



**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. 18/18

Date to Members: 03/05/2018

Member's Deadline: 10/05/2018 (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 providing details of

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

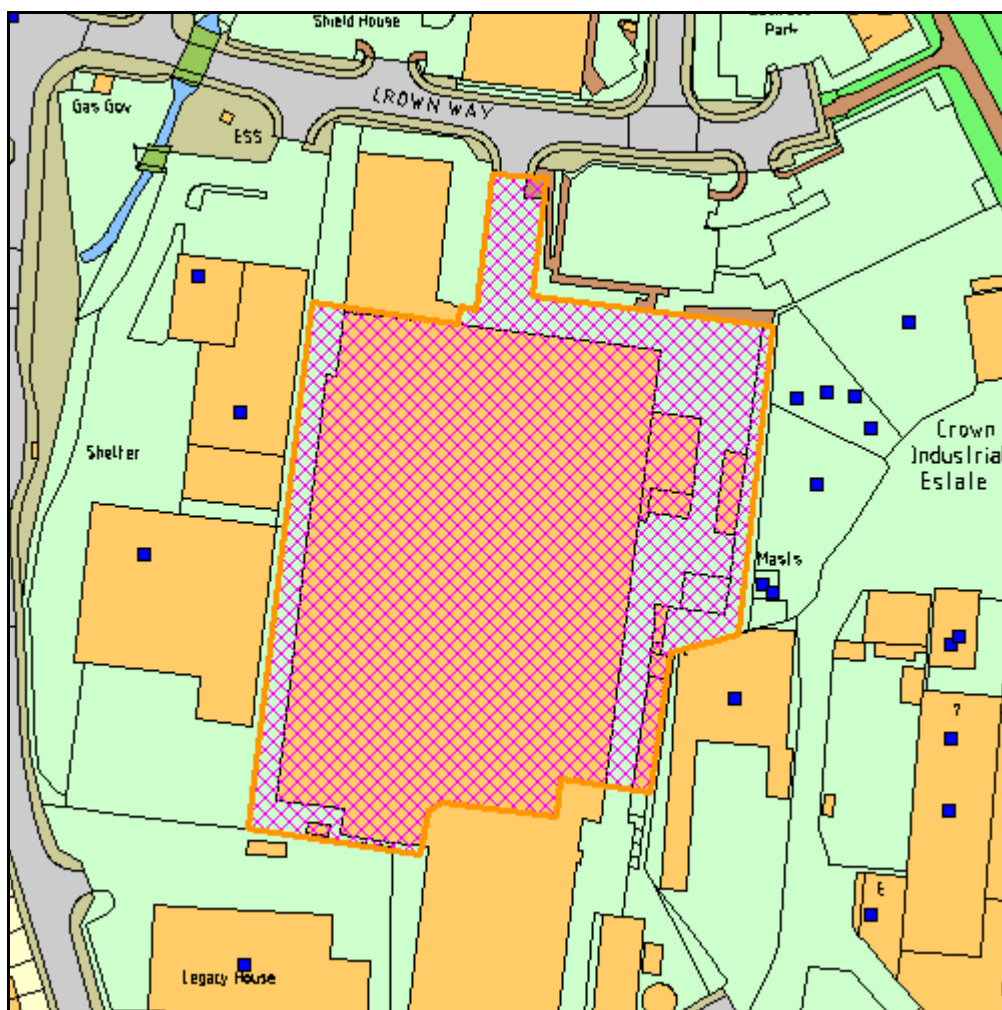
CIRCULATED SCHEDULE 03 May 2018

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK17/5963/F	Approve with Conditions	83 Tower Road North Warmley South Gloucestershire BS30 8XP	Siston	Siston Parish Council
2	PK18/1053/F	Approve with Conditions	180 Fairlyn Drive Kingswood South Gloucestershire	Rodway	None
3	PK18/1150/F	Approve with Conditions	9 Gladstone Road Kingswood South Gloucestershire BS15 1SW	Kings Chase	None
4	PK18/1332/F	Approve with Conditions	45 Kingsfield Lane Hanham South Gloucestershire BS15 9NR	Hanham	Hanham Parish Council
5	PT18/0305/F	Approve	126 Beesmoor Road Frampton Cotterell South Gloucestershire BS36 2JP	Frampton Cotterell	Frampton Cotterell Parish
6	PT18/0541/F	Approve with Conditions	39 Robel Avenue Frampton Cotterell South Gloucestershire BS36 2BY	Frampton Cotterell	Frampton Cotterell Parish
7	PT18/0893/F	Approve with Conditions	Plot At The Rear Of 20 Filton Road Hambrook South Gloucestershire BS16 1QL	Winterbourne	Winterbourne Parish Council
8	PT18/1047/F	Approve with Conditions	Meadowcroft 1 Red House Lane Almondsbury South Gloucestershire BS32 4BB	Almondsbury	Almondsbury Parish Council
9	PT18/1290/CLP	Approve with Conditions	1 Kenmore Drive Filton South Gloucestershire BS7 0TS	Filton	Filton Town Council
10	PT18/1318/CLP	Approve with Conditions	17 Watermill Close Falfield Wotton Under Edge South Gloucestershire GL12 8BW	Charfield	Falfield Parish Council

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PK17/5963/F	Applicant:	Chancerygate (Bedford Ltd)
Site:	83 Tower Road North Warmley South Gloucestershire BS30 8XP	Date Reg:	10th January 2018
Proposal:	Erection of 2no. buildings to form 14no. industrial units of mixed use classes B1(c), B2 and B8 with access parking and associated works.	Parish:	Siston Parish Council
Map Ref:	367127 173278	Ward:	Siston
Application Category:	Major	Target Date:	9th April 2018



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 100023410, 2008. N.T.S. PK17/5963/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal seeks to erect 2no buildings in order to provide 14no industrial units of mixed use classes B1(c), B2 and B8 with access and associated works.
- 1.2 The host site has been occupied by Amcor Tobacco Packaging Ltd. The main building was given permission for its demolition under the application PK17/4343/PND and permission is now sought for the redevelopment of the remainder of the site.
- 1.3 Two of the buildings on the site are to be refurbished and altered a small proportion and consent have been granted for these works.
- 1.4 The proposal is for a speculative scheme and only proposes to construct the shell of the buildings with occupiers fitting out themselves. The proposal is for 7985m² GEA of B use floor space.
- 1.5 The site is located within the built up industrial area of Warmley and within a protected employment area. Residential property is located on the other side of Tower Road North.

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
CS11 Distribution of Economic Development Sites
CS12 Safeguarded Economic Development Sites

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

PSP1	Local Distinctiveness
PSP3	Trees and Woodlands
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Water Management
PSP21	Environmental Pollution

2.3 Supplementary Planning Guidance
Design Checklist SPD (adopted) August 2006

3. RELEVANT PLANNING HISTORY

PK17/4575/F – Approval – 19/12/2017 - External alterations of the existing office building and associated works

PK17/4343/PND – No Objection – 18/10/2017 – Prior notification of the intention to demolish factory building and associated outbuildings.

PK04/1880/F – Approval – 07/09/2004 – Demolition of existing engineering block and erection of new three storey office block. Erection of new roof and re-cladding of Production Area. Erection of replacement drum store. Construction of new carpark.

PK03/2236/F – Approval – 12/11/2003 - Demolition of existing engineering building and part demolition of single storey service wing on north elevation. Erection of two-storey and single storey office and despatch building on north elevation. Alteration to roof of retained building to increase height to 10.5 metres and change roofline. Extension to car park to provide additional 70 spaces and associated works.

There are a significant number of other applications relating to site which are available to view online via and using one of the above reference numbers:

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Members object to any such development providing 14 independent industrial units at this central location, with the planned intensification of such B Class uses, especially B8, considered to likely severely impact on community amenities surrounding this site and its access routes. The proposed development is not considered to be consistent with the existing character of this area, two large educational establishments and a increasing number of family homes on the opposite side of the sole main access route, being provided to suit business activities of unknown future occupants only. It also fails to recognise existing site uses and capacity of the local road network. Increased traffic generation would further exacerbate present unacceptable congestion, high levels of air pollution and parking, especially from HGVs on these local roads. In the event of their objections being overruled in favour of what is a purely speculative application, members reiterate the need for a legal or planning requirement for a HGV routing arrangement. HGVs visiting this site to come via the A4174 Ring Road, then via Tower Lane to the Tower Road North site access. Similarly, all HGVs leaving the site to travel southwards to the same Tower Lane and Ring Road.

4.2 Other Consultees

Highway Authority

No objection subject to inclusion of a number of conditions.

Listed Building and Conservation Officer

No Objection

Economic Development

The Economic Development Team believes that this development would create sustainable development in a safeguarded employment area in close proximity to a priority neighbourhood, and provides a great opportunity for new start-ups and growing businesses to remain in the local area, safeguarding future employment. Therefore, in determining this application, please take into consideration that the South Gloucestershire Council Strategic Economic Development Team supports this application on economic grounds.

Tree Officer

There are no objections to this application provided it is carried out in accordance with the submitted Tree protection plan.

Archaeological Officer

No Comments

Highway Structures

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

Or

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

Environmental Policy

Requests the inclusion of a condition to secure sustainable technology features. The comments also suggest that PV panels should be included.

Landscape Officer

No Objection

Environmental Protection

Requested further information or the attachment of a condition to secure pre-commencement information.

Other Representations

- 4.3 Local Residents
No Comments Received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy CS12 of the Core Strategy sets out the approach to be taken on sites identified as protected employment sites. Proposals for change from a B use

- class to another economic use, or town centre use, or non-employment uses, will need to demonstrate that:
- i) the proposal would not prejudice the regeneration and retention of B use classes elsewhere in the employment areas;
 - ii) it can be shown to provide a more sustainable pattern of development in the area
 - iii) the proposal would improve the number and range of local services; and
 - iv) no suitable alternative provision has been identified in the Local Development Framework
- 5.2 Policy CS29 states the development plan documents must manage change in economic development sites to maximise the number of job opportunities in the area. On this basis the proposal site is considered an acceptable location for commercial development subject to site specific consideration.
- 5.3 Economic Development
The proposal as previously mentioned involves the redevelopment of a protected employment site and for the erection of 14no industrial units in B1(c), B2 and B8 Use Classes, within 2no buildings. The sentiment of the above policy is that employment sites should remain in a B use class and should maximise the number of job opportunities in the area. Consent has been granted for the demolition of the large former Amcor Tobacco Packaging Ltds building. It is noted that supporting information within this application for demolition indicated a scheme of a similar format to this application would be coming forwards.
- 5.4 The application submitted retains the B use of the site and whilst it does provide a mix of specific Use Classes, this would be viewed to aid in maximising the number of job opportunities and in increasing the range of potential jobs available. Comments from the economic development department are supportive of the proposal, noting; *“The Economic Development Team believes that this development would create sustainable development in a safeguarded employment area in close proximity to a priority neighbourhood, and provides a great opportunity for new start-ups and growing businesses to remain in the local area, safeguarding future employment. Therefore, in determining this application, please take into consideration that the South Gloucestershire Council Strategic Economic Development Team supports this application on economic grounds.”*
- 5.5 Contrary to this the Parish Council have objected to the scheme, concerned with the impact on the residential properties nearby and the safety/congestion experienced on the local highway network. It must be noted that the existing buildings on either side of the site are to be retained and have consent for some minor works. Furthermore the site has been in use for what is assumed to be in excess of 50 years for B2 and B8 uses and is surrounded by other uses consistent with an industrialised area. Historically due to the proximity of the former railway line, this has been an industrious location and would be characterised as commercial in general and not residential as there are only a few residential properties nearby the proposal site. Additionally while there may be residential properties nearby, the proposal will redevelop the site providing modern accommodation and as a result it is expected that improvements would

be made with regard to noise and emissions, as well as the environment generally over that of the existing building were it still in operation. The site has only become vacant due to the redundancy of the plant and machinery and could be reoccupied without the requirement for planning permission. This could potentially have a significantly worse impact on the local area than that proposed. It should also be noted that no objection comments have been received from local residents. The comments also cite concerns over the impact on local schools. It is acknowledged that there are schools in the local area and that heavy vehicles may impact traffic, however a travel plan has been submitted and this seeks to mitigate the impact as much as possible by directing vehicles the safest routes in and out of the area. A condition will be attached to ensure occupiers keep to this.

- 5.6 It is noted that the proposal would be providing 14no units of varying sizes. The former Amcor Tobacco building was large. There is no longer as much need for industrial units of this size, particularly in a suburban situation and uptake tends to be of smaller units. The proposal would better cater for likely need and consequently would be considered to increase the number and range of services provided and the number and mix of jobs created.
- 5.7 The proposal will replace a larger building with 2no smaller structures. The scheme is speculative and the intention is that occupiers will fit out their own units after being provided with the shell.

5.8 Design and Visual Amenity

Appearance

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.

- 5.9 The proposal site is to the rear of two other structures and is not wholly visible from the public realm. The development will replace a mid-20th century factory building that currently occupies the majority of the site. This has metal and corrugated asbestos roofs and elevations and is typical of an industrial unit of its era. The proposal is for modern units of varying sizes and could only be viewed as an improvement visually. The area itself is characterised as industrial/commercial in nature and appearance and therefore the introduction of two further industrial buildings must be considered consistent with the character of the area. Furthermore, the screening offered by the buildings to be retained means the proposal should not be prominent in the streetscene.
- 5.10 The proposals will utilise profile composite cladding and powder coated aluminium for elevational treatments. These are not seen as unusual choices for a building of this type and no objection is raised with regard to the proposed material palette. Overall the proposal is viewed to have an acceptable standard of design and no objection is raised to the proposals appearance.

5.11 *Sustainability*

The proposal seeks to introduce 2no buildings to house 14no units of various sizes. An Energy and Sustainability Assessment has been provided in support of the application. This suggests that:

“The results of energy modelling recommend development sustainability features that will allow for a 4.08% carbon saving from a base Part L 2013 compliant build. This is to be achieved through passive design, energy efficient measures incorporating design features such as energy efficient lighting, sub-metering of relevant areas, upgrading of ‘U’ values and occupancy sensing in relative areas.”

5.12 Again it must be noted that the proposal is replacing an existing older structure and this is expected to be significantly worse with regard to energy consumption and sustainability. Improvement of the situation should only carry positive weight.

5.13 Comments from the environmental policy officer requested that further measures are introduced. Reference is made to residential specific policy in requesting PV panels or other sustainable technologies are incorporated to the design at this stage. The scheme is speculative and occupiers are expected to be fitting out the buildings themselves and consequently no detail of such alterations has been included. According to supporting information the proposal will exceed current local and national requirements for efficiency and therefore it would be unreasonable to resist the proposal on these grounds. Notwithstanding this assessment it is expected that a number of occupiers will want to introduce further sustainable technologies as these can often present cost savings over their lifetime. Consequently it is expected that further improvements will be made in the future. A condition will be attached to ensure the proposal is built out in accordance with the Energy and Sustainability assessment but it has been seen as unreasonable to require further improvements by condition.

5.14 Environmental Protection

The host site is large and given its previous uses information has been required with regard to contamination and remediation strategies. The original information submitted wasn't sufficient and revisions have been sought on two occasions. These requests have been satisfied by additional and amended reports. In this case the consultation has been outsourced to Worcester Regulatory Services and response is being awaited. Given the size of the scheme, any delay in reaching a decision can have significant financial implications so in this case the application is being circulated prior to the response from the consulted environmental protection officers. It is expected that as the third update sufficient information has been provided and therefore that a condition requiring development to be carried out in accordance with the Verification and Remediation Strategy would be sufficient to control this impact. However if insufficient information is provided and further information is requested the application will be recirculated with a condition to secure further investigative works and remediation measures which has been suggested by the respondent environmental protection officer.

5.15 Residential Amenity

The host property is located within an established commercial estate. There are residential properties on the other side of the highway, however these are a reasonable distance from the proposal site itself and are screened by the existing building to be refurbished and retained. No objection has been received from these residents. Comments from the Parish Council have objected to the proposal concerned with the impact on the wider area. It must be noted that the existing site has permission for B2 and B8 use and the proposal would represent a reduction in the amount of floor space by a significant amount. Additionally the proposal will replace older buildings with modern structures. These are expected to be considerably better with regard to noise and odour emissions than its older counterparts and consequently the impact of the operation of the buildings themselves would be reduced. The proposal would represent a reduction in floor area, however as there will be multiple occupiers there is the potential for a greater number of vehicular movements. That said it is expected there will be greater numbers of smaller vehicle movements and less heavy goods vehicles operating from the site. A transport statement and construction management plan have been submitted in support of the application. These set out appropriate times for deliveries etc. and a condition can be attached to ensure these are kept to. Subject to this the impact of the development would be within acceptable parameters.

5.16 The subject property is located within an established commercial estate 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 policy PSP8 of the adopted Policies Sites and Places DPD.

5.17 Sustainable Transport and Parking Provision

The existing parking areas will be retained for the existing buildings on the site and further parking will be provided to the front of the buildings proposed for both commercial and private vehicles and includes provision for disabled individuals. Currently there is no maximum or minimum parking provision for commercial property and as the proposal would be improving the parking situation is considered acceptable in this respect. Given this consideration, the proposal is considered to accord with the provisions of policy PSP16 of the Policies Sites and Places DPD (2017) and the NPPF (2012). A condition will be attached requiring the parking to be implemented prior to the occupation of the development at hand.

5.18 Ecology

The proposal involves the clearance of the site and is a major application. The impact on local ecology and wildlife has been considered and an ecological assessment has been submitted to support the application. No objection has been raised by the council's specialist ecological officer subject to the development being built out in accordance with the methodology set out in the report. This is seen as reasonable and a condition will be appended to that affect.

5.19 Landscape

A site plan has been provided suggesting where landscaping will be retained or new areas of landscaping. No objection was raised by the landscape officer however it was suggested further planting was introduced to the front of the site. While this would be beneficial, given the proposals will replace an existing building and incorporates more landscaped areas than the existing building. Therefore the request for additional planting would fail the tests identified at paragraph 106 of the NPPF.

5.20 Arboriculture

The host site is large and there are a number of established trees on the property. A tree protection plan and arboricultural report has been submitted in support of the application. The tree officer has no objection to the proposal subject to the development being carried out in accordance with this information. A condition will be attached to that effect.

5.21 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).

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

Received by the Local Planning Authority on 03rd April 2018 - Revised Site Plan Showing Cycle Spaces (C-283-TP3-01)

Received 9th January 2018 - Units 10 - 14 Roof Plan (C-283-TP3-06); Existing Block Plan (C-283-TP3-BP-01); Units 10-14 Floor Plans (C-283-TP3-04)

Received on the 21st December 2017 - Location Plan (C-283-TP3-LP-01); Tree Protection Plan (17-0964.01 (5)); Units 1-9 Floor and Roof Plans (C-283-TP3-02); Units 1-9 Elevations and Sections (C-283-TP3-03); Units 10-14 Elevations and Sections (C-283-TP3-05)

Reason:

In the interests of proper planning and for the avoidance of doubt and to ensure an appropriate appearance of the development hereby approved to accord with policy CS1 of the Core Strategy (Adopted) 2013 and the provisions of the NPPF (2012).

3. Prior to occupation of any unit on site, provide off street parking and turning areas on site in accordance with the submitted and the approved plan received on the 4th April 2018 and subsequently maintain these 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 Policy PSP11 of the South Gloucestershire Policies Sites and Places DPD (Adopted) November 2017.

4. Development shall be carried out in accordance with the Construction Management Plan submitted to the Local Planning Authority on 16th April 2018.

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 PSP8 of the Policies Sites and Places DPD (Adopted) November 2017 and the provisions of the NPPF (2012).

5. There shall be no outside storage of any material unless first written approval is obtained from the Planning Authority.

Reason

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

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

Reason

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

7. All works shall proceed in accordance with the methods laid out in Section 5 of the Ecological Assessment by Ecology Solutions (December, 2017). This includes avoiding disturbance and/or harm to nesting birds and roosting bats and incorporating native planting of trees and shrubs into the landscaping scheme. Any deviation from these methods shall be submitted to the local planning authority for approval in writing.

Reason

To ensure the works are carried out in an appropriate manner and in order to protect wildlife and the ecological integrity of the site, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. Development shall be carried out in accordance with the Verification and Remediation Strategy and the Ground Water and Gas Report received by the Local Planning Authority on 22nd March 2018.

Reason

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.

9. Landscaping proposals shall be implemented in accordance with the Soft Landscaping Proposal Plan received by the Local Planning Authority on 21st December 2017.

Reason

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

10. Development shall be implemented in accordance with the Tree Protection Plan received by the Local Planning Authority on 21st December 2017.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

11. Development shall be carried out in accordance with Appendix C Drawing 17-060/300 P2 of the Flood Risk Assessment received by the Local Planning Authority on 21st December 2017 and hereby approved.

Reason

To prevent non-point source pollution and flooding, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

12. Development shall be carried out in accordance with the Energy and Sustainability Assessment received by the Local Planning Authority on the 21st December 2017.

Reason:

In the interests of sustainable development and to ensure the proposal accords with Local and National Policy requirements and to accord with Policies CS1, CS4a, CS9 of the Core Strategy (2013); Policy PSP6 of the Policies Sites and Places DPD (2017) and the provisions of the NPPF (2012).

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PK18/1053/F	Applicant:	Miss Elizabeth Moreton
Site:	180 Fairlyn Drive Kingswood Bristol South Gloucestershire BS15 4PZ	Date Reg:	9th March 2018
Proposal:	Demolition of existing garage and existing rear extension. Erection of front porch and single storey rear extension to form additional living accommodation. Erection of 1 no. semi-detached dwelling and associated works.	Parish:	None
Map Ref:	366018 175419	Ward:	Rodway
Application Category:	Minor	Target Date:	4th May 2018



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has received comments that are contrary to the Officer recommendation. As such this application must be placed on the Circulated Schedule for Members.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the demolition of the existing garage and rear extension; the erection of a front porch and a single storey rear extension. Also, the erection of 1no semi-detached dwelling and associated works at 180 Fairlyn Drive Kingswood.
- 1.2 The application site relates to a semi-detached property situated within the settlement boundary.
- 1.3 Opposite the application site is 111 Fairlyn Drive. No.111 is situated on an identical corner plot. An application for a similar attached dwelling was refused by the LPA in 2016 (PK16/1566/F). However, appeal APP/P0119/W/16/3158543 permitted the application. This attached dwelling has now been constructed.

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
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol Urban Area

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
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 *Application for No.111 Fairlyn Drive*
PK16/1566/F
Refusal (08.06.2016)
Erection of attached dwelling with new access and associated works (Re Submission of PK15/5265/F)
- APP/P0119/W/16/3158543
Appeal Allowed (13.12.2016)

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Not applicable.

Lead Local Flood Authority

No objection subject to applying a 'building over' or 'building in close proximity to' the public sewer informative.

Highway Structures

"The Highway Structures team has no comment."

Sustainable Transport

No objection subject to kerb and materials conditions.

The Coal Authority

"No objection."

Other Representations

- 4.2 Local Residents

One objection received relating to design, loss of privacy, loss of open aspect, overlooking, parking, noise and pollution from construction period; and noise and pollution from the additional vehicles.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

Paragraph 14 of the NPPF states that proposals that accord with the development plan should be approved without delay. Policy CS5 sets out the locational strategy for development in the district. New development is directed towards existing urban areas and defined settlements. As the site is located within the settlement boundary of a community on the east fringe of Bristol, development is supported in this location. As such, based solely on the location of the site, the principle of the development is acceptable.

- 5.2 Notwithstanding this, it is recognised that, at present, the local planning authority is unable to demonstrate a five-year supply of deliverable housing

- land. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. However, as the application site falls within the defined settlement boundary on the east fringe of Bristol, the principle of development is acceptable under the provisions of policy CS5. As policy CS5 is not seeking to restrict the supply of housing, it can be afforded full weight in this case.
- 5.3 Whilst the principle of the proposed development is acceptable under the provisions of policy CS5, the impacts of the development require further assessment to identify any potential harm. The harm identified will then be balanced against the benefits of the proposal. The further areas of assessment are design and visual amenity, residential amenity, and transportation.
- 5.4 Design and Visual Amenity
The site is a semi-detached house with an unusually wide corner plot, such as is often found on post war estates such as this and which gives them their spacious character. The proposed dwelling would be set behind of the natural building line so would be an unusual feature on the street scene. However, when considering No.111 on the opposite corner which is set forward of the natural building line, it is not thought that this design element would be detrimental on the street scene.
- 5.5 Although the area is largely characterised by semi-detached dwellings, terraces of four dwellings can also be seen, for example opposite the application site to the north. The location of these do not follow any formal designed layout. Therefore the creation of a terrace of three from a semi-detached pair in this case would not be at odds with the character of the area. Additionally, there are many examples of porches and single storey rear extensions in the area, as such the addition of two porches, one each for the existing and proposed dwellings, and a new rear extension for the host dwelling would not appear out of place. It is therefore considered that the proposal is acceptable in terms of policy CS1 of the Core Strategy (Adopted) December 2013.
- 5.6 Residential Amenity
Policies PSP8 and PSP38 of the adopted PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; poor amenity space, loss of light; and loss of privacy of neighbouring occupiers.
- 5.7 It is acknowledged that a new dwelling in the location proposed will result in new windows on the first floor that would overlook the rear gardens on Bridge Road. However, owing to the spacious corner location of the host dwelling it is unlikely that these would result in any more of an impact on residential amenity than the existing windows at 180 Fairlyn Drive. Moreover, when considering the existing boundary, combined with the siting and scale of the new dwelling in relation to neighbouring properties. It is unlikely to appear overbearing or such that it would prejudice existing levels of outlook, privacy or light afforded to these neighbouring occupiers. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the PSP Plan.

- 5.8 Policy PSP43 sets the minimum standards for private amenity space. As both dwellings would contain two bedrooms, these require a minimum of 50m². Due to the proposed subdivision of the plot; the remaining dwelling (No.180) will have 33m² of private amenity space and the proposed dwelling will have 30m². This lack of amenity space is contrary to policy PSP43 as a lack of amenity space results in poor living conditions for current and future occupants. However, as noted this application is very similar to the proposal approved at appeal at No.111. Both of these dwellings also had substandard private amenity space albeit 6m² each below the minimum. Moreover, the current dwelling only has 8m² of private amenity space in use due to the existing garage, and current boundary treatments (the side area is in poor condition and is used for parking and pedestrian access). As such, the proposed subdivision would increase the space in use for No.180. Finally, as the dwellings would be located in a sustainable area, and would contain two bedrooms, as such are unlikely to house a family, the private amenity space proposed, despite it being below the standard set by PSP43, is considered to be acceptable in this case.
- 5.9 Transport
PSP16 sets the parking requirements for new development. Two bedroom properties require 1.5 off-street parking spaces each. Therefore three parking spaces are required and four spaces would be provided. As such the proposal has excess parking spaces. However, the Transport Officer proposed a condition regarding materials and a new dropped kerb. This new access and parking provision will be conditioned and should be provided prior to the first occupation of the new dwelling.
- 5.10 Drainage
Drainage details were submitted with the application and the Drainage Officer raised no objection to the proposal.
- 5.11 Coal
The site is located on a coal mining risk area. A risk assessment was submitted to support the application which stated that the site is a low risk area. This report was accepted by the Coal Authority who raised no objection to the proposal.
- 5.12 Other matters
A neighbour objected to the noise and pollution relating from the new parking spaces and the construction period. As the construction period would be temporary, this does not warrant a reason for refusal, however a condition to control the times of construction is recommended. In regards to the new parking spaces, the area is already used for parking, as is the neighbour's area adjoining it. As such it is not thought that the nominal increase in the use of this area would create an unacceptable level of noise or pollution.
- 5.13 Equalities
The Equality Act 2010 protects people from discrimination in the workplace and in wider society. 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.

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

5.15 Planning Balance

It is acknowledged that the host and proposed dwellings will contain less amenity space than is required by PSP43. However, as discussed the amenity space is considered acceptable. Moreover, if approved, 1no. dwelling in a sustainable location would be created. As such the proposal would make a very small contribution to the supply of housing. Also, this dwelling will not be detrimental to the appearance of the area; and the site will benefit from one additional parking space than is required by PSP16. On balance therefore, 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 That the application be **GRANTED** subject to the condition(s) set out in the Decision Notice.

Contact Officer: David Ditchett
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. 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 Policies PSP8 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

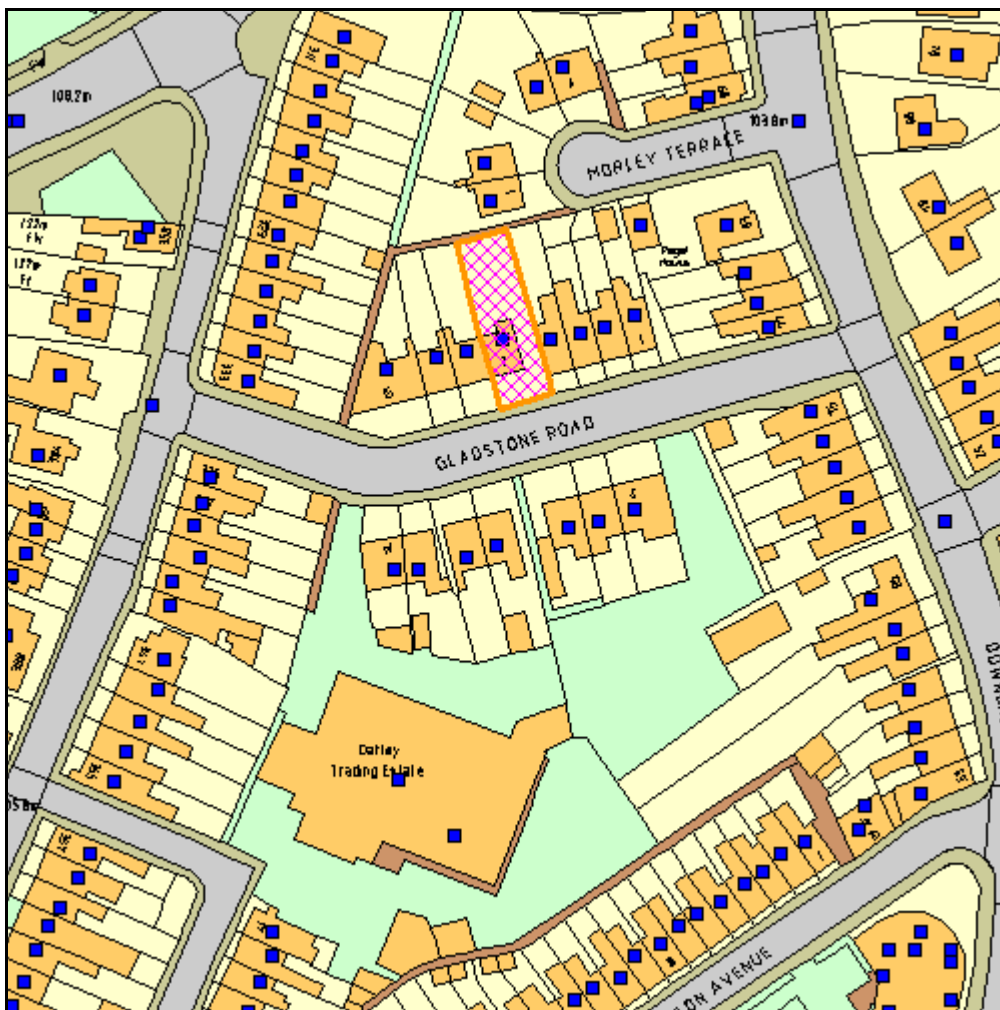
3. The access and off-street parking facilities (for all vehicles, including cycles) shown on the plans hereby approved shall be provided prior to the first occupation of the new dwelling. These parking areas are to have a permeable bound surface (i.e. no loose stone/gravel) and be satisfactorily maintained as such thereafter.

Reason

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

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PK18/1150/F	Applicant:	Mr Anthony Gregor
Site:	9 Gladstone Road Kingswood Bristol South Gloucestershire BS15 1SW	Date Reg:	22nd March 2018
Proposal:	Erection of single storey side and rear extension to form additional living accommodation.	Parish:	None
Map Ref:	364552 174337	Ward:	Kings Chase
Application Category:	Householder	Target Date:	16th May 2018



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PK18/1150/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 side and rear extension to provide additional living accommodation at 9 Gladstone Road, Kingswood.
- 1.2 The application site relates to a two storey, end terrace property located within the built up residential area of Kingswood.

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 Town/Parish Council

Unparished area

4.2 Sustainable Transport

A revised plan has been submitted which shows that the required level of parking can be provided to the frontage of the site. Subject to a condition that the parking area has a permeable bound surface (i.e. no loose stone) there is no transportation objection to the proposed development.

Other Representations

4.3 Local Residents

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

- Loss of light to dining room and kitchen.
- Potential damage to recent damp proofing. We seek guarantees that any foundation work would not materially affect our property. We would expect that all drainage systems adequately drain excess water away from our property without causing further damp problems.
- We would expect that the extension does not encroach within a metre of the extremities of our property as per regulations.

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 side and rear extension with 2no roof lights and bi-fold doors on the rear elevation. The proposal would wrap around the north and east elevations of the existing dwelling; the side extension would have a width of approximately 2.7 metres; the rear elevation would extend from the rear of the existing dwelling by approximately 3.5 metres and span approximately half the width of the existing property. The extension would consist of a lean-to roof with an eaves height of approximately 2.1 metres and an overall height of approximately 3.2 metres. It is considered the proposal is of an acceptable size and scale for the host dwelling and its context.

5.3 The existing dwelling consists of painted render elevations, profiled clay roof tiles and white UPVC windows. All materials proposed in the external finish of the development would match the existing dwelling and are therefore deemed acceptable.

- 5.4 Overall, it is considered that the proposed extension would not be detrimental to the character of the host dwelling or the 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.
- 5.5 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.
- 5.6 Concerns were raised by the occupier of the neighbouring property at no. 7 Gladstone Road regarding loss of light to the living room and kitchen. The rear of the neighbouring property forms an 'L' shape with the rear elevation of the kitchen extending further than the dining room. No.7 benefits from a rear elevation window serving the dining room and a side elevation window serving the kitchen. Considering the single storey nature of the proposal and its location within a built up residential area, it is not considered that it would negatively impact on the existing levels of light afforded to the neighbouring occupier to such a degree as to warrant refusal. It would also not appear to have a material overbearing or overlooking impact.
- 5.7 The proposal would occupy additional floor space, however it is considered sufficient private amenity space will remain for the occupiers of the host dwelling following development.
- 5.8 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 PSP8 of the PSP Plan.
- 5.9 Sustainable Transport and Parking Provision
The application is proposing an increase in bedroom numbers from three to four; South Gloucestershire Council Residential Parking Standards state a four bedroom property must provide a minimum of two off-street parking spaces. The proposal includes parking provision for two vehicles at the front of the property and would therefore comply with the Council's parking standards. An informative will be included on the decision notice to state the parking area is constructed of a permeable bound surface to avoid loose stone spilling onto the highway.
- 5.10 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.

5.11 The proposal would provide a ground floor bedroom and bathroom with a larger kitchen area for wheelchair access. As such, the proposed development would have a positive impact on equalities.

5.12 Other Matters

Foundation work and damp proofing would be satisfied by Building Regulations for a development of this scale and would therefore not be a material planning consideration.

Under permitted development a single storey side extension with the same eaves and ridge height as the proposal could be built up to the boundary with the neighbouring property, without the need for planning permission. Therefore, on balance it would not be considered unacceptable or a reason for refusal.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the 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

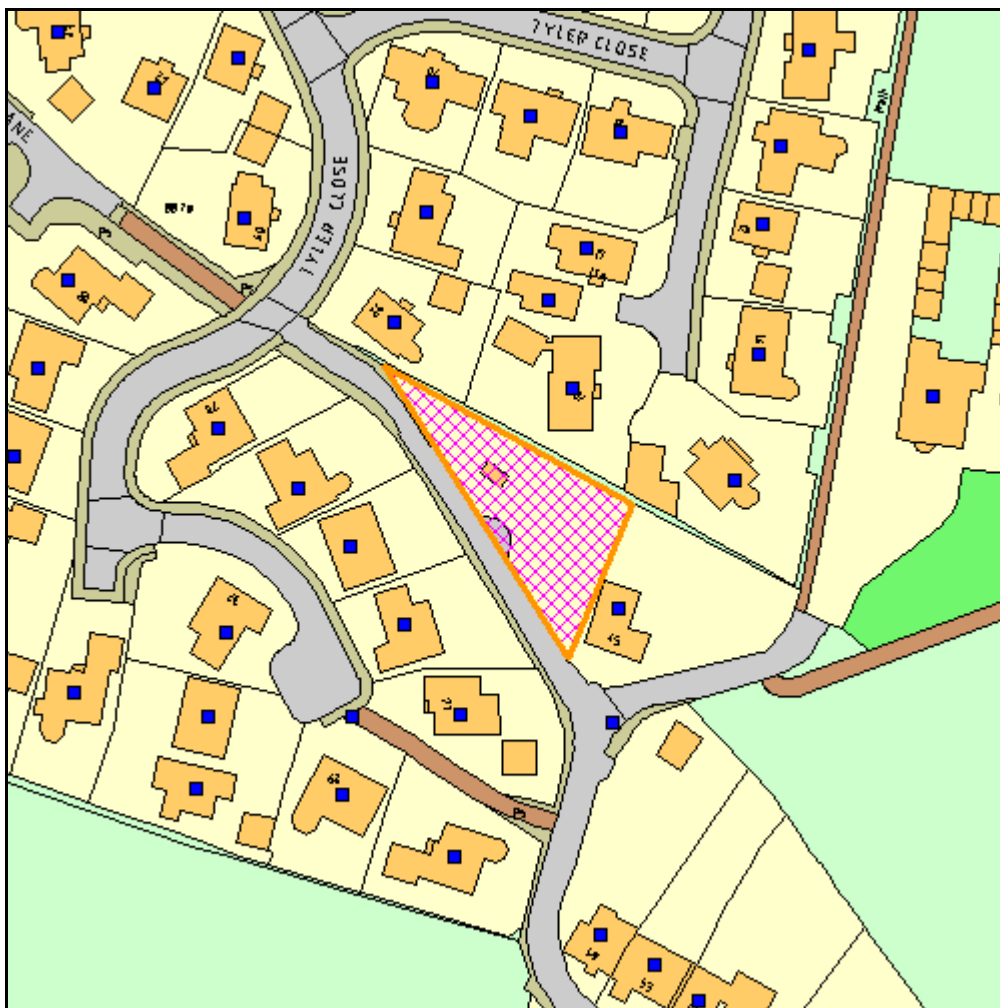
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PK18/1332/F	Applicant:	Ms L Green
Site:	45 Kingsfield Lane Hanham South Gloucestershire BS15 9NR	Date Reg:	28th March 2018
Proposal:	Erection of 1no. dwelling with access and associated works (resubmission of PK17/5603/F)	Parish:	Hanham Parish Council
Map Ref:	365162 172336	Ward:	Hanham
Application Category:	Minor	Target Date:	14th May 2018



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PK18/1332/F

CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following both objections to and support of the proposed development by local residents and an objection comment from the Parish.

1. THE PROPOSAL

The application site relates to No 45 Kingsfield Lane, Hanham for the erection of 1no new dwelling. This application follows a recently refused scheme PK17/5603/F. That scheme for 1 no new dwelling and garage was refused for the following reason:

The proposed two-storey detached property would result in a cramped form of development and fail to comply with the highest standards of design expected in national guidance and local adopted planning policy. It would result in unacceptable harm to the amenity of closest neighbours at No. 16 Tyler Close due to overbearing and adverse impact on the amount of light entering the rear of this house and its garden. Given the close proximity of other neighbours the development would result in overlooking and the development provides poor quality amenity space for future occupants of this 4 bedroom house, all indicative of an overly ambitious scheme on this constrained site.

As a cramped form of development, that is out of keeping with the size of the plot and which fails to respect its immediate surroundings, the scheme fails to comply with the highest quality standards of design which is not be outweighed by the modest contribution one new dwelling would make to the housing shortage. This scheme is contrary to Policy CS1, CS8, and CS17 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017, and the National Planning Policy Framework 2012.

The application site is located within the established settlement boundary of Hanham and in Flood Zone 1. During the course of this application and following comments and discussion, revised plans were received which have sought to address officer concerns. The new plans indicate a reduction in the overall size of the proposed dwelling which has also been moved further to the east. These plans also see the removal of the proposed garage.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP10	Active Travel Routes
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

Trees on Development Sites SPG (Adopted) Nov. 2005.

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

Affordable Housing SPD (Adopted) Sept.2008.

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-----------------------------|---|
| 3.1 | PK17/5603/F
Refused | Erection of dwellinghouse and garage
5.3.18 |
| 3.2 | K05/0921/O

Withdrawn | Erection of 2 no. dwellings (Outline) with siting
and means of access to be determined. All
other matters reserved.

6.6.05 |
| 3.3 | K1124/35

Approved | Comprehensive development of approx. 318
acres of land for residential and educational
purposes, public open space and local centre
(outline)
27.4.81 |

- | | | |
|-----|----------|--|
| 3.4 | K1124/10 | Comprehensive development of approx 353.8 acres of land for residential and educational purposes, public open space, employment and local centre |
| | Approved | 20.7.77 |

Other planning applications mentioned by residents

- | | | |
|-----|---|---|
| 3.5 | PK17/3702/F | Erection of 77no dwellings (including 27no affordable) with associated access, parking, landscaping, infrastructure and open space. |
| | Approved subject to s 106 agreement February 2018 | |

- | | | |
|-----|-------------|--|
| 3.6 | PK04/2902/O | Erection of 1 no. dwelling (Outline) with siting and means of access to be determined. All other matters to be reserved. |
| | Refused | 27.9.04 |

1. The proposed development would lead to an increase of traffic onto a substandard road by reasons inadequate visibility, lack of pedestrian facility and insufficient road width, thereby leading to an increased risk of highway hazards faced by highway users to the detriment of highway safety, contrary to policy KLP69 of the adopted Kingswood Local Plan and policies T12 and H4 of the South Gloucestershire Local Plan (revised deposit draft).

2. The proposed site access is unsatisfactory by virtue of its inadequate visibility onto the public highway and if implemented it would lead to increased risk of hazards faced by highway users all to the detriment of highway safety, contrary to policy KLP69 of the adopted Kingswood Local Plan and policies T12 and H4 of the South Gloucestershire Local Plan (revised deposit draft).

Appeal dismissed 11.4.06

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council

The proposed two-storey detached property would result in unacceptable harm to the amenity of closest neighbours at No. 16 Tyler Close due to overbearing and adverse impact on the amount of light entering the rear of this house and its garden. The proposed property is out of keeping with the size of the plot and which fails to respect its immediate surrounding

Internal Consultees

4.2 Sustainable Transport

No objection subject to conditions and an informative.

4.3 Drainage

No objection

4.4 Highway Structures

No objection

4.5 Coal Authority

The current planning application represents a revised scheme to a similar development proposal previously considered by the LPA under planning application PK17/5603/F. The current application is accompanied by the same Coal Mining Risk Assessment (Jan 2018, prepared by Crompton Fear Partnership Ltd) which was submitted in support of the previous planning application. Previous comments and recommendations given under PK17/5603/F stand. A number of discrepancies in the records held by the Coal Authority and the submitted report were identified. A prior to commencement condition is considered an appropriate course of action to address the issues raised.

Other Representations

4.6 Local Residents

One letter of **Support** has been received the comments are summarised as:

- 4 bed house is similar in size to those on Tyler Close and the addition of one more makes no significant difference to traffic or environmental impact

Six letters of **Objection** have been received and the comments are summarised as:

Residential amenity:

- Privacy and natural light will be lost from my garden and be detrimental to my wellbeing
- Will block out early sunrise
- Will be overlooked
- Bedroom windows will overlook my property and garden and infringe my privacy
- Revised design is still overbearing
- Large number of properties will be overlooked

Drainage

- In periods of heavy rain Kingsfield Lane becomes like a river and debris blocks drains
- Construction debris will be a problem

Building work will cause mayhem

Access and highway

- New access and driveway will increase noise pollution to adjacent properties
- Will increase volume of traffic along Kingsfield Lane which can only accommodate single flow traffic and is a popular route for pedestrians
- No designated path for pedestrians or cyclists

- Vehicles use Tyler Close as an overspill car park for residential properties in Kingsfield Lane. The Council is planning to introduce parking restrictions. There is no parking arrangement for visitors
- Increase risk to public safety due to reduced visibility at junctions
- Vehicles leaving the lane are reliant on my garden being kept clear – should any development of the corner take place then visibility will be reduced
- A similar development next door was refused by an Inspector citing danger to drivers, pedestrians and cyclists
- Witnessed some very close accidents along Kingsfield Lane
- Impact recent approved scheme at Greenback Road on the lane
- Inconsiderate parking almost opposite the Tyler Close/Kingsfield Lane junction resulting in problems to pedestrians and road users
- Tyre marks on grass verges of Kingsfield Lane show where cars have had to almost drive up banks to avoid cyclists and pedestrians

Design:

- Plot is overcrowded, garden to rear too small
- Trees and shrubbery will be removed to make use of every part of the garden – this will be out of character
- This amended proposal has completely disregarded local residents comments – resulting in errors to the drawings and wrong elevation plans being submitted
- Every possible free space of the plot has been used for maximum monetary gain

Other:

- Will be a precedent for others to do the same
- Affect value of property
- Building work will cause mayhem

5. **ANALYSIS OF PROPOSAL**

5.1 The application is for the erection of 1 new dwelling and associated works.

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all 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. Policy PSP38 encourages development within existing residential curtilages.
- 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 recently refused scheme is a material consideration whereby the Officer's report confirmed that the principle of development in this built up area is acceptable. Revised plans have sought to address the refusal reason and this is discussed in more detail below.
- 5.6 Five Year Housing Supply
South Gloucestershire Council cannot currently demonstrate a five year housing land supply. This proposal would add one dwelling to that shortfall, as such this adds weight in favour of the proposal, albeit that this is tempered by the modest addition made.
- 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 No. 45 is an older two-storey detached cottage set within a triangular shaped plot. The large catslide roof to the rear is also indicative of the age of the dwelling. No. 45 itself is situated to the southern end of the plot and it is proposed that the new two-storey detached property would be situated to the north of the site, with tapers sharply to its final point. A new access would be created off Kingsfield Lane which the two properties would share. It is therefore felt that a new dwelling must respect this cottage, surroundings and constraints of the triangular shaped plot. A new dwelling could achieve this by means of its scale, massing and materials.
- 5.9 During the course of the application negotiations were necessary because the resubmitted scheme had not sufficiently taken into account the points raised in the first assessment. Subsequent revised plans have made changes which are considered to have addressed the issues. The proposed dwelling would now be a three bed instead of a four bed dwelling, the front two-storey projection has been reduced to a single storey area creating a downstairs WC and an enlarged study area at ground floor. A small single storey rear extension to the rear with full height sliding doors opening out into the garden adds to the family room. At first floor there would be two bedrooms of roughly the same size, a main bathroom and master bedroom with en-suite.
- 5.10 The house would have a height to eaves of around 4.5 metres and a ridge height of about 7.6 metres. Plans imply materials to be used in its construction

would be a mixture of stone, render and brick. A condition will be attached to the decision notice for samples / details to be approved. In terms of the overall scale and massing this currently proposed house would be an acceptable addition to the existing site.

5.11 Residential Amenity

This most recent proposal shows the new house moved further to the east of the site closer to No. 45. Under the previous scheme an unacceptable adverse impact on neighbours to the northeast had been identified due to overshadowing of their garden for much of the day.

5.12 No. 16 Tyler Close is still to the north but the proposed new dwelling has been moved within the plot so as to be more in line with this existing neighbouring house rather than in front of it as before. The side of the proposed house would be around 6 metres from this neighbour and the smaller footprint has also been moved 2 metres to the east. In addition the larger rear single storey addition has been reduced. Neighbours to the north have expressed concern regarding the amount of sunlight entering their garden and property. It is acknowledged that there would be some changes for this neighbour, more so in the late morning, but these alterations would not reduce the amount of sunlight entering the garden of No. 16 Tyler Close to such a degree sufficient to warrant a refusal of the scheme.

5.13 Neighbours on the opposite side of Kingsfield Lane have commented that they would be overlooked by the proposed new dwelling. The rear of this particular neighbour would be around 19 metres away from the side/rear of the new house. No windows are proposed for this southwest elevation and windows to the rear would be at an angle of around 35 degrees. It is recognised that there would be some changes to the existing situation but given this angle, the distance between the two and the fact that they are separated by a lane with hedges the introduction of a new dwelling within the garden of No. 45 would not be sufficient reason to refuse the application.

5.14 Other neighbours around 40 metres away have stated that the new dwelling would block their early morning light and result in overlooking. Given the distance and the fact that the new house would be at a lower level, screened by some mature trees and again separated by Kingsfield Lane itself, it is considered there would be no adverse impact on this neighbour. Another neighbour has commented that there would be overlooking from the rear of the new dwelling. Plans indicate a distance of around 25+ between the rear elevations of the existing property to the northwest and the proposed new dwelling. The proposed house would once again be at a lower level than this existing neighbour and it is considered that this situation would not have such a negative impact on the amenity of neighbours sufficient to warrant a refusal of the scheme.

5.15 With regards to the amount of amenity space available for the new dwelling this has improved since the previous scheme, due to the reduction in the overall built form and by moving the footprint of the dwelling. The private amenity space is now considered to comply with adopted policy.

- 5.16 It is acknowledged that there would be some changes for neighbouring dwellings as a result of the application but the impact on amenity has been assessed as being acceptable and the proposal complies with adopted planning policy.
- 5.17 Drainage
The proposed new house would be within the residential curtilage of an existing dwellinghouse and the application form states it would connect up to the existing mains sewer. This is acceptable. The site is not within an area at risk of flooding and again the application form states surface water will be disposed of by means of a soakaway. This again is acceptable. With regards to localised flooding caused by debris on the lane, this is an existing situation to which the introduction of a new dwelling would not contribute. Concerns have been expressed that construction work would exacerbate this situation. This is not a planning matter and should construction materials be inappropriately disposed of and contribute to debris on the road this should be reported to the appropriate authority which in this case would be the Council's Streetcare Team.
- 5.18 Sustainable Transport
A number of objections received this time are the same as those submitted for the scheme PK17/5603/F. In that assessment the impact on highway was not part of the refusal reason. The impact that one house would make on the existing highway was found acceptable. For this application the Transport Officer has again considered the scheme and has made a professional judgement that the introduction of one new house in this location would not give rise to concerns sufficient to refuse the scheme. The comments made by local residents expressing their concerns on highway grounds are addressed below.
- 5.19 Some residents have cited a 2004 application, dismissed at appeal for highway safety reasons but it must be noted that the application site was much further away from the junction with Tyler Close than this current application site and also located on a different section of Kingsfield Lane where there would be additional pedestrians joining the lane from the public footpath leading to the leisure centre. The proposed access to the site lies around 45 -50 metres away from the junction with Tyler Close and as such there would be a lesser risk of contact between vehicles and pedestrians along the narrow Kingsfield Lane. The current proposal also has the benefit of providing a turning area and the potential for an enlarged access thereby enabling vehicles to pass one another along Kingsfield Lane, and for pedestrians to take refuge from passing cars.
- 5.20 Another comment states there have been a number of accidents and or near misses either on Kingsfield Lane or with its junction with Tyler Close. Transport Officers have checked the accident record since the refusal of the previous application and again state that as Kingsfield Lane is a cul-de-sac which currently serves around 14 dwellings, it is subject to low levels of traffic. Records indicate there have been no recorded injury accidents along the lane over the last 5 years. At the time of their site visit there were no signs along Kingsfield Lane between the site access and Tyler Close, of for example,

- churned up verges, to indicate that there is any problem with the existing level of traffic.
- 5.21 One local resident again has mentioned there is no on-site provision for visitor parking and that inconsiderate parking along Tyler Close is an issue. This proposal does not include a garage, but shows parking spaces for the new dwelling, the existing dwelling plus an onsite turning area to ensure vehicles could enter and leave in forward gear. This is of a level consistent with the Council's minimum standard and, albeit not a dedicated space, there would be room on-site for visitors to park their vehicles. The access would have adequate visibility splays for the speed of traffic on Kingsfield Lane, but a condition will be attached to the decision notice stating that the access needs to be of a standard comparable with the lane and accessible for use by the general public. Inconsiderate parking should be reported to the appropriate authority which in this case is the Police Authority.
- 5.22 The previous report quoted the NPPF (2012) which indicates that development should only be refused on transport grounds if the cumulative impacts are severe. The Transport Officer has stated that it is likely that the additional 5 - 6 daily vehicle trips generally associated with a single dwelling would not have a severe impact resulting in any highway safety harm along the short section of Kingsfield Lane between Tyler Close and the site access.
- 5.23 It is acknowledged that the recently approved scheme for 77 houses to the north of the site at Greenbank Road is likely to result in additional footfall along Kingsfield Lane due to pedestrians walking to and from the leisure centre. However, the new dwelling is likely to generate up to 1 extra vehicle movement in the morning and afternoon peak hours along the first 50 metres of Kingsfield Lane from the junction with Tyler Close. The potential for conflict over and above that which already exists is considered to be minimal. There would not be a significant increase in traffic compared to that generated by the existing dwellings.
- 5.24 The impact on the highway resulting from this single dwelling would be less than severe and for this reason there can be no highway objection to the scheme.
- 5.25 Coal Authority
The Coal Authority records indicate the presence of both recorded and the likely presence of unrecorded underground coal mining at shallow depth. The applicant has re-submitted a Coal Mining Risk Assessment prepared for the application site by Crompton Fear Partnership Ltd Ref: 18003 (dated Jan 2018). This report contains information on the thickness/depth of coal seams which conflicts with the Coal Authority's records.
- 5.26 Due to the discrepancy in the information The Coal Authority considers that site investigations in the form of boreholes would be necessary and once the ground conditions have been established appropriate mitigation strategies can be designed. It is considered appropriate that a condition for site investigations prior to work commencing is required to be attached to any approval.

5.27 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.

5.28 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.

5.29 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.

5.30 Other Matters

A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.

5.31 *Impact on house prices:* this is not a planning matter and as such cannot be considered under this planning application assessment.

5.32 *Traffic congestion during construction.* The lane is very narrow but it is considered that the site itself is large enough to accommodate materials and vehicles associated with the construction. It would however be incumbent on the applicant to advise the construction team and delivery vehicles of the limited room and for them to provide appropriately sized vehicles which do not cause undue disruption to Kingsfield Lane and its users. A condition will be attached to the decision notice regarding delivery times and on-site good practices.

5.33 *Reference to planning application PK17/3702/F for the erection of 77 new homes:* Each planning application is considered under its own merits and for its own unique reasons.

5.34 *Will set a precedence and be a catalyst to other development along the lane:* The response to this objection comment is similar to the previous response in that every planning application is different with different circumstances, different positives and negatives each of which are fully taken into consideration within the planning assessment process.

5.35 Planning Balance

The scheme is for one new dwelling. Given the lack of housing supply a small amount of weight can be awarded in favour of the scheme for this reason. The proposal would be within the existing residential curtilage of No. 45 Kingsfield Lane and such development is supported by both national policy and local planning policy specifically Policy PSP 38 which encourages development within existing residential curtilages. Weight is given in favour of the scheme for complying with policy. Revisions in the design have limited the amount of

development on site which had previously formed part of the refusal reason. The proposal is now of a modest size more in keeping with the application site. Residential amenity issues have been addressed by both the reduction in the scale of the house and by moving it within the site. The impact an additional 1 dwelling would have on the highways is considered not to be severe. Given the above the proposal can be recommended for approval.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: 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. Development shall proceed in strict accordance with the following plans:

As received by the Council on 19.3.18:
Existing site plan - 2968/1

As received by the Council on 12.4.18:
Proposed site plan - 2968/2

As received by the Council on 24.4.18:
Proposed combined elevations and floor plans - 2968/3D
Proposed location plan - 2968/6D

Reason:

For the avoidance of doubt and to accord with Policies CS1, CS8 and CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policies PSP1, PSP8, PSP16, PSP38 and PSP43 of the Policies Sites and Places Plan (Adopted) 2017 and the NPPF.

3. Parking and access:

The dwelling shall not be occupied until the access and parking arrangements have been provided in accordance with the submitted details as per The revised Proposed Site Plan - 2968/2 received on 12.4.18.

Reason:

To promote sustainable transport choices and to accord with Policy PSP16 of the Policies Sites and Places Plan (Adopted) 2017.

4. Visibility splay:

The dwelling shall not be occupied until the area within the visibility splays in front of the boundary wall and fence has been surfaced with the same material as the adjacent lane and made available for use by the general public.

Reason:

In the interest of highway safety and to accord with Policy PSP11 of the Policies Sites and Places Plan (Adopted) 2017.

5. Charging point:

The new dwelling shall not be occupied until an electric vehicle charging point has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To promote sustainable transport choices and to accord with PSP Policy 16 of the Policies Sites and Places Plan (Adopted) 2017 and the South Gloucestershire Council Residential car parking standards SPD (Adopted) 2013.

6. Mining:

Prior to the commencement of development the applicant is required to:

- * Undertake an appropriate scheme of intrusive site investigations;
- * Submit a report of findings arising from the intrusive site investigations
- * Submit a scheme of remedial works for approval; and
- * Implement those remedial works.

Reason

This is a prior to commencement of development condition to avoid any unnecessary corrective action in future and to ensure that adequate measures have been taken to investigate and implement remedial action to deal with the potential mining legacy and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

7. Hours of delivery and working:

The hours of delivery and 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 PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

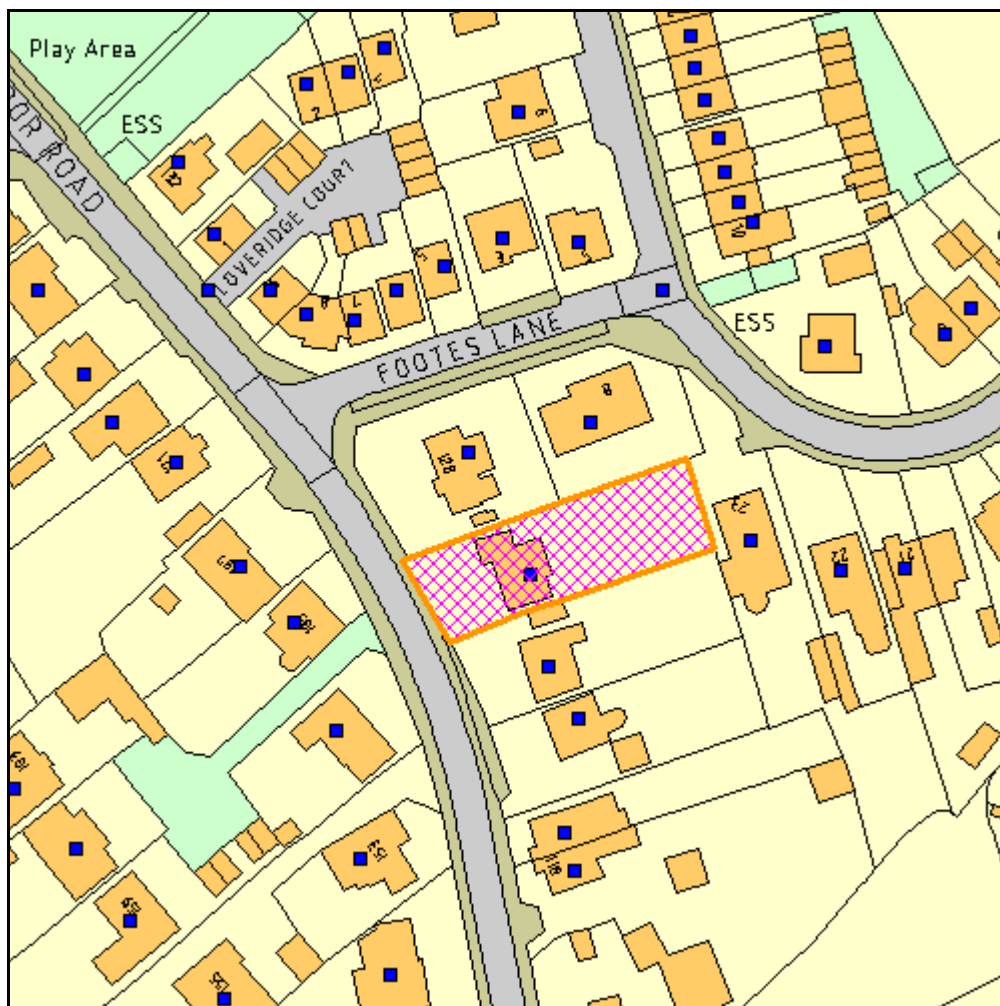
8. Prior to the commencement of development details/samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PT18/0305/F	Applicant:	Mr Yeend
Site:	126 Beesmoor Road Frampton Cotterell Bristol South Gloucestershire BS36 2JP	Date Reg:	28th March 2018
Proposal:	Erection of two storey rear extension to form additional living accommodation and erection of double garage (Retrospective).	Parish:	Frampton Cotterell Parish Council
Map Ref:	366957 181105	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	14th May 2018



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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 retrospective planning permission for the erection of a two storey rear extension to form additional living accommodation and the erection of a double garage at 126 Beesmoor Road, Frampton Cotterell.
- 1.2 During the course of the application it transpired that the application had been invited following an inspection by compliance officers who had noticed that the development on site had not followed plans approved under scheme PT16/1042/F. It also transpired that the extension which has been constructed did not match the dimensions of the recent submission, therefore amendments were sought to accurately show the development which has been constructed. These were received on 24/04/18.
- 1.3 The previously approved scheme consisted of a two storey rear extension with a pitched roof which extended 4 metres from the rear elevation. The new proposal includes a two storey extension which extends from the rear by the same distance, but includes a twin gable roof and an additional single storey element which extends a further 2.6 metres from the rear. A detached garage is also included in the new proposal.
- 1.4 The application site relates to a two storey detached property located within the built up residential area 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 PT16/1042/F
Erection of two storey rear extension to form additional living accommodation.
Approved: 30th March 2016

4. **CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council
No objections
- 4.2 Sustainable Transport
No objections

Other Representations

- 4.3 Local Residents
Objection comment received from 1no local resident, summarised as follows;
- Upstairs window on the side elevation will overlook our rear garden.
 - Downstairs window on the side elevation is facing into our garden and will result in a loss of privacy to our patio area.

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 the erection of a two storey rear extension to extend the kitchen at ground level and create an additional bedroom at first floor level. It also includes the erection of a detached garage forward of the principal elevation of the existing dwelling. The

5.3 *Two storey rear extension*

The proposed two storey rear extension would span the entire width of the property and will extend beyond the rear wall of the existing dwelling by approximately 4 metres. It will include twin gables on the rear elevation which will meet the ridge height of the existing dwelling. The extension includes a further single storey element which will have a width of approximately 5.2 metres and will extend from the rear of the proposed two storey extension by a further 2.6 metres. It would consist of a flat roof at a height of approximately 3.2 metres.

5.4 The materials that would be used in the external finish of the proposal include painted render elevations, UPVC windows and a clay roof tiles to match the existing dwelling. The single storey element of the extension would consist of timber cladding elevations. All materials are deemed to be acceptable.

5.5 *Double garage*

The proposed garage would sit forward of the principal elevation of the host dwelling in the north-west corner of the site and would be provide parking for two vehicles. It would be set at a 90 degree angle to the host dwelling with the access facing southwards. The proposed garage would consist of a pitched roof with an eaves height of approximately 2.3 metres and an overall height of 4 metres; it would be approximately 6.2 metres in width and have a depth of approximately 6.2 metres. It is considered the proposed garage is of an acceptable size and scale for the application site.

5.6 It has been noted that the proposal would screen a significant proportion of the existing dwelling from the streetscene. However, the proposal is located within a built up residential area which is characterised by a mixture of housing styles, with no one style dominating the area. Therefore, the proposal is not considered to be significantly detrimental to the character of the surrounding area as to warrant a refusal recommendation.

5.7 *Cumulative impact*

Overall, it is considered that the proposed development would not be detrimental to the character of the host dwelling or the 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.

5.8 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.

5.9 Concerns have been raised by the neighbouring occupier at no. 128 Beesmoor Road regarding loss of privacy. The concerns relating to the first floor side elevation window on the north elevation have been addressed by the applicant by removing the window altogether. Regarding the proposed ground floor kitchen window on the north elevation, due to a combination of the boundary treatments and the height of the proposed window, it is considered there would be no overlooking impact and would therefore result in no material loss of

privacy for the neighbouring occupier. A first floor side elevation window is proposed on the south elevation, however this would serve a bathroom and be obscure glazed, as such it would not result in an overlooking impact. It is considered there is sufficient distance between the host dwelling and neighbouring properties as to not result in a material overbearing impact, nor is it considered to significantly impact the existing levels of light afforded to neighbouring occupiers.

5.10 The proposal will occupy additional floor space, however sufficient private amenity space will remain for the occupiers of the host dwelling following development.

5.11 Overall, 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 or the host dwelling. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP8 of the PSP Plan.

5.12 Sustainable Transport and Parking Provision

The application will result in an increase in bedroom number from three to four; South Gloucestershire Residential Parking Standards require a four bedroom property to provide two off- street parking spaces. The proposed double garage will provide parking for two vehicles and would therefore satisfy the Council's parking standards. The existing access would not be affected by the proposal. As such, there are no objections in terms of transportation.

5.13 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.

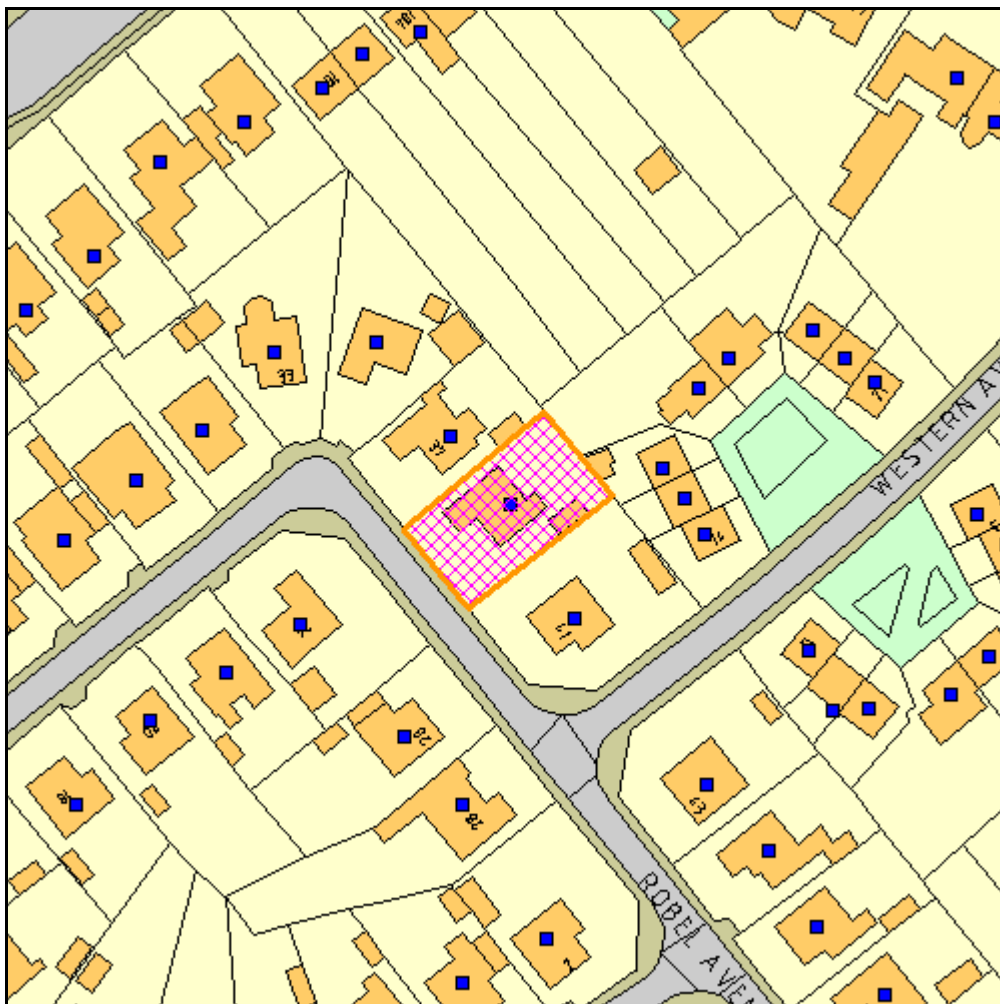
7. **RECOMMENDATION**

7.1 That the application be **APPROVED**.

Contact Officer: James Reynolds
Tel. No. 01454 864712

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PT18/0541/F	Applicant:	Mrs Julia May
Site:	39 Robel Avenue Frampton Cotterell Bristol South Gloucestershire BS36 2BY	Date Reg:	19th February 2018
Proposal:	Erection of single storey rear and side extension and installation of 1 no. rear dormer to facilitate loft conversion to form additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366022 182025	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	16th April 2018



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INTRODUCTION

This application appears on the Circulated Schedule as a result of a consultation response received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of a single storey rear and side extension and installation of 1 no. rear dormer to facilitate loft conversion to form additional living accommodation.
- 1.2 The property is a detached, bungalow dwelling located on a residential road containing similar properties within the Frampton Cotterell settlement boundary.

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

CS8 Access/Transport

South Gloucestershire Policies Sites and Places Plan (Adopted)

November 2017

PSP8 Residential Amenity

PSP38 Development Within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection.

Sustainable Transportation

The applicant seeks to erect a single storey rear and side extension and installation of 1 rear dormer to facilitate loft conversion to form addition living accommodation. The proposals would create an extra bedroom bringing the total number of bedrooms within the dwelling to 4. 2 off

street parking spaces are provided on the driveway which is in line with SGC minimum parking standards. As such there are no transportation objections.

Archaeology
No objection

Other Representations

4.2 Local Residents

One letter of objection has been received, as follows:

'I object to the proposed extension which will severely reduce daylight and sunlight to our kitchen and lounge extension and in the main winter months there will be virtually no sunlight. The kitchen is unaltered since the bungalow built in 1953 and the extension unaltered since built in 1973 including window openings. Therefore rights of light and sun light have been acquired as these periods are considerably longer than 20 years.

The existing and proposed plans show our garage in totally the wrong position inferring that that all of the proposed extension only occurs behind our garage. Nearly all of the extension will be in our view and blocking light and sunlight to us. Drawings 39RA.OCT17.E.1 and 39RA.JAN18.P2A refer. The block plan 39RA.JAN18.LP.BP.1 is more accurate but not entirely as the extension will extend approximately 600mm behind our garage.

Reference the ground floor ensuite to bedroom no2. as all the sewage etc. is on the other side of the bungalow how will it be drained. We suffer problems with our existing drainage due to very shallow falls and have to regularly rod and hose the system and want to make sure that their proposed drainage will not impact on ours.

I would request that you visit us before the planning meeting so we can show you how the proposed extension will affect us.'

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP38 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

5.2 Residential Amenity

The amenity concerns raised by the neighbouring property, above, are noted. The single storey rear and side extension would be located approximately 1.5 metres off the shared boundary on this elevation. The height to eaves would be 2.5m with the pitch of the roof then sloping away. Officers are aware of the correct position of the neighbouring garage from a site visit and revised plans have been requested and received with the garage replotted. Some boundary treatment does exist, between the properties, however it should also be noted in this respect that boundary treatment, without the need for planning

permission could extend to 2m in height. The single storey extension extends to approximately 3.5 m from the rear of the house. On this basis, given the dimensions, scale, location and relationship of the proposal with the surrounding area, it is not considered that single storey extension could be considered an unreasonable addition to the property in this instance that would give rise to unreasonable, significant or material residential amenity impact by way of overbearing impact.

5.3 The proposed dormer would be some 5 metres from the shared boundary. Whilst the addition would provide a different outlook to that at present this does not in its own right make it unreasonable, every application must be assessed on its individual merits. The dormer would represent approximately 1.5m over and above the pitch of the roof of the extension discussed above, at 5 m off the shared boundary. On balance, and given the relative size of the dormer and distance to any boundaries it is not considered in this instance that the extent of development proposed dormer, taken into context with the existing site, scale and location, that the dormer would be unreasonable or have a significant or material overbearing impact such as to warrant and sustain an objection and subsequent refusal of the application on this basis.

5.4 Design / Visual Amenity

The scale and design of the proposals is considered to adequately integrate with the existing dwelling and surrounding area, and is therefore not considered to give rise to material or significant impact upon the streetscene such as to warrant and sustain an objection and refusal of the application on this basis. Materials would match the existing dwelling and sufficient private amenity space would remain within the property.

5.5 Transportation

The level of parking available complies with the Council's off-street parking requirements and there are no transportation objections to the proposals on this basis.

5.6 Drainage

The concerns of the resident are noted in relation to the effectiveness of the sewerage system in the immediate vicinity. However, this level of detail is appropriately addressed through the Building Control system, it is not considered necessary to impose additional planning conditions in relation to the proposed en-suite drainage.

5.7 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 proposals are of an appropriate standard in design and are not out of keeping with the context of the area and surrounding properties. Furthermore the proposal would not materially or significantly harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with the Development Plan.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 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).

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

Reason

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

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

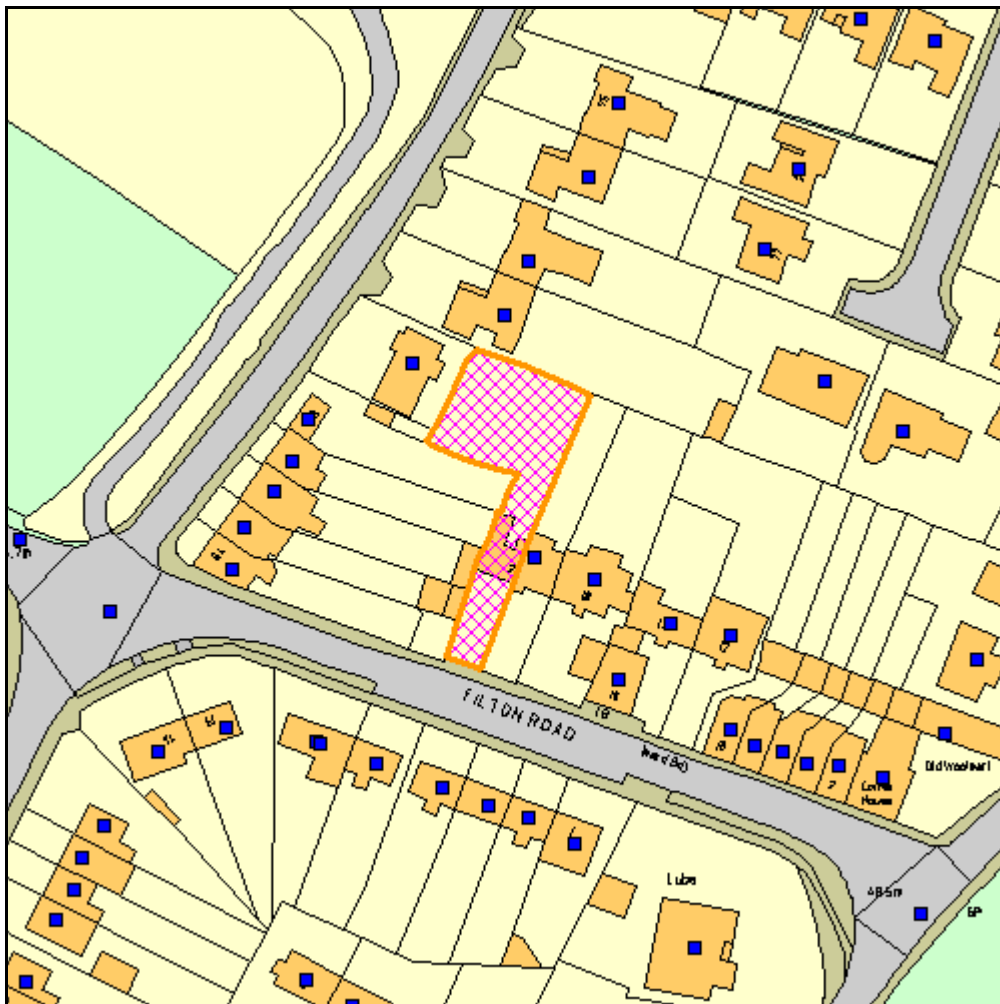
4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, PSP38 of the South Gloucestershire Policies Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PT18/0893/F	Applicant:	Mr Benjamin Cottle
Site:	Plot At The Rear Of 20 Filton Road Hambrook Bristol South Gloucestershire BS16 1QL	Date Reg:	5th March 2018
Proposal:	Demolition of existing garage and erection of 1no detached dwelling with access, parking and associated works. (amendment to previously approved scheme PT17/2528/F).	Parish:	Winterbourne Parish Council
Map Ref:	363735 178317	Ward:	Winterbourne
Application Category:	Minor	Target Date:	25th April 2018



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INTRODUCTION

This application appears on the Circulated Schedule as a result of consultation responses received, contrary to officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the demolition of an existing garage and erection of 1 no detached dwelling with access parking and associated works. The application is an amendment to planning application reference PT17/2528/F. That application was permitted for the demolition of an existing garage and erection of 1 no detached dwelling with access, parking and associated works.
- 1.2 This application seeks planning permission for the erection of a detached dwelling to the north west of the host unit no. 20 Filton Road. The plot itself is an area of relatively unused and slightly overgrown curtilage adjacent to the main area of curtilage associated with the host dwelling which extends to the rear of the property. The plot is also to the rear of no. 86 Old Gloucester Road. Officers are satisfied that this area represents the residential curtilage of the host unit, no. 20 Filton Road.
- 1.3 To facilitate (non-vehicular) access to the proposed dwelling, an existing side garage attached to no. 20 Filton Road will be demolished and replaced with a gate and a recycling/waste/bicycle storage area. Car parking for both units, the proposed and existing, is proposed to be provided to the front of no. 20 Filton Road. To facilitate this parking arrangement, a section of the front boundary wall will have to be removed. Due to the wall's height this is unlikely to require express planning consent.
- 1.4 The application site is in Hambrook, within the settlement boundary and within the wider urban area of the east fringe of Bristol, there are no other designations that impact upon the assessment of the proposals.
- 1.5 The main changes to the proposal are as follows: changes to the layout and footprint of the dwelling in the plot, addition of velux windows, predominantly in the front elevation, increased height in the side walls to provide a hipped roof (no overall increase in maximum ridge height), stone quoins will be incorporated on the corners of the front elevation with the single gable area finished in pennant stone, as opposed to render. The proposals would essentially facilitate first floor accommodation, in the roof area.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Urban Area of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP37	Internal Space and Accessibility Standards for Dwellings
PSP38	Development Within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Residential Parking Standards SPD (Adopted) December 2013
Design Checklist SPD (Adopted) 2007
Waste Collection: Guidance for New Development SPD (Adopted) January
2015
Community Infrastructure Levy and Section 106 Planning Obligations Guide
(Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PT17/0097/F – Erection of 1no detached dwelling, access and associated works. Refused 10th March 2017.
- 3.2 PT17/2528/F - Demolition of an existing garage and erection of 1no detached dwelling with access, parking and associated works (Resubmission of PT17/0097/F). Approved 27/10/17

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objections

Archaeology

The previous application had a condition for a programme of archaeological work. As such the same should be applied here. I would recommend the use of the HC11 condition (rather than the extant hc13 condition) for a programme of archaeological work.

Highway Structures

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

Or

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

Lead Local Flood Authority

No objection

Sustainable Transportation

There are no transportation comments relating to the amendments for PT17/2528/F.

Other Representations

4.3 Local Residents

1 letter of objection has been received, as follows:

'It's my understanding that the previous planning permission was granted on the proviso that no Velux windows would be installed, so that decision should stand and this application refused.'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Of material note, planning permission exists on the site for a detached dwelling and the principle of a dwelling at this location is established. The main issues for consideration therefore are the proposed changes to the scheme, highlighted above and whether these would give rise to any additional or material impacts. In this respect any considerations are discussed in the relevant sections below.

5.2 The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development. Para 14 of the NPPF indicates a presumption in favour of sustainable development except where adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the framework indicate development should be restricted. Accordingly, the proposal will be assessed in the context of paragraph 14 of the NPPF, with regard to the whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the proposal within the policy framework. Policy PSP38 establishes that new residential development on sites within the urban area and the curtilage of dwellings are acceptable in principle, subject to the proposal satisfying other material considerations, such as density, design, residential amenity, and

highway safety. Policies CS16 and CS17 of the Core Strategy seek to achieve an efficient use of land, maximise housing supplied at locations where there is good pedestrian access to frequent public transport services, and provide a mix of housing types.

5.3 The site is within residential curtilage, within the identified settlement boundary. In this respect the main issues for consideration are whether any changes to the proposal give rise to additional material issues

5.4 Residential Amenity

Given the existing level of peripheral hedgerow and the height of curtilage screening or fencing that is possible (up to 2 metres without the requirement for planning permission), it is not considered that the proposals would reasonable be considered to lead to a significant or material level of overlooking from ground floor level. A condition removing permitted development rights for first floor rooflights, windows and dormers was recommended and attached to the previous consent to control potential overlooking from first floor positions. The current application does now seek to incorporate Velux windows in the roof design. There would be two high level, light giving, velux in the rear elevation of the property. Given their position, function, location and upward facing orientation, it is not considered that these would give rise to significant material or additional overlooking impacts. There would also be four velux windows proposed on the front elevation. Two of these would be relatively high level openings above the landing. Two further ones would be for the bedrooms. Their orientation is such that they would be facing the application sites curtilage. It is not considered that given their positioning and orientation, that they would give rise to significant material or additional impacts of overlooking.

5.5 It is not considered that the hipped roof sides leading to increase in side walls or the amendments to the curtilage layout would significantly or materially impact upon amenity considerations upon surrounding properties. The proposed dwelling would be located approximately 7m from the rear, shared boundary to the west. This boundary would represent the end of the rear curtilage of the proposed dwelling and the existing dwelling to the west. The height of the single storey side wall to eaves would be approximately 2.2 metres, with the roof sloping away from the boundary. To the north, the side wall of the property would be located approximately 2.2m from the shared curtilage boundary. The side wall height to eaves would increase under the hipped design to around 4 metres at the maximum point, with roof above hipped and sloping away from the shared boundary. No side windows are proposed. The front of the bungalow would be facing south-east towards the application site curtilage. Given the boundary treatments and screening and the single storey size, scale and location of the dwelling it is not considered that these revisions to the proposals would significantly or materially impact the adjacent dwellings themselves or the rear curtilages in these directions. There is considered to be no significant amenity impact associated with the end of the neighbouring garden to the south of the proposed dwelling. On this basis, given the nature and scale of the proposals and the orientation, relationship with the surrounding properties, it is not considered that they would give rise to significant or material issues of overbearing impact or overlooking such as to sustain an objection and warrant refusal of the planning application.

- 5.6 The revised proposals do continue to afford enough private amenity space to both the proposed dwelling and the existing dwelling and internal space levels of the dwelling itself are also considered acceptable.
- 5.7 Design/Layout
The principle of the site has been established, the main design and layout changes proposed are increased curtilage for the application site, addition of velux windows, alternative materials over parts of the front elevation and the addition of side hips to the roof. There are a number of different styles of properties in the immediate vicinity including a number of different sizes, shapes and materials. There is also no distinct pattern layout or building line within the immediate vicinity and no particularly strong building lines. In this respect the siting of the proposal is considered acceptable upon the surrounding area. The addition of the hips does contribute to a slightly greater bulk in the design of the dwelling, however this is not considered unacceptable in its own right such as to significantly or materially negatively impact upon the overall design consideration.
- 5.8 As stated above, the proposal does continue to afford enough private amenity space to both the proposed dwelling and the existing dwelling and internal space levels of the dwelling itself are also considered acceptable. The materials proposed, consisting of double roman roof tiles and rendered and decorated wall, are acceptable and adequately integrate within the context of the local area. The density of development at the site in this location is governed by the size, shape and location of the plot and the proposals are considered acceptable in this respect.
- 5.9 The vehicular access and arrangements layout is considered acceptable, with car parking provision to the front, adjacent to and accessed from the road, as the existing dwelling. It is not considered that the pedestrian access to the property, partially alongside the side of the existing host dwelling, is materially harmful in its own right to warrant objection and sustain refusal of the application on these grounds.
- 5.10 The principle of the proposals are considered acceptable, in context with policies PSP38 and CS1. Further to this Para 14 of the NPPF indicates a presumption in favour of sustainable development except where adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the framework indicate development should be restricted. Further to this the design amendments sought are considered acceptable in their own right. On this basis and on the balance of the policy considerations, it is considered that the development should be recommended for approval in this instance.
- 5.11 Highways
The proposal includes adequate off-street car parking at the front of the existing dwelling for both the existing and proposed dwellings. To facilitate this car parking a section of the front wall to no. 20 Filton Road will have to be removed which would not require express planning permission. Bin storage and cycle parking are also provided to the front, near to the vehicle parking area. There

are no highways objections to the proposals.

5.12 Drainage

Drainage is considered to be adequately addressed in planning terms and there are no drainage officer objections to the proposals.

5.13 Archaeology

The comments above are noted. An Archaeological brief was submitted and discharged pursuant to the previous application. It is therefore recommended that a further pre-commencement condition is not necessary, however a condition is recommended to secure compliance with these previously approved details.

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 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).

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

Reason

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

3. Development shall be carried out in accordance with the Written Scheme of Investigation for an Archaeological Watching Brief (Avon Archaeology Limited) November 2017, submitted as a requirement of PT17/2528/F.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

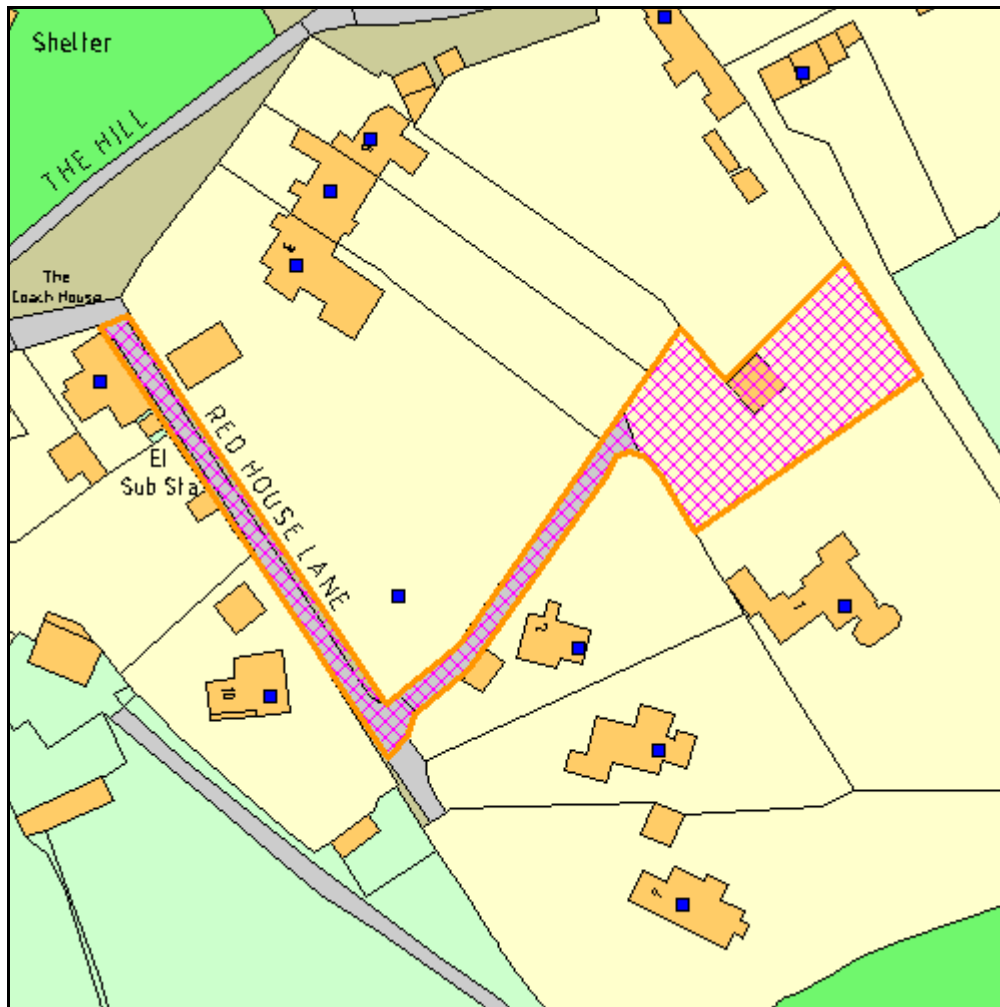
4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights, other than those shown on the approved plans, shall be constructed.

Reason

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

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PT18/1047/F	Applicant:	Mr And Mrs Heer
Site:	Meadowcroft 1 Red House Lane Almondsbury Bristol South Gloucestershire BS32 4BB	Date Reg:	13th March 2018
Proposal:	Demolition of existing garage. Erection of 1 no. detached dwelling and garage (Resubmission of PT15/2047/F)	Parish:	Almondsbury Parish Council
Map Ref:	360775 183819	Ward:	Almondsbury
Application Category:	Minor	Target Date:	1st May 2018



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PT18/1047/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a detached two storey 4no. bedroom dwelling within the residential curtilage of Meadowcroft (1 Red House Lane, Almondsbury). To facilitate the construction the demolition of an existing detached garage structure is also required.
- 1.2 The application is a resubmission of the withdrawn application PT15/2047/F and for amendment to the approved scheme PT16/2420/F that was allowed at appeal.
- 1.3 The proposal seeks to amend the approved scheme by varying the fenestration, the introduction of a front projection, pergola and a limited increase in height.
- 1.4 The host property is a two storey modern detached dwelling with various extensions and alterations. Boundary treatments are a combination of vegetation and timber fences.
- 1.5 The host property has extensive gardens. The proposal will be situated against the northern boundary of the site nearby the access lane.
- 1.6 The subject site is situated within but close to the edge of the development boundary for the Village of Almondsbury, within the Bristol/Bath Greenbelt.

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
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS18 Affordable Housing
- CS33 Housing Opportunity

CS34 Rural Areas
South Gloucestershire Local Plan: Policies, Sites and Places Plan November 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Greenbelt
PSP8	Residential Amenity
PSP11	Transport Impact
PSP16	Parking Standards
PSP17	Heritage Assets
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP42	Custom Build/Self-Build
PSP43	Private Amenity Space

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013
Development in the Green Belt SPD (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT17/5757/NMA – Withdrawn – 06/02/2018 – Non-material amendment to planning permission PT16/2420/F to alter elevation fenestration, enlarge and alter atrium foyer and create additional living accommodation in roof.
- 3.2 DOC17/0326 – Discharge of Condition – 11/01/2018 – Discharge of conditions 3 (Environmental Management Plan) and 4 (Passing Bay) attached to planning permission PT16/2420/F as approved on appeal APP/P0119/W/16/3165039. Demolition of existing garage. Erection of 1 no. detached dwelling and garage (Resubmission of PT15/2047/F)
- 3.3 PT16/202420/F – Approved at Appeal – 31/03/2017 – Demolition of existing garage. Erection of 1 no. detached dwelling and garage (Resubmission of PT15/2047/F)
- 3.4 PT15/2047/F – Withdrawn – 06/07/2015 – Erection of 1no. dwelling and detached garage with associated works.
- 3.4 PT00/0855/F – Approval – 04/08/2000 – Erection of single storey side extension, conservatory and detached garage.
- 3.5 P89/2462 – Approval – 13/09/1989 – Erection of single storey extension to form kitchen.
- 3.6 N1102 – Approval – 13/03/1975 – Erection of entrance porch.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No Comment Received
- 4.2 Other Consultees

Archaeological Officer

Suggests the attachment of a condition to undertake investigations

Listed Building and Conservation Officer

No Conservation Objections

Transport Officer

No objection subject to being in compliance with the conditions attached to the inspector's decision on PT16/2420/F

Highway Structures

No Comments

Public Rights of Way

No Objection

Drainage

No Objection

It is noted that this proposal is a resubmission of an approved scheme and only involves relatively minor revisions. Consequently a number of officers have not provided a revised comment. For the purposes of this assessment the findings of the officers under the application PT16/2420/F are as follows:

Tree Officer

No objection on the basis of the recommendations of the attached tree report.

Archaeological Officer

No Objection

Listed Building and Conservation Officer

No Objections

Transport Officer

Recommends refusal on the basis that the restricted width and torturous alignment of the access road Red House Lane does not provide safe and suitable access to the development which if implemented would increase traffic flows along the lane to an extent that would exacerbate congestion and have an unacceptable effect on pedestrian and cyclist safety contrary to SGLP Policy T12 and paragraph 32 of the NPPF.

Highway Structures

No Comments

Public Rights of Way

No Objection

Drainage

No Objection subject to a condition relating to SUDS.

Other Representations

4.3 **Local Residents**

Two objections have been received on the revised scheme. The respondents have the following concerns:

- The proposal would be overbearing, prominent and overshadowing
- Destroy privacy of garden
- No trees to screen overlooking impact
- Concerns over the passing space
- Accidents on the lane due to safety
- Not acceptable development in the greenbelt
- No mains drainage provided
- Concerns over septic tanker being able to access and for refuse collection
- Too close to boundary
- Impact on ecology, vegetable patch and trees
- Loss of light
- Noise pollution
- Siting in general

5. ANALYSIS OF PROPOSAL

5.1 **Principle of Development**

Policy CS5 of the Core Strategy directs new development to the existing urban areas and settlements with defined settlement boundaries. The proposal site would fall just inside the settlement boundary of Almondsbury and could be considered an acceptable location for residential development. PSP7, Section 8 of the NPPF (2012) and the Development in the Greenbelt SPD sets out that development within the greenbelt is generally considered inappropriate, however limited categories of development may be viewed as appropriate development. This includes limited infilling within a village.

5.2 The application is for amendments to an application approved at appeal. The application PT16/2420/F was refused for two reasons:

1. *The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt or the definition of infill development. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. This amounts to a significant and demonstrable harm that outweighs the beneficial impact of the proposal. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; The South Gloucestershire Development in the Greenbelt SPD (adopted) June 2007; and the National Planning Policy Framework.*

2. *The increased use of Red House Lane and the associated public right of way would add unduly to the hazards of vehicles, pedestrians and cyclists using the route as a result of the narrow width and tortuous alignment of the*

lane and would lead to significant and demonstrable harm to the safety of vehicles, pedestrians and cyclists using the lane whilst also exacerbating congestion. The proposal has been found contrary to Policy CS8 of the South Gloucestershire Core Strategy; Saved Policy T12 of the Local Plan (adopted January 2006 and Para. 32 of the NPPF.

5.3 These refusal reasons were tested at appeal and the inspector found firstly that the proposal would constitute limited infilling within a village and would therefore be appropriate development in the greenbelt. Secondly that the introduction of a passing space required by condition would resolve the issue of the access lane and highways impact of the development. The proposal does not fundamentally differ from the appealed scheme. Furthermore since the approval at appeal an application for discharge of condition has been submitted with regard to the construction management plan and the passing space required by the inspector. The conditions were adhered to and were subsequently discharged. Given this consideration the principle of development is seen as having been established under this earlier scheme and the appeal scheme could be implemented without any further planning permission required. This application seeks to consider any further impacts as a result of the amendments and not to revisit the principle of development.

5.4 Greenbelt

As previously mentioned the appeal decision essentially establishes the principle of development as being acceptable with regard to the greenbelt. This proposal does differ in size and this difference must be taken into account in reassessing the application at hand. The proposal would increase in height by around 0.4 metres and would include the introduction of a front projection to form a foyer/atrium. The scope of the front projection is limited and given its location, is not viewed to further deteriorate openness. Additionally the increase in height is small relative to the size of that approved and again is not viewed to result in further harm to the greenbelt than the approved scheme.

5.5 Objection has been received over the revised proposals impact on the greenbelt. Again it should be made clear that the inspector had found the appeal scheme to be 'appropriate development in the greenbelt' as it was seen to constitute limited infilling within a village. The proposal has not been found to have any material further impact on the openness of the greenbelt and therefore no further harm should be attached to greenbelt considerations.

5.6 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.

5.7 The proposal remains similar in its general appearance to that approved but seeks to amend the window openings, introduce a front projection to the atrium/foyer and to increase the ridge height a small amount. Again objection

has been received to these changes. In the view of the case officer the appearance of the building, particularly from an outside observer's perspective, would appear almost identical; in fact the minor amendments to the atrium/foyer glazing/framing is seen as a minor improvement over that approved. The application at hand is identical in setting, choice of materials and other relevant design considerations and therefore no objection is raised to the revised appearance of the structure. It should also be noted that design was not a factor given weight in refusing the appealed application. On this basis the design was viewed as acceptable and the changes proposed are not viewed to have any further adverse impact on design considerations.

5.8 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.

5.9 The refused application was found to have an acceptable impact on the amenity of neighbours and the host dwelling. Again it should be made clear that the purpose of this application is to consider any further harm arising from the amendments outline above. Objections have been received concerned with the impact on residential amenity. The proposal would increase the height of the structure as well as adding a number of windows, however the increase is limited to around 0.4 metres. The aspect of the proposal and its windows remains the same and the proposal will be no closer to other dwellings than that approved. On this basis the proposal is not viewed to have any further impact on residential amenity and is acceptable in this respect.

5.10 Environment

An objection was received from a neighbouring occupier commenting that the proposal may disrupt an area currently being used as a 'Wildlife sanctuary'. The area is not subject to any specific designation in planning terms and the proposal will not result in any encroachment onto this area. Consequently it would be inappropriate to refuse on this basis.

5.11 Sustainable Transport and Parking Provision

As previously discussed the proposal is for an amendment to a scheme approved at appeal. One of the refusal reasons was in relation to access as it was thought the proposal would lead to an increase on how intensively a narrow lane was used. The proposal is no bigger in terms of the number of bedrooms provided and the impact of the revised scheme would therefore be the same as the approved application. This was found to be acceptable by the inspector subject to the provision of the passing space shown in the transport assessment supporting the appeal and the submission of a construction management plan for approval. This space has been provided in line with the plan and a construction management plan has been submitted. These conditions were subsequently discharged. A condition will be attached to ensure the application is built out in accordance with the submitted construction management plan.

5.12 Archaeology

As noted above the council's archaeological officer has requested that site investigation takes place during ground disturbance. While it may be reasonable to attach a condition to secure this in normal circumstances, the application follows the approval of a very similar scheme. This did not require such works take place and no objection was raised by the archaeological officer at that time. For the purposes of archaeology the proposal would have fundamentally the same impact. The only additional ground coverage is due to the introduction of the front projection and on this basis the proposal would not be viewed to have a more harmful impact on potential archaeological remains. The approved scheme can be built out without any further planning consents and therefore it has been seen as unreasonable to attach such a condition.

5.13 Planning Balance

According to paragraph 14 of the NPPF, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. In South Gloucestershire the housing land supply has been found insufficient; in this situation there is a presumption in favour of sustainable development unless the adverse impacts significantly and demonstrably outweigh the benefits. The proposal would represent a modest contribution to this housing land supply and therefore there would be a presumption in favour of approval unless the negative impacts significantly and demonstrably outweigh beneficial considerations. The proposal is for amendments to an approved scheme and consideration has been given to the differences between this and the approved application. No further harm was identified with regard to impact on the greenbelt and the location of development; design considerations; residential amenity; and transport. As no further harm has been identified the case officer arrives at the same conclusion as the inspector and consent should be granted.

5.14 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 is **APPROVED** subject to the conditions attached to the condition 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 Construction Environmental Management Plan submitted to and approved in writing by the Local Planning Authority on 11th January 2018.

Reason

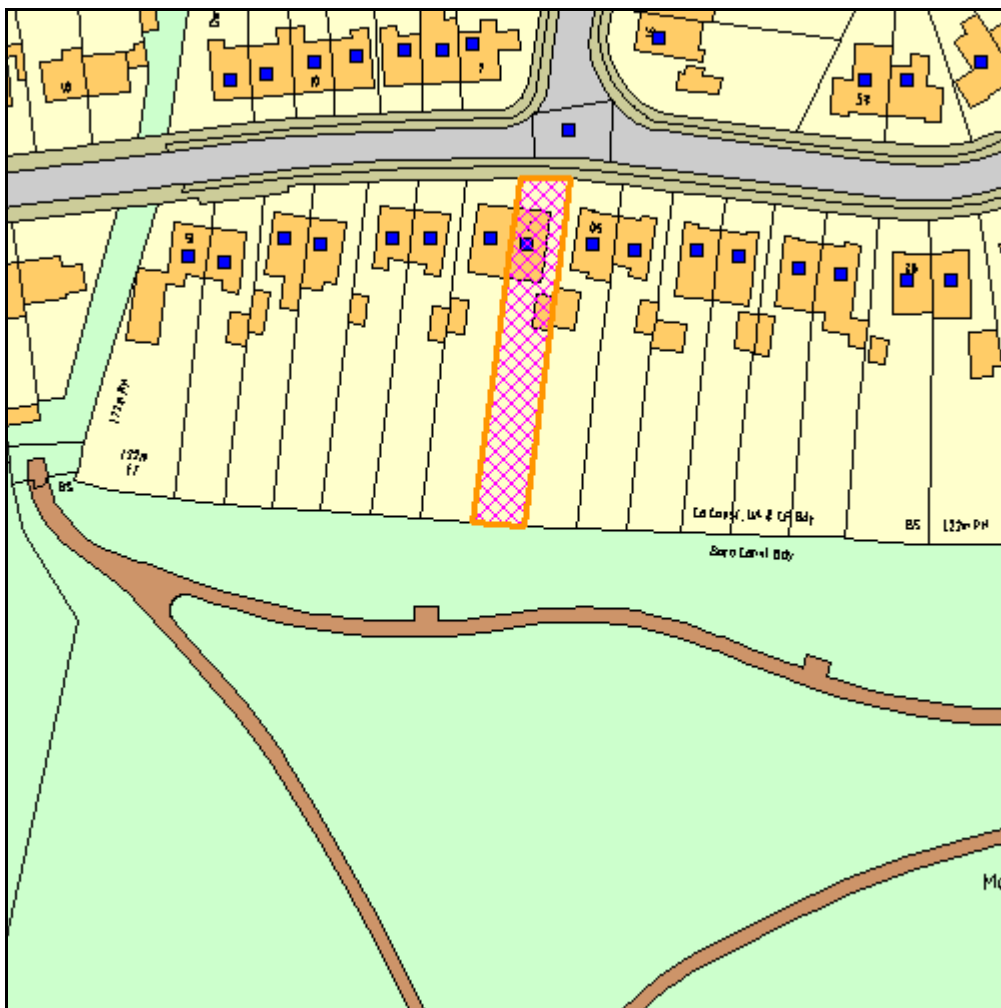
In the interest of highway safety and the amenity of the area and to prevent conflict between users of Red House Lane and construction vehicles accessing the site, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP11 of the Policies Sites and Places DPD (Adopted) November 2017 and the provisions of the NPPF (2012).

3. Notwithstanding the provisions of Schedule 2 of the Town and 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 and E) other than such development of operations indicated on the plans hereby approved shall be carried out without the prior written consent of the local planning authority.

In the interests of visual amenity and the openness of the greenbelt and to allow appropriate consideration of any further volumetric additions to accord with Policy CS5 of the Core Strategy (2013), Policy PSP7 of the Policies Sites and Places DPD (2017) and the provisions of the NPPF (2012).

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PT18/1290/CLP	Applicant:	Mr Ken Ham
Site:	1 Kenmore Drive Filton Bristol South Gloucestershire BS7 0TS	Date Reg:	22nd March 2018
Proposal:	Installation of hip to gable extension and rear dormer to facilitate loft conversion.	Parish:	Filton Town Council
Map Ref:	359342 178232	Ward:	Filton
Application Category:		Target Date:	11th May 2018



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 100023410, 2008. N.T.S. PT18/1290/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 hip to gable extension and rear dormer to facilitate loft conversion to 1 Kenmore Drive, Filton 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.

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 P98/2677 – Approved - 11.12.1998
Erection of single storey rear extension

4. CONSULTATION RESPONSES

- 4.1 Local Councillor
No comment received

Filton Parish Council
No objection

Other Representations

- 4.2 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Proposed Roof Plan
 - Sections
 - Existing and Proposed Rear Elevation
 - Existing and Proposed Front Elevation
 - GF Plan Existing
 - Existing Roof Plan
 - Side Elevations
 - Roof Calculation
 - First Floor Plan Existing
 - First Floor Plan Proposed
 - Second Floor Plan Proposed
 - Section CC

Received by Local Planning Authority 16 March 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 proposed Installation of hip to gable extension and 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 windows 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 semi-detached house and the proposal would result in an additional volume of no more than 50 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 0.3 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 proposed side windows will be obscure glazed.

- 6.4 The proposed roof lights on the existing dwelling would fall within the category of development permitted by Schedule 2, Part 1, Class C of the GPDO, which allows for any other alterations to the roof of a dwelling house provided it meets the criteria as detailed below:

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

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

The use of the building as a dwellinghouse was not granted by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule.

The alteration would protrude more than 0.15 metres beyond the plane of the roof slope of the original roof when measured from the perpendicular with the external surface of the original roof;

The roof lights would not protrude more than 0.15 metres beyond the plane of the roof slope of the original roof.

It would result in the highest part of the alteration being higher than the highest part of the original roof, or;

The proposed roof lights would not be higher than the highest part of the original roof.

It would consist of or include –

(i) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

Not applicable

(ii) The installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

Not applicable

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be-

(a) Obscure glazed; and

(b) Non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The proposed roof lights would be on the principal elevation.

7. RECOMMENDATION

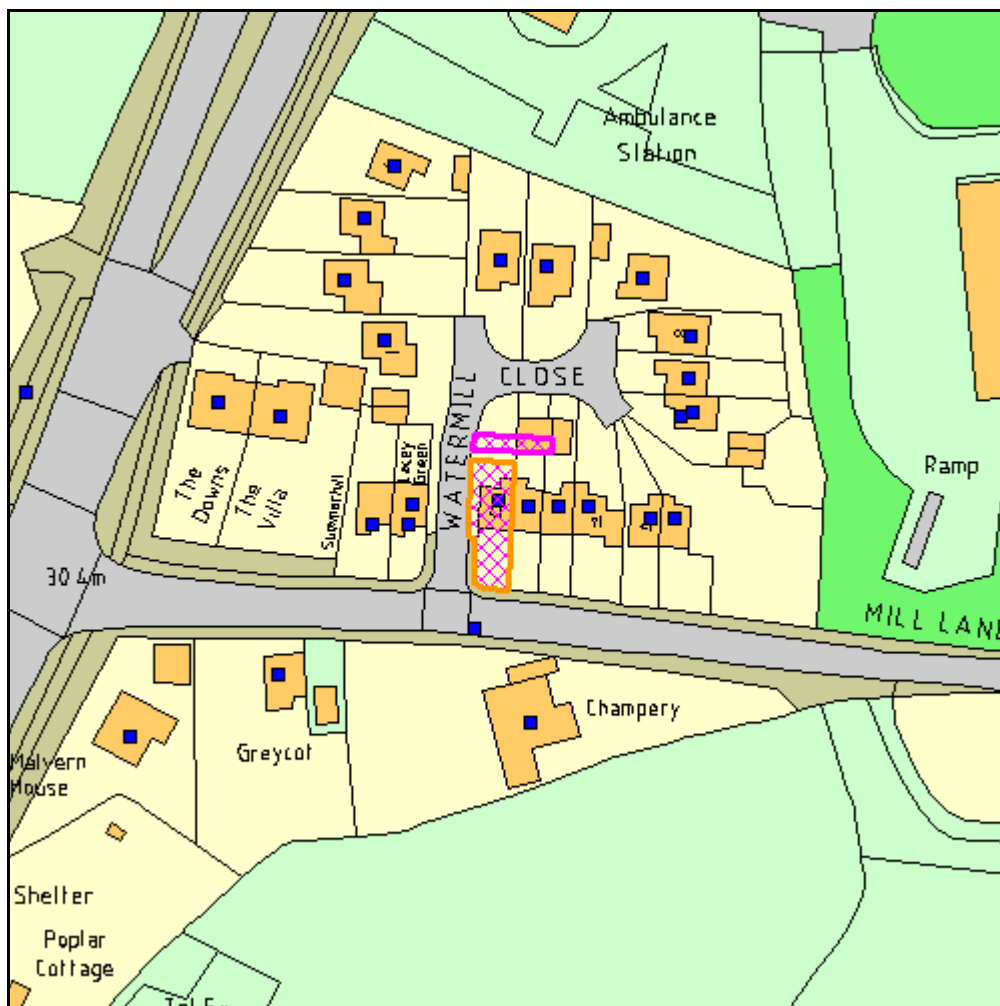
7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Contact Officer: Westley Little
Tel. No. 01454 867866

Evidence has been provided to demonstrate, on the balance of probabilities, that the proposed development would fall within the permitted rights afforded to householders under Schedule 2; Part 1, Classes B and C of the Town and Country Planning General Permitted Development Order 2015.

CIRCULATED SCHEDULE NO. 18/18 – 03 MAY 2018

App No.:	PT18/1318/CLP	Applicant:	Mr Clive Allsop
Site:	17 Watermill Close Falfield Wotton Under Edge South Gloucestershire GL12 8BW	Date Reg:	27th March 2018
Proposal:	Certificate of Lawfulness Proposed for the erection of a single storey rear extension to form additional living accommodation	Parish:	Falfield Parish Council
Map Ref:	368438 193326	Ward:	Charfield
Application Category:		Target Date:	17th May 2018



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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 17 Watermill Close, Falfield 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 P93/1340 – Approval - 13.10.1993
Residential development on 0.57 hectares with associated roads, sewage treatment plant and landscaping works (in accordance with submitted plans as amended by revised details received by the council on 13 september 1993)
- 3.2 P91/2706 – Approved - 25.01.1999
Residential and ancillary development on 0.56 hectares (1.4 acres). Construction of private sewage treatment plant. Construction of vehicular access onto mill lane (outline)

4. CONSULTATION RESPONSES

- 4.1 Councillor
No Objection
Falfield Parish Council
No comments received

Public Rights of Way

No Objection
Open Spaces Society
No comments received

Other Representations

4.2 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Block Plan
Location Plan
Existing Elevations
Proposed Elevations

Received by Local Planning Authority 26th March 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:

Contact Officer: Westley Little
Tel. No. 01454 867866

Evidence has been provided to demonstrate that on the balance of probabilities the proposed erection of a single storey rear extension would 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.