



**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. 23/18**

**Date to Members: 08/06/2018**

**Member's Deadline: 14/06/2018 (5.00pm)**

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

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

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

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

## NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

## GUIDANCE FOR 'REFERRING' APPLICATIONS

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

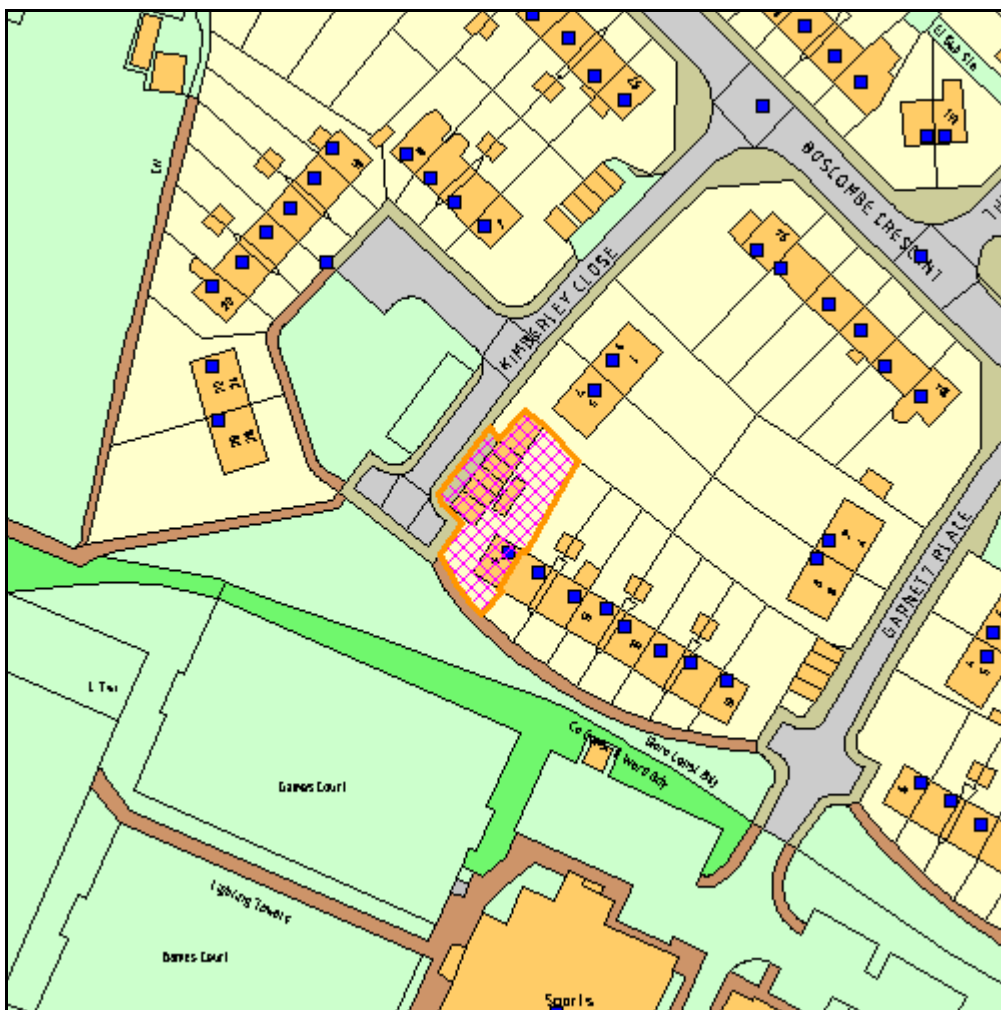
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s)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

# CIRCULATED SCHEDULE 08 June 2018

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK18/1508/F	Refusal	9 Kimberley Close Downend South Gloucestershire BS16 6QX	Emersons	Emersons Green Town Council
2	PK18/1790/F	Approve with Conditions	36 Oakdale Close Downend South Gloucestershire BS16 6ED	Downend	Downend And Bromley Heath Parish Council
3	PT18/0742/F	Refusal	Land At Huckford Lane Winterbourne South Gloucestershire BS36 1AP	Westerleigh	Westerleigh Parish Council
4	PT18/1370/F	Approve with Conditions	21 Footes Lane Frampton Cotterell South Gloucestershire BS36 2JG	Frampton Cotterell	Frampton Cotterell Parish
5	PT18/1627/F	Approve with Conditions	Wildonia Forty Acre Lane Alveston South Gloucestershire BS35 3QU	Thornbury South And	Alveston Parish Council
6	PT18/1818/TRE	Approve with Conditions	The Grange Mercure Hotel Old Gloucester Road Winterbourne South Gloucestershire BS36 1RP	Frampton Cotterell	Frampton Cotterell Parish
7	PT18/1877/CLP	Approve with Conditions	32 Malmaims Drive Frenchay South Gloucestershire BS16 1PQ	Frenchay And Stoke Park	Winterbourne Parish Council
8	PT18/1892/F	Approve with Conditions	29 Gloucester Road Almondsbury South Gloucestershire BS32 4HH	Almondsbury	Almondsbury Parish Council
9	PT18/1958/ADV	Approve	Amazon Fulfillment Facility Central Avenue Severn Beach	Severn Beach	Pilning and Severn Beach Parish Council

**CIRCULATED SCHEDULE NO. 23/18 – 08 JUNE 2018**

<b>App No.:</b>	PK18/1508/F	<b>Applicant:</b>	Mr Tom Amos
<b>Site:</b>	9 Kimberley Close Downend Bristol South Gloucestershire BS16 6QX	<b>Date Reg:</b>	10th April 2018
<b>Proposal:</b>	Demolition of existing garages. Erection of 1no. bungalow and associated works. Erection of 1no. detached garage for existing dwelling.	<b>Parish:</b>	Emersons Green Town Council
<b>Map Ref:</b>	365752 177330	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th June 2018



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## **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**

- 1.1 The applicant seeks full planning permission for the demolition of an existing row of garages on site and the erection of 1no. bungalow and a detached garage for the existing dwelling. The application site relates to 9 Kimberley Close, Downend.
- 1.2 This application follows pre-application advice given earlier this year in February for a 2-bed two-storey dwelling and a 1-bed coach house on the site. At that time officers expressed concern regarding the amount of development proposed, impact on amenity and the level of parking. An application for that development was discouraged. A revised scheme was then submitted for a 2-bed detached dwelling but all the issues above still prevailed. This application has sought to address some of the concerns raised: the proposed dwelling would be single storey and has been moved to the northern site corner, however, given the constraints of the site, it remains poor design. Other concerns are discussed in the report below.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

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

CS1	High Quality Design
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	Communities of the East Fringe of Bristol

#### 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
PSP20	Flood Risk, Surface Water & Watercourse Management
PSP22	Unstable Land
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) 2007  
Residential Parking Standards SPD (Adopted) 2013  
Waste Collection SPD (Adopted) 2015

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

- 3.1 PRE17/1173  
Erection of 1no. dwelling and 1no. flat  
01.02.2018
- 3.2 P98/4723  
Erection of single storey side extension  
Approval  
23.11.1998
- 3.3 K4886/1  
SINGLE STOREY REAR EXTENSION (Previous ID: K4886/1)  
Approval  
06.05.1988
- 3.4 K4886  
PROPOSED DETACHED GARAGE (Previous ID: K4886)  
Approval  
11.10.1985

### 4. **CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
No comment

- 4.2 Other Consultees

Emersons Green Town Council

Objection:

- potential maintenance issues given land in front of main living area is in different ownership

Coal Authority

No objection:

- attach a condition requiring prior to development taking place further investigations are undertaken on site and if mine workings are present appropriate mitigation works are undertaken

Highway Structures

No objection

Lead Local Flood Authority

No objection:

- attach informative warning there is a public sewer on site

Sustainable Transport  
No objection

### **Other Representations**

#### 4.3 Local Residents

12 local residents have commented on the application. Of these, 11 are letters of objection which are summarised below:

- overdevelopment
- out of keeping
- overlooking
- overbearing
- overshadowing
- loss of light
- loss of outlook
- security concerns
- harm to living conditions of future occupiers by way of vehicle noise
- noise and disturbance from construction
- will increase existing offsite parking pressure in area, harming highway safety
- loss of parking
- garages currently leased and in use
- insufficient on-site parking
- vehicle tracking has not taken into account existing off-site parking
- site instability requires further investigation
- development may be affected by sewer pipe on site
- will footpath be reinstated?
- private sale of garages without resident consultation
- neighbouring land/boundaries not under applicant's ownership so wall in front of lounge cannot be reduced and light may be blocked by neighbour's boundary treatment/planting or potential future extension
- communal parking area preferred

1 letter of support has been received which raises the following points:

- removal of an eyesore and beneficial reuse
- garages appear mainly used for storage so there would be no loss of parking
- noise and disturbance from construction

## **5. ANALYSIS OF PROPOSAL**

5.1 This application is for the demolition of existing garages on site and the erection of 1no. bungalow and a garage for the main house.

### 5.2 Principle of Development

The application is to be assessed under the above listed planning policies and all other material considerations. The recent pre-application planning advice for

new dwellings within this garden is considered material to the assessment and part of the detailed response provided at the time is included within this report.

- 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 Core Strategy (Adopted) December 2013 as well as in 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 (in line with Housing policy CS15 of the Core Strategy).
- 5.4 However, 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 Although the proposal accords with the principle of development it presents concerns regarding the cramped nature of the design and its associated adverse impact on residential amenity, particularly for future occupants. These matters are discussed in more detail below.
- 5.6 Five Year Housing Supply  
South Gloucestershire Council cannot demonstrate a five year housing land supply. This proposal would only add one dwelling to that shortfall and as such only limited weight can be awarded in its favour for this reason.
- 5.7 Character and Appearance  
The NPPF and local adopted policy under CS1 and PSP1 places great emphasis on the importance of design. Good quality design must ensure it respects both the character of a property and the character of an area in general. 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. In addition Policy PSP1 states that *development proposals will be acceptable where the proposal demonstrates an understanding of, and respond constructively to the... characteristics that make a positive contribution to the distinctiveness or the area/locality.*
- 5.8 A definition used by the Commission for Architecture and the Built Environment (CABE) stated:  
*It is possible to distinguish good design from bad design. By good design we mean design that is fit for purpose, sustainable, efficient, coherent, flexible,*



*responsive to context, good looking and a clear expression of the requirements of the brief.*

- 5.9 Although CABE was merged with the Design Council, the organisation, Design Council Cabé, remains the government's adviser on design. Its published documents on design emphasise the importance the government places on good design demonstrated in the 12 planning principles set out in the NPPF, where design is the 4<sup>th</sup> on that list stating that planning should:  
*...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*
- 5.10 At paragraph 56 the NPPF declares that *Good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people.*
- 5.11 Most relevantly here the NPPF at paragraphs 63-64 states quite clearly:  
*In determining applications, local planning authorities should give great weight to outstanding or innovative designs that help to raise the standard of design more generally in the area. Equally, they should refuse planning permission for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*
- 5.12 The application has been accompanied by a detailed Design and Access Statement which has sought to justify the development in this location. Included photographs highlight that the immediate area is characterised by similar, two-storey gabled buildings forming flats and terraces. The proposal would introduce a bungalow in the northern site corner facing Kimberley Close. The existing house, 9 Kimberley Close, is located to the south. This is a two-storey 'radburn' style end-terrace which benefits from good sized garden and a single garage off Kimberley Close. Adjacent this garage is a rank of 4 others, which will all be demolished as part of this proposal. The existing house occupies a footprint which corresponds to the scale of other two-storey dwellings in the vicinity. The proposed bungalow would be single storey and occupy a larger footprint than the host property, and would in this way have a knock-on impact on amenity, a strong indication of trying to cram too much development on this garden site.
- 5.13 With regards to its appearance, although broadly commensurate with the existing building line along Kimberley Close, the new dwelling would be single storey which would be at odds with the character of the older surrounding two-storey development. The agent has been made aware of Officer concerns. The pre-application advice given in February 2018 also stated:  
*This area of the district is characterised by mid-late twentieth century housing stock. Properties generally form semi-detached pairs or short terraces laid around or facing amenity land. Roof styles are predominantly gabled. Brick is uncommon.*

*The proposed houses do not reflect the character or distinctiveness of the locality. They are modern and economical. Both lack any features which reflect the site's context and also fail to respond positively to the massing of the surrounding buildings. The proposed dwellings are very squat in appearance*

*with too much architectural detailing and completely unreflective materials. Should the proposal be permitted, it would not sit comfortably within the street scene and would introduce awkward and uncharacteristic features to the locality.*

*In order to protect the residential amenities of nearby occupiers, both the east and south elevations of the coach house and the south elevation of the new dwelling would be entirely blank. Whilst local planning authorities cannot impose particular architectural tastes, elevations void of any features of any description whatsoever cannot be considered to be good design. The lack of windows on the south elevations also prevents any sustainability benefits from solar gain.*

*Furthermore, turning to the proposed layout, generally development in the vicinity benefits from relatively large plots. This enables the buildings on those plots to sit comfortably within them without the appearance of being cramped. In order for the plots to accommodate the proposed buildings, the coach house will be located hard against its western plot boundary and 3 of the elevations of the new house would be less than 2m from a boundary. This does not reflect the pattern of development in the locality nor does it indicate that the proposal is well integrated. Instead the resulting development looks cramped in appearance and does not promote a successful design layout.*

*Clearly the proposed development fails to reach a good standard of design let alone the highest possible standards of site planning and design. Should the proposal be erected it would result in a harmful impact on the visual amenity of the locality...*

- 5.14 The application is for a 2-bed L-shaped bungalow with loft conversion. The front elevation would have a central door and three windows serving bedroom 1, the stairs and a lounge-diner. Externally it would be finished in render under a roof of tiles matching the main house.
- 5.15 Plans indicate the intention of the main house is to retain their conservatory, as much garden as possible and have a garage. In this way the amount of space available for the proposed new bungalow is compromised. Plans indicate any new openings are limited to the front and back, the main bathroom is windowless and the second bedroom, which is low and narrow, is only lit by rooflights. Furthermore, to achieve sufficient parking and amenity space provision, access to this area for both properties is only via the public footway which would be inconvenient for occupiers. These are all indicators of the cramped nature of the development.
- 5.16 Although the applicant has argued that the proposed new bungalow has been designed with retired people in mind, the accommodation is clearly not restricted to a certain age and anyone would find the parking arrangement difficult. Safe, convenient access to vehicles would therefore be restricted by the design and the desire to cram too much on this constrained site. It is considered that overall the scheme fails to represent the highest standards of design, fails to accord with Policy CS1 and PSP1 and weight is given against the proposal for this reason.

5.17 Residential Amenity

Most living spaces within the new bungalow would have good natural lighting but as mentioned above the main bathroom would not have a window and bedroom 2 would only be lit by west-facing rooflights thereby increasing dependency upon artificial lighting. Although not in itself a reason to refuse the scheme, it is another indication of the squashed-in nature of the proposal that fails to achieve the highest quality design standards. Weight is given against it for this reason.

5.18 With regards to the amount of amenity space allocated, adopted planning policy PSP43 states that a two bedroom property should have as a minimum 50 square metres of private usable space. When measuring the plans, Officers found that the amenity space provided would be below the policy standard and furthermore significantly overlooked by the main house and flats to the north. In this way the proposal would be contrary to PSP43. Weight is given against the proposal for this reason.

5.19 Local residents have raised additional concerns relating to construction noise and disturbance. It is acknowledged that during the construction phase heavier vehicles would likely visit the site and there could be some additional noise associated with building operations. This is common to most building developments and is temporary. Conditions can be imposed which would restrict the hours of working to ensure that construction is effectively managed to keep any disturbance to a minimum.

5.20 Notwithstanding the above and despite regard being had of other matters raised including loss of light, privacy, aspect, vehicle noise and safety, the new bungalow would be at a sufficient distance from neighbouring properties to avoid or cause any adverse impact and weight is awarded to this small aspect of the scheme.

5.21 Transport

As aforementioned, the proposal seeks to erect a new 2-bed bungalow adjacent to flats 5-7 Kimberley Close. To achieve this, four garages and an outbuilding on-site will be demolished. The fifth garage associated with 9 Kimberley Close will be directly replaced.

5.22 Concerns have been raised that the development would lead to further pressure on roadside parking. However, from the evidence submitted, it appears the garages are now all in the ownership of the applicant, having been previously let out privately. The garages therefore 'standalone' and are not legally attached to any other adjoining properties in which case their use can be changed or terminated at any time. Furthermore, they are substandard in design, obsolete in size and partially made of asbestos so their demolition will not significantly affect local off-street parking provisions.

5.23 There is concern arising that the proposal does not provide sufficient on-site parking provision. The Council's minimum domestic car parking standards, as set out in the Residential Parking Standards SPD, indicate that two-bedroom

properties must be provided with at least one off-street parking space. Examination of the information submitted indicates that one space is allocated to the new bungalow; as it appears to be of the correct dimensions, this proposal is broadly acceptable in this respect.

- 5.24 It is understood that the existing dwelling has two-bedrooms as well and as such must continue to be provided with 1 or more off-street spaces. This is achieved through the provision of both a second parking space and a replacement garage. As these also appear to be of the correct dimensions, this proposal is broadly acceptable in this respect as well.
- 5.25 Local residents contend that the submitted vehicle tracking has not taken into account the spaces opposite the site. Officers acknowledge that the tracking is poor but as this is of a reasonable standard for residential road and a cul-de-sac, it is considered that entering and exiting the spaces and manoeuvring round such an obstruction would be entirely possible. Several other properties on Kimberley Close have similar parking facilities and it is presumed they function satisfactorily. As such it is considered there is little difference in this case.
- 5.26 The proposal would therefore not raise any material highways or transportation concerns. Weight is awarded to the scheme for this reason.
- 5.27 Land Instability  
Concern has been raised regarding whether the development and its occupiers would be at unacceptable risk from land instability given the history of coal mining in the area. A coal mining risk assessment (March 2018; prepared by Earth Environmental & Geotechnical Ltd) has been provided with the application and the comments of the Coal Authority are available. The site has been identified as being in a "Development High Risk Area", as there is a thick coal seam which outcrops at or close to the surface of the site which may have been worked in the past and also there is potential for shallow workings to be present beneath the site. All have the potential to cause ground instability. The report therefore recommends that prior to development taking place, further intrusive ground investigations are undertaken on the site. This is broadly in line with the first condition recommended by the Coal Authority, should the application be allowed. However, as the report does not consider any potential risk posed by migratory mine gas or outline any remedial measures if mine workings are encountered, conditions requiring gas monitoring and mitigation work have also been suggested to ensure the site is suitable for the erection of the proposed development. In an area of former coal workings, these are sensible precautions.
- 5.28 Therefore, although a risk of ground instability has been identified, and further investigation work would be necessary to identify the scope of any necessary mitigation measures prior to development, Officers are nevertheless satisfied that these measures could be adequately addressed by means of planning conditions. As such, the matter would not preclude any granting of permission in this case and weight is awarded to the proposal for this reason.

5.29 Drainage

Concerns have raised regarding the effect of an existing onsite sewer on the proposal. However, such apparatus is owned by Wessex Water and is subject their 'building over' or 'building in close proximity to' restrictions. An informative note will therefore be attached advising the applicant to discuss this matter with Wessex Water.

5.30 Other Matters

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

5.31 *Footpath reinstatement:* the submitted plans clearly show the retention of the footpath to the front of the site.

5.32 *Site sale:* lack of community consultation at the point of sale is not a planning matter and as such cannot be considered under this planning application assessment.

5.33 *Land to front of site under different ownership:* it is apparent from the submitted plans that a small rectangular piece of land to the front of the site is owned by a third party. The applicant does not have ownership or control over this land but it is understood that some of the boundary is included on the applicant's deeds. Whilst the third party has raised an objection to the proposal, given the applicant owns the boundary wall, Officers see no reason why it cannot be reduced to 1.2 metres if permission was granted. In addition, each application must be determined on its individual merits, and a generalised suggestion of future development here does not justify withholding permission in this case.

5.34 *Communal parking preferred:* personal development preferences are not planning matters and as such cannot be considered under this planning application assessment

5.35 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.

5.36 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.

5.37 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.

### 5.38 Planning Balance

The application is located within the established urban area and as such the principle of development is acceptable. The scheme would add one house to the existing shortfall in the supply of housing and is therefore given limited weight. Concerns have been expressed regarding this bungalow development which in terms of scale, massing and appearance would be out of character with the area, would compromise the amenity of future occupants, and fails to demonstrate that it would achieve the minimum levels of private, usable amenity space. All weigh heavily against the granting of permission and it is considered that none can be mitigated through the use of planning conditions.

5.39 On balance, the adverse impacts outweigh the benefits and the scheme must be recommended 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 refuse permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

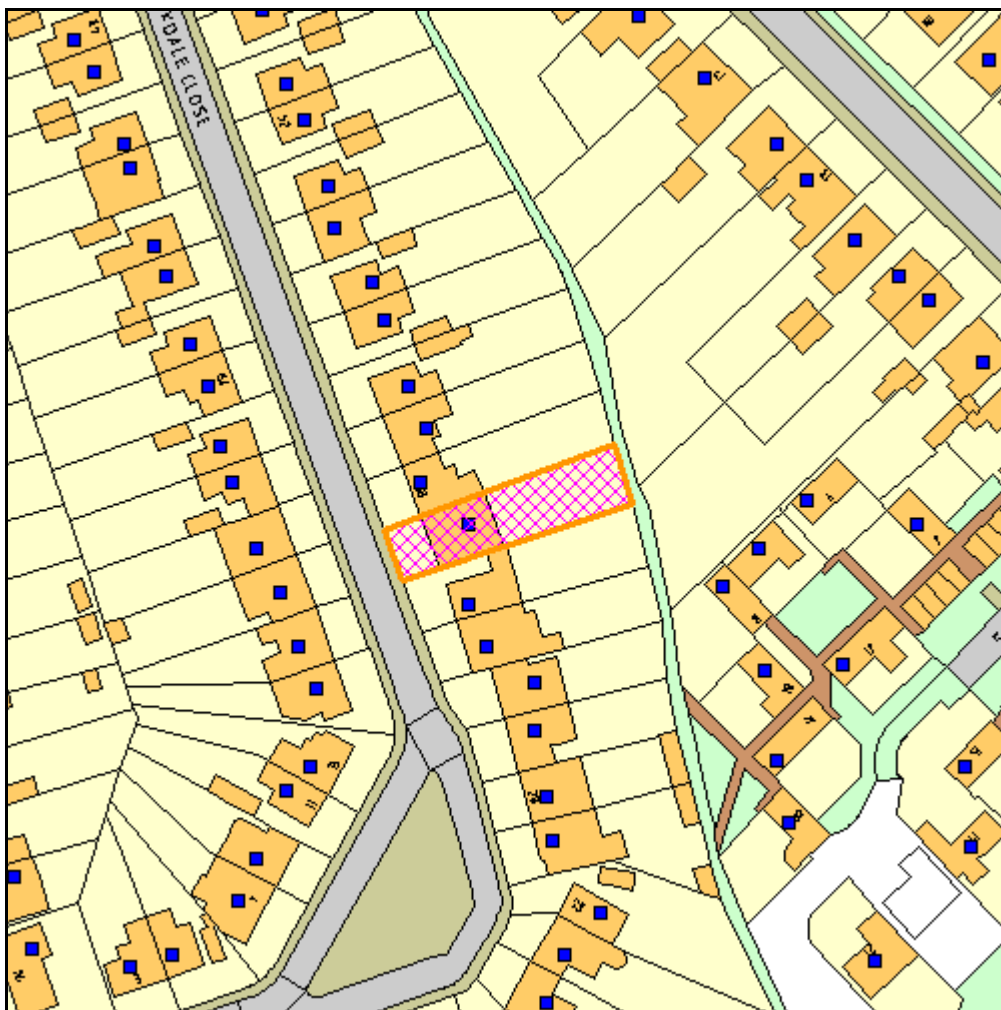
7.1 It is recommended that the application be **REFUSED**.

**Contact Officer: Helen Braine**  
**Tel. No. 01454 863133**

1. The proposed development represents a cramped and contrived form of development that would result in a poor outlook for occupiers and a substandard level of private amenity space (in terms of size and overlooking from neighbours). The proposal is therefore considered to be contrary to CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; policy PSP8, PSP38 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017; and the guidance contained in the National Planning Policy Framework 2012.
2. **The proposed dwelling would by reason of its size, siting and design be out of keeping with the character of the surrounding area and contrary to policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; policy PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017; and the guidance contained in the National Planning Policy Framework 2012.**

**CIRCULATED SCHEDULE NO. 23/18 – 08 JUNE 2018**

<b>App No.:</b>	PK18/1790/F	<b>Applicant:</b>	Mr K Bressington
<b>Site:</b>	36 Oakdale Close Downend Bristol South Gloucestershire BS16 6ED	<b>Date Reg:</b>	24th April 2018
<b>Proposal:</b>	Installation of rear and side dormer to facilitate loft conversion.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365184 177554	<b>Ward:</b>	Downend
<b>Application Category:</b>	Householder	<b>Target Date:</b>	15th June 2018



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PK18/1790/F

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

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection a side and rear dormer to 36 Oakdale Close, Downend
- 1.2 The property site relates to a semi-detached dwelling. There are no statutory designations to consider.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007

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

- 3.1 K1472 Approved 18.08.1976  
BOUNDARY WALL WITH LEAN TO GREENHOUSE (Previous ID: K1472)

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
Object due to other recent changes to property and overdevelopment.
- 4.2 Sustainable Transport  
No objection



## **Other Representations**

- 4.3 Local Residents  
No comments received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1, which is echoed by PSP38 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

### 5.2 Design and Visual Amenity

The application site is a semi-detached dwelling. It is noted that the parish council has objected due to recent planning changes to the property and overdevelopment; however, the last permission dates back to 1976, and was for a boundary wall and a lean-to greenhouse.

- 5.3 The application is for side and rear dormer windows. They would sit on the southern and eastern elevations respectively. They would take the form of typical dormer windows. The side dormer would not have a window. The dormer windows would be finished in render, with roof tiles to match the existing. Three rooflights would be inserted to the front of the property. The proposal would be considered acceptable in design terms.

### 5.4 Residential Amenity

Policies PSP8 and PSP38 of the PSP Plan 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.

- 5.5 When considering the existing boundary, combined with the siting of the proposals, the proposal would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. It is not considered that there would be any additional overlooking as a result of the proposal. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the PSP Plan.

### 5.6 Transport

As a result of development, the bedrooms within the dwelling would increase to four. The development does not propose to alter the existing vehicular access or parking within the site. The level of parking available complies with the Council's residential parking standards. On that basis, there is no transportation objection raised.

### 5.7 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.

- 5.8 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: Owen Hoare**  
**Tel. No. 01454 864245**

## **CONDITIONS**

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

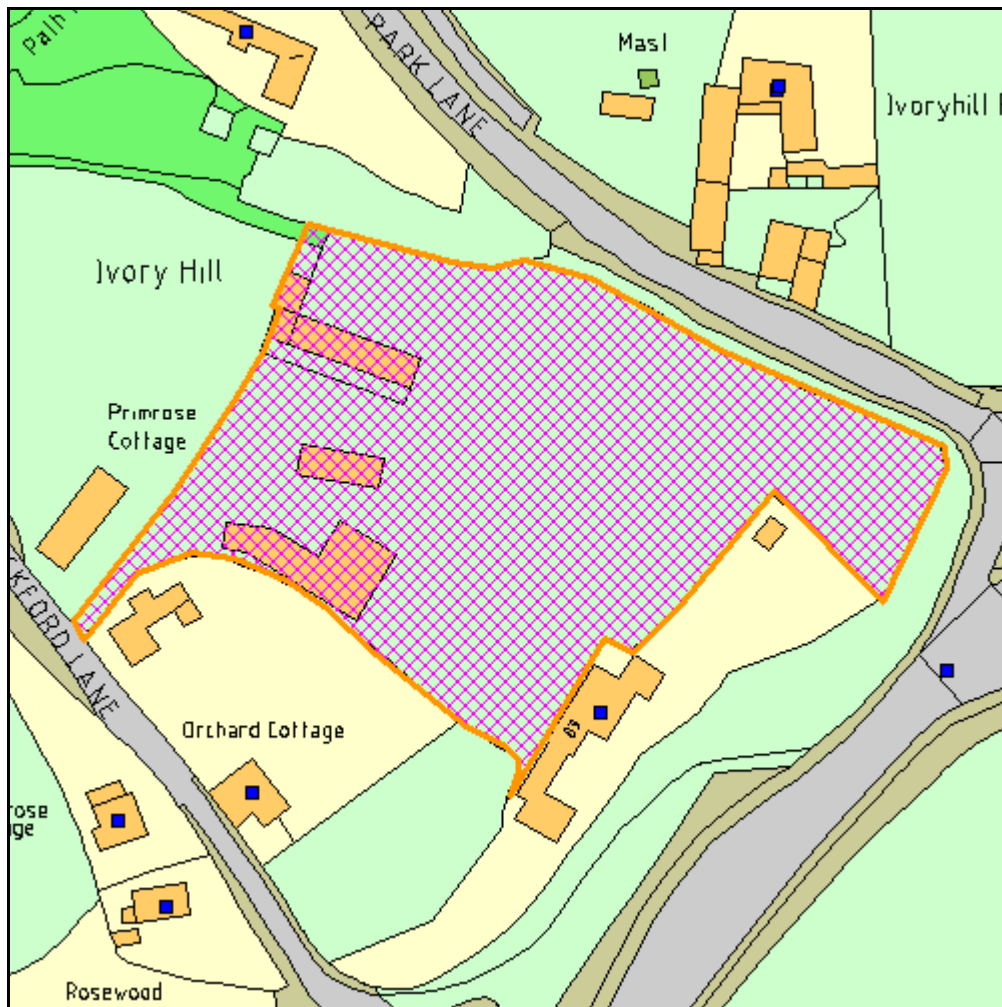
Reason

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



**CIRCULATED SCHEDULE NO. 23/18 – 08 JUNE 2018**

<b>App No.:</b>	PT18/0742/F	<b>Applicant:</b>	Mr Sharon and Mick Paul
<b>Site:</b>	Land At Huckford Lane Winterbourne Bristol South Gloucestershire BS36 1AP	<b>Date Reg:</b>	20th February 2018
<b>Proposal:</b>	Demolition of existing buildings. Erection of 5 no. dwellings for use as tourist visitor accommodation.	<b>Parish:</b>	Westerleigh Parish Council
<b>Map Ref:</b>	365735 179930	<b>Ward:</b>	Westerleigh
<b>Application Category:</b>	Minor	<b>Target Date:</b>	16th April 2018



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 100023410, 2008. N.T.S. PT18/0742/F

## **Reason for Referring to the Circulated Schedule**

This application has been referred to the Circulated Schedule following the receipt of representations in favour of the scheme; which are contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application site comprises agricultural land, located in the open countryside to the south of Winterbourne. The site, which is laid to pasture, lies within the Bristol & Bath Green Belt and is enclosed by Park Lane to the north-east; Huckford Lane to the south-west and the A432 Badminton Rd. to the south-east.
- 1.2 At present there are 3 agricultural barns on the site, one of which (the northernmost) has consent under Class 'Q' of the GPDO for conversion to a dwelling. These barns have a utilitarian appearance and are generally brick and corrugated sheet constructions. Although lying outside any settlement boundary, there is sporadic residential development around the edge of the site, most of which forms a small hamlet centred on Huckford Lane. To the north-west is a small hall and gardens, whilst to the north is Ivory Hill Farmhouse, a Grade II Listed Building; Orchard Cottage bounds the site to the south-west and no 83 Badminton Rd lies adjacent to the south-eastern boundary of the site.
- 1.3 The land slopes steeply upwards from Huckford Lane to Park Lane. There are vehicular access points into the site from both Huckford Lane and Park Lane. Despite the existing presence of residential development around the site, the location is both tranquil and rural in character.
- 1.4 It is proposed to demolish all of the existing single-storey barns and erect 5 dwellings to provide tourist accommodation. The buildings would be erected around the edge of the site (see D&A Statement page 2). The accommodation is broken down as follows:
  - 7 bedroomed guest house 'Hillside Villa' : max 14 persons.
  - 3 bed chalet : max 6 persons
  - 3 bed self-contained lodge : max 6 persons
  - 4 bed self-contained lodge : max 7 persons
  - 4 bed self-contained house : max 8 persons
- 1.5 The scheme would provide 3 full-time positions:
  - 1 full-time working manager.
  - 2 full-time staff to provide meals, cleaning and changeover duties for both the guest house and the cottages.

In addition the scheme would also require 2 part-time employees to maintain the buildings and the landscaping.

The applicant's agent has confirmed that it is envisaged that at least 2 members of staff would live on site full-time.

1.6 The application is supported by the following documents:

Design & Access Statement  
Ecological Impact Assessment by Burrows Ecological Consultants Feb 2018

## 2. **POLICY CONTEXT**

### 2.1 National Guidance

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

### 2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

CS1 - High Quality Design  
CS4A – Presumption in Favour of Sustainable Development  
CS5 - Location of Development  
CS6 - Infrastructure and Developer Contributions  
CS8 - Improving Accessibility  
CS9 - Managing the Environment and Heritage  
CS23 - Community Infrastructure and Cultural Activity  
CS34 - Rural Areas

South Gloucestershire Local Plan : Policies, Sites & Places Plan (Adopted)  
Nov. 2017

PSP1 - Local Distinctiveness  
PSP2 - Landscape  
PSP3 - Trees and Woodland  
PSP6 - Onsite Renewable & Low Carbon Energy  
PSP7 - Development in the Green Belt  
PSP8 - Residential Amenity  
PSP11 - Development Related Transport Impact Management  
PSP16 - Parking Standards  
PSP17 - Heritage Assets and the Historic Environment  
PSP19 - Wider Biodiversity  
PSP20 - Flood Risk, Surface Water and Watercourses  
PSP21 - Environmental Pollution and Impacts  
PSP28 - Rural Economy

### 2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.  
The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.  
South Gloucestershire Council Residential Parking Standards (SPD) Adopted.  
SG Landscape Character Assessment as adopted Nov 2014.  
Development in the Green Belt SPD Adopted June 2007.  
SG Waste Collection : guidance for new developments (SPD) Adopted Jan.  
2015.

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

- 3.1 PT16/5721/PNGR - Prior notification of a change of use from 2no. agricultural buildings to 2no. residential dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include operational development.  
*Withdrawn 1<sup>st</sup> Nov. 2016 following concerns raised by the officer with regards to the design, the proposed access, the extent of structural works required and whether the buildings were within an agricultural use. Queries regarding the impact on trees at the site were also raised.*
- 3.2 PK16/6944/PNGR - Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include operational development. (Re-submission of PT16/5721/PNGR).  
Approved 15 Feb.2017

### 4. **CONSULTATION RESPONSES**

- 4.1 Westerleigh Parish Council  
The Parish Council supports other concerns already posted on this application.
- 4.2 Other Consultees
- Highway Structures  
No comment
- Lead Local Flood Authority  
No objection in principle, subject to a condition to secure a SUDS drainage scheme.
- Transportation D.C.  
No objection
- PROW  
No response
- Open Spaces Society  
No response
- Ecology Officer  
No objection subject to conditions relating to implementation of mitigation measures outlined in the Ecological Appraisal.
- Listed Building & Conservation Officer  
Refusal is recommended by reason of siting, design and scale would detract from the setting of the Grade II Listed Ivory Hill Farmhouse.

#### Landscape Officer

There is a landscape objection particularly in relation to the development of the steeper slopes which would have a negative impact on local landscape character.

#### Children and Young People

No response

#### New Communities

No comment. Scheme falls below threshold for contributions to public space.

#### The Tree Officer

The site is subject to an area tree preservation order and will require an Arboricultural report in accordance with BS:5837:2012 for the protection of the existing trees.

#### Environmental Protection

No objection subject to a condition relating to possible contaminated buildings and land.

#### Wales and West Utilities

There are pipes in the area that should not be built over.

#### Economic Development Officer

No objection in-principle.

### **Other Representations**

#### 4.3 Local Residents

8no. responses were received of which 6no. were objections and 2no. supported the scheme. Of the objections the concerns raised are summarised as follows:

- Increased noise.
- Increased traffic.
- Adverse impact on semi-rural character.
- Light pollution.
- Adverse impact on house values.
- Negative impact on the openness of the Green Belt.
- Loss of habitat.
- Unsuitable access.
- Loss of outlook for Orchard Cottage.
- Loss of privacy for Orchard Cottage.
- No need.
- Anti-social behaviour.
- Alternative accommodation is available.
- Dangerous access Park Lane.
- Staff numbers are not justified.
- Lack of bin storage.



- Insufficient parking.
- Adverse impact on Listed Building.
- The access shown further up Park Lane is in fact access to land owned by Ivory Hill Farm.

The comments made in support are summarised as follows:

- Good use of land.
- Would bring tourism to the area.
- Would be in-keeping.
- Housing has been granted in neighbouring gardens.
- Would support local businesses.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para. 14 of the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

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

5.2 The Policies, Sites & Places Plan was adopted in November 2017 and now forms part of the Development Plan.

5.3 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants' to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that, Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.

5.4 The National Planning Policy Framework (para.19) advises that planning authorities should adopt a positive and constructive approach towards planning applications for economic development; *'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system'*.

5.5 Furthermore the NPPF para.28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking

a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should (inter alia):

- Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres

- 5.6 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.7 Core Strategy Policy CS5 6(C) requires proposals for development in the Green Belt to comply with the provisions of the NPPF. Furthermore, Policy CS34 deals with development within rural areas and requires, amongst other things, proposals to protect the Green Belt from inappropriate development. Policy CS8 (1) does not support proposals which are car dependant or promote unsustainable travel behaviour.
- 5.8 Of particular importance is the location of the site outside any settlement boundary. Policy CS5 of the adopted Core Strategy directs where development should take place and states that development within the open countryside will be strictly limited. Similarly Policy CS34 'Rural Areas' of the adopted Core Strategy aims to maintain settlement boundaries defined on the Policies Map around rural settlements.

#### *Five Year Land Supply*

- 5.9 The locational strategy for the District is set out in policy CS5 and, in this instance, CS34 of the Core Strategy. Under these policies, new residential development is directed to the strategic housing allocations, existing urban areas, and defined rural settlements as shown on the proposals maps. In rural areas, new residential development is strictly controlled and would have to comply with the provisions of policy PSP40.
- 5.10 This application proposes development outside of a defined rural settlement and therefore does not accord with the provisions of the Core Strategy. This application does not include any of the forms of residential development permissible under PSP40. The proposal is therefore contrary to the Development Plan and this indicates it should be resisted in principle.
- 5.11 However, at present the Local Planning Authority cannot demonstrate a 5-year supply of deliverable housing land. The latest Authority Monitoring Report, published in December 2017, indicates a deficit of 719 dwellings to be able to report a five year supply. On that basis, the current supply in the district is 4.66 years.

- 5.12 As a result, national planning guidance indicates that the policies in the Development Plan which act to restrict housing should be considered out-of-date and applications for residential development should be considered against the presumption in favour of sustainable development. This is an important material consideration of significant weight.
- 5.13 The result is that less weight should be attached to settlement boundaries as they act to restrict residential development. Policy CS5 and CS34, insofar as they relate to settlement boundaries, do not currently carry full weight. Other aspects of these policies may however still be afforded weight in decision taking. Policy PSP40 although newly adopted would still act to restrict housing supply; as a result, this policy also must be considered out-of-date and for the purpose of this application is afforded little weight.
- 5.14 The proposal is for 5 new dwellings albeit that they would be used for holiday accommodation. The question remains whether this proposal would constitute sustainable development in terms of the NPPF advice. Sustainable development should only be resisted if the adverse impacts would significantly and demonstrably outweigh the benefits. The site lies a reasonably short distance midway between Yate, Winterbourne and the eastern edge of the Bristol suburbs. There is a regular bus service along Badminton Road. Furthermore, officers are mindful that the buildings would not be occupied as permanent dwellings but as holiday accommodation and this could be secured by condition. Nevertheless, by its nature the development would be car dependent. Occupation is however likely to be seasonal and traffic generation would be low. On this basis any sustainability objection would carry less weight.
- 5.15 In summary, there is an in principle objection to the development as set out in Policies CS5 and CS34 of the adopted Local Plan: Core Strategy. National planning guidance indicates that where a 5-year supply of housing land cannot be demonstrated, the policies in the Development Plan which act to restrict housing should be considered out-of-date and applications for residential development should be considered against the presumption in favour of sustainable development. This is an important material consideration but given that the dwellings are intended for holiday accommodation less weight is attached.
- 5.16 The result is that less weight should be attached to settlement boundaries as they act to restrict residential development. Policy CS5 and CS34, insofar as they relate to settlement boundaries, do not currently carry full weight. Other aspects of these policies may still be afforded weight in decision taking. Policy PSP40 although newly adopted would still act to restrict housing supply; as a result, this policy must also be considered out-of-date and for the purpose of this application is afforded little weight.

Impact on the Openness of the Green Belt

- 5.17 Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 5.18 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 87).
- 5.19 Para. 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions which include *inter alia* :
- “limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan ”
  - “the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces”
  - Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”
- 5.20 The five purposes of including land within the Green Belt are listed at para. 80 of the NPPF and are as follows:
- To check the unrestricted sprawl of large built up areas;
  - To prevent neighbouring towns merging into one another;
  - To assist in safeguarding the countryside from encroachment;
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.21 In this case the site does not fall within a settlement boundary or village and does not provide affordable housing; the scheme therefore fails the first bullet point in paragraph 5.11 above. Secondly, even if it was construed that the proposed buildings were replacements for those existing on the site, they would not be in agricultural use and would be considerably larger and in different locations; so the scheme fails the second criterion. Lastly the scheme does not represent limited infilling and according to the NPPF glossary of terms, land that is occupied by agricultural buildings is excluded from the term ‘previously developed land’.
- 5.22 Furthermore the scheme clearly represents an encroachment into the countryside which is contrary to the third purpose of including land in the Green Belt.
- 5.23 The scheme is therefore clearly inappropriate development in the Green Belt that would require very special circumstances to demonstrate that harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. The onus is on the applicant to demonstrate the very special circumstances.

### Very Special Circumstances

- 5.24 The applicant has not submitted a very special circumstances statement as such but appears to rely on need for the holiday accommodation. Indeed the Design and Access Statement barely mentions Green Belt issues. A supplementary statement was submitted in response to the comments of the Council's Economic Development Officer. Whilst the statement highlights general issues of need for tourist accommodation in the wider area and the economic benefits of the scheme, it provides no very special circumstances as to why the accommodation should be built on this specific site in the Green Belt and not anywhere else.
- 5.25 Furthermore the local area is currently well served by tourist accommodation, including the Holiday Inn Hotel at Hambrook, The Premier Inn Emersons Green and The Langley Arms Emersons Green.
- 5.26 The benefits of the scheme are limited and relate to:
- 5-year housing supply
  - Some economic contribution to the rural economy and job creation.

In Green Belt terms no weight is attributed to any planning condition restricting the use to holiday lets because if the condition were subsequently removed, the material harm to the Green Belt would be much the same.

- 5.27 Your officer does not therefore see that such very special circumstances exist in this case; the limited benefit does not outweigh the harm. There is therefore an in-principle objection to the proposed development, which would be harmful to the openness of the Green Belt and to the purposes of including land within the Green Belt.

### Rural Economy

- 5.28 Recently adopted Policy PSP28 relates to the Rural Economy. It states that: *Sustainable new development which promotes a strong rural economy will be acceptable in rural areas. Proposals for business development outside the defined urban areas and settlement boundaries will be acceptable:*

1. In the case of new buildings or uses, where:
  - a. For buildings, there are no existing suitable underused buildings reasonably available and capable of conversion without major or complete reconstruction; and
  - b. The proposed building is reasonably necessary for the purposes of the use and is clearly designed for that purpose; and
  - c. The development relates well to settlements or existing groups of buildings; and
  - d. The development makes efficient use of the land in relation to its location, layout, accessibility and surroundings; and
  - e. The volume and nature of any goods sold would not have a significant adverse effect on shopping facilities available in nearby settlements; and
  - f. The proposal is of a scale which is consistent with its function, use and rural location.

Furthermore the policy states that development in the Green Belt is inappropriate, other than for the exceptions specified in the NPPF or where very special circumstances can be demonstrated. In this case the very special circumstances do not exist and is therefore also contrary to Policy PSP28.

### Design and Heritage Issues

- 5.29 Policy CS1 of the Core Strategy requires the highest possible standards of design and site planning and at criterion 1 development proposals will be required to demonstrate that siting, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.30 The application site can also be considered to contribute to the setting of the 17<sup>th</sup> century Ivory Hill farmhouse, which is a Grade II listed building that along with its associated complex of buildings lies directly to the north of the site. The proposals should therefore be assessed in accordance with Core Strategy Policy CS9 and Policy PSP17 of the Policies Sites and Places Plan, and guidance which seek to protect the significance of designated heritage assets and their settings:
- 5.31 The eastern side of the site can be considered to be very prominent due to its topography with the site elevated above the junction of Park Lane and Badminton Road. Any development of this site therefore needs to be carefully considered to ensure it does not detract from the positive characteristics which it can be considered to possess.
- 5.32 The site's undeveloped and pastoral state along with the surrounding rural landscape helps provide the approach to the village of Coalpit Heath with a green setting which contributes to the village's sense of rural isolation, detached from the main east Bristol conurbation to the west. Therefore what role the site plays in contributing towards the sense of "local distinctiveness" needs to be considered.
- 5.33 In light of the above, there are many concerns regarding the proposals. From the spot level topographical survey, there is an approximate 6 metre difference in levels across the northern roadside boundary to the south of Park Lane. With regards to the information that has been submitted, the dispersed layout arrangement is inappropriate, as what is proposed could easily set the framework for a small cluster of residential units. More importantly however, it is best practice to group built form together in such sensitive locations, rather than separating them towards the corners of the site with the result being built form on the steeper, prominent slopes.
- 5.34 The prominence of the buildings to Park Lane is also an issue due to their proposed design and scale, as in respect of design, as what has been proposed is not of an acceptable quality as the buildings appear very suburban

in character. The Park Lane 4 bed unit is also a discordant composition of elements when although a more contemporary style may be considered, greater coherency is required to produce a more convincing architecture that could be considered to help reinforce the sense of local distinctiveness through more coherent proportions, surface modelling and overall form. Although sited perhaps in a less sensitive location, the building that looks like a three-storey apartment building in this context, is completely alien in design, scale and form. Therefore in officer's view the proposals fail to provide any positive response to their context.

- 5.35 Turning to the considered impact on the listed building, the undeveloped state of the surrounding fields to the farmhouse can be considered to provide an appropriate rural and tranquil setting for the farmhouse and its associated buildings. The surrounding fields therefore can be considered to make an important contribution to the setting of the designated heritage asset, as it helps retain, at least in part, the narrative of the functional and spatial historic relationship of the farmhouse with its surroundings. It is therefore with this in mind that the key concern with the proposals is the scale of the substantial units proposed along Park Lane.
- 5.36 In views from the east (in which the farmhouse addresses through its elevation orientated in this direction), the silhouette of the farmhouse and associated buildings is prominent and striking and how they are experienced is enhanced by their sense of visual isolation, as along with the elevated position of the farmstead, there is no built form back-drop to the complex of buildings.
- 5.37 The proposals would introduce built form of comparatively significant scale and massing into the setting of the listed building. This would result in an urbanising impact that would be seen as further erosion of the rural identity and interest of the locality. Due to the scale, form and design of the proposals, there would also be a loss of prominence for the listed farmhouse and due to the poorly related characteristics of the proposals, the cumulative result would be a material harm to the character of the immediate area which it then follows would cause further harm to the setting of the Grade II listed farmhouse and its stead.
- 5.38 Furthermore, in tandem views from Park Lane also, the relationship of the existing farmstead and the visually jarring new buildings along this boundary would also be harmful, as their design, scale and siting would result in a significant and harmful intrusion into the setting of the listed building along with further loss of prominence.

Paragraph 131 of the NPPF stipulates that in the consideration of planning applications, the local planning authority should take account of:

- “the desirability of sustaining and enhancing the significance of heritage assets...; and
- the desirability of new development making a positive contribution to local character and distinctiveness”.

The proposed development achieves neither of these objectives.

In accordance with paragraphs 133 and 134 of the Framework, it is for the decision maker, having identified harm to designated heritage asset, to consider the magnitude of that harm.

- 5.39 In this case officers conclude that the proposal would lead to less than substantial harm in respect of setting as a whole. However, although in such circumstances the Framework requires that any identified harm is weighed against any public benefits the scheme might secure, also in accordance with the Framework, when considering the impact of a proposal on a heritage asset, great weight should be given to the asset's conservation.
- 5.40 This requirement is also set out within section 66(1) of the Act, and officers advise when determining planning applications, the local authority should pay particular attention to the Planning (Listed Buildings and Conservation Areas) Act 1990, section 66 (1) in which "the local authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest". Moreover, where (as in this case) harm has been identified, case law has clearly established that it must give that harm "considerable importance and weight" as part of a strong presumption against the granting of planning permission, with the presumption being a statutory one as per the Act.
- 5.41 Having considered the above, officers conclude that by reason of its siting, design and scale, the proposals would detract from the setting of the Grade II listed Ivory Hill farmhouse with the result being that the considered significance that is derived from its setting would be harmed. Furthermore and for similar reasons the scheme fails to secure the highest standards of design as required by the NPPF and Core Strategy Policy CS1.

#### Landscape and Tree Issues

- 5.42 Adopted Policy PSP2 states that development proposals will be acceptable where they conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape (defined by the Landscape Character Assessment). This includes, but is not limited to:
- The tranquillity of a landscape, sense of place and setting.

Where development proposals would result in harm to the landscape, it must be clearly demonstrated that:

- The proposal results in benefits that outweigh the harm; and
- Any harm to the landscape is minimised and mitigated through the form of the development and where reasonable the provision of landscape enhancements.

- 5.43 The landscape strategy for LCA 13 recommends:

*"Ensure that any new infill development conserves and enhances the particular and varying townscape, settlement and landscape patterns found in the different parts of this landscape character area"*



Suburban style buildings are proposed for the steeper slopes next to Park Lane; this would harm the landscape character of the area and have a particularly negative impact on the character of the Ivory Hill Farmhouse Listed curtilage. It is felt that the proposal fails to fulfil the objectives of the landscape strategy.

- 5.44 The site is the subject of an area tree preservation order but there is no indication that any trees are to be removed. No arboricultural report has been submitted and whilst landscaping proposals are shown on the submitted Landscape Plan, these are very generalised and sketchy. These matters could however be adequately addressed by conditions; nevertheless officers do not consider that the harm to the landscape character identified above could be adequately mitigated in this case and as such the harm to the landscape character is further grounds for refusal.

#### Transportation Issues

- 5.45 Adequate on-site parking would be provided to serve the proposal. The access from Huckford Lane is existing and the proposed development would not result in any changes affecting the trees. The accesses can accommodate the relatively low number of vehicle movements associated with the proposal. Huckford Lane is a narrow Class 5 road, however there are sufficient passing places to accommodate the small increase in traffic.
- 5.46 Adequate visibility exists at the three site accesses commensurate with the posted speed limits. Officers note that there have been some road traffic collisions at the junction of Park Lane and Badminton Road and the junction layout is not ideal. It is however an existing part of the highway network and the proposed development would not have any measurable material impact on the junction.
- 5.47 The site is located within a reasonable distance of Yate, Winterbourne and the eastern edge of Bristol. Furthermore there is a regular bus route along Badminton Rd. Given that the buildings would be for seasonal holiday accommodation only with low traffic generation, the development is considered to be reasonably sustainable. Given that the residual cumulative impacts of the development are not 'severe' there are no transportation objections.

#### Ecology

- 5.48 An Ecological Appraisal (Burrows Ecological, February 2018) has been submitted alongside the application. The habitats on site consist of:
- Buildings – three barns on site of negligible value to wildlife;
  - Bare ground with scattered ephemeral plants – majority of the land between the barns;
  - Species-poor grassland – includes species associated with ;
  - Scattered trees – three trees are present along the track. The oak that is of some ecological value, the other two are not. These trees will be unaffected.

#### Bats

The barns are unsuitable for bats and were judged to offer negligible potential for roosting bats. The oak tree along the drive was considered to provide moderate potential for roosting bats. The site is likely to be used by commuting and foraging bats due to its rural location.

#### Birds

Old nests were observed within Barn 3. The trees also have potential for nesting birds.

#### Badger

Two sett entrances were found in the north-west part of the site. A path connected to these setts went to the patch of woodland and scrub west of the site. No other evidence of badger was observed on site.

#### Reptiles

Although the site shows some suitability for reptiles in the form of hedgerows and scrub, the majority of the site is sub-optimal. It is some distance from the known population of slow-worm along the railway line, but it would not be impossible for them to reach the site. Therefore, an appropriate method statement ensuring their protection during construction should be followed.

#### Hedgehog

Foraging habitat in the wider area was thought to be suitable, although no hibernation opportunities exist on site.

- 5.49 The above matters could be adequately addressed by conditions. There are therefore no objections on ecology grounds.

#### Impact on Residential Amenity

- 5.50 The holiday accommodation would be introduced into what is currently a tranquil rural location and in part in very close proximity to neighbouring residential property; most notably Orchard Cottage and no. 83 Badminton Rd. Notwithstanding the presence of existing vegetation, there would inevitably be a significant adverse impact on the amenities of these properties, most notably from the urbanising effects of the proposal. This would manifest itself in increased noise and disturbance from vehicles manoeuvring within the site, increased light pollution, overbearing impact, overlooking and loss of privacy and general loss of visual amenity all contrary to Policy PSP8.

#### Environmental Issues

- 5.51 Matters of noise, unstable land, contamination and disturbance must be considered in relation to the NPPF and Policy PSP21. The site is not at risk from former coal mining activities, neither does it lie within a zone at high risk of flooding. Connections to the mains sewer would need to be agreed with Wessex Water. A condition could secure a SUDS drainage scheme for surface water disposal. Having regard to the previous uses of the site, a condition would be required to ascertain any level of contamination and measures in mitigation should contamination be found.
- 5.52 Standard informatives would be added to any approval, regarding construction sites. Whilst there may be some disturbance for local residents during the

construction phase, this would be on a temporary basis only. In the event of planning permission being granted, a condition would be imposed to control the hours of working on the site during the construction phase. Possible excessive noise or anti-social behaviour from future residents is controlled by legislation other than that found within the Planning Act and is not therefore grounds to refuse the application.

- 5.53 Officers therefore have no objection to the development of this site on environmental grounds.

#### CIL Matters

- 5.54 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, would be liable to CIL charging

#### Consideration of likely impact on Equalities

- 5.55 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 considerations to be reflected into the design of policies and the delivery of services.
- 5.56 With regards to the above this planning application is considered to have neutral impact on equality. Equalities have been given due consideration in the application of planning policy as discussed in this report.

#### Other Issues

- 5.57 Regarding other concerns raised not addressed above; the impact on values is not currently a material consideration in the determination of house values. The planning system does not resolve disputes of land ownership as these are civil matters between the respective parties. The use of the proposed buildings for holiday accommodation could be controlled by condition.

#### The Planning Balance

- 5.58 Paragraph 14 of the National Planning Policy Framework (NPPF) makes a general presumption in favour of sustainable development. In particular (in respect of decision making) Paragraph 14 of the NPPF makes it clear that where development plans are absent, silent or relevant policies are out of date, the Local Planning Authority should grant planning permission unless;
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or,

- specific policies in the NPPF indicate development should be restricted.

In this case there are some benefits to the proposal in providing additional tourist accommodation some limited employment opportunities and economic benefits in a rural location. However this is significantly outweighed by the harm to the openness of the Green Belt, harm to the setting of the nearby Grade II listed building, harm to landscape character and adverse impact on residential amenity. The scheme is inappropriate development in the Green Belt and there are no very special circumstances that outweighs this harm and the other harm identified, to justify the approval of planning permission.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to refuse planning permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

- 7.1 That planning permission be REFUSED for the reasons listed below.

**Contact Officer: Roger Hemming**  
**Tel. No. 01454 863537**

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. 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. The proposal is therefore contrary to the provisions of Policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP28 of The South Gloucestershire Local Plan ; Policies, Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework para. 89.
2. **By reason of its siting, design and scale, the proposals would detract from the setting of the Grade II listed Ivory Hill farmhouse with the result being that the considered significance that is derived from its setting would be harmed. The proposals are therefore contrary to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013; Policy PSP17 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and the relevant provisions of the NPPF section 12.**

3. The proposal by reason of its urban character, dispersed layout and excessive scale is neither informed by, or respects or enhances the rural character, distinctiveness or amenity of the site and as such is contrary to Policy CS1 of The South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013, Policy PSP1 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and the provisions of the NPPF section 7.
4. **The proposal by reason of its urban character, dispersed layout and excessive scale would fail to conserve and enhance the rural character, quality, distinctiveness or amenity of the landscape contrary to Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013; Policy PSP2 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) Nov. 2017 and the provisions of the NPPF section 11.**
5. By reason of overbearing impact, loss of privacy and proximity to neighbouring residential properties, the scheme would adversely impact on the residential amenities of neighbouring occupiers; contrary to Policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; Policy PSP8 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) Nov. 2017, and the provisions of the NPPF.

**CIRCULATED SCHEDULE NO. 23/18 – 08 JUNE 2018**

<b>App No.:</b>	PT18/1370/F	<b>Applicant:</b>	Mr Kevin Williams
<b>Site:</b>	21 Footes Lane Frampton Cotterell Bristol South Gloucestershire BS36 2JG	<b>Date Reg:</b>	25th April 2018
<b>Proposal:</b>	Extension to existing front and rear dormers. Erection of single storey rear extension and conversion of existing detached garage, to include installation of pitched roof, to provide additional living accommodation. Installation of side porch canopy and rear raised decking.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	366937 181242	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Householder	<b>Target Date:</b>	19th June 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 full planning permission for the extension of existing front and rear dormers; erection of a single storey rear extension; conversion of existing garage to include installation of a pitched roof; installation of a side porch canopy; and rear raised decking.
- 1.2 The application site relates to a detached, dormer bungalow located within the settlement boundary of Frampton Cotterell.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP11 Transport

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

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

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

- 3.1 No relevant planning history.

### **4. CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council

Objection- overdevelopment of the site.

4.2 Sustainable Transport

The proposed extension and alterations to the dwelling will not increase the number of bedrooms currently available within the dwelling. The level of parking shown is considered adequate for the size of the proposed dwelling.

On that basis there is no transportation objection raised.

4.3 Archaeology

No comment

**Other Representations**

4.4 Local Residents

No comments received

**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 an extension to the front and rear dormers; a single storey rear extension to form a kitchen diner; conversion of the existing garage and alteration of the roof to create a gym, sauna and shower room; a side porch canopy; and a raised rear decking to include a hot tub.

5.3 *Front and rear dormer extension*

The host property currently benefits from front and rear box dormers, which are approximately 7.6m in length. The proposal would increase the length of each dormer by approximately 2.9m. The existing dormers consist of a tile cladding finish and the proposal would alter the external finish to white UPVC cladding. The proposed materials and modest increase in size are not considered to have a significantly detrimental impact on the character of the host property or the surrounding area.

5.4 *Single storey rear extension*

The proposed development would extend from the rear elevation of the host property by approximately 3.8m and would have a width of approximately 7.3m. It would consist of a gable end roof with an eaves height to match the existing



bungalow and a ridge height of approximately 4m. A concern of overdevelopment was raised by the Parish Council, however it is considered by the Officer that the proposed rear extension is of an appropriate size and scale within the context of the site which results in a proportionate and subservient appearance. No detail of materials to be used for the external finish of the walls or windows/doors have been submitted. The existing property consists of a combination of stone blockwork and pebble dash rendered elevations and white UPVC windows; subject to the proposed materials matching the existing dwelling no objections are raised. The proposed Double Roman roof tiles are deemed to be acceptable.

5.5 *Garage conversion and alteration to roof*

There is no condition restricting the use of the garage and the proposed uses are deemed to be incidental to the enjoyment of the property. Therefore, the garage conversion could be carried out within the criteria set out in the Town and Country Planning (General Permitted Development) (England) Order 2015. However, the proposal would require permission for the alteration of the existing flat roof to a dual pitched roof. The proposed roof would have an eaves height of approximately 2.1m and an overall height of approximately 4m. This is deemed to be acceptable in terms of design and visual amenity.

5.6 *Side porch canopy*

The proposal would relocate the front door from the principal elevation to the side elevation, it would include a gable end canopy over the proposed door which would extend from the side elevation by approximately 0.6m. The existing front door on the principal elevation would be blocked up and replaced with an obscure glazed window serving a WC. This is considered to be a modest addition which would not result in a materially negative impact to the visual amenity of the area.

5.7 *Decking*

The proposed decking would be located at the rear of the property and would cover approximately 80m<sup>2</sup>. At its highest point it would be approximately 0.5m from ground level and would include a built-in hot tub. It would also include 2m high bamboo privacy screens on the north and south sides of the proposed decking.

5.8 Overall, it is considered that the proposed development would not be detrimental to the character of the host dwelling or surrounding area and is of an appropriate size and scale within the context of the site. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.

5.9 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.

5.10 *Front and rear dormer extensions*

The proposed modest extension of the dormers are considered to have no material impact on the residential amenity of surrounding properties.

5.11 *Single storey rear extension*

Considering the siting and single storey nature of the proposal, it would not appear to have a materially overbearing or overlooking impact, nor is it considered to significantly impact on existing levels of light afforded to the neighbouring occupiers.

5.12 *Garage conversion and alteration to roof*

The existing garage is located at the rear of the host property on the south boundary with neighbouring property, no. 19 Footes Lane. Due to the single storey nature, the change from a flat roof to pitched roof is not considered to result in a material overbearing or loss of light impact on the neighbouring occupiers. No side elevation windows are proposed and therefore the existing levels of privacy afforded to the neighbouring property would be retained.

5.13 *Side porch canopy*

The proposed canopy and relocation of the front door to the south elevation are considered to have no material impact on the residential amenity of the neighbouring occupiers. Two first floor windows are proposed to be installed above the proposed canopy on the south elevation, however these would be obscure glazed and as such would result in no loss of privacy.

5.14 *Decking*

The proposed decking would be raised approximately 0.5m from ground level. However, 2m high bamboo screens are proposed on the south and north sides of the decking. These are considered to mitigate any loss of privacy concerns to an acceptable level.

5.15 A concern of overdevelopment was raised by the Parish Council. However the site benefits from a reasonably large rear garden and it is therefore considered that sufficient private residential amenity space would remain for the occupiers of the host dwelling following development.

5.16 Overall, the proposal is not considered to have a detrimental impact on the residential amenity of surrounding properties or the host dwelling and is therefore deemed to comply with policy PSP8 of the PSP Plan.

5.17 Sustainable Transport and Parking Provision

The proposal does not include any additional bedrooms but will alter the existing parking provision. The site currently benefits from two vehicle crossovers with space to accommodate two vehicles. The application is proposing to remove one of these vehicle crossovers and extend the other to provide two parking spaces side by side. Therefore the level of parking would not be altered and is therefore compliant with the Council's residential parking standards. As such, no objection is raised in terms of transport.

5.18 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is

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

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

## 6. **CONCLUSION**

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

## 7. **RECOMMENDATION**

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

**Contact Officer: 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).

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

Reason

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

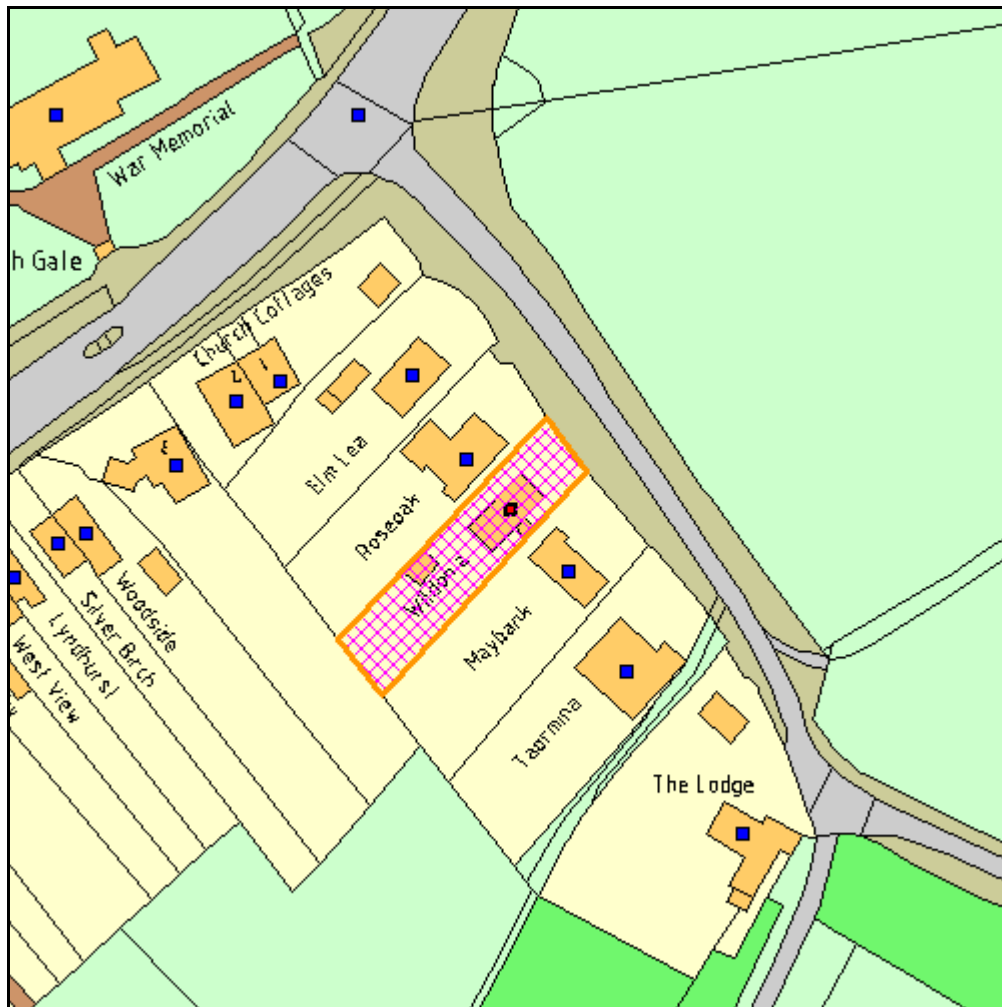
3. Prior to first use of the raised decking hereby permitted, the 2m high bamboo privacy screening shall be erected in accordance with the plans hereby approved; and thereafter retained for that purpose.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 23/18 – 08 JUNE 2018**

<b>App No.:</b>	PT18/1627/F	<b>Applicant:</b>	Mrs Claire Fletcher
<b>Site:</b>	Wildonia Forty Acre Lane Alveston Bristol South Gloucestershire BS35 3QU	<b>Date Reg:</b>	11th April 2018
<b>Proposal:</b>	Demolition of existing garage. Erection of single storey extension to the south-west elevation and a single storey extension to the north-west elevation to form additional living accommodation.	<b>Parish:</b>	Alveston Parish Council
<b>Map Ref:</b>	363430 187423	<b>Ward:</b>	Thornbury South And Alveston
<b>Application Category:</b>	Householder	<b>Target Date:</b>	1st June 2018



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

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

### **1. THE PROPOSAL**

- 1.1 The proposal seeks to demolish an existing garage and erect extensions to the South-West and North-West elevations of the property.
- 1.2 The host dwelling is a mid to late 20th century detached bungalow with a recently completed dormer loft conversion to provide first floor accommodation.
- 1.3 It is noted that there has been enforcement complaints lodged against the property due to operational development. This is discussed in more detail below.
- 1.4 The description of development has been amended following officer advice. The proposal also follows the refusal of a similar proposal. The design has been amended in line with the advice provided under the earlier application.
- 1.5 The proposal site is located in the settlement of Alveston adjacent to a number of other residential uses and 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

##### **South Gloucestershire Local Plan: Policies, Sites and Places Plan June 2016**

PSP1 Local Distinctiveness  
PSP7 Development in the Greenbelt  
PSP8 Residential Amenity  
PSP17 Heritage Assets  
PSP37 Internal Space Standards  
PSP38 Development within Existing Residential Curtilages  
PSP43 Private Amenity Space

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

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

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

- 3.1 PT17/4961/F – Refusal – 09/01/2018 – Erection of single storey front/side and rear extension to form additional living accommodation.
- 3.2 PT14/1712/F – Approval – 11/06/2014 – Erection of single storey rear extension to provide additional living accommodation.
- 3.3 PT11/1012/F – Approval – 23/05/2011 – Erection of single storey rear extension to provide additional living accommodation.

### **4. CONSULTATION RESPONSES**

4.1 Alveston Parish Council  
No Objection

4.2 Other Consultees

Transport Officer  
No Objection

Archaeological Officer  
No Comments

#### **Other Representations**

4.3 Local Residents

Two comments have been received from local residents. One with no objection to the extension but requesting that any windows overlooking the garden are obscured glazed, the other objects to the proposal in part due to the description and in relation to the loft conversion allowed via permitted development. The comment raises concerns in terms of overlooking and the number of windows following development.

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

5.1 Principle of Development

Development in the greenbelt is generally considered inappropriate. There are limited categories of development that may be considered acceptable and appropriate development in the greenbelt. Paragraphs 89 and 90 of the National Planning Policy Framework set out a number of instances where development in the Green Belt is not inappropriate, subject to certain criteria. This includes proportionate extensions to existing dwellings. PSP7 states that that any additions resulting in a volume increase of between 30%-50% will be subject to careful consideration and assessment. Any proposed development over and above 50% of the volume of the original building would likely be considered in excess of any reasonable definition of 'limited extension'.

5.2 Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character,

distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development.

### 5.3 Enforcement

As noted above the application site has been subject to an enforcement complaint with regard to operational development that has taken place on site. This relates to the introduction of a dormer to the roof pitch of the principal elevation. It is understood that whilst no formal certificate of lawfulness has been given, nor has any formal assessment been made, the structure would likely accord with the provisions of the General Permitted Development Order 2015 (as amended) as it was on a principal elevation that does not front a highway. Consequently no restriction is imposed with regard to windows and their obscuration in this structure. Subsequently, this application was submitted, which identifies what was seen as the principal elevation as the side elevation. The technical guidance for householders specifically states at page 7 that:

*“Principal elevation” – in most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house. There will only be one principal elevation on a house. Where there are two elevations which may have the character of a principal elevation, for example on a corner plot, a view will need to be taken as to which of these forms the principal elevation.”*

- 5.4 In this case as the principal features of the property are in the western elevation, it has been found to be the principal elevation of the property. On this basis the introduction of clear windows to this elevation would not be restricted under the rights provided to householders within the General Permitted Development Order. It has however been raised that there is also a clear window looking onto the highway from the side of the dormer. This, according to the GPDO, should be obscured and non-opening (unless above 1.7 metres from the floor of the room in which it is situated). Nevertheless this window is not viewed to have a harmful impact on the amenity of neighbours or the appearance of the property, consequently this application offers the opportunity to regularise this change. Given it is not viewed to have a harmful impact on neighbours or the appearance of the dwelling, no objection is raised to this change.

### 5.5 Greenbelt

The proposal site is situated in a location washed over by the Bristol/Bath greenbelt and therefore its impact on openness must be considered. As stated above local policy suggests that extensions of up to 50% may be considered appropriate development in the greenbelt. The property has been extended to the south-east to form a conservatory and a loft conversion has taken place under the provisions of the general permitted development order. Additionally permission has previously been granted for an extension to continue the eaves and ridge line to the south-west, similar to that proposed but this does not



appear to have been implemented. The proposed extension is in the same location would be of a similar volume to this permitted extension. The proposal would also result in the loss of a garage structure. Supporting information suggests that the volume of the original property is in the region of 374.54 m<sup>3</sup> and the cumulative volume of the additions would be around 190m<sup>3</sup>. The net volume increase over that of the original dwelling has therefore been calculated to be around 131m<sup>3</sup>, equating to a cumulative volume increase over that of the original dwelling of around 35%. The proposal will be located away from the public realm and the open countryside. As a result the proposal is not viewed to have a harmful impact on openness and has therefore been found to be a limited extension and accordingly appropriate development in the greenbelt.

#### 5.6 Design

The host dwelling is a mid to late 20th century bungalow with an appearance typical of this era. The structure has part brick and part rendered elevations and a gabled roof. The extension to the south-west would follow the ridge and eaves line of the existing structure and create a largely glazed apex oriented to the south-west. The structure to the north-west would have a typical appearance for a porch. The proposal has therefore been found to be in keeping with the design of the existing building and consequently is viewed to accord with the provisions of policies PSP1, PSP38 and CS1.

5.7 Comments have been received concerned with the number of windows provided following development. Two rooflights would be added to the north-western elevation. One of which is very small and serves the porch proposed. This is not seen to result in any negative impact on the appearance of this structure, nor is it thought that these windows would have any impact on privacy; they appear only to provide additional natural light.

5.8 Overall the proposal has been found to respect the form and appearance of the host property and the loss of the garage structure, as it has no particular merit, has raised no objection. On this basis the proposal is considered to accord with policies CS1, PSP1 and PSP38 and the provisions of the NPPF (2012).

#### 5.9 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.

5.10 The host property is detached. Objection has been received from the neighbour to the west, however it must be noted that this is largely in relation to previously implemented dormer and windows that overlook the property. As stated above, this is believed to generally be in accordance with the provisions of the General Permitted Development Order with the exception of the window facing north and towards the highway. This assessment must only consider the development at hand and its impact. In this case whilst an additional 2no window openings will be provided, these are rooflights and are not viewed to have any further negative impact on the amenity of this neighbour.

- 5.11 The proposal would also result in the southern elevation of the building being largely glazed. A neighbour has commented not objecting to the proposal but requesting that this is obscured to prevent any overlooking of a neighbouring garden. The property is screened by boundary treatments and the extension would bring the building line out further than the rear elevation of the property in question, consequently there will be no overlooking of living accommodation, furthermore given this location the area of garden directly to the rear of living accommodation will be private, potentially more so than prior to development, consequently the introduction of obscured glazing has not been seen as reasonable and no objection is raised to the impact on this dwelling.
- 5.12 The host property has a relatively large garden, a small proportion will be lost to the south-western extension however sufficient amenity space will be retained and the proposal would accord with the provisions of PSP43.
- 5.13 The subject property is located within a 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, meaning the proposal is in accordance with Policy PSP8 and PSP38 of the Policies Sites and Places DPD (2017).
- 5.14 Sustainable Transport and Parking Provision  
The proposal site is served by a reasonable amount of land suitable for parking of vehicles. The proposal seeks to extend living accommodation but would not result in any further bedrooms being created. This is not considered to exacerbate the parking situation in the area or lead to a reduction in highway safety. Accordingly there is no objection with regard to highway safety or parking provision.
- 5.15 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. The hours of working on site during the period of construction shall be restricted to

Monday - Friday.....7:30am - 6:00pm

Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

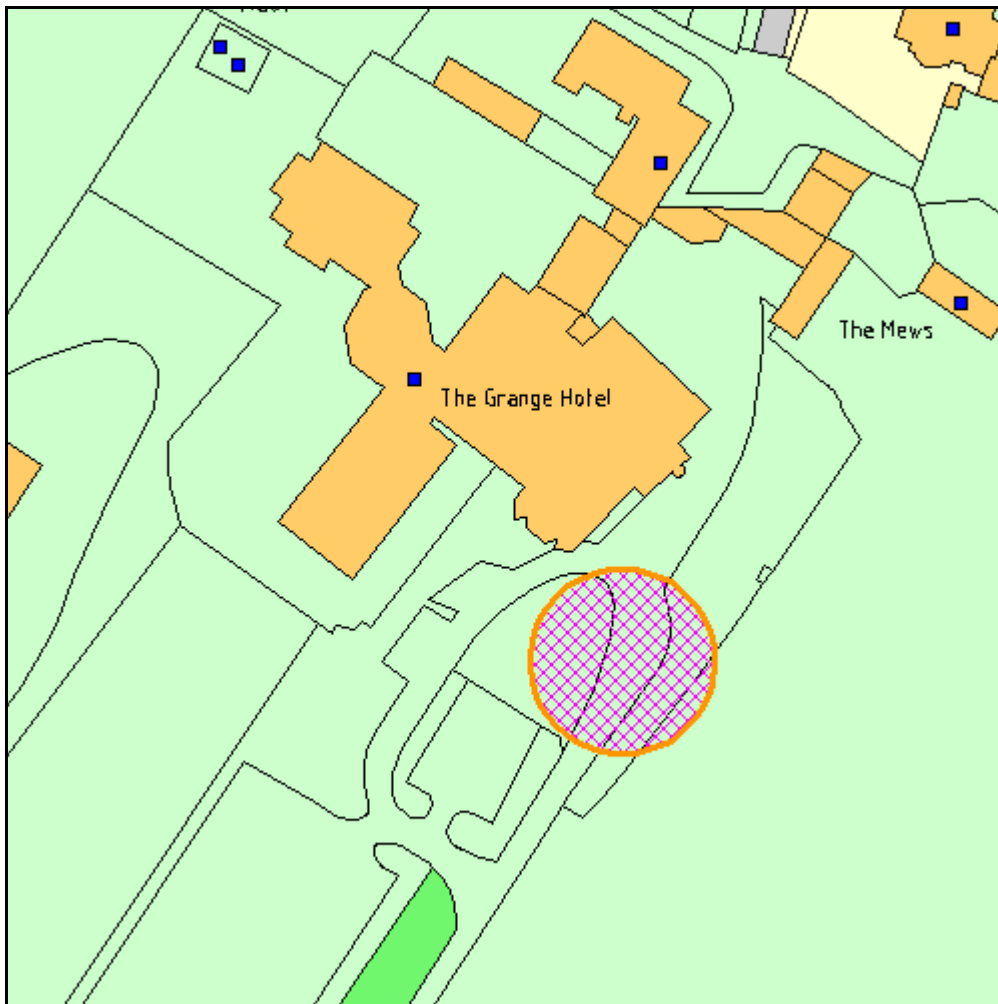
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Policies Sites and Places DPD (adopted) November 2017; and the provisions of the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 23/8 – 08 JUNE 2018**

<b>App No.:</b>	PT18/1818/TRE	<b>Applicant:</b>	Mercure Bristol - North The Grange
<b>Site:</b>	The Grange Mercure Hotel Old Gloucester Road Winterbourne South Gloucestershire BS36 1RP	<b>Date Reg:</b>	23rd April 2018
<b>Proposal:</b>	Works to 1no Cedar of Lebanon as per the applicants proposed schedule of works submitted to South Glos. Council on 23 April 2018. Covered by Tree Preservation Order 332 (146) dated 17 December 1980.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	363753 182384	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>		<b>Target Date:</b>	18th June 2018



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**REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application has been referred to Circulated Schedule as comments of objection have been received which are contrary to the officer's recommendation.

**1. THE PROPOSAL**

- 1.1 Works to 1no Cedar of Lebanon as per the applicants proposed schedule of works submitted to South Glos. Council on 23 April 2018 Ref JH/150578/R/sh, covered by Tree Preservation Order 332 (146) dated 17 December 1980

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

- i. The Town and Country Planning Act 1990
- ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

**3. RELEVANT PLANNING HISTORY**

- 3.1 PT18/0722/TRE, Site Address: The Grange Mercure Hotel, Old Gloucester Road, Winterbourne, South Gloucestershire, BS36 1RP, Decision: WITHDN, Date of Decision: 17-APR-18, Proposal: Works to 1no Cedar of Lebanon to crown thin by 10%, crown reduce to leave a finished height of 20 metres and a radial spread of 12 m and remove deadwood. Covered by Tree Preservation Order 332 dated 17 December 1980., CIL Liable:
- 3.2 PT07/2380/TRE, Site Address: Jarvis Grange Hotel & Country Club Old Gloucester Road Winterbourne BRISTOL South Gloucestershire BS36 1RP, Decision: COND, Date of Decision: 19-SEP-07, Proposal: Works to trees covered by The Grange, Northwoods, Winterbourne Tree Preservation Order 146 dated 17th December 1980., CIL Liable:

**4. CONSULTATION RESPONSES****4.1 Frampton Cotterell Parish Council**

"Objection - The Parish Council supports the Tree Officers comments within his/her report. The Parish Council would like to submit the same objection as previously made."

**Other Representations****4.3 Local Residents**

Mr C Armogie – Objection for reasons of bird nesting, loss of amenity, excessive crown thinning and light issues. These are addressed below.

## 5. ANALYSIS OF PROPOSAL

- 5.1 Works to 1no Cedar of Lebanon as per the applicants proposed schedule of works submitted to South Glos. Council on 23 April 2018 Ref JH/150578/R/sh, covered by Tree Preservation Order 332 (146) dated 17 December 1980
- 5.2 Principle of Development  
The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.
- 5.3 Consideration of Proposal  
The works proposed are minimal and in response to defects found in the tree. The lower limbs for reduction are currently touching the wall of the building and will allow for a 2m clearance of this.
- 5.4 This is a re-application containing a more detailed specification and a tree condition report of which I consider wholly reasonable.
- 5.5 Frampton Cotterell Parish Council objection is based on supporting the comments of the tree officer, however, as the tree officer, I recommend that permission is granted. Furthermore, the previous objection of the PC was based on a lack of information, which is not pertinent to this application.
- 5.6 The objection from Mr Armogie talks of a desire to gain more light and thinning of the tree. Neither of which are mentioned in this application. He also mentions the impact on amenity, which given the minimal works prescribed, is not going to be significant.
- 5.7 I am in agreement that the works proposed are to mitigate future failures at specific points in the tree. The works are not considered detrimental to the health or amenity of the tree.

## 6. RECOMMENDATION

- 6.1 That permission is GRANTED subject to conditions detailed in the decision notice.

**Contact Officer:** Phil Dye  
**Tel. No.** 01454 865859

## CONDITIONS

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

Reason

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

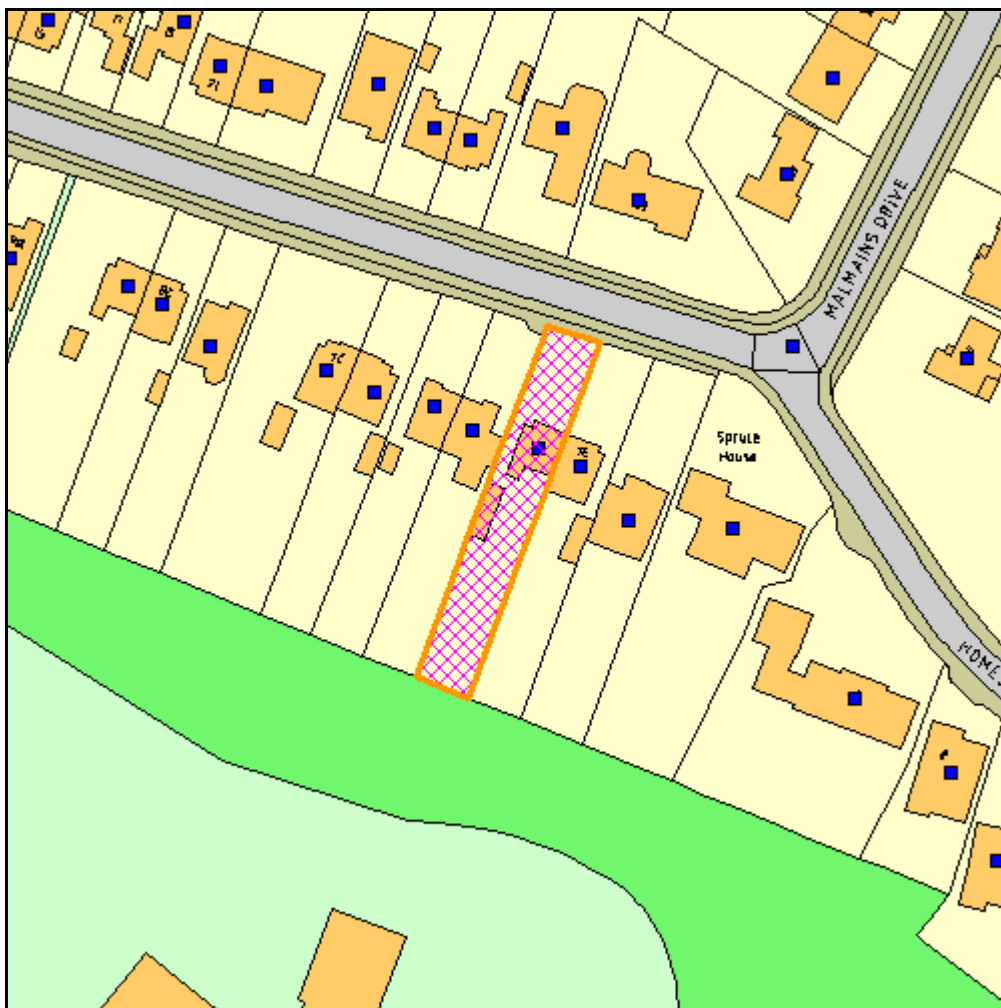
2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

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

**CIRCULATED SCHEDULE NO. 23/18 – 08 JUNE**

<b>App No.:</b>	PT18/1877/CLP	<b>Applicant:</b>	Mr Kevin Dobbins
<b>Site:</b>	32 Malmins Drive Frenchay Bristol South Gloucestershire BS16 1PQ	<b>Date Reg:</b>	24th April 2018
<b>Proposal:</b>	Erection of single storey rear extension and installation of 1 no. rear dormer.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	363886 178017	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>		<b>Target Date:</b>	15th June 2018



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PT18/1877/CLP



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

This 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 proposed single storey rear extension, and a rear dormer window at 32 Malmain Drive Frenchay, would be lawful. The application also includes alterations to the chimney. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit; the decision is based solely on the facts presented.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

Town and Country Planning Act 1990 (As Amended) 1990  
Town and Country Planning (Development Management Procedure) (England) Order 2015  
Town and Country Planning (General Permitted Development) (GPDO) (England) Order 2015

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

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

- 3.1 No relevant planning history.

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
No objection
- 4.2 Local Residents  
No comments received.

## 5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 SITE LOCATION & BLOCK PLAN  
EXISTING PLANS & ELEVATIONS 9574.02 A  
PROPOSED PLANS & ELEVATIONS 9574.03 A

Received by the Council on 20 Apr 2018

## 6. ANALYSIS OF PROPOSAL

### 6.1 Principle of Development

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

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

- 6.3 The proposed development consists of a single storey rear extension, rear dormer window and alterations to an existing chimney. The proposed single storey extension would fall within the category of development permitted by Schedule 2, Part 1, Class A of the GPDO, 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, 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.

- (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 highest part 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 would project beyond the rear elevation which does not front a highway.
- (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 application relates to a semi-detached dwellinghouse. The proposed extension would extend beyond what is considered to be the original rear elevation and would not have a depth of more than 3 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 height of the eaves of the enlarged part of the dwellinghouse would be approximately 2.7 metres.

- (j) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**

- (i) **exceed 4 metres in height,**  
(ii) **have more than a single storey, or**  
(iii) **have a width greater than half the width of the original dwellinghouse; or**

The development would not extend beyond the side elevation of the original dwellinghouse.

- (k) **It would consist of or include—**

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

The development includes alterations to the roof in order to facilitate the rear dormer. The alterations will need to meet the requirements of Class B in order to be permitted development. The rear extension would not include any of the other features listed.

**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;**

All materials will match existing.

- (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.

6.4 The proposed rear dormer to facilitate the loft conversion would fall within the category of development permitted by Schedule 2, Part 1, Class B of the GPDO, which allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof, provided it meets the criteria as detailed below:

**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, PA or Q of Part 3 of this Schedule (change of uses);**

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.

- (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 proposed works do not exceed the maximum height of the existing roof.

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

The proposed dormer would not extend beyond the principal elevation.

- (d) **The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than-**

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

The dormer does not exceed this volume.

- (ii) **50 cubic metres in any other case;**

. Not applicable.

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

- (i) **The construction or provision of a veranda, balcony or raised platform, or**

Not applicable

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

The development includes alterations to the roof chimney in order to facilitate the rear dormer. The alterations will need to meet the requirements of Class G in order to be permitted development. The rear extension would not include any of the other features listed.

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

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

**Conditions**

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

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

All materials will match existing.

**(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, measures along the roof slope from outside the edge of the eaves; and**

The proposal leaves the original eaves of the dwellinghouse unaffected.

The edge of the proposed dormer closest to the eaves is set back by 0.2 metres from the existing eaves.

- 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 proposal does not extend beyond the outside face of any external wall of the original dwellinghouse.

**(c) Any window inserted on a wall or roof slope forming the side elevation of a dwellinghouse shall 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.**

Not applicable.

6.5 The proposed alterations to the chimney to facilitate the loft conversion would fall within the category of development permitted by Schedule 2, Part 1, Class

G of the GPDO, which allows for the installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

**G.1 Development is not permitted by Class G 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 (change of use)**

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

- (b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or**

The height of the chimney would not exceed the highest part of the roof by 1 metre or more.

- (c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which –**

**(i) fronts a highway, and**

**(ii) forms either the principal elevation or a side elevation of the dwellinghouse.**

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

**7. RECOMMENDATION**

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

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

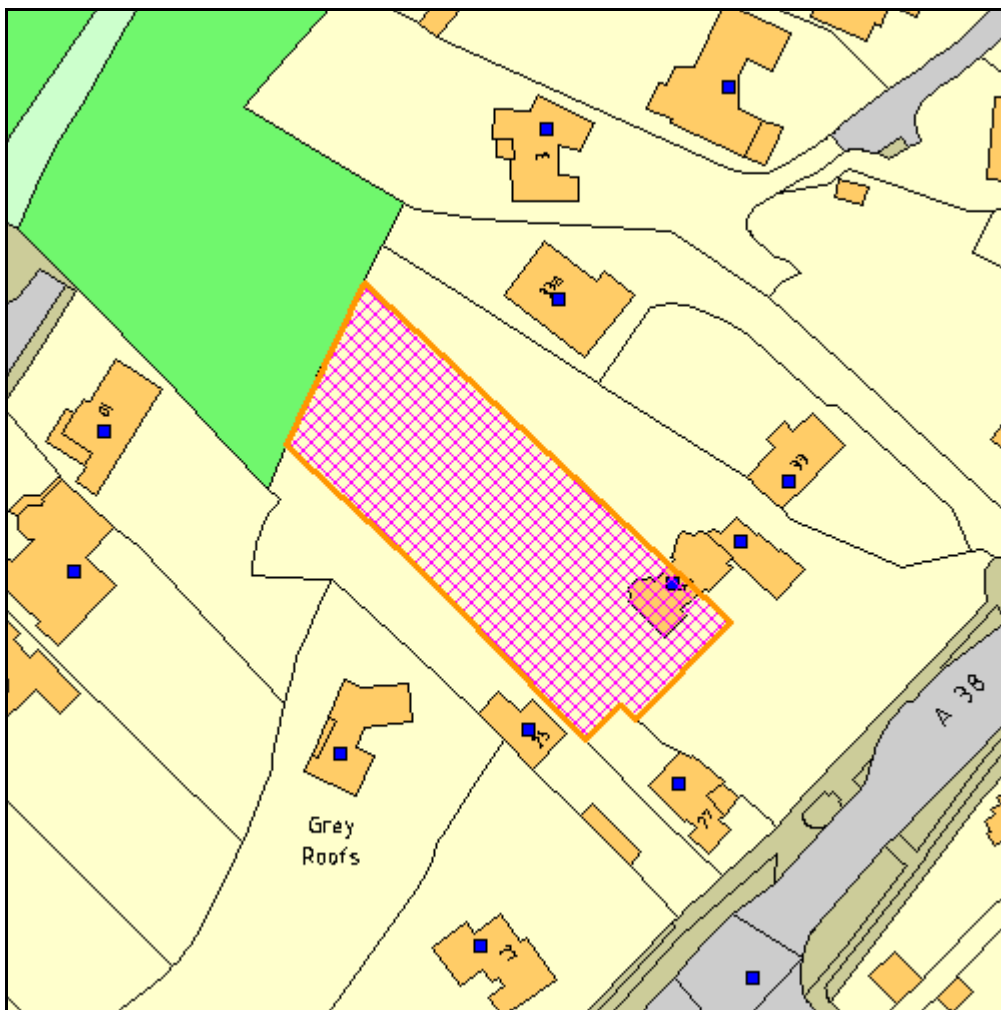
Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Schedule 2, Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.





**CIRCULATED SCHEDULE NO. 23/18 – 08 JUNE 2018**

<b>App No.:</b>	PT18/1892/F	<b>Applicant:</b>	Ms Day
<b>Site:</b>	29 Gloucester Road Almondsbury South Gloucestershire BS32 4HH	<b>Date Reg:</b>	27th April 2018
<b>Proposal:</b>	Erection of two storey side extension to form additional living accommodation.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	360958 184413	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Householder	<b>Target Date:</b>	21st June 2018



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## **INTRODUCTION**

The application appears on the Circulated Schedule as the Parish Council have raised concern about potential parking on the A38. The officer recommendation is approval.

### **1. THE PROPOSAL**

- 1.1 The site is located in Upper Almondsbury and is located within the Settlement Boundary associated with Almondsbury and is washed over by the Green Belt. The subject dwelling consists of a large 3 bedroom dwelling dating from the early 20<sup>th</sup> Century. The property is accessed directly from A38 Gloucester Road.
- 1.2 Officers note that the dwelling is semi-detached and registered as number 29, Gloucester Road (with the adjoining dwelling being number 31). However, historical mapping indicates that the subject building (which now contains two dwellings) was originally a single dwelling built in the 'Arts and Craft' style possibly in the 1930's. The building itself is of a substantial size and includes various outbuildings and ranges. Comparison with present day and historical mapping indicates that the building remains consistent with its original construction; albeit sub-divided into two dwellings.
- 1.3 The proposed development consists of the construction of a two storey extension to the Southwestern elevation of the dwelling. The existing access to the site and driveway/parking would be retained as part of the development.

### **2. POLICY CONTEXT**

#### **2.2 Development Plans**

##### South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design

CS4a Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

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

PSP1 Local Distinctiveness

PSP7 Development in the Green Belt

PSP8 Residential Amenity

PSP38 Development within Existing Residential Curtilages

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

South Gloucestershire Design Checklist (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Development in the Green Belt SPD (Adopted) May 2007

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

- 3.1 None

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

4.1 Almondsbury Parish Council

No Objection. However the Parish Council indicates that it has concerns over parking and requests that it is pointed out that cars do not park on the main road A38.

4.2 Highway Authority

No objection

#### **Other Representations**

4.3 Local Residents

No comments have been received

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

5.1 The proposed development consists of a domestic extension. The site is within the Village Development Boundary associated with Almondsbury. The site is washed over by the Green Belt.

5.2 Principle of Development

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

5.3 Green Belt

The site is located within the Village Settlement Boundary associated with Almondsbury which is washed over by the Green Belt.

5.4 Paragraph 89 of the National Planning Policy Framework sets out the limited categories of development that is appropriate within the Green Belt. In particular, the NPPF sets out that the extension or alteration of an existing building is appropriate development provided that it does not result in a disproportionate addition, over and above the size of the original building.

5.5 In respect of extensions to existing buildings Policy PSP7 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 carries this principle forward, and it is relevant to proposals for domestic extensions. It goes further and sets out that, as a general guide that additions of up to 30% of the volume of the original building would likely be considered appropriate. Where an extension would exceed this up to 50% the proposal would be carefully assessed and in particular paying attention to the scale and proportion of the extension. Where proposed extensions exceed 50%, the policy indicates that this would likely be considered disproportionate and therefore inappropriate.

5.6 In this instance, the proposed development would result in approximately 100% additional volume over and above the original dwelling. It is important to note

that, although the site is within the Green Belt, the dwelling is located within the Village Settlement Boundary and set within a built up area of the village. This factor has the benefit of considerably reducing the overall impact of the development upon the openness of the Green Belt.

5.7 As set out in section 1 of this report, the nature of the subject dwelling is unusual in that it is part of a much larger house which has subsequently been sub-divided. Although, the proposed development is large when considered against the size of the subject dwelling, when the building (a large country house) is considered as a whole, the proposed extension is far more modest in comparison. Indeed, when compared to the building as a whole, the extension would result less than 50% of the volume of the original building.

5.8 In the context of the Green Belt designation, officers are satisfied that the development would not compromise the openness of the Green Belt and the purpose of including the land within it. Furthermore, for the reasons set out below, officers are satisfied that the proposed development is well proportioned and would not appear out of scale with the original dwelling and the immediate surrounding area.

5.9 On this basis, officers are satisfied that the proposed development is acceptable in Green Belt terms.

5.10 Design

The existing building dates from the early to mid 20<sup>th</sup> Century and is set amongst a group of individually detached dwellings dating from a similar period. The general character of the village in this location is dominated by large houses, with smaller houses interspersed between them. There is a wide range of styles, scale and sizes.

5.11 The proposed development would provide a large two storey side extension. However, in the context of the original large country house (and a building of considerable size) the proportion and scale would remain consistent with the subject building and the surrounding locality. Accordingly officers are satisfied that the proposal represents good quality design; and on this basis is acceptable in that regard.

5.12 Residential Amenity

The existing dwelling sits in a generous plot, as do the existing dwellings which surround the application site. Officers note that the development would introduce building elements that stand forward of parts of the existing elevations, and would introduce a balcony to the Northwestern elevation of the dwelling. However, given the relative positions and separation of dwellings immediately surrounding the site, it is not considered that the development would give rise to any material impact in residential amenity terms. On this basis, the proposed development is acceptable in that regard.

5.13 Transportation and Highway Safety

The proposed development would utilise the existing access arrangements onto the A38 (Gloucester Road). The site dwelling has a generous plot and it is clear from the submitted plans and officer site visit that adequate off street

parking can be provided for the dwelling, as extended. Accordingly officers are satisfied that the proposed development is compliant with the South Gloucestershire parking standards.

- 5.14 The comments made by Almondsbury Parish Council are noted. The planning system cannot specifically control the parking of vehicles on the public highway. This is a matter which is appropriately controlled and enforced by the Police Authority or Council highway Enforcement function under the Traffic Act. In this instance, the access to this site is located within an area of highway where parking is specifically restricted as part of the nearby PELICAN crossing. Accordingly, the parking of vehicles on the highway immediately to the front of the dwelling would be an offence under the Traffic Act and likely lead to Police Enforcement action. Officers are satisfied that this is appropriate and adequate deterrent; and parking on the highway at this point is unlikely to occur.
- 5.15 Furthermore, it is not proposed to alter the existing access as part of this application. The nature of the proposed development is such that there would be no material change in the level of vehicular movements access the site at this point. On this basis, officers are satisfied that the proposed development would not result in a material impact in highway safety and transportation terms.
- 5.16 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.17 With regards to the above this planning application is considered to have a neutral impact on equality.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

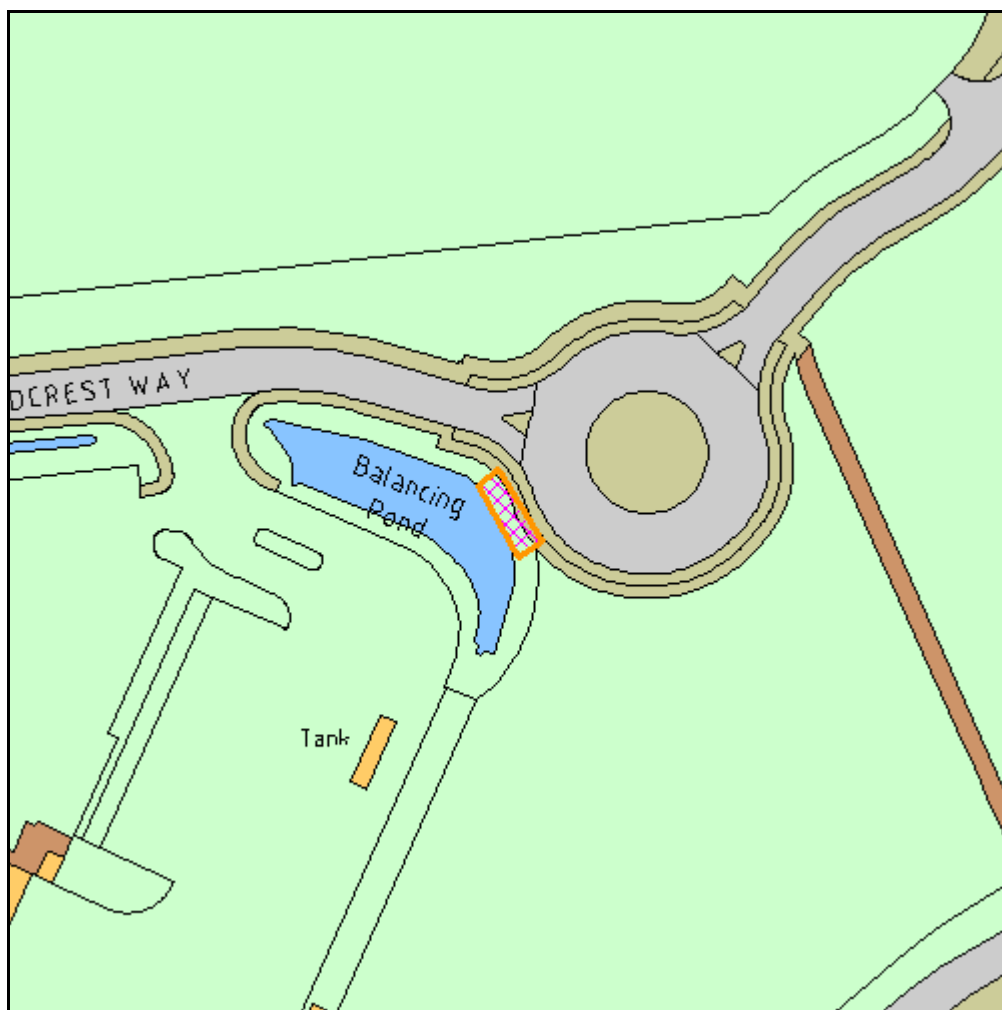
Reason

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

**CIRCULATED SCHEDULE NO. 23/18 – 08 JUNE 2018**

<b>App No.:</b>	PT18/1958/ADV	<b>Applicant:</b>	c/o agent
<b>Site:</b>	Amazon Fulfilment Facility Central Avenue Severn Beach	<b>Date Reg:</b>	27th April 2018
<b>Proposal:</b>	Display of 1no internally illuminated monument sign.	<b>Parish:</b>	
<b>Map Ref:</b>	355562 182997	<b>Ward:</b>	
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th June 2018

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100023410, 2008. N.T.S. PT18/1958/ADV

## **INTRODUCTION**

This application is referred to the Circulated Schedule in accordance with procedure given that an objection has been received that is contrary to the officer recommendation

### **1. PROPOSAL**

The applicant proposes the display of 1 no. internally illuminated monument sign. The sign would be located on verge on the western side of the roundabout that lies at the entrance to the Amazon Depot at Central Avenue. The signage is as follows:

Illuminated monument sign: 2.5m (height above ground level) by 3.5 (w)

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012

The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007

#### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

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

Shopfronts and Advertisements SPD (Adopted April 2012)

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

P97/1990 – Development with Class B1,B2 and B8 with associated infrastructure, the continuation of A403 and appropriate highway links (Approved- outline consent)

### **4. CONSULTATION**

#### **4.1 Pilning and Severn Beach Parish Council**

The Parish Council has commented as follows:

Pilning & Severn Beach Parish Council object to this sign on grounds of public safety. Unlike America we drive on the left and circumnavigate roundabouts in a clockwise fashion thus a sign indicating that traffic should turn left must be positioned before or immediately adjacent to the left turn in such a way that drivers can reasonably be expected to do so safely. The proposed sign is positioned after the left turn option and this may give rise to people reversing on the roundabout which is dangerous. Further we believe that traffic signs are regulated and this proposal does not comply



## Sustainable Transport

No objection

## Lead Local Flood Authority

No objection

## **Other Representations**

### 4.3 Local Residents

No responses received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The NPPF specifically states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment and should be subject to control only in the interests of amenity and public safety, taking account of cumulative impact. Accordingly advertisements will be assessed with regard to visual amenity, cumulative impact, and public safety.

### 5.2 Visual Amenity

Within context the application site is located with a predominantly commercial/industrial area comprising large modern buildings sited within purpose built estate complexes. There is a wide variety of both non-illuminated and illuminated signage both on buildings and alongside estate roads. Within the context of the NPPF which indicates that only those signs that have an appreciable impact on the character/appearance of the area it is not considered that this signage would appear out of character or detract from that character.

### 5.3 Public Safety

Concern has been indicated that the actual wording and arrows on the signage given its location could lead to vehicles driving the wrong way around the roundabout or reverse backwards around it. In response however it should be noted that such manoeuvres would clearly be illegal and it is considered very unlikely to occur.

It has been suggested to the applicant by officers that the information on the sign could be misleading and that the sign would best be located on the other side of the access road or moved further into the access itself rather than appearing at the side of the roundabout after the junction to which it relates. The applicant has chosen not to amend the position of the sign.

This matter has been considered by the Transport Officer and while another location maybe more appropriate it is considered that there is not an issue of public safety that would justify the refusal of the application. The worst case

scenario is that a car or other vehicle may go twice around the roundabout (rather than reverse). Furthermore given the recent approval of 5no. internally illuminated fascia signs, 3no. wall mounted vinyl graphic signs and 1no.internally illuminated monument sign and the very large prominent size of the building itself which almost immediately abuts the roundabout, it is considered that there can be little doubt as to which building the signage refers to.

As such there are no objections on the grounds of highway or pedestrian safety.

**6.**

- 6.1 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

**7. RECOMMENDATION**

- 7.1 It is recommended that advertisement consent be **GRANTED**

**Contact Officer: David Stockdale**  
**Tel. No. 01454 866622**