



**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. 15/18

Date to Members: 13/04/2018

Member's Deadline: 19/04/2018 (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:

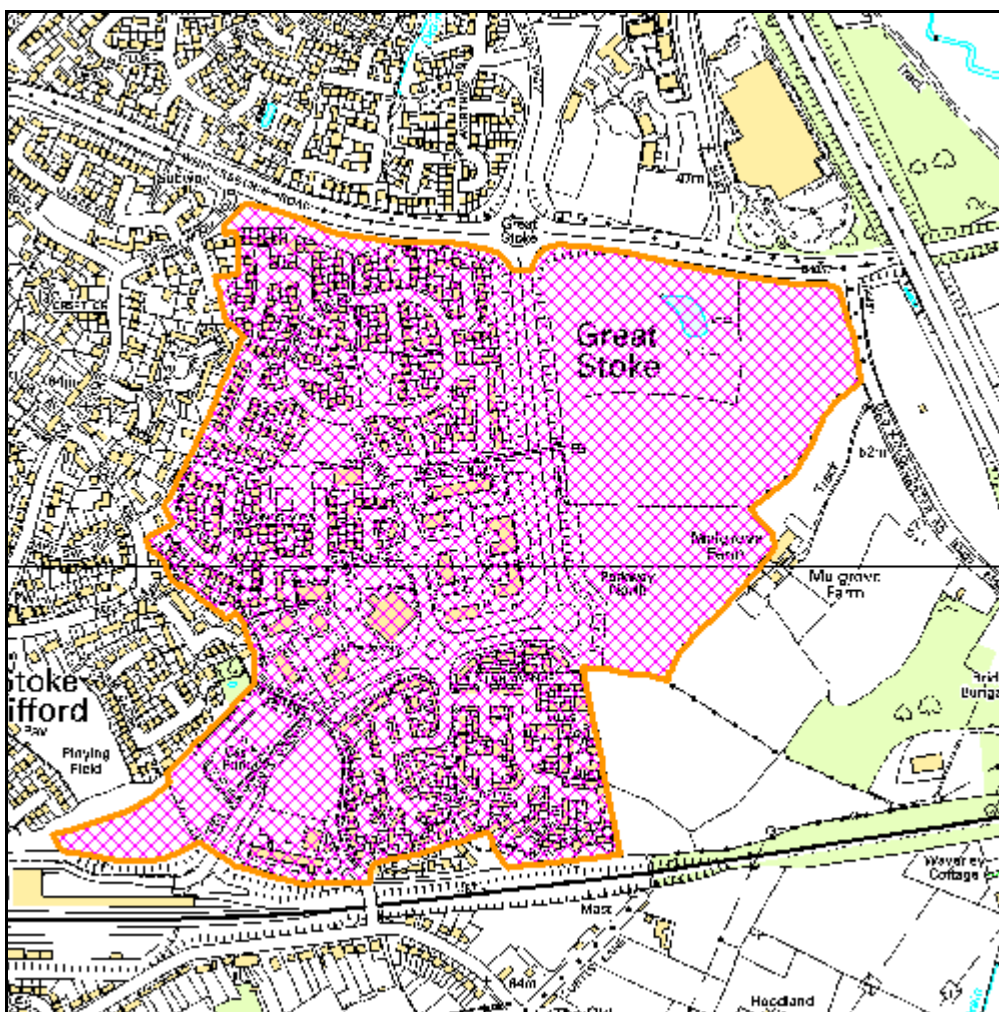
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 - 13 April 2018

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	MODT18/0002	Approved Subject to S106	Land To The East Of Bristol Parkway Station (east Of Great Stoke Way, South Of B4057)	Stoke Gifford	Stoke Gifford Parish Council
2	PK17/5877/F	Approve with Conditions	29 Salmons Way Emersons Green South Gloucestershire	Emersons	Emersons Green Town Council
3	PK18/0582/F	Approve with Conditions	122 Memorial Road Hanham South Gloucestershire	Hanham	
4	PK18/0813/F	Approve with Conditions	49 Jubilee Crescent Mangotsfield South Gloucestershire BS16 9BB	Rodway	Emersons Green Town Council
5	PK18/0833/F	Approve with Conditions	65 Wraxall Road Warmley South Gloucestershire BS30 8DW	Parkwall	Oldland Parish Council
6	PK18/0835/CLE	Approve with Conditions	Sunnyside Farm Dyers Lane Iron Acton South Gloucestershire BS37 9XW	Ladden Brook	Iron Acton Parish Council
7	PK18/0953/CLP	Approve with Conditions	12 Oakfield Road Kingswood South Gloucestershire	Woodstock	None
8	PT17/5248/F	Approve with Conditions	Plot C2/D1/E1 East Works Site Gloucester Road North Filton South Gloucestershire BS34 7ST	Filton	Filton Town Council
9	PT18/0815/F	Approve with Conditions	12 Brins Close Stoke Gifford South Gloucestershire	Stoke Gifford	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 15/18 – 13 APRIL 2018

App No.:	MODT18/0002	Applicant:	Crest Nicholson Operations Ltd
Site:	Land To The East Of Bristol Parkway Station (east Of Great Stoke Way, South Of B4057)	Date Reg:	22nd January 2018
Proposal:	Deed of Variation of Section 106 Legal Agreement attached to planning permission P92/2321	Parish:	Stoke Gifford Parish Council
Map Ref:	362400 179615	Ward:	Stoke Gifford
Application Category:	Deed of Variation	Target Date:	14th March 2018



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 100023410, 2008. **N.T.S.** **MODT18/0002**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application relates to the modification of a S106 legal agreement and as such is required to be referred to the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application is made under section 106A of the Town and Country Planning Act 1990. The proposed Deed of Variation relates to Planning Permission P92/2321 as detailed in section 3 of this report.
- 1.2 Planning permission P92/2321, the original consent, which permitted residential development on land north of Parkway rail station is subject to a s106 legal agreement which requires an area of land, to be transferred to South Gloucestershire Council for use as agriculture, forestry, outdoor leisure, community uses or as cemetery. The land in question is roughly triangular in shape and located immediately East of Harry Stoke Way (between Great Stoke Roundabout and Parkway North Roundabout), South of Winterbourne Road (between Great Stoke Roundabout and Old Gloucester Road) and due Northwest of Mulgrove Farm For the purpose of this report (and application) this land is referred to as 'the blue land'. At this time, 'the blue land' has not been transferred and remains in the control of Crest Nicholson Operations Ltd.
- 1.3 In 2014 the Council approved a Deed of Variation to the s106 agreement (the 2014 obligation) attached to the original consent with the purpose of re-defining the timeframe within which the Blue Land will be retained for the purposes set out in the s106 agreement. The redefined timeframe included trigger dates for submission of masterplan, endorsement of the masterplan and grant of planning permission for the development including the blue land.
- 1.4 A further Deed of Variation was approved on 5th December 2016 which further extended the trigger dates stated in the 2014 Deed of Variation to provide an achievable timescale for submission of masterplan, endorsement of the masterplan and grant of planning permission for the development including the blue land.
- 1.5 This proposed Deed of Variation (the 2018 DoV) has been submitted to further extend these trigger dates. Constraints related to the EoHS allocation land have extended the application process but applications for the main land owner within the allocation have been submitted and are moving towards conclusion. As such this new Deed of Variation is submitted to extend the trigger dates stated in the 2016 Deed of Variation to provide an achievable timescale for grant of planning permission for the development including the blue land.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework - March 2012
National Planning Policy Guidance - November 2016– Planning Obligations

2.2 Development Plans

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

CS1	High Quality Design
CS24	Green Infrastructure, Sport and Recreation Standards
CS27	East of Harry Stoke New Neighbourhood

2.3 Supplementary Planning Guidance

East of Harry Stoke New Neighbourhood Development Framework SPD
Adopted May 2016

3. RELEVANT PLANNING HISTORY

- 3.1 **P92/2321** Development of 39.94 hectares (98.5 acres) of land for residential, offices, retailing and open spaces. Construction of roads and associated highway works including a park and ride facility and LRT station (outline)

Approved 22nd December 1993

- 3.2 **P94/2461** Development of 2.611ha of land for erection of 110,000 square feet of office/buildings (class B1 of the Town and Country Planning (Use Classes Order 1987). Construction of associated access roads and car parking (to be read in conjunction with P92/2321)

Approved 16th February 1995

- 3.3 **P94/2527** Residential development on 10 acres of land to include the erection of 102 houses and associated works. Construction of roads

Approved 5th June 1995

- 3.4 **P94/2624** Residential development on 11 acres of land to include the erection of 136 houses. Construction of roads, public open space and ancillary works. (to be read in conjunction with P92/2321)

Approved 5th June 1995

- 3.5 **P95/1840** Erection of 12 dwellings and associated works on land east of Bristol Parkway, Stoke Gifford (to be read in conjunction with P92/2321)

Approved 15th September 1995

- 3.6 **P96/1675** Erection of 20 dwellings (re-plan of previously approved site)

Approved 13th August 1996

- 3.7 **P96/1741** Erection of 50 dwellings (re-plan of part of previously approved site) and associated works

Approved 30th September 1996

- 3.8 **P99/2180** Development of land for residential purposes, and erection school site (outline).
Approved 3rd May 2000
- 3.9 **PT99/0270/RM** Erection of 83 dwellings and associated works.
Reserved Matters Approved 14th July 2000
- 3.10 **PT00/2213/RM** Erection of 234 dwellings and associated works
Reserved Matters Approved 21st December 2000
- 3.11 **PT09/0741/VAR** Modification of Section 106 agreement dated 28th April 2000 attached to planning permission P99/2180 discharge of obligation to pay the education contribution to the Council.
Refused (June 2009) and Dismissed at appeal (April 2010).
- 3.12 **PT09/5495/F** Erection of 34 no. one, two and three bedroom dwellings with associated parking, landscaping and works. New access.
Approved 5th October 2010
- 3.13 **MODT14/0003** Modification of S106 Agreement attached to planning application P92/2321 to re-define the timeframe within which the Blue Land will be retained for the purposes set out in the s106 agreement.
Approved 15th August 2014
- 3.14 **PT16/4928/O** Hybrid planning application for the demolition of farmhouse and agricultural buildings and erection of 327 dwellings with a primary school and nursery; along with site access/spine road, car parking, public open space, landscaping, drainage infrastructure and associated infrastructure; of which full permission is sought (with no matters reserved) for a site wide earthworks strategy and drainage infrastructure together with 150 no. dwellings (of the 327 total) and associated landscaping, layout, infrastructure and access; and outline permission is sought for the erection of 177 dwellings, primary school and nursery (Use Class D1) with access to be determined and all other matters reserved.
Current
- 3.15 **PT16/4782/O** Outline planning permission for mixed use development comprising up to 1,290 dwellings including an extra care facility (Use Class C2/C3); community facilities (comprising use classes D1 and D2); provision of a mixed use local centre (Use Classes A1, A2, A3 and D1) together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping with access to be determined and all other matters reserved.

Current

- 3.16 **MODT16/0004** Modification of S106 Agreement attached to planning application P92/2321 to re-define the timeframe within which the Blue Land will be retained for the purposes set out in the s106 agreement.

Approved 5th December 2016

4. CONSULTATION RESPONSES

This is not a planning application and there is no requirement for public consultation.

5. ANALYSIS OF PROPOSAL

- 5.1 The relevant section of the P92/2321 original s106 agreement is Clause 3(b) – Dedication of Land. This section relates to the requirements for the developer (Crest Nicholson) as owners of the “Blue Land” to transfer the entirety of the Blue Land within 3 years of commencement or 5 years of the date of the agreement or upon service of a notice by the Director of Property Services of the satisfactory landscaping of the Blue Land.
- 5.2 The 2014 obligation removed Clause 3(b) and replaced it with the following alternative requirements as summarised below:
- i. If the Director of Environment and Community Services shall have issued a notice in writing to the Owner stating that the Blue Land is required to be transferred to the Council by 21 August 2015 to convey the blue land to the Council subject to and in accordance with the Provisions of the Third Schedule.
 - ii. The owner must submit a Masterplan for approval within 6 months of the date of the agreement.
 - iii. the Council must inform the Owner whether the Masterplan is endorsed within 4 months of receipt
 - iv. Obtain planning consent for the development by 21 August 2017
 - v. In the event planning permission has not been obtained by 21 August 2017 the Council can serve notice by 21 August 2018 on the owner to transfer additional land to the Council
- 5.3 A number of the actions required at 5.2 (i) to (v) above were since completed.
- (i) Notice was served on Crest 17th August 2015 requiring the transfer of the blue land to the Council. To date the blue land has not been transferred.
- (ii) & (iii) The Crest masterplan was submitted and was endorsed at the PTSE Committee in May 2016.

- (iii) A further Deed of Variation was signed in 2016 (MODT16/0004) further extending the date for planning permission to be granted to 21 August 2018 and the dates between which the Council could serve notice on the Owner for the additional land to be transferred between 21 August 2018 to 21 August 2019.
- 5.4 The most recent Deeds of Variation (the 2014 and 2016 DoVs) achieved extensions of the trigger dates referred to at 5.2 (iv)-(v) to provide an achievable timescale for determination of the two planning applications now submitted by the applicant Crest Nicholson Operations in August 2016, summarised above in sections 3.14 and 3.15 of this report. The applicant seeks the agreement of the LPA to extend the dates referred to in 5.2 (iv) and (v) by 1 year.
- 5.5 As such:
- i. The date 21 August 2018 for planning permission to be granted would now read 21 August 2019.
 - ii. The dates between which the Council could serve notice on the Owner for the additional land to be transferred between 21 August 2018 and 21 August 2019 would move back by one year to read 21 August 2019 to 21 August 2020.
- 5.6 This proposal does not seek to carry out development, rather it is a proposal to vary the 2016 deed of variation. The proposed deed of variation is essentially an alteration to the section referred to above such that the time scale within which the applicant can secure planning permission is extended by one year, after which if permission has not granted (subject to certain exceptions) the Council can trigger. To this end, this application is not a planning application but is a request to vary the existing s106 by deed which is permitted under section 106A of the Town and Country Planning Act 1990. However the amendment seeks to provide an achievable timescale for consideration of the applications and if acceptable, signing of s106 and issue of decision.
- 5.7 At this time, 'the blue land' has not been transferred and remains in the control of Crest Nicholson Operations Ltd. However although the land has not yet been transferred to the Council, its uses remain consistent with the uses set out in the s106 legal agreement.
- 5.8 The proposed Deed of Variation does not seek to amend the existing covenants related to use, which are retained unless or until the Local Planning Authority grants planning consent for an alternative use at which time, it would take into account and determine the extent to which the covenants as to use continued to serve a useful purpose.

6. RECOMMENDATION

- 6.1 i) That authority is delegated to the Director of Environment and Community Services formulate the precise wording of the Deed of Variation.

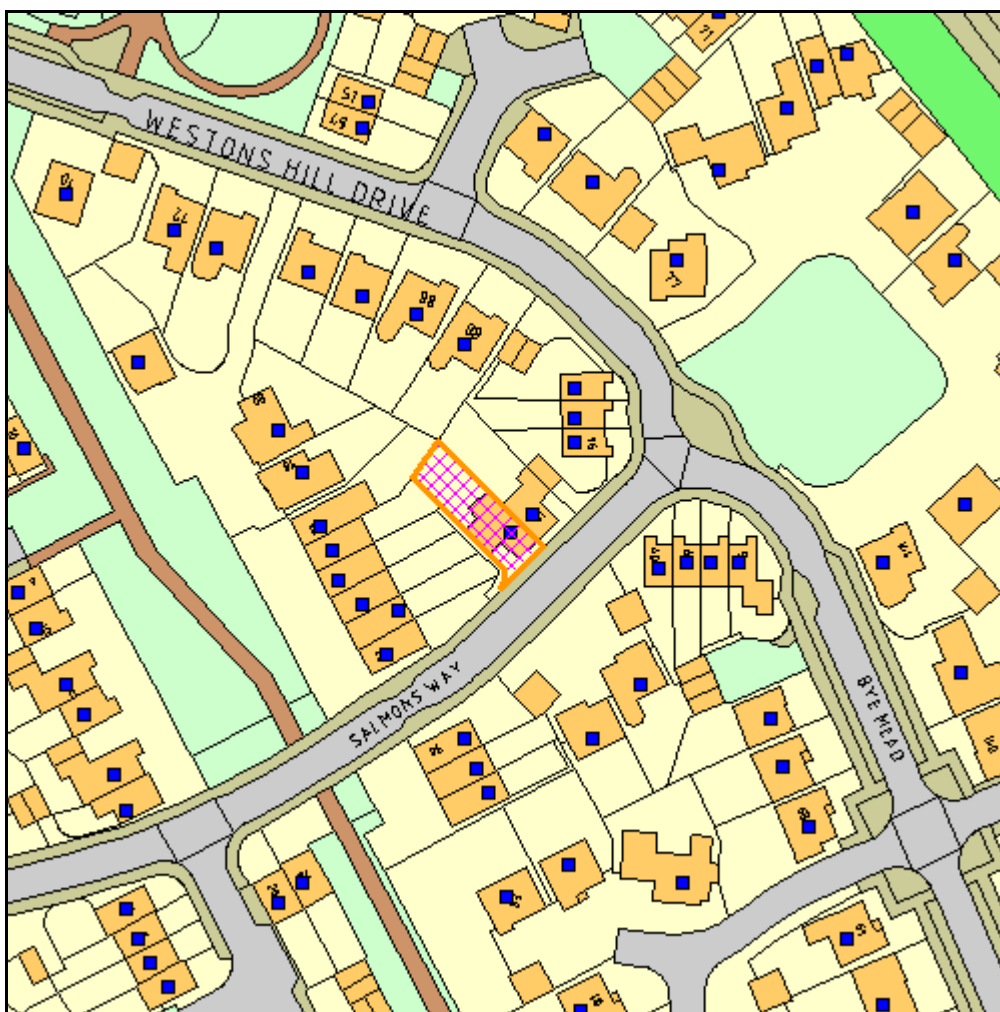
- ii) That authority is delegated to the Director of Environment and Community Services to vary the s106 legal agreement dated 15th August 1995 (associated with P92/2321) as amended by Deed of Variation MODT16/0004 be further amended in accordance with paragraph 5.5 above

- iii) In the event that the Deed of Variation is not completed between by 1st November 2018 that authority is delegated to the Director of Environment and Community Services to refuse to enter into the proposed Deed of Variation.

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CIRCULATED SCHEDULE NO. 15/18 – 13 APRIL 2018

App No.:	PK17/5877/F	Applicant:	Mr Sam Jones
Site:	29 Salmons Way Emersons Green South Gloucestershire BS16 7DJ	Date Reg:	15th January 2018
Proposal:	Demolition of existing conservatory and erection of single storey rear and side extension to provide additional living accommodation.	Parish:	Emersons Green Town Council
Map Ref:	366546 177975	Ward:	Emersons Green
Application Category:	Householder	Target Date:	12th March 2018



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following objection comments received contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of existing conservatory and erection of single storey rear and side extension and the conversion of attached garage to provide additional living accommodation at 51 Colliers Break, Emersons Green
- 1.2 The application site relates to a two storey, semi-detached property which is located within a residential area of Emersons Green.
- 1.3 During the course of this application revised plans were requested and received to address transport concerns.

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 PK00/1942/PDR – no objection - 07.08.2000
Erection of a rear conservatory
- 3.2 P97/4209 – Approved - 01.08.1997
Erection of 135no. dwellings (reserved matters)

- 3.3 K7578 – Approved - 07.05.1996
Comprehensive development for residential, public house, commercial, school site, roads, footpaths, open space and other associated uses (outline). (prev id k7578)

4. **CONSULTATION RESPONSES**

4.1 Emersons Green Town Council

The Comments of Emersons Green Town Council Planning Committee are: Objection, Members Object to the conversion of the existing garage and the resulting lack of provision of parking.

However, Members do not Object to the proposed single storey rear and side extensions.

Sustainable Transport

A revised plan has now been submitted which shows that the first floor will remain as existing. No alterations to the ground floor are proposed and the garage conversion is still shown on the plans submitted which means that only one parking space is available within the site boundary. As such this means that there is inadequate vehicular parking available for the dwelling which still requires a minimum of two parking spaces.

As previously mentioned, the previous garage conversion has been carried out without planning permission being granted and it is unclear when the conversion took place and how long this garage has not been available for use as parking for this dwelling.

As a result of this I am again making my transportation comments based on the garage being still in situ and currently used as vehicular parking for the dwelling. As such this current development will remove a vehicular parking space from the site and will result in a dwelling with inadequate vehicular parking.

Without adequate vehicular parking being provided this development is likely to lead to additional on-street parking which can cause obstructions and hazards for other road users.

Other Representations

4.2 Local Residents

This application received a total of 1 objector that raised the following points.

- Request that the rear access path remains clear
- Request work be carried out during normal working hours

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

The application seeks full planning permission for the demolition of existing conservatory and erection of single storey rear and side extension and the conversion of attached garage to provide additional living accommodation.

5.3 The proposed single storey rear and side extension will have a maximum height of 2.5metres, extend approximately 4.4 metres from the existing rear wall at its furthest point and have a width of approximately 7 metres. The proposal will introduce vertical timber cladding to the rear elevation and feature a flat roof with 1no window and sliding doors to the rear elevation and 1no window to the side elevation.

5.4 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 side and rear elevations.

5.5 The application also seeks the removal of an existing garage door, the filling of the opening and the insertion of a window within the aperture of the existing garage door. Planning permission is required as permitted development rights were removed from the host site under planning permission P97/4209 condition 6. This condition sought to retain the garages for domestic parking only in order to ensure that sufficient off-street parking is retained in the interests of highway safety. The highway merits of this are discussed below, but in design terms there is no detrimental impact arising from this.

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.

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

- 5.9 The proposal will occupy additional floor space, however sufficient private amenity space will remain following development and there is no objection with regard to this.
- 5.10 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).

5.11 Sustainable Transport and Parking Provision

It is acknowledged that the proposed development would result in the loss of the integral garage which is controlled by condition to ensure that it remains for the purpose of the garaging of private motor vehicles. The paved driveway at the property allows for one parking space, this is substandard in relation to the Residential Parking Standards SPD that outlines that properties with 3 bedrooms must make provision for the parking of a minimum of 2 vehicles.

Objections were raised regarding the removal of the internal garage leading to additional on-street parking. Correspondence from the agent confirms the current occupiers have lived at the property since 2013, it is further understood that the occupiers previous to this erected an internal wall behind the garage door in 2006. Normally an internal wall would not amount to “development”, and so would not require planning permission. However, there is a condition on the original consent requiring the garage as approved to be retained for parking or domestic storage purposes. As such the creation of the additional study room would have required planning permission in 2006 due to this condition. It would seem however that this work was undertaken some considerable time ago, and that it is most likely the applicant could apply for a certificate of lawfulness as the partition has been present for over 10 years.

- 5.12 Furthermore the width of the garage measures 2.6m wide internally. This means that the current garage does not accord to the South Gloucestershire Parking Standards SPD and would not count towards the dwelling’s off street parking provision under that assessment even if the internal partition had not been erected.

The balance of evidence would suggest that the original garage has not been used to station vehicles for a considerable amount of time, and that this situation could be regularised. This proposal of itself does not introduce any further bedrooms. It seems that the property is currently deficient by one parking space, and would remain that way if this proposal were to be permitted. It is not considered that in these circumstances it would be reasonable to reject the extension on the basis that there is a lack of parking (which already exists) when the requirement for parking would not be materially different in policy terms. The property remains in a predominantly residential area meaning that any additional on-street parking may be inconvenient to other road users but is unlikely to cause a highway safety problem. Overall whilst this counts against the proposal it is not considered that it amounts to a severe highway impact that would justify the refusal of the scheme.

5.13 Other Matters

A neighbour has raised concerns about working hours. Given the scale of the development, it is not considered that the proposal would cause unacceptable levels of disturbance to immediate neighbours through increased noise, odours, fumes or vibration.

The neighbour was also concerned with the access to the rear lane being compromised. This would be a civil matter that the applicant and neighbour would have to discuss.

5.14 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Westley Little
Tel. No. 01454 867866

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 15/18 – 13 APRIL 2018

App No.:	PK18/0582/F	Applicant:	Mr Julian Amos
Site:	122 Memorial Road Hanham Bristol South Gloucestershire BS15 3LQ	Date Reg:	20th February 2018
Proposal:	Creation of new vehicular access.	Parish:	
Map Ref:	363889 171458	Ward:	Hanham
Application Category:	Householder	Target Date:	17th April 2018



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the formation of a new vehicular access at 122 Memorial Road Hanham.
- 1.2 Planning permission is required for the proposed access because Memorial Road is a classified highway and therefore is not permitted under Part 2 Class B of the Town and Country Planning (General Permitted Development) (England) Order (GDPO) 2015.
- 1.2 No. 122 is a two storey semi-detached property. The front garden area is walled with a small pedestrian access. It is proposed to demolish this wall in order to create a two car driveway and associated access.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS8 Improving Accessibility

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

- PSP11 Transport
- PSP16 Parking Standards
- PSP38 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1. None

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
"Objections - we have concerns over vehicular movement on the driveway which is opposite a very busy junction".

Hanham Parish Council
None received.

4.2 Other Consultees

Sustainable Transport

No objection subject to the following conditions:

1. Access shall be constructed in accordance with the Council's standards of construction and to the satisfaction of the Highway Authority; and
2. The surfacing area for parking on site shall be made by permeable bound surfaced material (i.e. no loose stone or gravel).

Other Representations

4.3 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks planning permission for the formation of a new vehicular access on to a Class C highway. As the GPDO allows for the formation of vehicular accesses, the principle of development is established as being acceptable. However, the GPDO does not allow for the formation of an access onto a classified highway; this is to enable an assessment of highway safety and traffic management to be undertaken prior to any new access being formed. Therefore, the proposed development is acceptable in principle but should be determined against the assessment set out below.

5.2 Highway Safety

Policy PSP11 of the PSP Plan manages the transportation aspects of development. This policy would allow for development provided that it can be proven that the access would be safe and convenient for pedestrians; capable of accommodating the motorised traffic generated; would not exacerbate traffic congestion or impact on road; pedestrian or highway safety; and would not prejudice residential amenity.

5.3 Memorial Road is primarily residential in nature and it is subject to 30mph speed limit. The Case Officer is satisfied that there is adequate visibility for drivers when the driver enters/exits the site in a forward gear. If vehicles are to reverse onto the public highway, both the case and Transport Officer are satisfied that there is adequate visibility for drivers on the main road in order to stop in time. With this in mind, the risk to the travelling public would not increase as the result of this proposal. Furthermore, it is noted that there are number of similar vehicular accesses facing on to this section of highway with little or no turning facility on site; including an identical proposal that was approved for the adjoining property (PK17/5323/F).

5.4 On balance it is considered that the proposed access would not have a detrimental impact on highway safety in the vicinity of the site and therefore the new access accords with the provisions of policy PSP11 of the PSP Plan.

5.5 Residential Amenity

Policy PSP11 also requires an assessment of residential amenity. The front of the property is currently a mix of raised flower beds, grass and a paved area. The use of the frontage for parking is considered to be a common and acceptable land use in this residential location and the proposed development would have little impact on the levels of residential amenity in the locality.

5.6 Other matters

The Transport Officer recommended two conditions. The first (access shall be constructed in accordance with the Council's standards of construction) is covered under a separate procedure. As such it is not deemed appropriate to add this condition to this permission. The second (materials) will be conditioned.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission be **GRANTED** subject to the conditions listed on the decision notice.

Contact Officer: David Ditchett
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

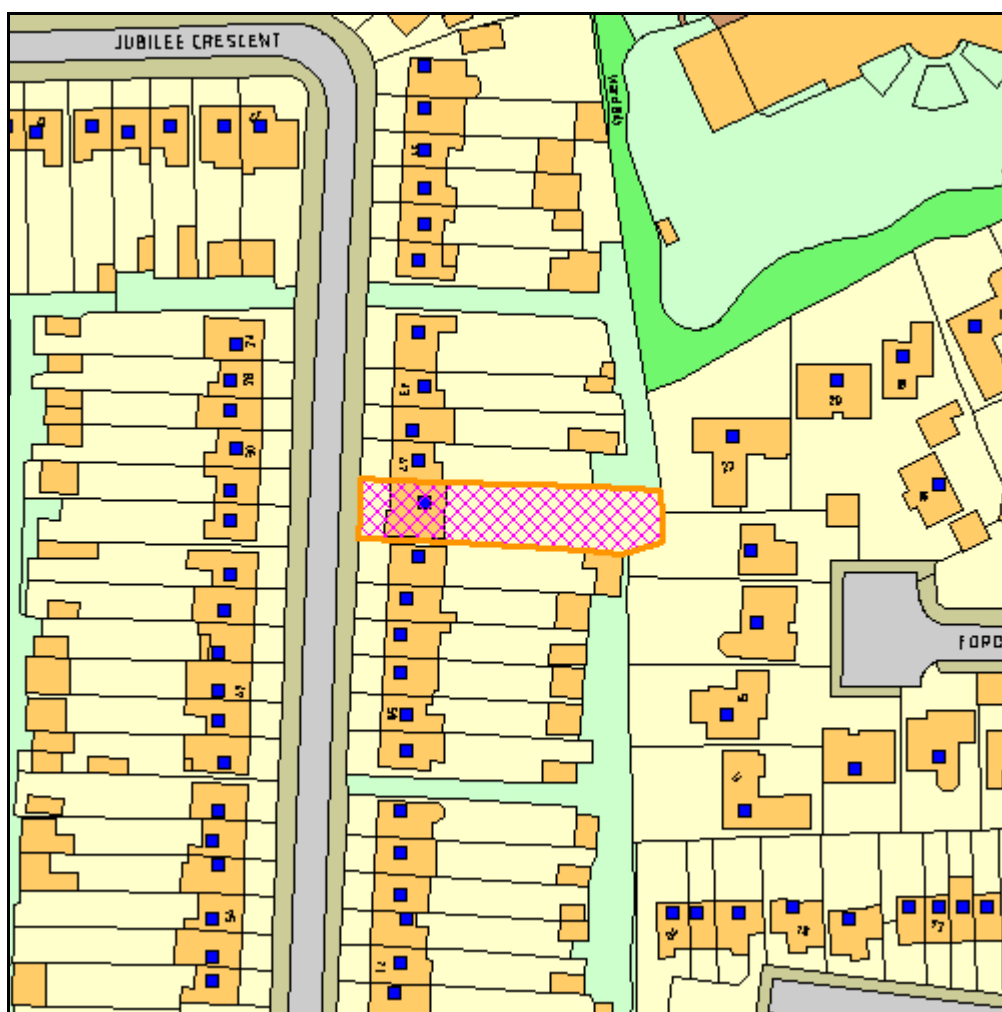
2. The parking area on site shall be constructed with a permeable bound surface material and subsequently maintained thereafter.

Reason

To ensure the satisfactory provision of parking facilities; in the interest of highway safety and the amenity of the area; to ensure satisfactory surface water run-off and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and Policy PSP11 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017.

CIRCULATED SCHEDULE NO. 15/18 – 13 APRIL 2018

App No.:	PK18/0813/F	Applicant:	Mr Lee Walker
Site:	49 Jubilee Crescent Bristol South Gloucestershire BS16 9BB	Date Reg:	21st February 2018
Proposal:	Erection of detached double garage. Amendment to previously approved scheme PK17/3091/F	Parish:	Emersons Green Town Council
Map Ref:	366495 176987	Ward:	Rodway
Application Category:	Householder	Target Date:	16th April 2018



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REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a detached double garage at no. 49 Jubilee Crescent, Mangotsfield.
- 1.2 The application site consists of a 3-bed end of terrace property set within the urban fringe area of Mangotsfield. The main dwelling is set towards the front (west) of a relatively long, narrow plot. Vehicular access to the rear of the site can be gained via a narrow access lane off Jubilee Crescent. The application site is located at the southern end of the lane, with no properties further to the south accessible via the lane. The proposed garage would be used to store and maintain vehicles.
- 1.3 Planning permission for the erection of a detached garage at the site was previously granted under application ref. PK17/3091/F. The current application seeks to amend the previously approved scheme, with the main differences between the two proposals outlined below:
 - Increase in eaves height by approximately 0.6 metres
 - Insertion of additional rooflights to front and rear elevations
 - Change of external materials to steel cladding

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

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

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings

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

3. **RELEVANT PLANNING HISTORY**

3.1 **PK17/3091/F**

Erection of detached double garage.

Approved: 13.10.2017

4. **CONSULTATION RESPONSES**

4.1 Emersons Green Town Council

No objection

4.2 Other Consultees

Sustainable Transport

No objection subject to conditions

Other Representations

4.3 Local Residents

One comment raising an objection to the proposed development has been submitted by a local resident. The main concerns raised are outlined below:

- The height to eaves has increased from the original proposal
- We are unsure if the footprint has increased
- The external finishes and roof now seem to be 'clad'. Can someone confirm finishes?
- The building appears more imposing and industrial than the original – we remain concerned that this appears to be much more than a domestic garage.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application seeks permission for the erection of a detached double garage. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity, transport and loss of trees and vegetation. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek 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.

5.3 Within the officer assessment of the previous application, it was recognised that the proposed garage would be of a significant scale. However it was considered that the garage appeared sufficiently domestic, and its siting at the end of a rear access lane reduced the overall impact on the character of the area and visual amenity in general.

5.4 The proposal now seeks to increase the eaves height, introduce 2no. additional rooflights to the front and rear elevations, and change the proposed materials to steel cladding. Having compared the two schemes, it is considered that the building proposed under the revised application has moved away from the more domestic appearance of the previously approved garage. It is considered that the main contributing factor is the change in materials to steel cladding. Given the significant scale of the building, it is considered that the use of steel cladding, as opposed to a more typically domestic material such as brick or render, would result in a building which appeared more commercial or agricultural in nature.

5.5 Whilst the garage does not hold a prominent position within the streetscene, and therefore the impact on visual amenity is reduced, it is not considered that the appearance of the garage sufficiently reflects the residential setting. In this regard, it is considered that its erection would cause a degree of harm to visual amenity.

5.6 However the issue regarding materials is not considered to constitute a reason for refusing the application, as it is an element of the development that can be controlled by condition. In order to agree an acceptable external finish for the proposed garage, a condition will be attached to any decision, requiring the materials proposed in the external finish of the garage to be agreed following the determination of the application.

5.7 Subject to the agreement of external materials, it is considered that the proposal would be acceptable in design terms, and would accord with policies CS1 of the Core Strategy and PSP38 of the Policies, Sites and Places Plan.

5.8 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that 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.

- 5.9 Whilst the overall height of the building would not increase, it is noted that the raising of the eaves would increase the massing of the building, and that this would make the building more imposing on adjacent neighbours. However it is acknowledged that the structure would be set towards the end of the host garden, and as such would mostly impact upon the rear end of neighbouring gardens. As these areas hold lower amenity value, it is not considered that the overall impact of the increase in eaves height on residential amenity would be significant.
- 5.10 In terms of overlooking, as the building would only be single storey, it is not considered that the insertion of additional roof lights would cause any increased overlooking. However as per the previous approval, whilst no first floor is proposed, it is recognised that the building is of sufficient size as to physically accommodate a first floor. The creation of a second storey could create an increased sense of overlooking on to neighbours. In light of this and as per the previous consent, a condition will be attached to any decision, restricting the construction of a first floor within the garage at any point in the future.
- 5.11 As per the previous approval, it is not considered that the erection or use of the garage would cause an unacceptable degree of disturbance to neighbours. However it is considered that the use of the garage for commercial purposes could have a significantly greater impact on neighbours. In light of this, and as per the previous approval, a condition will be attached to any decision, requiring the garage to only be used for purposes incidental to the enjoyment of the main dwellinghouse.
- 5.12 Subject to the aforementioned condition, it is not considered that the development proposal would have any unacceptable impacts on residential amenity. The proposal is therefore consistent with policies PSP8 and PSP38 of the Policies, Sites and Places.
- 5.13 Transport
It is not considered that the alterations to the scheme would give rise to any significant transportation issues.
- 5.14 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.
- 5.15 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

2. Prior to the commencement of the relevant part of the development of the garage hereby approved, details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained as such.

Reason

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

3. A first floor shall not be constructed at any time within the garage hereby approved.

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.

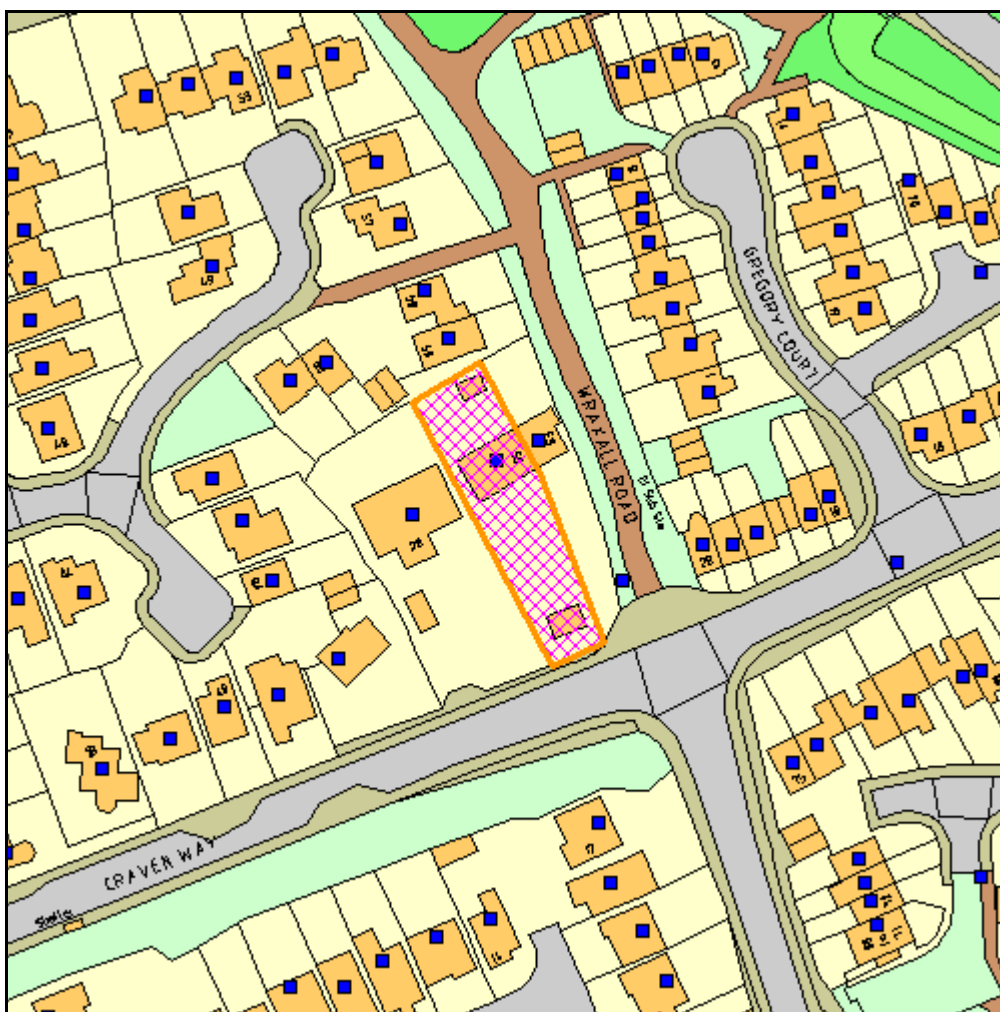
4. The garage hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as 49 Jubilee Crescent.

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.

CIRCULATED SCHEDULE NO. 15/18 – 13 APRIL 2018

App No.:	PK18/0833/F	Applicant:	Mr Bryant
Site:	65 Wraxall Road Warmley Bristol South Gloucestershire BS30 8DW	Date Reg:	21st February 2018
Proposal:	Erection of two storey rear, single storey rear and first floor side extension to form additional living accommodation.	Parish:	Oldland Parish Council
Map Ref:	366269 172687	Ward:	Parkwall
Application Category:	Householder	Target Date:	18th April 2018



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1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of a first-storey side extension, a two-storey rear extension and a single storey rear-extension to a semi-detached property in Wraxall Road, Warmley.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006

Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

No objection

4.2 Sustainable Transport

Original Plans

Asked for revised information

Revised Information Submitted

No objection

Other Representations

4.3 Local Residents

Two objection comments received due to:

- Loss of light to No. 63 Wraxall Road
- Note that a two-storey extension on their property was declined.
- Loss of privacy at No. 60 Howes Close.
- Family is loud and extension would exacerbate this

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Visual Amenity

The proposal consists of the erection of a first-storey side extension, a two-storey rear extension and a single storey rear-extension.

5.3 *First Storey Side Extension*

The first storey side extension would sit above an existing single-storey element to the side of the dwelling. It would sit slightly back from the front elevation of the dwelling, and would match the ridge height of the existing dwelling, with the roof slope matching what currently sits above the house. It would be finished in materials to match the existing dwelling, and would be considered acceptable in terms of visual amenity.

5.4 *Two-Storey Rear Extension*

The rear extension would sit below the overall ridge height of the dwelling, extending from the proposed first-storey side extension. It would have a gabled roof to the rear. It would be considered suitably sized, extending around 2.7m from the rearmost elevation of the dwelling. It would be hidden from nearby public areas, although it would be slightly visible from the footpath to the east of the dwelling. It would be finished in materials to match the existing dwelling, and would be considered acceptable in terms of visual amenity.

5.5 *Single Storey Rear Extension*

The single storey extension would sit to the rear of the two-storey rear extension. It would have a shallow pitched roof which would be gabled to the rear, with two rooflights above. It would be considered acceptable in terms of visual amenity.

5.6 *Cumulative Impact*

Overall, it is not considered that the proposed development would harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

5.7 Residential Amenity

The dwelling is semi-detached. The two-storey rear element would sit away from the attached neighbour, next to the boundary shared with the neighbour to the west.

5.8 *First Storey Side Extension*

The first storey side extension would sit directly next to the neighbouring dwelling to the east. Due to the position, it is unlikely to have an overbearing or overshadowing impact on the neighbouring property. There is an upper floor window proposed in the side elevation facing this property; however, a window currently sits in broadly the same position. It is considered unlikely to have a significant negative impact on the residential amenity of any nearby occupiers.

5.9 *Two-Storey Rear Extension*

The two-storey rear extension would extend past the rear elevation of the property by 2.7m. Although this would sit next to the western boundary of the site, the height and depth would not be considered to have an overbearing or overshadowing impact on the property next door. It is noted that the occupier of No. 63 has commented on loss of light to their property. Having assessed the path of the sun, and the levels of separation between the proposed extension and No. 63, it is considered unlikely that there would be any loss of light for the occupiers. The occupier of No. 60 Howes Close has also commented on loss of privacy; however, the rear of the site is largely screened by tall vegetation and the property currently has rear-facing upper level windows. It is not considered that the extension would have a significant impact on the privacy afforded to the occupiers of No. 60 Howes Close.

5.10 *Single Storey Rear Extension*

The single storey extension would sit to the rear of the two-storey rear extension. It would extend 2.2m from the rear of the two-storey rear extensions, meaning that the rearmost elevation would be about 5.4m from the rear elevation of the existing property. However, the single storey element is very modest in size, and is located slightly away from the site's boundary; it is therefore considered that there would be no overbearing, overlooking or overshadowing impacts as a result of the proposed development.

5.11 *Cumulative Impact*

Overall, it is not considered that there are any residential amenity concerns in relation to this development.

5.12 Sustainable Transport

As a result of the proposal, the dwelling would become a five bedroom house. Three parking spaces of an adequate size exist on site. Therefore, there are no transport objections to the extension.

5.13 Equalities

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

5.14 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, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

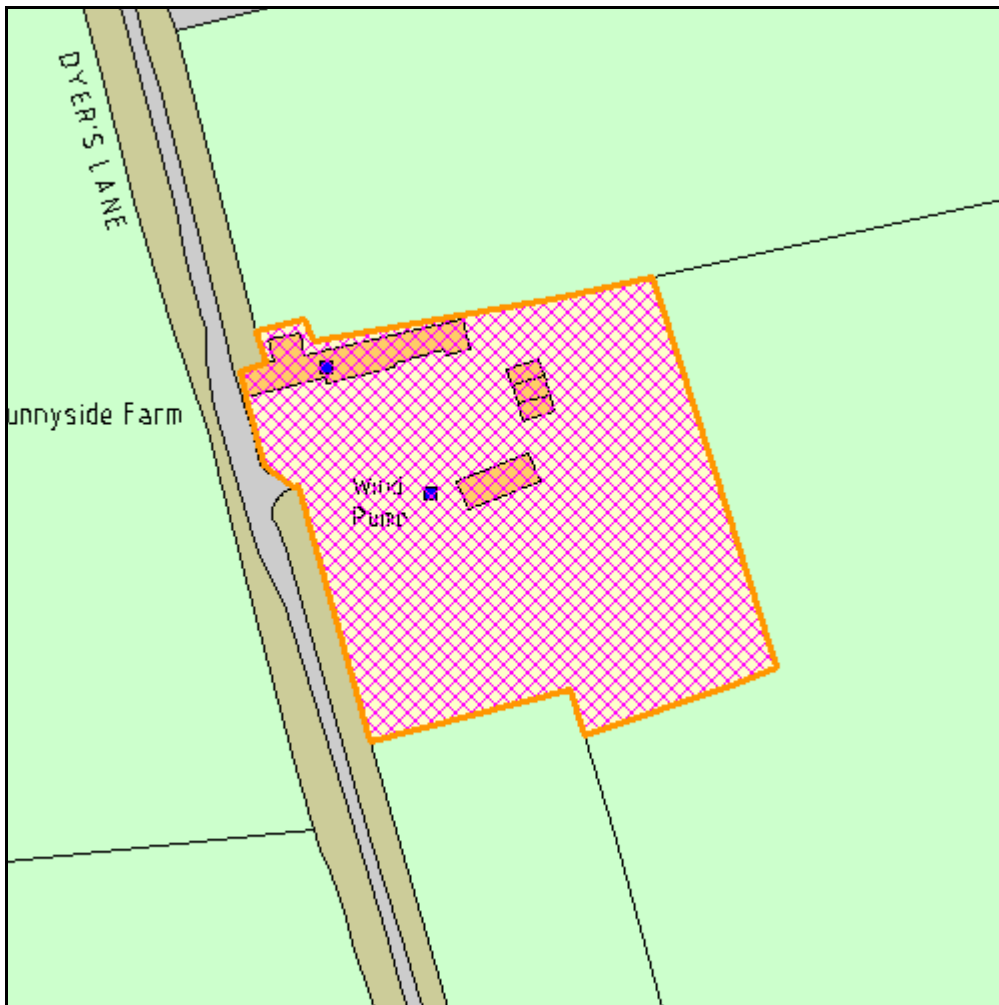
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 15/18 – 13 APRIL 2018

App No.:	PK18/0835/CLE	Applicant:	Mr And Mrs Richard Hunter
Site:	Sunnyside Farm Dyers Lane Iron Acton South Gloucestershire BS37 9XW	Date Reg:	28th February 2018
Proposal:	Application for the use of land as residential (Use Class C3).	Parish:	Iron Acton Parish Council
Map Ref:	369199 184383	Ward:	Ladden Brook
Application Category:	Certificate of Lawfulness	Target Date:	19th April 2018



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule in accordance with the Council's scheme of delegation as it is for a certificate of lawfulness.

1. THE PROPOSAL

- 1.1 This application seeks a certificate of lawfulness for the use of land associated with Sunnyside Farm, Dyers Lane, Iron Acton, as residential (Class C3 as defined in Town and Country Planning (Use Classes) Order 1987). The area of land in question is the area predominantly to the south and west of the main dwelling.
- 1.2 The certificate of lawfulness is sought on the basis that the use of the land for residential purposes associated with Sunnyside Farm is immune from enforcement action. This is on the basis that the land in question has been used as residential for a period in excess of 10 years, and under 171B(3) of the Town and Country Planning Act 1990 ("the Act"), and in accordance with section 191(2) of the Act, the use is lawful.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. Town and Country Planning Act 1990: s171B and s191
 - ii. Town and Country Planning (Development Management Procedure) (England) Order 2015
 - iii. National Planning Practice Guidance: 17c (06.03.2014)

3. RELEVANT PLANNING HISTORY

3.1 N2543

Erection of two storey extension at rear to provide study and cloakroom with additional bedroom above.

Approved: 30.04.1976

4. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION

- 4.1 To support this application, the following have been submitted:
 - Supporting statement
 - Statutory declaration of Richard Charles George Hunter and Christine Hunter
 - 16 letters from neighbours and friends

- Google Earth images

5. **SUMMARY OF MIXED EVIDENCE**

5.1 The local planning authority holds aerial photographs of the site dated 1991, 1999, 2005, 2006 and 2008.

6. **SUMMARY OF CONTRARY EVIDENCE**

6.1 The local planning authority holds no contrary evidence of its own.

7. **OTHER REPRESENTATIONS RECEIVED**

7.1 Iron Acton Parish Council
No observations

7.2 Local Residents
None received

8. **EVALUATION**

8.1 An application for a certificate of lawfulness is not a planning application: it is purely an evidential test and therefore should not be determined against planning policy or on planning merit. The test to be applied is whether the application has demonstrated, through precise and unambiguous evidence, that (in this instance) the existing use of the land as residential is lawful.

8.2 Breach of Planning Control
No planning permission has been granted for the use of the land as residential. Therefore the use of the land in such a manner would form a breach of planning control. Section 171B of the Act introduces statutory time limits in which enforcement action against breaches of planning control should be taken. If the breach has occurred continuously for the period stated in this section it would become immune from enforcement action.

8.3 In this case, the separation of the land in question from adjoining land by virtue of vegetation and other boundary treatments, the cutting of grass within the area and the construction of a tennis court within the area indicate a domestic use.

8.4 Grant of Certificate of Lawfulness
Certificates of lawfulness for existing uses are covered in section 191 of the Act. Section 191(2) states:

*For the purposes of this Act uses and operations are lawful at any time if -
(a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or*

because the time for enforcement action has expired or for any other reason); [...]

8.5 Time Limit of Immunity

The applicant is claiming that the use of part of the land for residential purposes has occurred since their purchasing of the property in 1987. The applicant has indicated that another part of the land has been used for residential purposes since the construction on a tennis court in mid-1994. This would constitute *any other breach of planning control* and therefore in accordance with section 171B(3) of the Act, the development would become lawful at the end of a period of 10 years beginning with the date of the breach.

8.6 In order for this certificate of lawfulness to be granted it must be demonstrated that, on the balance of probability, the use of the land as garden has occurred continuously for a period exceeding 10 years and that there has been no subsequent change of use.

8.7 Assessment of Lawfulness

Starting with aerial photographs obtained by the local planning authority, the photographs show the appearance of the site in 1991, 1999, 2005, 2006 and 2008.

8.8 In 1991, the area of the site immediately to the south of the main dwelling does take on the appearance of a residential garden, with the grass appearing to be mown and the land separated from a more unkempt area of land to the south by some form of boundary treatment. However the more westerly portion of the site does not appear to be maintained in the same way, and appears more akin to a paddock.

8.9 However in 1999, the entire site appears more as a domestic garden. The grass appears to be cut and the vegetation maintained. One of the key differences is the construction of a tennis court to the south-western corner of the site; which according to the applicant's statutory declaration, was completed in August 1994.

8.10 The aerial photographs from 2005, 2006 and 2008 then show the site to remain largely unaltered from its 1999 appearance.

8.11 The applicant has provided Google Earth images, which show the appearance of the site in 2005, 2006, 2008, 2013, 2014 and 2017. The imagery indicates that between 2005 and 2017, there was very little alteration in terms of the appearance of the site. The grass appears to be well kempt throughout, with the tennis court remaining in situ. The buildings within the site also appear to have remained largely unaltered during this period.

8.12 Whilst no other examples of domestic paraphernalia can be identified in aerial imagery, the numerous letters from friends and neighbours submitted in support of the application outline that the site has been used for various domestic recreational purposes over a number of years. Within their own statutory declaration the applicant has outlined that although other adjacent parcels of

land were purchased in the mid/late 1990s and in 2006, the land outlined in red has been used for domestic purposes since 1994.

8.13 When making an assessment of, on the balance of probability, the lawfulness of a particular development, verifiable aerial photographs are given substantial weight. Whilst being afforded less weight, sworn statutory statements are still given significant weight. This is because it is an offence to knowingly include information within it that is inaccurate. The unsworn letters provided by friends and neighbours are considered to hold less weight.

8.14 As is previously noted, the aerial photographs indicate that the site took on its current domestic form at some point between 1991 and 1999. Aerial photographs also indicate that the appearance of the site has not altered significantly between 1999 and 2017, which indicates that the site remained in continuous residential use during that period. The statutory declarations submitted in support of the application claim that the whole of the land has been continually used for residential purposes since 1994. The local planning authority is not in receipt of any evidence of sufficient weight to tip the balance away from that supporting the evidence presented by the applicant, and the aerial photographs obtained by the local planning authority.

8.15 Assessment Findings

It has been found that a breach of planning control occurred at some point before 1999. The local planning authority is not in possession of any counter evidence, and there is no evidence of any further change of use of the site.

8.16 Paragraph 17c-006-20140306 of the National Planning Policy Guidance states:

In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

8.17 On the balance of probabilities, the land included within this application has been used as the extended garden of the property known as Sunnyside Farm for a period of more than 10 years. It is therefore considered that the use of the land for residential purposes would be immune from enforcement action by virtue of section 171B(3) of the Act and under section 191(2) a certificate of lawfulness should be granted.

8.18 Residential Curtilage

As part of the statutory declaration and the supporting statement, the applicant has made reference to the use of the land as residential curtilage. However this application relates to the unlawful change of the use of the land (the planning unit) to residential (Use Class C3). The 'planning unit' and the 'residential curtilage' of the property may not necessarily cover the same area, and 'residential curtilage' is not classed as a land use. As such, whilst a certificate of lawfulness should be granted for the continued use of the land as residential,

it should not be construed as implying that the whole application site forms the residential curtilage of the property.

9. RECOMMENDATION

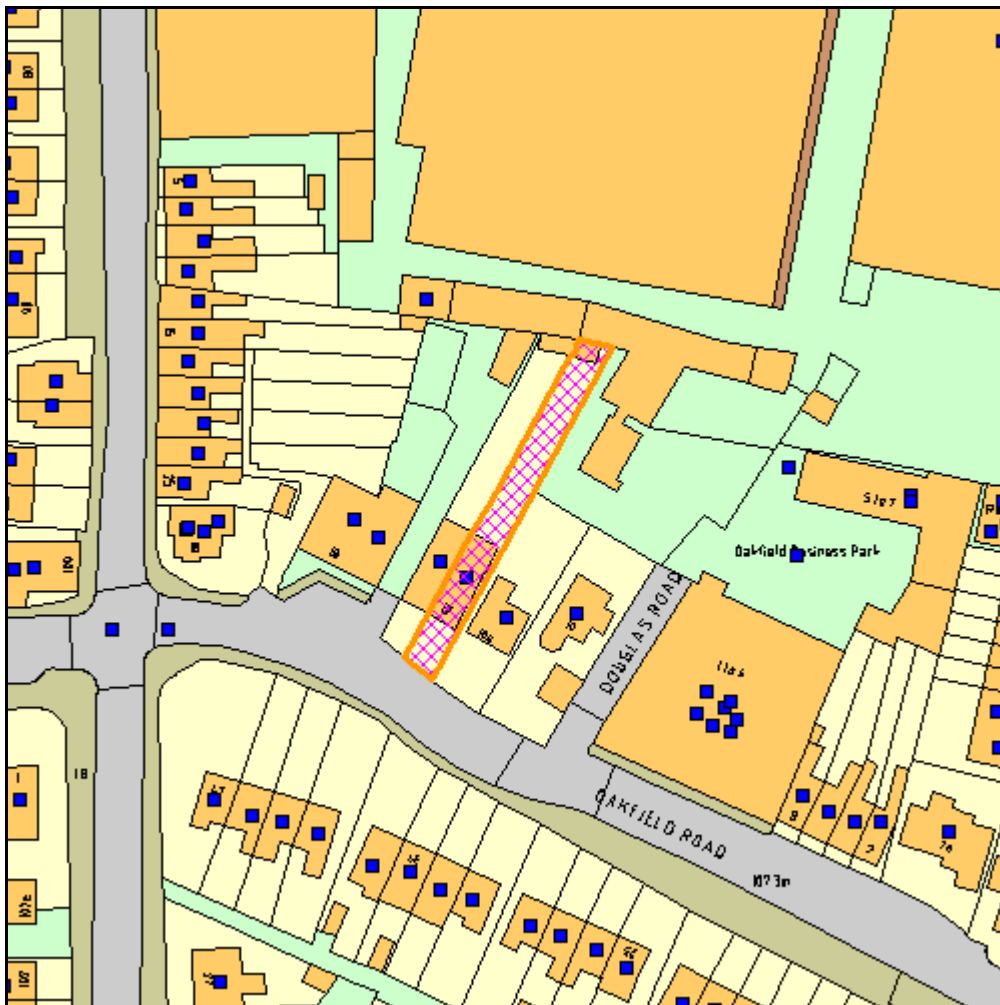
9.1 It is recommended that a Certificate of Lawfulness is GRANTED for the reason listed below:

On the balance of probabilities, the land included within this application has been used as the extended garden of the property known as Sunnyside Farm for a period in excess of 10 years and there has been no subsequent change of use. It is therefore considered that the use is lawful.

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CIRCULATED SCHEDULE NO. 15/18 - 13 APRIL 2018

App No.:	PK18/0953/CLP	Applicant:	Mr Adam Inglis
Site:	12 Oakfield Road Kingswood Bristol South Gloucestershire BS15 8NT	Date Reg:	28th February 2018
Proposal:	Installation of rear dormer to facilitate loft conversion.	Parish:	None
Map Ref:	364595 173123	Ward:	Woodstock
Application Category:	Certificate of Lawfulness	Target Date:	24th 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 1no rear dormer at 12 Oakfield Road Kingswood 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 B.

The submission is not a planning application. Therefore 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. None

4. CONSULTATION RESPONSES

- 4.1. Town/Parish Council
Not applicable.

Councillor Andy Perkins

"I have no adverse comments to make on this one."

Councillor Pat Rooney

"I have no comments on this application."

Councillor Gareth Manson

"I have no adverse comments with regard to this application."

Other Representations

4.2. Local Residents

No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

Site Location Plan

Received by the Council on 27th February 2018

Existing Ground and First Floor Plans

Drawing No. AI/18.1

Received by the Council on 27th February 2018

Proposed First Floor Plan

Drawing No. AI/18.2/a

Received by the Council on 27th February 2018

Proposed Second Floor Plan

Drawing No. AI/18.3/a

Received by the Council on 27th February 2018

Existing Elevations

Drawing No. AI/18.4

Received by the Council on 27th February 2018

Proposed Elevations

Drawing No. AI/18.5/a

Received by the Council on 10th April 2018

6. ANALYSIS OF PROPOSAL

6.1. Principle of Development

The application for a Certificate of Lawfulness is purely an evidential test that 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 evidence presented. 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 property.

6.3. The proposed development consists of the installation of 1 no rear dormer. The dormer 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, PA or Q of Part 3 of this Schedule (changes of use)**

The dwellinghouse was not granted under Classes M, N, P, PA 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 would not exceed the highest part of the roof.

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

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

- (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. Volume calculations extrapolated from the submitted drawings indicate that the total increase in roof space of the original dwelling would be 22m³.

- (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 does not include the construction or provision of a verandah, balcony or raised platform.

- (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;**
- (i) Submitted plans indicate that the proposed dormer will be finished in materials to match the finish of the existing roof.
- (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 of 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 dormer would be approximately 0.3m from the outside edge of the eaves of the original roof and the proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse. The eaves are maintained. As such the proposal meets this criterion.

- (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.**

No windows are proposed to the side elevations.

7. RECOMMENDATION

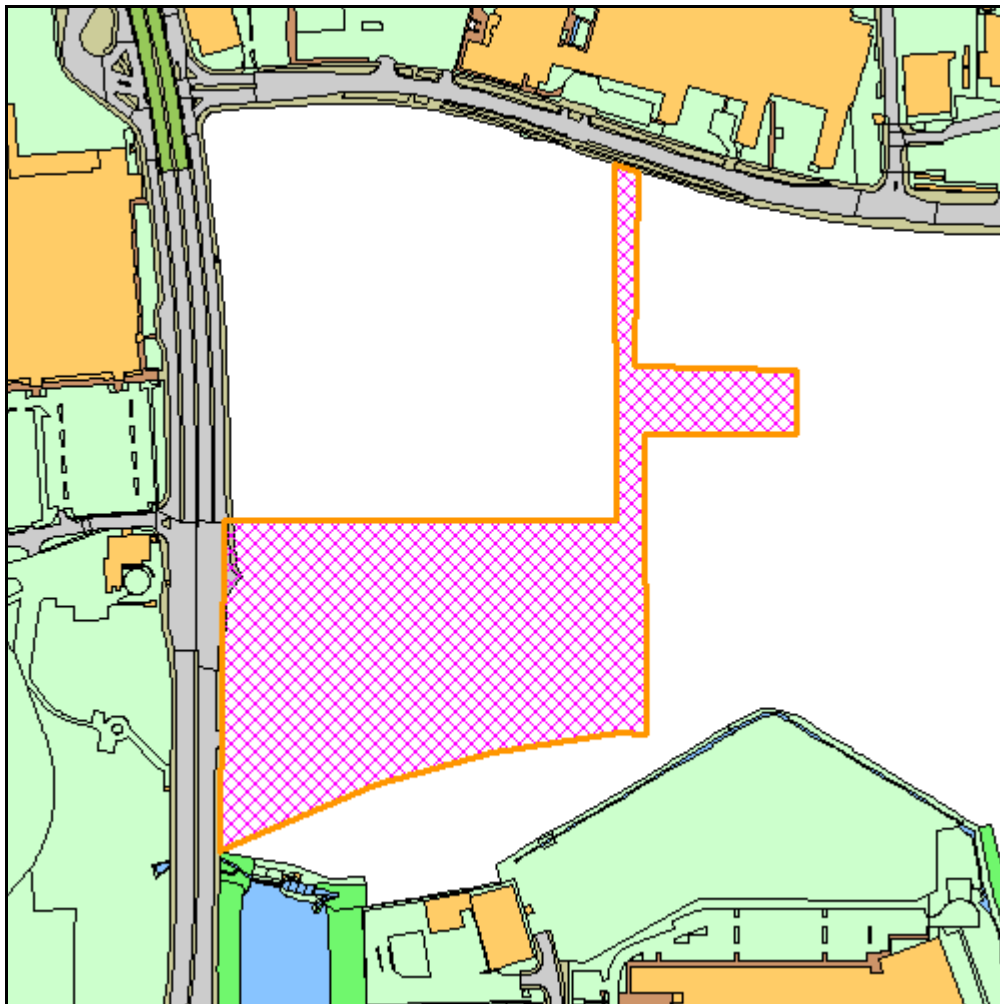
7.1. That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

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

Contact Officer: David Ditchett
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 15/18 – 13 APRIL 2018

App No.:	PT17/5248/F	Applicant:	Car Shops Limited & MSF Filton LLP
Site:	Plot C2/D1/E1 East Works Site Gloucester Road North Filton South Gloucestershire BS34 7ST	Date Reg:	24th November 2017
Proposal:	Erection of building to form motor dealership including MOT testing facility and external area for display of vehicles (sui generis), revised access onto A38, associated parking, landscaping, highways and drainage infrastructure. Re-location of bus depot from Plot E1 to land south of Plot F1 (Selco). Interim access proposal from / onto Gipsy Patch Lane.	Parish:	Filton Town Council
Map Ref:	360378 180484	Ward:	Filton
Application Category:	Major	Target Date:	16th February 2018



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as any approval of this application requires a variation to the s106 legal agreement associated with the original planning permission for the redevelopment of the Rolls Royce East Works Site. There is also a comment made contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The site is located within the former Rolls Royce East Works factory site. The site benefits from outline and subsequent reserved matters planning permission for a large scale employment generating development across the whole of the East Works site; and as detailed in section 3 of this report. The area is within the West of England Local Enterprise Partnership - Filton Enterprise Area
- 1.2 By way of background, the approved development allows the wholesale redevelopment of the Rolls Royce East Works site including a hotel, B1, B2, B8, Sui Generis car sales. The development is arranged on a grid, with two main access roads running North to South off Gypsy Patch Lane which are in turn linked by a main road running East to West. The development is well underway with many buildings and internal access roads now completed.
- 1.3 *Car Show Room* - The proposed development is submitted under a stand alone full planning application. The application details the provision of a sui-generis car showroom, outdoor display area, car servicing facilities and ancillary offices customer and staff welfare facilities.
- 1.4 *Access onto the A38* – The proposed development also includes the provision of a revised access onto the A38 from the Southwest area of the site. This would effectively move the approved access approximately 50 metres further to the South.

2. PLANNING POLICY

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS11 Distribution of Economic Development Land
- CS12 Safeguarded Areas for Economic Development
- CS25 Communities of the North Fringe of Bristol Urban Area
- CS26 Cribbs/Patchway New Neighbourhood

- 2.3 South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017
- | | |
|-------|---|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP3 | Trees and Woodland |
| PSP11 | Transport Impact Management |
| PSP13 | Safeguarding Strategic Transport Schemes and Infrastructure |
| PSP20 | Flood Risk, Surface Water and Flood Risk |
| PSP26 | Enterprise Areas |
| PSP27 | B8 Storage and Distribution Uses |
- 2.4 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (August 2007)
 Waste Collection Guidance for New Developments (January 2015)
- 2.4 Other Material Considerations
 West of England Local Enterprise Partnership - Filton Enterprise Area

3. RELEVANT PLANNING HISTORY

- 3.1 There is a large amount of planning history associated with this site. The most relevant planning history in that it directly informs this proposal, is listed below.
- 3.2 PT17/5682/RVC Variation of condition 5 attached to planning permission PT16/5502/RVC to add revised landscaping plans.
- Approved
- 3.3 PT16/5502/RVC Variation of condition 4 attached to planning permission PT16/1176/RVC to substitute plans numbered 13671-S73-102G, 13671-S73-F2-101A, 13671-S73-107C, 13671-S73-111J with revised plans.
- Approved 17th January 2017
- 3.4 PT16/4353/F - Erection of a Trade Warehouse (Class B8) with associated service yard, loading bay and parking.
- Approved 6th December 2016
- 3.5 MODT16/0005 Deed of Variation of S106 Agreement attached to planning application PT15/1634/RVC
- Approved 5th December 2016
- 3.6 PT16/1176/RVC Variation of condition 4 attached to planning permission PT15/2209/RM to substitute approved drawings with those received by the Council on 15th March 2016.
- Approved 10th June 2016

- 3.7 PT15/033/SCR EIA Screening - for Section 73 planning application to vary Condition 4 (Approved Drawings) of PT15/2209/RM - to amend the layout of development approved under reserved matters.

Decision dated 8th January 2016 Environmental Impact Assessment is **not** required

- 3.8 PT15/2209/RM Layout, scale, appearance and buildings, landscaping of the site together with associated parking. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permissions (PT15/1634/RVC).

Approved subject to conditions 30th September 2015

- 3.9 PT15/006/SCO Scoping Opinion in relation to the scope of the addendum to the Environmental Statement to support this Reserved Matters application.

The Local Planning Authority adopted the Scoping Opinion for the purpose of this application on 31st March 2015

- 3.10 PT15/1634/RVC Variation of conditions 5 and 32 and removal of conditions 31 and 33 attached to planning permission PT12/0601/EXT.

Approved 15th July 2015 subject to a s106 legal agreement (this planning consent remains extant by virtue of the submission of this reserved matters application).

The variation and removal of conditions under this application related to overall heights of the buildings within the development and the retention of the landing lights that occupied the southern part of the development site. Following the closure of Filton Airfield there was no requirement for the conditions to remain in force and were varied/removed.

- 3.11 PT14/1721/F Erection of Electricity sub-station with access and associated works.

Approved 11th September 2014

- 3.12 PT12/0601/EXT Redevelopment of site for mixed use development comprising Use Classes: B1(a) Offices, B1(c) Light Industry, B2 General Industry, B8 Storage and Distribution, C1 Hotel including ancillary leisure and food and drink, sui generis trade units and car dealerships, with associated infrastructure, access, parking (Outline) with access to be considered with all other matters to be reserved. (Application for consent to extend time limit for implementation for PT07/2478/O)

Approved 8th June 2012 subject to a s106 agreement

- 3.13 PT12/0577/EXT Redevelopment of site for a mixed use development comprising Use Classes: B1(a) Offices, B1(c) Light Industry, B2 General Industry, B8 Storage and Distribution, C1 Hotel including ancillary leisure and food and drink, sui generis trade units and car dealerships, with associated

infrastructure, access, parking and landscape (Hybrid). (Application for consent to extend time limit implementation for PT07/2481/F)

Approved 8th June 2012 (this consent has now expired).

- 3.14 PT07/2481/F Redevelopment of site for a mixed use development comprising Use Classes: B1(a) Offices, B1(c) Light Industry, B2 General Industry, B8 Storage and Distribution, C1 Hotel including ancillary leisure and food and drink, sui generis trade units and car dealerships, with associated infrastructure, access, parking and landscape (Hybrid).

Approved 20th April 2009 (this consent has now expired)

- 3.15 PT07/2478/O Redevelopment of site for mixed use development comprising Use Classes: B1(a) Offices, B1(c) Light Industry, B2 General Industry, B8 Storage and Distribution, C1 Hotel including ancillary leisure and food and drink, sui generis trade units and car dealerships, with associated infrastructure, access, parking (Outline) with access to be considered with all other matters to be reserved.

Approved 20th April 2009 subject to a s106 agreement (this planning consent was renewed on 8th June 2012)

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No representation has been received

- 4.2 Highway Authority
No objection in principle. The proposed development is not considered to introduce a materially higher level of traffic onto the surrounding highway network. The proposed access 'right hand turn land' (to allow traffic to turn North onto the A38 should not be provided independently of the associated junction onto the redevelopment of the former Filton Airfield (Cribbs/Patchway New Neighbourhood).

The new arrangement onto the A38 is considered to offer improved highway safety over the currently approved access arrangement.

- 4.4 Lead Local Flood Authority
No objection in principle.

- 4.5 Environmental Protection
No objection in principle subject to ground contamination investigation and remediation if necessary.

- 4.6 Landscape Officer
No objection subject to detailed planting details based upon the agreed landscape plan. Details are required prior to the first occupation of the development and provided at the next available planting season.

4.7 Archaeology Officer
No Objection

4.8 Arts Co-ordinator
No objection in principle. The link to wider a public arts strategy through the s106 agreement relating to the East Works site is noted and the Arts Co-ordinator recommends that the development is part of the public arts strategy.

Other Representations

4.9 Local Residents
No comment has been received.

4.10 Royal Mail Group
The Royal Mail Group indicates that it has 'no issue' with the proposed development. The group wishes to attention to its interest in protecting the existing Bristol Mail Centre from development that may adversely affect mail services provided on and from it.

The group is concerned that the wider highway network (including the A38 Gypsy Patch Lane Junction) is at, close to or over capacity whilst the operation of Bristol Mail Centre relies on A38 and Gypsy Patch Lane.

The group is concerned that this development and others will cumulatively affect the capacity on the surrounding highway network. The group is concerned that there is the potential for this to have an impact upon the operations of the Bristol Mail Centre.

The group is concerned that the continuing operational needs of the Bristol Mail Centre are considered during the construction process associated with the development, and; that the impact of the development upon the operational requirements of the Bristol Mail Centre is considered alongside other cumulative effects of other development in the area.

The group notes that the proposed access would be designed to preclude travel across the A38 at this point the Royal Mail would object to future alterations to this junction that would allow the A38 to be crossed by traffic as this would potentially cause congestion in the A38.

The group request that it is kept fully informed of the construction programming, traffic mitigation, road closures or diversions, alternative access arrangements and hours of working.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development comprises of a sui-generis car showroom, outdoor display area, car servicing/MOT facilities and ancillary offices customer and staff welfare facilities. The development would also include the creation of an alternative access onto the A38.

5.2 Principle of Development

The wholesale redevelopment of the former Rolls Royce East Works site for a mix of employment generating/economic uses is established through extant outline and reserved matters planning permissions (as detailed in section 3 of this report). Generally, development is well underway across the site with most of the large scale industrial buildings and internal access roads completed. The approved hotel is also under construction in the Northwest of the site. The proposed development affects a parcel of land within the former Rolls Royce East Works site associated with the approved development. Essentially, the proposed development would replace Units C2 (Sui Generis Car Sales), D1 (B8 Self Storage) and a private bus parking area/depot (as approved) with a single unit consisting of an external car sales display area and associated car sales and servicing facilities (Sui Generis Car Sales). The private bus parking area would be replaced on an alternative position due East within the wider former Rolls Royce East works site. The whole site associated with the former Rolls Royce East Works is Safeguarded for Economic Development under policy CS12 of the South Gloucestershire Local Plan, Core Strategy. The proposed development would provide employment and economic opportunities and is consistent with the requirements of the policy CS12. It is noted that the development would also replace an approved Car Showroom facility that was originally consented under the original approval of reserved matters (PT15/2209/RM as detailed in section 3 of this report). On this basis, officers consider that the principle of the proposed development is established.

5.3 Economic Considerations

The site is located in Filton Enterprise Area and is a Safeguarded Economic Development Site. The proposed development would, in effect, reconfigure the approved Sui Generis car sales/servicing use (Unit C2) previously approved under the outline/reserved matters applications. In order to do this, the application shows the removal of unit D1 (a B8 self-storage unit) and the relocation of plot E1 (a private bus parking area/depot) approximately 25 metres due East.

5.4 The result of this is to remove approximately 2600 square metres of B8 (Storage and Distribution) floor space. In comparison with the original consented development (across the whole site) this would have the effect of reducing the total floor area of B type uses to approximately 79,500 square metres. It is also noted that an earlier stand alone planning permission (PT16/4353/F as detailed in section 3 of this report) effectively replaced a mix of sui generis trade units and industrial B8/B2/B1c with a B8 warehouse. This resulted in a net increase of approximately 1500 square metres of B8 floor space on the whole site. When off-set against the total B use floor space on the whole site, officers conclude that the loss of the consented B8 self storage unit as part of this development proposal would not result in a material impact upon the economic viability and vitality of the Filton Enterprise Area.

5.5 Furthermore officers consider that the development would continue to provide an economic development and employment opportunity consistent with the scope of the original planning consent for the redevelopment of the former Rolls Royce East Works site and the inclusion of the land within the Filton Enterprise Area.

5.6 Design and Landscaping Considerations

Under the extant reserved matters planning permission, a high quality palette of materials and broad 'design code' has been established. The proposed development is consistent with this design code in that the proposed building reflects pallet of materials apparent across the site generally.

5.7 As set out earlier in this report, the proposed development would reconfigure the previously approved Car Sales/Service facilities (Unit C2). The development would effectively reduce the bulk of built form from two buildings to one. The business concept of the Car Sales/Service operator is such that a large area of the site will be given over to parking for external car sales display, with other parking for newly delivered cars, staff and customer car parking.

5.8 Officers would acknowledge that this would significantly reduce the built form associated with this area of the site and to a certain degree, reduce the visual density of the development when viewed from the A38 (from the West). However, in order to mitigate this, officers have secured provision for quality landscaping. The agreed landscaping scheme sets the parameters for strong planting on the perimeter of the development and in particular would retain the high quality planting secured along the A38 frontage of the development as a whole. Final planting detail would be provided by condition prior to the first occupation of the development. It is noted that the development would include permanent advertising features such as lit totem signs as well as comprehensive lighting within the site. However, officers consider that this is well incorporated into the landscaping and layout of the site.

5.9 Given the broad context of the approved development on the former Rolls Royce East Works site, officers consider that the proposed building is acceptable. Whilst it is relatively modest in comparison to the buildings which it would effectively replace, officers are satisfied that the appearance of the building and its position on the plot would be consistent with the area as the redevelopment of the East Works site unfolds. Accordingly, officers are satisfied that the development would provide good quality development that is fully consistent with the general design and appearance of the redevelopment of the East Works site.

5.10 Having regards to the above, officers consider that the proposed development is acceptable in design and landscape terms.

5.11 Environmental Considerations

Contaminated Land – The extant outline planning permission is subject to specific land contamination condition across the whole of the former Rolls Royce East Works site. As development has unfolded, conditions relating to the remediation of potential contaminants on the site as a whole have been satisfied. The area associated with this development proposal has been remediated and as such this issue is adequately addressed.

5.12 *Drainage* - A broad drainage strategy was approved and controlled by condition as part of the outline planning permission across the development of the East Works site. The applicant has submitted a specific drainage plan demonstrating

- how the proposed development would cater for the proposed development and how it would fit into the drainage of the wider site and the surrounding area. Officers consider that the submitted approach is acceptable and capable of accommodating surface water in a sustainable manner. Whilst the South Gloucestershire drainage engineer has queried the final responsibility for the drainage scheme, this is a civil matter and cannot be considered as part of this application. The agreed drainage scheme can be secured by way of planning condition.
- 5.13 Subject to the above mentioned condition, officers are satisfied that the development is acceptable in this regard.
- 5.14 Residential Amenity
Given the location of the site which sits centrally within the wider former Rolls Royce East Works site it is considered that there is ample distance from the site to existing residential properties. Similarly, there is ample separation to residential development underway as part of the Cribb Patchway New Neighbourhood and Charlton Hayes developments. Furthermore, it is considered that the impact of this development proposal compared to the extant permission would not be materially greater. Accordingly, officers are satisfied that the proposed development would have a minimal impact in respect of residential amenity.
- 5.15 Transportation
General Highway Capacity - The Highway Authority has compared the scope of the proposed development with the scope of the extant development for the wholesale redevelopment of the former Rolls Royce East Works. Officers are satisfied that the scale of the development proposed is comparable with the extant planning consent relating to this site specifically and consider that the proposed development would not have a materially greater impact in respect of highway safety and capacity in the locality.
- 5.16 Whilst the concerns lodged on behalf of Royal Mail in respect of its operations nearby are noted, officers are satisfied that the development proposal as submitted, including the revised access onto the A38, would not materially impact upon the interest of Royal Mail. The general future capacity of the A38 cannot be addressed as part of this planning application, rather the assessment should establish whether or not the proposed development would result in a severe impact. It is noted that the development of the Rolls Royce site was subject of an Environmental Impact assessment which (amongst other things) assessed the impact of the development on the wider highway network. Similarly, the redevelopment of the Filton Airfield site went through the same process, whilst making an allowance for the redevelopment of the Rolls Royce Site (as it was already permitted at that time). Clearly, the combined impact of the redevelopment of the Rolls Royce and Filton Airfield sites was considered to be acceptable and adequately mitigated.
- 5.17 Furthermore, the redevelopment of the Rolls Royce site is subject to a suite of obligations for improvements to the highway network and public transport initiatives. As part of those obligations, significant improvements have been provided for Gypsy Patch Lane. As set out above, officers are satisfied that the

- proposed development would not result in a material change over the scope of the extant consent associated with the Rolls Royce Site, such that it is acceptable in capacity terms.
- 5.18 It is noted that the representations from Royal Mail request that due consideration of the capacity of the A38 is given when considering future proposals in the area and any future modifications to the highway infrastructure. In this regard, highway issues will be considered as part of any application for new development and in particular major developments in the North Fringe Area. Specific improvements, road closures and diversions within the highway infrastructure would be considered under the Highways Act, and these would be subject to public consultation. However, the developer is not obliged to involve surrounding businesses in the management of the construction of the site.
- 5.19 *Proposed Realignment of the Consented Junction onto the A38* – The proposed development includes specific alterations to the consented junction onto the A38 from the former Rolls. Essentially, it is proposed to realign the Southern access road so that the area of land previously reserved for Filton Airfield Landing Lights can be incorporated into the wider redevelopment of the Rolls Royce Site. This requires that the consented junction onto the A38 is moved approximately 50 metres to the South. The proposed junction would be opposite the consented junction associated with the redevelopment of the Cribbs Patchway New Neighbourhood and has been designed to work with that junction (effectively creating a traffic light controlled cross road junction).
- 5.20 The consented junction is restricted so that vehicles can only enter and exit the site onto the Southbound carriageway of the A38, and was designed to allow access and egress of the consented car showroom units (Units C1 and C2) direct from the A38. However, the junction is restricted so that only public transport vehicles can access the A38 from the wider site area (controlled bus access).
- 5.21 The proposed junction would provide the same approach such that the proposed car sales/servicing facilities can be accessed from the Southbound carriageway of the A38. Users of the facilities would then be able to access the A38 from the facilities. However, traffic control measures would prevent users of the wider Rolls Royce Site from accessing the A38, and this would be controlled by a bus lane with Automatic Number Plate Recognition secured under a Traffic Regulation Order. This approach is very similar to the consented junction and as such would provide the same level of control as that of the consented scheme.
- 5.22 Notwithstanding the above, the proposed junction would allow vehicles leaving the car sales/servicing facilities to turn right onto the Northbound carriageway of the A38. However, there is not proposed to be a right turn onto the application site from the Northbound Carriageway of the A38. The South Gloucestershire Highway Authority implementation team considers that this arrangement is acceptable provided that it is developed in conjunction with the opposing junction onto the Cribbs/Patchway New Neighbourhood (the ‘cross road junction’). Accordingly, it is appropriate to condition any approval of this

planning application such that the use of the proposed 'right hand turn lane' onto the Northbound Carriageway is not used until the 'cross road junction' is complete. In this instance the applicant has provided a drawing that shows the interim arrangement with the right hand turn lane precluded from use.

5.23 In general terms the Highway Authority has made comparison of the consented junction with that proposed as part of this application. It is of note that the consented junction has become superseded by development in the wider area such that the junction now proposed would be more efficient and would provide highway safety improvements. On this basis, officers consider that the junction now proposed would bring about a positive benefit to the amenity and safety of the highway and weight is afforded to this factor.

5.24 Having regards to the above, it is considered that the development is acceptable in transportation terms.

5.25 Planning Obligations

It is acknowledged that the extant outline and subsequent reserved matters planning consents are subject to a s106 legal agreement which secures planning obligations including;

- i) Highways improvements for the route to Patchway Railway Station
- ii) Highways improvements at the access to Patchway Railway Station
- iii) Public transport
- iv) Green transport measures
- v) Bus stop improvements
- vi) Travel Plan monitoring
- vii) Public Art

5.26 Financial obligations triggered by the implementation of the outline/reserved matters permission have been progressed by the developer. Other obligations relating to specific highways works (traffic lights and junction implementation) and public art is to be provided directly by the developer at the relevant stages. The proposed development does not trigger further requirements/obligations over and above those already secured under the outline planning consents for the broader site. However, in order to ensure that the proposed junction arrangements can be provided and secured in accordance with the s106 legal agreement, it is necessary for the developer and South Gloucestershire Council to agree the changes. This can be achieved through a 'Deed of Variation' to the completed s106 legal agreement development. Also, in order that this development is not separated from the obligations established it is appropriate to link any approval of this application to the s106 legal agreement. Again this can be secured by Deed of Variation. Subject to this Deed of Variaton being made officers consider that the proposed development is acceptable.

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 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 a Deed of Variation of the existing s106 Legal Agreement dated 16th April 2009 to secure the following;

- i) Amendments to the junction of the access to the site with the A38, and;
- ii) Link the proposed development to obligations secured under the original planning consent for the redevelopment of the former Rolls Royce East Works site.

7.2 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: 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. Use of Right Hand Turn Lane onto the A38

The Right Hand Turn Lane as shown on drawing number 41206-2001-101 B (as received by the Local Planning Authority on 7th February 2018) shall not be open to use by any traffic until the full junction has been completed in accordance with drawing number 41206-5502-003 A (as received by the Local Planning Authority on 7th February 2018).

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP11 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted) November 2017 and the National Planning Policy Framework.

3. Provide Interim Junction Arrangements onto the A38

The development hereby approved shall not be occupied until the interim junction arrangements (onto the A38) have been provided to the agreement of the Highway Authority in accordance with the details shown on drawing number 3359-5506-013 (as received by the 29th March 2018). Thereafter the interim junction arrangements shall be retained as such until such time that the junction can be fully opened in accordance with condition 2 of this planning permission.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP11 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted) November 2017 and the National Planning Policy Framework.

4. Implement 'Bus Gate'.

The development hereby approved shall not be occupied until the 'bus only' traffic control measures and Automatic Number Plate Recognition enforcement camera have been fully installed in accordance with the details shown on drawing number 41206-2001-101 B (as received by the 7th February 2018). Thereafter the development shall be retained as such.

Reason

In order to prevent the circumventing of the junction of the A38 and Gypsy Patch Lane in the interests of highway amenity and safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP11 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted) November 2017 and the National Planning Policy Framework.

5. Implement and Retain Staff Parking Barriers

The development hereby approved shall not be occupied until the staff car parking access barriers have been fully installed in accordance with the details shown on drawing number 41206-2001-101 B (as received by the 7th February 2018). The barriers shall be kept closed except for the allowance of access to the staff parking facilities by members of staff for the purpose of parking cars/motorcycles. Thereafter the development shall be retained as such.

Reason

In order to prevent the circumventing of the traffic control measures (bus only lane) in the interests of highway amenity and safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP11 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted) November 2017 and the National Planning Policy Framework.

6. The development hereby approved shall not be occupied until detailed planting schedule, which shall include details of all new plants, the positions of those plants and times of planting shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt, the planting schedule shall be consistent with the

agreed Landscaping Scheme, as detailed on drawing number 2020-0509-07 (as received by the Local Planning Authority on 4th April 2018). Thereafter the Landscaping Scheme shall be implemented in accordance with the agreed planting schedule and in the next available planting season; and thereafter retained as such. Any plants which die, become diseased or otherwise removed within the first five years of planting shall be replaced on a 'like for like' basis in the next available planting season.

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 Policy PSP1 and PSP2 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted) November 2017 and the National Planning Policy Framework.

7. Plans List

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

2020-0500-05	Site Location Plan
2020-0501-05	Proposed Block Plan
2020-0502-06	Proposed Site Plan - Signage Layout
2020-0504-05	Proposed Signage Elevations
2020-0505-05	Proposed Ground Floor Plan
2020-0506-05	Proposed First Floor Plan
2020-0507-05	Proposed Roof Plan
2020-0508-05	Proposed Elevations
17052/EW01	Proposed Drainage Plan
BJ/CER/CS/3178/E01	External Services (Lighting)

as received by the Local Planning Authority on 8th November 2017

D31343/JB/B	Lighting Contours Plan
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as received by the Local Planning Authority on 12 December 2017

41206-2001-101 B	General Arrangement (Access)
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as received by the Local Planning Authority on 7th February 2018

2020-0509-07	Proposed Landscaping Scheme
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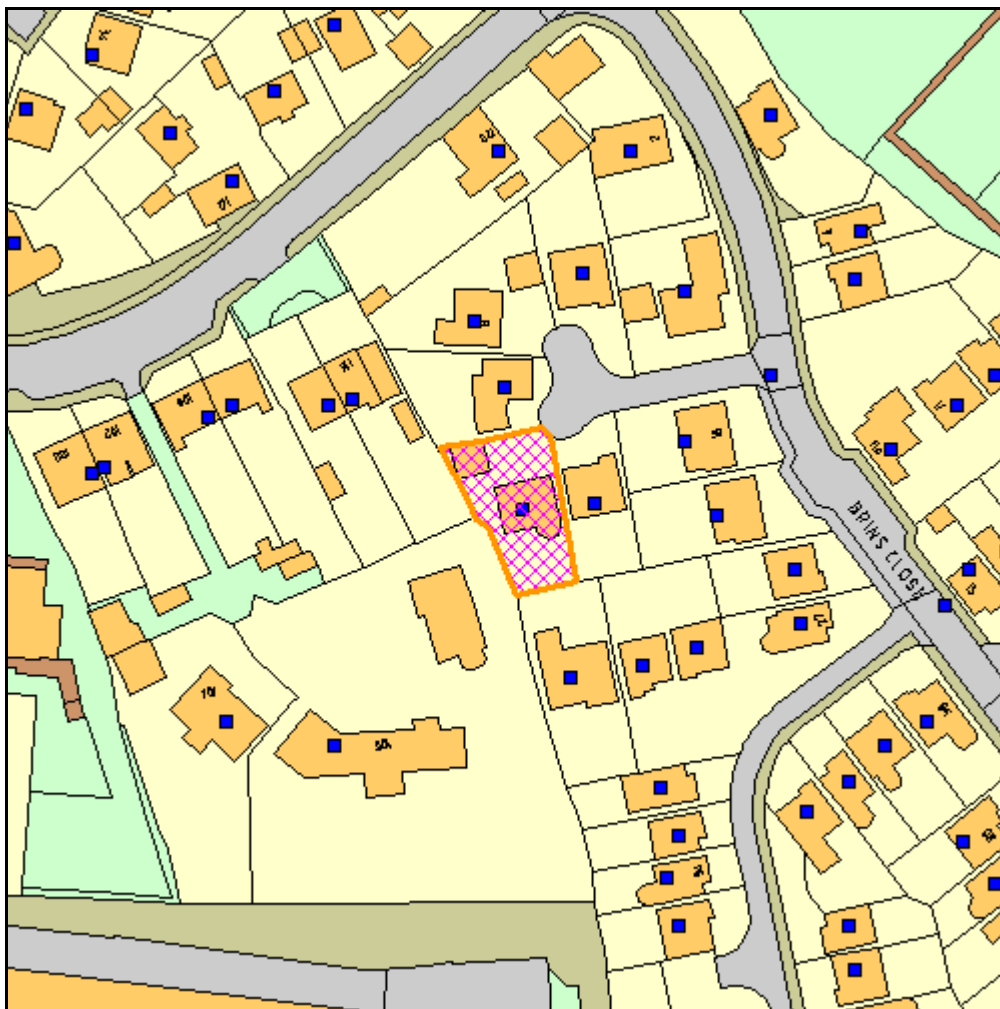
as received by the Local Planning Authority on 4th April 2018

Reason

For the avoidance of doubt

CIRCULATED SCHEDULE NO. 15/18 – 13 APRIL 2018

App No.:	PT18/0815/F	Applicant:	Mr Michael Webb
Site:	12 Brins Close Stoke Gifford Bristol South Gloucestershire BS34 8XU	Date Reg:	20th February 2018
Proposal:	Erection of a single storey and two storey front extension and erection of a single storey side extension to form link to detached garage.	Parish:	Stoke Gifford Parish Council
Map Ref:	362508 179768	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	13th April 2018



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 100023410, 2008. N.T.S. PT18/0815/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey and two storey front extension and the erection of a single storey side extension to form a link to the detached garage at 12 Brins Close Stoke Gifford.
- 1.2 The property site relates to a detached dwelling located within the defined settlement boundary.
- 1.3 Although not explicit in the application, it seems as though the development would form an annex. Despite the proposal being inextricably linked to the host dwelling, the use as an ancillary annex will be conditioned.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1. None.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
“Local Member to consider calling application to a sites inspection. Concerns were raised about the massing of the extension due to linking the garage and the potential effect on the residential amenity of neighbours.”

Sustainable Transport
“No objection.”

The Archaeology Officer
“No comment.”

Other Representations

4.2 Local Residents

Two letters of objection were received from the same neighbour (one was a duplicate) regarding loss of light to their lounge; view of wall through lounge window; loss of building lines in the cul-de-sac; loss of value to property; damage to plants and loss of privacy by using the side access; and building waste.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

The application site is an attractive detached two storey property located at the end of a cul-de-sac. It is bounded by two similar detached properties and the rear gardens of properties on North Road. Its elevations are brickwork on the ground floor and mock Tudor render and timber on the first floor. The property has white UPVc windows and doors and benefits from a front porch, detached double garage, rear conservatory and a large drive.

5.3 *Single storey side link extension* to detached garage

It is proposed to construct a side extension to link the main house to the detached garage, this extension would form a second living room. This element has several points in its favour, the first being the location of both the host dwelling and the extension being in a relatively secluded area of a cul-de-sac, especially the link extension. This location also mitigates the odd looking rendered wall between the garage and the extension and indeed some elements later in the report. Secondly, No.10 Brins Close (adjacent) benefits from a link extension to their detached garage (PT04/1954/F) that is very similar to the current proposal. Lastly, the materials proposed being identical to the host dwelling. The accumulation of these features results in this element of the proposal being acceptable in design terms.

- 5.4 *Single and two storey front extension*
Policy PSP38 states “building lines are readily apparent in most areas and are a key driver of character. Extensions or new buildings that sit forward of the building line, consequently, will not normally be allowed.” When considering the locations of the properties in this area of Brins Close, building lines are not readily apparent. In fact they could be categorised as having a lack of building lines. As such, there is no ‘in principle’ objection to a front extension at the host dwelling. Nonetheless, No.10 and No.14 Brins Close and some dwellings in the wider locale benefit from both single and two storey front elements that are similar to the proposal. Admittedly these are original design features; but this leads to the front extension at No.12 not looking incongruous on the street scene and also being acceptable in design terms.
- 5.5 The NPPF and policy CS1 seeks to secure high quality design; while the proposals could not be considered ‘high quality’; nor could they be considered poor quality either. Certainly not of insufficient quality to warrant a reason for refusal. Therefore, when considering the design of the proposal and the context of the site; it is considered that the proposals meet the requirements of policies PSP38 of the PSP Plan, CS1 of the Core Strategy and the NPPF.
- 5.6 Residential Amenity
Policies PSP8 and PSP38 of the PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.7 As the two storey and link extensions would be located to the front and secluded side of the property, and a sufficient distance away from neighbouring properties it is not considered that they will have a detrimental effect on residential amenity.
- 5.8 The single storey extension would be constructed close to the shared front boundary with No.14. The occupier of No.14 objected to the loss of light to the lounge and looking at a brick wall. From the lounge window the single storey element would be located at an angle less than 45⁰ as such it is unlikely that a detrimental loss of light would occur. Additionally, the lounge window is north facing so receives very little sunlight. In regards to looking at a wall, again the location of this in relation to the objector’s window would result in very little, if any of the wall visible from inside the lounge.
- 5.9 In regards to the use of a different access to the rear of the property once the access by the garage is removed; and this use damaging neighbouring plants and impacting on their privacy. The alternate access is currently in use, and is within the applicant’s boundary. As such the status quo has not changed. Nonetheless, if the intensification of this access does damage the neighbour’s plants, this would be a civil matter.
- 5.10 Following the development, over 70m² of private outside amenity space would remain. This exceeds the requirements of policy PSP43.

5.11 Transportation

No increase to the number of bedrooms on the first floor are proposed. Part of the development will erect a utility room in part of the existing garage but will leave one parking space available within. There is also parking for at least two vehicles on the driveway to the frontage of the garage. This level of parking complies with the Council's residential parking standards set out in policy PSP16. On that basis, there is no transportation objection raised.

5.12 Equalities

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

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

5.14 Other Matters

The neighbour also objected to construction waste impacting on them; as this would be a temporary issue it does not warrant a reason for refusal. Nonetheless, any waste resulting from the construction phase would come under the remit of the Council's Environment Protection Department.

5.15 Finally, the objecting party also stated that the proposal may result in a drop in nearby property values. The planning system does not seek to regulate property prices but to control and mediate the impact on the built and natural environment. On this basis the objection is not considered to be related to planning and is therefore not relevant to the determination of this 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 the application be **APPROVED** subject to the condition(s) attached to the decision notice.

Contact Officer: David Ditchett
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

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

Reason

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

3. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 12 Brins Close Stoke Gifford Bristol South Gloucestershire BS34 8XU.

Reason

The application has been assessed on the basis that it is ancillary accommodation. Use as a separate dwelling would have significant implications in terms of privacy and amenity of neighbouring occupiers, and parking arrangements. This is to accord with Policies PSP11, PSP38 and PSP43 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.