



**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. 12/18

Date to Members: 29/03/2018

Member's Deadline: 09/04/2018 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

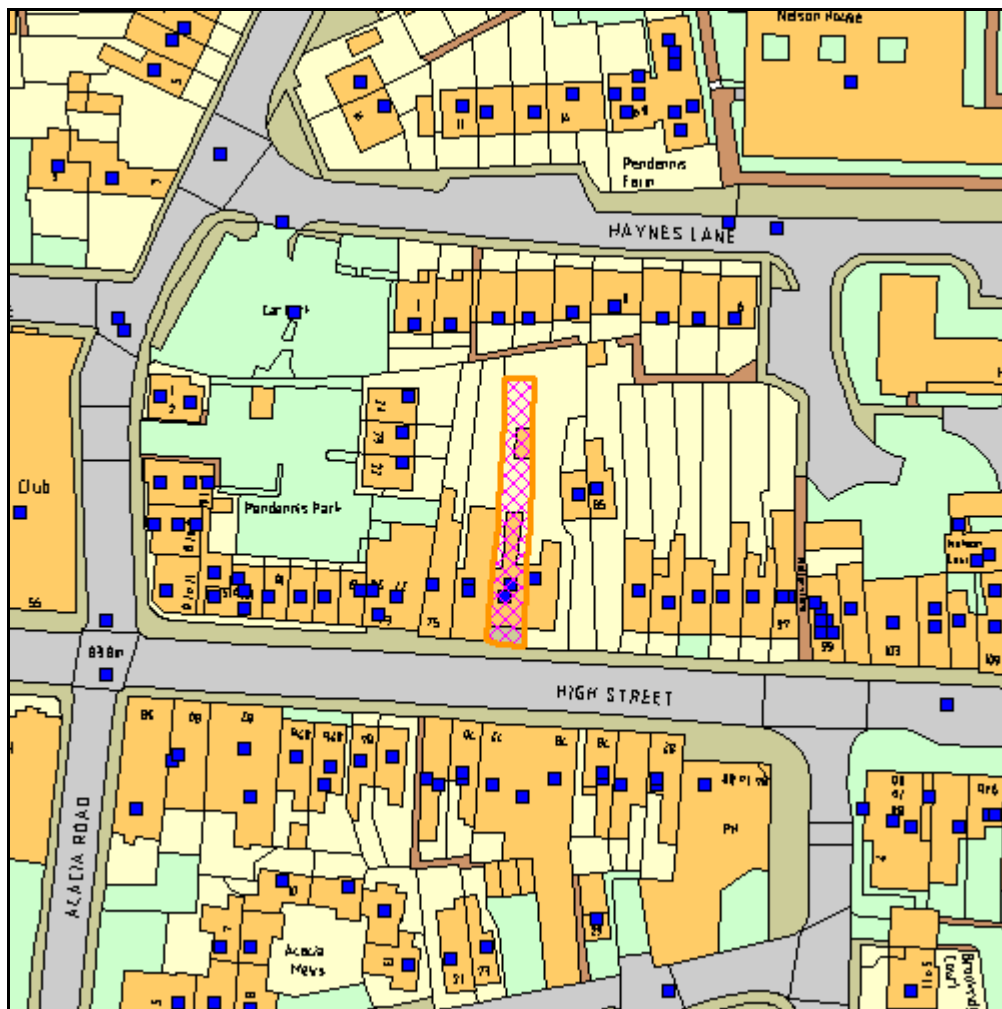
CIRCULATED SCHEDULE 29 March 2018

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK17/4454/F	Approve with Conditions	79 High Street Staple Hill South Gloucestershire BS16 5HE	Staple Hill	None
2	PK17/5891/F	Approve with Conditions	16 Highway Yate South Gloucestershire BS37 7AB	Yate Central	Yate Town
3	PK18/0528/TRE	Split decision See D/N	North Avon Magistrates Court Kennedy Way Yate South Gloucestershire BS37 4PY	Yate Central	Yate Town
4	PK18/0612/CLP	Approve with Conditions	5 Chine View Downend South Gloucestershire BS16 6SE	Emersons	Emersons Green Town Council
5	PK18/0674/TRE	Approve with Conditions	22 Oakdale Close Downend South Gloucestershire BS16 6ED	Downend	Downend And Bromley Heath Parish Council
6	PK18/0706/CLP	Approve with Conditions	20 Queensholm Drive Downend South Gloucestershire BS16 6LA	Downend	Downend And Bromley Heath Parish Council
7	PK18/0714/F	Approve with Conditions	58A Naishcombe Hill Wick South Gloucestershire BS30 5QS	Boyd Valley	Wick And Abson Parish Council
8	PT17/2331/O	Approved Subject to 106	Land To The West Of Stowell Hill Road Tytherington South Gloucestershire GL12 8UH	Ladden Brook	Tytherington Parish Council
9	PT17/5473/F	Approve with Conditions	Two Elms The Close Almondsbury South Gloucestershire BS10 7TF	Patchway	Almondsbury Parish Council
10	PT17/5652/F	Refusal	The Chalet Thornbury Hill Alveston South Gloucestershire BS35 3LG	Thornbury South And Alveston	Alveston Parish Council
11	PT17/5916/F	Approve with Conditions	The Knoll Lower Tockington Road Tockington South Gloucestershire BS32 4LF	Severn	Olveston Parish Council
12	PT18/0247/F	Approve with Conditions	19 Shiels Drive Bradley Stoke Bristol South Gloucestershire BS32 8EA	Bradley Stoke South	Bradley Stoke Town Council
13	PT18/0275/TRE	Refusal	48 St Saviour's Rise Frampton Cotterell South Gloucestershire BS36 2SW	Frampton Cotterell	Frampton Cotterell Parish
14	PT18/0414/F	Approve with Conditions	Filton Triangle Stoke Gifford Depot South Gloucestershire BS34 8NW	Stoke Gifford	Stoke Gifford Parish Council
15	PT18/0681/PDR	Approve with Conditions	20 Juniper Way Bradley Stoke South Gloucestershire BS32 0BR	Bradley Stoke South	Bradley Stoke Town Council

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PK17/4454/F	Applicant:	Ambia Miah
Site:	79 High Street Staple Hill South Gloucestershire BS16 5HE	Date Reg:	23rd October 2017
Proposal:	Installation of exterior extractor fan (retrospective)	Parish:	None
Map Ref:	364692 175949	Ward:	Staple Hill
Application Category:	Minor	Target Date:	12th December 2017



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REASONS FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to comments received raising objections from local residents contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application is for retrospective planning permission for an exterior extractor fan and associated ductwork for an existing steakhouse restaurant. The premises lies within the Staple Hill High Street shopping and service centre as identified within the South Gloucestershire Local Plan Core Strategy. The surrounding area is a mix of residential dwellings and retail shops and restaurants with many retail premises having flats above.
- 1.2 The extractor fan is positioned to the rear of the premises and is attached to the outside of the rear extension and is constructed of galvanised steel. In 2004 planning consent was granted for a similar galvanised extractor fan. The consent was never implemented as the previous restaurant owner of 79 High Street used the kitchen of the adjoining property and also the extraction system sited at 77 High Street. However the businesses have now become 2 independent operations and a separate kitchen has now been fitted in 79 High Street and a new extractor system and fan have become necessary.

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
CS9 Managing the Environment and Heritage
CS14 Town Centres and Retail
CS23 Community Infrastructure and Cultural Activity

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

PSP8 Residential Amenity
PSP21 Environmental Pollution and Impacts
PSP31 Town Centre Uses
PSP32 Local Centres
PSP35 Food and Drink Uses

3. RELEVANT PLANNING HISTORY

- 3.1 P95/4598 Change of use from Retail A1 to Restaurant A3 with first floor living accommodation. Two storey side extension Approved on appeal Jan 1996.
- 3.2 PK04/1995/F Erection of single storey rear extension to form extended restaurant and new kitchen. Installation of ventilation flue. Approved June 2004.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Not a Parished council
- 4.2 Environmental Health
No objection subject to appropriate condition regarding noise.

Other Representations

- 4.3 Local Residents
Two letters of objections that the fan is noisy, produces excessive smells and is an eyesore

Three letters of support that are summarised below:

The fan allows the restaurant to function and provides a service and employment to the local population.

The flue is in keeping with other flues on adjacent premises.

The property has been empty for many years and since new fan installed have had no problems with noise and odour.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The purpose of this application is solely for the erection of the extraction unit and associated ductwork and is not taking into consideration any other factors relating to the property beyond its lawful use as a restaurant (Class A3), as previously approved in the applications stated in Section 3. It has been recognised that a business of this type would require extraction systems and this proposal would introduce a regulated system. Previous planning consent had been granted for a ventilation flue at this address for the previous business, a curry house. This consent was never implemented as the business used the kitchen facility of its associated business in the restaurant next door. The businesses have now become independent of each other and a new kitchen and extractor system has been installed.
- 5.2 Due to the close proximity of the neighbouring residential properties to the rear and side, and therefore overlooking the development, the principle of the

development is being assessed under PSP8 Residential Amenity which states that development proposals will be acceptable provided that they do not have an unacceptable impact on the residential amenity of occupiers of nearby properties. Impacts include noise or disturbance and odours, fumes or vibration. The development is also being assessed under PSP21 Environmental Pollution and Impacts which states that development proposals will be acceptable where they demonstrate that the development is designed to avoid adverse impacts including those from noise and odour. Due to the proximity of the neighbouring residential properties the development is also being assessed under CS1 High Quality Design demonstrating that the development respects and enhances the character and amenity of both the site and its context. There is no in-principle objection to the development provided it does not have any unacceptable impacts as identified above.

5.3 Environmental Impacts

The main issues to consider are noise and odour. The application is for an updated replacement for an extraction system that was given permission in 2004 but never implemented. Objections have been received from members of the public regarding noise and odour issues. Comments from the Environmental Protection Officer recommends approval subject to a noise condition. As the restaurant is a steak house the odour and grease content are considered relatively low and the discharge level at eaves height should be sufficient to ensure odours do not unduly affect local residents. The Environmental Protection Officer has confirmed that prior to this application no complaints had been logged regarding noise or odour pollution but if complaints are received regarding odours or noise this can still be investigated under the Environmental Protection Act 1990. In order to comply with policies CS9, PSP21 and PSP35 the systems should be subject to the recommended conditions on noise levels. Subject to that condition there should be no detrimental environmental impact.

5.4 Residential Amenity

Despite the proximity of residential properties to the premises, the location is predominantly commercial in character with a high concentration of restaurants/takeaways and other retail outlets. The new extraction system and fan are similar to a scheme that was granted planning permission in 2004 but never implemented as cooking facilities were shared with an adjoining restaurant unit. The new extractor system and flue is similar to the old approved extraction system that was considered appropriate for the location. As noted above in 5.3 the Environmental Protection Officer has no objection subject to an appropriate noise condition. Subject to that condition there should be no detrimental impact on residential amenity.

5.5 Design/Visual Amenity

Permission was granted in 2004 for a similar ventilation system with large galvanised flue. The new extraction system is marginally smaller than the previously approved system and is sited at a lower level lessening the impact

on surrounding properties. The flue is sited on the rear elevation and cannot be seen from the main High Street and does not project above the ridgeline of the main building. The previously permitted flue would have been sited above the extension roofline. Although large in scale it is not consider excessive for an extraction system. To further lessen the visual impact of the flue the owner has agreed to a condition to paint the flue in matt black this will reduce the visual impact of the present polished steel finish of the flue and would therefore satisfy the requirements as set out in policy CS1.

5.6 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.

5.7 No material considerations that are considered to engage the Public Sector Equality Duty have been identified through the assessment of the planning application.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to conditions

Contact Officer: Kevan Hooper
Tel. No. 01454 863585

CONDITIONS

1. The Rating Noise Level of the exterior extractor fan at the development shall not exceed the pre-existing LA90 Background Noise Level when measured from the nearest part of the boundary to the flue of 81 High Street and shall be assessed in accordance with the British Standard 4142 as amended.

In the interests of protecting the residential amenity of nearby properties in accordance with policies CS9 of the South Gloucestershire Local Plan adopted December 2013 and PSP8, PSP21 and PSP35 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted November 2017).

2. Within 3 months of the date of this decision notice the external flue shall be painted matt black and the matt black finish will be retained.

Reason

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

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PK17/5891/F	Applicant:	Mr Dean Pursey
Site:	16 Highway Yate Bristol South Gloucestershire BS37 7AB	Date Reg:	4th January 2018
Proposal:	Erection of single storey rear extension and two storey side and rear extension to provide additional living accommodation. Installation of rear dormer to facilitate loft conversion (Retrospective). Resubmission of application PK17/4000/F. Amendment to previously approved scheme PK13/2225/F.	Parish:	Yate Town Council
Map Ref:	372021 182478	Ward:	Yate Central
Application Category:	Householder	Target Date:	28th February 2018



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REASONS FOR REPORTING TO CIRCULATED SCHEDULE

This application is to appear on Circulated Schedule due to the receipt of objections from local residents and the Town Council, contrary to the Planning Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks retrospective planning permission for the erection of a single storey rear extension and two storey side and rear extensions, and the installation of a rear dormer at 16 Highway, Yate.
- 1.2 The application property is a two storey semi-detached dwelling. The property is situated in a residential area of Yate, facing onto the main A432 road but set back from this by a wide verge, and a residential road, Highway.
- 1.3 This application seeks amendments to a previous approved application for the erection of single storey rear and two storey side and rear extension under ref. PK13/2225/F. During the construction of that permission the roofline of the extension was brought forward and up to read inline, instead of set back and subservient, with the host dwelling to the front, and a rear dormer was installed which would normally fall within the permitted development requirements of The Town and Country Planning (General Permitted Development) (England) Order 2015 under schedule 2 part 1 class B.
- 1.4 During the determination process it was noted on the site visit that the rear dormer was partially installed during the construction of the scheme. In order to show the development as built, and in full, amended plans were requested to show the dormer and a full re-consultation of 21 days was held.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility

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

- PSP1 Local Distinctiveness
- PSP8 Residential Amenity

PSP16 Parking Standards
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP38 Development within Existing Residential Curtilages, Including
Extension and New Dwellings

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/4000/F - Erection of single storey rear extension, three storey side and rear extension and alterations to roof to facilitate loft conversion to form additional living accommodation (Retrospective) – Withdrawn 26th October 2017
- 3.2 PK13/2225/F - Erection of two storey side and single storey rear extension to form additional living accommodation. (Resubmission of PK13/1208/F) – Approved with conditions 9th August 2013
- 3.3 PK13/1208/F - Erection of two storey side and single storey rear extension to form additional living accommodation. Installation of rear dormer to facilitate loft conversion – Withdrawn 17th May 2013

4. CONSULTATION RESPONSES

4.1 Yate Town Council (summary)

Objection to the scheme due to limited parking as only 1 space in drive and 1 space in the garage is provided. Also, stating parking restrictions to area will apply.

4.2 Other Consultees

Sustainable Transport (summary)

No objections to the scheme. However, issues were raised around the number of proposed bedrooms at the property due to the history of applications at the site. A recommendation that a condition is attached to this permission ensuring the parking shown is installed and permanently maintained thereafter.

Highway Structures

No comment

Lead Local Flood Authority

No objection

Other Representations

4.3 Local Residents

Objections were received from 4 local residents during both the initial consultation period and the re-consultation period. A summary of their comments are as follows:

- Loft extension impacts on privacy and amenity.
- Parking issues.
- The roofline to the front is overbearing and would set a precedent for future developments.
- Extension does not respect the local context.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development for the two storey side and rear and single storey rear extensions has already been established under the previous permission PK13/2225/F. The question for this application is whether the changes from the scheme approved under that permission are acceptable, and these are considered against the relevant policy and other considerations in the following sections.

- 5.2 This application is principally being assessed under PSP38 Developments within Existing Residential Curtilages, Including Extension and New Dwellings demonstrating that developments are acceptable providing they respect the host property in terms of design, do not prejudice amenities of neighbours, provide acceptable parking provisions and do not prejudice highway safety, and would not prejudice provisions of adequate private amenity space. The development is also being assessed under CS1 High Quality Design, demonstrating that the development respects and enhances the character and amenity of both the site and its context. Due to the additional bedroom created via the dormer the development is being assessed under PSP16 Parking Standards which sets out minimum parking spaces per dwelling. There is no 'in principle' objection to the development provided no adverse impacts are found under the above considerations.

5.3 Design/Visual amenity

The size and scale of the extensions have already been established in the previously approved scheme, with no material changes to this during this application. The main alteration regarding the design of the extension is the bringing forward and raising of the extension roofline to read in line with the host dwelling to the front. The previously approved scheme required the extension to be stepped back from the host dwelling at the front by 30cm, along with the ridge line to be 30cm lower, so the extension read as subservient. The ridge to the rear of the two storey extension is still at the same height as that previously approved with a step down from the ridge to the front. The adjoining

property has a two storey side extension which, having no step down or back, reads as one with the host dwelling. Consequently, while ordinarily it would be preferable for the extension to read as a subservient addition, in this case the impact of this proposal is minimal to the overall street scene, and does not produce an overbearing or unbalanced effect.

5.4 An objection was received on the basis of the subservient nature of the previous permission not being complied with. However, with the adjoining property also having a two storey extension that follows the host building line and ridge height, the proposal is in keeping with the street scene.

5.5 The dormer to the rear is of modest size, being approximately 19.32m³ in volume, and being finished with materials to match the existing dwelling house. The windows inserted will match the proposed windows on the second floor of the side extension, also incorporating a Juliet balcony.

5.6 There have been objections raised by local residents regarding the dormer not being in keeping with the surrounding area. However, it is important to point out that this dormer could be installed under permitted development due to the materials matching existing materials of the host dwelling and the size being within the permitted requirements.

5.7 Due to the proposals being in keeping with the street scene and respecting the host dwelling in design and finish, the proposals satisfy the requirements as set out in policies CS1 and PSP38.

5.8 Residential amenity

The general impact on residential amenity of the extensions has already been assessed under the previously approved permission. Due to the proximity to the neighbouring property a condition was attached restricting windows on the side elevation of the extension. It is therefore appropriate to attach the same condition to this permission. The alteration to the roofline proposed in this application has no additional impact on the residential amenity.

5.9 Objections were raised concerning the overlooking aspect of the dormer window. Again, it is important to point out that there are no controls over this if the dormer was erected under permitted development due to it being a rear dormer. Also, the rear garden at the host property is approximately 20 metres in length, and the nearest properties to the rear also have rear gardens of approximately of the same length. Therefore, the dormer would have minimal additional impact on the neighbouring residents to the rear, and would no lead to overlooking into other dwellings.

5.10 As no detrimental impact on neighbouring properties has been identified, the proposals satisfy the requirements as set out in the policies PSP8 and PSP38.

5.11 Sustainable Transport

Issues were raised due to the various applications for development at the property. The Council's transport officer provided three comments during the

determination of this application which raised concerns around the number of bedrooms. However, both the previously approved permission, and this application, are stating four bedrooms. Despite the additional room created by the dormer a bedroom is being lost on the first floor with the installation of the staircase to the loft area, with the remaining area being an open study/sitting area. This was confirmed by the applicant when further plans were requested showing the dormer. Therefore, there is no objection to this permission as there is adequate off street parking at the property, and this permission should be subject to a condition requiring the parking shown to be provided and permanently maintained thereafter.

5.13 Objections have also been received due to parking issues. However, as stated above, the required off street parking of 2 spaces is provided at the property, in line with Council policy.

5.14 Therefore, subject to the relevant conditions attached, this proposal satisfies the requirements as set out in the policies PSP16 and PSP38.

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.

5.16 No material considerations that are considered to engage the Public Sector Equality Duty have been identified through the assessment of the planning application.

6. CONCLUSION

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

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

Contact Officer: Aaron Bush
Tel. No. 01454 863117

CONDITIONS

1. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevation of the extension without the prior written consent of the Local Planning Authority.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP8 and PSP 38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017.

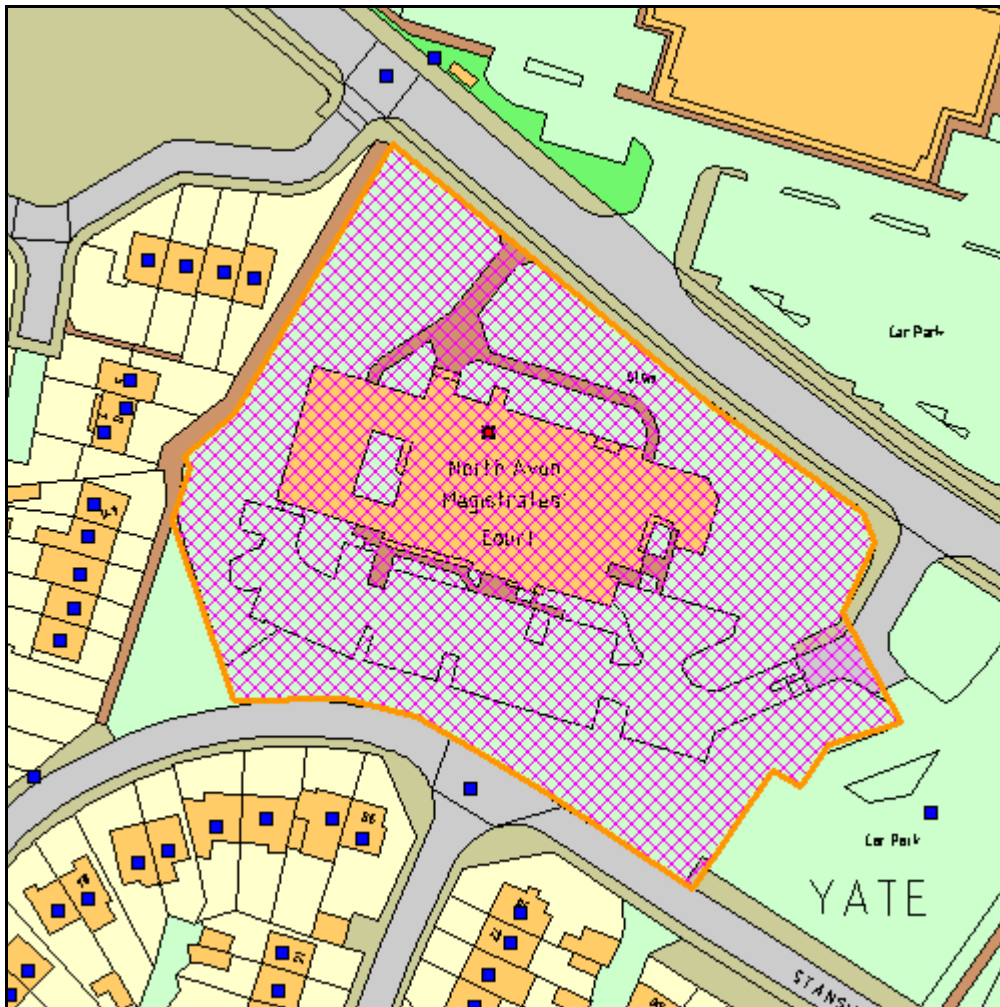
2. The parking provisions (including the garage) as shown on plan drawing number 7 (Block Plan) shall be implemented within two months from the date of decision, and be retained permanently for that purpose.

Reason

To ensure that minimum parking standards for residential properties are met to accord with policy PSP16 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017.

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PK18/0528/TRE	Applicant:	Mrs Sheika Johnston Rider Levett Bucknall
Site:	North Avon Magistrates Court Kennedy Way Yate Bristol South Gloucestershire BS37 4PY	Date Reg:	7th February 2018
Proposal:	Works to trees as per the proposed schedule of works submitted to South Gloucestershire Council on 31st January 2018. Trees covered by Tree Preservation Order SGTPO 32/16 (927) dated 11th January 2017.	Parish:	Yate Town Council
Map Ref:	371187 182396	Ward:	Yate Central
Application Category:		Target Date:	28th March 2018



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE/COMMITTEE

This application is referred to the Circulated Schedule as comments have been received that are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 Works to trees as per the proposed schedule of works submitted to South Gloucestershire Council on 31st January 2018. Trees covered by Tree Preservation Order SGTPO 32/16 (927) dated 11th January 2017.
- 1.2 The trees are within the grounds of the former North Avon Magistrates Court, Kennedy Way, Yate, Bristol, South Gloucestershire, BS37 4PY.

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 PK17/1390/TRE, Site Address: North Avon Magistrates Court, Kennedy Way, Yate, Bristol, South Gloucestershire, BS37 4PY, Decision: COND, Date of Decision: 03-MAY-17, Proposal: Works to 1no Willow tree (item A), 1no Sycamore tree (item B), 1no Oak tree (item C) and 1no Willow tree (item E) as detailed on the application form. All trees covered by South Gloucestershire Tree Preservation Order 32/16 dated 19 August 2016., CIL Liab:
- 3.2 PK18/0680/PND, Site Address: North Avon Magistrates Court, Kennedy Way, Yate, Bristol, South Gloucestershire, BS37 4PY, Decision: No Objection, Date of Decision: 16-March-18, Proposal: Prior Notification of the intention to demolish court building.
- 3.3 PK18/0799/O Site Address: North Avon Magistrates Court, Kennedy Way, Yate, Bristol, South Gloucestershire, BS37 4PY. Proposal: Erection of 50 dwellings (outline). Pending decision.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council submitted comments objecting to the removal of trees T4, T23, T24, T28 and T34. The Town Council also commented on the possible impact of ground levelling on trees T8, T11 and T12.

Other Representations

4.2 Local Residents

Comments have been received from 9 local residents objecting to the removal of trees and wildlife habitat.

5. ANALYSIS OF PROPOSAL

5.1 Proposed Work

It is proposed to remove 9no. individual trees and 1no. group. Levelling of the ground around trees is not a consideration for this application.

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

This application relates and corresponds to the plans to demolish the court buildings (PK18/0680/PND). The tree officer commented on the original tree removal proposals and revised details were submitted.

5.4 The proposed tree removals in this application are the same as those in the PND application. 9no. individual trees and a group of trees on the Kennedy Way frontage of the site were proposed for removal.

5.5 Trees T7, T28, T29 and T34 are of low quality, close to the building and do not provide significant amenity. Group G19 are to have their canopy reduced by a maximum of 3.7metres to the south. These are considered appropriate works to facilitate the demolition of the court building. These trees should be replaced with appropriate species in the next planting season.

5.6 The proposed removal of T4, T13, T17, G21, T23, and T24 is not considered acceptable as these are trees of reasonable to good quality that contribute to the screening of the site.

6. RECOMMENDATION

6.1 Split Decision.

Objection to the removal of T4, T13, T17, G21, T23, and T24 for the following reason:

The removal of these trees would have a harmful impact on the contribution made to the visual amenity of the locality, and as such this would be contrary to

policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013; and the advice in the NPPF.

That consent is GRANTED for the removal of trees T7, T28, T29 and T34, and to the reduction of the canopy of G19 by a maximum of 3.7m to the south subject to the conditions set out below.

Contact Officer: Simon Penfold
Tel. No. 01454 868997

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 and the provisions of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

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(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework and the provisions of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

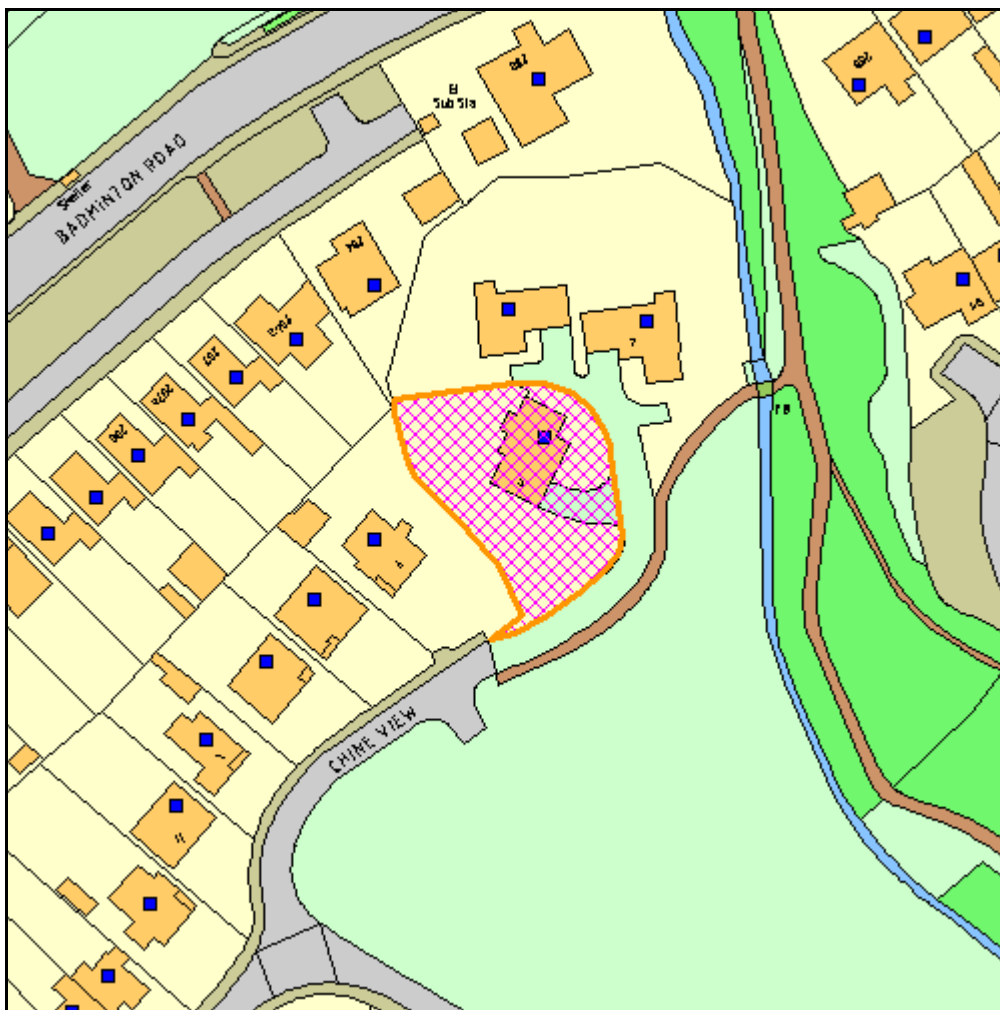
3. Replacement trees, the species, size and location of which is to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason

To protect the character and appearance of the area in the interests of the health and visual amenity of the tree(s), and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework and the provisions of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PK18/0612/CLP	Applicant:	Mr Tim Woodhead
Site:	5 Chine View Downend Bristol South Gloucestershire BS16 6SE	Date Reg:	7th February 2018
Proposal:	Erection of a single storey side extension.	Parish:	Emersons Green Town Council
Map Ref:	365721 177841	Ward:	Emersons Green
Application Category:		Target Date:	3rd April 2018



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey side extension at No. 5 Chine View would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.
- 1.3 The application originally related to a single-storey rear extension in addition – however, this clearly did not accord with the restriction on householder permitted development due to its height. Updated plans were received on 08 March and 23rd March 2018 to make the proposals accord to permitted development rights.

2. POLICY CONTEXT

2.1 National Guidance

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No objection

Other Representations

- 4.2 Local Residents
None received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Received by the Council on 05 Feb 2018
BLOCK & SITE LOCATION PLAN 17/021 1/001
EXISTING FLOOR PLANS 17/021 1/002
EXISTING ELEVATIONS 17/021 1/003

Received by the Council on 08 March 2018
PROPOSED FLOOR PLANS
PROPOSED ELEVATIONS

Received by the Council on 23 March 2018
BLOCK & SITE LOCATION PLAN 17021 1/200 A

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

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

- 6.3 The proposed development consists of a single-storey extension to the side of a detached house. There is no evidence to suggest that the property has had its permitted development rights curtailed in any way. This development would fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the enlargement, improvement or other alteration of a dwellinghouse. This allows single-storey rear and side extensions subject to the following;

6.4 Single-storey side extension

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

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

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

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

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

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

The height of the side extension would not exceed the height of the roof of the existing dwellinghouse.

- (d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**

The height of the side extension would not exceed 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 side extension would not extend beyond a wall which forms the principal elevation of the original dwellinghouse. The development therefore meets this criteria. Although the side elevation is close to a highway, it would not be considered to “front a highway” in regards to this criteria.

- (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 side extension does not extend beyond a rear wall of the original dwellinghouse.

- (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 as the applicant is not applying for an extended householder extension through the prior approval procedure.

- (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 side 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 does not exceed 3 metres. The development therefore meets this criteria.

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

The proposal extends beyond a side wall of the property but does not have more than one storey, exceed 4 meters in height or have a width greater than half of the width of the original property.

- (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 would not include any of the above.

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

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

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

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

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

The materials used in the exterior work will match the 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.

7. RECOMMENDATION

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

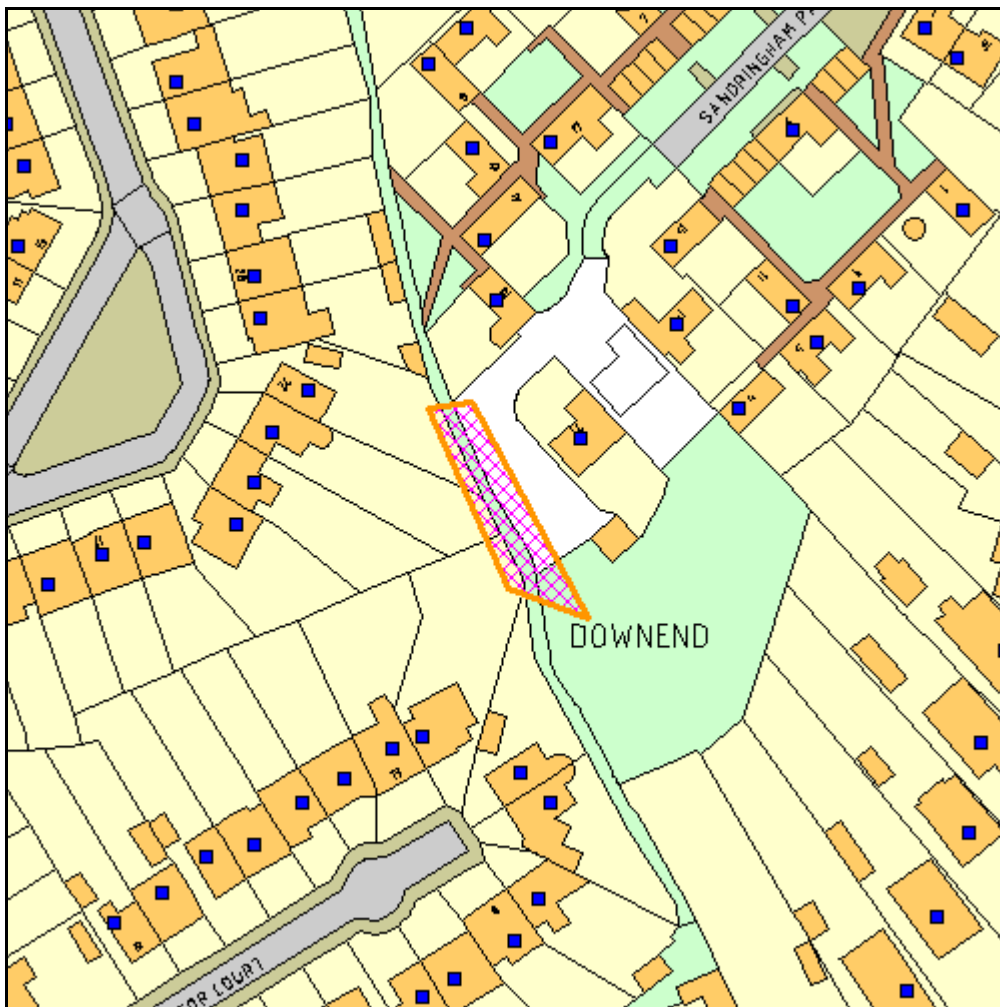
Evidence has been provided to demonstrate that on the balance of probabilities the proposed extension falls within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.

Contact Officer: Owen Hoare
Tel. No. 01454 864245

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PK18/0674/TRE	Applicant:	Dr Stephen Taylor
Site:	22 Oakdale Close Downend Bristol South Gloucestershire BS16 6ED	Date Reg:	13th February 2018
Proposal:	Works to trees as per the applicants proposed schedule of works received by South Gloucestershire Council on the 7th of January 2018. Trees covered by South Gloucestershire Tree Preservation Order 26/09 dated 26th January 2007	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365206 177490	Ward:	Downend
Application Category:		Target Date:	4th April 2018

Note the owner of 21 Sandringham Drive has given preliminary agreement, subject to seeing details.



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE/COMMITTEE

This application is referred to the Circulated Schedule as comments have been submitted that may conflict with the officers recommendation.

1. THE PROPOSAL

- 1.1 Works to trees as per the applicants proposed schedule of works received by South Gloucestershire Council on the 7th of January 2018. Trees covered by South Gloucestershire Tree Preservation Order 26/09 dated 26th January 2007.
- 1.2 The trees are on land adjacent to no.22 Oakdale Close, Downend, Bristol, South Gloucestershire, BS16 6ED.

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 PK13/4357/TRE, Site Address: 21 Sandringham Park, Downend, South Gloucestershire, BS16 6NZ, Decision: COND, Date of Decision: 17-JAN-14, Proposal: Works to crown reduce by 3.5 metres and crown lift by 4 metres 3no.Ash trees and 1no. Sycamore tree covered by Tree Preservation Order SGTPO 26/06 dated 26 January 2007., CIL Liable:

4. CONSULTATION RESPONSES

- 4.1 Downend And Bromley Heath Parish Council has no objection, subject to South Gloucestershire Council's Tree Officer's approval, working to Hillside Trees Ltd report dated November 2012 covering BS16 6NZ Land off Sandringham Park.

Other Representations

- 4.2 Local Residents

The owner of the trees has stated that he does not give preliminary agreement to the tree works. This is contrary to a statement made by the applicant.

5. ANALYSIS OF PROPOSAL

- 5.1 To reduce the lateral spread of three Ash trees and a Sycamore that encroach over the boundary of the applicant's property from adjacent land at 21 Sandringham Park.
- 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 proposed works are to prune back by 2 to 3 metres the lateral growth of the trees adjacent to the rear garden of the applicant's property. In addition it is proposed to reduce one major stem to approximately 1metre above ground level.
- 5.4 The stem that is to be heavily reduced is a long protracted stem that has grown out over the applicant's garden seeking light. Although this is a large stem, its loss would not have a significant on the amenity provided by this group.
- 5.5 It is not considered that the proposed works will have a detrimental impact on the long term health of the trees.
- 5.6 The permission given by the Council is restricted in scope in that it only relates to the Tree Regulations. It does confer or purport to grant any consent which relates to ownership/access issues; nor is it the role of the Local Planning authority to adjudicate those matters which would remain civil law matters between the owners. As this is not a matter that the LPA have to consider or have any jurisdiction over it is not given weight in terms of the assessment above.

6. RECOMMENDATION

- 6.1 That consent is GRANTED subject to the conditions below.

Contact Officer: Simon Penfold
Tel. No. 01454 868997

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.

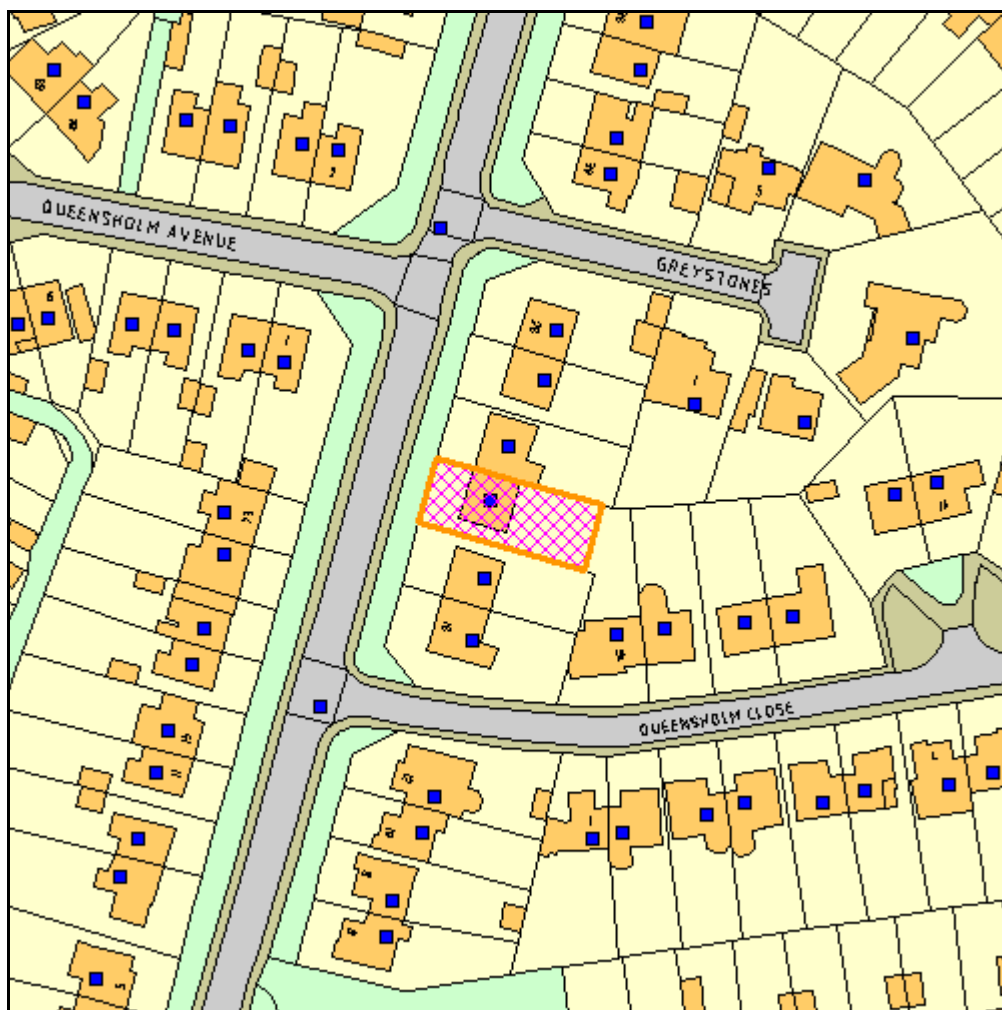
2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

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. 13/18 – 29 MARCH 2018

App No.:	PK18/0706/CLP	Applicant:	Mark James
Site:	20 Queensholm Drive Downend Bristol South Gloucestershire BS16 6LA	Date Reg:	15th February 2018
Proposal:	Certificate of lawfulness for the proposed installation of a rear dormer.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365176 178059	Ward:	Downend
Application Category:		Target Date:	9th April 2018



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of a rear dormer to 20 Queensholm Drive, Downend would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/3487/F – Refused - 04.10.2017
Erection of first floor side extension and alterations to roof to form additional living accommodation.

4. CONSULTATION RESPONSES

- 4.1 Local Councillor
No comment

Downend and Bromley Heath Parish Council
No objection

Planning Enforcement
No comment

Other Representations

4.2 Local Residents

One letter of objection and 12 letters of support have been received, and have been summarised as follows

Objection

- Plans show the dormer to be built up to the chimney, this will cause future issues maintaining the chimney

Support

- Proposal will appear in keeping with the character of the area
- Similar development already present in local area
- Great design
- Proposal will improve the dwelling house

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

- 5.1 Combined Plan
(Received by Local Authority 26th March 2018)

6. **ANALYSIS OF PROPOSAL**

6.1 Principle of Development

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

- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1 of the GPDO 2015. It should be noted that there is no restriction on permitted development rights at the subject property. As such permitted development rights are intact and exercisable.

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

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

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

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

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

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

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

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

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

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

The property is a semi-detached house and the proposal would result in an additional volume of no more than 50 cubic metres.

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

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

The proposal would include none of the above.

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

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

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

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

Submitted plans confirm materials of similar appearance.

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

The rear dormer would be approximately 0.7 metres from the outside edge of the eaves of the original roof respectively. Additionally, the proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse.

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

Plans show that proposed side windows will be obscure glazed and opening parts of the window will be more than 1.7 metres above floor level.

7. RECOMMENDATION

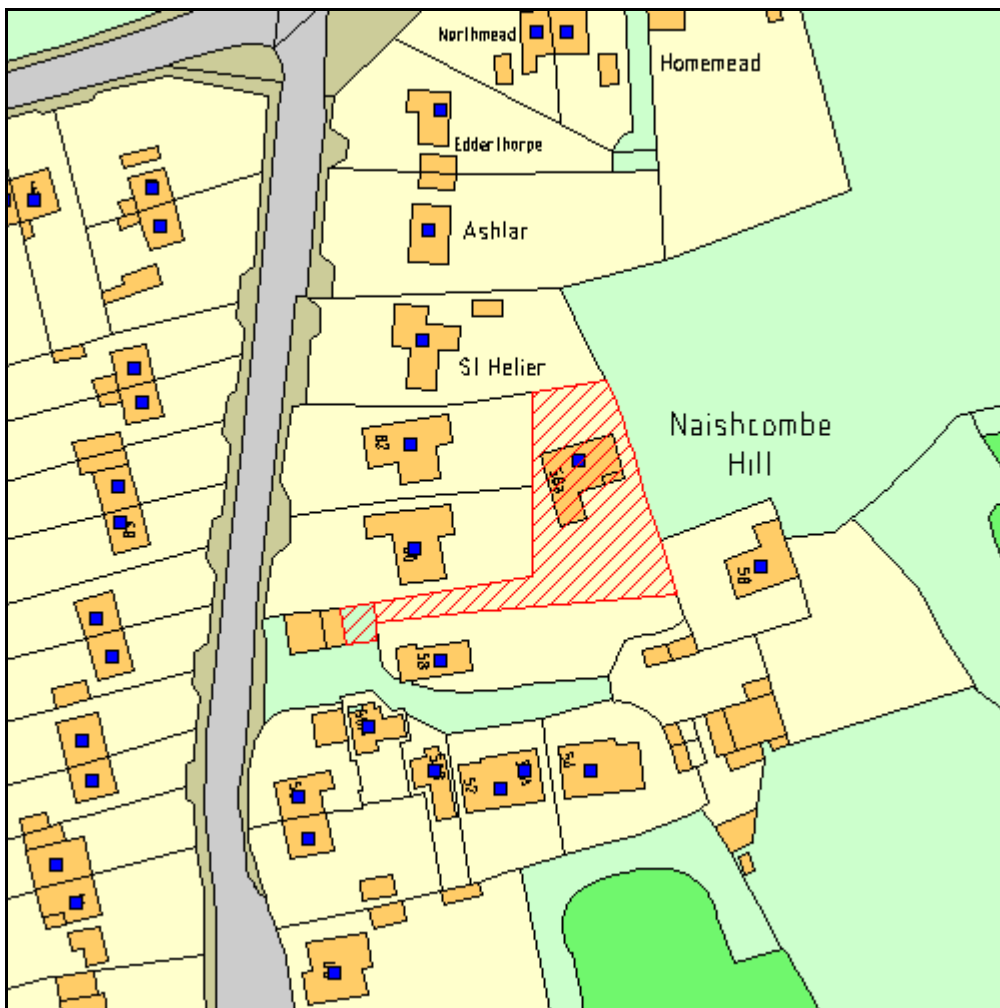
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Contact Officer: Westley Little
Tel. No. 01454 867866

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

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PK18/0714/F	Applicant:	Mr And Mrs Duggan
Site:	58A Naishcombe Hill Wick Bristol South Gloucestershire BS30 5QS	Date Reg:	16th February 2018
Proposal:	Erection of two storey front extension to include roof terrace to form annex ancillary to the main dwelling.	Parish:	Wick And Abson Parish Council
Map Ref:	370354 173397	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	9th April 2018



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey front extension to include roof terrace to form an annex ancillary to the main dwelling to the property known as 58A Naishcombe Hill, Wick.
- 1.2 The annex will be formed of 2 no. bedrooms, an open plan living, dining and kitchen area and a bathroom. The parking and garden areas will be shared with the main house.
- 1.3 The application site is within the settlement boundary of Wick, which is washed over by the Bristol/Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS34 Rural Areas

South Gloucestershire Policies Sites and Places Development Plan Document Adopted November 2017

PSP1 Location Distinctiveness
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Extensions within Residential Curtilages
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Adopted) December 2013
- (c) Development in the Green Belt SPD

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|-------------|----------|------------|
| 3.1 | PK17/0541/F | Approved | 04.04.2017 |
|-----|-------------|----------|------------|

Erection of a single storey side and two storey rear extension to include roof terrace to form annexe.

- 3.2 P90/2276 Approve with conditions 09.01.1991
Erection of detached bungalow. Alteration of access to highway (in accordance with submitted plans as revised by amended site plan received by the council on 22nd November 1990).

4. CONSULTATION RESPONSES

4.1 Wick and Abson Parish Council

4.2 Other Consultees
Sustainable Transport

No objection subject to condition requiring annexe to be ancillary to main dwelling.

Other Representations

4.3 Local Residents

One objection received with concerns relating to loss of privacy due to the upper floor window on the western elevation and subdivision of dwellings in the future.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the Policies, Sites and Places Plan (Adopted) November 2017 is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and in accordance with policy CS1 of the Core Strategy, and that there is no unacceptable impact on residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.2 Green Belt

The NPPF allows for limited extensions to buildings within the Green Belt providing that they do not result in disproportionate additions over and above the size of the original building (the volume of the dwelling at construction or its volume on July 1st 1948). PSP7 states that an addition resulting in a volume increase of between 30%- 50% will be subject to careful consideration and assessment. Any proposed development over and above 50% or more of the original dwelling would be considered in excess of any reasonable definition of 'limited extension'. Whether an addition is considered disproportionate or not, depends on the individual circumstances and what type of addition is proposed.

- 5.3 The dwelling as existing is considered to be original. The case officer has calculated the size increase at around 44%. As the site is situated within the

settlement boundary of Wick, within residential curtilage which is surrounded by tall landscaping features, the impact on the openness of the Green Belt will be minimal. The principle of development is therefore acceptable in Green Belt terms.

5.4 Design and Heritage

The proposal would consist of the erection of a two-storey extension with a roof terrace above. The extension would attach to an existing original single-storey front element of the dwelling. It would have a gabled roof with a roof terrace in the south elevation. It would use materials to match the existing dwellinghouse. It is noted that the proposal is for a two storey extension to a single storey bungalow, however the second storey is facilitated by a dormer window and the ridge height proposed will not exceed the existing, and so it is not considered that the height or layout represents overdevelopment.

5.5 The existing bungalow is located to the rear of an existing line of dwellings, and is set within a large plot surrounded by trees. It sits to the end of a long private driveway. Due to the distance of the site from any public areas, and the landscaping features around the site, it is not considered that there would be any negative impact on the visual amenity of the dwelling itself, or the surrounding area. Therefore, the proposal is considered acceptable in relation to CS1 of the Core Strategy.

5.6 Residential Amenity

Residential amenity should not be harmed as a result of development. Amenity should be considered in terms of the application site and all nearby occupiers. As the proposal is around 16 metres away from the closest dwelling to the west with an eaves height of only 3 metres, and an overall height of 5.6m, the proposal will not have a significant overbearing or overshadowing impact on any neighbouring properties.

5.7 It is noted that a neighbour has objected due to the upper floor window located in the western elevation. Although this could be considered to overlook the rear garden of No. 60 Naishcombe Hill, the distance between the properties is sizeable, and the upper floor window would serve a stairwell, and not a habitable room. Therefore, it is not considered that the loss of privacy would be so severe it would result in a material negative impact. In addition, a roof terrace would be located to the south elevation of the extension; due to the distance to the neighbouring property to the south, and the tall landscaping features surrounding the site, it is not considered that the roof terrace would have a significant negative effect on the privacy of the occupiers to the south.

5.8 Transport

The proposed development will create a two bed annexe with the site boundary. If permitted there will be a total of four bedrooms in total. The plans submitted show that adequate vehicular parking can be provided within the site boundary. Therefore, subject to a condition ensuring that the proposed annexe is kept ancillary to the main host dwelling, there is no transport objection.

5.9 Annex Test

By definition an annex must be ancillary to the main dwellinghouse and should have some form of physical and functional reliance upon it. In this case the proposed annex does contain elements associated with independent living accommodation i.e. bedrooms, kitchen, living room and bathroom. It is, however, acknowledged that the parking and amenity space would be shared. It is therefore overall, considered to meet the criteria of an annex. However, it is usual for a condition to be attached to the decision notice stating that the use of the annex must be ancillary to the main dwelling and that it cannot be used independently of that dwelling. This will prevent the unit being subdivided without being re-assessed through a further planning application.

5.10 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.

- 5.11 This proposal will offer some independence to a family member currently living in the house but overall this is not given any particular weight and the proposal is considered to have a neutral impact on equality. No weighting has been afforded to the independence created as the proposal is acceptable in its own right.

6. CONCLUSION

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

7. RECOMMENDATION

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

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).

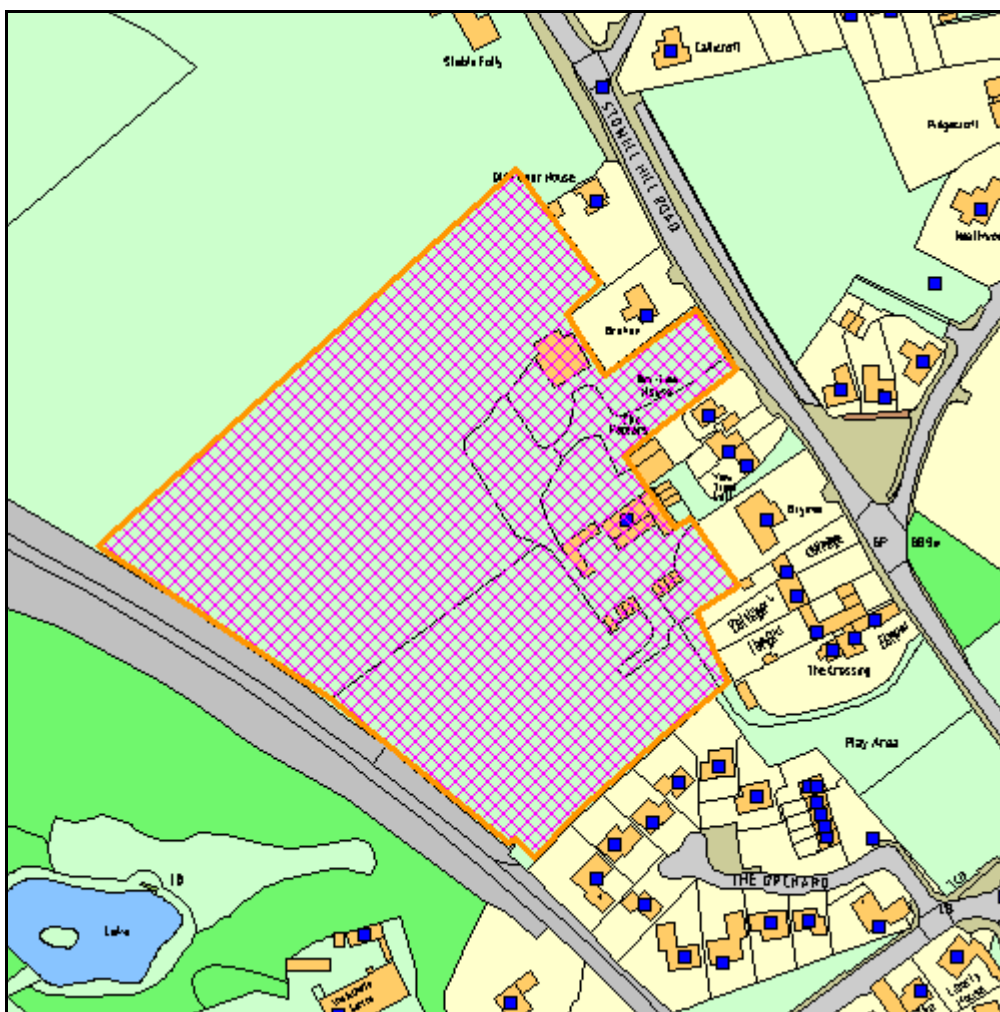
2. The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 58a Naishcombe Hill, Wick.

Reason

Use of the building as a separate dwelling would require further assessment with regards to design, residential amenity, parking provision etc, to accord with policy CS1 and CS8 of the Core Strategy (Adopted) December 2013, PSP11 and PSP38 of the policies, Sites and Places Plan (adopted) November 2017 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PT17/2331/O	Applicant:	Caddick Land Limited
Site:	Land To The West Of Stowell Hill Road Tytherington South Gloucestershire GL12 8UH	Date Reg:	7th June 2017
Proposal:	Erection of 29no. dwellings (Outline) with layout, siting and access to be determined. All other matters reserved.	Parish:	Tytherington Parish Council
Map Ref:	366760 188396	Ward:	Ladden Brook
Application Category:	Major	Target Date:	15th August 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

UPDATE REPORT RELATING TO PT17/2331/O LAND TO THE WEST OF STOWELL HILL, TYTHERINGTON:

1. INTRODUCTION:

- 1.1 Members will recall this application was heard at the D C West Committee on 14th December 2017 having been called to Sites Inspection on 24th November by Cllr Marian Lewis. The application sought outline consent for the erection of 29 no. residential dwellings with access, layout and siting to be determined and other matters of landscaping and scale to be reserved. The application site is land to the west of Stowell Hill Road, Tytherington. The site is situated outside of the settlement boundary of Tytherington in the countryside, however it directly abuts the settlement and the Tytherington Conservation Area to the south-east. The grade II listed Old Manor House is situated immediately to the north of the proposed development, and Chapel Cottage, a locally listed building, lies to the east. The site is also approximately 100m from a Scheduled Ancient Monument known as the Castle, which is situated to the east. A 'mothballed' railway line lies to the west. It is stated on the application form that part of the site is previously developed, used as workshops and outside storage comprising of plant, vehicles, skips, caravans, machinery etc. The remainder of the site is agricultural. No public rights of way run across the site.
- 1.2 The resolution was to grant permission subject to a S106 agreement for affordable housing and home to school transport for secondary school pupils and subject to 20 conditions.

2 ASSESSMENT

- 2.1 This is an update report to consider changes that have arisen since the resolution to grant permission and as a result of discussions during the s. 106 process. It has now been shown that both informal and natural open space can now be provided on-site and as there are no allotments within the recommended access standards we can no longer request a financial provision for such facilities. These changes would not alter the overall resolution and because the s. 106 has not yet been signed it is possible to re-visit the terms by submitting the details for consideration under the Circulated Schedule process.
- 2.2 The on-site provision of informal recreational open space and natural and semi-natural space is considered a betterment to the scheme but would require amendments to the amount of monetary contributions regarding public open space that appeared in the original Committee Report. This update report is to consider these changes only. There would be no material change to the scope of the development and the overall recommendation including the other planning obligations and conditions would remain as before.

2.3 As this situation would not alter the scope of the proposed development, the revised details have not been put out for consultation. It must further be noted that the fall-back position for the developer is that they can proceed as per the previous recommendation. However, having the provision of public open space on-site rather than off-site is considered a betterment and on this basis, would be a preferable option.

2.4 The resolution to grant permission was made on 14.12.17 subject to s. 106 and conditions. It is confirmed that other than those relating to public open space, which are listed below, there have been no other changes and all other areas remain as previously assessed i.e. landscape, ecology and trees, impact on highways, impact on listed building and conservation area, archaeology and environmental protection, drainage, urban design, children and young people, housing enabling, arts and development and impact on residential amenity.

2.5 Members should refer to the Committee Report for a full appraisal of this development proposal.

2.6 **Updated Planning Obligations**

The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations (CIL). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- a. Necessary to make the development acceptable in planning terms
- b. Directly related to the development; and
- c. Fairly and reasonably related in scale and kind to the development

2.7 **Community Infrastructure (open space)**

These details have been updated:

Based upon the projected population of the proposed development it would generate the requirement to provide the following in respect of public open space to offset the impact of the development:

- i) Outdoor sports facilities 1113.60 sq m
- ii) Provision for children and young people 174.00 sq m

A financial contribution is requested in order to provide off-site provision of and /or improvements to existing open space in the locality; along with a proportionate amount for the maintenance of that provision, as follows:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	contributions towards off-site provision and/or enhancement	Maintenance contribution
Outdoor sports facilities	1,113.60	0	1,113.60	£55,881.12	£16,913.36

Provision for children and young people	174.00	0	174.00	£29,257.04	£30,764.00
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2.8 Transport to school

These details remain the same as before:

The proposed development of 29 dwellings would generate 6 additional secondary pupils according to the pupil number calculator. The proposed development is in the area of prime responsibility of Marlwood School (2.6 miles away). As there is no safe walking route to school, a requirements towards costs for transport to school would be required.

2.9 The closest school is Castle School and the most cost effective mode of transport is by bus. The total cost of transport would be £642 (annual cost per pupil) x 7 years education x 6 secondary pupils amounting to £26,964.00.

2.10 Affordable housing

These details remain the same as before:

This scheme would generate a requirement for 10no. affordable homes.

- 35% affordable housing with a tenure split of 73% social rent and 27% shared ownership

2.11 Tenure:

The application form proposes 10 affordable homes as social rent and under paragraph 4.2 of the Design and Access Statement states “*The units are proposed to be a mix of one to four bed detached, semi-detached and short terraces across the site of which 35% (subject to viability) will be a mixture of Affordable and Starter Homes*”. The following tenure mix is required and for the avoidance of doubt Enabling can confirm that until such times as the necessary national and local plan policies are in place regarding starter homes we will not secure starter homes as part of the affordable housing mix. To meet identified housing need, as set out in the Wider Bristol Strategic Housing Market Assessment (SHMA), as follows:

- 73% Social Rent
- 22% Shared Ownership
- 5% Affordable Rent (ART)

As 5% ART requirement generates 1.45 unit, Enabling will seek a tenure split of 73% social rent and 27% shared ownership. Based on a requirement of 10 affordable homes this will generate a tenure split of:

- 7 social rent
- 3 shared ownership

2.12 Type

A range of Affordable Homes to meet housing need, based upon the SHMA house types shown below:

Social Rent:

Percentage	Type	Min Size m2
15%	1 bed 2 person flats	50
15%	2 bed 4 person flats	70
28%	2 bed 4 person houses	79
34%	3 bed 5 person houses 2 storey	93
8%	4 bed 6 person houses 2 storey	106

Shared Ownership:

Percentage	Type	Min Size m2
8%	1 bed 2 person flats	50
16%	2 bed 4 person flats	70
35%	2 bed 4 person houses	79
41%	3 bed 5 person houses 2 storey	93
0%	4 bed 6 person houses 2 storey	106

2.13 Affordable homes must be built in line with the same standards as the market units and to include lifetime homes standard, part 2 of Secured by Design and compliance with a specified registered providers requirements. One wheelchair accessible home is required and this will be discussed in full with the enabling team under reserved matters to establish the house type. The standards are:

2.14 Standards of Design

Affordable Homes to be built in line with the same standards as the market units (if higher) and include Lifetime Homes standard, Part 2 of Secured by Design, and compliance with the RP Design Brief as follows;

- i. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
- ii. All properties to have vinyl/tiles on floor in all ground floor rooms;
- iii. Ceiling height tiling to 3 sides of bathroom to be provided;
- iv. Provide wall mounted shower (either electric or valve and kit);
- v. Provide gas and electric points to cooker space (where gas is available);
- vi. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

8% of the Affordable Homes provided to meet wheelchair accommodation standards. The wheelchair specification can be found here [Wheelchair specification](#)

- 2.15 Clustering and Distribution
Affordable Homes to be distributed throughout the site in clusters of no more than 6 units.
- 2.16 Delivery Mechanism
The Council to refer potential occupants to all first lettings and 75% of subsequent lettings.
- 2.17 Delivery is preferred through the Council's list of Approved Registered Providers. In the event of the developer choosing a Registered Provider from outside the partnership then the same development and management standards will need to be adhered to.
- 2.18 Affordable Homes to be built at the same time as the market housing on site in line with agreed triggers as per S.106 agreement. Where the development will proceed over more than one phase, the location, amount, type and tenure of the Affordable Housing in each phase will need to be set out in an Affordable Housing Masterplan and Schedule. The Affordable Housing Plan and Schedule to be approved prior to submission of the first residential Reserved Matters application.
- 2.19 Rent Levels and Affordability
Social Rent homes to be let at Target Rent, as per the Direction on the Rent Standard 2014. Shared Ownership homes to be sold at no more than 40% of the market value, and the annual rent on the equity retained by the RP should be no more than 1.5%. Service charges will be capped at £650 per annum (April 2016 base and linked to RPI) to ensure that all housing costs are affordable to potential occupants. Capital receipts on intermediate housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, on the basis that the subsidy increases by any capital appreciation on that subsidy.
- 2.20 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.
- 2.21 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.
- 2.22 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.

2.23 **Planning Balance**

The planning balance was discussed in the full Committee Report with the conclusion that taking all factors into account the positives of the proposed development outweighed any negatives and the resolution to grant permission was made at Committee. With respect to the changes to the provision of public open space, it has been confirmed that there would be no variation to the scope of the development, merely the provision would be on-site instead of being off-site. This is considered an overall betterment and on this basis the changes to the planning obligation as detailed above are recommended for approval.

2. **CONCLUSION**

- 2.1 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.
- 2.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

3. **RECOMMENDATION**

- 3.1 That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:

a) Affordable housing:

35% of dwellings to be delivered as affordable housing on site, as defined by the NPPF. For the proposed development of 29no. dwellings, this would equate to 10 dwellings for affordable housing

Tenure split of 73% social rent and 27% shared ownership. Based on a requirement of 10 affordable homes this will generate a tenure split of:

- 7 social rent
- 3 shared ownership

In all other respects the development shall comply with the requirements as set out in paragraphs 5.82 – 8.93 inclusive of this report.

The reason for this :

To accord with Policy CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 11th December 2013.

b) Transport to school:

A financial contribution of £26,964 towards the costs of providing home to school transport for secondary pupils

The reason for this:

To accord with Policy CS23 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013.

c) Public open space:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Minimum spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal recreational open space	800.40	800.40	0	0	0
Natural and semi natural open space	1044.00	1044.00	0	0	0
Outdoor sports facilities	1,113.60	0	1,113.60	£55,881.12	£16,913.36
Provision for children and young people	174.00	0	174.00	£29,257.04	£30,764.00
Allotments	No allotments within the recommended access standards				

The reason for this:

To accord with Policy CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013.

- 3.2 That should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

1. Approval of the details of the scale and appearance of the buildings (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the scale and appearance of any buildings to be erected shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

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

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

5. The proposal shall be in accordance with the following plans:
As received by the Council on 15.5.17:
Site location plan

As received by the Council on 4.12.17:
Illustrative masterplan Y81:1018.12 rev A
Illustrative masterplan Y81:1018.11 rev A

Reason

For the avoidance of doubt.

6. Where the site is adjacent to residential or business premises, heavy plant, noisy equipment or operations and deliveries, shall not take place outside the hours of;
Monday - Friday.....7.30 - 18.00
Saturday.....8.00 - 13.00.
No noisy activities on Sundays or Bank Holidays.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 and PSP21 of the South Gloucestershire Policy Sites and Places

Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

7. Prior to the commencement of development details of the composite facade calculations regarding internal noise levels are to be submitted to the LPA for written approval and implemented in accordance with the approved details.

Reason

To protect the amenities of the occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP8 and PSP21 of the South Gloucestershire Policy Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework. A pre-commencement condition is needed in order to avoid the need for future remedial action

8. The reserved matters details referred to in condition 1 shall include full details of the drainage as detailed below and all works shall be implemented in accordance with the approved details.

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

The following details are expected when discharging the above conditions:

- o Any departures from the surface water discharge hierarchy in relation to infiltration such as soakaways, need to be justified and supported by evidence, percolation / soakage test results and test locations are to be submitted in accordance with BRE 365, in line with the requirements of Building Regulations and to ensure best practice and sustainable development.
- o If applicable, confirmation and acceptance from Wessex Water of the connection point (Manhole Number) and agreed discharge rate to their existing surface water sewer to be provided.
- o A clearly labelled drainage layout plan showing the pipe networks and any attenuation / storage tanks or oversized pipe systems.
- o Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer).
- o Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer).
- o Where infiltration forms part of the proposed Surface Water Network such as Soakaways, percolation / soakage test results and test locations are to be submitted in accordance with BRE 365 and in line with the requirements of Building Regulations.
- o The drainage layout plan should also show exceedance / overland flood flow routes, and where applicable if flooding occurs the likely depths of any flooding.
- o The plan should also show any pipe node numbers referred to within the drainage calculations.
- o A manhole / inspection chamber schedule to include cover and invert levels.

o Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation/Infiltration features and Flow Control Devices where applicable.

Reason:

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012

9. At reserved matters stage a phased tree protection plan and details of the 'no-dig' construction method shall be submitted to the LPA for full consideration.

Reason

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

10. Prior to the commencement of demolition, a Bat Method Statement must be submitted to the council for approval in writing and implemented in accordance with the approved details. This can be in the form of a Natural England bat mitigation licence application (based on section 6.3 Ecological Impact Assessment (ADAS, January 2017

Reason

This is a prior to commencement of the demolition condition to avoid any unnecessary remedial work in the future and to ensure the works are carried out in an appropriate manner and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

11. Prior to the commencement of demolition, the bat box recommended in Section 6.3 of the Ecological Impact Assessment (ADAS, January 2017) must be installed and its location must be submitted to the council for approval in writing and located in accordance with the approved details.

Reason

This is a prior to commencement of the demolition condition to avoid any unnecessary remedial work in the future and to ensure the works are carried out in an appropriate manner and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

12. Prior to commencement of development, a bat friendly lighting scheme must be submitted to the council for approval in writing (based on Section 6.3 of the Ecological Impact Assessment (ADAS, January 2017) and implemented in accordance with the approved details.

Reason

This is a prior to commencement condition to avoid any unnecessary remedial work in the future and to ensure the works are carried out in an appropriate manner and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

13. Prior to commencement of development, the location and type of five bat roost bricks/tiles or four bats boxes, and four bird boxes (as set out in Section 7 of the Ecological Impact Assessment (ADAS, January 2017)) should be submitted to the local planning authority for approval in writing and implemented in accordance with the approved details.

Reason

This is a prior to commencement condition to avoid any unnecessary remedial work in the future and to ensure the works are carried out in an appropriate manner and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

14. The development should proceed in accordance with the recommendations made in the in Section 6.3 and 7 of the Ecological Impact Assessment (ADAS, January 2017). This includes the retention and enhancement through native planting of the existing hedgerow, retention of trees, inspection and soft felling of ash trees (if necessary), avoidance of harm to reptiles and European hedgehog and timing of works regarding breeding bird season

Reason

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

15. Contaminated Land

A. Prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks potential sources of contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.

B. Prior to occupation, where works have been required to mitigate contaminants (under section A) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

C. If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

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

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

Reason:

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. A pre-commencement condition is needed in order to avoid the need for future remedial action.

16. The reserved matters details referred to in condition 1 shall include full details for a unique site specific integrated public art scheme including but not limited to detailed designs, timescales and triggers. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note.

Reason:

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policy CS23 - Community Infrastructure and Cultural Activity and Policy CS1 - High Quality Design Point 7 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

17. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manhole); retained historic landscape features and proposals for restoration where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. A pre-commencement condition is needed in order to avoid the need for future remedial action.

18. Application for the approval of the reserved matters shall be in accordance with the indicative parameters described in the design and access statement (Resolved Developments ADAS) dated January 2017 and the design and access addendum (PRA Architects) dated October 2017.

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.

19. Visibility splays of 2.4 x 52m in each direction must be provided prior to first use of the proposed access onto Stowell Hill Road, with no obstruction greater than 0.9m high within the prescribed visibility splays.

Reason

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

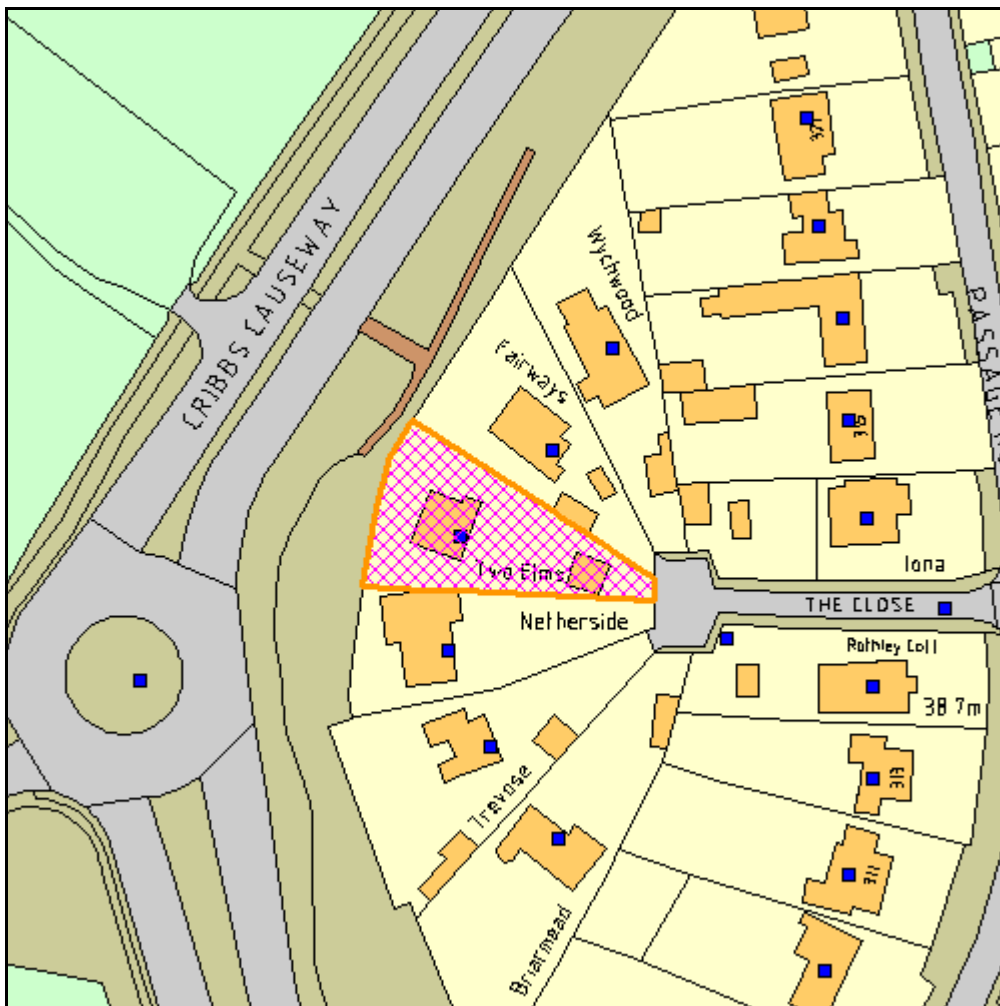
20. No development shall take place until construction details of the proposed access have been submitted to and approved by the Council, with the development proceeding in accordance with the approved details

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition to avoid any remedial action in future.

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PT17/5473/F	Applicant:	C/O Newham Land & Build Ltd
Site:	Two Elms The Close Almondsbury Bristol South Gloucestershire BS10 7TF	Date Reg:	1st December 2017
Proposal:	Demoliton of existing dwelling and outbuildings. Erection of 2 no. dwellings and associated works.	Parish:	Almondsbury Parish Council
Map Ref:	356945 180122	Ward:	Patchway
Application Category:	Minor	Target Date:	22nd January 2018



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 100023410, 2008. N.T.S. PT17/5473/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of an existing dwelling and outbuildings and the erection of 2no. dwellings and associated works. The application relates to Two Elms, The Close, Almondsbury.
- 1.2 The application site consists of a detached property set centrally within a large plot. The site is situated within a clutch of residential development off the A4018 to the south-west of Catbrain and Cribbs Causeway. The subject property consists of one of six properties forming a crescent at the end of 'The Close'.
- 1.3 Revised plans were requested and received by the Local Planning Authority on 8th February 2018. The revisions involve the re-scaling and re-siting of the proposed dwellings. The alterations were considered to be material, and as such triggered a further round of consultation, which was run from 14th to 28th February 2018.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

3.1 N5311

Erection of a double domestic garage. Demolition of existing garage (in accordance with the amended plans received by the Council on 28th February 1979).

Approved: 29.03.1979

3.2 PT16/5428/F – *Land adjacent to Iona, The Close*

Erection of 1no detached dwelling with access and associated works.

Approved: 03.02.2017

3.3 PT15/2509/F – *Rothley Cottage, The Close*

Erection of 1no. detached dwelling and associated works.

Approved: 06.08.2015

4. CONSULTATION RESPONSES

First round of consultation

- 4.1 Almondsbury Parish Council
No comments received

- 4.2 Other Consultees

Sustainable Transport

We do not consider that this development raises any material highways or transportation concerns and therefore, we have no comments about this planning application.

Lead Local Flood Authority

No objection in principle subject to comments and informatives.

Archaeology

No objection

Highway Structures

No comment

Other Representations

4.3 Local Residents

A total of 4 objection comments were submitted during the first round of consultation. The main concerns raised are summarised below:

- Proposal has 8 bedrooms and only 4 parking spaces. This is insufficient and will cause more parking on The Close.
- The Close is very narrow and it is very difficult to park on-street.
- There is only 1 on road parking space outside the site.
- Another new house has very difficult access, and therefore parking space is unlikely to be used.
- 2 large houses in a tiny space will increase traffic and compromise road safety.
- Proposal will cause road chaos and blocked accesses.
- Design does not conform to other houses in the vicinity.
- There has been 2.5 years of disruption through construction of other properties along The Close.
- Construction of other houses has caused damage to road surface.

Second round of consultation (revised plans)

4.4 Almondsbury Parish Council

No comments received

4.5 Other Consultees

Sustainable Transport

No comment about alteration

Lead Local Flood Authority

Comment as previous

Archaeology

No comment

Highway Structures

No comment

Other Representations

4.6 Local Residents

A further 4 objection comments were submitted during the second round of consultation. The main concerns raised are summarised below:

- Nothing has changed as far as property size – proposal will still cause parking issues.
- Levels of parking are still sub-standard.
- Developers have previously blocked road during construction of other properties.
- Not enough space for visitors to park.
- Concerned that boundaries are correctly adhered to.
- Developer has attempted to control comments by residents.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning permission is sought for the demolition of an existing dwelling and the erection of 2no. detached dwellings. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area. The application site is located in the area defined as the north fringe of the Bristol urban area. As such, based solely on the location of the site, the principle of the development is acceptable.

- 5.2 The principle of development is acceptable under the provisions of policy CS5, and it is acknowledged that the provision of one additional dwelling towards housing supply would have a modest socio-economic benefit. However the

impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. The further areas of assessment are; design and visual amenity, residential amenity, transportation, and trees and vegetation.

5.3 Design and Visual Amenity

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

5.4 The existing dwelling at the site is in a fairly dilapidated state, and does not exhibit any particular architectural interest. As such, it is not considered that the demolition of the existing dwelling would cause any significant harm to visual amenity or detract from the character or distinctiveness of the locality.

5.5 The two proposed dwellings would be of an identical appearance, and would mirror one another. Both properties would be constructed in a mock-tudor style at their front elevations, and each would incorporate fairly substantial front gables. A more simple design and render finish would be utilised at the side and rear elevations.

5.6 When considered in isolation, the design and appearance of the proposed dwellings is considered to be acceptable. It is also considered that due to the spacious nature of the existing plot, both properties could be accommodated without the dwellings appearing unduly cramped within their respective plots. However the main design consideration in this instance is the extent to which the development proposal respects the character and built form of other properties in the immediate locality.

5.7 It is acknowledged that the western end of The Close consists of a crescent made up of six properties. Whilst each property does differ in terms of built form and overall appearance, all six properties share the characteristic of being a single detached dwelling set within a spacious plot. In this regard, the proposal would differ from the existing pattern of development as it would consist of two identical properties situated next to one another.

5.8 That said, the built form of properties in the wider area is fairly mixed. It is also acknowledged that planning permission has previously been granted for the erection of 2 detached dwellings to the east of the site (under application ref. PT15/2509/F and PT16/5428/F). Whilst the construction of these new properties does not set a precedent for future development in the immediate area, it can be argued that the previously properties hold more prominent positions within 'The Close', and have a greater impact on the immediate streetscene. By contrast, the proposed dwellings would be set fairly far back within their plot, and would not hold such a prominent position within the street. It is also considered that the use of trees and vegetation, as shown on the proposed block plan, would aid in screening the proposed properties from public view – further reducing their prominence.

5.10 Overall, whilst the proposal does not necessarily reflect the existing pattern of development at The Close, it is not considered that the demolition of the existing dwelling and the erection of 2no. dwellings would cause a significant degree of harm to visual amenity. Overall, the development is considered to accord with policy CS1 of the Core Strategy.

5.11 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.12 When considering the impacts of the development on the residential amenity of neighbouring residents, the main neighbouring properties under consideration are the adjacent properties to north and south, at Fairways and Netherside respectively.

Amenity of neighbours

5.13 In terms of the proposal as originally submitted, it was considered that the proposed dwellings would have some overbearing impact on the immediate neighbours. Each dwelling was set to extend for a depth of 11.1m along the boundaries to the north and south. Although the shape of the plot would allow for the new dwellings to taper away from neighbouring boundaries, they would be much closer than the existing property. Overall it was considered that the erection of 2no. two storey dwellings of the length proposed would have had a detrimental impact on the amenity space to the rear of the neighbouring properties.

5.14 The scheme was subsequently revised, with the dwellings re-scaled and re-sited. Amendments to the internal layout, and the incorporation of a second floor bedroom, allowed for the depth of the dwellings at the boundary to be reduced to 8.7m. As such, the dwellings would not project significantly beyond the rear of the neighbouring dwellings. It is considered that the re-scaling of the dwellings sufficiently mitigates the potential overbearing effects.

5.15 In terms of overshadowing, a review of prospective sun movements indicates that the proposed dwellings would have minimal overshadowing effects on the adjacent property to the south. The more northerly dwelling would have some overshadowing impact on the neighbour immediately to the north. However the neighbouring property would only be affected for a small portion of the day, and it is not considered that the overshadowing impact would be significantly greater than the existing situation.

5.16 With regard to overlooking, it is not considered that the first floor front and rear-facing windows would cause any significant overlooking issues. It is however noted that side-facing windows are proposed at a first floor level. Two of the windows would serve en-suite bathrooms, with a third, elongated window

servicing the proposed staircase. As these rooms would not provide primary living accommodation, it is not considered that their insertion and use would result in a significant loss of privacy through increased overlooking. However to reduce the inter-visibility between the two proposed dwellings, and from the proposed dwellings to existing dwellings, a condition will be attached to any decision requiring the first floor side-facing windows to be obscurely glazed. As the windows would not serve primary living accommodation, it is not considered that the obscure glazing of the windows would prejudice the living conditions of any future occupiers of the development.

Disturbance

- 5.17 It is recognised that the demolition of the existing dwelling and the erection of two new dwellings would cause a degree of disturbance to neighbours during the construction period. It is also recognised that two new dwellings have been constructed along the residential street under separate planning consents, and that the construction of these dwellings will have caused a degree of disturbance.
- 5.18 However some disturbance is to be expected as part of any development, and would not constitute a reason for refusing the application. Furthermore, given the scale of the development, it is not considered reasonable in this case to request the submission of a construction management plan. However in order to protect the residential amenity of neighbours, a condition will be attached to any decision, restricting working hours during the construction period.

Amenity Space

- 5.19 In terms of the proposal as originally submitted, the proposed rear gardens were not considered to be of a suitable depth. Whilst the overall area of the gardens did meet the space standards set out in policy PSP43 of the Policies, Sites and Places Plan, there was some concern regarding the usability and functionality of the space. Following the re-scaling and re-siting of the proposed dwellings, the depth of the rear gardens has been significantly increased. The amendments to the scheme have also allowed for a larger front garden area to be provided for each property. On balance, it is considered that an acceptable level of outdoor private amenity space has now been provided.
- 5.20 Transport
In terms of on-site parking provision, Policy PSP16 of the Policies, Sites and Places Plan sets out the minimum parking requirements for residential development. The policy outlines that a minimum of 2 parking spaces should be provided for 4-bed properties. Each dwelling would contain 4 bedrooms, with 2 parking spaces provided for each. In this regard, the proposal is policy compliant. With regard to visitor spaces, PSP16 outlines that 0.2 spaces should be provided for each new dwelling. As there would only be a net increase of one dwelling, the development is not of a sufficient scale as to request the provision of an on-site visitor parking space.
- 5.21 Whilst the concerns of residents regarding potential parking issues have been taken in to account, the development proposal is compliant with the Council's

adopted standard. As sufficient parking spaces can be provided on-site, it is not considered that the development would lead to a significant increase in competition for on-street parking, to the detriment of highway safety. However in order to secure the provision of 2 parking spaces for each dwelling, a condition will be attached to any decision requiring the spaces to be provided prior to the first occupation of the dwellings and thereafter retained for that purpose.

5.22 In terms of on-site manoeuvring and the proposed access, the transport officer is satisfied that the proposal would not cause any material issues.

5.23 Trees and Vegetation

During a site visit, it was noted that substantial trees and vegetation are present at the site. It is noted that the proposed block plans indicates that existing trees and tall shrubs are to be retained where possible. In order to ensure that appropriate landscaping features are retained and new landscaping features are provided, a condition will be attached to any decision, requiring a detail landscaping plan to be submitted and approved following the determination of the application.

5.24 Waste

Recycling and refuse bins are to be stored to the rear of each property. It is considered that the proposed storage area is an appropriate distance from the highway, as to allow for bins to be conveniently moved for collection.

5.25 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.

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

5.27 Other Matters

The possibility of construction vehicles blocking accesses is considered to be a civil matter. In terms of damage to the road surface, this type of issue is covered under the Highways Act. As such, these issues are not considered to be material planning considerations and have no bearing on the assessment of this application. Any attempt by the developer to control comments is also not considered to have any bearing on the application.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

2. Obscure glazing

Prior to the first occupation of the dwellings hereby approved, and at all times thereafter, the proposed first floor windows on the north and south facing side elevations of each dwelling shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being a minimum of 1.7m above the floor of the room in which it is installed.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

3. Working hours

The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant

or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. Parking provision

Prior to the first occupation of the dwellings hereby approved, the car parking provision for the proposed dwellings shall be implemented in accordance with the approved Block Plan (Drawing no. 06 C) and retained thereafter for that purpose.

Reason

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

5. Landscaping Plan

Prior to the commencement of development a plan showing the trees and other vegetation to be protected and the means of protection during construction (in line with BS 5837:2012), as well as details of any proposed landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan.

Reason

To protect the character and appearance of the area, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development to avoid causing damage to existing trees and vegetation during any ground works.

6. Plans

The development shall be carried out in accordance with the following plans:

Site Location Plan (Drawing no. Elms/02)
Existing Block Plan (Drawing no. Elms/03)
Existing Site Layout (Drawing no. 01)
(Received by Local Planning Authority 24th November 2017)

Proposed Site Plan (Drawing no. 06 C)
Proposed Ground Floor and First Floor Plan (Drawing no. 07 A)
Proposed Front and Side Elevations (Drawing no. 08 A)

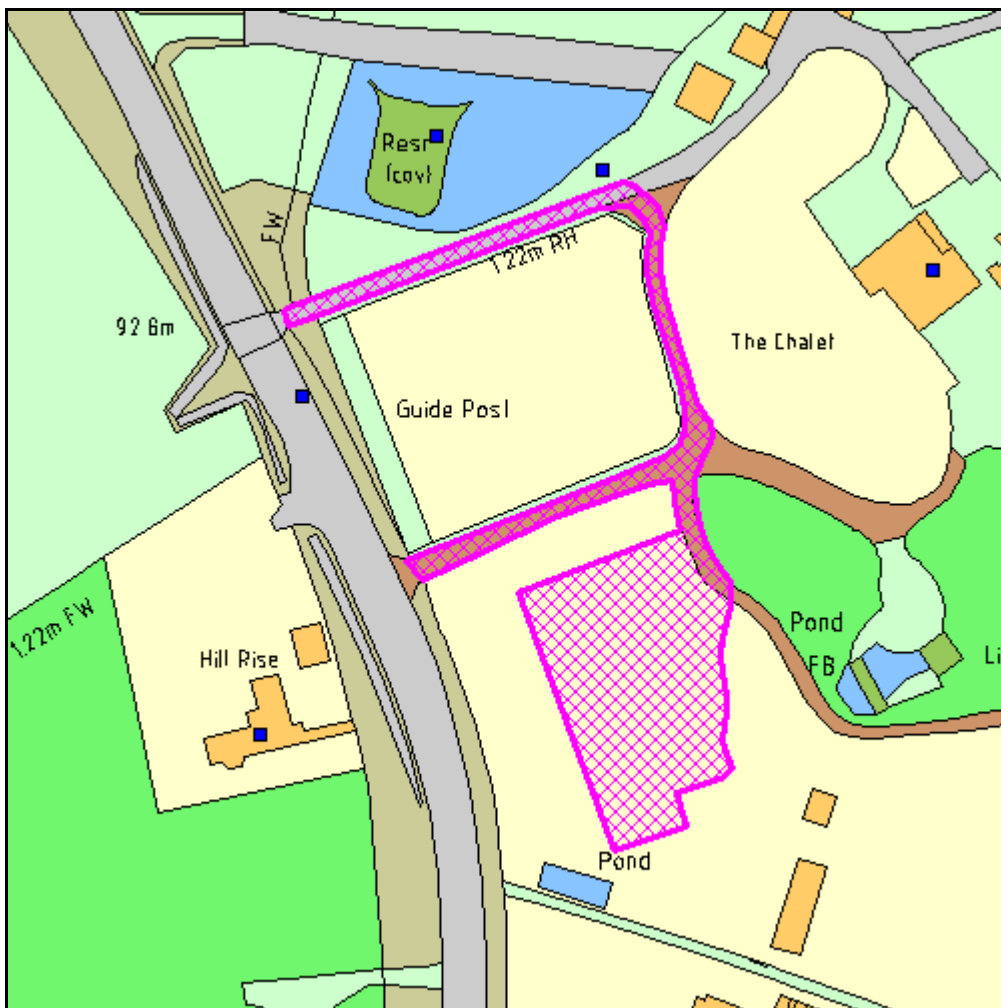
Proposed Rear and Side Elevations (Drawing no. 09 A)
Proposed Second Floor Plan (Drawing no. 12)
(Received by Local Planning Authority 8th February 2018)

Reason

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

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PT17/5652/F	Applicant:	Mr & Mrs Paddon
Site:	The Chalet Thornbury Hill Alveston Bristol South Gloucestershire BS35 3LG	Date Reg:	28th December 2017
Proposal:	Erection of 2 no. detached dwellings and associated works	Parish:	Alveston Parish Council
Map Ref:	363584 188590	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	8th February 2018



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 100023410, 2008. N.T.S. PT17/5652/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the circulated schedule at the behest of Councillor Matthew Riddle due to concerns a similar scheme PT16/2909/O on Old Gloucester Road, having been considered on its individual merits, was approved by the DC West Committee.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 2no. detached dwellings on land to the front of The Chalet, Thornbury Hill, Alveston. Both buildings would be 3-bedroom, double height dwellings. The properties would have a modern appearance with asymmetrical roof lines, a mix of materials and large amounts of glazing on the eastern frontages of the buildings. While the site itself is presently laid to lawn, a former quarry within the grounds lies to the east so there is a significant change in levels. This, combined with extensive planting and stone walling marking the boundary with Alveston Hill, means the site is significantly screened from public views. The Chalet is a large detached Victorian house; it is accessed via a circular driveway.
- 1.2 Looking at the immediate local area, the site is characterised by its rural nature. Agricultural land bounds The Chalet grounds to the north but there are a few residential properties close to the site. The site is situated to the northeast of the village but feels separate from it in a collection of buildings of their own.
- 1.3 Turning to more general planning constraints, the site is located outside of any defined settlement and therefore falls into both the open countryside and the rural area of the district. An area wide Tree Preservation Order has been made on the site. This part of the district is also within the Bristol/Bath Green Belt.

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
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape

PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Council adopted planning guidelines - Trees on Development Sites
 Development in the Green Belt SPD (Adopted) 2007
 Design Checklist SPD (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2013
 Landscape Character Assessment SPD (Adopted) 2014
 CIL Charging Schedule SPD (Adopted) 2015
 Waste Collection SPD (Adopted) 2015 (updated March 2017)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT17/0327/F
 Erection of single storey extensions and alterations to facilitate conversion of 2no. barns to form 1no. dwelling with associated works. (amendment to previously approved scheme PT16/1881/F).
 Approval
 24.03.2017
- 3.2 PT16/6938/NMA
 Non Material Amendment attached to planning permission PT16/1881/F to add 2 no. openable windows to the North elevation
 Objection
 23.01.2017
- 3.3 PT16/6548/F
 Demolition of 2no. storage buildings and erection of 1no. replacement storage building (sui generis).
 Approval
 21.02.2017
- 3.4 PT16/1881/F
 Erection of single storey extensions and alterations to facilitate conversion of 2no. barns to form 1no. dwelling with associated works.
 Approval
 16.06.2016
- 3.5 PRE15/0801
 Conversion of existing outbuildings to form 3no. dwellings.

02.10.2015

- 3.6 PT03/0031/F
Erection of building to form design studios.
Refusal
12.02.2003
- 3.7 PT02/1126/F
Erection of single storey rear extension to form indoor swimming pool.
Approval
20.05.2002
- 3.8 PT01/3110/F
Erection of ground and first floor extensions and alterations including conversion of existing garage block to pool room and living accommodation with erection of first floor bedroom accommodation over and erection of double garage/workshop.
Approval
19.12.2001
- 3.9 PT01/0574/F
Erection of two storey extension and minor alterations.
Approval
05.04.2001
- 3.10 N1372/3
Conversion of existing house in multiple occupation into 2 self-contained units.
Approval
11.12.1975
- 3.11 N1372/2
Erection of one detached house with double garage. Alteration of existing vehicular access. (Outline).
Refusal
12.06.1975

Reason 1:

The site is located within an unallocated area in the approved Development Plan within which it is intended that existing uses of land shall remain for the most part undisturbed and it is considered that the development of this site, which lies beyond the limit for development at Alveston, would be an undesirable departure from the provisions of the Plan.

- 3.12 N1372/1
Erection of one detached dwelling with double garage. Alteration of existing vehicular access. (Outline).
Refusal
12.06.1975

Reason 1:

The site is located within an unallocated area in the approved Development Plan within which it is intended that existing uses of land shall remain for the most part undisturbed and it is considered that the development of this site, which lies beyond the limit for development at Alveston, would be an undesirable departure from the provisions of the Plan.

Appeals: T/APP/5119/AT5/11257
T/APP/5119/AT5/41258
Dismissed
25.05.1976

3.13 N1372

Change of use from dwellinghouse, grounds and agricultural land (approximately 25.7 acres) to Country Club.

Refusal
10.07.1975

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

Objection:
• green belt location

4.2 Other Consultees

Highway Structures
No objection

Lead Local Flood Authority
Attach a condition requiring details of the Package Treatment Plant

Sustainable Transport
Attach conditions requiring details of the onsite one way system and electric car charging points and that the car and cycle parking arrangements are completed in accordance with submitted details

Highways England
No objection

Tree Officer
Objection:
• tree report missing Tree Protection Plan

Archaeology Officer
No objection

Public Rights of Way
No objection

Landscape Officer
No objection

Other Representations

4.3 Local Residents

1 letter of objection was received in relation to the following concerns:

- one-way access proposed would obstruct/prevent continued use of shared drive to neighbouring property, The Cote

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of 2 new dwellings in Alveston. The site is within an existing residential curtilage but outside of any defined settlement and within the green belt.

5.2 Principle of Development

The locational strategy for the district is set out in policies CS5 and CS34. Both of these policies seek to direct new residential development in the first instance to the existing urban and defined rural settlements. As the site is outside of a defined settlement, the proposal would conflict with the locational strategy. Certain forms of residential development that conflict with the general locational strategy may be considered. PSP40 identifies residential development that may be acceptable but limits this to: rural exception sites; rural workers dwellings; replacement dwellings; and, the conversion or reuse of existing rural buildings as dwellings. None of the above are proposed.

5.3 In terms of the appropriateness of the site for residential development, the application conflicts with the Development Plan and would normally be resisted (and be subject to other consideration, such as green belt). However, at present the authority cannot demonstrate a 5-year supply of deliverable housing land. As a result, settlement boundaries represent a restriction on development in accordance with paragraph 49 of the NPPF cannot be afforded full weight. Instead, the application should be assessed against the presumption in favour of sustainable development.

5.4 The presumption in favour of development is set out in paragraph 14 of the NPPF. In relation to decision-taking, the presumption has two sections to it. The first refers to timely decision taking where proposals accord with the development plan; this element does not apply here. The second element is used where the development plan is out of date. It is split into two limbs stating that planning permission should be granted unless – (1) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal, or (2) that specific guidance in the NPPF indicates permission should be refused.

5.5 The first limb is referred to as the ‘tilted’ balance. When this is applied, the planning balance is tilted heavily in favour of planning permission being granted as the ‘test’ is whether the harm of development would *significantly* and

- demonstrably* outweigh the benefit. The second limb is the more traditional approach to decision-taking where the impacts of development are balanced against the provisions of planning policy. Proposals would have to demonstrate that specific guidance in the NPPF, or indeed extant policies in the Development Plan, did not imply that planning permission should be refused before they could benefit from the tilted balance.
- 5.6 Therefore, the proposal must be assessed against specific policy in relation to the site constraints.
- 5.7 *Green Belt*
The NPPF sets out national policy on Green Belts and is an important material consideration. The Government attaches great importance to Green Belts. Paragraph 87 of the Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In local policy terms, the Green Belt policies of the Framework are broadly reflected in policies CS5 of the South Gloucestershire Core Strategy (Adopted 2013) and PSP7 of the South Gloucestershire Policies, Sites and Places Plan (Adopted 2017).
- 5.8 However, the Framework does set out exceptions to inappropriate development in its 89 and 90 paragraphs. These include limited infilling in villages, and 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.
- 5.9 The applicant relies upon these exceptions in support of their case that the proposed development would not be inappropriate in the Green Belt as they consider that the proposal would constitute infilling in a “washed over” village. They also refer to case law in respect of *Julian Wood v SoS and Gravesham Borough Council* which found the term ‘village’ is not necessarily the same as a settlement boundary, and that there is a need to consider the facts ‘on the ground’. Additionally, it is contended that the proposal would not be inappropriate development because it is previously developed land. From this it follows that three questions arise. Firstly, whether the proposal would constitute limited infilling, and if so, secondly whether the site lies within a village; and, thirdly, whether the site is previously developed land.
- 5.10 On the first of these matters, given the scale of the development in this case, Officers agree that it is limited. In terms of ‘infill’, the applicant considers a definition is *‘development that is small in scale and which fits into an existing built up area in a defined settlement boundary, normally in-between existing buildings, in a linear formation’* (from the Council’s Green Belt SPD 2007). However, the Council has a more up-to-date version in the Core Strategy, which states infill is filling in *‘of a relatively small gap between existing buildings, normally within a built up area’* (from the Core Strategy). In the case of the re-determination of the Julian Wood appeal the parties agreed that a definition could reasonably be *‘development of a gap in an otherwise built up frontage’*.

- 5.11 In this case, Officers agree that the application site is located between existing buildings and a recent permission (PT17/0327/F). Significant weight is attached to this 1 unit approval because, by virtue of its scale, it is considered it could be implemented and built out within 5 years. However, the site represents a large gap between these dwellings whichever direction, which in turn are mostly separated on either side from any obvious signs of built form. The site contributes to the fairly open character of this part of Thornbury Hill with the site formed mainly by a large grassed area. In this respect, due to the width of the gaps between existing developments either side of the application site, Officers do not consider that the proposal could reasonably be considered as infill in this case.
- 5.12 In terms of village, the application site is not contained within a defined settlement boundary. Furthermore, Officers saw during their site inspection that there is a clear visual break between the densely built-up area along the B4061 up to around the Ship Inn and somewhat further east along Old Gloucester Road, and the looser sporadic form of development in which the application site sits. This reinforces the distinction between these built up areas and the application site. Therefore, the facts on the ground in this case are that the application site does not lie within a village for planning policy purposes; either in terms of settlement boundaries and the facts on the ground. Accordingly, the proposal whilst limited in the form of two dwellings, would not represent infilling in a village.
- 5.13 In arriving at this view, Officers have taken into account the decisions referred to by the local councillor and the application (PT16/2909/O, PT16/4190/O) in which it was found that the proposals were for infill development within the village and thus not inappropriate development in the Green Belt. However, in both cases it was found that the proposals would infill along the Old Gloucester Road frontage and not cause ribbon development to encroach further into the open countryside. These cases may therefore be clearly distinguished between that before Officers. Moreover, whilst Officers have been provided with aerial photographs of the site it is the situation on the ground that is often the determining factor in decisions such as this.
- 5.14 On the question of whether the site is previously developed land, the application site is within the landscaped grounds of The Chalet. Although lawned and separated from The Chalet by the former quarry and a band of vegetation, Officers have not been presented with evidence that it has been used for any other purpose other than private residential garden. The judgement in *Dartford BC v SSCLG* has confirmed that private residential gardens that are located outside of built up areas, as with the application site, are not excluded from the definition of previously developed land. Taking all these matters into account, Officers therefore find that the application site constitutes previously developed land.
- 5.15 In terms of openness of the Green Belt, it is clear from the submitted plans and virtual models that the currently open site which is devoid of any substantial built form, other than the recently approved barn conversion (PT17/0327/F) to the southeast, would be lost through the erection of 2no. four bedroom, two

storey dwellings. Furthermore, the proposal would see the formation of garages and areas of hardstanding for parking and access off the driveway, and it is very likely that the proposal would result in domestic paraphernalia such as washing lines and patios for example; all of which would further erode openness. Accordingly, the proposed development would result in the loss of the open nature of the site and significantly erode the openness of the Green Belt. The proposal would therefore have an adverse impact on the openness of the Green Belt.

5.16 As the proposal does not fall into one of the exceptions listed in paragraphs 89 and 90 of the Framework, the proposal would be inappropriate development as defined by the Framework. No very special circumstances have been put forward to justify the development. Accordingly, the proposal would be contrary to policies CS5 and PSP7, and those of the Framework, which amongst other aims cited, seek to maintain the national and local planning purposes of the Green Belt. Furthermore, given that specific Green Belt policies in the Framework indicate that in such areas development such as that proposed should be restricted, this is a matter on which substantial weight must be placed when reaching the conclusion.

5.17 Any outstanding material considerations will now be considered below.

5.18 Character, Appearance and Landscape

The Chalet is a large detached house standing towards the back of a generous sized plot. The pedestrian and vehicular access is via a looped drive from Thornbury Hill. This leads to a parking and turning area to the front of the dwelling. The rest of the front garden is mostly laid to lawn with trees and shrub planting. A former quarry borders the house to the south. Beyond, accessed from a long spur encompassing the disused quarry, is a large manicured grassed area on which the proposed dwellings would be sited. This spur would also provide access to the barn conversion.

5.19 Thornbury Hill is a busy road with a rural feel which is enhanced by the grass verges, stone walling and large gardens of nearby properties. These are generally large, detached and set back from the highway within their generous and spacious plots. Many have been extended over time and are now substantial dwellings. The existing property on the application site is well-screened from the public highway by several trees, hedges and shrubs and some distance away. However, adjacent to the application site is a public footpath which runs along its western boundary. A large stone wall marks this boundary. But this, combined with the significant change in levels (due to the former quarry), does limit public views to an extent.

5.20 The contemporary design of the proposed dwellings and use of materials would introduce an alternative architectural style into the area which would be marked contrast to the larger, more conventional and traditional styles which exist. However, the locality does have a diverse mix of individually designed properties as well as a varied palette of materials. As such, dwellings such as the proposed scheme would follow that particular characteristic and, in this assessment, have a positive effect on the local character and appearance. The detached dwellings would be set back in their plots but much closer to the

- public highway than the existing property. They would be aligned with the nearby barn conversion to the southeast to create an established building line. Their size, scale and bulk would be similar to this neighbouring property and, as such, they would not have a significantly adverse effect on the streetscene.
- 5.21 The first impression of the proposal from the submitted drawings was that the proposed dwellings would appear overly complex, disjointed and are out of keeping with the area, particularly with their shallow roofslopes. Whilst their contemporary design would not be entirely consistent with the traditional style of existing dwellings, the individuality of the dwellings does come through in the visual depictions and would be something which would complement the recently permitted barn conversion on site. However, although all the external materials proposed are evident on other properties in the vicinity, Officers are not persuaded that the red brickwork would harmonise with the timber cladding and stonework, as the colour is quite different. It is considered that using only timber cladding at first floor would be more appropriate and compatible with the stonework, especially as it mellows with age. If approved, the use of this material could be imposed by condition and it is considered such a condition would be reasonable given such contrasting and contemporary buildings should achieve a high quality design.
- 5.22 Regard has been had to the proximity to and amount of built form proposed adjacent to the footpath. Although the dwellings would be positioned closer to the site boundary than the existing property, it is considered only a small amount of the rear elevations and roofscapes of the dwellings would be publically visible due to their design and the much lower ground level. This would limit any adverse visual effect of the proposal on the area. In addition, the proposed site plan submitted in the design and access statement indicates new screen planting to the road frontage and the barn conversion. As a result the proposed development would be even less visible from Thornbury Hill. To ensure sufficient detail, it is therefore considered reasonable to secure a detailed landscaping scheme by condition.
- 5.23 Accordingly, there is scope for some appropriate architectural innovation in the area without causing significant harm to its character and appearance. There would be sufficient quality within the design of the proposed development to reflect the wider context and local distinctiveness of the area, in terms of scale, size and bulk. The plots would be sufficiently large to ensure that each dwelling would sit comfortably within it and they would reflect a similar relationship between the barn conversion and its respective plot. The visual effect of the scheme, particularly from public vantage points, would be limited due to its design, position, existing boundary treatment and the proposed landscaping.
- 5.24 Consequently, Officers find that the proposed development, by reason of its size, scale, bulk, contemporary design and use of materials would not have a detrimental effect on the streetscene of Thornbury Hill and cause no significant harm to the character and appearance of the locality.
- 5.25 Residential Amenity
Development should not be permitted that has a prejudicial impact on residential amenity. The proposed dwellings would have adequate access to

outdoor amenity space and would not result in an adverse impact on nearby occupiers. If approved, a condition would be imposed in relation to boundary treatment to ensure the development was in-keeping with its rural setting. In this regard the development is acceptable.

5.26 Highways and Transport

With highway considerations there are two main aspects: access to the site and the provision of appropriate parking.

5.27 With regard to sustainability, the site is reasonably well located in terms of walking and cycling distances to local facilities and services in Alveston and Thornbury. There is a half hourly bus service departing from stops approximately 400m to the south which provides access to Patchway and Bristol city centre. As such the proposal accords with the sustainability criteria set out in policy PSP11.

5.28 There are two existing accesses to the development land. The southern access has adequate visibility provision, however the northern access has restricted visibility to the north. An “in” via the north access and “out” via the south access was previously agreed for an earlier development adjacent to this site (PT16/1881/F) and subsequently secured by conditions. A condition is suggested to secure the same arrangement on this application.

5.29 Concern has been raised regarding potential conflict between users of the one-way system as a consequence of an existing access off to a neighbouring property, The Cote. The applicant has included both accesses in the red line boundary and proposed the one way circuit because of the limited visibility to the right from the northern access. This arrangement was previously conditioned on application PT17/0327/F. Residents at The Cote would still have access to Thornbury Hill which although not in the same way as before would be better in terms of the visibility available at the southern access being greater than that available at the northern access.

5.30 If for some legal reason the condition could not be met and the change in access arrangements could not be provided as proposed then the applicant would have to put forward an alternative access arrangement.

5.31 If the northern access is ever intended for both access and egress then it would need to be demonstrated that adequate visibility splays can be provided within the application site or on the adopted highway. This would require a speed survey of approaching traffic coming up the hill at approximately 50m from the access. This would need to be carried out in accordance with the nation standard which is DMRB TA 22/81. The visibility splay required would be that commensurate with the 85th percentile speed of traffic (85 percent of vehicles travel at or below this speed). The splays would need to be in either within the application site or within the adopted highway.

5.32 Vehicles would also need to pass one another at each access and within the site and a revised access plan would need to show this. Passing bays would need to be a minimum of 6m long plus 2m tapers and a width of 4.8m.

- 5.33 Turning to parking. A double garage plus two outside car parking spaces are to be provided for each dwelling. This will also provide adequate storage space for cycles and therefore accords with the Council's residential car and cycle parking standards.
- 5.34 If permission were granted, in addition to the condition mentioned above, in the interests of highway safety, a condition restricting the occupation of the development would be necessary with regard to the ensuring the car and cycle parking arrangement is constructed in compliance with approved plans before being made available for use. Also, there would be a need for a condition to secure the installation of electric car charging points or facilities for other ultra-low emission vehicles, in the interests of sustainable transport.
- 5.35 Trees
The whole site is protected by a Tree Preservation Order. The applicant has submitted a tree report in which a Tree Protection Plan is referred to. However, such a plan cannot be found within the submitted documentation. Thus, it is not possible to understand in any detail the effects on individual trees.
- 5.36 The impact of the proposal on the trees is a crucial element of the decision-making process. Without said plan, the Tree Officer does not consider the information to hand is adequate to allow a proper assessment of the impact of the proposal. Taken alone this point would not be decisive but adds weight to the harm that the development would cause. The development would therefore be in conflict with policies PSP3 and CS9 and the Council's adopted planning guidelines – Trees on Development Sites.
- 5.37 Drainage
The site is in an area where there is no public foul sewers available. A Package Treatment plant is specified but its location is not shown and the method of irrigation for the effluent overflow is not indicated. A percolation test for discharge to the proposed soakaway is also necessary, as well as an 'Environmental Permit' from the Environment Agency and Building Regulation approval. However, the Council's Drainage Engineer considers these issues relating to foul and surface water drainage could all be dealt with satisfactorily by means of conditions.
- 5.38 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.
- 5.39 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.

- 5.40 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.
- 5.41 Planning Balance
The Council accepts that, for the purposes of this application, a five year supply of deliverable housing land, as required by the NPPF, cannot be demonstrated. In such circumstances, Paragraph 49 of the Framework advises that relevant policies for the supply of housing should not be considered to be up-to-date. Paragraph 14 says that where development plan 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 where specific policies in the Framework indicate that development be restricted.
- 5.42 Examples of such specific policies in Footnote 9 include Green Belt locations. In essence, given specific Framework policies indicate that development should be restricted, that alone effectively disengages the so called 'tilted' Paragraph 14 balance.
- 5.43 Whilst Officers have found that the development proposed would conflict with the locational strategy for the district as set in the current development plan, only limited weight can be afforded to that conflict given the lack of five year supply of deliverable housing land. Officers have, however, also found that there may be harm in terms of the impact of the development on the character and appearance of the area through harm to protected trees. Without a Tree Protection Plan, Officers cannot be satisfied that the development would not result in harm or that the resulting harm can satisfactorily be managed by condition.
- 5.44 In support of the proposal, the provision of new housing at a time of pressing need is a benefit, although the weight Officers afford that is tempered to some extent by the small number of dwellings that are proposed on this site. The development would also support construction jobs and the spending powers of future residents could assist the vitality of the rural community. Again, however, the benefits to the construction industry would be time limited and there is no substantiated evidence to suggest that local facilities such as they are, are struggling and would thus benefit significantly from increased patronage. Thus, these benefits are of moderate weight.
- 5.45 For the above reasons, and having regard to all other matters raised, Officers conclude that the combined benefits in this case, do not outweigh the adverse impacts that have been identified and the presumption in favour of sustainable development does not apply. Consequently, Officers conclude that the application should not succeed.

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

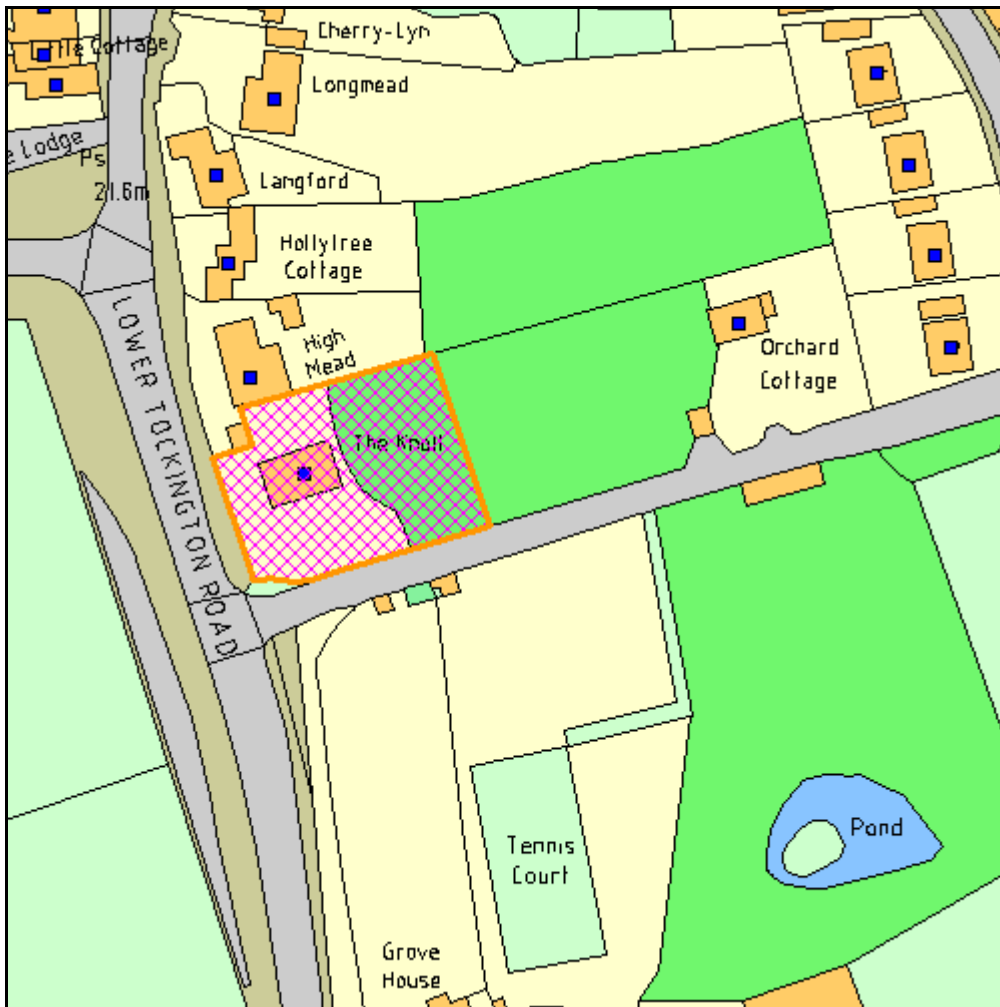
- 7.1 It is recommended that planning permission is REFUSED for the reasons listed below.

Contact Officer: Helen Braine
Tel. No. 01454 863133

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development considered appropriate within the Green Belt. No very special circumstances have been advanced by the applicant that would demonstrate the normal presumption against development within the Green Belt should be overridden or that the proposal would not result in any other harm. The proposed development cannot therefore be considered sustainable development and if permitted would be contrary to Policy CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP7 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; the Development in the Green Belt SPD (Adopted) May 2007; and the provisions of the National Planning Policy Framework March 2012.
2. **The proposed development has the potential to impact on trees covered by an area Tree Preservation Order. However, insufficient information has been provided to enable a reasoned judgement to be made in respect of the effect of the proposed development on these important landscape features. Accordingly, the proposal does not accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; Trees on Development Sites (Adopted); and the provisions of the National Planning Policy Framework March 2012.**

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PT17/5916/F	Applicant:	P & L Shrimpton
Site:	The Knoll Lower Tockington Road Tockington Bristol South Gloucestershire BS32 4LF	Date Reg:	3rd January 2018
Proposal:	Erection of two storey side extension and first floor rear extension to form additional living accommodation.	Parish:	Olveston Parish Council
Map Ref:	360884 186375	Ward:	Severn
Application Category:	Householder	Target Date:	15th February 2018



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side extension and a first floor rear extension to form additional living accommodation.
- 1.2 The application site relates to The Knoll, Lower Tockington Road. The site is situated within the Conservation Area and within the green belt. Updated information relating to the trees on site was received on 1st March 2018 – these were considered satisfactory. Revised plans showing different elevation treatments in line with the conservation officer's comments were received on 20th March 2018; these were considered acceptable.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Accessibility
CS9 Heritage and Environment
CS34 Rural areas

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

PSP1 Location Distinctiveness
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP17 Heritage assets
PSP19 Wider Biodiversity
PSP38 Extensions within Residential Curtilages
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD
Residential Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 P88/1148 Approved 30.03.1988

Erection of detached double garage and store (in accordance with amended plans received by the council on 7TH march 1988)

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

Object due to:

Materials proposed not in keeping with existing building – particularly large expanse of white render with no windows.

Note that they do not object to the size.

4.2 Other Consultees

Archaeology Officer

No objection

Tree Officer

Original Plans

Asked for updated information

Updated Information

No objection subject to contents of revised tree protection plan being conditioned.

Conservation Officer

The subject building is an historic double fronted dwellinghouse that retains a symmetry to its principal elevation that is enhanced by a two pronounced stacks to either gable end and a centrally positioned porch to what is a classically proportioned elevation. Any side extension would therefore harm this symmetry but the design and scale of the extension is considered to be suitably subservient.

The lack of windows doesn't help with the potential assimilation but with the two-storey side extension to be positioned of the eastern gable end, it shouldn't be prominent within the public realm. Consequently by virtue of siting, design and scale, the proposed two-storey side extension would not be harmful to the character or appearance of the Tockington Conservation Area and so its historic significance would be preserved.

There are also not issues with the rear extension.

Materials however should match existing to aid integration.

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS9 seeks to protect and manage South Gloucestershire's environment and its resources in a sustainable way and new development will be expected to, among others, ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance; Policy PSP17 has similar aims and seeks to preserve and where appropriate enhance those elements which contribute to the special character of the Conservation area. The site is also located within the green belt.

5.2 Subject to an assessment of this below, the development is acceptable in principle.

5.3 Green Belt

The NPPF allows for limited extensions to buildings within the Green Belt providing that they do not result in disproportionate additions over and above the size of the original building (the volume of the dwelling at construction or its volume on July 1st 1948). PSP7 states that an addition resulting in a volume increase of between 30%- 50% will be subject to careful consideration and assessment. Any proposed development over and above 50% or more of the original dwelling would be considered in excess of any reasonable definition of 'limited extension'. Whether an addition is considered disproportionate or not, depends on the individual circumstances and what type of addition is proposed.

5.4 The majority of the dwelling as existing is considered to be original. The increase in size over the original dwelling would be below 50%, but above 30%. As indicated whether this is proportionate should be considered in the context of the site. The site is situated within the settlement boundary of Tockington. The side extension is a natural extension of the existing building; with addition extension incorporated into the first floor thereby keeping the volume reasonably compact to the established built form. On this basis it is concluded that the proposal would read as a proportionate extension which is therefore appropriate in Green Belt terms.

5.5 Design and Heritage Considerations

The subject building is an historic double fronted dwellinghouse that retains a symmetry to its principal elevation that is enhanced by a two pronounced stacks to either gable end and a centrally positioned porch to what is a classically proportioned elevation. This application seeks planning permission for the erection of a two storey side extension and a first floor rear extension to form additional living accommodation. It is noted that the parish council object due to the large render elevation and the lack of windows. The rendered frontage was changed via revised plans on 20th March 2018; however, the lack of windows to the frontage is considered acceptable due to the lower ridge level; were windows added, the symmetry of the building would be removed.

5.6 *Two-Storey Side Extension*

The plans show the two storey side extension natural stone elevations to the front and side, and render to the rear with roof tiles to match the existing dwelling. It would measure 4.1m in width, and would have a gabled end, which

would sit behind the principal elevation and below the overall ridge height. The extension would connect to the rear elevation and gable, with casement windows to the side elevation. It would be considered suitably subservient to the existing dwelling. Although the rear elevation would be rendered, elements of the rear of the dwelling are rendered; it would therefore be considered to match the existing dwelling and would be acceptable.

5.7 *First-Storey Rear Extension*

The plans show the first storey rear extension with a stone NE elevation and a white rendered rear and SW elevation and roof tiles to match the existing dwelling. It would sit above an existing single-storey rear element, with a gabled roof to the rear. The ridge would sit well below the ridge height of the existing dwelling. It would be considered suitably subservient to the existing dwelling; Although the rear elevation and SW elevations would be rendered, elements of the rear of the dwelling are already rendered; it would therefore be considered to match the existing dwelling and would be acceptable.

5.8 *Cumulative Impact*

Overall, it is not considered that the proposed development would have a materially significant impact on the visual amenity of the surrounding area or the dwelling itself. The changes in materials to introduce natural stone to the more prominent elevations will be conditioned. It is considered it would preserve the character of the wider conservation area. It is therefore considered to accord to Policies CS1 and CS9 of the Core Strategy, and PSP17 of the Policies, Sites and Places Plan.

5.9 Residential Amenity

The dwelling is located within a large plot and sits a fair distance from neighbouring residential properties. The scale and location of the proposed extensions is unlikely to have a significant negative overbearing or overshadowing impact on any neighbouring residential occupiers.

5.10 The development would mean consist of the addition of upper floor windows to the rear and side elevations of the property; however, due to the tall landscaping treatments and levels of separation, it is not considered that there would be a significant impact on the privacy of neighbouring occupiers. Ample private amenity space remains onsite. Therefore, it is considered that the impact on residential amenity would be acceptable.

5.11 Transport

The development would add two bedrooms to the property, making it a six bedroom property. PSP16 states that a 5+ bedroom property should have three off-street parking spaces to be acceptable. There is ample parking for 3+ cars onsite; therefore, there are no transport objections to the proposed development.

5.12 Trees

There are a number of trees with protection orders onsite. As a result of the tree officer's comments, a tree protection plan and arboricultural report was submitted. Subject to conditions requiring the development to be carried out in accordance with these documents, there are no objections in relation to trees.

5.13 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.

5.14 This proposal will offer some independence to a family member currently living in the house but overall this is not given any particular weight and the proposal is considered to have a neutral impact on equality. No weighting has been afforded to the independence created as the proposal is acceptable in its own right.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

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).

2. The development hereby approved shall be carried out in accordance with the Tree Survey and Tree Protection Plan received by the Local Planning Authority on 01 March 2018.

Reason

In the interests of the long term health of the trees onsite, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013; and policy PSP17 of the South Gloucestershire Local Plan: Policies Sites and Places DPD (adopted) November 2017.

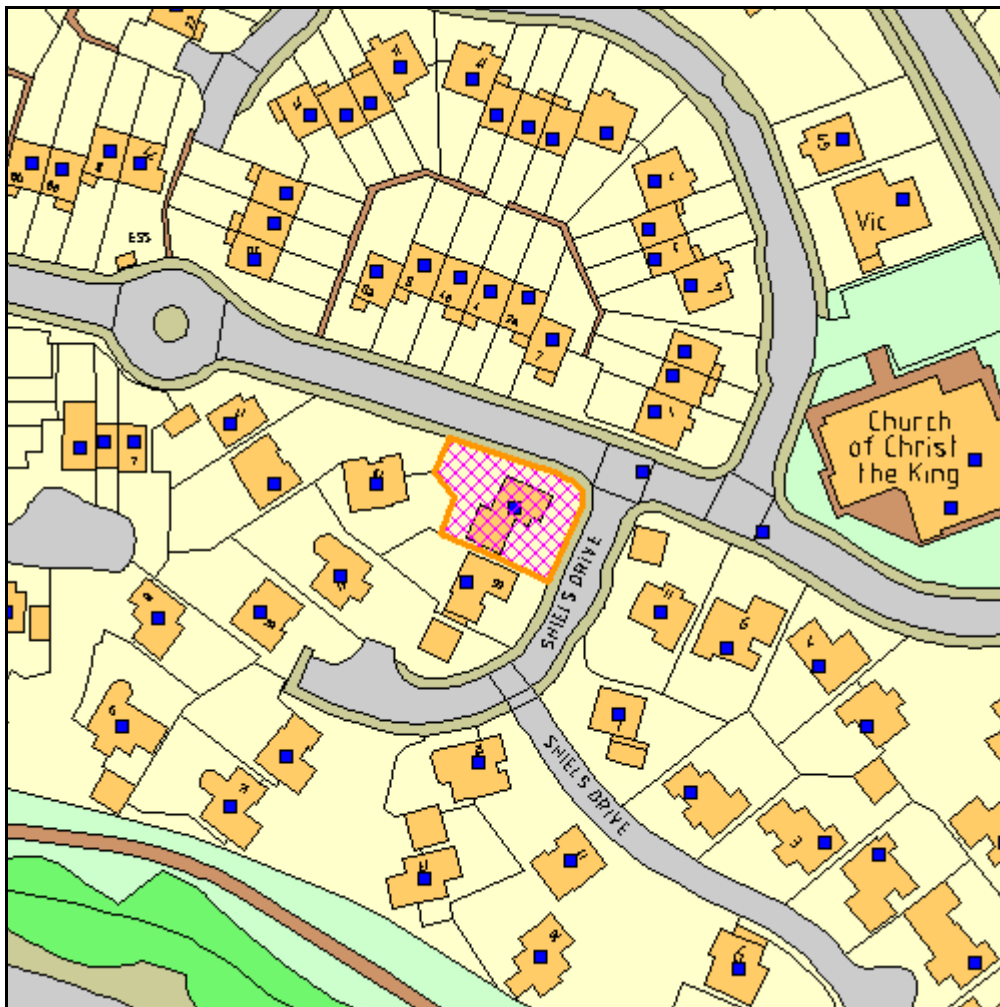
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall accord with those shown in drawing 1761/08(C).

Reason

To ensure a satisfactory standard of external appearance in the conservation area and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and policy PSP17 of the South Gloucestershire Local Plan: Policies Sites and Places DPD (adopted) November 2017; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PT18/0247/F	Applicant:	Mr And Mrs B Manning
Site:	19 Shields Drive Bradley Stoke Bristol South Gloucestershire BS32 8EA	Date Reg:	19th January 2018
Proposal:	Conversion of one existing garage with first floor extension over to form additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	361969 181344	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	13th March 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 planning permission for the conversion of one existing garage with a first floor extension to form additional living accommodation at 19 Shiels Drive, Bradley Stoke.
- 1.2 The application site relates to a two storey, detached property with an attached double garage located in the built up residential area of Bradley Stoke.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP11 Transport

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 P84/0020/1
Residential, shopping & employment development inc. Roads & sewers and other ancillary facilities on approx. 1000 acres of land.
Approved: 3rd December 1986

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

No objection

4.2 Sustainable Transport

No objection

Other Representations

4.2 Local Residents

1 no objection comment received, summarised as follows:

- Proposed rear windows will overlook my garden.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The proposed development consists of a first floor side extension to create an additional bedroom with en-suite and the conversion of one garage to extend the existing dining room. The first floor extension would sit on the south elevation of the host property, above the existing attached double garage. The property is located within a modern housing estate characterised by a combination of brick and rendered properties with a mixture of styles.

5.3 The proposal would be set back from the principal elevation of the host dwelling to match the building line of the existing garage and would span the entire depth of the garage, which extends approximately 1.5 metres beyond the rear elevation of the main dwelling. The proposal would consist of a pitched roof to match the host dwelling with a ridge height approximately 0.4 metres lower than the ridge of the existing property meaning the proposed extension would identify as subservient.

5.4 The garage conversion would replace one of the existing garage doors with a window and brickwork to match the existing dwelling. The first floor extension would comprise of rendered elevations to match the existing first floor; all windows would be brown UPVC and the proposed roof tiles would match the existing dwelling.

- 5.5 Overall, it is considered that the proposed development would not be detrimental to the host dwelling or surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.
- 5.6 Residential Amenity
Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.7 Concerns were raised by the neighbouring occupier at no. 13 Kemperleye Way of overlooking onto the rear garden resulting in a loss of privacy. No.13 Kemperleye Way is located at the rear of the application site and is set at an angle to the subject property. The proposed first floor extension includes a first floor window on the rear elevation, which it is noted would have some degree of overlooking. However, the host property and neighbouring property at no.18 Shiels Drive already consist of rear elevation windows which look out onto the side and rear garden of no.13 Kemperleye Way therefore it is not considered to significantly alter the existing levels of privacy afforded to the neighbouring occupier to such a degree as to warrant refusal. Furthermore, it is considered the proposal would not cause a material overbearing impact or significantly impact existing levels of light afforded to neighbouring occupiers.
- 5.8 The proposal will not increase the footprint of the existing dwelling and therefore sufficient private amenity space would remain following development.
- 5.9 Overall, the proposal is not considered to have a significantly detrimental impact on the residential amenity of surrounding properties or the host dwelling and is therefore deemed to comply with policy PSP38 of the PSP Plan.
- 5.10 Sustainable Transport and Parking Provision
The application is proposing an increase in bedroom numbers from three to four; South Gloucestershire Residential Parking Standards require a four bedroom property to provide a minimum of two off-street parking spaces. By converting the garage a parking space will effectively be removed, however one garage and a driveway with space for two vehicles would remain. Sufficient parking would therefore be provided on site and as such no objection is raised in terms of transportation.
- 5.11 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

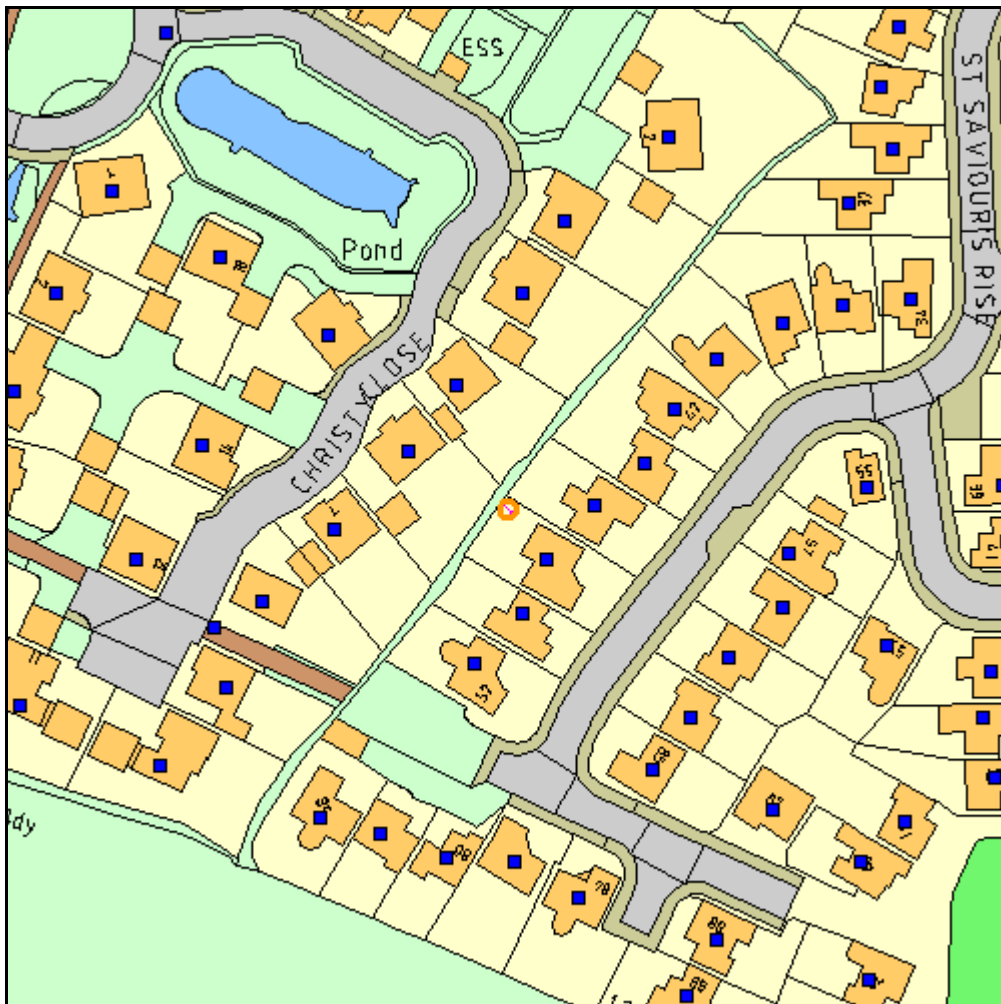
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PT18/0275/TRE	Applicant:	Mrs Naomi Goodwin
Site:	48 St Saviour's Rise Frampton Cotterell Bristol South Gloucestershire BS36 2SW	Date Reg:	9th February 2018
Proposal:	Works to 1no Oak tree to crown reduce to leave a height of 13 metres and a radial spread of 13 metres. Covered by Tree Preservation Order SGTPO 01/10 dated 13th July 2010.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366766 180697	Ward:	Frampton Cotterell
Application Category:		Target Date:	4th April 2018



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE/COMMITTEE

Comments of support have been received which are contrary to the officer's recommendations. Therefore this application is being referred to the circulated schedule.

1. THE PROPOSAL

- 1.1 Works to 1no Oak tree to crown reduce to leave a height of 13 metres and a radial spread of 13 metres. Covered by Tree Preservation Order SGTPO 01/10 dated 13th July 2010.

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 PT14/0265/TRE, Site Address: 46 St Saviour's Rise, Frampton Cotterell, Bristol, South Gloucestershire, BS36 2SW, Decision: REFU, Date of Decision: 11-JUN-14, Proposal: Works to reduce 1No. Oak tree by 15%, covered by Tree Preservation Order SGTPO01/10 dated 13.07.2010, CIL Liable.

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

Objection. The reduction is such that it would alter the shape of the tree to its detriment.

Other Representations**4.3 Local Residents**

Comment of support.

"The tree is the largest in the surrounding area and has had some very large branches come down over the last couple of years. We would suggest that in the interest of maintaining the health of the tree and safety of local occupants/children who use the adjacent gardens the proposed reductions are undertaken.

Objection of Objection.

Reduced amenity, adverse impact on wildlife, no evidence of tree disease and no expert evidence provided to support the application

5. ANALYSIS OF PROPOSAL

- 5.1 Works to 1no Oak tree to crown reduce to leave a height of 13 metres and a radial spread of 13 metres. Covered by Tree Preservation Order SGTPO 01/10 dated 13th July 2010.
- 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 tree is an English oak situated in the rear garden of 48 St Saviours Rise.
- 5.4 The tree appears healthy with a well formed crown.
- 5.5 The proposed works are considered excessive and is likely to be of detriment to the health and longevity of the tree. Furthermore, these pruning works will promote vigorous regrowth which will be more likely to fail in the future, thus exacerbating the problem that the tree owner is looking to resolve.
- 5.6 Dead wood can be removed without an application, and a tree inspection by a suitably qualified and experienced arboriculturist will identify any works to abate live branch failure and ensure the tree is maintained in a safe manner whilst allowing for its retention in the long-term.

6. RECOMMENDATION

- 6.1 That permission is REFUSED

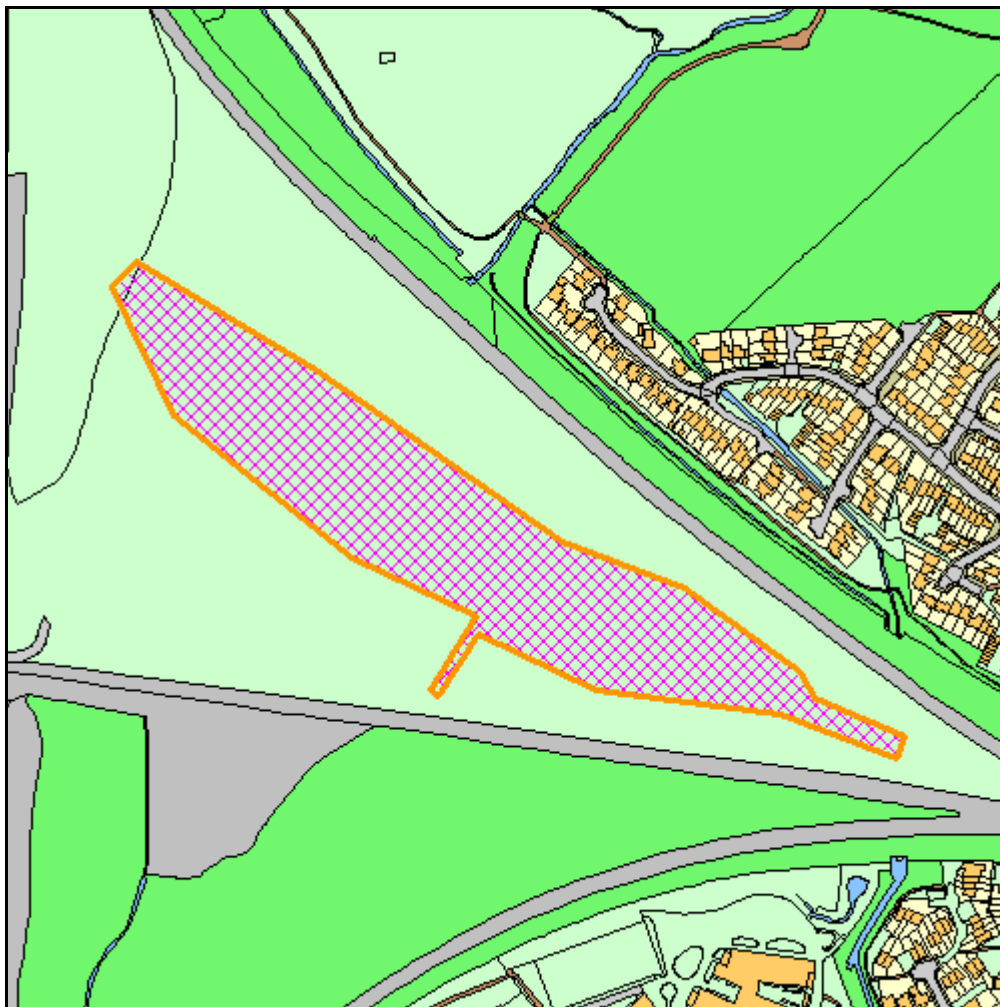
Contact Officer: Phil Dye
Tel. No. 01454 865859

REASONS FOR REFUSAL

1. The proposed works would be detrimental to the appearance and character of the tree and the visual amenity of the locality and would be contrary to Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP2 and PSP3 of the South Gloucestershire Policies Sites and Places Plan (Adopted) November 2013 and the National Planning Policy Framework

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PT18/0414/F	Applicant:	Hitachi Rail (Europe) Limited
Site:	Filton Triangle Stoke Gifford Depot Bristol South Gloucestershire BS34 8NW	Date Reg:	12th February 2018
Proposal:	Construction of new walkways and erection of 2no. storage facilities and associated ancillary works.	Parish:	Stoke Gifford Parish Council
Map Ref:	362073 179895	Ward:	Stoke Gifford
Application Category:	Major	Target Date:	14th May 2018



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 100023410, 2008. N.T.S. PT18/0414/F

REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as comments have been made raising potential noise issues, whilst the officer recommendation is to approve the proposed development.

1. THE PROPOSAL

1.1 The Filton Triangle is an area of operational railway land enclosed and crossed by main line railway. The site is formed by railway lines in the North East quadrant of the enclosed land. Access to the site is via Northway which in turn is accessed from the A38 to the West.

1.2 Planning Permission PT11/2781/F, PT13/1744/RVC and PT16/1807/RVC has secured the construction of a rail maintenance depot and associated access and overhead electricity line infrastructure. The development of the site has proceeded in accordance with that planning permission and it is now complete. This application details the provision of the following railway maintenance infrastructure within the operational area of the railway maintenance depot;

Cleaning Storage

- i) Heavy Cleaning Storage Facility and Welfare Unit ca. 86.4m²: 1 x (3.0m W x 9.6m L x 3.2m H) connected to 1 x (6.0m W x 9.6m L x 3.2m H) built upon concrete slab. The building will comprise; the main storage area for the cleaners' equipment as well as a kitchenette, break out area and toilet facilities; located in the Southeastern area of the site.
- ii) Daily Cleaning Storage Facility: situated on a concrete slab (ca. 28.8m²: 3.0m W x 9.6m L x 3.2m H), located in the Northern area of the site

Ancillary Waste Management

- iii) Waste management facilities including 1no. Concrete waste bin storage area and 1no. Static waste compactor unit (3m length, 1.7m wide and 2.5m high), located in the Southern area of the site

Associated ancillary works;

- iv) Additional Ground Level Walkways
- v) Lighting comprising LED bollards
- vi) Electrical equipment and trenching.

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
- CS9 Managing the Environment and Heritage
- CS11 Distribution of Economic Development Land
- CS13 Non-Safeguarded Areas for Economic Development
- CS25 Communities of the North Fringe of Bristol Urban Area

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

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP8 Residential Amenity
- PSP14 Safeguarding Rail Schemes and Infrastructure
- PSP19 Wider Biodiversity
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP21 Environmental Pollution Impacts

Supplementary Planning Document

South Gloucestershire Design Checklist (adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/2781/F Erection of a Rail Maintenance Depot including sidings and associated maintenance buildings and accommodation, and fuel storage facilities. Improvements to existing access road, internal access roads and car parking, security fencing and landscaping.

Approved, 6th February 2012

- 3.2 PT11/025/SCR Request for Screening Opinion

The LPA have issued an opinion that an Environmental Impact Assessment is not required in respect of this development proposal.

- 3.3 PT13/1744/RVC Variation of condition 20 attached to planning permission PT11/2781/F to replace approved plans.

Approved, 22nd August 2013.

3. PT14/1668/F Construction of a new access and associated infrastructure to provide a dedicated access road to the Stoke Gifford IEP Rail Maintenance Depot.

Approved, 3rd September 2014

3.5 PT15/1756/ADV Display of 4no. externally illuminated fascia signs and 1no. externally illuminated wall sign.

Approved, 17th June 2015

3.6 PT16/1807/RVC Variation of conditions 14 and 17 attached to planning permission PT13/1744/RVC to amend Train Set Details and submit additional plans.

Approved, 22nd July 2016

3.6 PT16/1808/F Installation of substation with associated works.

Approved, 22nd July 2016

3.7 PT17/3355/F Works to include upgrades to fuel infrastructure and installation of sand feeding system with ancillary works.

Approved, 25th October 2017

4. **CONSULTATION RESPONSES**

4.1 Stoke Gifford Parish Council
No Objection

4.2 Environmental Health Officer
No objection.

4.3 Sustainable Transport (Highway Authority)
No objection.

4.4 Archaeological Officer
No objection

4.5 Ecology Officer
No objection

4.6 Lead Local Flood Engineer
No objection.

4.7 Highway Structures
Wish to make no comment.

Other Representations

4.9 Local Residents
One comment has been received. Whilst the comment is not made in objection, it notes that the proposed buildings would not be visible from the writer's property. The writer also comments that noises can be heard from the site during the night and that any additional noises would not be acceptable.

5. ANALYSIS OF PROPOSAL

- 5.1 The subject development consists of operational railway infrastructure and the provision of a maintenance depot specifically for the operation, maintenance and/or repair of train sets associated with the Intercity Express Programme (IEP). The site is located within operational railway land and is within the Bristol North Fringe Urban Area.
- 5.2 Environmental Impact Assessment
The original planning application (PT11/2781/F) relating to the subject development was screened under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, against the selection criteria for Schedule 2 Development. These were the regulations in force when the screening request was made.
- 5.3 The development falls into Schedule 2, 10(b) 'Infrastructure Projects'. At the time that the screening opinion was issued the Local Planning Authority concluded that the development is unlikely to be one of more than local importance in terms of environmental impact and that the development is unlikely to generate significant environmental impacts. Accordingly The Local Planning Authority concluded that a formal Environmental Statement was not required to accompany the original application, and a formal opinion to that effect was issued on 8th June 2011.
- 5.4 It is acknowledged that the Environmental Impact Assessment Regulations have now been amended since this screening was undertaken by the Local Planning Authority (and are now the 'Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017'). It is of note that the original consent (PT11/2781/F) was amended under planning permission PT13/1744/RVC such that the layout and position of depot was altered within the confines of the operational planning unit. The Local Planning Authority concluded that the scope of those alterations to the layout of the development were such that they would not materially impact upon the screening opinion that has been given by the Local Planning Authority and as such a further screening exercise was not considered necessary in that instance. In respect of this planning application, the introduction of two modest buildings and associated infrastructure within the operational area of the site. As such officers are satisfied that the general scope of the approved development would not materially change. Accordingly, officers conclude that a further EIA screening opinion is not necessary.
- 5.6 Principle of Development
The principle of the use of the site as a railway maintenance depot is established under planning permission PT11/2781/F and subsequent variations approved under PT13/1744/RVC and PT16/1807/RVC. The planning consent has been implemented and the approved development is now complete. As set out above, the site is and associated train sets are fully operational.

- 5.7 This application proposes to install additional buildings and equipment directly linked to the operational requirements of the railway maintenance depot. Although this is within the wider operational area of the railway maintenance depot, the application is a stand-alone application enclosed in its own site location boundary. There are three key elements to the proposal as set out below;
- 5.8 Cleaning Storage Facilities
The railway maintenance depot and associated electric train sets are now fully operational. Part of the function of the site is to clean train sets which are operational on the mainline network.
- 5.9 To facilitate this it is proposed to provide two storage buildings in order to service the train sets with diesel fuel as required. Given that the proposed infrastructure would be installed in an operational railway maintenance depot, officers are satisfied that the principle of the proposed development is acceptable in principle.
- 5.10 Ancillary Waste Management
This would provide free standing equipment for the disposal of waste associated with the cleaning function of the site. This would be placed on existing hardstanding, close to existing depot equipment.
- 5.11 Ancillary Equipment
Additional ground level walkways are proposed to be installed to allow safe pedestrian access for site operatives to access the building. These would be lit with low level LED bollards (identical to existing lighting equipment on the site). Electricity supply will also be provided to the cleaning buildings.
- 5.12 Officers are satisfied that the proposed development is consistent with the extant use of the site and as such is acceptable in principle. However, it is necessary to consider the wider environmental and economic impacts and these are addressed in detail below.
- 5.13 Economic Considerations
The redevelopment of the site to provide the Hitachi Rail Depot is now complete and forms a key part of the Intercity Express Programme (IEP) which is now operational. The IEP is a major economic factor effecting the United Kingdom as a whole and provides the basis for the long term viability and sustainability of the United Kingdom Railway Infrastructure. The proposed development will the continued operation of new Intercity Trains whilst the wider electrification of the Great Western Main Line is finally completed. The use of the trains under diesel power (rather than electric power) will be temporary and over a short time scale in relation to the overall operational life time of the new electric railway infrastructure. For the reasons set out below, officers have concluded that the impact of the proposed development would be limited. Any negative impacts are substantially outweighed by the positive economic benefit of the long term provision of the IEP; and in the wider public interest.

5.14 Visual and Landscape Amenity

The general appearance of the Hitachi Depot as constructed is functional, but is well screened by comprehensive landscaping and remodelling of the site topography during its construction. Glimpses of the main Depot Building and overhead gantries are available from the surrounding residential areas to the North and East, whilst gantries can also be seen from the residential areas to the South. However, in general terms, the wider view of the site is obscured by earth bunds and landscaping.

- 5.15 The proposed 'cleaning stores' are also functional in appearance. Essentially, they consist of prefabricated buildings (Portakabin type structures) and would be placed on a concrete hard standing. Each building measures and 9.6 metres by 6 metres and 9.6 metres by 3 metres respectively. The ancillary waste management would consist of free standing machinery (such as a waste compactor) and this would be positioned on existing hardstanding close to the main buildings associated with the development. Other ancillary works consist of low level lighting bollards and ground level concrete walkways. These are proposed to be located well within the operational area of the site and enclosed by existing earthworks, and acoustic fencing. The location is obscured from views from the surrounding residential areas. Given the scale of the development it is unlikely that they would be visible locations outside the operational area of the site. When seen in the context of the existing railway depot and associated gantries and buildings, these views would not result in a materially greater impact than already exists in visual terms. On this basis, officers are satisfied that the impact of the development in these terms is acceptable.

5.16 Residential Amenity

Given the position of the proposed development within the existing site, officers are satisfied that they would not result in a material increase in the level of noise or light pollution compared to the existing situation. Whilst officers note that a comment has been made that implies that some noise can be heard from the site at night, it is not clear if this relates to the wider operational railway or the Hitachi site itself. The development includes comprehensive noise mitigation measures including earth bunds and acoustic fencing. Indeed, there are no recorded noise nuisance complaints held with South Gloucestershire Council, either investigated or under investigation. Officers are satisfied that the mitigation is also sufficient to address the impact of the proposed development. On this basis, the proposed development is acceptable in residential amenity terms.

5.17 Land Contamination

The development of the Hitachi Railway Depot has been subject to comprehensive ground investigation. Conditions under the relevant planning permissions relating to investigation and remediation of ground contaminants have now been discharged; and as such the site properly prepared and cleaned of contaminants. On this basis, officers are satisfied that this matter has been addressed and that the proposed development is unlikely to result in material impacts in that regard.

5.18 Flood Risk and the Water Environment

The development of the Hitachi Railway Depot included a comprehensive works to improve the management of the existing culverted watercourse (passing under the site) and related flood risk issues. The works have been carried out as part of the redevelopment of the site and have been agreed by the Environment Agency. The proposed development would fit into the existing drainage and water management associated with the existing development. Given the scale of the proposal, officers are satisfied that it would not result in a materially greater impact in flood risk terms and can be adequately managed within the context of the existing site. The Lead Local Flood Authority have not raised any concern with the proposal. On this basis, the proposed development is acceptable in this regard.

5.19 Ecology

Again, the existing Rail Depot was subject to comprehensive assessment of the impacts upon the ecology value of the site. The existing development included specific ecological improvements and new habitats on the fringes of the site. The development proposal would not result in the loss of any of these areas. It is considered that the proposed development would not have a materially greater impact upon the ecological value of the site; and is acceptable in this regard.

5.20 Public Open Space

It is considered that the proposed amendments would not have a materially greater impact on the use and amenity value of the areas of public open space located to the East of the development site.

5.21 Sustainability and Energy Conservation

It is considered that the proposed development would not undermine the sustainability and energy specification of the existing site.

5.22 Highway Safety and Amenity

There are no changes to the access route to the site from the A38 (Gloucester Road North) or the layout of the access roads and parking within the development itself. The proposed a development would not result material additional vehicular movements to and from the site by staff. There would be very limited and temporary vehicular movement associated with the construction of the proposed equipment. On this basis, the proposed development is acceptable in transportation terms.

5.23 Health and Safety

The implications for health and safety on the site and affecting the wider locality were considered as part of the assessment of the approved development under PT11/2781/F). In this instance, it is considered that the proposed amendments would not result in a materially greater impact that that of the approved development.

5.24 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.

5.25 The proposal is considered to have a neutral impact on equalities.

5.26 The Planning Balance

The Hitachi Intercity Express Programme represents a major economic investment in the region and nationally. The provision of the associated improvements to the rail network are a significant economic driver and represent a substantial benefit to the region and nationally. The proposed development is relatively modest in the context of the existing rail depot. Officers have not identified any materially greater impact as a direct result of the additional operational equipment proposed; such, that there is very limited negative impact. In contrast, the proposed development would support the operation of major rail way infrastructure and as such is considered to represent a significant public benefit. The benefits of the proposal far outweigh the limited negative impact.

5.27 Officers therefore conclude that the proposed development should be approved.

6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That 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).

2. Plans List

The development shall be implemented strictly in accordance with the following plans;

IEP-SG-ARU-CX-DRG-6001 Issue 01- Existing Site General Arrangement (Site Location Plan)

IEP-SG-ARU-CX-DRG-6000 Issue 02 - Proposed Site General Arrangement

IEP-SG-ARU-CX-DRG-6003 Issue 01 - Proposed Cross Sections

IEP-SG-ARU-CX-DRG-6004 Issue 02 - Daily Cleaning Storage Building

IEP-SG-ARU-CX-DRG-6005 Issue 01 - Heavy Cleaning Storage Building

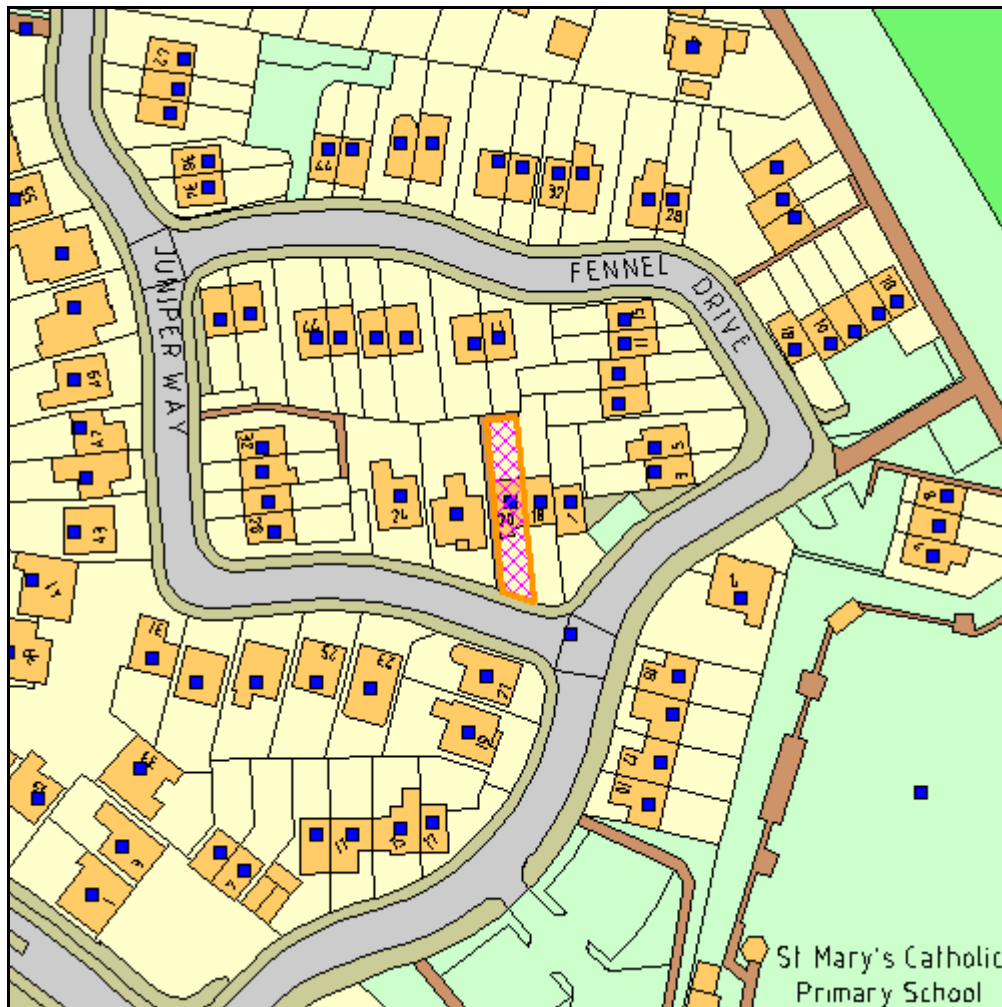
As received by the Local Planning Authority on 12th February 2018

Reason

For the avoidance of doubt

CIRCULATED SCHEDULE NO. 13/18 – 29 MARCH 2018

App No.:	PT18/0681/PDR	Applicant:	Ms Vaso Arzoglou
Site:	20 Juniper Way Bradley Stoke Bristol South Gloucestershire BS32 0BR	Date Reg:	13th February 2018
Proposal:	Erection of single storey rear extension and installation of 1no rear dormer to facilitate loft conversion.	Parish:	Bradley Stoke Town Council
Map Ref:	363110 181252	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	6th April 2018



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 100023410, 2008. N.T.S. PT18/0681/PDR

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 This application seeks planning permission for the erection of a single storey rear extension and installation of 1no rear dormer to facilitate a loft conversion.
- 1.2 The application site relates to an end-terraced property located within Juniper Way, Bradley Stoke.
- 1.3 Planning permission is required because permitted development rights were restricted under application ref. P97/1483 Condition 10.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP11 Transport

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P97/1483 – Approved - 18.09.1997
Erection of 172 dwellings and associated works
- 3.2 P96/2724 – Approved - 09.04.1997
Erection of 87 dwellings and associated works, construction of vehicular and pedestrian access.

- 3.3 P84/0020/1 – Approved - 03.12.1986
Residential, shopping & employment development inc.Roads & sewers and other ancillary facilities on approx.1000 acres of land.

4. **CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council
Bradley Stoke Town Council object to this application as not in keeping with street scene

Sustainable Transport
No Objection

Archaeology
No Comment

Other Representations

- 4.2 Local Residents
One letter of objection has been received, and has been summarised as follows:

- The size of the main window will cause overlooking and privacy issues.

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 proposal consists of the single storey rear extension to provide additional living accommodation and the installation of 1no rear dormer. The single storey rear extension will extend approximately 3metres from the existing rear wall, have a width of approximately 4.8metres and a maximum height of 3.3metres. The rear extension will introduce a lean-to roof and feature bi-fold doors to the rear elevation.

- 5.3 The proposed dormer will be set back approximately 0.3metres from the eaves, have a depth of 3.6metres, a maximum height of 2.5metres and a length of approximately 4.7metres. The rear dormer will introduce 2no windows to the rear elevation.

- 5.4 The proposal will use materials to match the existing dwelling, the case officer considers the proposal to be in keeping with the domestic character of the building and believes it will be a modest addition to the rear elevation.
- 5.5 Residential Amenity
Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.6 Privacy concerns have been raised by a neighbouring occupier, more specifically No.19 Fennel Drive which is located to the rear of the application site. Due to its suburban nature, the existing first floor rear windows of many properties within Juniper way overlook neighbouring properties to some extent. The distance from the proposal to No.19 is approximately 19 metres, this relationship already exists at first floor level and whilst there would be a small degree of harm to residential amenity, it is not considered that the identified harm would be of such severity as to substantiate a reason for refusing the application.
- 5.7 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).
- 5.8 Transportation
The proposal will include additional bedrooms, however would not require the provision of any further parking spaces. The existing hardstanding provides space for 2 vehicles and is therefore in accordance with the provisions of the Residential Parking Standards SPD. The proposal would not be considered have a negative impact on highway safety or the provision of off-street parking facilities.
- 5.9 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.10 With regards to the above this planning application is considered to have a neutral impact on equality.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

Contact Officer: Westley Little
Tel. No. 01454 867866

CONDITIONS

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

Reason

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

