



**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. 22/18**

**Date to Members: 01/06/2018**

**Member's Deadline: 07/06/2018 (5.00pm)**

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

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

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

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

## NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

## GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

# CIRCULATED SCHEDULE 01 June 2018

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>PK17/5763/F</b>	Approve with Conditions	1MotoXtreme 2 Bell Square Marshfield South Gloucestershire SN14 8HS	Boyd Valley	Marshfield Parish Council
2	<b>PK18/0039/F</b>	Approve with Conditions	Rose Cottage 1 Horwood Lane Wickwar Wotton Under Edge South Gloucestershire GL12 8NU	Ladden Brook	Wickwar Parish Council
3	<b>PK18/0209/F</b>	Approve with Conditions	Land At The Rear Of 22 Woodland Terrace Kingswood South Gloucestershire BS15 9PU	Woodstock	None
4	<b>PK18/0508/F</b>	Approve with Conditions	The Bungalow 13A London Road Warmley South Gloucestershire BS30 5JB	Siston	Siston Parish Council
5	<b>PK18/1283/F</b>	Approve with Conditions	17 Christchurch Avenue Downend South Gloucestershire BS16 5TG	Downend	Downend And Bromley Heath Parish Council
6	<b>PK18/1602/CLP</b>	Approve with Conditions	112 High Street Hanham South Gloucestershire BS15 3EJ	Hanham	Hanham Parish Council
7	<b>PK18/1765/F</b>	Approve with Conditions	36 Pearsall Road Longwell Green South Gloucestershire BS30 9BG	Longwell Green	Hanham Abbots Parish Council
8	<b>PK18/1782/CLP</b>	Approve with Conditions	43 Lulworth Crescent Downend South Gloucestershire BS16 6RZ	Emersons	Emersons Green Town Council
9	<b>PK18/1845/F</b>	Approve with Conditions	1 Frys Cottages Leigh Lane St Catherine South Gloucestershire BA1 8HQ	Boyd Valley	Cold Ashton Parish Council
10	<b>PT18/0646/F</b>	Approve with Conditions	Thornfield Gloucester Road Thornbury South Gloucestershire BS35 1JQ	Thornbury North	Thornbury Town Council
11	<b>PT18/0783/F</b>	Approve with Conditions	The Old Watermill Mill Lane Falfield Wotton Under Edge South Gloucestershire GL12 8BU	Charfield	Falfield Parish Council
12	<b>PT18/0784/LB</b>	Approve with Conditions	The Old Watermill Mill Lane Falfield Wotton Under Edge South Gloucestershire GL12 8BU	Charfield	Falfield Parish Council
13	<b>PT18/0889/R3F</b>	Deemed Consent	Manorbrook Primary School Park Road Thornbury South Gloucestershire BS35 1JW	Thornbury North	Thornbury Town Council
14	<b>PT18/1302/R3F</b>	Deemed Consent	Gillingstool Primary School Gillingstool Thornbury South Gloucestershire BS35 2EG	Thornbury South And	Thornbury Town Council
15	<b>PT18/1567/FM</b>	Approve with Conditions	Sevenside Energy Recovery Centre Severn View Industrial Park Central Avenue Hallen South Gloucestershire BS10 7SD	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
16	<b>PT18/1603/CLP</b>	Approve with Conditions	Units 22 To 24 Cooper Road Thornbury South Gloucestershire BS35 3UW	Thornbury South And	Thornbury Town Council
17	<b>PT18/1708/F</b>	Approve with Conditions	22 Sunnyside Frampton Cotterell South Gloucestershire BS36 2EH	Frampton Cotterell	Frampton Cotterell Parish
18	<b>PT18/1766/CLP</b>	Approve with Conditions	2 The Spinney Bradley Stoke Bristol South Gloucestershire BS32 8ES	Bradley Stoke South	Bradley Stoke Town Council

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
19	<b>PT18/1805/F</b>	Approve with Conditions	35 Ryecroft Road Frampton Cotterell South Gloucestershire BS36 2HP	Frampton Cotterell	Frampton Cotterell Parish

**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PK17/5763/F	<b>Applicant:</b>	Mr Alan Brown
<b>Site:</b>	1MotoXtreme 2 Bell Square Marshfield South Gloucestershire SN14 8HS	<b>Date Reg:</b>	29th December 2017
<b>Proposal:</b>	Demolition of existing building and erection of 2 no. attached dwellings with access and associated works.	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	378114 173846	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	9th February 2018



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 100023410, 2008. N.T.S. PK17/5763/F

## **REASON FOR CIRCULATION**

The application is circulated as a result of the concern of a neighbour.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of two dwellings on this 0.04Ha site. The extant uses of the site is that of motorcycle sales and workshop which will cease. The building will be removed completely and a pair of semi-detached houses fronting Tormarton Road are now proposed with parking accessed from Bell Square.
- 1.2 There are no trees on site but a stone wall faces onto Tormarton Road which is retained and modestly altered. The house fronts, side gables and rear elevations would be erected in Bath Stone Rubble with plain dressed stone door and window surrounds and matching render would be used on the rear projections.
- 1.3 The site is located within the settlement boundary of Marshfield, it is within the Areas of Outstanding Natural Beauty but is not in the green belt. It is also within the conservation area.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework March 2012  
Section 6 Delivering a wide choice of high Quality homes  
Section 7 Requiring good design

#### 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
CS6	Infrastructure and developer contributions
CS8	Improving accessibility
CS9	Managing the Environment and heritage
CS13	Non safeguarded economic development sites
CS16	Housing Density
CS17	Housing Diversity
CS34	Communities of the rural Areas.

##### South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1	Local distinctiveness
PSP2	Landscape
PSP3	Trees and woodland
PSP8	Residential amenity
PSP11	Transport Impact management
PSP16	Parking standards
PSP17	Heritage assets and the historic environment

PSP19 Wider biodiversity  
PSP20 Flood risk, surface water and watercourse management  
PSP21 Environmental pollution and impacts  
PSP37 Internal space and accessibility standards for dwellings  
PSP38 Development within residential curtilages  
PSP43 Private amenity space standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Supplementary Planning Document)  
Adopted 2007

South Gloucestershire Council Affordable Housing Supplementary Planning  
Document (Adopted) September 2008

Residential Parking Standards Supplementary Planning Document adopted  
December 2013.

South Gloucestershire Landscape Character Assessment (adopted Nov 2014)

**3. RELEVANT PLANNING HISTORY**

3.1 PK10/1726/F Amendment to previously approved scheme PK07/1569/F to alter  
garage layout and access and provision of rooflights in the north and east roof  
slopes approved 03.09.2010

3.2 Adjacent site - PK07/1569/F Erection of 1no. detached dwelling with associated  
works. Refused but appeal allowed 14.01.2008. Now built

**4. CONSULTATION RESPONSES**

4.1 Marshfield Parish Council  
No objection

4.2 Other Consultees

Conservation officer

No objection further to the amended plans but conditions proposed.

Sustainable transport

No objection

Lead Local Flood Authority

Drainage and Flood Risk Management Team (Engineering Group - Street  
Care) has no objection in principle to this application subject to the following  
comments.

We query the location of the soakaways so we request a clearly labelled  
drainage layout plan showing the exact location of any soakaways before we  
may comment further.

Environmental Protection

No comment

Ecology

No ecological objection but enhancement by bird boxes required

Highway Structures

No comment

Historic England (not LB)

No need to notify of this application

Open Space society

No comment

**Other Representations**

4.3 Local Residents

Concern from one neighbouring household regarding the following matters:

- Disappointed to see no screening between proposals and the rear of writers house 14 Fairfield Close.
- Concern that the wall to the front may be lowered (initial comment)

Also pleased to see:

- no reduction in the front boundary wall (latest comment).

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The National Planning Policy Framework (NPPF) makes a strong presumption in favour of Sustainable Development. In respect of decision making, paragraph 14 of the NPPF sets out that Local Planning Authorities should approve development proposals without delay where they accord with the local development plan, unless other material planning considerations indicate otherwise.

5.3 The South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 together with the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 form the adopted local development plan. Policy CS5 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013 states that, outside the greenbelt small scale development may be permitted within the settlement boundaries of villages defined on the policies map.

5.4 The planning application details the provision of two new dwellings within the defined settlement boundary of Marshfield. Accordingly, the proposed development is consistent with the scope of policy CS5 and the development is acceptable in principle; subject to the detailed consideration set out below. Conservation policies will also be relevant as the site is located in the conservation area but the buildings being demolished are not considered to be listed.



### 5.5 Five Year Housing Land Supply

At this time, South Gloucestershire Council cannot demonstrate that it has a five year supply of housing land. The proposed development would provide 2 additional dwellings towards the current deficit. Whilst the amount of housing is relatively modest, the delivery of it would bring a positive benefit to which officers afford modest weight.

### 5.6 Employment

This site is a Policy CS13 non-safeguarded economic development site, the policy for which states that change of use on non-safeguarded sites within the settlement boundaries of the urban areas will not be allowed unless it can be clearly demonstrated that all reasonable attempts have failed to secure a suitable economic development re-use. Policy CS13 goes on to state that where all reasonable attempts have failed to secure a suitable economic development re-use, then priority will be given to alternative uses in the following sequence:

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

5.7 The site is currently an employment site located in a settlement boundary which would change wholly to residential. The agent was asked to provide evidence that the site had been marketed for other business uses during a pre-application submission. This was declined as the agent believes that the business is primarily retail with an ancillary workshop and as such does not fall neatly into a business use class. Officers note that this appears to be a mixed use with a significant retail element and that there are other shops in Marshfield. Retail policies do not seek to retain such premises and as such the change of use of the site to residential would appear to be a sensible use for the site given that it is otherwise surrounded by residential uses. Further overall the replacement of the structure with a more in keeping form of building is considered further down the report.

5.8 As such the loss of employment land weights only to a limited degree against the development.

### 5.9 Design and impact on the conservation area

The site is located amongst modern houses and alongside an old terrace of traditional houses. A new dwelling was approved in the last ten years directly behind the proposed houses which will benefit from a more open outlook from this scheme. The houses are located at various distances from the road and in a variety of materials but the overriding local materials are stone and clay roofs to the more traditional buildings in the conservation area.

5.10 Policy CS9 states that heritage assets, in this case the Conservation area, should be conserved, respected and enhanced in a manner appropriate to its significance. Policy CS16 states that housing development is required to make efficient use of land, particularly in and around town centres and the density of new development should be informed by the character of the local area. The proposal is for two three bedroomed houses in 'L shape form. The design has

been amended since first submission to get a more sympathetic finish. The ridge is demonstrated to be the same as the existing building and the windows are of better proportions and less regimented in the elevation than they were. Chimneys are now integral to the building, and the north and south elevations have simple stone treatments. Eaves and verges are now shown as flush and the car parking area has been given a stone boundary wall instead of close board fencing. As such the proposal has satisfactorily addressed the previous comments and key aspects of the design have been revised to form a sensitive replacement pair of houses. The scheme is therefore considered acceptable from a built heritage perspective subject to materials and large scale details of certain items of design which can be conditioned.

- 5.11 In respect of density the scheme is akin to the higher density of the nearby terraced houses but still achieves two parking spaces and either 90m<sup>2</sup> or 61m<sup>2</sup> of private garden area. Given the constraints of the site it is considered necessary to remove permitted development rights for further works to the house in order to maintain this modest level of residential garden and to ensure that any additions continue to maintain or enhance the character and appearance of the conservation area. Overall the character and appearance of the conservation area would be enhanced by the proposal and as such meets the tests of policy. This is given moderate weight in favour of the application.

5.12 Affordable and mix of housing

Policy CS17 of the Core Strategy seeks to create a wide range of housing, including affordable and market housing. In this case the site is limited in scale such that only market housing is necessary and policy CS18 of the Core Strategy does not come in to play because neither the site size nor number of dwellings triggers the requirement for affordable housing. In terms of housing diversity the site is too small to require a significant range of property scales/sizes within the site and this scheme simply adds two large houses to the range of existing housing within the village. This is afforded neutral weight.

5.13 Privacy and Residential amenity

The proposal causes no direct overlooking as almost blank elevations face rearwards towards the new dwelling at the rear and a wholly blank elevation replaces the blank elevation of the existing building on the north side. The house to the north would be less affected by the proposal as the mass of the building would be positioned closer to the Tormarton Road than the existing building. Given the constraints of the site it is considered necessary to remove permitted development rights for further works to the house such that such other amendments may be considered fully in respect of impacts on neighbours. The concerned neighbour lives on the other side of the road from the site and given that the street is a public place it is not considered that the new houses would cause a material loss of private amenity to neighbours on the other side of the road, particularly at some 25m distance between properties. It is noted that high level landscaping was requested by that neighbour but that is not considered necessary given that the proposal does not cause a material loss of privacy.

#### 5.14 Landscaping

There is no substantive landscaping on site and none would be required by the scheme as stone walling is proposed to the streetscene and close boarded fencing between dwellings is considered most appropriate. As such there is no scope for new hedges and in the small gardens trees are unlikely to be suitable. Whilst the proposal is in the AONB it does not have a material effect on the wider countryside.

#### 5.15 Transportation

The site has been subject to a number of modest changes to facilitate adequately sized and accessible parking spaces during the course of the application. The scheme now provides two car spaces for each three bedroomed dwelling and a bike/bin store within enclosed areas of the garden. As such the proposed scheme is acceptable.

#### 5.16 Drainage

There is a similarly sized building on site with other areas being hard surfaced at present and the proposal is said to be served by soakaways. Such details will be considered under Building Regulations legislation and as such it is not considered appropriate to add a condition to establish such details as part of the application.

#### 5.17 Ecology

A Bat Survey Report (Ethos Environmental Planning, November 2017) has been submitted alongside this application. The immediate habitat within the site was considered to offer low foraging and commuting potential. The site itself consists of a building and forecourt and categorised as offering negligible value to bats. There is no ecological objection to this application however in accordance with the National Planning Policy Framework, developments must seek ecological 'net gain'. Therefore a condition is proposed to seek bird nesting improvements.

#### 5.18 Contaminated land

Historic uses of the site could have caused contamination which could give rise to unacceptable risks to the proposed development. A condition is therefore required to ensure that proper consideration and mitigation of the risks are carried out in order to protect the future residents of the site.

#### 5.19 Consideration of likely impact on Equalities

No evidence has been submitted or found in this respect and as such it is considered to have a neutral effect.

#### 5.20 Planning balance

Returning to the NPPF and Policy CS4A any impacts of granting permission would have to significantly and demonstrably outweigh the benefits of allowing housing.

Significant weight in favour of the scheme is found from the erection of two houses within a village settlement boundary (sustainable development).

Positive enhancement of the site by redevelopment is given modest weight, with further modest weight given to the improvements in residential amenity from cessation of the current business use and further limited weight is attributed to the potential for better landscaping (domestic gardens).

The loss of an employment site is attributed limited weight against the proposal.

In summary then, there is only limited harm (the loss of employment land) weighing against the proposal and this does not significantly and demonstrably outweigh the other benefits of the application.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 That planning permission is granted as set out on the decision notice.

**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. Potential Land Contamination

- A) The previous use of the building as a workshop may have given rise to contamination. Prior to commencement, an investigation shall be carried out by a suitably qualified person, into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.

- B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development and how any unacceptable risks will be mitigated. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings and what mitigation measures are proposed to address these. Thereafter the development shall proceed in accordance with any agreed mitigation measures.
- C) Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

To protect the amenities of the occupiers of the proposed dwellings, and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework. Parts of the condition require details to be agreed prior to the commencement of development to ensure proper investigation and mitigation is in place for those construction works.

- 3. Works for the demolition of the building shall not commence until a valid contract for the redevelopment of the site in accordance with a valid planning permission has been let, or details of temporary treatment and the programming of such treatment of the site have been approved in writing by the Local Planning Authority. The treatment shall then be undertaken as agreed.

Reason

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

- 4. A sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

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

- 5. A sample of the clay tile shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is commenced. Development shall be carried out in accordance with the agreed sample.

Reason

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

6. The detailed design including materials and finishes of the following items shall be approved in writing by the local planning authority before the relevant parts of the work are commenced:
  - a. Eaves, verges and ridges
  - b. External vents, flues, extracts and meter boxes
  - c. Stone window and door surrounds
  - d. All new window and door joinery including reveals
  - e. Door canopies.
  - f. Rainwater goods

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason

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

7. 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.

8. Prior to the first occupation of either dwelling details of the cycle stores for both houses shall be submitted to and agreed in writing by the Local planning Authority. The houses shall both be provided with the agreed cycle store prior to the occupation of each house.

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.

9. 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 that further development at this site is fully considered given its particular design and site constraints and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and Policies PSP1, PSP8 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

10. Prior to the first occupation of either dwelling, the location and type of two bird boxes shall be submitted to the local planning authority for approval in writing. These shall then be erected and maintained as agreed prior to first occupation of the either house.

Reason

To enhance the ecological value of the site in accordance with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the National Planning Policy Framework.

11. The development shall proceed in accordance with the following plans:

SO1 location plan received 13/12/2018

S02 location plan as proposed received 13/12/2018

S02 location plan as existing received 13/12/2018

S06 existing elevations received 13/12/2018

S04 survey received 13/12/2018

PL06B sketch views received 8/2/2018

PL03B first floor plan and roof plan received 8/2/2018

PL04B elevations received 8/2/2018

PL05B elevations received 8/2/2018

PL09 tracking received 8/2/2018

PL07B sections received 8/2/2018

PL02C site plan received 27/3/2018

PL08 streetscene (proposed) received 8/2/2018

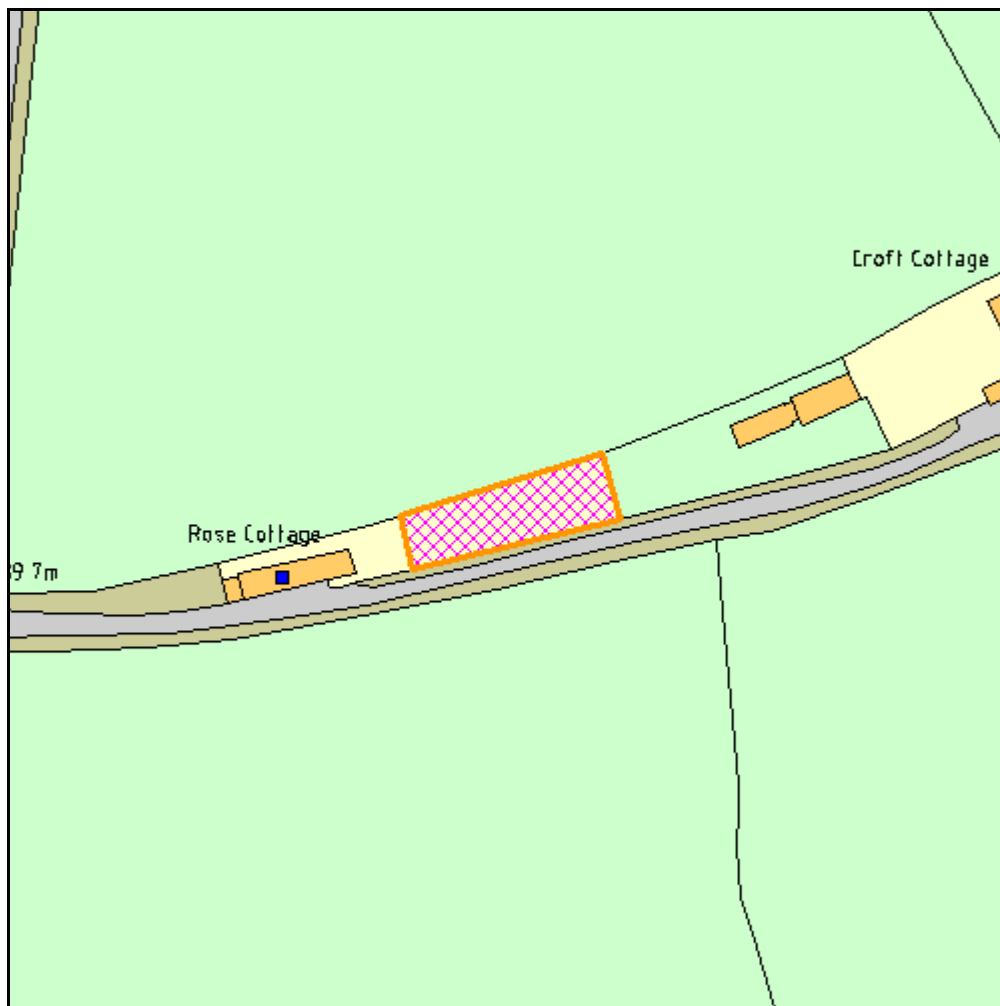
S05A streetscene (existing) received

Reason

For clarity and to prevent the need for remedial action.

**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PK18/0039/F	<b>Applicant:</b>	Mr N Bracey
<b>Site:</b>	Rose Cottage 1 Horwood Lane Wickwar Wotton Under Edge South Gloucestershire GL12 8NU	<b>Date Reg:</b>	12th January 2018
<b>Proposal:</b>	Erection of 2 no. attached dwellings and associated works.	<b>Parish:</b>	Wickwar Parish Council
<b>Map Ref:</b>	372530 187522	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Minor	<b>Target Date:</b>	5th March 2018



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## **REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the erection of 2no. semi-detached dwellings and associated works at Rose Cottage, 1 Horwood Lane, Wickwar.
- 1.2 The application site consists of a detached cottage set towards the western end of a long, narrow plot. The site is located outside of the defined settlement boundary of Wickwar and is considered to be within the open countryside, although it is not within the Bristol and Bath Green Belt.
- 1.3 Outline planning permission was previously granted for the erection of 1no. detached dwelling at the site under application ref. PK17/0495/O.
- 1.4 Outline planning permission has also been granted for the erection of 80no. dwellings at land immediately to the north of the application site under application ref. PK16/4006/O. The reserved matters application for this site is currently being considered by the Local Planning Authority. Application ref. PK17/4552/O, which sought outline consent for the erection of up to 90no. dwellings on land immediately to the south of the application site, appeared at DC East Committee on 4<sup>th</sup> May 2018. Whilst a formal decision is yet to be issued, members resolved to approve the application.
- 1.5 Revised plans were requested and received by the Local Planning Authority on 27<sup>th</sup> April 2018 and 16<sup>th</sup> May 2018. The plans include a revised site plan and a revised indicative streetscene plan.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted  
November 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

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

**3. RELEVANT PLANNING HISTORY**

*Application Site*

3.1 **PK17/0495/O**

Erection of 1no detached dwelling (outline) with access to be determined: all other matters reserved.

Approved: 09.05.2017

3.2 **PK10/0347/F**

Erection of two storey side and 2no. single storey side extensions to form additional living accommodation.

Approved: 12.04.2010

3.3 **N5857**

Erection of single storey side extension to provide bedroom, bathroom, hall and kitchen.

Approved: 23.08.1979

*Other Relevant Applications*

3.4 **PK17/4732/F – Croft Cottage (east of application site)**

Erection of 3no. dwellings with associated works, parking and landscaping.

Status: Pending Consideration

3.5 **PK16/4006/O** – *Land South of Poplar Lane (north of application site)*

Outline planning permission for up to 80 residential dwellings (including up to 35% affordable housing), landscaping, informal public open space, children's play area, new access and associated works (Outline) with access to be determined. All other matters reserved.

Approved: 02.12.2016

3.6 **PK17/5966/RM** - *Land South of Poplar Lane (north of application site)*

Erection of 80 dwellings with associated landscaping, including wetlands, drainage, pedestrian and vehicle links, open space including play areas, allotments and other associated infrastructure. (reserved matters to be read in conjunction with PK16/4006/O).

Status: Pending Consideration

3.7 **PK17/4552/O** - *Land South Of Horwood Lane (south of application site)*

Erection of up to 90 residential dwellings with public open space, landscaping, sustainable drainage system and vehicular access from Sodbury Road (Outline) with access to be determined. All other matters reserved.

Status: Pending Decision (resolution to approve at DC East Committee on 04.05.2018)

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

4.1 Wickwar Parish Council

Objection - The proposed development is outside the Wickwar building boundary. The proposed development is over development of this enclosed area which is not large enough for two properties. The Lane is a single track Lane with no passing places. Horwood Lane leads to a working farm with all the associated farm traffic.

4.2 Other Consultees

Sustainable Transport

- I note that the applicant has submitted additional information /plans with the application. Submitted plans now show a revised access arrangement that includes the removal of the existing hedge (fronting the new development) to allow a relatively wide driveway for three cars to park and a passing place to be created for vehicles using Horwood Lane. The front boundary treatment fronting the new building involves a proposal for a new 600mm high timber post and rail fence along the new houses, with the fence set back from edge of the road to ensure that visibility splays are provided. With the hedge removed and the

fence set back, there would also be improvement to forward visibility for those travelling on Horwood Road. I consider the access arrangement to be acceptable in highway's design terms.

- In terms of parking requirements, reference should be made to the Council's parking standards. According to SGC parking standards, parking requirements for a 2-bed house is 1.5 spaces – accordingly for 2no. 2-bed houses, the applicant is proposing total of 3no. parking spaces on site and this meets the Council's parking standards.
- With the proposed access, visibility splays and parking provision as shown, it is considered unreasonable now to refuse this application on highway safety grounds. As such there is no objection subject to conditions.

Lead Local Flood Authority

No objection

Landscape Officer

Concerns regarding loss of hedge, however given proposed development and as there is no hedge in front of the existing dwelling, it may be difficult to justify a refusal due to impact on the landscape character.

Highway Structures

No objection

**Other Representations**

4.3 Local Residents

One comment of objection was received during the statutory consultation period. The main concerns raised are outlined below:

- I am amazed that the Highways Officer has no comment. I am assured by these bland comments that no one from this department has made a site visit.
- Horwood Lane is a single track road leading to a working farm.
- The lane is no more than 10 feet in width in places and there is no passing places along the lane.
- There is an application for the neighbouring Croft Cottage for 3 further dwellings. According to South Glos. Councils own vehicle movement estimations this would be approx. 8 vehicle movements per day per dwelling. Making a potential total of 40 extra vehicle movements per day. Horwood Lane cannot take this increased movement of traffic on a single track and no passing places.

- The one extra dwelling associated with Rose Cottage is more than enough but a potential increase of 5 properties is out of the question.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policies CS5 and CS34 of the South Gloucestershire Core Strategy state that new build housing should be limited to urban areas and established settlement boundaries. In this regard, the proposal is contrary to the adopted development plan as it proposes a new dwelling outside of the established settlement boundary of Wickwar and within the open countryside.

5.2 However the granting of outline consent for the erection of 1 no. dwelling at the site under application ref. PK17/0495/O is a material consideration when assessing the acceptability of the current proposal in principle. With regards to the outline consent, in light of the approved 80 dwelling development to the north of the site, it was considered that the site was sufficiently connected to services and facilities, and could not be classed as being inherently unsustainable or isolated. As such, in terms of sustainability, it was not considered that the provision of a new dwelling at the site would cause significant and demonstrable harm.

5.3 The proposal currently under consideration seeks to erect two dwellings at the site as opposed to one. Overall, in terms of sustainability, it is not considered that the provision of one further unit at the site would cause any significant or demonstrable harm. Furthermore, since the granting of outline consent at the application site, a resolution to grant outline consent for a 90 dwelling development to the south of the site has been reached. As such, the application site would be bounded on both its southern and northern sides by residential development. On this basis, it is not considered that the site could be considered as an unsustainable or isolated location.

5.4 The development is considered to be acceptable in principle and it is acknowledged that the provision of two additional dwellings towards housing supply would have a modest socio-economic benefit. However the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. The further areas of assessment in this case are; design and visual amenity, landscape impacts, residential amenity, and transportation.

### 5.5 Design and Visual Amenity

Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.

- 5.6 The proposed dwellings would comprise a pair of semi-detached buildings constructed in a fairly traditional cottage style. The dwellings would take on a simple form, and would incorporate a pitched roof, with a rear cat slide roof with dormers inserted. The properties would incorporate a pitched canopy at their front elevation, with chimneys set at either end of the ridge line. Internally, the dwellings would contain a kitchen and lounge at ground floor level, with two bedrooms and a bathroom provided at first floor level. The external walls would be finished in a white render, with the double roman tiles used in the roof finish.
- 5.7 In terms of layout and site density, it is considered that despite the restricted width of the plot, the two fairly modest dwellings would sit comfortably within the plot. The overall form, scale and finish of the dwellings is considered to be appropriate for what is, at present, a rural setting. It is also considered that the overall design and finish of the proposed dwellings is sufficiently informed by the existing dwelling at Rose Cottage. On this basis, it is not considered that the new dwellings would detract from the immediate streetscene or the character of the area as a whole.
- 5.8 Overall it is considered that an acceptable standard of design has been achieved. The proposal is therefore considered to accord with policy CS1 of the Core Strategy.
- 5.9 Landscape  
Policy PSP2 of the Policies, Sites and Places Plan outlines that development proposals should seek to conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape.
- 5.10 At present, the application site forms part of a distinctly rural landscape, with open fields to the north and south. The site is bounded on its northern side by a substantial hedgerow. The site was previously bounded on its southern side by a hedgerow. It was originally proposed to retain the hedge as part of the development, but reduce its height. However since the submission of the original application, the hedgerow at the southern boundary of the site has been removed in its entirety and replaced with a 600mm timber post and rail fence. Another substantial hedgerow is situated to the south of the application site, and separates Horwood Lane from fields to the south.
- 5.11 Given the extensive residential development set to take place to the north and south of the site, it is not considered that the erection of the two proposed units would have a significant impact on the character or appearance of the landscape. The loss of the hedgerow is regrettable, however as the hedgerow is not protected, this is not a factor that could be controlled prior to the determination of the application. The loss of the hedgerow is also considered to have beneficial impacts in terms of highway safety, as discussed later in this report. In any case, the retention of the hedgerows at the northern boundary of the site and on the southern side of Horwood Lane is considered to create a sufficient buffer between the proposal site and future development.

- 5.12 Overall, it is not considered that the redevelopment of the site to provide 2no. residential units would cause significant harm to the immediate landscape. On this basis, the proposal is considered to be broadly consistent with the requirements of policy PSP2 of the Policies, Sites and Places Plan.
- 5.13 Residential Amenity  
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.14 In terms of impacts on the residential amenity of existing residents, given the degree of separation between the proposed units and any existing properties, it is not considered that the proposed dwellings would have any significant overbearing or overshadowing impacts on nearby residents. Furthermore, given the arrangement of windows, it is not considered that the development would give rise to any significant overlooking issues.
- 5.15 In terms of the relationship between the development proposal and the larger developments proposed to the north and south of the site, it is not considered that the erection of the proposed dwellings would give rise to any significant amenity issues in the future. A landscape buffer zone is proposed at the southern boundary of the Poplar Lane development (north of site). It is considered that this would sufficiently separate the two proposed units from any units to the north. Furthermore, the two units would be separated from the Horwood Lane development (south of site) by the public highway. Given this degree of separation, it is considered the proposed development would be compatible with the development to the south.
- 5.16 With regards to amenity space, it is acknowledged that the erection of the dwellings would significantly reduce the levels of amenity space afforded to the existing dwelling at Rose Cottage. However the area of amenity space to be retained is considered to be of a sufficient size, and it is not considered that the sub-division of the plot would significantly prejudice the residential amenity of existing occupiers.
- 5.17 In terms of the provision of amenity space for the proposed units, 82m<sup>2</sup> is proposed for one dwelling, with 87m<sup>2</sup> for the other. This exceeds the minimum standard for a 2-bed dwelling (50m<sup>2</sup>), as set out in policy PSP43 of the Policies, Sites and Places Plan. Given the fairly quiet nature of the lane and the proposed landscape buffer zone to the north of the site, it is also considered that the areas of amenity space would be sufficiently private.
- 5.18 Subject to a condition restricting the permitted working hours during the construction phase, it is not considered that the proposal would have any unacceptable impacts on residential amenity. The proposal is therefore considered to accord with policy PSP8 of the Policies, Sites and Places Plan.

5.19 Transport

With regard to parking provision, policy PSP16 of the Policies, Sites and Places Plan outlines that a minimum of 1.5 parking spaces should be provided for 2-bed properties. A total of 3 parking spaces are proposed, which meets the standard for 2no. 2-bed dwellings. The proposed parking arrangements are considered to be acceptable. However for the avoidance of doubt, a condition will be attached to any decision ensuring that the proposed parking spaces are provided prior to the first occupation of the dwellings, and thereafter retained.

5.20 The concerns raised regarding highway safety have been taken in to consideration. However following the removal of the hedgerow at the southern boundary of the site, the transport officer is now satisfied that adequate visibility, as well as a passing point for vehicles, can be provided. It is considered that the overall improvements to visibility and the creation of a passing point off-sets the increased vehicular movements that the development proposal would generate. When assessing transportation impacts, the proposed development to the east of the site at Croft Cottage has also been taken in to account. However even when considering the increased vehicular movements generated by both developments, it is not considered that the development would cause any severe highway safety issues.

5.21 Subject to further conditions recommended by the transport officer regarding the provision of the proposed access, proposed surfacing and visibility splays, it is not considered that the proposal would have a severe impact on highway safety. Overall, the proposal is considered to accord with policy CS8 of the Core Strategy, and policies PSP11 and PSP16 of the Policies, Sites and Places Plan.

5.22 Flood Risk

Following the submission of an amended site plan showing the proposed method of surface water disposal, the drainage officer has no objections to the development proposal.

5.23 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.24 With regards to the above this planning application is considered to have a neutral impact on equality.



## 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: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

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

**Contact Officer: Patrick Jackson**  
**Tel. No. 01454 863034**

## CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 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 Policies PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

3. Prior to the first occupation of the dwellings hereby approved, the car parking provision for the proposed dwellings shall be implemented in accordance with the approved Site Plan (Drawing no. 210-002 C - received on 16th May 2018) and retained thereafter for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

4. Prior to the first occupation of the dwellings hereby approved, the access together with the visibility splays as shown on the approved Site Plan (Drawing no. 210-002 C - received on 16th May 2018) shall be constructed and thereafter retained.

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 Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

5. The first 5m of the access drive measuring from the edge of the highway shall be surfaced with 'permeable bound surface material'.

Reason

To prevent loose stone or gravel travelling on to the public highway, in the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

6. Land within the visibility splays of 2.4m by 43m fronting the application site shall be maintained as 'flat grass verge'.

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 Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

7. The proposed development shall be in accordance with the following plans:

Existing Site Plan and Site Location Plan (Drawing no. 210-001)

Proposed Floor Plans (Drawing no. 210-001)

Proposed Elevations (Drawing no. 210-001)

(Received by Local Authority 4th January 2018)

Proposed Streetscene (Drawing no. 210-010)

(Received by Local Authority 27th April 2018)

Proposed Site Plan (Drawing no. 210-002 C)

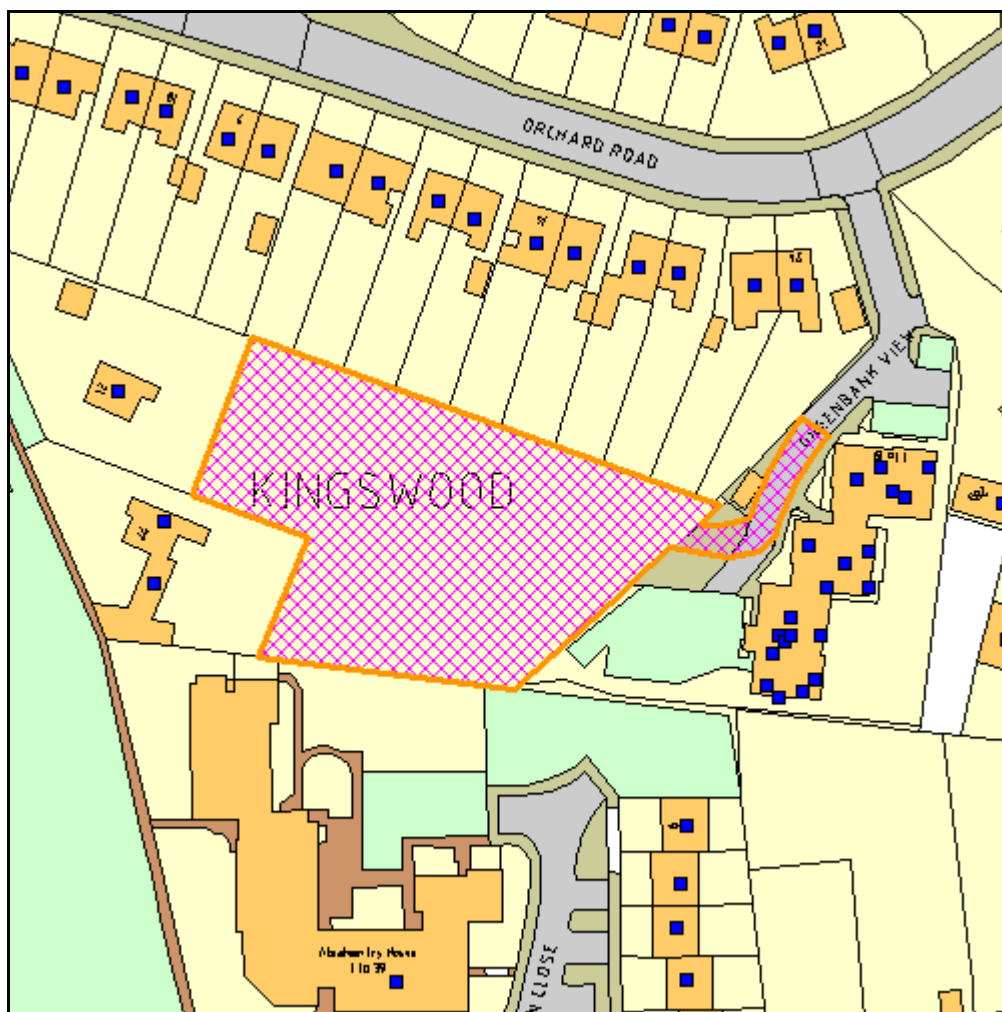
(Received by Local Authority 16th May 2018)

Reason

In the interests of proper planning and for the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PK18/0209/F	<b>Applicant:</b>	Mandalay Investments Ltd
<b>Site:</b>	Land At The Rear Of 22 Woodland Terrace Kingswood Bristol South Gloucestershire BS15 9PU	<b>Date Reg:</b>	19th January 2018
<b>Proposal:</b>	Erection of 6no. detached dwellings, creation of new access, and associated works.	<b>Parish:</b>	None
<b>Map Ref:</b>	365076 173390	<b>Ward:</b>	Woodstock
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th March 2018



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 100023410, 2008. **N.T.S.** **PK18/0209/F**

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

This report first appeared on the Circulated Schedule No. 17/18 – 27<sup>th</sup> April 2018 following objections from local residents. It was removed from that schedule due to errors in the submitted arboricultural report which required amending. The amendments have been received.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks permission for the erection of 6 new detached dwellings, the creation of a new access and associated works. The site relates to land to the rear of 22 Woodland Terrace, Kingswood.
- 1.2 The site relates to an area of land bound by trees, some of which are protected by Tree Protection Order No. 0205 (made and confirmed in 1984), surrounded by residential development including three storey blocks of flats, two-storey dwellings and a residential care home.
- 1.3 The site lies within an area with coal mining features/hazards, within Flood Zone 1 and in the established settlement boundary of Kingswood.
- 1.4 During the course of the application further details were requested and received to address ecological issues raised by concerned neighbours and to move Plot 5 further away from existing residential properties. Additional plans have also addressed transportation issues. An updated arboriculture report has been submitted which details those trees to remain on site, those to be removed and the root protection areas of affected trees including those in the neighbouring gardens. The revised details also showed a slight amendment to the position of Plot 4 to ensure it would be completely outside any root protection area. In addition details of a landscape scheme to the north of the access road has been included to further protect the amenities of residential occupiers in Orchard Road.
- 1.5 It is noted that the site was nominated as a Local Green Space in 2014/15 by three local councillors. In summary the reason given for its nomination included:
  - The space has wildlife significance
  - This is a piece of private land within the curtilage of a private residence
  - Local residents would like it protected as there was a refused attempt to put a lot of houses on it a few years ago (PK11/1305/F)
  - The site is surrounded on three sides by dense residential accommodation (Woodland Terrace and Orchard Road to the north, Greenbank View flats to the east, Abraham Fry House and Petherton Close to the south) and the provides those residents with important green visual relief in a very built-up area.

Notwithstanding the nomination, the site is currently not designated as a Local Green Space and will be reassessed through the new Local Plan. This planning application therefore stands to be assessed on its own merits. It is useful to highlight the differences in this and the application referenced as

PK11/1305/F. The previous application involved the demolition of 22 Woodland Terrace and the use of part of the school playing fields to the north of that house to facilitate the erection of 23 dwellings (9 houses and 16 flats). Since 2011 there has been a change in ownership of the site, No. 22 Woodland Terrace is in different private ownership, separate to the application site and the scale of the development now proposed is much reduced at 6no. detached houses.

## 2. POLICY CONTEXT

### 2.1 National Guidance

National Planning Policy Framework March 2012  
National 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
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS29	East Fringe Communities

#### South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP5	Undesignated Open Spaces Within Urban Areas and Settlements
PSP8	Residential Amenity
PSP9	Health Impact Assessments
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP22	Unstable Land
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

### 2.3 Supplementary Planning Guidance

SPD: Design Check List (Adopted) 2007.  
SPD: Residential Parking Standards (Adopted) (2013)  
SPD: Waste Collection (Adopted) 2015  
SPG: Trees on development sites (Adopted) 2005

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

- |      |                                      |   |
|------|--------------------------------------|---|
| 3.1  | PRE16/1430<br>Response given         | Erection of 8no. dwellings<br>April 2017  |
| 3.2  | PK11/017/SCO<br><br>EIA nor required | Erection of 23 dwellings with associated access,<br>parking, landscaping and associated works.<br>Screening opinion for PK11/1305/F<br>05.05.11 |
| 3.3  | PK11/1305/F<br><br>Refused           | Erection of 23 dwellings with access, parking,<br>landscaping and associated works to replace existing<br>dwelling.<br>08.11.11                 |
| 3.4  | PK05/1250/F<br>Approved              | Regrading and landscaping of land.<br>10.11.05  |
| 3.5  | P97/4153<br><br>Approved             | Residential development (Outline) (Renewal of<br>planning permission K4547/5 dated 9 May 1994)<br>29.05.97                                      |
| 3.6  | K4547/5<br><br>Approved              | Residential development (outline) (renewal of<br>permission K4547/4 granted on 18 Feb 1991)<br>09.05.94   |
| 3.7  | K4547/4<br>Approved                  | Residential development (outline) (renewal)<br>8.2.91   |
| 3.8  | K4547/3<br><br>Refused               | Erection of one dwelling and garage and new garage<br>associated with 21 woodland terrace<br>28.01.91   |
| 3.9  | K4547/2<br>Approved                  | Residential development (outline)<br>12.1.88  |
| 3.10 | K4547<br><br>Refused                 | Residential development on apprx.0.42 hectare (1<br>acre) outline<br>23.7.84  |

#### **Other planning applications mentioned by residents**

- 22 Woodland Terrace:
- |      |                             |   |
|------|-----------------------------|---|
| 3.11 | PK17/0309/F<br><br>Approved | Erection of two storey rear extension to form<br>additional living accommodation. Construction of new<br>driveway with turning circle.<br>20.3.17 |
|------|-----------------------------|---|
- Greenbank View Flats:
- |      |             |  |
|------|-------------|--|
| 3.12 | PK12/2983/F | Conversion of existing lower ground floor voids to<br>form 4no. flats with associated works (retrospective). |
|------|-------------|--|

- Approved 10.12.12
- 3.13 PK11/0290/F Conversion of existing lower ground floor voids to form 4no. self contained flats with associated works.

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

- 4.1 Parish Council  
The area is not parished

##### **Internal Consultees**

- 4.2 Ecology  
No objection subject to conditions that required the development to be carried out in accordance with the submitted appraisal; a check for foxes is made and the provision of bat and bird boxes on site.
- 4.3 Transport  
No objection subject to conditions
- 4.4 Drainage  
No objection in principle subject to a SUDS condition and an informatives.
- 4.5 Highway Structures  
No objection subject to an informative to be attached to the decision notice.
- 4.6 Coal Authority  
No objection subject to condition.
- 4.7 Tree officer  
Amendments necessary following site visit. Final version of tree report is acceptable subject to strict conditions and a pre-commencement site inspection.
- 4.8 Environmental Protection  
No objection:  
The site has the potential for contamination and an appropriate condition is to be attached to the decision notice.

##### **Other Representations**

- 4.9 Natural England  
Priority habitat has no legal protection, but the classification should be a consideration of any planning decision.
- 4.10 People's Trust For Endangered Species  
The definition of a habitat does not depend on it being registered and mapped, it is defined by what is present on the ground, mapped or no. A lot of habitat data is provided by the public and external projects conducting surveys on the ground. In this case, the evidence from the historical map and a report provided from a member of the public is sufficient to determine this as a traditional orchard with high biodiversity potential. As such it should be

considered *a priori* to have high biodiversity as per the Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. Section 40(1) of the Act places a 'Duty to conserve biodiversity' on all public authorities in exercising their functions. The condition of the trees as assessed by an arboriculturist has no bearing on this determination. Most of the biodiversity potential of old fruit trees is, as with non-fruit ancient and veteran trees, in their veteran features, in particular the standing dry deadwood contained within hollow trunks. This frequently leads arb reports to determine that the trees are 'moribund' or of short life expectancy and they are indeed in the last third of their life expectancy, but as veteran trees (relative to the life expectancy of a fruit tree) they must be recognised for not only their value to biodiversity but also their context within cultural heritage, the wider landscape, ecosystem services and habitat connectivity. Orchards are often viewed as a 'stepping stone' habitat, as defined by the Habitats Directive Article 10.

#### 4.11 Local Residents

8 letters of objection from local residents have been received by the Council. The points raised are summarised as follows:

##### *Parking and transport*

- Flats at Greenbank View have added to parking issues
- Entrance to Greenbank View is on a blind bend with a camber and vehicles park on Orchard Road blocking view of on-coming traffic. Additional traffic from the development will cause more congestion and accidents waiting to happen
- No provision for visitor parking

##### *Residential Amenity*

- The development will overlook rear gardens
- Natural daylight into our gardens is at a premium and the development will cause further issues
- Plots 5 and 6 would have approx. distance of 22m back to back with our house. understand minimum distance between 3 storey houses should be 27.5 m
- The view we enjoy of trees and foliage and will be replaced by townhouses some 9 metres in height – will change our outlook and result in complete loss of privacy
- Impact on existing neighbours due to increased street and residents' lighting
- Proposed balcony will be at only 1/3<sup>rd</sup> the 28 metre distance from rear of house as set out in guidelines
- Overbearing three storey town houses are much higher than 2 storey houses as roofs are steeply pitched. Even though they will be 1.5m lower than my ground level this won't make much difference
- These houses will be only 1.5 metres away from my fence – the openness of my garden will be lost
- View of Cotswolds will be lost
- Extra light from the houses will mean my ability to wake up naturally at dawn will be lost



### *Design*

- Site unsuitable for 6 houses
- Style should be more in keeping with the existing neighbouring 1950s properties
- 

### *Ecology and trees:*

- Prior to the construction of the flats the site was one of the biggest badger setts in Kingswood which disappeared. The land has an abundance of wildlife that return annually – e.g. fox cubs, wide variety of birds, frogs, bats and bees. It would be a devastating effect on local nature and wildlife to lose this natural habitat.
- Number of trees on site have tree preservation orders
- The site is an apple orchard
- Ecological and arboricultural surveys submitted have failed to note the presence of a traditional orchard on the site. This may be because half the trees are in the adjacent garden which has only recently been separated from the site. Previous applications noted the area was orchard.
- The site is a priority habitat – the presence of 5 apples trees in the area should mean they are to be considered a traditional orchard and therefore a priority habitat. Failure to recognise this would be to ignore statutory guidance
- The fruit trees on site have not been assessed for heritage value or rarity
- In 2005 a condition attached to PK05/1250/F required trees and wild flowers to be planted to compensate removal. In this application all trees apart from those with TPO will be felled. This loss goes against Council's previous decision to have this land replanted
- Removal of so many trees will impact on air quality in Kingswood
- Felling of almost every tree and shrub will affect bats' ability to hunt
- Arboricultural report has failed to note a Silver Birch in my garden

### *Drainage:*

- Drains were not built for all the additional infrastructure that has been added over the last 10-15 years
- Our gardens are well saturated in winter months due to being lower than the land behind

### *Other matters:*

- foregone conclusion
- three storey houses are not aimed at families who need affordable accommodation
- 6 houses will not make any difference to reducing housing shortage
- Did not receive sufficient notification of the application
- Ground levels on the site raised when tons of soil were removed from 26 Orchard Road for the building of Greenbank View flats
- To remove woods from Kingswood would directly impact on the heritage of Kingswood as part of Kings Forest and the Forest of Avon

## 5. ANALYSIS OF PROPOSAL

- 5.1 The application is for the erection of 6 houses within a plot of land located to the rear of 22 Woodland Terrace, Kingswood.
- 5.2 Principle of Development  
The application is to be assessed under the above listed planning policies and all other material considerations.
- 5.3 The NPPF has a strong presumption in favour of sustainable development and declares planning authorities should approve development proposals without delay where they accord with the local development plan, unless material considerations indicate otherwise. New development in urban areas is encouraged in the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 along with the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 which together form the adopted local development plan. Policies CS5 and CS15 of the Core Strategy promote new residential development into the urban area and Policy CS29 encourages the provision of new housing in the East Fringe of Bristol Urban Area (in line with Housing policy CS15 of the Core Strategy (adopted) December 2013.
- 5.4 All development is required to conform to design policies and not to have an adverse impact on residential amenity. Policy CS1 along with the NPPF encourages high quality design for new development. Policy CS1 and PSP8 are not directly related to the supply of housing and therefore attract full weight.
- 5.5 The proposal accords with the principle of development. Issues regarding impact on residential amenity, parking, trees and ecology are discussed in more detail below.
- 5.6 Five Year Housing Supply  
South Gloucestershire Council cannot demonstrate a five year housing land supply. This proposal would add 6 new dwellings to that shortfall and as such some weight can be awarded in its favour for this reason.
- 5.7 Design and Visual Impact  
Policy CS1 states that development will only be permitted where the highest possible standards of design and site planning are achieved and requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality. Design, therefore, has a much broader remit than merely appearance and good design incorporates within it a number of elements including function.
- 5.8 A definition used by CABE (commission for Architecture and the Built Environment) stated:

*It is possible to distinguish good design from bad design. By good design we mean design that is fit for purpose, sustainable, efficient, coherent, flexible,*

- responsive to context, good looking and a clear expression of the requirements of the brief.*
- 5.9 Although CABI was merged with the Design Council, the organisation, Design Council Cabi, remains the government's adviser on design. Its published documents on design emphasise the importance the government places on good design demonstrated in the 12 planning principles set out in the NPPF, where design is the 4<sup>th</sup> on that list stating that planning should:
- ..always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*
- 5.10 At paragraph 56 the NPPF declares that *Good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people.*
- 5.11 Most relevantly here the NPPF at paragraphs 63-64 states quite clearly:  
*In determining applications, local planning authorities should give great weight to outstanding or innovative designs that help to raise the standard of design more generally in the area. Equally, they should refuse planning permission for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*
- 5.12 The application site is located on a plot of land which slopes up from the east to the west. It is surrounded by residential development with a row of two-storey semi-detached properties typical of 1950s design to the north at Orchard Road, two individual detached properties are located to the west accessed off an unmade up lane, Woodland Terrace, a three storey care home to the south, Abraham Fry House and a block of three storey flats to the east, Greenbank View. Access into the site would be achieved by sharing part of the entrance road used by these flats. The site benefits from a number of large trees, some of which are protected by tree preservation orders.
- 5.13 The scale of development has been limited by the topography of the site, by existing sewer easements and by the root protection areas for the various trees. At around 20 houses per hectare the amount of development on the site could be regarded as being quite low, but the particular constraints of this site have limited the number of houses that can be accommodated on the site. The houses will be three storeys, with the top floor set within the pitched roofs. Both the flats to the south and east are three storey and as such the proposed houses would reflect existing built form in the area, and in these terms would not be out of keeping. The constraints of the site have been acknowledged in the orientation and position of the 6no. houses and by slight differences in their design to avoid inter-visibility or overlooking.
- 5.14 The small grouping of houses would have a modern appearance, reflected in their style and proposed material; they would be finished in render with areas of fibre cement cladding to add interest and double roman tiles would be used on the pitched roofs. These would be conditioned as part of any permission to ensure high quality materials are used.

- 5.15 The proposed design, scale and massing are considered to accord with Policy CS1.
- 5.16 Residential Amenity  
The proposed new dwellings would form a semi-circle, curving along the south of the site with the access road to the north. Plans indicate the numbering as having number 1 to the east, closest to the proposed entrance into the site and the rest following on around to the west. Their position on site means there would be no inter-visibility between the new houses. Concern has been expressed that due to the topography of the site, Plot 6 could have an impact on the privacy of these existing gardens and there could be more general overlooking from the access driveway. Houses at Orchard Road to the north would be separated by a distance of around 37 metres. Proposed openings facing these properties from Plot 6 are all small in scale and would comprise two hall windows and a dining room window at ground floor level, a landing window at first floor and a roof light at the highest point. Given the distance, the presence of protected trees along the boundary separating the sites and along with the proposed use of the openings, it is considered that there would be no unacceptable impact on the amenity of closest properties along Orchard Road resulting from the Plot 6. With regards to the more general potential for overlooking from the access drive, a scheme of landscaping and planting is proposed along the northern boundary of the site. This will be secured by condition and it is considered that the properties along this part of Orchard Road can be successfully and appropriately screened so that there would be no unacceptable impact on their amenity from use of the access driveway.
- 5.17 Other neighbours to the west have mentioned the distance between the properties. Plans indicate that Plots 5 and 6 would be around 25 metres distant from the main rear elevation of No. 21 Woodland Terrace. It is noted that the proposed new dwellings would have a bank of full height windows at ground floor level, a single window at first and second floor levels, each of these upper floor openings would serve a bedroom. It is further noted that the existing property is at a higher level than the proposed new dwellings, includes large conifers and various boundary treatments which in some places is over two metres. It is considered that these distances and measures would be sufficient to avoid any unacceptable impact on the amenity of either property.
- 5.18 A number of comments submitted to the LPA have mentioned the loss of views, loss of openness, loss of light. There is no right to a view in planning terms; the density of the proposed development will be fairly low and given the distance between the proposed houses and existing properties on Orchard Road at about 37 metres, there would be no issues of overbearing or over-shadowing resulting from the development.
- 5.19 Specific comments have been made with regards to the impact from the neighbouring property at 22 Woodland Terrace. This property benefits from planning permission which granted a two-storey rear extension (PK17/0309/F). Plot No. 5 would be positioned to the north east of this house. It is reasonable to assume that the proposed extension would be built out as approved and as such must be taken into consideration in this assessment. Revised plans submitted during the course of this application show the footprint of the new

house moved further away from the boundary between it and No. 22 and would now achieve a distance of 3 metres. The granted planning application included a proposed balcony for No. 22 which would face to the east. Concern has been expressed that there would be an impact on privacy resulting from the first and second floor bedrooms of Plot 5 which would face to the west. The distance between the proposed balcony and the proposed windows would be around 11 metres with Plot 5 being located around 4 metres further to the east. The angle between these openings would be around 25 degrees. Generally speaking if something is in front of something else at an angle of 90 degrees, this would likely result in direct inter-visibility. However, the more sharp or acute an angle is, the less opportunity there is for inter-visibility. In this case, the position of Plot 5 in relation to No. 22 Woodland Terrace would result in an angle of 25 degrees. This means that given the distance between the proposed balcony of No. 22 and the proposed Plot 5 along with the proposed angle there would be no concerns regarding possible inter-visibility between the respective rooms.

- 5.20 It is noted that application PK17/0309/F also gave permission for a first floor window on the northern elevation. This would be around 13 metres away from the proposed rear elevation of Plot 5 with the possibility of overlooking into the rear garden of Plot 5. However, some planting is proposed along this boundary which is considered to assist in the privacy for the proposed new dwelling.
- 5.21 With regards to the other proposed plots these are considered to be a reasonable distance away from existing properties at Abraham Fry House, Greenview Flats and Orchard Road for there not to be any issues regarding overbearing, overshadowing or inter-visibility. Similarly the houses themselves have been designed to avoid any adverse impact on the amenity between each house.
- 5.22 With regards to the amount of amenity space, adopted policy under PSP43 states that 4 bed houses should have as a minimum 70 square metres of private amenity space. The amount of space allocated for each of the 6no. houses achieves this level and a combination of different boundary treatments including fencing and planting would ensure privacy. A number of trees along the southern boundary are protected, and a landscape plan will need to be submitted to confirm the boundary treatments for the whole site, to also assist in further screening and a separate condition will be attached to the decision notice to ensure any future works do not affect the longevity of these trees.
- 5.23 Overall the proposed scheme is considered to accord with Policy PSP8 and can be supported. A condition stipulating the hours of construction will be attached to the decision notice to further protect the amenity of closest residents along with a Construction Environmental Management Plan (CEMP) to control for example deliveries and on-site traffic movement.
- 5.24 Trees  
The site comprises a number of trees, some of which are covered by Tree Preservation (TPO) Order No. 0205. The revised Arboricultural report prepared by Hillside Trees Ltd, identified that 19 trees are to be retained on site and 14 individual and two groups of trees are to be removed. The report states that 5

trees outside the site boundary would be affected by the development proposals. Of the trees within the site that are covered by the TPO, T1 as identified in the arboricultural report has deteriorated in condition to such an extent that its retention is not viable and another listed on the Order no longer exists (it is assumed this tree was removed sometime in the past).

- 5.25 It is confirmed that those trees to be retained on site will require both above and below ground protection. The above ground protection will involve remedial tree work while the below ground work would include tree protection barriers and measures to minimise the damage to the roots and the root environment. The works are to be carried out by an experienced tree surgeon to industry best practice and in accordance with BS3998:2010 'Works to Trees'.
- 5.26 The latest submitted Tree Protection Plan is adequate for the safe protection of the trees that are to be retained on site. Crown work to trees identified as T12, T13, T14, T17 T18 and T19 is considered not appropriate as it would lead to ongoing pruning and this element of the proposal has been removed from the scheme. Revised plans also show that Plot 4 has been moved to the north east, sufficiently away from the root protection area of T3, the Silver Birch in the garden of No. 22 Woodlands Terrace. Given the above there are no objections to the scheme but the development must be carried out in accordance with the amended plan/details and a pre-commencement site meeting as specified in the arboricultural method statement must take place.
- 5.27 With regards to the presence of a traditional orchard – priority habitat - this is discussed in more detail below.
- 5.28 Ecology  
An Ecological Appraisal by Crossman Associates (September, 2017) has been submitted in support of this application. The site is not classed as a statutory or non-statutory site for nature conservation. As there are no buildings on site and the large mature trees present on site lack structural diversity they do not offer any roosting opportunities for bats. Furthermore, due to the urban nature (light pollution) of the site, foraging opportunities for bats are limited. The habitat and location of the site make it unsuitable for great crested newts, but is suitable for the common toad; no reptiles were recorded on site. However the site offers good nesting and foraging habitat for commoner garden bird species.
- 5.29 A former badger sett is located on the north-east edge of the site, which has been professionally blocked as part of an adjacent housing development. A survey of the site identified a possible outlier sett but further survey work confirmed that the sett was not being used by badgers. A red fox was recorded during the badger survey and during the Officer site visit a fox earth (under an old mattress) was noted, which could be active.
- 5.30 The Ecological Appraisal by Crossman Associates (September, 2017) recommends various mitigation and enhancement measures to prevent biodiversity loss, and enable biodiversity gain, through the proposed development. There are no ecological objections to this application However, foxes are wild animals and are offered some protection through Animal Welfare

Act and the clearing of the site must not cause unnecessary suffering to the animal. Appropriate humane control measures should be used to close down the earth if occupied. Appropriate conditions will be attached to the decision notice.

- 5.31 Examination of site as a Traditional orchard  
Several concerns were raised regarding the possible presence of a Traditional Orchard (Priority Habitat) on site. The Ecologist visited the site and after a thorough examination supports the findings of the Ecological Appraisal by Crossman Associates (September 2017). The site is part of a former large garden, with a mix of native and non-native trees, which includes three apple trees *Malus domestica*. The apple trees are relatively small and due to the neglected state of the site are now surrounded in scrub and brambles. There is no dead wood on the apple trees so their main biodiversity value would be as an early nectar source for pollinators. It is therefore suggested that replacement apple trees are included in the new landscape planting. This can be secured by condition.
- 5.32 The People's Trust for Endangered Species (PTSE) has been contacted by a member of the public. This group is not a statutory consultee and their comments are apportioned weight accordingly. Natural England were also contacted, and again, not being a statutory consultee for priority habitats, their comments are also apportioned weight according to their status.
- 5.33 Traditional Orchards are defined, for priority habitat purposes, as groups of fruit and nut trees planted on vigorous rootstocks at low densities in permanent grassland; and managed in a low intensity way. The minimum size of a Traditional Orchard is defined as five trees with crown edges less than 20m apart. However the potential biological and genetic interest of sites with fewer trees, such as relict orchards and individual trees within gardens, is noted.
- 5.34 Three small old apple trees are to be found within the application site and two other fruit trees are found in the adjoining neighbour's garden. Historically the site may have been an orchard or even a nursery but the site was cleared and as anecdotal evidence has indicated in comments from neighbours the site was used as a dumping ground during the development of Greenbank View Flats. During the Officer's site visit it was evident that the site had been neglected for some time. It is acknowledged that the crown edges of the fruit trees in both the site and the neighbouring garden would be less than 20m apart and they would therefore be regarded as a relict orchard where mitigation for their loss should be sought.
- 5.35 A condition attached to the decision notice will require the submission of a landscape scheme showing where 3 replacement apple trees are to be planted. The ground underneath the trees along the northern boundary falls outside any of the residential gardens so clarification must be sought as to how these are to be maintained. The apple trees could be planted in this area, close to the visitor parking space and in front of trees T6 and T7 as per the Arboricultural report. Full details of these new trees will be required.

5.36 Drainage

The site lies within an established residential area and maps indicate it is within Flood Zone 1. Neighbours along Orchard Road have expressed concern that the scheme would exacerbate flooding already experienced in their gardens. Officers have examined the application and consider that by condition appropriate drainage methods can be implemented. As part of the Building Regulations, any new development must not worsen any drainage situation and the introduction of drainage here would provide an opportunity for the existing situation to be improved.

5.37 Transport

The application is seeking permission for erection of 6no. new residential dwellings with parking. We note that some local residents are objecting to this application and therefore, make comments as follow.

5.38 The application site is located off Greenbank View which forms a priority junction with Orchard Road and it is located south-eastern side of Kingswood Town Centre. Access road, Greenbank View is approximately 5.5m in width with a footway on the eastern side. It is adopted highway approximately up to half way up its length before it becomes in private ownership. The private section of this road would be extended further to enable access for the new houses – this new section of the road would also remain private. A new turning area is proposed at the end of this road in order to provide for larger service vehicle. The applicant has confirmed that the internal road, drainage and street lighting will be maintained by a management firm to a level consistent with South Gloucestershire's adoptable standards.

5.39 Associated with this application, the applicant has submitted a Transport statement and this provides details of traffic movement from the development. It is estimated that the proposal would result in 5 or 6 trip movements per house each day. This level of traffic is not considered to be significant or to justify refusal of the application on traffic grounds. The transport officer is satisfied that there is sufficient capacity associated with the existing road and its junction onto Orchard Road to accommodate the predicted level of movement.

5.40 In respect of parking requirement, reference is made to the South Gloucestershire Council parking standards SPD. According to this, for 3 and 4 bed dwellings 2 spaces per dwelling are required with visitor parking at a rate of 0.2 spaces for each house. Accordingly the applicant proposes 2 parking spaces per unit plus 2no. visitor spaces. The level of parking proposed therefore meets the Council's parking standards. In addition, cycle parking will also be provided for each new house consistent with adopted standards.

5.41 It is noted that some local residents are concerned with on-street parking. The proposed development would provide its own parking and visitors' parking provisions that conform to the Council's parking requirement. Additionally, it must be reported that all existing apartments that are served off Greenbank



View have their own allocated parking spaces. Given the above, there are no highway objections to this application subject to conditions.

5.42 Coal Authority

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority records indicate that the site is in an area of likely historic unrecorded underground coal mine workings at shallow depth.

5.43 The planning application is supported by a Coal Mining Risk Assessment, dated 22 December 2017 and prepared by GRM Development Solutions. This report has been informed by an appropriate range of sources of information. The Coal Mining Risk Assessment concludes that there is a potential risk posed to the development by past coal mining activity. The report therefore recommends that intrusive site investigations are carried out on site in order to establish the exact situation in respect of coal mining legacy issues. In the event that shallow mine workings are encountered, The Coal Authority considers that due consideration should also be afforded to the potential risk posed by mine gas to the proposed development.

5.44 The intrusive site investigations should be designed by a competent person and should ensure that they are adequate to properly assess the ground conditions on the site in order to establish the exact situation in respect of coal mining legacy and the potential risks posed to the development by past coal mining activity. The nature and extent of the intrusive site investigations should be agreed with the Permitting Section of the Coal Authority as part of the permissions process. The findings of the intrusive site investigations should inform any remedial measures which may be required.

5.45 There are therefore no objections subject to a prior to commencement of development condition.

5.46 Environmental Protection

The site has the potential for contamination. The historic use of land within 250metres of the site as landfill may have caused contamination which could give rise to unacceptable risks to the proposed development. This matter can be dealt with by appropriately worded conditions attached to the decision notice.

5.47 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

5.48 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This

should be reflected in the policies of that organisation and the services it delivers.

5.49 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

5.50 Other Matters

It has been mentioned that the removal of the trees would have an adverse impact on the air quality of this part of Kingswood. It is acknowledged that a number of trees on the site would be removed but an equal number of large and mature trees would remain on the site. Furthermore, mitigation measures include the planting of three apples trees to counter their loss on site. Overall there would be no adverse impact on the air quality resulting from the removal of some of the trees on this small site.

The Council was informed that local residents had not been notified of the application. A further round of consultee cards were therefore sent out to neighbours.

One consultee response expressed concern that the removal of woods from Kingswood would directly impact on the heritage of Kingswood as part of Kings Forest and the Forest of Avon. Policy L4 of the South Gloucestershire Local Plan (adopted in 2006) specifically dealt with development with the Forest of Avon. The aims of Policy L4 included among other things: improving landscape; increasing opportunities for sport and recreation; protecting the most versatile agricultural land; protecting high quality landscape and areas of historical or archaeological interest; protecting sites of nature conservation and the sustainable management of existing woodlands and forests. These aims no longer appear as one policy but have been subsumed into a number of policies contained within the Core Strategy (adopted) 2013 and the Policies Site and Places Local Plan (adopted) 2017 the most pertinent of which appear listed above. It must also be noted that the site is not a forest, which can be defined as a large area covered by trees. It is a relatively small site which has a number of trees on it.

5.51 Planning Balance

The application site is located within the established urban area and as such the principle of development is acceptable. The scheme would add 6 houses to the existing shortfall in the supply of housing and this is given some weight in its favour. The impact of the development on the residential amenity of closest neighbours has been assessed and although there would be changes for these properties the proposed scheme would not give rise to an unacceptable impact on amenity sufficient to refuse the scheme. Neutral weight is accordingly awarded. An appropriate level of on-site and visitor parking can be provided for this development – this is given weight in its favour. The submitted arboricultural survey confirms protected trees on the site will not be endangered by the development and given the presence of three old apple trees within the site and two other fruit trees in the adjacent garden which may have been part of an old orchard, mitigation for the loss of the 3 trees on site will be ensured by

a planning condition. On balance the scheme can be viewed positively and as such is recommended for approval.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

- 7.1 It is recommended that the application be **APPROVED** subject to the conditions written on the decision notice.

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

## CONDITIONS

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

Reason

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

2. Plans:  
Development shall proceed in strict accordance with the following plans:  
As received by the Council on 15.1.18:

Plots 1 and 2 Plans - E475-PL-101  
Plots 1 and 2 Elevations - E475-PL-102  
Plots 1 and 2 Elevations - E475pPL-103  
Plots 3 and 6 - E475-PL-104  
Plots 4 and 5 - E475-PL-105

As received by the Council on 1.3.18:  
Proposed refuse collection location - SK02

As received by the Council on 19.3.18  
Location plan - E475-PL-001 D  
Proposed site plan - E475-PL-100B  
Proposed block plan - E475-PL-106A

Proposed section A-A - E475-PL-107

As received on 10.5.18:

Arboricultural Impact and Method Statement and Tree protection plan revision B

Reason

For the avoidance of doubt and to accord with Policies CS1, CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policies PSP1,2,5,8,11,16 and 43 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) 2017.

3. Contamination:

- A) Desk Study - Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably competent person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.
- B) Intrusive Investigation - Where potential contaminants are identified under (A), prior to the commencement of development an investigation shall be carried out by a suitably competent person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures. (Note (A) and (B) may be combined if appropriate).
- C) Verification Strategy - Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing with the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

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

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.

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

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

#### Reason

This is a pre-commencement of development condition to avoid any unnecessary remedial action and to ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

#### 4. SUDS

No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. A detailed development layout showing surface water and SUDS proposals is required.

All works shall take place in accordance with the approved details.

#### Reason

This is a prior to commencement condition to avoid any unnecessary remedial action in future and to comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012.

#### 5. Coal authority

Prior to the commencement of development the following is required:

- \* The undertaking of a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks posed to the development by past coal mining activity;
- \* The submission of a report of findings arising from the intrusive site investigations, including details of any remedial works necessary for approval; and
- \* Implementation of those remedial works

#### Reason

This is a prior to commencement condition to avoid any necessary remedial action in future and to ensure that adequate measures have been taken to mitigate against any coal mining features to accord with Policy CS9 of the South Gloucestershire Local

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

6. Ecology:  
The development should proceed in accordance with the recommendations made in Section 4 of the Ecological Appraisal by Crossman Associates (September, 2017). This includes avoiding disturbance/harm to nesting birds, erection of bird boxes and new native planting through the landscape plan.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

7. Check for foxes:  
No more than a week prior to the commencement of development, a check for active fox earths shall be undertaken on the site by a qualified ecological consultant. If an active fox earth is found then an appropriate mitigation strategy shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the recommendations of the mitigation strategy or any amendment of the strategy as approved in writing by the local planning authority.

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action and to ensure the works are carried out in an appropriate manner and in the interests of local biodiversity and wildlife, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

8. Location of the bird boxes  
Prior to first occupation of the development, the location of 8 bird boxes and sparrow terrace nesting boxes (as described in Section 4 of the Ecological Appraisal by Crossman Associates (September, 2017) should be submitted to the local planning authority for approval in writing. Development shall take place in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

9. Parking and turning

Prior to occupation of any unit on site, off street parking and turning area on site shall be provided in accordance with the submitted and the approved plan and shall be maintained satisfactorily 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.

10. Cycle parking

Notwithstanding the approved plans, prior to the commencement of development a detailed plan showing the provision of cycle parking facilities in accordance with Schedule A - Cycle parking standards as set out in Policy PSP16 of the Policies, Sites and Places Plan (adopted) November 2017 shall be submitted for written approval of the planning authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the cycle parking facilities provided prior to the first occupation of the development; and thereafter retained for that purpose..

Reason

This is a prior to commencement of development to avoid any unnecessary remedial action in future and 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.

11. CEMP

A site specific 'Construction Environmental Management Plan' (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of work. The CEMP as approved by the Council shall be fully complied with at all times. The CEMP shall address the following matters:

(i) Measures to control mud and building debris being tracked onto the public highway including providing wheel washing facilities on site.

(ii) Adequate provision for the delivery and storage of materials and provision of suitable contractor's parking on site.

(iii) Measures to control the safe movement of construction traffic on the access road leading into the site.

(iv) Deliveries shall only take place Monday to Friday between the hours of 09:30 to 15:00 (school term time) and 09:00 to 16:00 (outside of school term time) and 09:00 to 12:00 Saturday. No deliveries on a Sunday.

(v) Details of how construction work is to be managed to ensure that the access road is not obstructed.

(vi) Contact details for the Site Manager.

Reason

This is a prior to commencement of development to avoid any unnecessary remedial action in future and 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.

12. Construction hours:  
The hours of working on site during the period of construction shall be restricted to  
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 site

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 (Adopted) 2013; and the provisions of the National Planning Policy Framework.

13. Landscaping scheme:  
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

This is a prior to commencement condition to avoid any unnecessary remedial action in future and to protect the character and appearance of the area and to protect the amenity of neighbours to the north of the site and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP2 and PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

14. The development must be carried out in accordance with the amended plan/details within The Arboricultural Impact Assessment, Arboricultural +Method Statement and Tree Protection Plan - Revision B received by the Council on 10th May 2018. Prior to the commencement of development an on-site meeting as specified in the arboricultural method statement must take place.

Reason

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





## CIRCULATED SCHEDULE NO. 22/18 – 01 JUNE 2018

<b>App No.:</b>	PK18/0508/F	<b>Applicant:</b>	Mr P Green
<b>Site:</b>	The Bungalow 13A London Road Warmley South Gloucestershire BS30 5JB	<b>Date Reg:</b>	5th February 2018
<b>Proposal:</b>	Conversion of existing garage to 1 no. dwelling and associated works.	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	367295 173509	<b>Ward:</b>	Siston
<b>Application Category:</b>	Minor	<b>Target Date:</b>	30th March 2018



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PK18/0508/F

## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to the receipt of letter of objection from the Parish Council.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission to convert the existing garage to 1 no. dwelling, which will be known as No.13A Bungalow, in London Road, Warmley. The existing access will be utilised for the proposed dwelling. The garage is situated within a small gated residential property, which comprises 2 other residential dwellings, No. 13 and No 15 London Road. These dwellings have their own car parking spaces and the garage in this application is currently used as a storage.
- 1.2 It should be noted that this gated residential property was part of the site originally known as Springfield Farm, which also comprised a 2-storey stone build farmhouse and a number of outbuildings. Planning permission, PK13/4302/F, was granted for the conversion of the outbuildings to residential dwellings. The recent site visit reveals that the former outbuildings have now been converted. Also, since the grant of the planning permission, Springfield Farm has been subdivided. The original Farmhouse (No. 17) and the converted barn (No. 17A), which is located to the rear of the Farmhouse, have been subsequently sold.
- 1.3 The site is located outside the existing urban area or a defined settlement and is located within the Bristol/Bath Green Belt. The site itself is within Flood Zone 1; an area of land within Flood Zone 2 is situated to the west of the site. The site is also adjacent to a locally listed building, Smithy, which abuts to the western boundary of the site.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework 27 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
CS6	Infrastructure and Developer Contributions
CS9	Environmental Resources and Built Heritage
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted)  
November 2018

PSP1	Local Distinctiveness
PSP7	Development in Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development Within Existing Residential Curtilage, Including Extensions and New Dwellings
PSP39	Residential Conversions, Sub-Divisions and Houses in Multiple Occupation
PSP40	Residential Development in the Countryside

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

Residential Parking Standards (Adopted December 2013)

South Gloucestershire Council Development in the Green Belt SPD (Adopted) June 2007

Affordable Housing Adopted May 2013

**3. RELEVANT PLANNING HISTORY**

- 3.1 P98/4417 Change of use of workshops and yard to residential home for the elderly. Approved 5 November 1998.
- 3.2 PK12/0008/F Conversion and extensions to existing outbuildings to form 5 no. dwellings with parking and associated works. Refused 21.11.2012
- 3.3 PK13/4302/F Partial Demolition, conversion and extensions to existing outbuildings to form 3 no. dwellings and associated works. (Re-submission of PK12/0008/F) Approved 04.08.2014

**4. CONSULTATION RESPONSES**

4.1 Siston Parish Council

Members are concerned at another form of unplanned, backland residential development in this immediate area, together with the loss of an off-street parking place when additional need would be created.

Other consultees

- 4.2 Landscape Officer - No visual landscape objection, there would be concern if the applicant submitted a subsequent application for a new garage.
- 4.3 Highway Structure – No comment.
- 4.4 Highway Drainage Engineer – No objection. Although the site in itself is not in a Flood Zone 2, due to the proximity, it is recommended that the dwelling retains a Flood Emergency Plan for safe access and egress.

- 4.5 Archaeology Officer – no comments
- 4.6 Highway Officer – no highway objection.

### **Other Representations**

- 4.7 Local Residents  
No response received.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The application for the conversion of an existing garage into a 2-bed dwelling stands to be assessed against the above listed policies and all material considerations.

- 5.2 The garage is currently used as store located within the gated residential property, which comprises of 2 other residential dwellings (No. 13 and No. 15). The application site is located outside the settlement boundary of Warmley and is situated within the Bristol / Bath Green Belt. The existing garage is constructed with stonework / blockwork under Farmhouse Red roof tile.

- 5.3 Policy PSP40 allows the conversion of re-use of existing buildings for residential purposes in the open countryside subject to a number of criteria relating to the structure condition of the building, the impact affecting the operation of a rural business / working farm, and impact upon the building and its immediate setting.

### **5.4 Five year land supply**

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

- 5.5 The decision-taker is now also required to consider the guidance set out within paragraph 14 of the NPPF. It states where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- Specific policies in the Framework indicate development should be restricted, for example, those policies relating to sites protected under land designated as Green Belt, Local Green Spaces, and an Area of Outstanding Natural Beauty.
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

As the application site is situated within the Bristol /Bath Green Belt, the proposal needs to be considered against the Green Belt policy.

**5.6 Green Belt Policy**

Paragraph 90 of the NPPF also indicates that it is appropriate within the Green Belt to re-use existing buildings provided that the buildings are of permanent and substantial construction. This is considered to be the case as the recent site visit reveals that the existing garage is in very good condition. Furthermore, the proposal would not extend the building in any form or scale, as such, it is considered that the proposal would be an appropriate development in the Green Belt.

5.7 Officers have also considered that if permitted development rights need to be removed. Given the modest size of the application site and its discreet location, it is considered that it would not be necessary to remove the permitted development.

**5.8 Design and Visual Amenity**

The application site relates to the existing garage and the proposal would not extend the existing building in size or height. There would be some minor alterations to the existing openings, including the replacement of garage doors with traditional windows with matching stone brick work to reveals. As such, there is no adverse impact upon the character of the building and the site.

**5.9 Residential Amenity**

The proposed dwelling would be adjacent to a workshop and retains a reasonable distance from other residential dwellings. Given that it is not proposed to extend the building in size or height, or to install any new windows or doors, therefore, the proposal would not be any overlooking or overbearing impact upon the neighbouring properties.

5.10 Regarding the amenity for the future occupiers, a reasonable and functional size garden of approximately 78 square metres would be provided for this 2-bed dwelling. Whilst the proposed dwelling would be adjacent to a workshop, given that there would not be any windows on the proposed dwelling facing the workshop and the proposed private amenity area would be located further from it, in this instance, it is considered that the proposal would not result in an unreasonable noise and disturbance upon the future occupiers. A constraint of the re-use of a building is the placement of windows and doors. While it would be desirable to install more openings to improve the internal conditions, it is not considered that the proposed windows and doors would be insufficient or lead to unacceptable living conditions for future occupiers.

**5.11 Sustainable Transport**

The garage is currently used as a general store within the residential property. It is noted that the existing dwellings within the property already have their own parking spaces. Furthermore, 2 parking spaces are proposed for the proposed dwelling, and the existing accesses will be utilised by each dwelling and it would remain unchanged. Therefore, there are no transportation objections to the proposed scheme.

### 5.12 **Criteria under Policy PSP40**

Policy PSP40 allows proposal for the conversion and re-use of existing buildings for residential purposes outside the existing urban areas and the boundaries of settlements, subject to the following criteria

- i. The building is of permanent and substantial construction  
Whilst no structure survey report was submitted with the application, the recent site visit reveals that the building is structurally sound and is capable for the proposed residential conversion.
- ii. It would not adversely affect the operation of a rural business  
The Council's first priority will be to see buildings re-used for purposes, which make a positive contribution to the rural economy, i.e. for agricultural, industrial, commercial purposes. Whilst, the applicant has not submitted a statement regarding this, it is noted that the former outbuildings within the gated development have been converted into residential properties. Given the proximity to the existing residential dwellings, any agricultural, industrial, commercial uses would most likely cause an adverse impact in terms of public highway safety and the amenity of existing residents. Officers therefore consider the proposed residential conversion would be an acceptable approach.
- iii. Any extension as part of the conversion or subsequently is not disproportionate to the original building  
The proposal would not extend the existing building in any forms, therefore would not be disproportionate to the original building.
- iv. If the building is redundant or disused, the proposal would also need to lead to an enhancement of its immediate setting  
Whilst the existing garage is a standalone building, it has not been redundant. As discussed in the Paragraph 5.6, there would be some minor alterations to the existing openings, and it is considered such alterations are acceptable.

### 5.13 **Environmental Issues**

Paragraph 100 of National Planning Policy Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

- 5.14 As the site is not located in Flood Zone 2, the Council Drainage Engineer has no objection to the proposal. However, due to the proximity to the flood zone, an informative is suggested to advise the applicant to retain a Flood Emergency Plan for safe access and egress.

### 5.15 **Coal Mining**

Whilst the application site falls within the defined Coal Mining Development Referral Area, the Coal Authority has previously noted (in 2012) that the recorded mine entry is located off site and more than 20m from where the development would be taking place. As such, the Authority considered that a

Coal Mining Risk Assessment was not necessary for the previous residential proposal and did not object such application.

5.16 Nevertheless, an informative is attached to advise the applicant that the proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

5.17 **Affordable Housing**

The application relates to the conversion of existing garage to form 1 no. dwelling. It is noted that the requirement for affordable housing provision was considered under PK13/4302/F and it was concluded that there was no requirement for affordable housing due to the size of the site.

5.18 Since the grant of previous planning permission, the National Planning Practice Guidance clearly sets out the specific circumstances where contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the written ministerial statement of 28 November 2014 and should be taken into account. One of these circumstances is that contributions should not be sought from development of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area).

5.19 The current proposal is approximately 66 square metres, and the total gross area of the adjacent dwellings within the former Springfield Farm would be approximately 600 square metres. In this instance, it is considered that there is no requirement for affordable housing provision.

5.20 **Equalities**

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application is considered to have a neutral impact on equality.

5.21 **Planning Balance**

The conversion of the building into a 2-bed dwelling has been assessed above. It is acknowledged that the introduction of one new dwelling would have a very



modest positive impact on the current housing shortfall. Although the application site is located within the Bristol / Bath Green Belt, it is considered that the proposal would be appropriate development in the Green Belt, adequate parking spaces would be provided, and there would have no unreasonable adverse impact upon the amenity of the existing and future occupiers. Therefore, weight is given in favour of the scheme and it is recommended for approval.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, 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. Matching Material

The stone and brick work to be used externally shall match that of the existing building.

Reason

To ensure a satisfactory standard of external appearance and reflect the character of the locality and to accord with Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, Policy CS1 and CS9 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Implementation of car and cycle parking arrangement

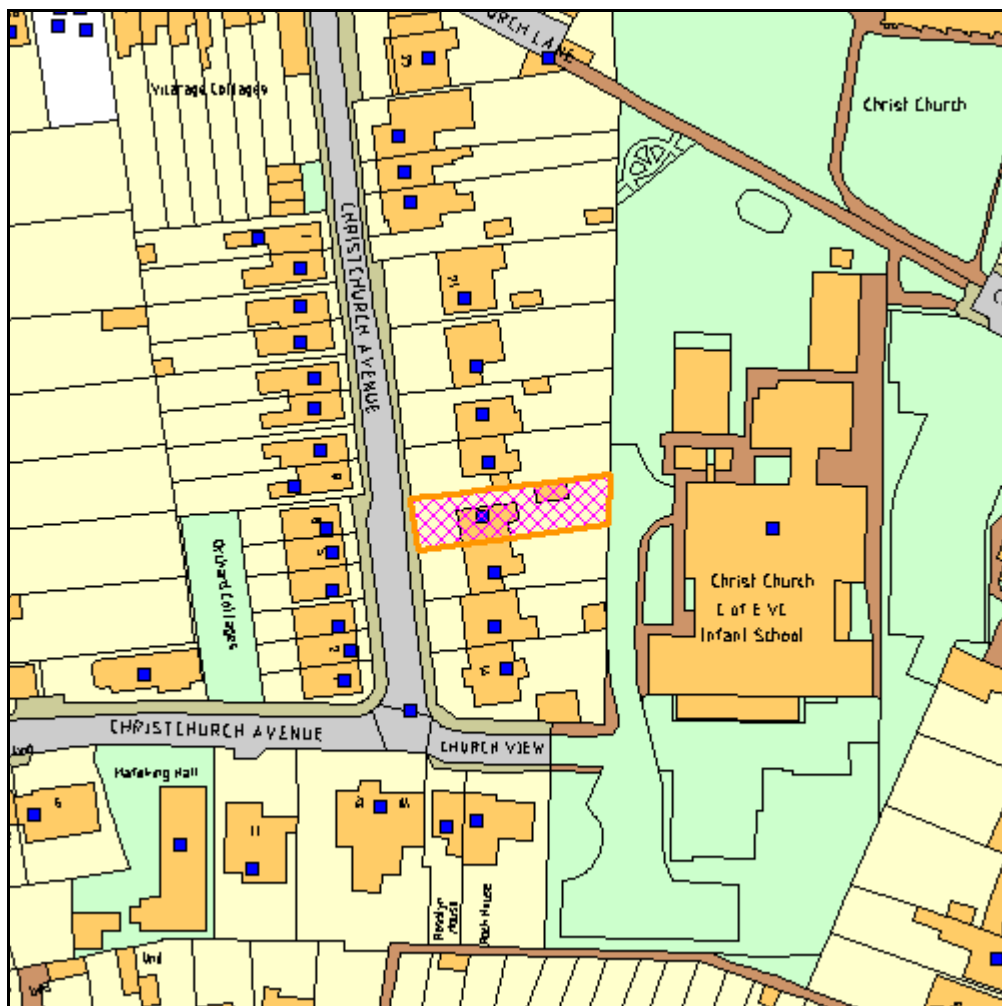
The development shall not be occupied until the proposed car and cycle parking arrangements have been completed in accordance with submitted drawing no. 2964/3, received by the Local Planning Authority on 31 January 2018.

Reason:

In the interest of highway safety and to provide adequate off street parking in accordance with Policy PSP11 and PSP16 of the Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and nuary 2006 and the Council Residential Parking Standards (Adopted) December 2013.

## CIRCULATED SCHEDULE NO. 22/18 – 01 JUNE 2018

<b>App No.:</b>	PK18/1283/F	<b>Applicant:</b>	Ms Jo Stickells
<b>Site:</b>	17 Christchurch Avenue Downend Bristol South Gloucestershire BS16 5TG	<b>Date Reg:</b>	28th March 2018
<b>Proposal:</b>	Demolition of existing detached garage and erection of a single storey rear and side extension to form additional living accommodation.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	364882 176407	<b>Ward:</b>	Downend
<b>Application Category:</b>	Householder	<b>Target Date:</b>	23rd May 2018



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## **REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

The application has been subject to a comment contrary to the findings of this report. Under the current scheme of delegation it must be referred to circulated schedule as a result.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the demolition of a detached garage to facilitate the erection of a single storey side and rear extension at 17 Christchurch Avenue, Downend. The extension will provide additional living accommodation.
- 1.2 The subject property is a late-20th Century semi-detached dwelling with rendered elevations, gabled tiled roof and a detached garage. Boundaries are a combination of trees, hedges and timber fences to the rear.
- 1.3 The application site is situated within the built up residential area of Downend.
- 1.4 The application is for amendment to a previously approved scheme. The proposal would project further to the rear but does not include as deep a side extension.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012  
National Planning Policy Guidance

#### **2.2 Development Plans**

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

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

##### **South Gloucestershire Local Plan: Policies, Sites and Places Plan November 2017**

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

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

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

**3. RELEVANT PLANNING HISTORY**

PK16/3457/F – Approval – 08/07/2016 – Demolition of existing garage and erection of single storey side and rear extensions to provide additional living accommodation.

**4. CONSULTATION RESPONSES**

4.1 Downend and Bromley Heath Parish Council  
No Objection

4.2 Other Consultees

Transport Officer

Requested that a revised plan is submitted identifying parking provision.

**Other Representations**

4.3 Local Residents

One comment received objecting to the proposal over concerns with regard to landscaping of their garden and a dog.

**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. Policy PSP38 of the recently adopted Policies Sites and Places DPD is supportive in principle of development with the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and 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

The proposal consists of the demolition of an existing garage structure and side extension and the erection of a single storey side extension and rear extension to form additional living accommodation. There are a number of other side and rear extensions in the area. Consequently the proposal is considered to be in keeping with the general character of the area. It is also noted that this proposal is for an amendment to an extant planning permission for shallower rear and deeper side extensions. The proposal would project around twice as far as the extant permission to the rear but only includes a small side projection. While this represents a large extension, it will utilise a flat roof and due to the height of existing boundary treatments, the location is discreet.

- 5.3 The proposal would utilise a timber cladding, while this differs from the remainder of the building and the general material palette of the area, it is located to the rear and in a discreet location. Additionally the structure is of a similar design approach to the extant permission and this scheme would utilise similar materials. Given this location, the existing permission and the fact it would barely be visible from the public realm, no objection is raised to this material choice or the general appearance of the structure.
- 5.4 Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is viewed to accord with policies CS1 and PSP38.
- 5.5 Residential Amenity  
Policy PSP8 of the adopted Local Plan gives the Council's view on residential amenity. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of host dwelling).
- 5.6 The host dwelling is semi-detached and accordingly the structure will be projecting along the boundary with this neighbour. The proposal is also deeper than that previously approved and projects further to the rear. The rear extension projects around 5 metres from the existing rear elevation, nevertheless the garden is bounded by 2 metre timber closed panel fences and vegetation and has a maximum height of 3.1 metres. Given the structure will only project around a metre above the timber fence and the adjoining dwelling is situated to the south, the proposal is not viewed to have an overbearing impact, nor will it result in the loss of light due to obstruction of the path of the sun. The impact on this property is viewed as acceptable.
- 5.7 The dwelling to the north is separated by the accesses and has been extended over a single storey to the rear, as a result the proposal is not viewed to have an unacceptable impact on the amenity of this property.
- 5.8 There are no dwellings directly to the rear and dwellings to the front are separated by the highway and well away from that proposed. Accordingly the proposal is not viewed to impact the amenity of neighbours in these directions.
- 5.9 The subject property is located within a built up residential area and given the scale and location of the proposed development will not result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with PSP8 of the adopted Policies Sites and Places DPD.
- 5.10 Transport  
The subject property has a single garage and hardstanding suitable for parking 2 vehicles. The proposal will result in the loss of the garage space for the storage of a vehicle. The subject property is a 3 bedroom dwelling and would be required to provide 2 parking spaces in accordance with the Residential Parking Standards SPD. Supporting information had not explicitly identified parking provision. Nevertheless the application is for amendment to a

previously approved scheme where parking was demonstrated and this was sufficient. While the application differs and provides a larger extension, it has less of an impact on existing parking areas as it does not project far along the side elevation and less so than the approved scheme. As a result no objection has been raised to parking provision or highway safety.

#### 5.11 Other Matters

A comment has been received objecting to the proposal as the resident feels the development would adversely affect her garden and potentially the boundaries and could cause problems with a pet dog. Firstly there is an extant planning permission to carry out similar works – no further planning consent would be needed to commence development. Additionally the issue is a civil matter outside the remit of the Local Planning Authority to consider. Other non-planning legislation controls such issues. Development such as this is expected to take place in residential area from time to time. Overall this issue is not planning related and no negative weight can be attached in the planning assessment as a result. Further information will be attached to the decision notice in relation to this.

#### 5.12 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

### 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 development plan set out above, and to all the relevant material considerations set out in the report.”

### 7. RECOMMENDATION

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

**Contact Officer: Hanni Osman**  
**Tel. No. 01454 863787**

## **CONDITIONS**

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

Reason

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

2. Development shall be carried out in accordance with the following plans:

Received by the Local Planning Authority on 15th March 2018 - Existing and Proposed Block Plan; Existing Elevations; Existing Floor Plans; Proposed Floor Plan; Site Location Plan

Received on the 22nd March 2018 - Proposed Elevations; Proposed Sections

Reason:

In the interest of clarity and proper planning and for the avoidance of doubt.



**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PK18/1602/CLP	<b>Applicant:</b>	Mr Matt Woodham
<b>Site:</b>	112 High Street Hanham Bristol South Gloucestershire BS15 3EJ	<b>Date Reg:</b>	12th April 2018
<b>Proposal:</b>	Installation of rear dormer to facilitate loft conversion.	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	364314 172288	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Certificate of Lawfulness	<b>Target Date:</b>	7th June 2018



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PK18/1602/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 installation of a rear dormer to 112 High Street, Hanham would be lawful.

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

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

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

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

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

3.1 No relevant planning history

### **4. CONSULTATION RESPONSES**

4.1 Local Councillor  
No comment

Hanham Parish Council  
No objection

#### Sustainable Transport

The loft conversion creates one additional bedroom within the dwelling, making a total of three. This increases the vehicular parking requirements needed to two spaces which need to be provided within the boundary of the site.

No detail on existing or proposed vehicular access and parking has been submitted. Provided that a revised plan can be provided which shows at least two parking spaces, each measure 2.4m by 4.8m, within the boundary of the site, no transportation objection would be raised.

## **Other Representations**

- 4.2 Local Residents  
None received

## **5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION**

- 5.1 Ground Floor Existing  
Roof Plans Proposed  
Site location Plan  
Ground Floor Plan Proposed  
Section A-A  
Section C-C  
Rear Elevations Combined  
Roof Plan Existing  
Dormer Section  
First Floor Plan Existing  
First Floor Plan Proposed  
Second Floor Structural Layout  
Second Floor Plan Proposed  
Section B-B  
Side Elevations

(Received by Local Authority 05<sup>th</sup> April 2018)

## **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 of the GPDO 2015. It should be noted that there is no restriction on permitted development rights at the subject property. As such permitted development rights are intact and exercisable.

- 6.3 The proposed development consists of the installation of a 1no rear dormer. This development would fall within Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the enlargement of a dwellinghouse consisting of an addition or

alteration to its roof. This allows dormer additions and roof alterations subject to the following:

**B.1 Development is not permitted by Class B if –**

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

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

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

The height of the proposed dormer window would not exceed the highest part of the roof, and therefore the proposed development meets this criterion.

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

The proposed dormer window would be located to the rear of the property, and as such would not extend beyond any existing roof slope which forms a principal elevation of the dwellinghouse and fronts a highway. As such the proposal meets this criterion.

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

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

The property is a terraced house and the proposal would result in an additional volume of no more than 40 cubic metres.

- (e) It would consist of or include –**

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

The proposal would include none of the above.

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

The host dwelling is not on article 2(3) land.

**B.2 Development is permitted by Class B subject to the following conditions—**

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

Submitted plans confirm materials of similar appearance.

- (b) **the enlargement must be constructed so that –**
- (i) **other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –**
- (aa) **the eaves of the original roof are maintained or reinstated; and**
- (bb) **the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge or the eaves; and**
- (ii) **other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and**

The rear dormers would be approximately 0.2 metres from the outside edge of the eaves of the original roof respectively. Additionally, the proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse.

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

Plans show no proposed side windows.

**7. RECOMMENDATION**

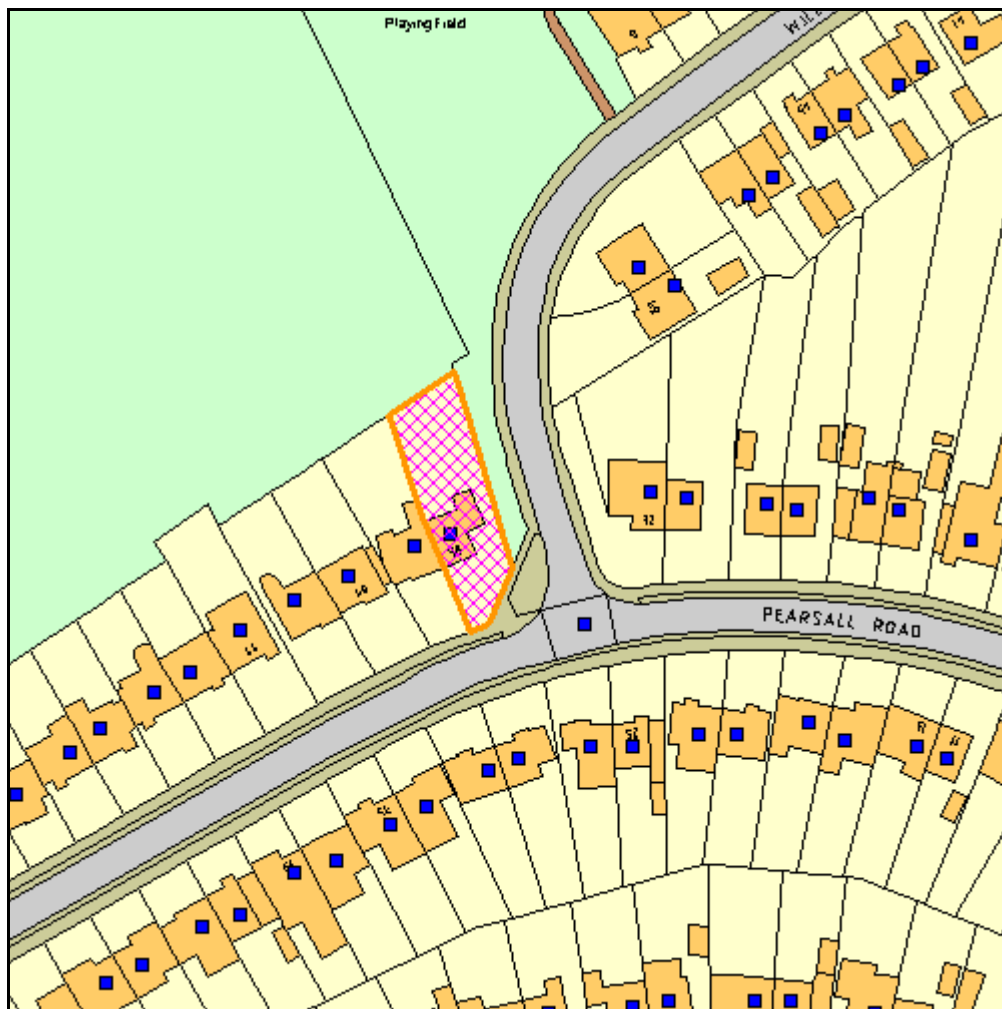
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Evidence has been provided to demonstrate that on the balance of probabilities the proposed installation of 1no rear dormer would fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

**Contact Officer: Westley Little**  
**Tel. No. 01454 867866**

## CIRCULATED SCHEDULE NO. 22/18 – 01 JUNE 2018

<b>App No.:</b>	PK18/1765/F	<b>Applicant:</b>	Mr And Mrs S Hinder
<b>Site:</b>	36 Pearsall Road Longwell Green Bristol South Gloucestershire BS30 9BG	<b>Date Reg:</b>	27th April 2018
<b>Proposal:</b>	Erection of two storey side extension and front porch to provide additional living accommodation.	<b>Parish:</b>	Hanham Abbots Parish Council
<b>Map Ref:</b>	365521 170982	<b>Ward:</b>	Longwell Green
<b>Application Category:</b>	Householder	<b>Target Date:</b>	21st June 2018



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PK18/1765/F

## **INTRODUCTION**

The application appears on the Circulated Schedule as there has been an objection to the development. The officer recommendation is to approve the application.

### **1. THE PROPOSAL**

- 1.1 The site is located in the East Fringe of Bristol Urban Area associated with Longwell Green. The subject dwelling consists of a 3 bedroom modern semi-detached dwelling dating from the mid 20<sup>th</sup> Century. The property is accessed directly from Pearsall Road and includes a driveway and single garage.
- 1.2 The proposed development consists of the construction of a two storey extension to the East elevation of the dwelling. This would replace the existing single garage. It is also proposed to construct a modest porch to the front of the dwelling.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design

CS4a Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

South Gloucestershire Policies, Sites and Places Plan (Adopted November 2017)

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP38 Development within Existing Residential Curtilages

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

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 Hanham Abbots Parish/Town Council  
No objection
- 4.2 Highway Authority

Note that the development would increase the bedrooms at the dwelling from three to four and that there is a requirement to provide a minimum of two parking spaces on site. Note that no detail of parking provision has been provided with the application.

### **Other Representations**

#### 4.3 Local Residents

One comment has been received raising concern that the development of the porch and loss of the garage would result in an impact upon the parking and highway amenity in the locality.

## 5. **ANALYSIS OF PROPOSAL**

5.1 The site is located within the urban area and entirely within the residential curtilage associated with the subject dwelling.

#### 5.2 Principle of Development

Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to the following considerations.

#### 5.3 Design

The existing dwelling dates from the 1960/1970's and is typical of that period in its appearance. The proposed two storey side extension would replace the existing single garage on the East elevation of the dwelling. The extension is designed so as to match the style and appearance of the existing dwelling and is of an appropriate proportion and scale.

5.4 The proposed front porch is modest but large enough to include a w/c. Again, this is designed to be consistent with the style and appearance of the existing dwelling.

5.5 Having regards to the above, officers are satisfied that the proposed extension is acceptable in design terms.

#### 5.6 Residential Amenity

The position of the proposed extension is such that there would be no direct inter-visibility towards neighbouring dwellings. Similarly, the position is such that there would be no material overbearing impact. Whilst it is noted that the extension would introduce an additional bedroom window to the rear elevation, this would not result in a materially greater impact in terms of views across neighbouring gardens.

#### 5.7 Transportation and Highway Safety

The existing site includes a single garage and driveway. This is sufficient to provide at least two parking spaces in respect of the existing dwelling. However, following the officer site visit and scrutiny of the submitted drawings, it is clear that there is ample room to provide more than two spaces on the site.



5.8 The comment made by the local resident is noted. In particular, that concern is raised about the potential for the proposed extension to remove existing parking spaces and the existing garage. In this instance, the existing garage is substandard and does not provide sufficient space to count as a policy compliant parking space (although it would be possible to park a small family car in the garage). As such, for the purpose of this assessment, officers discount the garage as a vehicle parking space. At present there is sufficient room to park at least two vehicles within the curtilage of the dwelling and provide easy access onto the highway. Whilst the proposed extension would remove the garage and introduce a small extension into the front garden area of the curtilage, officers are satisfied that sufficient space would remain to allow the parking of two vehicles. In order to ensure that this remains the case, a planning condition can be applied to any approval requiring that a minimum of two parking spaces is maintained on site. Subject to the condition, officers are satisfied that the proposal is consistent with the South Gloucestershire minimum parking standards and would not result in a material impact on highway safety or amenity in the locality.

5.9 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.10 With regards to the above this planning application is considered to have a neutral impact on equality.

**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 development plan set out above, and to all the relevant material considerations set out in the report.

**7. RECOMMENDATION**

7.1 That planning permission is granted subject to the conditions set out in the decision notice.

**Contact Officer: Simon Penketh**  
**Tel. No. 01454 863433**

**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. Maintain Parking on Site:

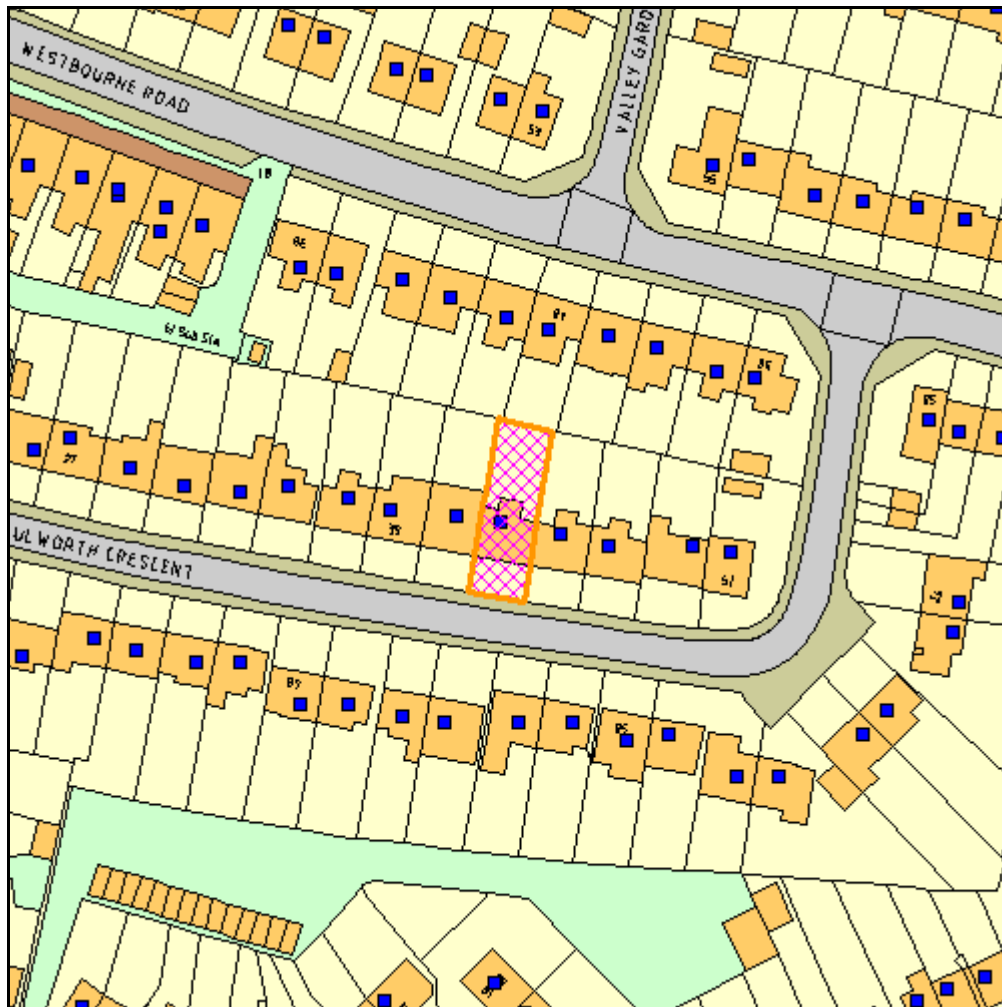
A minimum of two off street parking spaces shall be maintained on site at all times.

Reason

In order to ensure that sufficient off street parking is retained in accordance with Policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standard SPD (Adopted) December 2013.

## CIRCULATED SCHEDULE NO. 22/18 – 01 JUNE 2018

<b>App No.:</b>	PK18/1782/CLP	<b>Applicant:</b>	Ms J Baker
<b>Site:</b>	43 Lulworth Crescent Downend Bristol South Gloucestershire BS16 6RZ	<b>Date Reg:</b>	17th April 2018
<b>Proposal:</b>	Erection of single storey rear extension to form additional living accommodation. Partial conversion of existing garage.	<b>Parish:</b>	Emersons Green Town Council
<b>Map Ref:</b>	365796 177562	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>		<b>Target Date:</b>	11th June 2018



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PK18/1782/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 single storey rear extension and partial garage conversion to 43 Lulworth Crescent, Downend would be lawful. There are no conditions restricting the use of the garage.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

### **2. POLICY CONTEXT**

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

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

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

- 3.1 No relevant planning history

### **4. CONSULTATION RESPONSES**

- 4.1 Emersons Green Town Council  
No objection
- 4.2 Transport Officer  
Objects due to lack of parking

#### **Other Representations**

- 4.3 Local Residents  
No comments received

### **5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION**

## 5.1 EXISTING & PROPOSED ELEVATIONS

EXISTING BLOCK & LOCATION PLAN  
EXISTING GROUND FLOOR PLAN  
PROPOSED BLOCK PLAN  
PROPOSED GROUND FLOOR PLAN

Received by Local Planning Authority 13th Apr 2018

## 6. ANALYSIS OF PROPOSAL

### 6.1 Principle of Development

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

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

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

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

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

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

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

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

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

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

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**  
**(ii) exceed 4 metres in height;**

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

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**  
**(ii) exceed 4 metres in height;**

Not applicable.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**

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

The extension would be single storey.

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

The extension would be within 2 metres, however, the eaves would not exceed 3 metres in height.

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

The proposal does extend past an original side elevation, but it does not exceed 4 metres in height, have more than a single storey, or have a width greater than half the width of the original dwellinghouse.

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

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

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

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

The submitted plans indicate that the proposed extension would be finished in materials to match existing. As such, the proposal meets this criterion.

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

Not applicable.

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

Not applicable.

**7. RECOMMENDATION**

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

**Contact Officer: Owen Hoare**  
**Tel. No. 01454 864245**

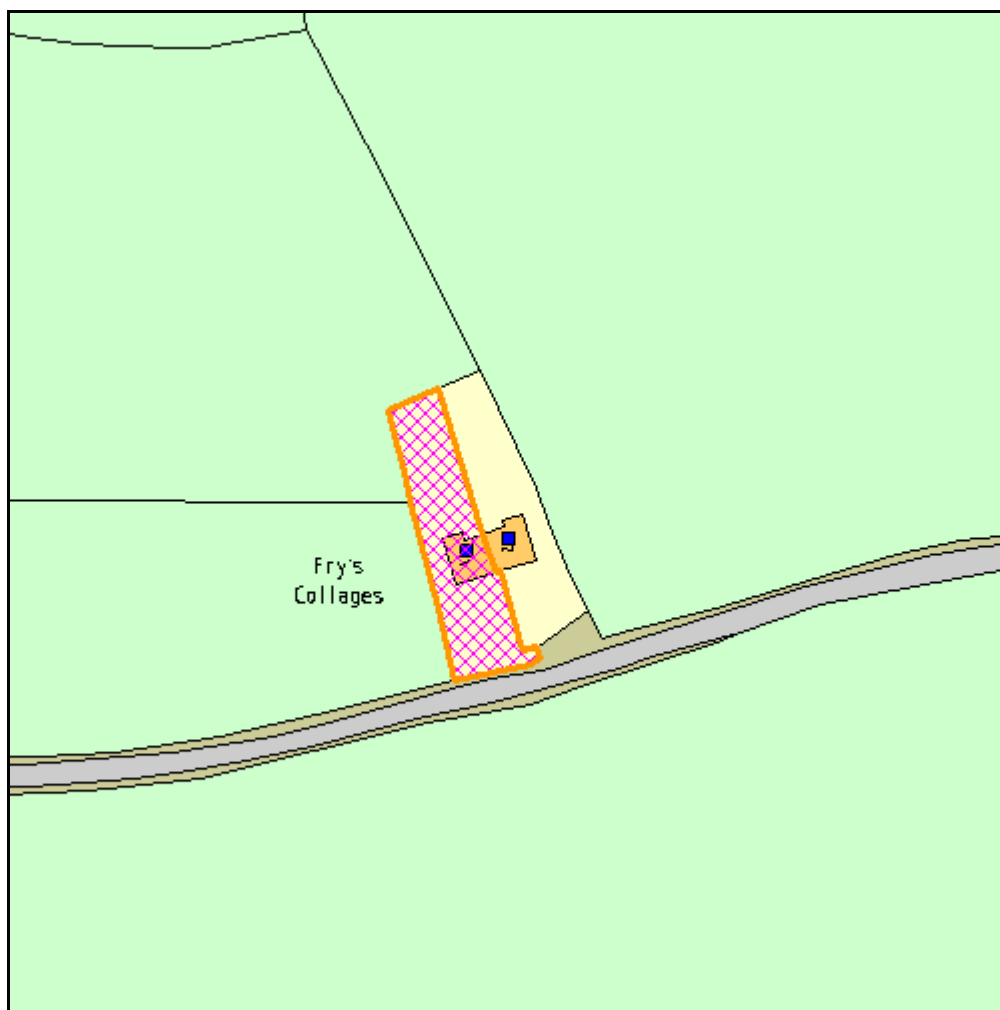
Evidence has been provided to demonstrate that on the balance of probabilities the proposed single storey rear extension does fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.



**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PK18/1845/F	<b>Applicant:</b>	Mr And Mrs Hole
<b>Site:</b>	1 Frys Cottages Leigh Lane St Catherine South Gloucestershire BA1 8HQ	<b>Date Reg:</b>	23rd April 2018
<b>Proposal:</b>	Erection of rear extension and conservatory to provide additional living accommodation.	<b>Parish:</b>	Cold Ashton Parish Council
<b>Map Ref:</b>	375692 171466	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	13th June 2018

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**N.T.S.**

**PK18/1845/F**

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

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

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of rear extension and conservatory to provide additional living accommodation at 1 Frys Cottages, Leigh Lane, St Catherine.
- 1.2 The application site relates to a two storey, semi-detached property located outside the settlement boundary in the countryside. The site is located within the Bristol/Bath Green Belt and the Cotswolds AONB.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework  
National Planning Policy Guidance

#### 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017

PSP1 Local Distinctiveness

PSP7 Development in the Green Belt

PSP8 Residential Amenity

PSP11 Transport

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

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

- 3.1 No relevant planning history

### **4. CONSULTATION RESPONSES**

- 4.1 Cold Ashton Parish Council  
No objections

## Planning Enforcement

No comments

## **Other Representations**

### 4.2 Local Residents

This application received one letter of concern that raised two points, these are outlined below.

1: The submitted plans appear to show building over the boundary and onto the adjacent properties existing extension.

2: What plans are being implemented to deal with additional water runoff?

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy 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 Green Belt and Landscape

Development within the green belt is strictly limited to retain the open nature of the land. Extensions to existing dwellings can be appropriate provided that they are proportionate to the size of the existing dwelling.

5.3 The South Gloucestershire 'Development within the Green Belt SPD' states that Additions and alterations to buildings in the Green Belt will be acceptable provided they do not result in disproportionate additions over and above the size of the original building. As a general guide, an addition resulting in a volume increase up to 30% of the original building would be likely to be proportionate.

5.4 It has been calculated that the proposed extension represents a volume increase of approximately 22%. It is not therefore considered that the extension represents a disproportionate addition over and above the volume of the original dwelling. In addition to the above, given that the proposed extension is single storey only and is tucked up adjacent to the existing dwelling, the proposal will maintain the openness of the green belt.

5.5 On balance and weighing up the design, position of the proposed extension and the screening provided it is considered that the proposal can, in this instance, be regarded as being appropriate development in the Green Belt and not disproportionate to the host property. The proposal is therefore acceptable in Green Belt terms.

5.6 Design and Visual Amenity

The application seeks full planning permission for the erection of rear extension and conservatory to provide additional living accommodation.

5.7 The proposed single storey rear extension will have a maximum height of 3.5metres, extend approximately 4metres from the existing rear wall at its furthest point and have a width of approximately 3.9metres. The proposal will feature a lean-to roof with 2no roof lights and use materials that match the existing dwelling.

5.8 The proposed conservatory will have a maximum height of 3.1metres, extend approximately 2.7metres from the existing rear wall and have a width of approximately 2.7metres. The proposal will feature a lean-to roof with glazing all round and link to the new single storey element.

5.8 The case officer considers the proposal to be in keeping with the domestic character of the building and believes it will be a modest addition to the dwelling house.

5.9 Residential Amenity

Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.10 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Due to the location of the extension, it is not considered that its erection would materially harm the residential amenity at any of the adjoining properties. Due to levels of separation, it is not deemed that the proposed extension would impact upon the residential amenity enjoyed at properties

5.11 The proposal will occupy additional floor space, however sufficient private amenity space will remain following development and there is no objection with regard to this.

5.12 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).

5.13 Sustainable Transport and Parking Provision

The proposed development does not affect bedroom numbers, access or current parking provision. Therefore, there are no objections on highways grounds.

#### 5.14 Other Matters

A neighbour has raised a number of issues regarding construction work, rainwater goods, and sewer route. The issues highlighted are not planning matters, but are more appropriately dealt with under Building Regulations.

A neighbour has also raised concerns about the maintained integrity of property and boundaries, an informative will be issued on the decision notice to address this matter. Submitted plans show that all proposed work falls within the host applications curtilage.

#### 5.15 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application is considered to have a neutral impact on equality.

### 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 development plan set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

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

**Contact Officer: Westley Little**  
**Tel. No. 01454 867866**

### CONDITIONS

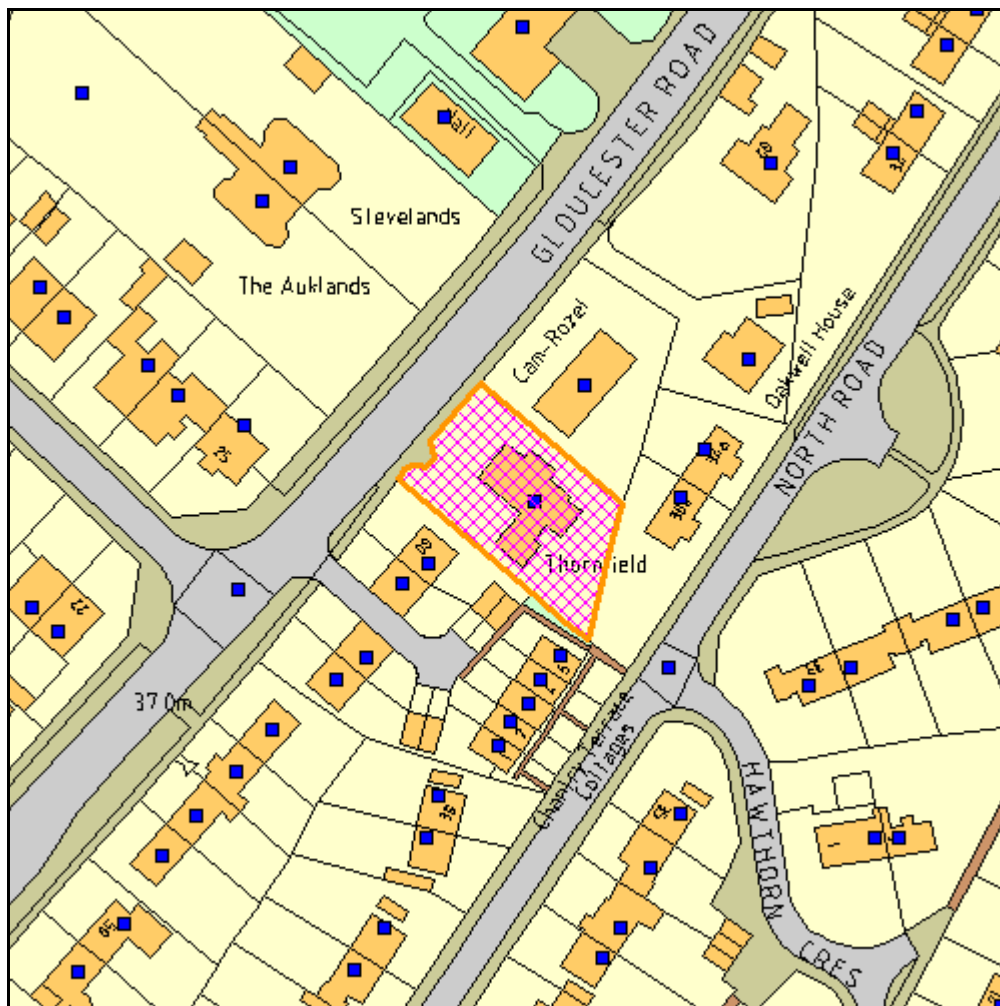
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

## CIRCULATED SCHEDULE NO. 22/18 – 01 JUNE 2018

<b>App No.:</b>	PT18/0646/F	<b>Applicant:</b>	Mr & Mrs C Viner
<b>Site:</b>	Thornfield Gloucester Road Thornbury Bristol South Gloucestershire BS35 1JQ	<b>Date Reg:</b>	15th February 2018
<b>Proposal:</b>	Demolition of existing conservatory. Erection of single storey rear extension and side extensions to form additional living accommodation. Raising of roof line to facilitate loft conversion. Creation of new pedestrian access.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364204 190716	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	9th April 2018



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**REASON FOR REPORTING TO CIRCULATED SCHEDULE**

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

**1. THE PROPOSAL**

- 1.1 This application seeks planning permission for alterations to an existing bungalow on Gloucester Road in Thornbury. The proposed works consist of: demolishing the existing conservatory; erecting rear and side extensions; raising the roofline; and creating a pedestrian access.
- 1.2 The application site is within the settlement boundary for Thornbury. No further planning constraints cover the site.
- 1.3 During the course of the application, the scheme has been redesigned to omit a new dwellinghouse.

**2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS32	Thornbury

South Gloucestershire Local Plan Policies, Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

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

**3. RELEVANT PLANNING HISTORY**

- 3.1 PRE17/0866  
Erection of 3 bedroom dwelling  
10.11.2017



- 3.2 PT15/1406/CLP  
Application for Certificate of Lawfulness for the proposed demolition of existing conservatory and replacement with single storey rear extension.  
Approval  
11.05.2015

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

4.1 **Thornbury Town Council**

No objection:

- adequate landscaping required
- sufficient surface water drainage required

4.2 **Other Consultees**

**Highway Structures**

No objection

**Lead Local Flood Authority**

No objection:

- attach informative warning there is a public foul sewer on site

**Sustainable Transport**

No objection

**Archaeology Officer**

No objection

#### **Other Representations**

4.3 **Local Residents**

11 local residents in total have objected to the scheme; the following matters were raised –

- overdevelopment
- out of keeping
- significant loss of garden area
- loss of privacy
- overbearing
- loss of light/overshadowing
- noise and disturbance from construction
- request any windows in northeast and southwest elevations are obscured and non-opening
- request southwestern boundary fencing is raised to 2 metres
- unsafe vehicle access
- insufficient parking
- inadequate sewer capacity to meet needs of proposal
- increased flood risk

- contrary to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
- covenant preventing alterations to the bungalow and the erection of new buildings on site

## 5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for a number of alterations and extensions at an existing bungalow in Thornbury.
- 5.2 Principle of Development  
Extensions and alterations to existing dwellings are broadly supported by policy PSP38 of the Local Plan subject to an assessment of design, amenity and transport. Therefore the proposed development is acceptable in principle but should be determined against the analysis set out below.
- 5.3 Design  
A number of local residents have argued that the proposed development would not respect the site and its surroundings in terms of its scale, size, form and location, and would therefore constitute overdevelopment of the site.
- 5.4 From the site visit it is evident that within the surrounding area there is a mix of property types, plots within which they are sited, and spatial relationships between properties. It is appreciated that the proposed development would be higher than the existing building and others in the immediate vicinity, however, the area is characterised by a mix of building types and heights and the adjacent neighbouring estate has a number of even higher dwellinghouses. Clearly the proposal has an increased mass, scale and form over that which previously existing on the site, however, from Gloucester Road and North Road behind, it would be seen in the context of other build development either side.
- 5.5 The proposed building's 'footprint' approximates to that of the existing building on the site; in visual term omitting the proposed dwellinghouse means a substantial part of the site would remain generally open and free of structures. Bearing these factors in mind and the fact that a significant extent of the site would not be occupied by the proposed building, Officers do not consider it would constitute over development of the site.
- 5.6 Neighbours refer to the proposed building as being out of keeping. Whilst it is accepted that the proposed building in design terms would be particularly distinctive, its design in part retains the character of the existing bungalow in terms of the proposed external materials such as the plain tiled roofs and brickwork walls, and further afield in terms of its height and half hip style roof. The existing building is not similar in nature or character to any other building on the street but following its alteration and extension, the building would still be in keeping and acceptable for the location.
- 5.7 Concerns were raised that a significant part of the existing garden would be lost to accommodate the development. This is no longer the case following removal

- of the dwellinghouse and as such the site's contribution to the greening and softening of the street scene will remain undiminished.
- 5.8 Drawing the threads of the above together, it is concluded that the proposed development would not be detrimental to the character and appearance of the area.
- 5.9 Residential Amenity  
Development should not be permitted that has a prejudicial impact on residential amenity. Along with the dwellinghouse, rear first floor windows were also omitted as they would have failed to gain officer support due to the loss of privacy for occupiers of 36a North Road. These are no longer proposed and given the existing boundary treatment in place, Officers do not consider there would be an unacceptable effect in this way for these occupiers. In terms of other neighbours, given the separation distance between properties opposite and the site, it is not considered there would be loss of privacy. Furthermore, even though a large number of skylights are proposed in the northeast and southwest roof slopes facing adjacent neighbours, it is considered that given the position and size of these windows, they would not result in a harmful degree of overlooking and as such there would be no need to impose a condition to restrict opening or introduce obscured glazing as neighbours have requested.
- 5.10 Concern has also been raised that the increased height of the proposed building would have an overbearing impact and furthermore, block out light and cause shadowing. Although the proposal would have some impact on adjacent rear gardens, Officers are not convinced this would make them entirely unusable or fit for purpose. Furthermore, whilst the new building would have an elongated and tall form, this would be reduced by its pitch and distance from site boundaries. As such it is not considered it would be overbearing or oppressive in respect of its effect on adjacent neighbouring occupiers.
- 5.11 It is acknowledged that during the construction phase heavier vehicles would likely use the site and there could be some additional noise associated with building operations. This is common to most building developments and is temporary. A condition can be imposed which would restrict the hours of working to ensure that construction is effectively managed to keep any disturbance to a minimum.
- 5.12 On that basis, whilst it is acknowledged that there would be more activity during construction, the proposal would not result in any significant harm to the living conditions of existing or future occupiers.
- 5.13 Transport and Parking  
For householder development, highway considerations revolve around the provision of adequate off-street parking. The development would provide a long driveway. It is considered that this would provide sufficient parking to meet the needs arising from the development and is therefore acceptable.
- 5.14 The proposal would result in an increase in vehicles and pedestrians using the current access but there is nothing before Officers to suggest that such manoeuvres or use would result in significant congestion or danger.

- 5.15 Drainage  
No objection to the proposal has been raised by the Council's Drainage Team and whilst Officers acknowledge existing residents' concerns over potential sewer incapacity and localised flooding, the former is a matter for Wessex Water and there is no evidence before Officers to suggest that the development would exacerbate the latter.
- 5.16 Other Matters  
As the proposal is not permitted development, the applicant has had to apply for planning permission.
- 5.17 It is understood there is a legal covenant on the site that prevents alterations to the bungalow and the erection of new buildings on site. However it would be up to the applicant to seek to remove the covenant and as such Officers give little weight to this constraint.
- 5.18 Impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.19 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.20 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

## **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 development plan 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. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working shall take place on Sundays or Public Holidays. The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of neighbouring occupiers, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and, the National Planning Policy Framework.

3. The development shall be implemented strictly in accordance with the following documents:

Received 07.02.2018:

Design & Access Statement  
Existing Block & Location Plan  
Existing Block Plan  
Existing Elevations  
Existing Plan  
Existing Site Plan  
Proposed Ground Floor

Received 09.04.2018:

Proposed First Floor  
Proposed Site Plan  
Context Elevation

Received 31.05.2018:

Proposed Elevations - Bungalow (Rev A)

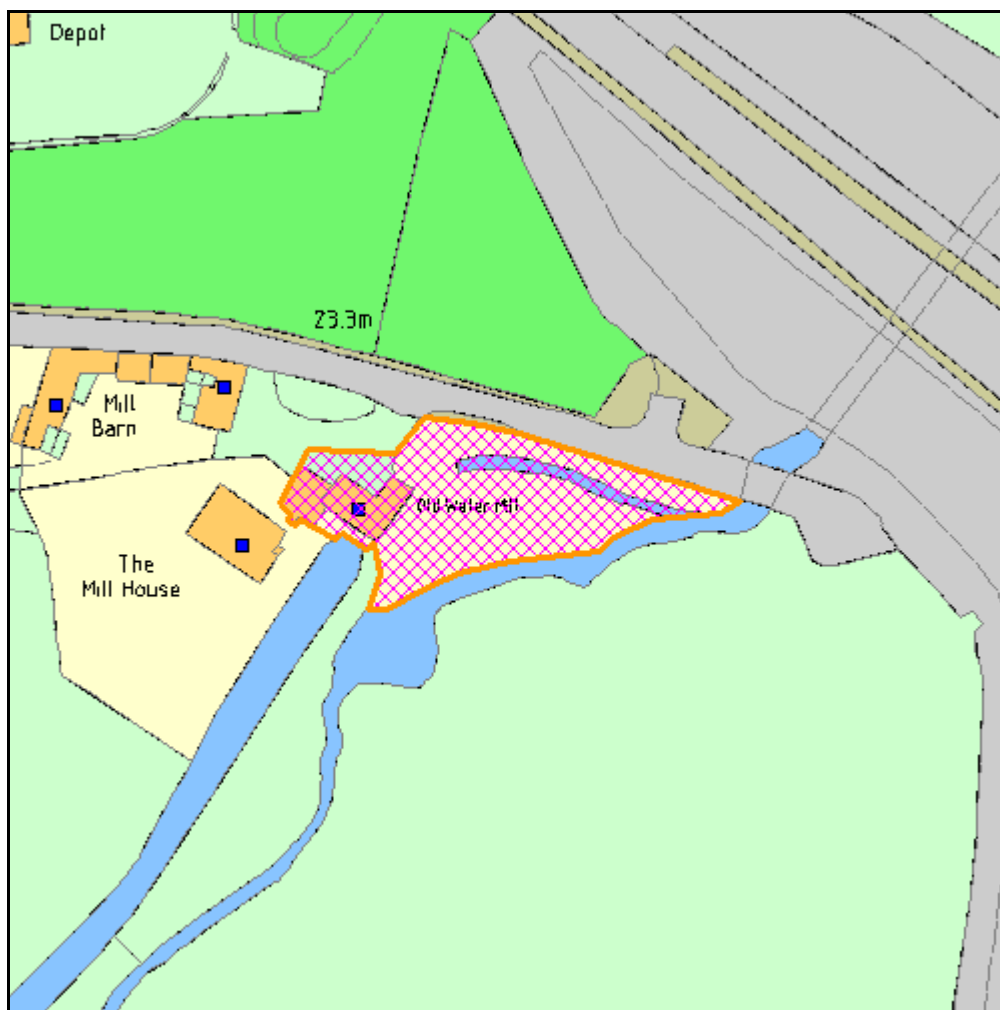
Reason

For the avoidance of doubt.



**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PT18/0783/F	<b>Applicant:</b>	Mrs Kate Richards
<b>Site:</b>	The Old Watermill Mill Lane Falfield Wotton Under Edge South Gloucestershire GL12 8BU	<b>Date Reg:</b>	8th March 2018
<b>Proposal:</b>	Demolition of existing garage and erection of two-storey side extension to form additional living accommodation.	<b>Parish:</b>	Falfield Parish Council
<b>Map Ref:</b>	368587 193267	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Householder	<b>Target Date:</b>	26th April 2018



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## **REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

The application for listed building consent has been subject to comments contrary to the findings of the report and this associated application. Under the current scheme of delegation it must be referred to circulated schedule as a result.

### **1. THE PROPOSAL**

- 1.1 The application relates to a Grade II listed building known as 'The Old Watermill, Mill Lane, Falfield'. The building is a two storey former mill in a period vernacular style with part rendered and part rubble elevations, gabled and half hipped roofs. Some of the Mill equipment remains in situ.
- 1.2 The proposal seeks to demolish a garage structure in order to facilitate the construction of a two storey side extension.
- 1.3 The site is located within a small hamlet that is assumed to have arisen in connection with the Mill, other former outbuildings and the Mill House are in residential use.
- 1.4 The proposal follows pre-application discussions with the Council's Listed Building and Conservation Officer.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework March 2012  
National Planning Policy Guidance

#### 2.2 Development Plans

##### South Gloucestershire Local Plan 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  
CS34 Rural Areas

##### South Gloucestershire Local Plan: Policies, Sites and Places Plan November 2017

PSP1 Local Distinctiveness  
PSP8 Residential Amenity  
PSP17 Heritage Assets  
PSP37 Internal Space Standards  
PSP38 Development within Existing Residential Curtilages  
PSP43 Private Amenity Space

#### 2.3 Supplementary Planning Guidance

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



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

P98/2759/L – Listed Building Consent – 25/06/1999 – Conversion of mill to dwelling.  
P98/2758 – Approval – 25/06/1999 – Conversion of mill to dwelling.  
P98/1566/L – Listed Building Consent – 12/06/1998 – Erection of rear conservatory.

### 4. **CONSULTATION RESPONSES**

4.1 Falfield Parish Council  
No Comments Received

Tortworth Parish Council  
No Comments Received

4.2 Other Consultees

Listed Building and Conservation Officer

Although the width of the extension remains in my view an issue, overall by reason of the overall aesthetic appearance that is derived from its proportions, massing silhouette and external treatment, the extension would not detract from the ability to read the historic scale and form of the listed mill. With limited removal of historic fabric, I would advise that the proposed scheme would not detract from the special architectural and historic interest that this designated heritage asset is considered to possess. As it is considered that the heritage significance of this listed building will not be harmed and nor would the setting of the adjacent listed Mill House, listed building consent and planning approval could be granted. Subject to Conditions.

Transport Officer  
No Objection

*It must be noted that objection was received on the associated application for Listed Building Consent – this comment will not be addressed in this report and it is viewed as more pertinent to the listed building consent and the impact on heritage assets. The application will however be referred to circulated schedule given these comments are contrary to the findings of this report.*

Georgian Group

*The plans show a relatively large extension, although it is stated in the Heritage Impact Assessment that this has already been reduced in size. From looking at the plans, the SE Elevation is changed dramatically following the introduction of the extension. The large swathes of glass, together with the increased ridge height and large balcony all contribute negatively to the building. A subtler design, reduced further would be more appropriate for a grade II listed building.*

#### **Other Representations**

4.3 Local Residents  
No Comments Received

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy PSP17 states that alterations, extensions or changes of use to listed buildings, or development within their setting, will be expected to preserve and, where appropriate, enhance those elements which contribute to their special architectural or historic interest, including their settings. The NPPF supports this statement in paragraph 132 where it is stated that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

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.

### 5.3 Design and Impact on Heritage Assets

The proposal seeks to demolish an existing garage structure in order to facilitate the erection a new two storey extension to the side of the property. The existing structure to be removed is not considered to be of any particular historic or aesthetic merit and no objection is raised to its removal. The proposed new extension would be contemporary but features have been inferred from the existing property and consequently is not viewed to be visually jarring. Whilst the extension is of a reasonable size the scale is subservient to the main mill building and it is not viewed to unbalance the building and its setting is viewed to be preserved by the listed building and conservation officer.

5.4 The application follows pre-application discussions with the listed building and conservation officer. It was found that this iteration would likely be found acceptable and comments from the officer suggest that this is the case. Whilst other considerations must be taken in to account, the design and heritage considerations are largely informed by these comments and consequently no different a conclusion is arrived at by the case officer in respect of these considerations. The objection received from the Georgian Group is noted, however it must be made clear that such considerations are subjective and that the application has only been submitted following indication of support from the listed building officer, whom has a good understanding of the site having dealt with it prior to the submission.

5.5 Overall the proposal has been found to respect the form and appearance of the host property and the loss of the garage structure, as it has no particular merit, has raised no objection from the listed building officer. On this basis the

proposal is considered to accord with policies CS1, CS9, PSP17, PSP38 and the provisions of section 12 of the NPPF (2012).

5.6 Residential Amenity

Policy PSP8 of the Policies Sites and Places DPD (2017) gives the Council's view on residential amenity. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.

5.7 The host property is detached. There are other dwellings in relatively close proximity however as one is situated to the rear of the property and the other is at a slightly higher elevation and is in excess of 20 metres from the proposal, these properties are not considered to be adversely affected by the structure due to overbearing and loss of light. Furthermore the given the proximity of the only dwelling within view of the new windows, there is sufficient separation to prevent direct inter-visibility between primary living accommodation and therefore adequate privacy would be provided.

5.8 The proposal will replace an existing structure and whilst it would have a larger footprint, would not result in the loss of private amenity space and therefore no objection is raised in this respect.

5.9 The subject property is located within a relatively sparsely populated area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with Policy PSP38 of the Policies Sites and Places DPD (2017).

5.10 Sustainable Transport and Parking Provision

The proposal site is served by a reasonable amount of land suitable for parking of vehicles. The proposal seeks to extend living accommodation but would not result in any further bedrooms being created. This is not considered to exacerbate the parking situation in the area or lead to a reduction in highway safety. Accordingly there is no objection with regard to highway safety or parking provision.

5.11 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

## 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 development plan 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

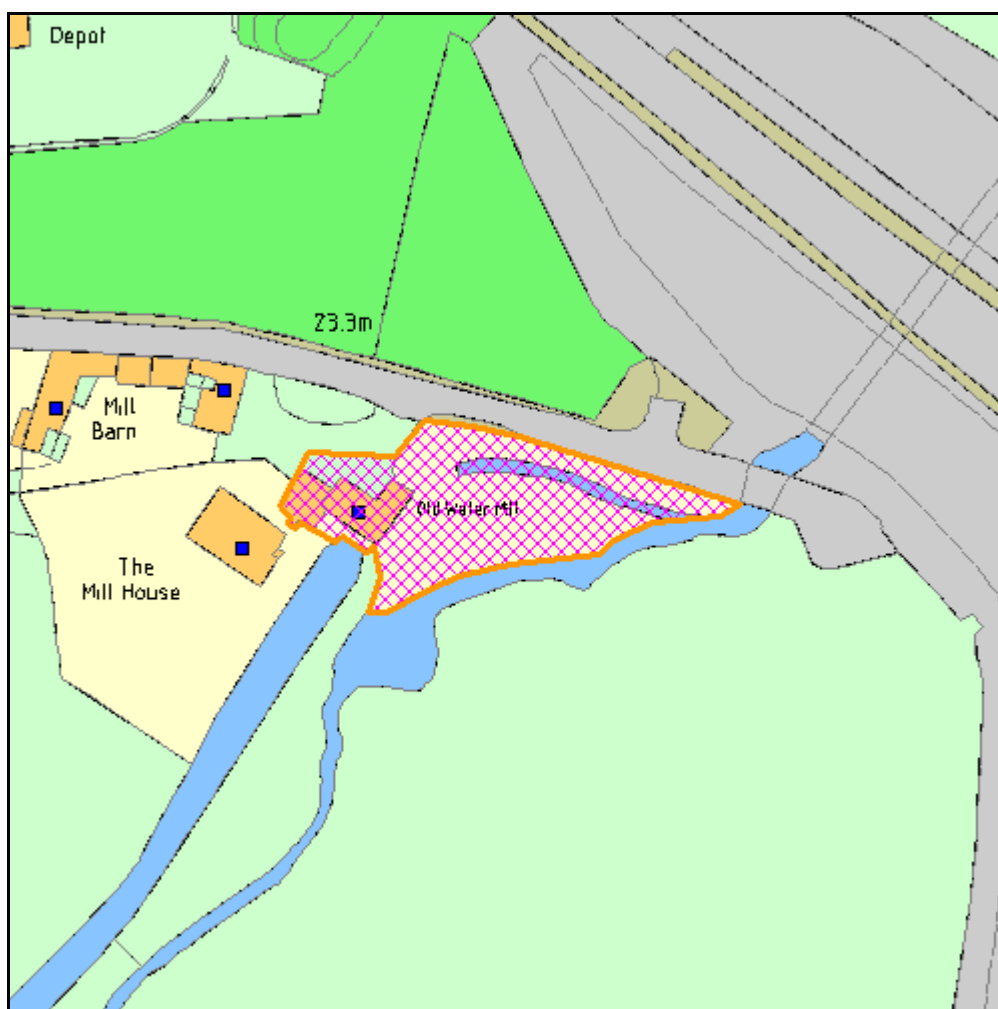
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 22/18 - 1 JUNE 2018**

<b>App No.:</b>	PT18/0784/LB	<b>Applicant:</b>	Mrs Kate Richards
<b>Site:</b>	The Old Watermill Mill Lane Falfield Wotton Under Edge South Gloucestershire GL12 8BU	<b>Date Reg:</b>	8th March 2018
<b>Proposal:</b>	Demolition of existing garage and erection of two-storey side extension to form additional living accommodation.	<b>Parish:</b>	Falfield Parish Council
<b>Map Ref:</b>	368587 193267	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th April 2018



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PT18/0784/LB

## **REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

The application has been subject to comments contrary to the findings of this report. Under the current scheme of delegation it must be referred to circulated schedule as a result.

### **1. THE PROPOSAL**

- 1.1 The application relates to a Grade II listed building known as 'The Old Watermill, Mill Lane, Falfield'. The building is a two storey former mill in a period vernacular style with part rendered and part rubble elevations, gabled and half hipped roofs.
- 1.2 The proposal seeks to demolish a garage structure in order to facilitate the construction of a two storey side extension.
- 1.3 The site is located within a small hamlet that is assumed to have arisen in connection with the Mill, other former outbuildings have been brought into residential use.
- 1.4 The proposal follows pre-application discussions with the Council's Listed Building and Conservation Officer.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework (adopted) 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 Core Strategy Adopted December 2013

CS1 High Quality Design

CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan: Policies, Sites and Places Plan November 2017

PSP1 Local Distinctiveness

PSP17 Heritage Assets

#### 2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted 2007)

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

P98/2759/L – Listed Building Consent – 25/06/1999 – Conversion of mill to dwelling.

P98/2758 – Approval – 25/06/1999 – Conversion of mill to dwelling.

P98/1566/L – Listed Building Consent – 12/06/1998 – Erection of rear conservatory.

### **4. CONSULTATION RESPONSES**

#### 4.1 Falfield Parish Council

No Comments Received  
Tortworth Parish Council  
No Comments Received

#### 4.2 Other Consultees

##### Listed Building and Conservation Officer

As it is considered that the heritage significance of this listed building will not be harmed and nor would the setting of the adjacent listed Mill House, listed building consent and planning approval could be granted. Subject to conditions.

##### Georgian Group

The plans show a relatively large extension, although it is stated in the Heritage Impact Assessment that this has already been reduced in size. From looking at the plans, the SE Elevation is changed dramatically following the introduction of the extension. The large swathes of glass, together with the increased ridge height and large balcony all contribute negatively to the building. A subtler design, reduced further would be more appropriate for a grade II listed building.

#### **Other Representations**

#### 4.3 Local Residents No Comments Received

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

#### 5.1 Principle of Development

This is an application for listed building consent. As such, the only consideration is what impact the proposed development would have on the special historic or architectural features of the property. 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 PSP17 states that alterations, extensions or changes of use to listed buildings, or development within their setting, will be expected to preserve and, where appropriate, enhance those elements which contribute to their special architectural or historic interest, including their settings. The NPPF supports this statement in paragraph 132 where it is stated that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

#### 5.3 Analysis

The proposal seeks to demolish an existing garage structure in order to facilitate the construction of a two storey side extension. It is noted that this application follows pre-application enquiries with the listed building and

conservation officer. The conclusion of the discussions was the creation of this iteration. The majority of issues such as scale, detailing and materials were all resolved during this process and while the officer still has some objection to the stairwell tacked on the end of the structure, this was not seen as sufficient to amount to a refusal.

- 5.4 Objection has been received from the Georgian Group who are concerned that the volume of the building is too large, thereby affecting the setting and the large amounts of glass are at odds with the vernacular appearance of the listed building. These are relevant observations however it must be made clear that design is subjective and in this case the listed building officer has arrived at a different conclusion to the Georgian Group. It must also be noted that the officer has an in depth understanding of the property and the site having dealt with the pre-application discussions. While it is acknowledged that the extension is an increase in size from the existing structure but it has not been found so large to draw objection from the listed building officer and the proposal would still remain subservient to the mill structure. In this case the assets retention in a viable use has outweighed concern with regard to this.
- 5.5 It is also acknowledged that the proposal would have a contemporary look, however this has been in an effort to achieve juxtaposition. This is widely viewed as an acceptable approach to developing within the setting of heritage assets and assimilating with the protected assets and is noted in policy documents at both local and national levels. The listed building and conservation officer has found that the proposal would not result in harm to the asset and has clearly given advice to get to this submission/iteration. The case officer accords with the listed building officer's view and consequently suggests that permission is granted.
- 5.6 As the proposal affects a listed building it has been seen as appropriate to apply conditions to secure suitable materials and large scale detail of a number of features for approval. It is stated in the listed building officer's comments that the render should just have to match the existing render in terms of colour and texture. On this basis only a compliance condition will be required to secure a matching render.
- 5.7 The proposal would include the removal of an existing garage structure. This is not considered to provide any real contribution to the significance of the heritage asset and as a result no objection is raised to its loss.
- 5.8 Overall while objection has been raised by the Georgian Group, the listed building and conservation officer has arrived at the conclusion that the proposal, whilst it could be improved, would not amount to a refusal subject to the inclusion of conditions to secure materials and large scale details. The Georgian Group's concerns are acknowledged and seen as valid observations but given the councils heritage officers understanding of the site and precedent work on the proposal, his comment is the one given traction and the case officer arrives at the same conclusion as the specialist officer. No harm has specifically been identified by the officer, therefore it is recommended that listed building consent is granted.



## 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.

2. Prior to the commencement of development, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.
  - a. All new windows and fixed glazing (including cill, head, reveal and glass details)
  - b. All new doors (including frames and furniture) externally and internally.
  - c. All new vents and flues
  - d. Eaves (including rainwater goods), verges and ridges
  - e. External staircase and balcony structure

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

Reason

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2012) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017). This information is required prior to commencement as it relates to the finished appearance of the proposal.

3. Prior to the relevant part of the build, samples of the tiles and a panel of the larch cladding to be used, demonstrating the colour, texture and joins are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the work is complete. Development shall be carried out in accordance with the agreed samples.

Reason

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

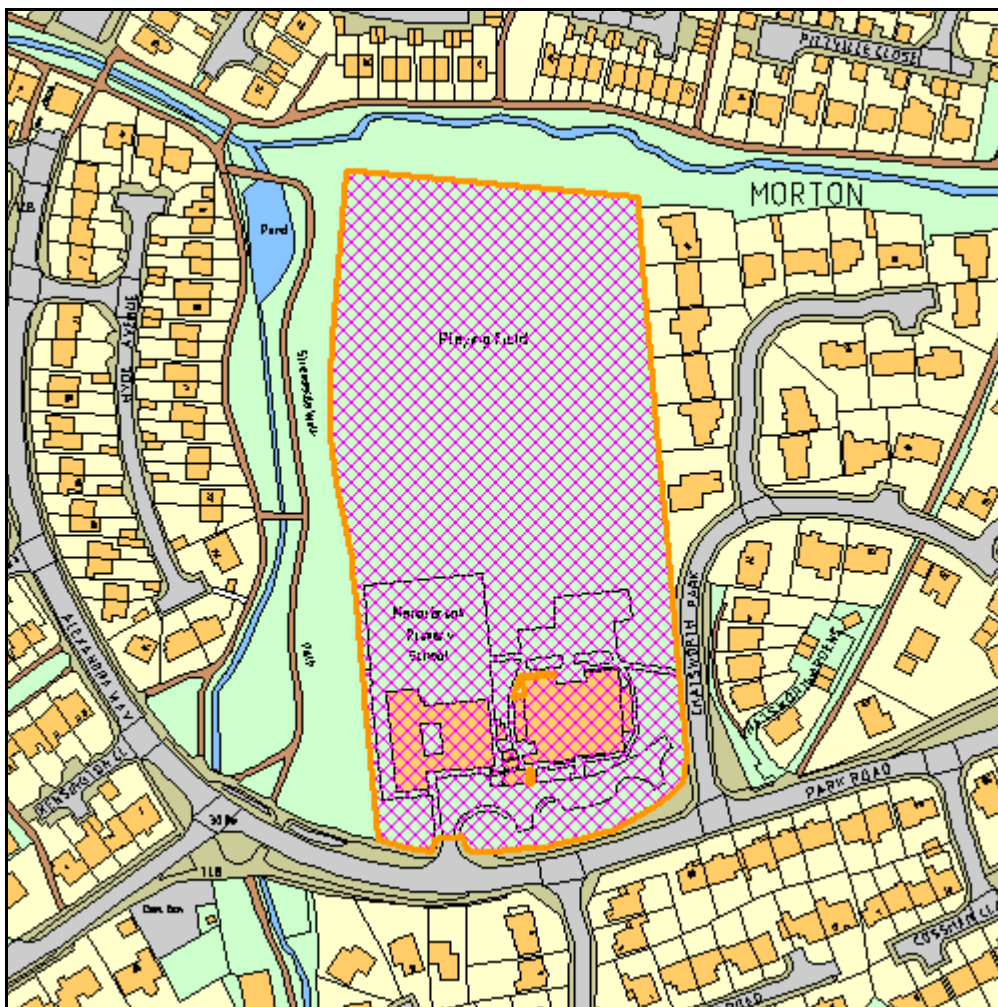
4. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason

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

## CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018

<b>App No.:</b>	PT18/0889/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	Manorbrook Primary School Park Road Thornbury Bristol South Gloucestershire BS35 1JW	<b>Date Reg:</b>	16th April 2018
<b>Proposal:</b>	Erection of new sections of boundary fence and replacement gates.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364041 190923	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	8th June 2018



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PT18/0889/R3F

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

This application appears on the Circulated Schedule because the applicant is South Gloucestershire Council.

### **1. THE PROPOSAL**

1.1 This application seeks planning permission for the erection of new fence and replacement gates to Manorbrook Primary School, Park Road, Thornbury.

### **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  
CS9 Managing the Environment and Heritage  
CS23 Community Infrastructure and Cultural Activity

South Gloucestershire Local Plan Policies, Sites and places Plan Adopted November 2017  
PSP1 Local Distinctiveness  
PSP8 Residential Amenity  
PSP10 Active Travel Routes

2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)

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

3.1 PT02/2438/F Approved 09.09.2002  
Erection of side extension to existing classroom to form conservatory.

### **4. CONSULTATION RESPONSES**

4.1 Thornbury Town Council  
No objection

Public Rights of Way Officer  
No objection

Open Spaces Society  
No comments received

#### **Other Representations**

4.2 Local Residents  
No comments received

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy CS23 of the Core Strategy supports the provision of community infrastructure. Furthermore the NPPF advises that “great weight” should be given to the need to expand or alter schools (paragraph 72).

The proposal is therefore acceptable in principle however the main issues to consider are the appearance/form of the proposal and the effect on the visual amenity of the area; the transportation effects travel and the effect in terms of residential amenity.

### 5.2 Visual Amenity

The proposal consists of the erection of new sections of boundary fence and replacement gates. The fences would sit inside the site in order to close gaps in existing fences, and close off a bin area. The gate would sit within the fence line. It would be acceptable in design terms.

### 5.3 Transportation

No objection to the proposal is raised on transportation grounds.

### 5.4 Residential Amenity

The building is located within an existing school site; therefore, it is not considered that there will be a materially greater impact in terms of noise or disruption to the detriment of neighbouring residential occupiers. There is an acceptable separation distance between the development and the nearest residential property. This level of separation is considered to be sufficient to ensure that neighbouring occupiers will not be significantly adversely affected through loss of natural light or an overbearing impact.

## 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 development plan 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: Owen Hoare**  
**Tel. No. 01454 864245**

## **CONDITIONS**

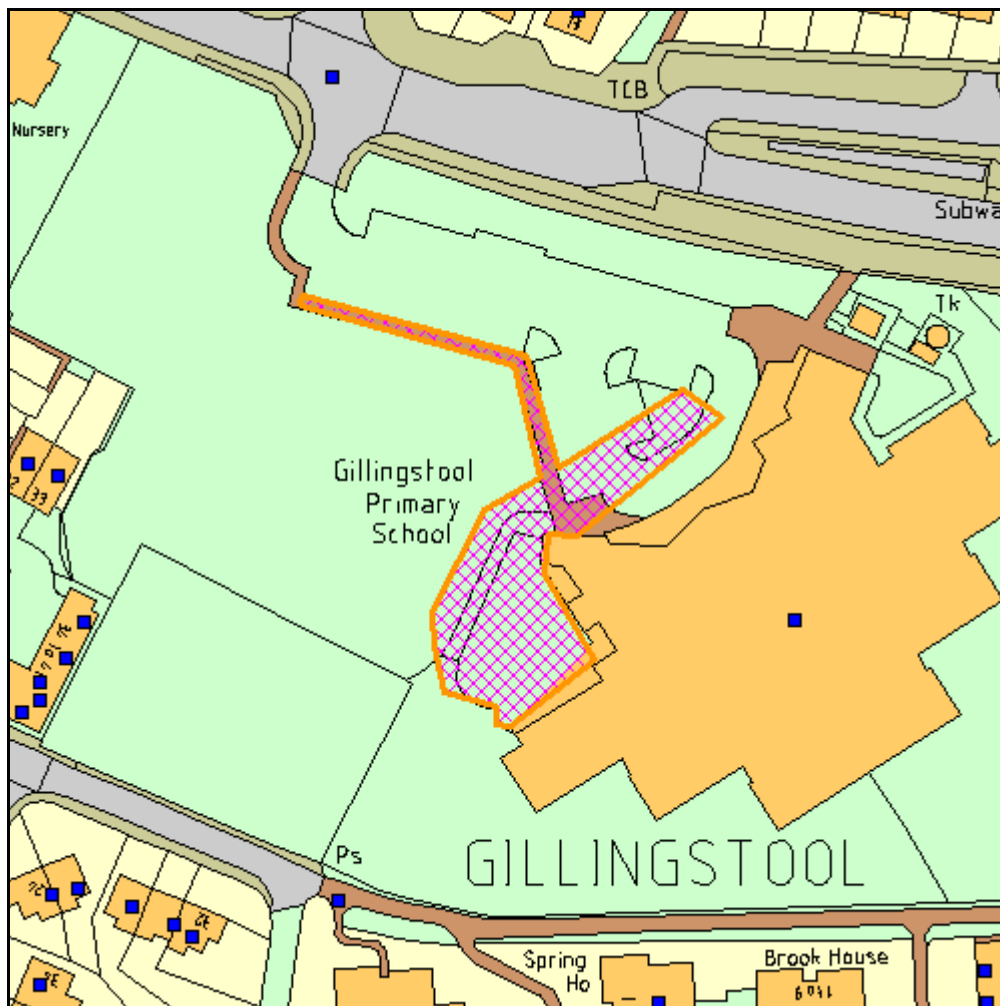
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

## CIRCULATED SCHEDULE NO. 22/18 – 01 JUNE 2018

<b>App No.:</b>	PT18/1302/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	Gillingstool Primary School Gillingstool Thornbury Bristol South Gloucestershire BS35 2EG	<b>Date Reg:</b>	3rd April 2018
<b>Proposal:</b>	Erection of new timber frame nursery building, relocation of existing footpath around new building, alteration to the playground, 3 additional parking spaces added and new bollards added.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364086 189874	<b>Ward:</b>	Thornbury South And Alveston
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th May 2018



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**REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

The application has been made by the Council. Accordingly under the current scheme of delegation it must be referred to circulated schedule as a result.

**1. THE PROPOSAL**

- 1.1 The application relates to the proposed erection of a new timber framed nursery building and associated works.
- 1.2 Pre-application discussions were held prior to the submission of this application.
- 1.3 The structure will be located in an area currently serving as a play space. The footpath will be relocated as well as minor alterations to the playground to facilitate the build. 3 additional parking space will be provided.
- 1.4 The proposal would act to improve facilities at the school that caters for special needs children and would allow 30 hours of pre-school provision for eligible youngsters.
- 1.5 The application has been submitted on behalf of the Council, accordingly it is a 'Regulation 3' application and must be referred to circulated schedule.

**2. POLICY CONTEXT****2.1 National Guidance**

National Planning Policy Framework March 2012  
National Planning Policy Guidance

**2.2 Development Plans****South Gloucestershire Local Plan Core Strategy Adopted December 2013**

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

**South Gloucestershire Local Plan: Policies, Sites and Places Plan November 2017**

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP20	Flooding and Surface Water Runoff

**2.3 Supplementary Planning Guidance**

Design Checklist SPD (Adopted) August 2007



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

- 3.1 PRE17/0668 – Enquiry – 31/01/2018 – New nursery classroom.
- 3.2 PT10/1207/NMA – No Objection – 12/07/2010 – Non-Material amendment to Planning Application PT08/2452/R3F to make changes to the landscaping scheme.
- 3.3 PT09/6094/R3F – Deemed Consent – 08/03/2010 – Erection of 2.4 metre high boundary fence and gates. (Resubmission of PT09/0653/F).
- 3.4 PT08/2452/R3F – Deemed Consent – 28/11/2008 – Demolition of 3 no. existing buildings to facilitate the erection of new school building with associated works. Construction of new vehicular and pedestrian access.
- 3.5 PT05/3587/R3F – Deemed Consent – 27/01/2006 – Erection of single storey extension to provide WC and storage to existing school hall.
- 3.6 P87/1784 – No Objection to County Matter – 17/06/1987 – Erection of a new four classroom teaching block to replace existing temporary huts.

### **4. CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council  
No Objection

#### Other Consultees

#### Transport Officer

No Objections – the additional parking is welcomed

#### **Other Representations**

- 4.3 Local Residents

The Design and Access Statement reports responses to pre-application public engagement undertaken by the applicant. It notes that there was local support for the scheme and no objection.

However, no formal comments on this planning application from local residents have been received.

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

- 5.1 Principle of Development

CS23 of the Core Strategy states the Council and partners will work to provide additional, extended or enhanced community infrastructure. Section 8 of the NPPF seeks to promote healthy communities and to plan positively for the provision and use of community facilities. Paragraph 72 of the framework

requires that great importance is given to ensure that sufficient choice of school places is available to meet the needs of existing and new communities. The proposal would be consistent with these aims and the main considerations are in relation to design, neighbouring residential amenity and transport.

5.2 Design and Visual Amenity

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

5.3 The proposal seeks to introduce a new timber framed building within the site of Gillingstool School in order to provide additional pre-school classroom space. The proposal would allow the school to provide 30 hours of specialist pre-school for eligible children. The council has recently been awarded funding for the provision and would allow 8 to 10 specialist nursery spaces.

5.4 The school building is a recent development and is contemporary in appearance. The proposal would follow the general design cues of this building and would utilise a timber cladding to match the existing school. The proposal would also have a single pitch roof and has a contemporary appearance that would fit well with the remainder of the school. The design approach is viewed to be better than a modular or terrapin building and given these would normally be viewed as acceptable within the curtilage of a school, no objection is raised to the appearance of the structure.

5.5 On this basis the proposal is viewed to represent a good standard of design and is consistent with policies PSP1 and CS1 of the adopted development framework.

5.6 Residential Amenity

Policy PSP8 of the adopted Policies Sites and Places DPD gives the Council's view on residential amenity. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers.

5.7 The school is situated in a built up residential area however the proposal site is situated to the front and side of the building and away from any residential properties. Furthermore the site is currently a playground where noise is expected to be made. The proposal would not worsen the situation and on this basis is not viewed to result in harm to the amenity of any neighbouring occupiers.

5.8 Sustainable Transport and Parking Provision

The proposal seeks permission for the erection of an additional classroom building. Currently there is no minimum or maximum parking standard for non-residential properties. There is however a requirement under Paragraph 32 of the NPPF that proposals should only be refused on transport grounds where

the cumulative residual impact is severe. The proposal is not thought to result in any significant increase in vehicular movements and consequently this is not thought to raise any material highway and parking issues. The proposal would provide an additional 3no parking spaces and this is thought sufficient to cater for any additional pressure as a result of the development.

#### 5.9 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. The application would provide 8 – 10 spaces for children with Severe, Profound and Multiple Learning Difficulties (SLD/PMLD). As a result material positive weight has been attached to equality considerations.

#### 5.10 Planning Balance

As stated above the proposal is viewed to be consistent with adopted policy and the NPPF with regard to community facilities, design, transport and residential amenity considerations and would carry identifiable benefits for the local community. As no negative impact has been identified permission should be granted.

### 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 development plan set out above, and to all the relevant material considerations set out in the report.”

### 7. RECOMMENDATION

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

**Contact Officer: Hanni Osman**  
**Tel. No. 01454 863787**

## **CONDITIONS**

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

Reason

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

2. Development shall be carried out in accordance with the following plans:

Received on the 16th March 2018 - Existing Nursery (018/02.Rev B); Proposed Floor Plans (110); Proposed Elevation and Section (120A); Existing Car Park (2018/03.Rev A); Car Park Proposals (2018/04.Rev A); Nursery Proposals (2018/05.Rev C); Nursery Proposals Program (2018/10.Rev A); Nursery Proposals Planting Details (2018/16); Site Location Plan (50A)

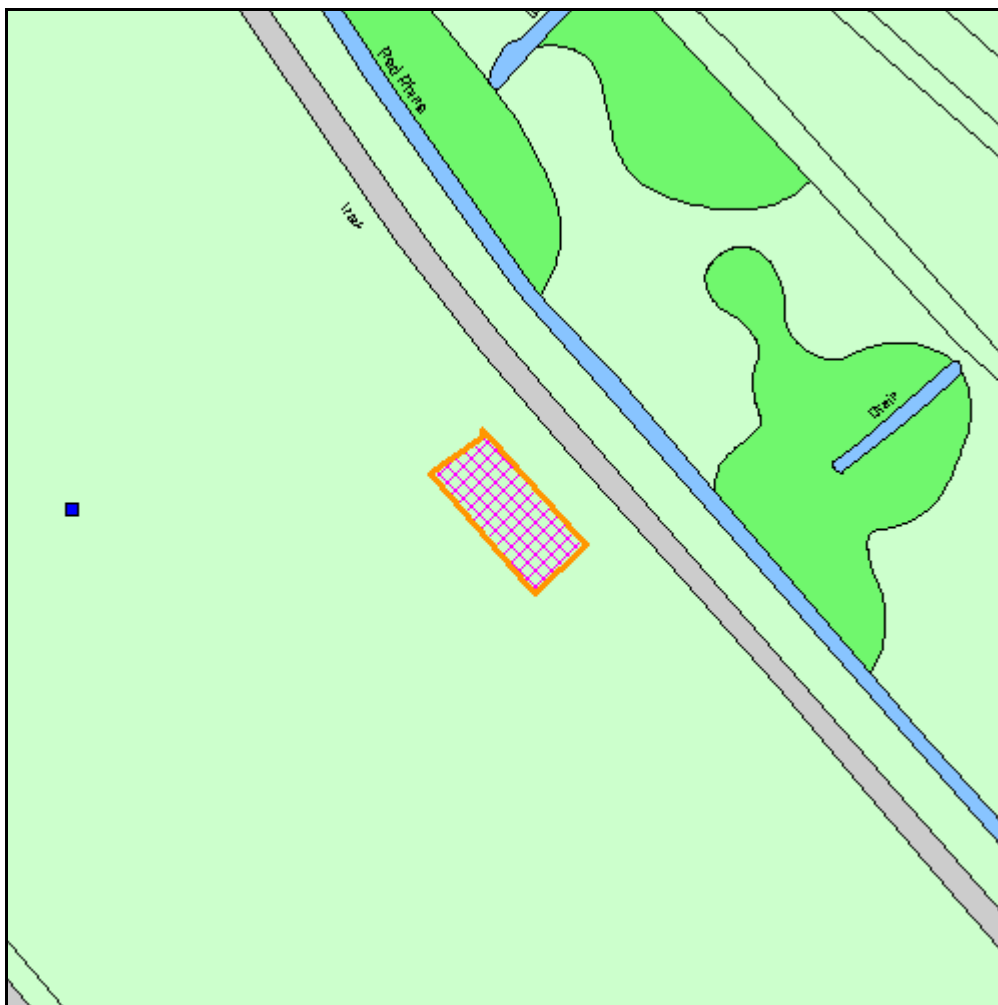
Received 03rd April 2018 - Foundation Plan (01A); Timber Frame Details (02A); Drainage Survey (100B + 101A); Sewer Plan (102B)

Reason:

For the purposes of clarity, in the interests of proper planning and for the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PT18/1567/FMW	<b>Applicant:</b>	SUEZ Recycling And Recovery UK Ltd
<b>Site:</b>	Sevenside Energy Recovery Centre Severn View Industrial Park Central Avenue Hallen South Gloucestershire BS10 7SD	<b>Date Reg:</b>	11th April 2018
<b>Proposal:</b>	Addition of 40m dampers to existing stack to prevent oscillation in high winds.	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	353896 183103	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	3rd July 2018



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## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to an objection received from the Parish Council which is contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks permission for the addition of 40m dampers to the existing stack to prevent oscillation in high winds. The application is made within the context of previous planning permissions that have been granted at the site, the main one being the change of use of land for the construction of an Energy Recovery Centre (ERC) for the thermal treatment of non-hazardous waste and ancillary development including new road and roundabout on A403 and new railhead and erection of site office and visitor centre with associated works. The application was approved on appeal in July 2011.
- 1.2 The energy recovery centre itself covers an area of 10.2 hectares. The area as a whole is covered by the former ICI consents as covered by the policy designation of CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 for safeguarding employment, distribution and other uses such as energy generation. The site is also allocated in principle as a suitable location for residual waste treatment use in Policy 5 the West of England Joint Waste Core Strategy (Adopted) March 2011. Existing rail track bounds the site to the north-eastern length of the site. The Severn Estuary (SPA, SAC, RAMSAR) is located approximately 300 metres to the north and west of the site across the A403 and across Chittingen Warth.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework  
Planning Policy Guidance  
National Waste Planning Policy

2.2 Development Plans

West of England Joint Waste Core Strategy (Adopted) March 2011  
Policy 5 – Residual Waste Treatment Facilities  
Policy 11 – Planning Designations  
Policy 12 – General Considerations

South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 – High Quality Design  
CS35 -Sevenside

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

- 3.1 PT09/5982/FMW - Change of use of land for the construction of an Energy Recovery Centre for the thermal treatment of non-hazardous waste and ancillary development including new road and roundabout on A403 and new

railhead. Erection of site office and visitor centre with associated works. Approved on appeal 18<sup>th</sup> July 2011.

- 3.2 PT12/1207/MW – Re-alignment of part of the Spine Road Access which will serve the Energy Recovery Centre approved under reference PT09/5982/MW. Approved 19th April 2012.
- 3.3 PT12/1303/MW - Construction of bottom ash recycling facility, to include processing building, storage areas and bays, access road and associated infrastructure and development of the existing railhead, to serve the Energy Recovery Centre (approved under reference PT09/5982/FMW). Approved 28<sup>th</sup> September 2012.
- 3.4 PT12/2567/MW – Variation of condition 2 of planning permission reference APP/PO009/A/10/2140199 (Local Planning Authority reference PT09/5982/FMW) to revise the approved plans listed as part of the permitted Energy Recovery Centre. Approved 25<sup>th</sup> January 2013.
- 3.5 PT13/0744/NMA – Non-material amendment to PT12/1303/MW to change position and arrangements of raw ash storage bays. Approved 27<sup>th</sup> March 2013.
- 3.6 PT13/0719/MW - Erection and operation of a Conveyor to transfer bottom ash for recycling from the Severnside Energy Recovery Centre to the adjoining Severnside Energy Recovery Centre Bottom Ash Recycling facility. Approved 3<sup>rd</sup> June 2013.

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

- 4.1 Pilning and Severn Beach Parish Council  
Pilning & Severn Beach Parish Council object to this application on the basis that the facility is not meeting required environmental standards and allowing the addition of 40m dampners to an existing stack to prevent oscillation will not improve the results of the air pollution. If the facility is not fit for purpose, it should be taken out of use.
- 4.2 Other Consultees  
  
Landscape  
No objections  
  
Transportation  
There is no transportation objection to the proposal  
  
Highways Structures  
No comments  
  
Lead Local Flood Authority  
No objections

## **Other Representations**

- 4.3 Local Residents  
No comments received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The principle for the construction of, and use of the site as an energy from waste plant was approved and established by the decision, made on appeal, pursuant to planning reference PT09/5982/FMW, in July 2011.

- 5.2 The principle of waste use is therefore already established as is the principle of the stacks as part of the facility. The application is for the installation of additional dampers and screens to the external structure of the existing stacks to provide additional support in adverse weather conditions. Some stack oscillations have occurred under certain weather conditions, the proposed development is intended to avoid such oscillations occurring in the future. The principle of the proposals is considered acceptable, subject to detailed development control consideration.

### 5.3 Landscape

The proposed dampers in context with the existing site and associated stacks would not give rise to additional material or significant visual amenity issues. There are no landscape objections to the proposals.

### 5.4 Transportation

The proposals would not represent an increase in vehicle movements or overall capacity of the site.

### 5.5 Ecology

There are not considered to be any ecological constraints to the proposals.

### 5.6 Local Amenity

The dampers would be located part way up the existing stacks. Their purpose would be to provide additional support and stability to the stacks. It is not considered that, given the sites location coupled with the nature of the development already approved that the proposals would give rise to additional amenity issues. The Parish Council comments on air pollution from the facility are noted. The proposals will have no influence on emissions, the emission values will still be required to be in accordance with the Environmental Permit as regulated and enforced by the Environment Agency since operations began in December 2016. Breaches of these controls would be enforceable by the EA as pollution control authority in this instance, under EA pollution control regulations and permits.

### 5.7 Drainage/Flood Risk



It is not considered that the proposals would have any impact upon the drainage capabilities of the existing approved site.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the West of England Joint Waste Core Strategy (Adopted) March 2011, and the South Gloucestershire Local Plan Core Strategy Adopted December 2013, set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 That planning permission is granted subject to the conditions recommended.

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

## **CONDITIONS**

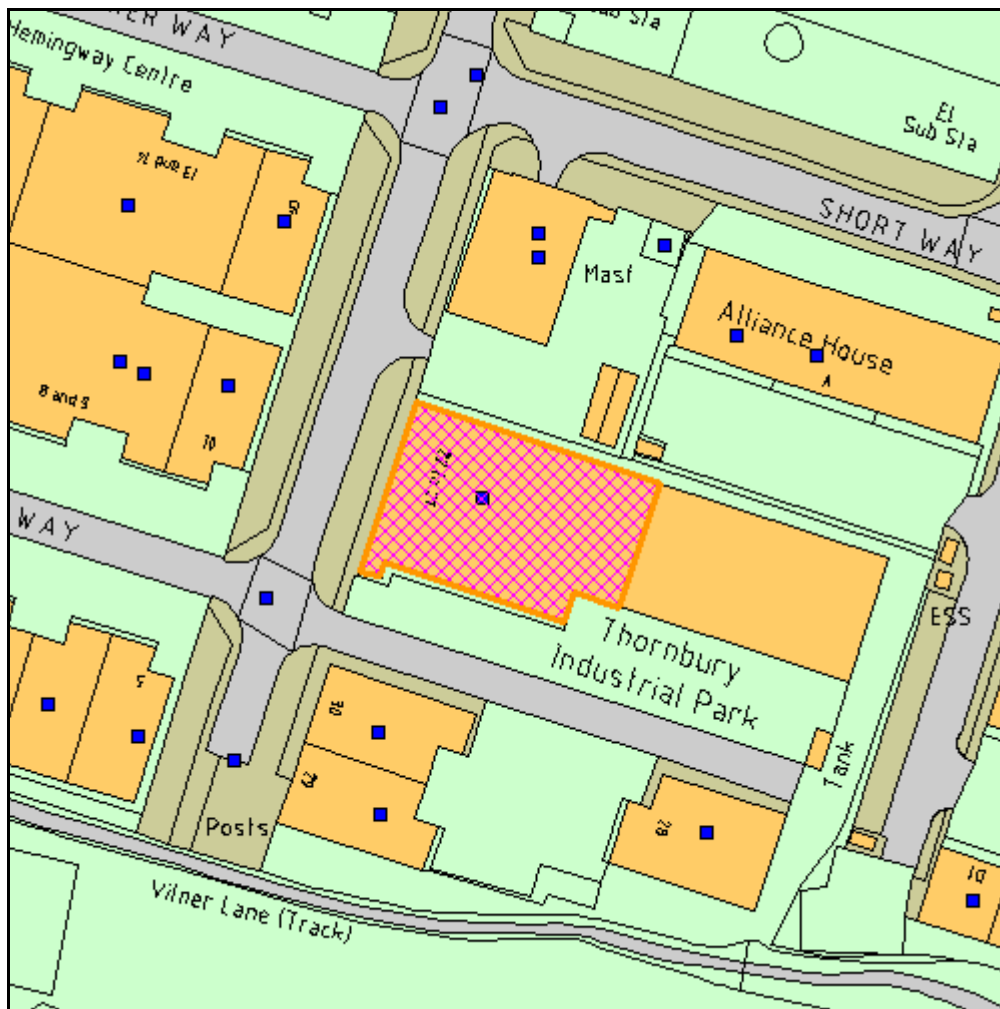
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PT18/1603/CLP	<b>Applicant:</b>	Howden Joinery Properties Limited
<b>Site:</b>	Units 22 To 24 Cooper Road Thornbury South Gloucestershire BS35 3UW	<b>Date Reg:</b>	18th April 2018
<b>Proposal:</b>	Certificate of lawfulness proposed for Units 22-24 to be used as mixed use classes B1, B2 and B8 with trade counter.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	363850 189357	<b>Ward:</b>	Thornbury South And Alveston
<b>Application Category:</b>	Certificate of Lawfulness	<b>Target Date:</b>	12th June 2018



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 100023410, 2008. **N.T.S.** **PT18/1603/CLP**



- 3.4 PT06/1479/F Approved 23.06.2006  
Demolition of existing single storey offices to facilitate the erection of new single storey offices. Change of use from warehouse and ancillary offices (Class B8) to mixed storage and offices (Class B1, B2 or B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

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

- 4.1 Thornbury Town Council  
No comments received

- 4.2 Other Consultees

Sustainable Transport  
No comments received

Archaeology Officer  
No comment

#### **Other Representations**

- 4.3 Local Residents  
None Received

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

- 5.1 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 not consideration of planning merit, the application is based on the facts presented. This 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.

- 5.2 The proposal consists of the proposed use of an existing unit as B1, B2 and B8 with the inclusion of a trade counter. The application site relates to Units 22 to 24 Cooper Road, Thornbury. Full permission as previously granted under application PT17/2048/F for the use of Units 22-27 to be used as B1, B2 and B8; a condition on this permission limited the office space of the two units to less than 335 sqm of office space. The proposal adheres to this condition, containing only around 100sqm of office space; therefore, the use of the unit as B1, B2 and B8 would be considered lawful.

- 5.3 The inclusion of a trade counter is considered to fall under the B8 use class, given that the trade counter function is ancillary to the B8 use. The planning statement states that the trade counter would be limited to trade sales, with no

external advertising. Considering the small size of the trade counter function (51 sqm) compared to the overall unit (1283 sqm) making up around 3.98% of the total floorspace, it would be considered suitably ancillary and therefore lawful.

- 5.4 The proposal is not considered to have any material impact on the external appearance of the building and is therefore not considered to require planning permission. It is accepted that the unit falls within the established use class and there would no development involving a change of use, nor the creation of a new planning unit. The unit will retain the same basic form, external materials and general appearance and therefore according to Section 55(2) of the Town and Country Planning Act 1990 and on balance this proposal would not amount to "development" requiring permission under the Act.

## 6. **RECOMMENDATION**

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

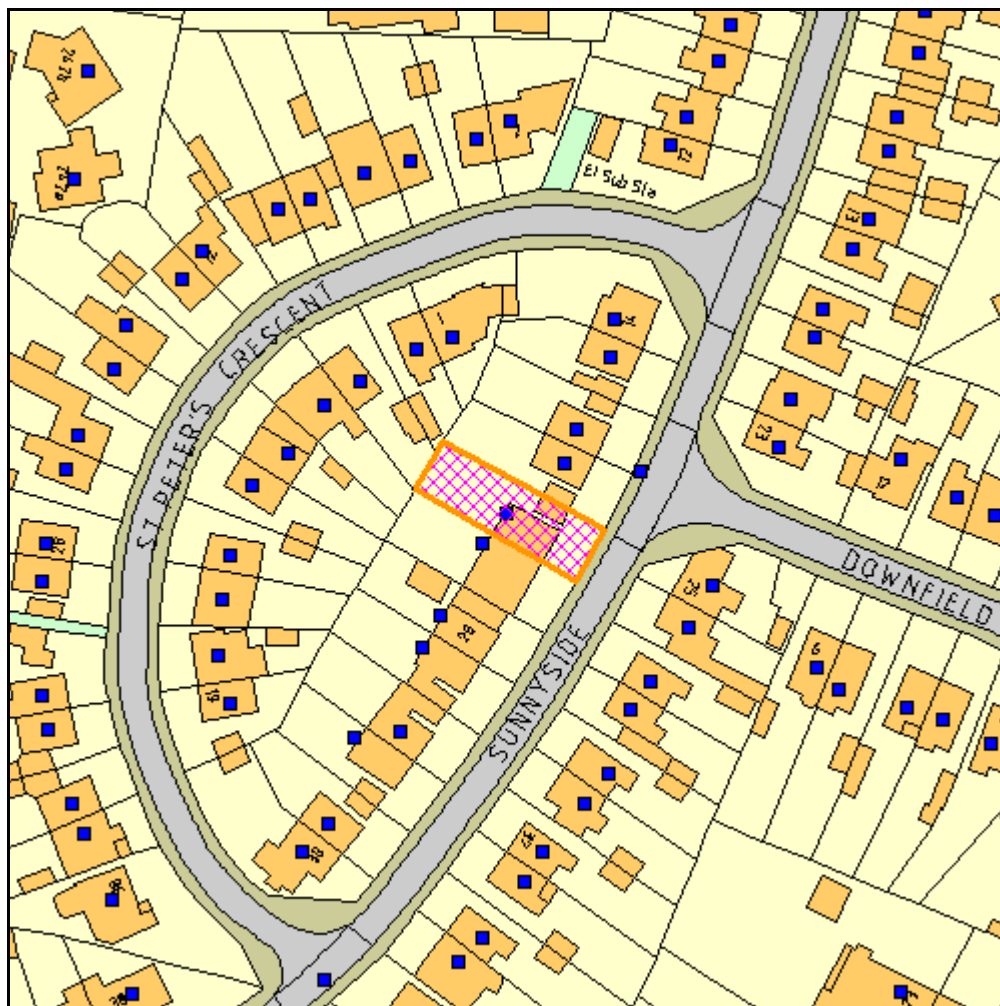
Evidence has been provided to demonstrate that on the balance of probabilities the proposed "trade counter use" is ancillary to the established use class (B8 as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)) and as such would not constitute development that requires planning permission under the provisions of Section 55(2) of the Town and Country Planning Act 1990 (as amended).

**Contact Officer: Owen Hoare**  
**Tel. No. 01454 864245**



## CIRCULATED SCHEDULE NO. 22/18 – 01 JUNE 2018

<b>App No.:</b>	PT18/1708/F	<b>Applicant:</b>	Mr And Mrs Strong
<b>Site:</b>	22 Sunnyside Frampton Cotterell Bristol South Gloucestershire BS36 2EH	<b>Date Reg:</b>	13th April 2018
<b>Proposal:</b>	Demolition of existing garage. Erection of two storey side and single storey rear extension to form additional living accommodation. Erection of front porch. Installation of rear dormer to facilitate loft conversion.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	366886 181542	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th June 2018



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**REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE**

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

**1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two storey side and single storey rear extension, a rear dormer and a front porch.

**2. POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework  
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP11 Transport

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

**3. RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

**4. CONSULTATION RESPONSES**

4.1 Frampton Cotterell Parish Council

Object due to overdevelopment and parking concerns.

4.2 Sustainable Transport

Requested additional information in relation to parking space location

**OTHER CONSULTEES**

4.3 Local Residents



Two objections received in relation to loss of privacy arising from rear dormer leading to loss of property value.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy 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 application seeks full planning permission for the erection of a two storey side extension and single storey rear extension, a front porch and a rear dormer. The proposals would use materials to match the existing dwelling. It is noted that the parish council have objected due to concerns relating to overdevelopment.

### 5.3 *Two Storey Side Extension*

The two storey side extension would sit to the north of the existing dwelling, sitting back from the principal elevation of the dwelling. A small lean-to feature at the lower floor would extend to the front of the dwelling. The ridge would sit below the ridge of the existing dwelling. It would abut the rear elevation of the dwelling. It would have a gabled roof to the side.

### 5.4 *Single-Storey Rear Extension*

The single-storey rear extension would extend across the entire rear flank of the property, with a lean-to roof above. It would be located to the rear of the property, and would not be visible from nearby public areas.

### 5.5 *Rear Dormer*

The rear dormer would span the entirety of the existing rear roof slope, and would have a flat roof. It would appear as a typical dormer window.

### 5.6 *Front Porch*

The proposed porch would sit to the front of the property, to the northern end of the original dwelling. It would be modest in size with a gabled roof above.

### 5.7 *Cumulative Impact*

The development is considered to be in keeping with the domestic character of the building and would not negatively affect the visual amenity of the dwelling or the surrounding area.

### 5.8 Residential Amenity

Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity

- through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.9 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered.
- 5.10 *Two Storey Side Extension*  
The two storey side element would sit within the confines of the existing side elevation, sitting slightly back from the front elevation. Having assessed the location and scale of the development, it would not be considered to have a significant overbearing impact, or cause any loss of light to the neighbour to the north. There are no side windows in the proposed side elevation.
- 5.11 *Single-Storey Rear Extension*  
The single-storey rear extension would extend across the entire rear flank of the property. The scale and position mean that it would be unlikely to have an overbearing or overshadowing impact on either neighbouring property. There would be no overlooking or loss of privacy
- 5.12 *Rear Dormer*  
The rear dormer would be located to the rear of the property. It would be unlikely to have a negative impact in terms of overshadowing or overbearing. It is noted that neighbours have commented, stating that the dormer would have an overlooking impact. It is acknowledged that the dormer would result in a degree of overlooking however this be at distance and the negative impact on the privacy of neighbours to the rear would be limited. It should also be noted that a similarly sized and positioned rear dormer would be permissible under permitted development; it is therefore not considered possible to refuse the application on these grounds.
- 5.13 *Front Porch*  
The proposed porch would sit to the front of the property. It would be modest in size and sit away from the site's boundaries. It would not be considered to have an impact on the residential amenity of nearby occupiers.
- 5.14 *Cumulative Impact*  
Sufficient private amenity space will remain following development and there is no objection with regard to this. The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).
- 5.15 Sustainable Transport and Parking Provision  
The plans show four bedrooms within the dwelling; it is noted that the transport officer has stated that the proposed parking provided is unacceptable, and the parish council agrees with this assessment; however, the parking plan submitted is considered normal in residential areas, and examples of similar parking layouts can be seen along Sunnyside. It is not considered that the

parking proposed would have a severe impact on the safety of road users, and would be acceptable.

5.16 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.17 With regards to the above this planning application is considered to have a neutral impact on equality.

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 development plan set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

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

**Contact Officer: Owen Hoare**  
**Tel. No. 01454 864245**

**CONDITIONS**

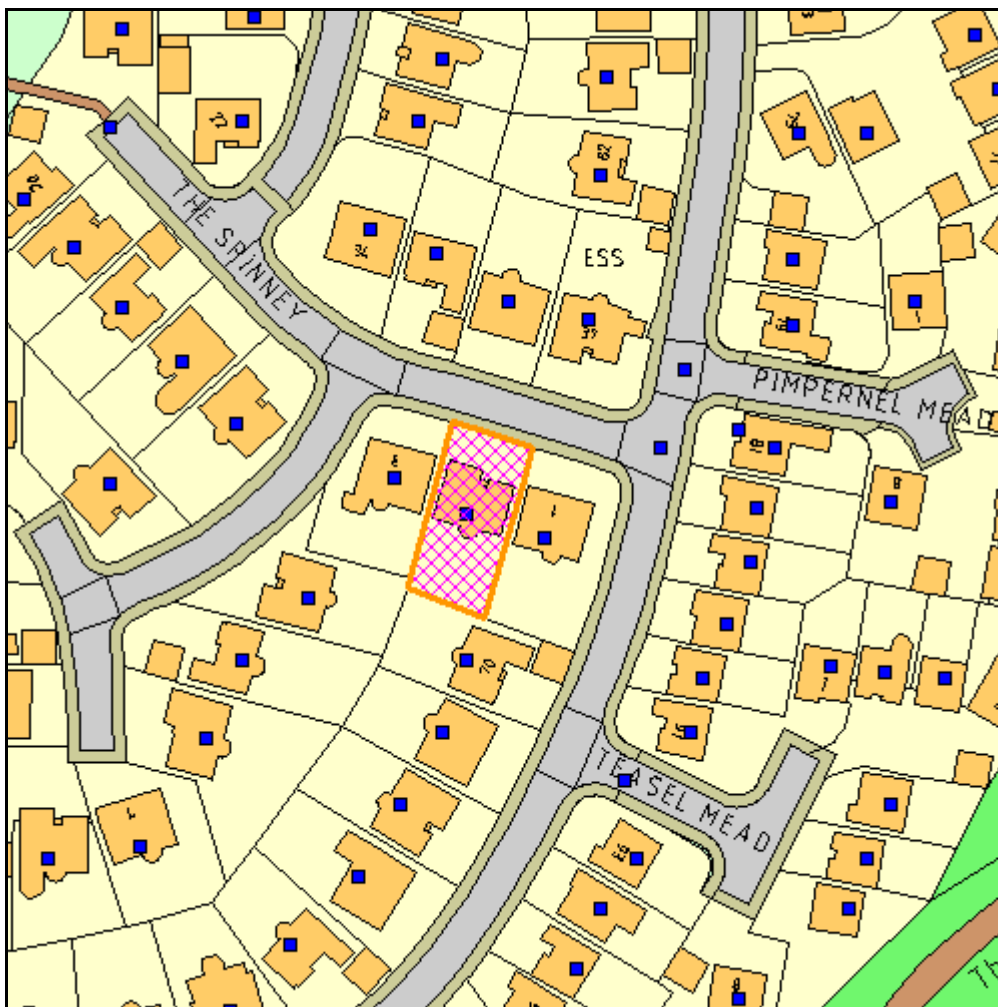
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PT18/1766/CLP	<b>Applicant:</b>	Mrs Becky Wooltorton
<b>Site:</b>	2 The Spinney Bradley Stoke Bristol South Gloucestershire BS32 8ES	<b>Date Reg:</b>	18th April 2018
<b>Proposal:</b>	Certificate of lawfulness for the proposed erection of single storey rear extension to provide additional living accommodation.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	362168 181396	<b>Ward:</b>	Bradley Stoke South
<b>Application Category:</b>	Certificate of Lawfulness	<b>Target Date:</b>	13th June 2018



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PT18/1766/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 single storey rear extension 2 The Spinney, Bradley Stoke would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

### **2. POLICY CONTEXT**

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

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

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

- 3.1 P95/0020/441 – Approved - 10.01.1996  
Erection of nine dwellings and associated garages. Amendment to previous approval for 94 dwellings (Reference P95/0020/432). (To be read in conjunction with P84/0020/1
- 3.2 P95/0020/432 – Approved - 15.09.1995  
Erection of 94 dwellings and associated works to be read in conjunction with P84/0020/1.
- 3.2 P84/0020/1 – Approved - 03.12.1986  
Residential, shopping & employment development inc. Roads & sewers and other ancillary facilities on approx.1000 acres of land.

### **4. CONSULTATION RESPONSES**

- 4.1 Councillor  
No comments received

Bradley Stoke Town Council  
No objections

## Other Representations

- 4.2 Local Residents  
No comments received

## 5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Block and Site Location Plan  
Existing Plans and Elevations  
Proposed Plans and Elevations

Received by Local Planning Authority 13<sup>th</sup> April 2018

## 6. ANALYSIS OF PROPOSAL

### 6.1 Principle of Development

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

- 6.2 The key issue in this instance is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GPDO (2015). 6.3 The proposed development consists of a single storey extension to the rear of property. This development would fall within Schedule 2, Part 1, Class A, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

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

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

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

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

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

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

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

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

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

Not applicable.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
- (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;**

The extension would be single storey.

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

The extension would be within 2 metres, however, the eaves would not exceed 3 metres in height.

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

The proposal does not extend beyond a side wall of the original dwellinghouse.

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

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



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

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

The submitted plans indicate that the proposed extension would be finished in materials to match existing. As such, the proposal meets this criterion.

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

Not applicable.

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

Not applicable.

**7. RECOMMENDATION**

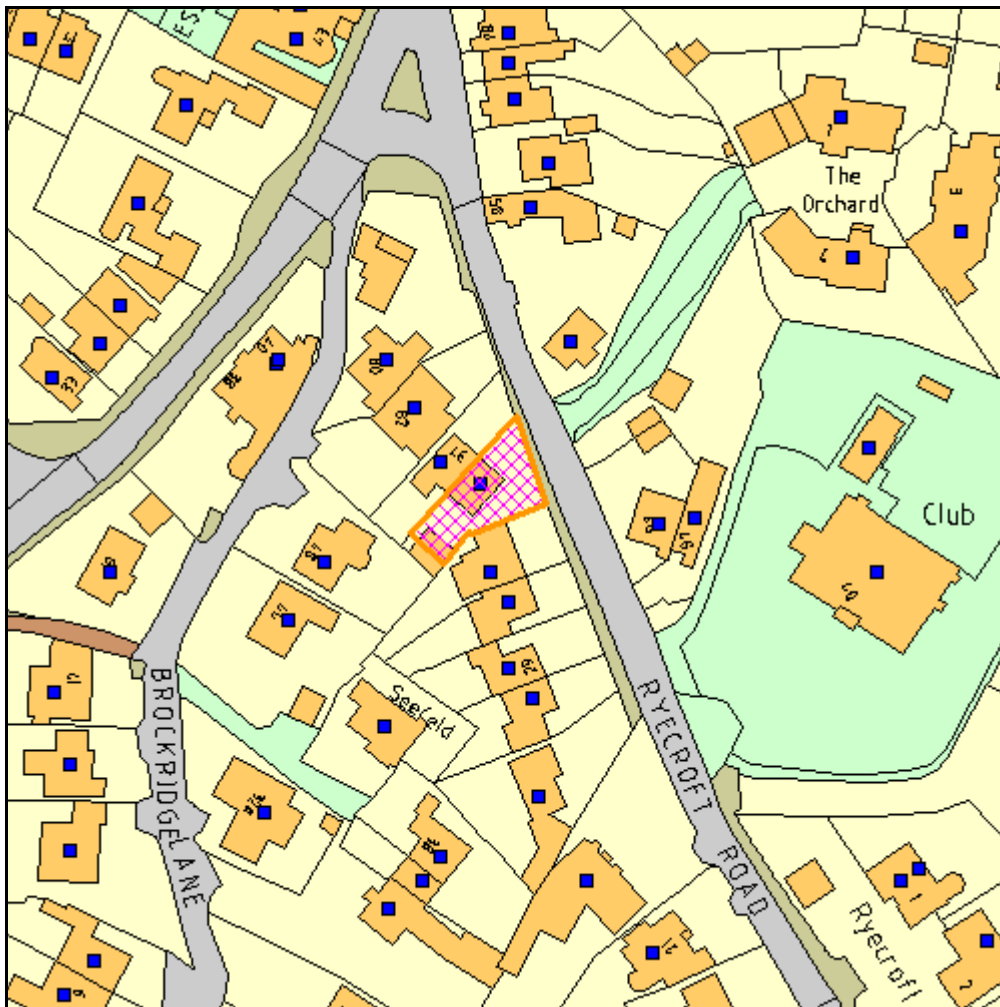
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Evidence has been provided to demonstrate that on the balance of probabilities the proposed single storey rear extension does fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.

**Contact Officer: Westley Little**  
**Tel. No. 01454 867866**

**CIRCULATED SCHEDULE NO. 22/18 – 1 JUNE 2018**

<b>App No.:</b>	PT18/1805/F	<b>Applicant:</b>	Mr Lee Hambling
<b>Site:</b>	35 Ryecroft Road Frampton Cotterell Bristol South Gloucestershire BS36 2HP	<b>Date Reg:</b>	18th April 2018
<b>Proposal:</b>	Erection of single storey rear extension to form additional living accommodation. Installation of rear decking.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	367080 181486	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Householder	<b>Target Date:</b>	13th June 2018



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PT18/1805/F

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

The application is referred to the Circulated Schedule as representation has been received which is contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension to form additional living accommodation and the installation of rear decking at 35 Ryecroft Road, Frampton Cotterell.
- 1.2 The application site relates to a two storey, semi-detached property which is located within the settlement boundary of Frampton Cotterell.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework  
National 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

##### South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017

PSP1 Local Distinctiveness  
PSP8 Residential Amenity  
PSP11 Transport  
PSP16 Parking Standards  
PSP38 Development within Existing Residential Curtilages  
PSP43 Private Amenity Standards

#### 2.3 Supplementary Planning Guidance

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

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

- 3.1 No relevant planning history

### **4. CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council  
Objection- loss of privacy to neighbours

## **Other Representations**

### **4.2 Local Residents**

Objection comment received from 1no local resident, summarised as follows;

1. Deeds state only small personal vehicles have a right of way for access to the garages at the rear, therefore no industrial vehicles could access the back of no.35
2. Fencing should not be removed during construction due to dogs in the property next door, would be extremely difficult to keep them in during the building work.
3. Extension should not be built on the boundary line due to the law relating to this and the allowed distance should be kept.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy 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 proposed development consists of a single storey rear extension to create a kitchen/dining area, and the installation decking in the rear garden.

- 5.3 The single storey rear extension would extend from the rear elevation of the host property by approximately 3m and would span the entire width of the existing dwelling. It would consist of a sloping roof with an eaves height of approximately 2.2m and an overall height of approximately 3.5m. The adjoining neighbour benefits from a similar single storey rear extension. The materials to be used in the external finish of the proposal include rendered elevations, concrete interlocking roof tiles and aluminium bi-fold doors. Although these materials would not match the existing dwelling, due to its siting at the rear the proposal would not be visible from the public realm. It is therefore not considered to result in a negative impact on visual amenity and as such the proposed materials are deemed acceptable.

- 5.4 As the property is set on a sloping site, the proposed timber decking would level off the rear garden of the property between the proposed extension and the existing garage, covering an area of approximately 22m<sup>2</sup>. Considering the size and siting of the proposed decking, it is deemed to be acceptable in terms of design and visual amenity.

- 5.5 A concern was raised by a neighbouring occupier that the proposal should not be constructed on the boundary line. However, this is deemed acceptable in terms of planning and is not a suitable reason for refusal. That said, any wall

constructed on a boundary line should seek a party wall agreement; this provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

5.6 Overall, it is considered that the proposed development would not be detrimental to the character of the host dwelling or surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.

5.7 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.8 A concern was raised by the Parish Council regarding loss of privacy. The subject property is located on a sloping site and is set at a lower gradient than the neighbouring property to the south. The adjoining property to the north is separated by a 2m high fence. Although the proposed decking area would raise the ground level by approximately 0.6m, considering the boundary treatment, the officer does not deem that it would result in a significantly detrimental loss of privacy as to warrant refusal. Considering the siting and single storey nature of the proposed extension, combined with the boundary treatments, it would not appear to have a material overbearing or overlooking impact, nor is it considered to significantly impact on existing levels of lights afforded to neighbouring occupiers. Furthermore, it is considered that sufficient private amenity space would remain for the occupiers of the host dwelling following development.

5.9 The proposal will occupy additional floor space, however sufficient private amenity space will remain following development and there is no objection with regard to this.

5.10 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).

5.11 Sustainable Transport and Parking Provision

The proposal will not include any additional bedrooms, nor will it impact the existing parking provision. As such, no objection is raised in terms of transportation.

5.12 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and

victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application is considered to have a neutral impact on equality.

#### 5.13 Other Matters

Concerns were raised relating to the access of the site for construction vehicles; and the removal of fences during construction due to fact the neighbouring occupier owns dogs which would be difficult to keep inside. These concerns are not material planning considerations, and therefore cannot influence the planning decision. It is expected that the applicant remains considerate to neighbouring occupiers during the construction period.

### 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 development plan set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

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

**Contact Officer: James Reynolds**  
**Tel. No. 01454 864712**

### CONDITIONS

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

Reason

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