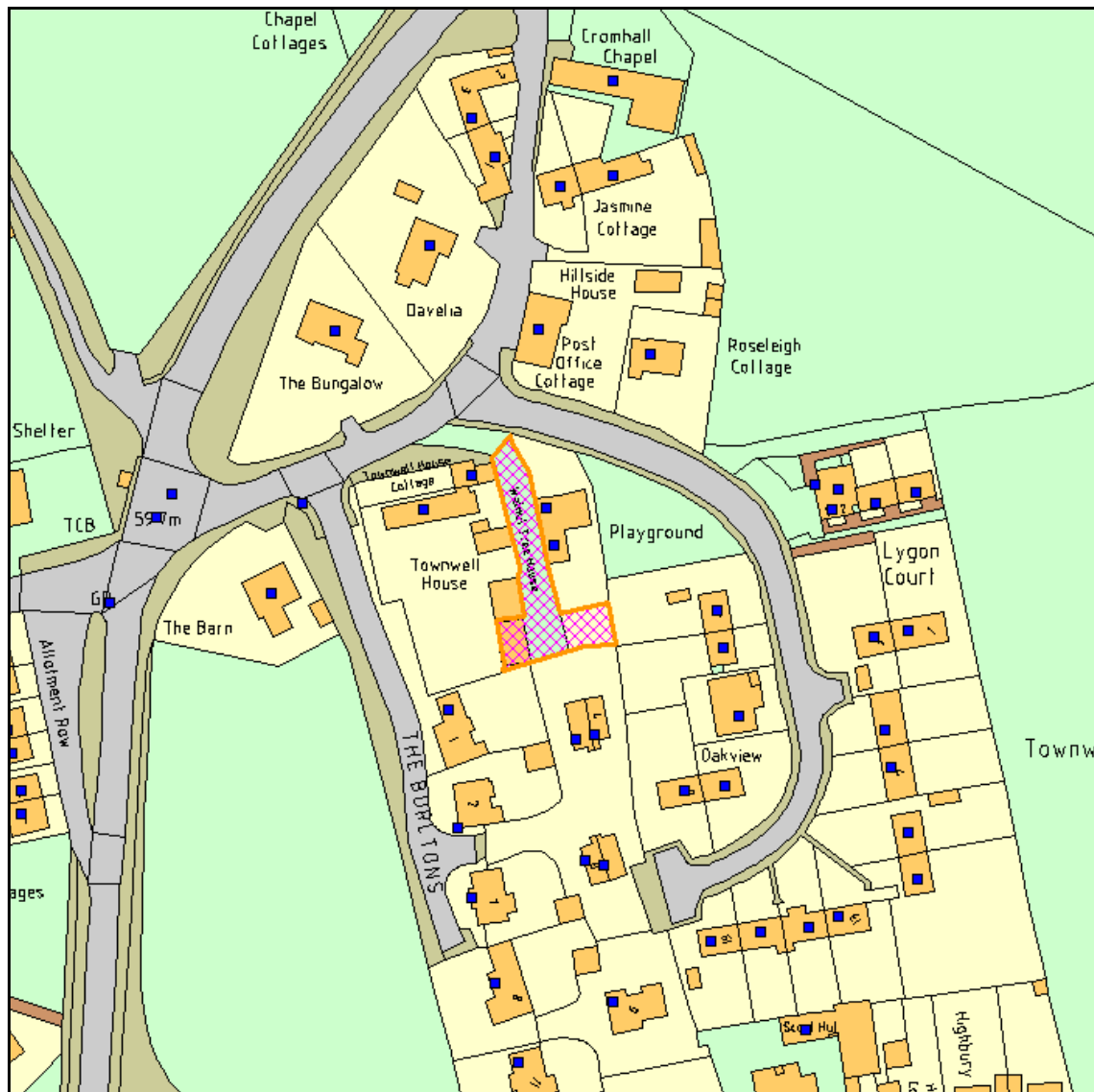
3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PT16/1687/F	Applicant:	Mr And Mrs Hanney
Site:	Walnut Tree House Townwell Cromhall South Gloucestershire GL12 8AQ	Date Reg:	18th April 2016
Proposal:	Conversion and extension of existing garage to form 1no. dwelling with associated works.	Parish:	Cromhall Parish Council
Map Ref:	369742 190709	Ward:	Charfield
Application Category:	Minor	Target Date:	13th June 2016



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100023410, 2015.

N.T.S.

PT16/1687/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is reported to schedule as a result of neighbour and Parish objections to the proposal which are contrary to the proposal.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the raising of the roof of a large car port which already has room in the roof, and for the addition of a front extension and new gable to the east elevation. The resultant building is proposed to be used, together with a parking space and a domestic garden as a separate dwelling. Three replacement parking spaces are provided for the original house. Two of these are being provided at the front of the original house and a third space is proposed at the side of the original house.
- 1.2 The application site includes the existing drive which gives access to three garages in separate ownership and two neighbouring houses also have pedestrian access over the red lined site. A large Walnut tree is located in the rear garden of Walnut Tree House and this is subject of a Tree Preservation Order.
- 1.3 The site is situated within the settlement boundary of Townwell, Cromhall.
- 1.4 This scheme has been amended by plans received on 23/5/2016 which serves to show the third parking space, marked 'C' on the amended plan001 rev E.
- 1.5 The use of this car port building for a single dwelling has been tested previously under reference PT14/0476/F and this was refused and then taken to appeal where it was dismissed by the Inspector. The Inspector found that the main issues in the case were:
 - a) the effect of the proposed development on the character and appearance of the area ; and
 - b) whether the proposed dwelling would provide acceptable living conditions for future occupiers, with regards to daylight, sunlight and outlook.
- 1.6 The Inspector found that 'the building would remain subservient to Walnut Tree House and it would retain the appearance of an ancillary outbuilding in views from neighbouring streets and residential properties'. He also found that 'the new residential curtilage would be no smaller than the plots in the Burltons immediately to the south.' And in that basis found 'no grounds for concluding that the proposal would appear out of character.'
- 1.7 The inspector noted that the three parking spaces proposed for Walnut Tree House would 'occupy almost half of the front garden and their proximity to the dwelling would give rise to a cramped appearance. Parked cars would dominate the site frontage to the detriment of the setting of Walnut Tree House and the wider street scene.'
- 1.8 In respect of living conditions he found that the trio of sun pipes previously proposed and an obscurely glazed window would not provide a significant amount of the natural light and that the rear of the building would feel dark and

gloomy such that occupiers would be reliant upon artificial lighting. He also considered that the position of the window openings in relation to the track of the sun would also limit sun penetration. Noted also was the use of only roof lights on the north and east sides in the bedrooms such that they would receive daylight but no sunlight. He noted also that the principal living area also looked directly out onto the car parking for the building which added to his concern regarding the standard of accommodation provided.

- 1.9 The current scheme proposes a number of changes from the previously refused and dismissed scheme which include:
- ☐ Only two parking spaces are proposed in the front garden of Walnut Tree House (instead of three) and these are set closer to the road and are already in place, having been constructed this summer.
 - ☐ At ground floor the north facing kitchen window and north facing lounge window are increased in width.
 - ☐ 3No. 3m by 1m roof lights giving light down to the west of the building.
 - ☐ The toilet widow becomes a window to the kitchen area.
 - ☐ The master bedroom will have a three light window in the gable facing east over the proposed garden and a north facing roof light to serve the master bedroom where previously there were two north facing roof lights.
 - ☐ The second bedroom will be served by an east facing window in a new gable rather than a roof light.
 - ☐ An obscure glazed bathroom window is proposed in the south elevation to serve the first floor bathroom

The differences will form the basis of this report.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework 27th March 2012

2.2 South Gloucestershire Local Plan (Adopted) January 2006 (retained policies) H4 Residential Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in favour of sustainable development

CS8 Improving accessibility

Proposed submission: Policy, Sites and Places Plan

PSP38 Development within existing residential curtilages, including extensions and new dwellings.

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

Residential Parking Standards adopted Dec 2013.

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT08/0819/F Erection of 1No dwelling and detached carport with associated works (amendments to previously approved scheme PT07/2480/F) It is noted that classes A, B, D, E, G and H of part 1 and any minor operations under part 2 (Class A) were withdrawn as part of this scheme. The reason given was the nature of constraints at the site and to ensure a satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers.

NB permitted development under Class F (hard surfaces incidental to the enjoyment of a dwellinghouse) are intact but not Part two Class A (gates, fences walls etc.) This would in effect permit the laying out of a new parking space but prevent the erection of the walls which define its edges.

- 3.2 PT11/3297/F Conversion of carport to an independent dwelling. {comprised bedroom, circulation space and bathroom at first floor with a kitchen at ground floor. Amenity space was a small square on the far side of the existing car parking area} Refused on 13.12.2011 for the following reasons:

1 The proposal would introduce a poor quality living environment for the future residents of the proposal by reason of the proposed site layout, its relationship with the neighbouring dwellings and the small-enclosed area of amenity space proposed. The proposal is therefore considered to be contrary to the provisions of PPS1, PPS3 and Planning Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

2 The creation of a single dwelling in the manner proposed would comprise a cramped and contrived form of development that would be out of keeping with the more spacious character of the surrounding pattern of residential development, relate poorly with the host dwelling and which would be detrimental to visual amenity. The application is therefore considered to be contrary to the provisions of PPS1, PPS3 and Planning Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 3.3 PT13/2752/F Extension and raising of roof to facilitate conversion of a garage into a dwelling. Withdrawn
- 3.4 PT14/0476/F Extension and raising of roof to facilitate conversion of garage to dwelling. Resubmission of PT13/2752/F Refused and appeal dismissed.
- 3.5 There have also been enforcement issues at the site of the carport:-

COM/10/0341/OD Garage of new build being used as dwelling PD – 25.05.10

COM/11/0523/OD Conversion of double garage with workshop above to living accommodation with a business being run from the property. Closed 04.10.11 breach ceased

COM/11/0523/OD/1 PCN issued 04.07.11

COM/11/0741/OD Garage being used as commercial let 04.10.11 Breach ceased

COM/12/0214/OD Build above garage/carport being used as residential accommodation following refused planning application PT11/3297/F Closed 13.04.12 no evidence of a breach. Garage being used by the owners brother on a short term basis, use ancillary, therefore no breach.

COM/12/0661/OD Change of use of annex to a single dwelling house closed 12.09.12 (merged with COM/12/0585/OD)

COM/12/0585/OD Carport being used as residential accommodation following refused planning application PT11/3297/F 11.10.13 no change of use; annexe was occupied and rented out. Occupant moved out and breach resolved. 11.10.13

COM/12/0585/OD/1 Carport being used as residential accommodation following refused planning application PT11/3297/F. Planning Contravention Notice issued 12.11.12 on landowner.

COM/15/1008/OD operational development to create a hardstanding and use of garage for living accommodation – closed case as the hardstanding is permitted development and the use of garage is incidental to the house.

Since the last refusal planning application PT16/0782/F was granted on 15.04.2016 for the erection of 1no. detached dwelling with access and associated works at a neighbouring site (Townwell House). At the time of finalizing the officer report the precommencement condition in relation to large scale details of the windows and the porch had not been submitted and no material commencement appears to have occurred.

4. CONSULTATION RESPONSES

4.1 Cromhall Parish Council

The Council feels strongly that the grounds for the previous refusal are still relevant. They believe the recently approved neighbouring development PT16/0782/F which is close to the boundary also needs to be taken into account.

The current planning application contains the previous history associated with this property under constraints Article 4 permitted developments rights were removed and is marked effective does this apply to the whole plot on which Walnut Tree House stands? If so have the parking areas marked 1 & 2 on the new plan that have already been constructed been carried out without the required rights?

The referenced Arboriculture Report dated April 2014 references site layout 70226-01-002 Rev A not revision B (which accompanies the application) and planning application PT14/0479/F; whereas this application is PT16/1687/F so this report is not thought to be relevant to the current application. There are

further concerns that the parking space is identified as across the tree route area and there are concerns over the potential to cause damage to the tree.

The already constructed parking spaces marked A & B on site layout 70226-01-003 Rev A were thought to be subject to a recent planning appeal which was refused on street scene grounds and the Council can see no reason why this should not be upheld in this application. The position of parking spaces A & B is situated immediately opposite the main entrance of Townwell Cottage and will present a hazard to the occupants leaving Townwell Cottage with vehicle maneuvering into these parking spaces.

The application removes two parking spaces that currently exist in the garage/store which is already used as living accommodation and if the new proposed parking spaces A & B cannot be legally constructed, then there is insufficient off street especially as there is also access required to 3 garages via the shared driveway.

4.2 Highway drainage team

No objection

4.3 Transportation team

No objection

4.4 Tree Officer

No objection subject to conditions requiring an Arborocultural Method Statement (AMS) for the removal of the section of closed board timber fencing. This AMS is to be agreed in writing by the SGC tree officer. And for an updated tree protection plan to incorporate revision B to BS5837:2012 to be submitted and agreed in writing with the SGC Tree Officer.

4.5 Highway structures

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

Other Representations

4.3 Local Residents

Objections from seven surrounding houses have been received regarding the following planning concerns:

- Concerns about previous unauthorised uses at the carport for residential accommodation
- Concern that two parking spaces have been created on the frontage already. This has poor appearance and remains unfinished.
- Concern that the existing garage layout is now shown correctly.
- Concern that previous applications at the site had been refused due to poor living conditions, cramped and contrived form of development , out of keeping with surrounding development.
- Loss of privacy
- Loss of available amenity space for the dwelling.

- Parking should not be on the frontage of the dwelling.
- Concern at overlooking from the large rooflights and how these may affect the recently approved house directly behind/west.
- concern that proposal will impinge even more on neighbours
- Raising of roof and putting dormer windows on the east elevation would have detrimental impact on 2 and 4 Townwell and cause loss of privacy to the houses and gardens.
- no consideration has been taken into account on the newly approved building (PT16/0782/F) to the west side of this elevation and will surely effect their right to light and privacy, as this is very close to the boundary.
- Concern that the description 'change of use' is not the correct terminology, as the 1st floor of this property is frequently being used as living quarters.
- Concern that the proposal will overpower neighbours
- Concern at potential increase in visitor parking at the entrance to Townwell.
- Concerns at it being cramped and confined, visually detrimental and overpowering to neighbours.
- Out of character.
- Concern at scale of proposal in close proximity to the neighbours garden.
- Concern at potential to overlook the approved house in the garden of Townwell House and overlook their garden.
- Concern that building works must be undertaken within the boundaries of the property.
- Concern that digging foundations and building activities will damage and kill the mature trees in the garden of 1 The Burtlons.
- Concern at parking spaces being directly outside the front door of Townwell House Cottage – due to fumes and manoeuvring outside the front door. Impact on health and well being / quality of life.
- Concern that the applicants have constructed two parking spaces already. These cause harm to the nearest house whose windows and door overlook them and gain access from the house into the path of the manoeuvring cars.
- Concern that a further application is an abuse of process and a waste of public money.
- Loss of property value

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policy H4 allows for the principle of the proposed development subject to considerations regarding appearance/form and the impact on the character of the area, the impact on the residential amenity of neighbouring occupiers and transportation effects (policies T12 and H4 of the Local Plan). It also advises that residential amenity space should also be adequate for the proposed dwelling. Policy CS1 considers design issues and policy CS4a issues a presumption in favour of sustainable development.

5.2 Appearance/Form and Impact on the Character of the Area

The site is located within the domestic curtilage of this house. The building in question is a stone fronted and stone finished rear car port with rendered side elevations and a pitched, tiled roof over. These materials are proposed to be used in the extension and reworking of the building but with introduction of timber cladding to the north and east elevations of the extension. Timber cladding is used on the applicants own conservatory and as such timber together with the use of other matching materials are considered acceptable. The scale of the proposal remains the same as the previous proposal, apart from the additional of a small gable over the front door to create a window for bedroom two. The gable, being subordinate to the roofline is not considered to materially affect the overall massing of the proposal. The Inspector found no harm to the neighbours as a result of the mass and location of the resultant building. He also found that there were no grounds for concluding that the proposal would appear out of character. It is not considered that the small additional gable is so material as to find to the contrary of the Inspector.

5.3 In relation to parking there is a change with this application. The inspector did find detriment to the setting of Walnut Tree House and the wider street scene because the three parking spaces would occupy almost half of the front garden and their proximity to the dwelling would, he found, give rise to a cramped appearance. The applicant has constructed two parking spaces in their front garden in close proximity to the roadside, thus leaving a larger space between Walnut Tree House and vehicles which would be parked in the spaces. The laying out of the spaces is considered to be permitted development. The walling which holds back the higher level garden is not permitted development as the right to form enclosures was withdrawn from the house when it was granted planning permission under reference PT08/0819/F. The retaining walling does need planning permission but as the parking spaces could have been created with banked sides and the retaining walling matches the modest retaining walling already in place at the site it is considered a disproportionate response to refuse planning permission on the basis of walling which matches its surroundings. The reduction of parking spaces to two and the modest revised location are considered to preserve the majority of the garden as open land, more in keeping with the open nature of the immediate vicinity and prevents a cramped appearance. A small landscaped area has also already been planted up between the parking spaces and the road. The third space is located directly beside the original house in this private passage to the proposed house and garaging to Townwell House and Townwell House Cottage. This is not intrusive to the streetscene nor harmful to the character of the area. The site are is understood to belong wholly to the applicant with a right of passage to the other two houses. There is ample space to pass this third parking space in order to gain access to the proposed house and the neighbours garaging and as such the existing house is considered to have been provided with sufficient parking space to comply with the three spaces sought by the Residential Parking Standards for the existing house and access to the garaging remains.

5.4 As such the proposal is considered to have satisfactorily overcome the concerns of the Inspector and it considered acceptable.

5.4 Residential Amenity

The host building is located at the very southwest of the site, tucked into a corner of the site. The closest properties to the garage are to the southeast and southwest of the proposal and are currently 11m away from the existing car port. The proposal would bring the extended structure to ten metres from the north facing elevation of 3 The Burltons. The juxtaposition of the properties together with the eaves height proposed and the fact that the proposal is not directly in line of sight with the rear windows at 3 The Burltons, prevents material harm by reason of overbearing impact at that neighbours house. Similarly at 1 The Burltons the increase of the garage height by 0.6m on the northern side of the garden would not materially affect the residential amenity of the occupiers. This property also has trees at the rear of its own garage which will obscure some of the view of the garage. The building would remain 23m from the properties to the northwest, preventing harm to those residents. Residents have concerns that their gardens would be affected but this is not a direct impact on residential amenity and in any case would be limited by reason of the juxtaposition of the carport buildings to surrounding properties and the limited increase in height from existing situation.

5.5 The inspector found no concern with the scale of the building in relation to neighbours and this remains your officers' view. This application seeks however to overcome the concerns of the Inspector in terms of the future occupants of the building by offering it more natural light and outlook. As such whilst the physical dynamics of the building do not change consideration of privacy to neighbours must be reassessed.

5.6 This proposal includes two first floor windows to the bedrooms which are some 30m from the properties directly east of the site at 2 and 4 Townwell. This is considered ample distance to prevent harm by loss of privacy. The proposed main bedroom window also offers an acute angle view to three and four The Burltons. This could be argued as offering more privacy than was the case from the existing roof lights at the car port in relation to 3 The Burltons as the angle of outlook between the window and the rear elevation of 3 The Burltons is almost at 90 degrees. At 4 The Burltons the angle of outlook is around 60 degrees between the window and the rear elevation of 4 The Burltons such that intervisibility is unlikely between the properties. It is acknowledged that there would be modestly less privacy to the garden area than if someone were looking out of the current scheme of roof lights.

5.7 To the west roof lights are proposed to illuminate the ground floor and the first floor landing. These have no impact on the privacy of existing houses although a proposed house, as yet not commenced, will have on looking windows in due course. However at the time of writing the report no lawful commencement has occurred on the proposed house and given that the roof light would serve a non-habitable landing area it is not considered to cause a loss of privacy to this proposal. Notwithstanding this it is considered proportionate, given the likelihood of new dwelling being built at the rear, for the base of this new roof light to the landing to have a minimum cill height of 1.7m above finished floor level. This would give sufficient limitation of intervisibility.

- 5.8 This revised plan also inserts a first floor bathroom window which is proposed to be obscure glazed. It is considered appropriate to condition the bathroom window to be non-opening below 1.7m from finished floor level as well as being obscure glazed in the interest of the privacy of nearby houses at 1 and 3 the Burltons.
- 5.9 It is also considered proportionate to restrict permitted development rights for householders given the close proximity of neighbouring properties as development other than that considered in this report may affect residential amenity and therefore needs to be scrutinised. As such it is considered that the proposal would not materially harm the residential amenity of neighbouring properties by reason of the physical changes or location of fenestration proposed in this application.
- 5.10 In consideration of the Inspectors concerns for the inhabitants of this proposed dwellinghouse it is noted that the bedrooms have now been provided with proper windows rather than just roof lights, an additional kitchen window is provided and existing ground floor windows have been enlarged. More importantly three 1m by 2m roof lights will facilitate a light well designed to bring natural daylight into the rear of the building to prevent the need for artificial lighting. These proposals have been achieved without material harm being caused to neighbours and the potential new house to the west of the proposal is not considered to materially affect the lightwell.
- 5.11 Overall the proposal is considered to be in accord with Policy CS1, H4 and PSP38.
- 5.12 Landscaping
A walnut tree on site is protected under TPO 0427. The tree officer has viewed the tree report submitted to support this application (Silverback April 2014) together with the revised plan 002 rev B showing revised parking and fencing arrangement. It is noted that the same tree report has been submitted to support this application (Silverback April 2014). The revision, whilst less intrusive, has not therefore been addressed in this report. The subject walnut tree is protected under TPO 0427. The tree protection plan, within this report requires updating to reflect the new design as the protective fencing does not reflect the revised parking layout.
- 5.13 In order to construct the proposed new dwelling there is no encroachment into the RPA of the subject tree. However, the parking space is now proposed within the RPA (instead of 1.5 parking spaces as in the previous drawing). A no-dig design is needed within any soft ground within the RPA.
- 5.14 This will entail the removal of a section of the close board timber fencing and its repositioning to the south of the tree. An arboricultural method statement is needed for the removal of the timber fence as the concrete footings can potentially damage the roots if not carefully removed. A method statement has been produced to cover both the car parking space and the installation of the new timber fencing. Monitoring has also been proposed in the Silverback tree report (section 9.0) which would be expected to be retained in the revised document.

- 5.15 The tree officer raises no objection to the proposal subject to an AMS being provided for the removal of the sections of close boarded fencing and in relation to the provision of an amended Tree Protection Plan to incorporate revision B to BS5837:2012. As such the health of this tree is maintained.
- 5.16 Transportation
The site benefits from an existing access and one car parking space has been proposed which is in accordance with the Council' residential parking standards. Two cycle parking spaces are also required and this could adequately be achieved by the erection of a small shed in the garden, details of which would need to be agreed. This car and cycle provision would need to be provided prior to occupation of the building.
- 5.17 Given that the proposal utilises the parking facilities of the existing dwelling a revised parking scheme needs to be shown for the host dwelling. This consists of the existing two parking spaces now formed at the north of the site and a parking space to the side of the original house. This is considered to meet the needs of the five bedroom house and as such no objection is raised in terms of highway safety. It is acknowledged that there may be some private right of way issues in the area of the third parking space but the parking space is passable, giving access to the neighbours garage block at the back of the site and the proposed dwelling. This is also off road parking where it will not interfere with the free flow of traffic on the highway.
- 5.18 Drainage
It is recognised that there were concerns about drainage from neighbours during the previous application. The extension is proposed in place of much of the existing tarmac parking area. Further areas of parking have been created which have been finished in tarmac to match the existing drive. The building control application procedure ensures that an adequate drainage solution is used for the additional roof water created by the proposal.
- 5.19 In order to control the surface water relating to the new parking space at the rear of the site it is considered that the CelWebb material suggested in respect of the health of the tree, which claims to prevent compaction and reduction in permeability would also address the desire to limit additional surface water.
- 5.20 Planning Balance
Following an appeal decision on 8th June 2015 (APP/P0119/1/14/22202915) relating to a site in Charfield, the Inspector came to the conclusion that the Local Planning Authority in South Gloucestershire could not demonstrate a 5-year supply of deliverable housing land, and therefore paragraph 49 of the NPPF is currently engaged. Housing applications should be considered in the context of the presumption in favour of sustainable development, and that the Local Planning Authority should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This proposal will add one dwelling to the housing supply, and it is not considered to make a significant contribution. However, when balancing the benefit that one house will bring against the limited harm caused (the limited impact to neighbours) it is considered that the harm does not significantly and

demonstrably outweigh the benefits, and therefore the application should be approved.

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 Core Strategy (adopted December 2013) set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning Permission is GRANTED subject to the conditions set out below:

Informatives regarding ownership of the site, plan details, hours of working, TPO tree on site and construction matters are also recommended.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. The dwelling shall not be occupied until the car parking space has been provided in accordance with the submitted details.

Reason

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

3. The dwelling shall not be occupied until two covered and secure cycle parking spaces have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

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

4. Prior to removal of any fencing within the site area an Arboricultural Method Statement (AMS) shall be produced for the removal of the section of close boarded timber fencing. This AMS shall be submitted to and agreed in writing by the Local Planning Authority SGC tree officer.

Reason

In the interests of the long term health of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

5. Prior to the removal of any fencing on site an updated tree protection plan to incorporate a scheme specifically related to the layout plan 70226/01/002 revision B to British Standard BS5837:2012 shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

In the interests of the long term health of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

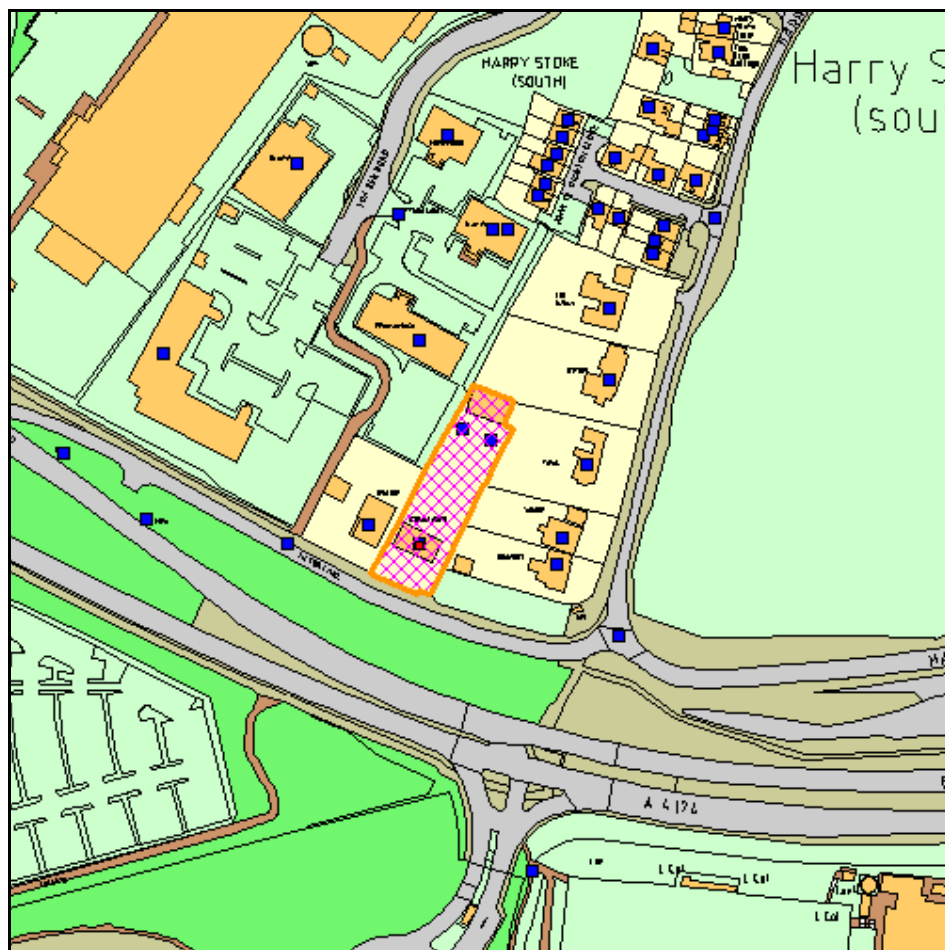
6. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, G and H), or any minor operations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

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PT16/3706/F	Applicant:	Ms N Asif
Site:	Crantock Filton Lane Stoke Gifford Bristol South Gloucestershire BS34 8QN	Date Reg:	16th June 2016
Proposal:	Change of use from Dwellinghouse (Class C3) to a 9no. HMO (sui generis) as defined in Town and Country (Use Classes) Order 1987 (as amended).	Parish:	Stoke Gifford Parish Council
Map Ref:	361925 178649	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	10th August 2016



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PT16/3706/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the circulated schedule for determination as the Parish Council and a local resident have raised objections to the development. The officer recommendation is for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of Crantock *from* a dwellinghouse (Class C3 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) *to* a 9-bedroom House in Multiple Occupation (“HMO”) (Sui Generis). A planning application is required as the proposed change of use does not benefit from permitted development rights.
- 1.2 The application site is a detached, 2 storey dwelling situated on Filton Lane. The property is set back from the main highway in a large curtilage. Across the A4174 lies the main Frenchay campus of UWE. The application site is located within the existing urban area of the North Fringe of Bristol.
- 1.3 The rooms on the ground floor currently indicated as reception rooms and a lounge would change use to be bedrooms. Given no external alterations are proposed, it is not considered that there would be a material change to the external appearance of the building.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS17 Housing Diversity

CS25 Communities of the North Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T7 Cycle Parking

T12 Transportation

H5 Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes

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

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

- PSP39 Residential Conversions, Subdivisions and Houses in Multiple Occupation
- PSP43 Private Amenity Space Standards

2.4 Supplementary Planning Guidance

- i. Residential Parking Standard SPD (Adopted) December 2013
- ii. Waste Collection SPD (Adopted) January 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT16/3805/F *Pending*
Erection of two storey rear extension to provide additional living accommodation. Erection of front porch.
- 3.2 PT16/0144/F Approved with Conditions 15/03/2016
Erection of 2no. detached dwellings with associated works.
- 3.3 P92/2626 Refused 10/02/1993
Erection of two detached dwellings; construction of vehicular and pedestrian accesses (outline)

4. **CONSULTATION RESPONSES**

4.1 Stoke Gifford Parish Council

Objection: No detail regarding a travel plan, parking or mention of any traffic regulation order. Local Member has been requested to consider calling the application to sites.

4.2 Other Consultees

Community Enterprise

No comment received

Sustainable Transport

Objection: Lack of information. No details of car parking, waste and recycling, cycle parking provided. In addition to this, a car parking survey should be done of the surrounding highway network to determine the amount of off-site car parking available.

Updated comments:

Revised Block and Site Location Plan (PL03) and Cycle Storage Details received: *Number of parking spaces and their location considered acceptable, but not happy with location and design of proposed cycle parking. Cycle parking should be fully enclosed and not visible. The cycle parking indicated is suitable for short term office development, not long term residential storage. Any proposals should also be located to the rear of the site rather than the front where it is obvious that the use is for cycles, hence more vulnerable and less secure.*

Normally visitor parking spaces can be accommodated on the highway, but in this situation, space is limited on the highway due to the parking restrictions in

place. As such, in accordance with the adopted SPD, an additional car parking space for visitors in addition to the 5 provided is required to be provided on plot.

Updated comments:

Revised Block and Site Location Plan (PL03) and Cycle Storage Floor Plan and Elevations (PL04) received: No Objection, subject to a condition that requires the cycle and waste facilities to be provided prior to first use of the building as a HMO.

Environmental Protection

No Objection, subject to a condition securing a scheme detailing the provision of safe storage of waste.

Other Representations

4.3 Local Residents

One letter of objection has been received which raises the following points:

- A HMO situated here would be at odds with the family homes surrounding it.
- Excessive noise and anti-social behaviour from future tenants
- Increase in parking on the street and kerb mounting
- Increased congestion
- An adjacent HMO would negatively affect the resale value of properties in the area
- If approved, a local resident would make a freedom of information request.

5. ANALYSIS OF PROPOSAL

5.1 Planning permission is sought for the change of use of an existing house into a HMO.

5.2 Principle of Development

Policy H5 of the Local Plan specifically addresses HMOs and is therefore the starting point for determining this application. This policy is supportive of HMOs subject to an assessment of the impact on the character of the area, residential amenity, and off-street parking.

5.3 Parking provision should be assessed against policy T12 (with regard to highway safety) and the Residential Parking Standard SPD (with regard to the number of spaces provided). Consideration must also be given to the provision of adequate bicycle storage to encourage sustainable and non-car based modes of transport.

5.4 Bin storage should be assessed against policy CS1 (with regard to provision) and the Waste Collection SPD (with regard to location and design).

5.5 The forthcoming Policies, Sites and Places Plan is a material planning consideration, but carries little weight at this time.

5.6 *Housing Supply*

Before considering the proposal in more detail, it is worth addressing the position with regard to housing land supply. At present, the local planning authority is unable to demonstrate a 5-year housing land supply. Turning to how housing number are measured, if permitted, this application would lead to the loss of 1 housing unit (Class C3) and the gain of 1 house in multiple occupation (Sui Generis). Therefore, in terms of housing supply, this application would have a neutral impact and the current housing supply shortage is given little weight in the determination of this application.

5.7 Residential Amenity and the Impact on the Locality

Policy H5 indicates that proposals should consider the character of the area and the amenities of nearby occupiers. Proposals should also demonstrate that occupiers have access to adequate amenity space.

5.8 The site is the second of two substantial residential plots along Filton Lane, side-on to a row of large properties in equally substantial plots along Harry Stoke Road. In close proximity are a number of large employers and a higher education institution. The occupation of properties along these residential roads as HMOs (Class 4) is lawful as permitted development. The difficulty comes in determining the level of harm that comes from a change of use to a Sui Generis larger HMO. The property can currently be lawfully occupied as a HMO under Class C4, but this proposal would seek to increase the number of occupants by three.

5.9 Concern has been raised in terms of the impact of the development on the character of the area. Filton Lane and Harry Stoke Road are low-density housing areas within the existing urban area of the north fringe of Bristol and in close proximity to major employment and educational facilities such as UWE, MoD Abbeywood, numerous business parks and industries located around the former Filton Airfield. For a proposed change of use to be harmful to the character of an area, there must be a discernible change to the characteristics which define and identify that place. The application seeks permission for a straight-forward change of use; it does not seek permission for any operational development. Without any physical alteration to the building, its character and physical relationship with neighbours is maintained. Only the occupancy of the property will change, but whom occupies the property cannot be limited. Adding diversity to housing stock, particularly in areas which are sustainably located with good access to shops, services and employment or education opportunities is therefore not considered to be harmful.

5.10 No external changes are proposed to the building itself; the additional bedrooms would be created through internal alterations only. Five parking spaces are proposed in the front garden, but the property has access to a large area of amenity space to the rear - a waste and bicycle storage building is proposed to be located here. At present, the Council does not have a minimum private amenity space standard; although one is proposed in the forthcoming Policies, Sites and Places Plan (PSP44). This policy states that proposals for the change of use must ensure that the minimum amenity space standard is met. In this instance that would be the provision of 70 square metres of amenity

space. It would therefore be possible to provide in excess this level of private amenity space at this location and is considered sufficient to meet the needs of the occupiers of the property.

- 5.11 Concern has been raised with regards to tenants causing excessive noise and inflicting anti-social behaviour on neighbours. Whilst it is recognised that a HMO may generate higher levels of noise than a property in use as a single dwelling, excessive noise would be a nuisance under environmental protection legislation. Similarly, neighbours can report incidents of anti-social behaviour to the Council's Anti-Social Behaviour Team or the Police. As such, it is not considered that these matters can be constraints in determining planning permission.
- 5.12 Overall and on balance of the factors discussed above, it is considered that the site would be able to be occupied as a larger HMO without prejudicial harm to the residential amenities of nearby occupiers or a significant impact on the character of the area.
- 5.13 Design and External Appearance
No external alterations to the existing building are proposed. Whilst there are no changes externally, in order to provide sufficient undercover and secure bicycle parking and to meet refuse and recycling requirements, the applicant proposes to erect a timber cycle and waste store to the rear of the property; this will be discussed in more detail below.
- 5.14 Transport, Parking and Waste
Policy H5 states that an 'acceptable' level of off-street parking should be provided. The Council has produced the Residential Parking Standard SPD to provide greater detail on expected parking provision. The SPD requires residential properties with 5 or more bedrooms to provide a minimum of 3 off-street parking spaces; however, there is no particular policy or guidance with regard to HMOs as the SPD states that each would be assessed on its own merits. This situation may change in the near future. Within the Policies, Sites and Places Plan currently under preparation, policy PSP16 requires the provision of 0.5 parking spaces per bedroom in a HMO. This policy is yet to undergo an examination in public, but is currently undergoing formal consultation beforehand.
- 5.15 Concern has been raised that the development will increase parking on the street and cause congestion. Part of Filton Lane, off Filton Road, is a dedicated bus lane for buses, taxis, private hire vehicles, motor cyclists and cyclists and on-street car parking along the rest of the road is restricted by double and single yellow lines. The proposed development generates the demand for five parking spaces, however, given the parking restrictions on the adjacent highway, an additional parking space for visitors must be provided on site. Revised plans have indicated that six car parking spaces will be provided at the property. It is therefore considered by Officers that the provision of six parking spaces would meet the needs arising from the property and would not generate additional traffic to the extent it would create congestion on the highway network that a transportation objection could be raised or sustained. A development of this form/scale would be equivalent to that of 2 or 3 houses, the

traffic generation from which would not be noticeable on the adjacent highway network.

- 5.16 The site has good access to sustainable travel options. It is in walking distance to a number of major destinations for employment and education and well served by buses. However, in order to encourage cycling as an alternative sustainable means of transport, 9 cycle spaces should also be provided. Revised plans show a wooden building will be erected to the rear to provide cycle storage.
- 5.17 Part of the timber cycle store will also be used for the stage of waste prior to collection. It is considered that the bin storage area is sufficient for the storage of bins and recycling boxes required. It is, however, not possible to control that the storage facilities are used, but the purpose of providing them is to encourage the appropriate storage of waste. Public health issues arising from the poor storage of waste should be managed through environmental protection legislation rather than the planning system.
- 5.18 Subject to a condition that requires the cycle and waste facilities to be provided prior to first use of the building as a HMO, then there are no transportation objections.
- 5.19 Other Matters
Concerns have been raised that the resale value of properties adjacent to the HMO could be negatively affected. The valuation or potential de-valuation of a property as a result of a development is not a material consideration when determining an application and as such, has not been given any weight.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

2. Prior to the first occupation of the building as a 9 bedroom HMO (Sui Generis), the cycle and bin storage as shown on plan Block and Site Location Plan (PL03), received 28/09/2016, shall be installed and retained as such thereafter.

Reason

To encourage means of transportation other than the private car, ensure the satisfactory external appearance of the development in the interests of visual amenity and protect the residential amenity of the neighbouring occupiers and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies); the National Planning Policy Framework; and the Waste Collection Guidance for New Developments SPD (Adopted) January 2015.

3. The property shall be laid out internally strictly in accordance with the proposed plan Proposed Floor Plans and Elevations (PL02), received 14/06/2016, as hereby approved.

Reason

For the avoidance of doubt and to retain control over the number of bedrooms located within the property as intensification of the use will require further consideration in respect of residential amenity and parking standards, and to comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policies T7 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies)

4. Six off-street car parking spaces measuring 2.4m x 4.8m shall be provided to the front of the property prior to the first occupation of the property as a HMO and retained thereafter for the use of the property.

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PT16/4086/F	Applicant:	Mr Tim Ross
Site:	8 Abbott Road Severn Beach Bristol South Gloucestershire BS35 4PU	Date Reg:	7th July 2016
Proposal:	Demolition of existing conservatory and erection of single storey side/rear extension and erection of rear conservatory and single storey front extension and front porch to provide additional living accommodation. (Resubmission of PT16/1967/F)	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354401 184293	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	31st August 2016



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PT16/4086/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of an objection from a local resident.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the demolition of an existing conservatory and the erection of a single storey side / rear extension and a front porch at No. 8 Abbott Road, Severn Beach. This is a resubmitted planning application, the previous planning application was refused due to the unacceptable size, design and the location of the front dormer window. The main difference of the proposal is that the previous proposed dormer has been removed from this application.
- 1.2 The site is situated within a residential area of Severn Beach and it is not situated within any designated land use, however, it is located within Flood Zones 2 and 3. A Flood Risk Assessment has been submitted with this application. The host dwelling is a semi-detached bungalow finishing with pebbledash render and clay roof tiles and there is a detached garage within the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
EP2 Flood Risk
T8 Parking Standards

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

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 PT16/1967/F Demolition of existing conservatory and erection of single storey rear/side extension to form additional living accommodation. Erection of rear conservatory. Erection of single storey front extension and porch. Installation of front dormer to facilitate loft conversion. Refused on 23.06.2016 for the following reason:

The proposed extension, principally by reason of the size, design and location of the front dormer window, would be out of keeping with the existing dwellinghouse and other nearby properties. Due to the prominence it will have in the street scene it would have a detrimental impact on the character and appearance of the locality. The proposal would not meet the highest possible standard of design as required by Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the good standard of design required by the National Planning Policy Framework.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No comments.
- 4.2 Sustainable Transport
No objection. The applicant seeks to demolish the existing conservatory and erect a single storey rear/ side extension, conservatory, porch and dormer. The proposals would create two additional bedrooms making the total 4. South Gloucestershire Council's minimum parking standards state that a 4 bed dwelling requires 2 off-street parking spaces. Adequate parking will remain on the driveway to the front of the property and as such there are no transportation objections.
- 4.3 Lead Local Flood Authority
No drainage objection providing the flood mitigation / resilience measures outlined in the application are incorporated.

Other Representations

- 4.4 Local Residents
One letter of objection has been received and the local resident is concerned that the proposed extensions would cut down their view and the amount of light reaching their hallway. It is also concerned that the proposal will be out of character with the rest of the semi-detached properties and probably devalue his property. There is no detail particularly on the roof drainage and down pipes.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application stands to be assessed against the above listed policies and all other material considerations. In this instance of particular importance is the overall scale of the proposed extensions within the residential garden and its

design (CS1; CS5); the impact on residential amenity of adjacent neighbours (H4); and the impact on highway safety and off street parking (T12; SPD residential parking standards).

- 5.2 The proposal for the erection of extensions and a front porch to form additional living accommodation is considered to accord with the principle of development and this is discussed in more detail below.

5.3 Design and Visual Amenity

The application site is a semi-detached bungalow in a residential area of Severn Beach, which is characterised by a group of bungalows with different designs, forms and scales. There is an existing area of hardstanding used as a driveway and a detached garage within the site.

Officers acknowledged the residents' concerns regarding the design of the proposed front extension and the porch. Whilst the proposed extensions would change the appearance of the existing front elevation, it is considered that the proposed extension including the porch are modest in scale and also would be in proportionate to the scale of the host dwelling. Furthermore, the design of the extensions also respect the character of the host dwelling. As such, these extensions would not cause any harm to the character of this pair of semi-detached bungalow, or the locality.

The proposed rear extension and conservatory have been designed to retain the existing character of the bungalow. Due to its modest scale and discreet location, the proposal would not cause any harm to the character or appearance of the host dwelling or the locality.

Overall, it is considered that the proposal would comply with policy CS1 of the adopted Core Strategy and the saved Policy H4 of the adopted Local Plan.

5.4 Residential Amenity

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

The application site is a semi-detached bungalow in Severn Beach. Officers acknowledge the residents' concerns regarding the loss of light reaching the neighbours' hallway. The proposed front extension would be approximately 1.3 metres deep and the new porch, measuring 1.5 metres deep, which would be further set back from the neighbouring property, No. 6 Abbots Road. Whilst the proposed front extension would cause a degree of loss of light, it is not considered that any adverse impact would be significant such that it would result in significant harm to the living conditions of the adjacent residents given its modest scale and the position of the extension. All new windows on the front extension and the porch would look over public highway, as such, it would not cause any issues in terms of loss of privacy.

The proposed rear extension would replace the existing conservatory and there would be a new conservatory at the rear. Therefore there is no residential issue regarding the proposed rear extension. The proposed conservatory would be

adjacent to the existing blockwork and fencing. Although the proposed conservatory would result in a further rear projection by approximately 3 metres, it would not cause any harm to the amenity of the neighbouring residents given that they would be approximately 2.6 metres high, which would only be 0.6 metres higher than the normal garden fence allowed by the householders permitted development.

The proposal would install a number of new windows and rooflights on the proposed extensions and the host dwelling. Given their locations and the existing boundary treatment, it is considered that they would not cause any significant overlooking impact upon the neighbouring residents.

Furthermore, the proposed extensions would not adversely affect the private amenity space of the existing residents or any future residents as there is a reasonable sized rear garden will be retained.

It should be noted that the resident's concerns regarding the loss of view and the devaluation of the neighbouring properties would be non-material planning considerations, therefore these issues would not be relevant to the determination of this application.

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.

5.5 Highways

The proposal will increase the number of bedrooms within the property to four. The Council has a Residential Parking Standard SPD which sets the minimum parking standard in proportion to the amount of bedrooms at the property, for a four bed dwelling a minimum of two off-street parking spaces is required. Adequate parking will remain on the driveway and as such there are no transportation objections.

5.6 Flood Risk

Officers acknowledge resident's concerns regarding the lack of drainage details, in particular, the roof drainage and down pipes. The applicant site is situated within flood zone 2 and 3 which also means that it is an area at risk from flooding. The Drainage Engineer has considered the proposal and raised no objection to the scheme subject to a condition to secure that the development will be carried with in accordance flood mitigation measures. Given that the proposal would be modest in scale and an acceptable flood mitigation measures have been submitted, therefore there is no drainage objection to the scheme.

6. CONCLUSION

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

- 6.2 The recommendation to grant 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 following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. The materials to be used in the construction of the external surfaces of the extensions 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; the saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2013; and the National Planning Policy Framework.

3. The submitted flood mitigation / resilience measures dated 25 May 2016 hereby permitted shall be carried out in accordance with the approved details, and shall be maintained as such thereafter.

Reason

To minimise the effect of any flooding which may occur and to comply with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

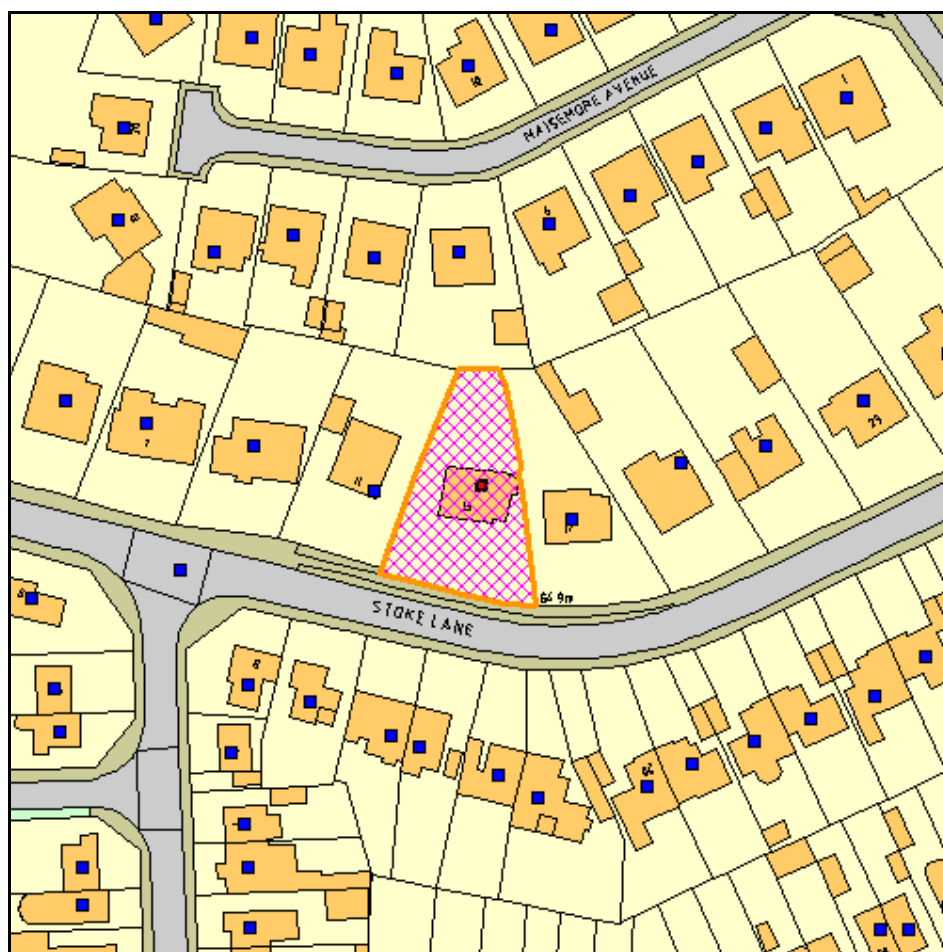
4. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 Mondays to Fridays, 08.00 to 13.00 Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the residential amenity of the neighbouring occupiers 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. 39/16 – 30 SEPTEMBER 2016

App No.:	PT16/4307/F	Applicant:	Mr And Mrs Sheppard
Site:	15 Stoke Lane Patchway Bristol South Gloucestershire BS34 6BN	Date Reg:	2nd August 2016
Proposal:	Demolition of existing dwelling and erection of 1no detached dwelling.	Parish:	Stoke Lodge And The Common
Map Ref:	360894 181998	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Minor	Target Date:	23rd September 2016



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 100023410, 2015. N.T.S. PT16/4307/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in light of an objection received from a Ward Councillor.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of an existing dwelling and the erection of 1no. replacement dwelling with an integral garage within the same plot, at 15 Stoke Lane, Patchway.
- 1.2 The application site is composed of an existing 'derelict' bungalow which sits within a large plot. An existing access, off Stoke Lane would remain following the development. Surrounding properties are largely detached bungalows, but the character of the area is varied and some dwellings are heavily extended.
- 1.3 The host dwelling is located within the established settlement of Patchway, which forms part of the North Fringe of Bristol. The application site is not covered by any statutory designations.
- 1.4 Correspondence was undertaken between the applicant, Lead Local Flood Authority and Wessex Water, regarding the drainage at the site. Revised plans were received 27/09/2016 showing final drainage details at the site, and accordingly, the Lead Local Flood Authority were re-consulted.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Adopted Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design
CS4a Presumption in favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS15 Distribution of Housing
CS16 Housing Density
CS25 Communities of the North Fringe of Bristol Urban Area

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

T12 Transportation
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T7 Cycle Parking

2.3 Emerging Development Plan

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP37	Internal Space and Accessibility Standards for Dwellings
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

2.4 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

3.1 No relevant planning history

4. **CONSULTATION RESPONSES**

4.1 Stoke Lodge and the Common Council

Objection, concerns as follows:

- roofline should not exceed the existing building
- plans do not show how the attic floor space will be used

4.2 Lead Local Flood Authority

'We query the method of Surface Water disposal as there are no Public Surface Water mains drainage in this location, we therefore require clarity on the matter.'

Update:

"The method of surface water disposal has been clarified and the location of the existing surface water mains have been established, therefore we have No Objection."

4.3 Wessex Water

No Objection

4.4 Highway Structures

No comment

4.5 Sustainable Transport

The proposed new dwelling complies with the residential car parking SPD. No transportation objection.

Other Representations

4.6 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of 1no. Residential dwelling located within the established settlement boundary of Patchway, which forms part of the North Fringe of Bristol.
- 5.2 Principle of Development – Development Plan
The application site lies within the existing urban area of the North fringe of Bristol. Policy CS5 establishes the strategic locational strategy for development within South Gloucestershire. The developments location is considered to be a suitable site for development subject to specific considerations. In addition to this, Policy H4 and the emerging PSP38 allow for the development of new dwellings within existing residential curtilages. It is emphasised that any such development is subject to assessment on the impact to the character of the area, transportation, residential amenity and the provision of adequate private amenity space. Policy CS16 explains that housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied. Similarly, Policy CS17 states that the mix of housing should contribute to providing choice in tenure and type, having regard to the existing mix of dwellings in the locality.
- 5.3 The density of new development should be informed by the character of the local area and contribute to the high quality design set out in Policy CS1, improving the mix of housing types and providing adequate levels of semi-private communal open space and private outdoor space. Further to this, the emerging Policy PSP43 within the PSP Plan (June 2016) sets out specific private amenity space standards for all new residential units.
- 5.4 Principle of Development – Five Year Housing Land Supply
A recent decision has determined that South Gloucestershire Council does not have a five year housing land supply, as such paragraph 49 of the NPPF is engaged. Paragraph 49 states that in the event that a local planning authority cannot demonstrate a five year housing land supply, relevant policies for the supply of housing should not be considered up-to-date and housing applications should be considered in the context of sustainable development.
- 5.5 Consequently, a number of the Councils development policies are found to have reduced weight and the proposal should also, therefore, be assessed against Paragraph 14 of the NPPF. Paragraph 14 sets out that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF.
- 5.6 Therefore, despite the site being within an area deemed suitable for development, this application must be assessed against the presumption in favour of sustainable development.
- 5.7 Design and Visual Amenity
The existing dwelling has a traditional bungalow design and is set within a large plot with gardens to the rear, side and front. It is entirely derelict and in a bad

state of repair, accordingly, it has a negative impact on the visual amenity of the area.

- 5.8 It is proposed that this dwelling would be demolished and replaced with a larger chalet bungalow. The new dwelling would follow the angular line of the highway and the built form of the adjacent No. 11 Stoke Lane. The new dwelling would form a 'T' shape, and would have a pitched roof, with projecting fronted gable features to its rear and front elevations. The principle elevation would also have 2no. gabled dormer windows at first floor level. Plans show that it would have an integral garage and parking to the front of the property. In total, the overall length of the property would measure approximately 17.6 metres, it would have a depth of 12.5 metres, with the majority of the property having a depth of 7.7 metres. It would measure 2.5 metres high to the eaves and 6.6 metres high at the ridge.
- 5.9 It is acknowledged that it would occupy a larger footprint, however, it is considered that this would be acceptable, especially given the size of the plot. The case officer is also mindful that there are considerable additions to some nearby properties, and therefore a bungalow of this scale would not be out of character with the surrounding area. The objections from the Parish Council relating to the height of the new dwelling are noted, and it is acknowledged that it would be 1.6 metres higher than the existing dwelling. However, in the wider context of the site a number of properties have seen an increase in roof height, notably No.7 Stoke Lane (ref. PT13/1913/F). Accordingly, whilst the height of the roof would be higher than neighbouring properties, it is considered that it would not be visually intrusive, and would manage to remain consistent with the 1.5 storey nature of Stoke Lane.
- 5.10 Officers raised concerns with regard to the dormer windows which would sit to the front elevation. In particular, that no dormer windows are evident in the immediate vicinity of the dwelling. It is recognised that revised plans were not submitted to reflect this, however, there are other dwellings in the wider area which have dormer windows and fronted gable features. Furthermore, it is not considered that this feature of the property would warrant a reason for refusal in relation to poor design.
- 5.11 The elevations of the proposal would be finished in render, it would have timber windows and a grey concrete tiled roof. These materials would be consistent with the character of the street scene and are acceptable. Plans submitted appear to show that the property would have a facing stone pillar which would support a canopied porch area, and a garage door, both to the front elevation.
- 5.12 The existing access off Stoke Lane would remain the same, as would the existing 1.2 metre front boundary fence. It is noted that the application site would see some alterations to the existing driveway to facilitate parking to the front of the dwelling. Similar driveways are evident at neighbouring properties and it is considered that these alterations would have a minimal visual impact.
- 5.13 The new dwelling would create a modern addition to the plot and wider streetscene. However, on balance and given the current appearance of the site, as well as its context, it is considered to have an acceptable standard of design.

Accordingly, it would comply with policies CS1 and CS16, as well as policy H4, and the emerging policies PSP1 and PSP38.

5.14 Residential Amenity

The new dwelling would be set back from the highway by approximately 5 metres, and its nearest neighbours would be those parallel properties at Nos.11 and 17 Stoke Lane. No.17 sits to the east of the property, it is proposed that the new dwelling would have 1no. window to the side elevation facing these occupiers. It was noted on a site visit that No.17 does not have any side windows facing towards the application site, and therefore it is considered that no material overlooking would occur. The western elevation of the proposed dwelling would introduce 3no. windows and a door, all facing No.11. Whilst this is not preferable, the shared boundary measures 1.8 metres at this point, and is sufficient to protect the residential amenity of these neighbours. To ensure this is the case in the future, a condition is issued so that the boundary continues to have a height of at least 1.8 metres.

5.15 Whilst it is acknowledged that the property would be higher than the adjacent properties, due to its orientation, it is unlikely that it would result in an overbearing impact. Similarly, given the distance amongst the properties it would not detrimentally impact the light afforded to occupiers at Nos. 11 and 17 Stoke Lane.

5.16 To the north of the application site is No.11 Maisemore Avenue, its rear elevation would face the rear elevation of the proposed dwelling. It was noted on site that it has a number of rear windows facing towards the application site. It is acknowledged that the rear of the proposed property would lie further into the plot, and as such the distance between the two properties would be reduced. It is estimated that following construction of the dwelling there would be a wall to wall distance of approximately 30 metres. This is considered a suitable distance and would be unlikely to have a detrimental impact on the residential amenity of either occupiers.

5.17 The properties on the opposite side of Stoke Lane are largely semi-detached chalet bungalows. It is acknowledged that the erection of the new dwelling would result in some change to the outlook afforded to these occupiers, however it is considered that there is a sufficient distance for there to be no material impact.

5.18 The emerging Policy PSP43 sets out private amenity space standards for all new residential units. The new dwelling would have 3 bedrooms, and accordingly this policy requires that a minimum of 60m² of private amenity space is provided at the site. Following the construction of the dwelling, it is estimated that over 60m² of garden amenity space would remain. Therefore, it is concluded that, the development would provide a sufficient amount of private amenity space.

5.19 With regard to this assessment, it is not considered that the proposal would materially prejudice the residential amenity of the eventual occupiers or those of surrounding properties. Therefore, it is deemed to comply with saved Policy

H4 of the Local Plan (2006) and the emerging Policy PSP8 of the PSP Plan (June 2016).

5.20 Highway Safety

The existing access at the site off Stoke Lane would remain the same, but the driveway would be realigned to provide parking to the front of the dwelling. It is proposed that the bungalow would have 3 bedrooms, and accordingly the Councils Residential Parking SPD sets out that 2 spaces should be provided within the site boundary. The Proposed Block Plan submitted shows that the driveway would be sufficient to provide these spaces, in excess of the integral garage. The case officer notes that transportation colleagues have no concerns regarding the development, accordingly, overall there is no objection in relation to highway safety.

5.21 Other Matters

The comments from the Town Council in relation to the use of the attic space are acknowledged. This matter is not of significant planning concern, but it is noted that parking arrangements could be impacted if it were used to accommodate further bedrooms. Having said this, even if this was the case it is considered that an appropriate amount of parking provision would remain at the site.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 It is recommended that the consent be **GRANTED** subject to the conditions attached to the decision notice.

Contact Officer: **Lucy Paffett**
Tel. No. **01454 863436**

CONDITIONS

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

Reason

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

2. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the existing shared boundary fence to the eastern elevation of No. 11 Stoke Lane, and to the western elevation of No. 15 Stoke Lane shall be retained at a minimum height of 1.8 metres.

Reason

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

3. The dwelling shall not be occupied until the parking and access arrangements have been completed in accordance with the submitted details as per the Site Plan (7024.PL2), received by the Council 27th September 2016.

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.

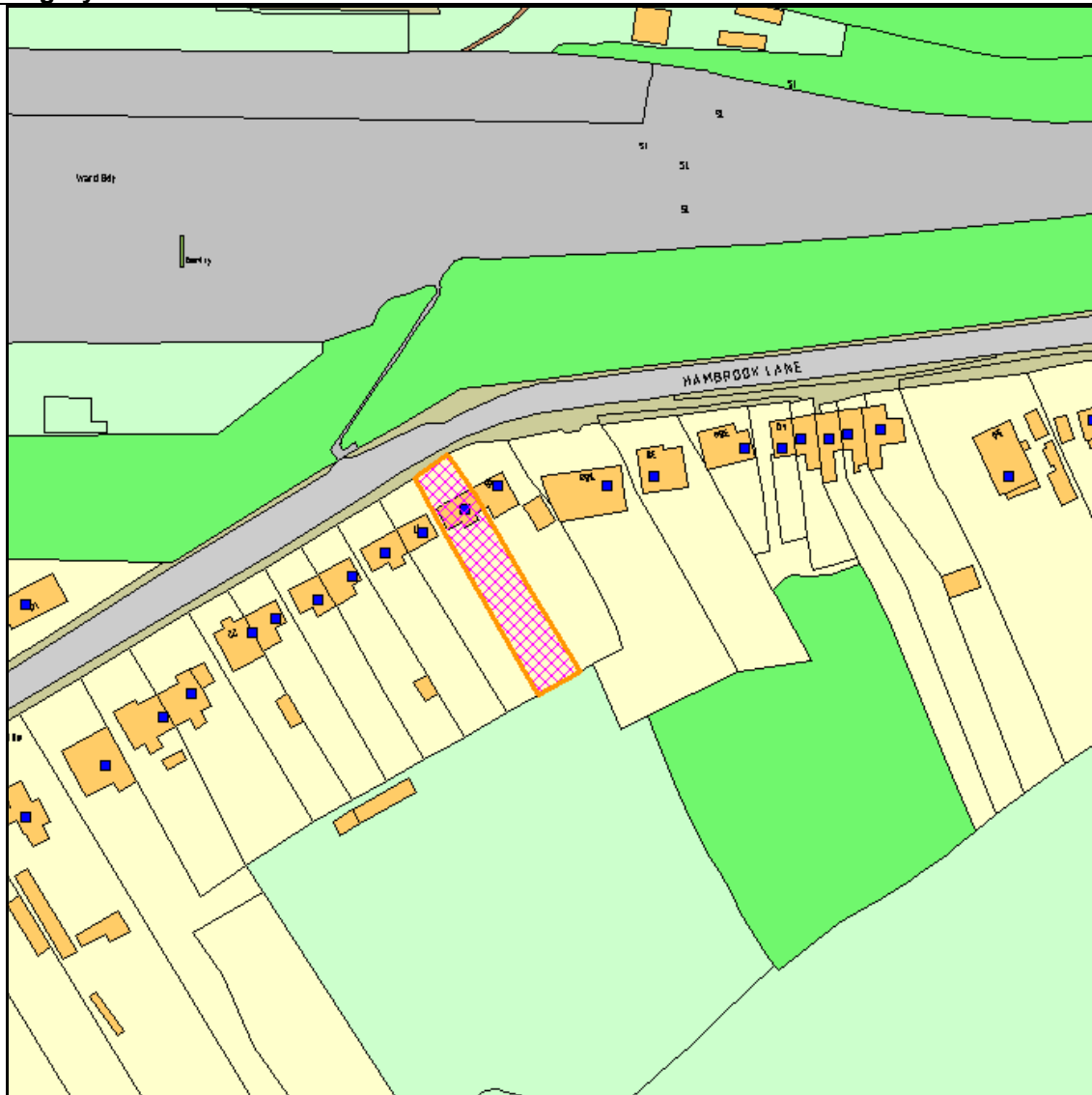
5. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: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

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PT16/4490/F	Applicant:	Mr And Mrs Ashley Jones
Site:	34 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QB	Date Reg:	1st August 2016
Proposal:	Demolition of existing sun room and erection of two storey and single storey rear extension and single storey front extension to form additional living accommodation. Creation of new access	Parish:	Stoke Gifford Parish Council
Map Ref:	362827 179497	Ward:	Frenchay And Stoke Park
Application Category:	Householder	Target Date:	21st September 2016



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PT16/4490/F

REASON FOR REFERRING TO CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to comments received from neighbouring residents and the Parish Council contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the demolition of the existing sun room and erection of a two storey and single storey rear extension, a single storey front extension at 34 Hambrook Lane in Stoke Gifford.
- 1.2 The host dwelling is a two-storey semi-detached dwelling with a gable roof. The topography of the site means the property slopes downwards at the rear.
- 1.3 Following a meeting with the Sustainable Transport Officer on the 22nd September 2016 the applicant wishes to withdraw part of the proposal which is to create a new access to the property.
- 1.4 The proposed single storey rear extension would be permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (adopted) August 2007

3. RELEVANT PLANNING HISTORY

3.1 There is no planning history for this site.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

Objection, the Parish Council raise concerns about the overbearing impact the two storey rear extension would have on residential amenity and also whether the proposed parking at the front of the property is safe as there is restricted visibility at the site.

4.2 Sustainable Transport

Following a meeting on the 22nd September whereby the applicant's agent has agreed to remove the parking and access element from the proposal there are no transportation objections to this proposal.

Other Representations

4.3 Local Residents

Three letters of objection have been received from neighbouring residents, raising the following points:

- *The second storey part of the extension will greatly impact the light both inside and outside of my property- which is a large selling point of my property.*
- *There are no extensions of this magnitude along this row of houses and it would be extremely detrimental to have such a large addition in our midst.*
- *A more sympathetic compromise could be found.*
- *The two storey rear extension will overshadow the view and morning sunlight at the rear of our property.*
- *The single storey extension will be built very close to the boundary line, this will reduce the light and outlook we currently enjoy from our kitchen window and will be detrimental.*
- *The two storey rear extension will reduce the views we have from our conservatory.*
- *The proposed extension will create shadow over our garden and we will not be able to enjoy our garden and conservatory as much.*

5. ANALYSIS OF PROPOSAL

5.1 The application seeks permission for the demolition of the existing rear sun room and the erection of a two-storey and single storey rear extension and single storey front extension to form additional living accommodation.

5.2 Principle of Development

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

Policy CS1 of the Core Strategy exists to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context. The proposal shall be determined against the analysis below.

5.3 Design and Visual Amenity

The applicant site is a two-storey, semi-detached dwellinghouse in Stoke Gifford. The application seeks approval for the demolition of the existing sun room and the erection of a two storey and single storey rear extension and a single storey front porch which will be used to provide additional living accommodation.

- 5.4 The proposed two-storey rear extension will have a subservient roof height to the host dwelling and will extend four metres into the rear garden. The extension will span a width of six metres and will have a pitched roof with rear gable to be in keeping with the host dwelling. Officers believe that the scale of the proposal is appropriate as it is on a modest plot of land. Whilst it is noted that there are objections regarding the scale of the proposal and the lack of precedent for extensions of this magnitude it is considered that the proposal will not be visible from the street scene. Furthermore, officers note that there are other extensions on Hambrook Lane of similar or larger magnitude.

- 5.5 The proposed single storey front extension will extend beyond the existing front porch by a further 1.3 metres. The front extension will have a pitched gable roof with a total height of circa 3.8 metres. The proposed front extension will disrupt the building line, however it is noted that there are a number of other properties on Hambrook Lane which have front extensions.

- 5.6 The proposed materials are to match the existing with pebble dash rendered elevations, concrete interlocking roof tiles and uPVC for the windows and doors. The materials are considered to respect the visual amenity of the site and are acceptable in terms of policy CS1 of the Core Strategy (Adopted) December 2013.

- 5.7 Overall, it is considered that the proposal is of an appropriate scale and proportion with the original dwelling and neighbouring properties, although neither adjacent neighbour has such an extension there are other examples on Hambrook Lane. The proposed materials also respect the character of the site and surrounding properties. Thus, the proposal satisfies policy CS1 of the adopted Core Strategy.

5.8 Residential Amenity

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

5.9 The applicant site is a two-storey semi-detached property located within a defined settlement boundary. The boundary treatments at the site consist of stepped 1.8 metre fences to the west and 2 metre fences to the east. The application seeks planning permission for the demolition of the existing sunroom and erection of a two storey and single storey rear extension and a single storey front extension to provide additional living accommodation.

5.10 The proposed single storey rear extension is not considered to adversely impact the residential amenity of the occupiers or neighbouring residents. Officers note that an objection comment has been received from a neighbouring resident regarding the proposed single storey extension and its potential to reduce light and an outlook from their kitchen window. Nevertheless the single storey rear extension could be carried out through 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.

5.11 The proposed single storey front extension is sought to create a small downstairs bathroom. There will be a window installed in the front elevation of the front elevation. To protect the privacy of occupiers, officers believe it is suitable to condition the window is obscurely glazed and non-opening above 1.7 metres.

5.12 The proposed two storey rear extension has no side elevation windows, reducing the potential for overlooking. There will be new windows in the rear elevation, however these are not considered to result in an increase in overlooking compared to the current situation.
There are a number of objection comments about the proposed two-storey aspect of the proposal and the potential to impact residential amenity. Stoke Gifford Parish Council have raised concerns about the overbearing impact that the proposal would have on the residential amenity of neighbouring residents. The proposed two storey rear extension is located 2 metres away from no.32 and there is a distance of 2.1 metres between the proposed extension and the boundary between no. 36. Whilst the proposal will result in some overbearing and overshadowing impacts these are considered to be minimal. The applicant's agent has also considered the 45° guideline when designing the proposal which is used by a number of other Local Authorities. The proposed extension is subordinate to the 45° line.

5.13 Further issues raised by Local residents include how the proposal will impact the light to a property both inside and outside. The proposed two storey extension will be located on the south-east elevation, whilst the proposed extension will have some impact on the existing situation the proposal is not considered to adversely impact the light inside and outside of the property. Furthermore, whilst there will be some shadowing there are a number of other factors which also create shadowing.

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

5.15 Overall, it is considered that 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.

5.16 Highways

There is no off street parking for the existing site. Originally the application sought permission on the creation of new access, this part of the proposal was withdrawn on 22nd September 2016. Whilst the site does not comply with the Residential Parking Standard the Sustainable Transport Officer has no objection to the proposal. Officers not there is a small on street parking area to the north west of the property which was in use during site visit.

5.17 Other Matters

The objectors raise comments regarding the alternative options that could have been considered. These are not material considerations.

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

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.: PT16/4648/ADV

Applicant: Brain Tumour Support

Site: First Floor 29A High Street Thornbury
South Gloucestershire BS35 2AR

Date Reg: 18th August 2016

Proposal: Display of 1no. non-illuminated fascia sign and 1no. non-illuminated hanging sign

Parish: Thornbury Town Council

Map Ref: 363698 190034

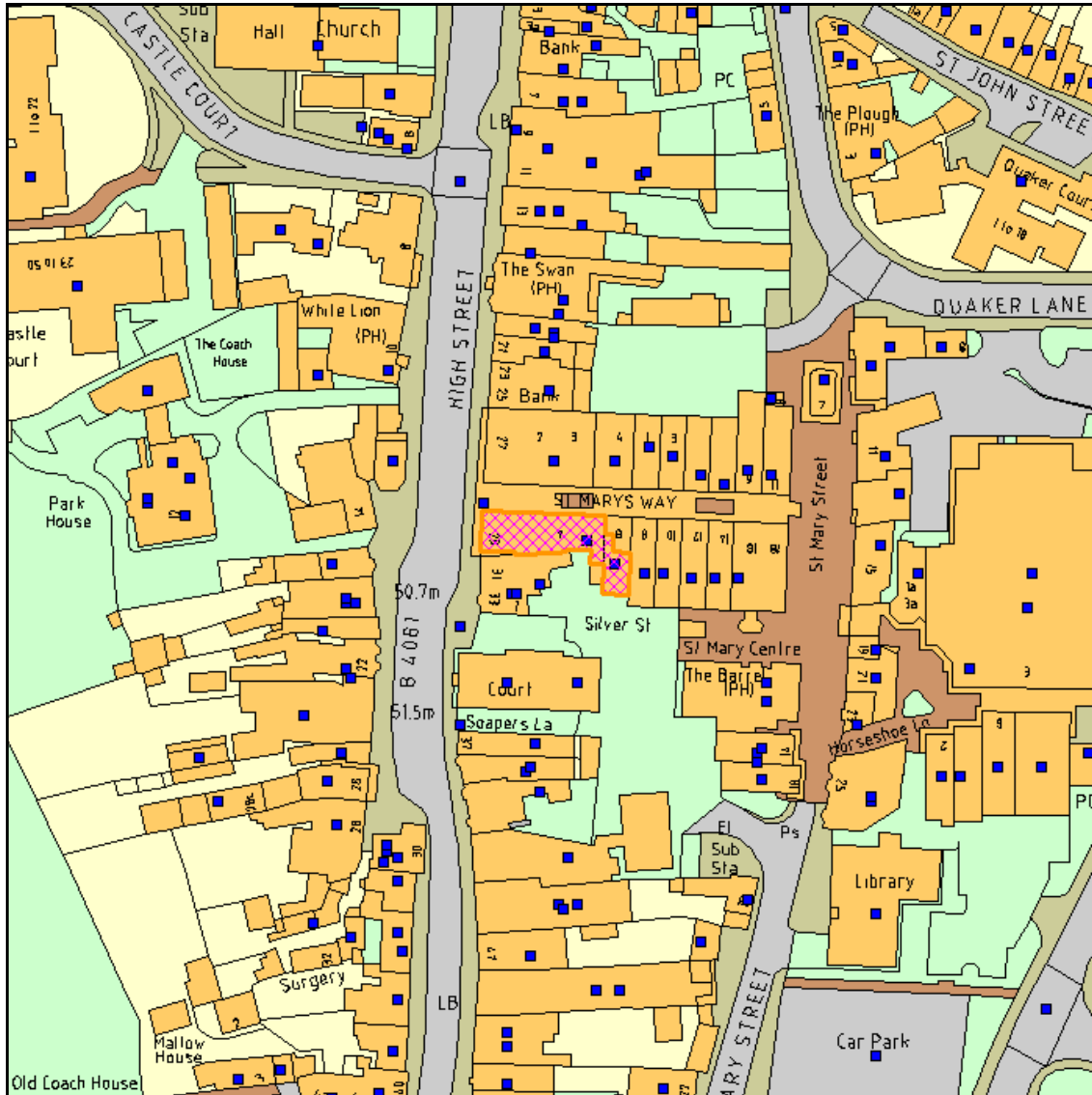
Ward: Thornbury North

Application	Minor
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Target 12th October 2016

Category:

Date:



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PT16/4648/ADV

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in light of an objection received from the Town Council.

1. THE PROPOSAL

- 1.1 The proposal seeks advertisement consent to display 1no. non-illuminated fascia sign and 1no. non-illuminated hanging sign displaying the red and blue lettering, which would read, 'Brain Tumour Support' with the charities logo and motto. Both signs would be attached to the principle elevation of the unit.
- 1.2 The application site is No.29A High Street, set within the Thornbury Conservation Area, and relates to a first floor unit. The ground floor unit has a number of existing wall advertisements, as does many of the other shop fronts in the vicinity. There are a number of listed buildings on the High Street.
- 1.3 The original proposal also showed that a wall sign would be installed, however, as a result of concerns from the Conservation Officer and the Town Council, the case officer entered into correspondence with the applicant. Revised plans were received 16th September 2016, which show that this element of the proposal has been removed. As revised plans were considered to be materially different, a period of re-consultation was undertaken.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990
The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
T12 Transportation
L12 Conservation Areas

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS14 Town Centres and Retail
- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Shopfronts and Advertisements SPD (Adopted) April 2012

3. **RELEVANT PLANNING HISTORY**

Due to an extensive planning history on the application site; the most relevant applications have been selected below. If you wish to view a full planning history please use the Councils planning application search on the public website.

- 3.1 PT05/2020/F Approve with Conditions 09.08.2005
Alterations to existing shop front to facilitate division to form two premises.
- 3.2 PT11/2289/ADV Approve with Conditions 06.09.2011
Display of 3no. non-illuminated fascia signs, 1no. non-illuminated wall signs and 2no. door signs.

4. **CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council
Original Proposal
Objection. Comments as follows;
- Signage on the wall will cause a visual impact to the Conservation Area
 - No objection to sign above the door or the hanging sign.
- Revised Proposal*
No comment received
- 4.2 Conservation Officer
Original Proposal
Objection. Comments as follows;
- First floor wall sign would represent a form of visual clutter which would detract from the character of Conservation Area
 - It would distort massing and proportions of building
- Revised Proposal*
No comment received
- 4.3 Transportation Officer
No Objection

Other Representations

- 4.3 Local Residents
No Comments Received

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 state that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety. The National Planning Policy Framework (NPPF) states that those advertisements which clearly have an appreciable impact on a building or their surroundings

should be subject to a local planning authority's detailed assessment. Para. 67 of the NPPF sets out what should form such an assessment, consequently, this application will be considered with regard to amenity and public safety, as well as the advertisements cumulative impact. As this application is located in a Conservation Area, its impact on such will also need to be assessed.

5.2 Design, Visual Amenity and the Conservation Area

The proposed fascia sign would be located to the front elevation of the unit and would comprise of the charities name, logo and motto in red and blue letters on a white background. It would be modest in size, measuring 50cm high and 100cm wide, and would be non-illuminated. This is considered an acceptable addition to the streetscene, particularly given that much larger advertisements are evident in the vicinity. Similarly, the non-illuminated hanging sign is of an appropriate size, style and position, and would not be visually intrusive in the streetscene.

5.3 Objections to the wall sign which made up part of the original proposal were highlighted to the applicant. Accordingly, revised plans were submitted showing that this element of the proposal was removed, therefore these objections are no longer relevant to the proposal. As previously mentioned there are a number of larger signs on the surrounding shopfronts, and these additions are considered minimal in comparison. Therefore, it is not thought that this advertisement would result in a detrimental impact to the unit or wider Conservation Area.

5.4 Public Safety and Residential Amenity

There are residential units above many of the shopfronts on Thornbury High Street, however, the proposed signage would not be illuminated as such it is not considered that it would have a significant impact on residential amenity.

5.5 With regard to transport issues, the proposed signage would be modest, and would not detrimentally impact highway safety. It is also noted that transportation colleagues have no objection to the proposal.

6. **CONCLUSION**

6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. **RECOMMENDATION**

7.1 It is recommended that the advertisement consent be **GRANTED** subject to the conditions attached to the decision notice.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.:	PT16/4690/F	Applicant:	Mr Michael Ponter
Site:	10 Ferndale Road Filton Bristol South Gloucestershire BS7 0RP	Date Reg:	16th August 2016
Proposal:	Erection of climbing frame (retrospective)	Parish:	Filton Town Council
Map Ref:	360390 178551	Ward:	Filton
Application Category:	Householder	Target Date:	7th October 2016



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 100023410, 2015. N.T.S. PT16/4690/F

THE REASON FOR REPORTING TO CIRCULATED SCHEDULE

1. THE PROPOSAL

- 1.1 The application site comprises a semi-detached property that has previously been extended located on the south side of Ferndale Road, Filton. The property has a large rear garden which backs onto the grounds of Shields Avenue Primary School.
- 1.2 Retrospective planning permission is sought for the erection of a climbing frame located at the rear boundary of the back garden of No.10 Ferndale Road. The main body of the climbing frame comprises a covered area with an enclosed den above. There is a slide adjacent to this with ladders leading up to the den and slide and a frame with three swings. The climbing frame is of timber construction with a vinyl canvas roof on top of the den. The section with the covered den measures 3.7m at its highest point and the frame with the swings is 2.4m high.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National planning Policy guidance 2014
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
Cs4a Presumption in favour of Sustainable Development
CS5 Location of Development

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)
H4 Development within Existing residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance
Design Checklist Supplementary Planning Document (adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/2602/F - Erection of two storey side and single storey rear extension to form garage and additional living accommodation – approved 27.09.2012

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council – The climbing frame is clearly too high. It would be the Town Council's suggestion that it is brought down to fence height.
- 4.2 Other Consultees - None

Other Representations

- 4.3 One objection has been received from a neighbour. They object on the grounds that the climbing frame results in the loss of privacy to their bedroom windows, spoils their outlook and has overbearing impact.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 Policies CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) are both supportive in principle. Policy CS1 of the Core Strategy seeks to ensure development enhances and respects the character, distinctiveness and amenity of the site and its context. Saved Policy H4 is supportive of development within the curtilage of existing dwellings subject to the design being considered acceptable. The proposal shall be assessed against the analysis below.

Design and Visual Amenity

- 5.2 The climbing frame in its entirety is 7m wide and 3.7m high. It is considered however that given the nature of it as play equipment, it is not entirely solid in its construction and the most prominent section, is the enclosed den adjacent to the boundary with No.8 Ferndale Road. When viewed from the rear of properties on Ferndale Road, the climbing frame is also viewed against a backdrop of a school and trees in the playground of the school, many of which are taller than the climbing frame.
- 5.3 This enclosed den, is a prominent feature in the rear garden of the property and is visible over the boundary treatment of the neighbouring properties. Despite its prominence it is clearly distinguishable as a piece of child's play equipment and its design of timber with a vinyl canvas roof does not appear as an incongruous feature in a residential area.
- 5.4 It is not considered that the visibility of the climbing frame from the gardens of neighbouring properties or the playground of Shield Road Primary School has such a detrimental impact upon the visual amenity of the area to warrant refusal of this application.
- 5.5 Overall, it is considered that the proposal is not of a design that would be considered unacceptable given the nature of the development and its location in the curtilage of a dwellinghouse and is therefore considered to be in accordance with policies CS1 of the Core Strategy and saved policy H4 of the Local Plan.

Residential Amenity

- 5.6 An objection has been received from a neighbouring property which raises concerns relating to the overbearing impact of the climbing frame, loss of outlook and loss of privacy.
- 5.7 The climbing frame is located at the rear of the garden of No.10 and is visible over the fence from adjoining properties. Whilst the structure is tall, it is not considered that it is of such a substantial nature that this would have an overbearing impact on the neighbouring properties.
- 5.8 Whilst the enclosed den element of the proposal is above the height of the boundary treatment, this has been enclosed to prevent direct overlooking into the garden of No.8 and the playground of the primary school. It is located approximately 20m from the rear of No.8 and No.10 Ferndale Road limiting visibility into the properties dwellinghouses themselves. It is considered necessary to apply a planning condition requiring the enclosure of the den to remain for the lifetime of the climbing frame to ensure the privacy of the neighbouring property is protected. With this condition in place, it is not considered that there will be a detrimental loss of privacy to neighbouring properties caused by overlooking.
- 5.9 Regarding loss of outlook it is considered that the climbing frame is a typical type of structure that would be found in a garden, similar to that of a shed. Given the significant distance from the rear elevation of the neighbouring properties it is not considered that the height or general presence of the climbing frame, even if it was lower as suggested by Filton Town Council would considerably improve the outlook from neighbouring properties which from first floor level would be able to view a variety of domestic paraphernalia in a number of gardens and from ground floor level would also be able to view sheds of properties on the street.
- 5.10 It is therefore concluded that whilst the climbing frame is visible over the fence from neighbouring properties, the fact that the enclosed den limits direct overlooking into the gardens of neighbouring properties there is not a significant adverse impact upon the amenity of neighbouring properties.

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 Having taken the above into consideration it is recommended that retrospective planning permission is granted subject to the planning condition listed below.

Contact Officer: Sarah Jones
Tel. No. 01454 864295

CONDITIONS

1. The "enclosed den" element of the climbing frame hereby approved shall remain enclosed on the south, west and north elevations in perpetuity.

Reason

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

Contact Officer: Sarah Jones
Tel. No. 01454 864295

CONDITIONS

1. The "enclosed den" element of the climbing frame hereby approved shall remain enclosed on the south, west and north elevations in perpetuity.

Reason

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

CIRCULATED SCHEDULE NO. 39/16 – 30 SEPTEMBER 2016

App No.: PT16/4721/CLP

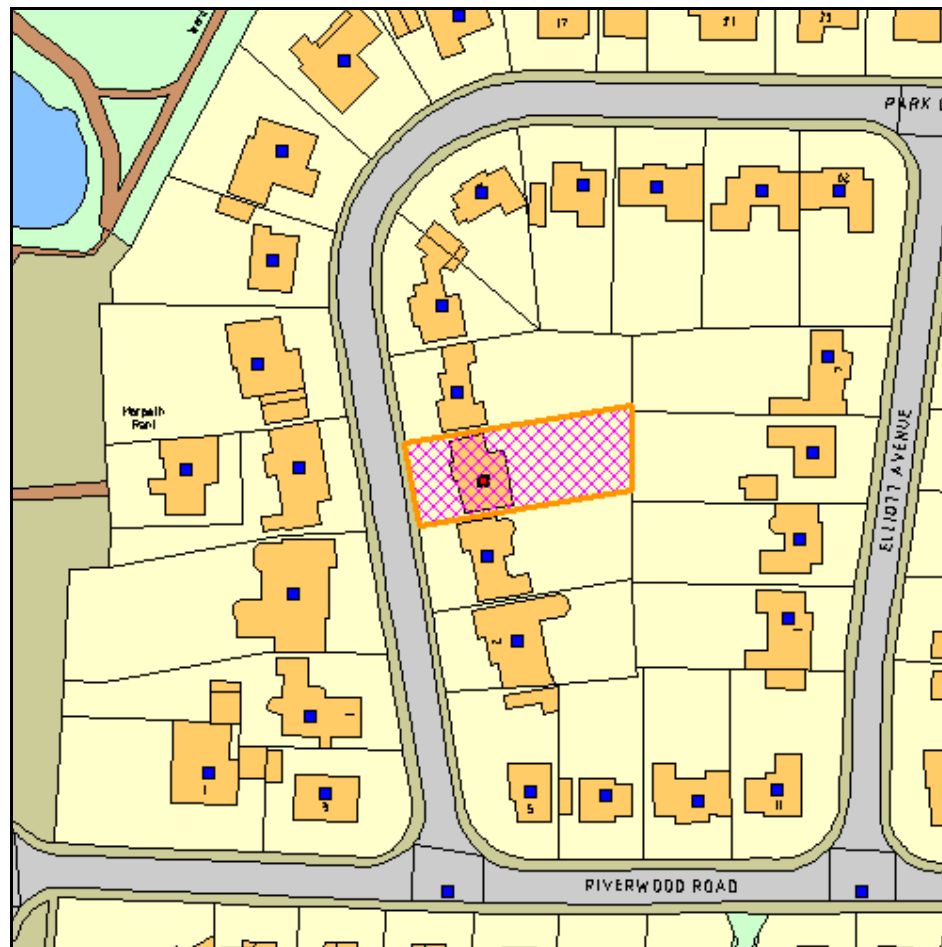
Applicant: Mr Beavis

Site: 6 Park Crescent Frenchay Bristol South
Gloucestershire BS16 1PD

Date Reg: 18th August 2016

Proposal: Application for a certificate of
lawfulness for the proposed erection of
a single storey rear extension and front
porch.Parish: Winterbourne
Parish Council

Map Ref: 364249 178169

Ward: Frenchay And
Stoke ParkApplication
Category:Target
Date: 12th October 2016

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N.T.S.

PT16/4721/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 rear extension and front porch at 6 Park Crescent Frenchay 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 PT06/1872/F Erection of two storey rear extension to form kitchen/dining area with 1no. bedroom and ensuite above. Erection of rear conservatory
Approved with Conditions 20.07.2006

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection to the proposal.
- 4.2 Councillor
No comments received regarding the proposal.

Other Representations

- 4.3 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 11 August 2016 –

- Site Location and Block Plan (16-341-001)
- Existing Floor Plans (16-341-002)
- Existing Elevations (16-341-003)
- Proposed Floor Plans (16-341-100 A)
- Proposed Elevations (16-341-101 A)

6. **ANALYSIS OF PROPOSAL**

6.1 This application seeks a certificate of lawfulness for a proposed single storey rear extension and front porch at a property in Frenchay.

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 and Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015.

6.4 **Assessment of Evidence: Single Storey Rear 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 rear 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 rear 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 extension does not extend beyond a wall which forms a principle elevation of the original dwellinghouse neither does it extend beyond a wall which fronts a highway or form a side elevation.

- (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 applicant site is a detached dwellinghouse. The proposed extension will extend beyond the rear wall of the original dwellinghouse by 4 metres which complies with (i). The total height of the proposed extension will be 3.6 metres complying with (ii).

- (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 height of the eaves would not exceed 3 metres.

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

The proposed extension does not extend beyond a side wall of the property.

- (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;

It has been confirmed that the proposed external materials will match those used within the existing house, with bradstone elevations, concrete roof tiles and white PVC windows and doors.

- (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.

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

6.6 Assessment of Evidence: Single Storey Front Porch
Schedule 2 Part 1 Class D allows for the erection or construction of a porch outside any external door of a dwellinghouse, subject to meeting the following criteria:

D.1 Development is not permitted by Class D 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) the ground area (measured externally) of the structure would exceed 3 square metres

The ground area of the proposed porch will measure 2.9m².

(c) any part of the structure would be more than 3 metres above ground level; or

The proposed porch will have a total height of 3 metres.

(d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway

The proposed porch is not within 2 metres of any boundary of the curtilage.

6.7 The proposed front porch is **considered to comply** with Schedule 2 Part 1 Class D 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 on the balance of probabilities the proposed single storey rear and front porch fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class A and Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Contact Officer: Fiona Martin
Tel. No. 01454 865119