



**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. 11/18**

**Date to Members: 16/03/2018**

**Member's Deadline: 22/03/2018 (5.00pm)**

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

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

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

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

## NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

## GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
12/18	3pm Monday 19th March	09:00am Wednesday 21 <sup>st</sup> March	5pm Wednesday 28 <sup>th</sup> March	Thursday 29 <sup>th</sup> March
13/18	3pm Tuesday 27 <sup>th</sup> March	09.00am Thursday 29 <sup>th</sup> March	5pm Monday 9 <sup>th</sup> April	Tuesday 10th April

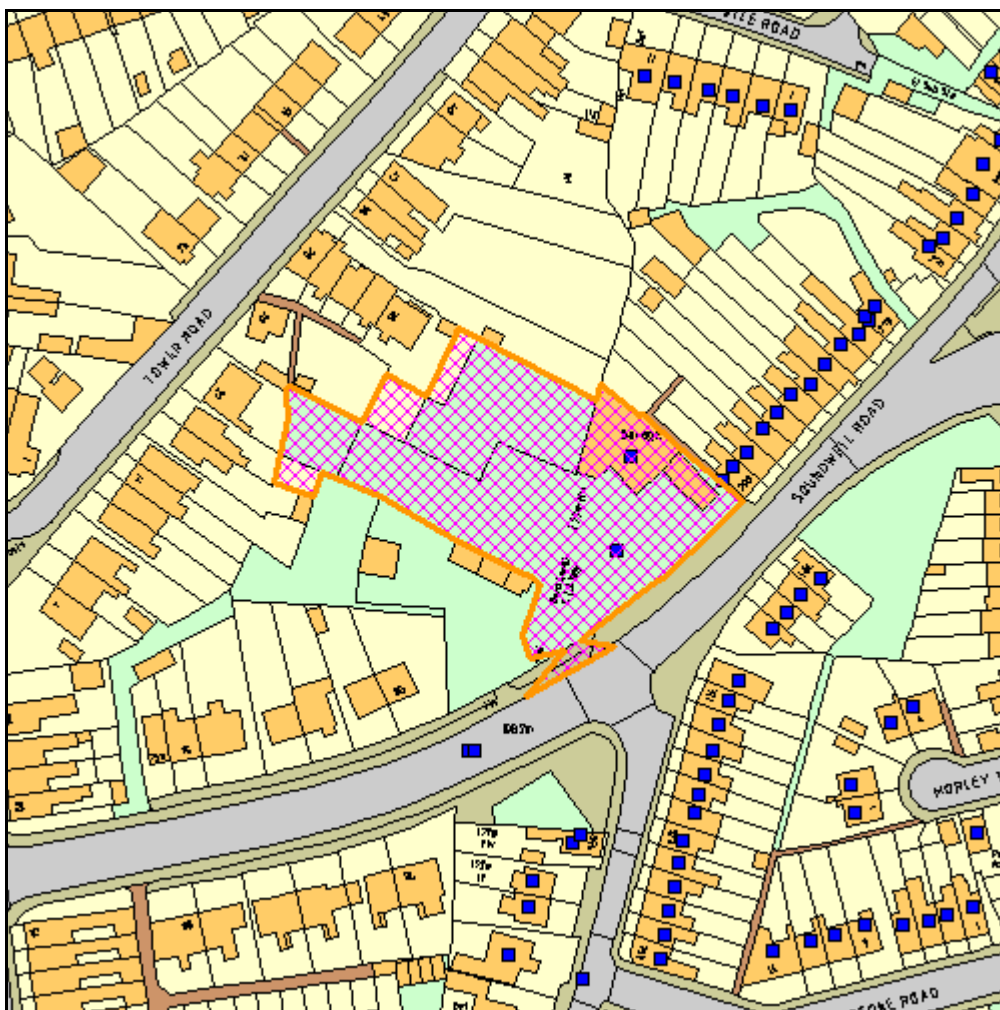
Dates and officer deadlines for Circulated Schedule Easter Bank Holidays 2018

# CIRCULATED SCHEDULE - 16 March 2018

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>PK17/0704/F</b>	Approve with Conditions	Land At 298 Soundwell Road Soundwell South Gloucestershire BS15 1PE	Kings Chase	None
2	<b>PK17/5261/RVC</b>	Approve with Conditions	The Greenaways Woodmans Road Chipping Sodbury South Gloucestershire BS37 6DW	Chipping	Sodbury Town Council
3	<b>PK17/5275/F</b>	Approve with Conditions	Rockleaze 56 Lower Hanham Road Hanham South Gloucestershire BS15 8QP	Hanham	Hanham Parish Council
4	<b>PK17/5523/F</b>	Approve with Conditions	2 Celandine Court Yate South Gloucestershire BS37 7DF	Yate North	Yate Town
5	<b>PK17/5884/F</b>	Approve with Conditions	Hunters Hall Kings Square Bitton South Gloucestershire BS30 6HR	Bitton	Bitton Parish Council
6	<b>PK17/5917/F</b>	Approve with Conditions	The Small House Siston Court Mangotsfield South Gloucestershire BS16 9LU	Siston	Siston Parish Council
7	<b>PT16/4963/F</b>	Approve - S106 Signed	818 Filton Avenue Filton South Gloucestershire BS34 7AP	Filton	Filton Town Council
8	<b>PT17/4635/F</b>	Approve with Conditions	Paddock To The West Of Sweet Briar Hazel Lane Tockington South Gloucestershire	Severn	Olveston Parish Council
9	<b>PT17/5560/F</b>	Approve with Conditions	219 Park Lane Frampton Cotterell South Gloucestershire BS36 2EW	Frampton Cotterell	Frampton Cotterell Parish
10	<b>PT17/5722/F</b>	Approve with Conditions	1 Lysander Walk Stoke Gifford South Gloucestershire BS34 8XE	Stoke Gifford	Stoke Gifford Parish Council
11	<b>PT18/0009/F</b>	Approve with Conditions	Site Adjacent To Grey Gables Old Gloucester Road Thornbury Bristol BS35 1LJ	Thornbury North	Thornbury Town Council
12	<b>PT18/0078/F</b>	Approve with Conditions	Frampton Garage 6 The Causeway Coalpit Heath South Gloucestershire BS36 2PD	Frampton Cotterell	Frampton Cotterell Parish
13	<b>PT18/0135/F</b>	Approve with Conditions	20 Harcombe Hill Winterbourne Down South Gloucestershire BS36 1DE	Winterbourne	Winterbourne Parish Council
14	<b>PT18/0188/F</b>	Approve with Conditions	North Bristol Rugby Football Club Oaklands Park Stadium Gloucester Road Almondsbury South Gloucestershire	Almondsbury	Almondsbury Parish Council
15	<b>PT18/0208/CLP</b>	Approve with Conditions	15 Magnolia Gardens Almondsbury South Gloucestershire BS32 4FT	Almondsbury	Almondsbury Parish Council
16	<b>PT18/0240/CLP</b>	Approve with Conditions	9 Grange Close Bradley Stoke South Gloucestershire BS32 0AH	Bradley Stoke North	Bradley Stoke Town Council
17	<b>PT18/0475/F</b>	Approve with Conditions	6 Barn Owl Way Stoke Gifford South Gloucestershire BS34 8RZ	Stoke Gifford	Stoke Gifford Parish Council

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PK17/0704/F	<b>Applicant:</b>	Land Venture Properties Ltd
<b>Site:</b>	Land At 298 Soundwell Road Soundwell South Gloucestershire BS15 1PE	<b>Date Reg:</b>	3rd March 2017
<b>Proposal:</b>	Demolition of car sales building and erection of 20no. dwellings with access, landscaping, parking and associated works.	<b>Parish:</b>	None
<b>Map Ref:</b>	364501 174414	<b>Ward:</b>	Kings Chase
<b>Application Category:</b>	Major	<b>Target Date:</b>	30th May 2017



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 100023410, 2008. **N.T.S.** **PK17/0704/F**

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

This application has been referred to the circulated schedule as: comments of objection have been received which are contrary to the officer recommendation; the grant of planning permission would be subject to a S106 Agreement; and, because this is a cross-boundary application (as the site mostly falls within Bristol City Council, who are acting as the lead authority) and therefore the recommendation is based upon a balanced view taking into consideration both council's development plans.

### **1. THE PROPOSAL**

- 1.1 This planning application seeks permission for the demolition of the existing car sales buildings on the site and the erection of 20 dwellings.
- 1.2 This is not a straight forward application. The site is located within the administrative boundaries of both Bristol City and South Gloucestershire councils. Each council is the local planning authority in its administrative area and therefore a planning application must be made to each local planning authority. The authority in which the majority of the development falls acts as the lead authority – which in this case is Bristol City Council – however, regardless as to how the administrative boundaries are laid out, the application should be assessed as one proposal and considered in its whole. That said, under planning law, the local planning authority is obliged to determine applications against its Development Plan unless material considerations indicate otherwise. Each planning authority should consider the other authority's Development Plans as material planning considerations and a proactive approach taken. This is set out in the body of this report. For record, the frontage of the site is within South Gloucestershire.
- 1.3 In terms of constraints within South Gloucestershire, access is gained from a Class B highway. The site is within the urban area of the East Fringe of Bristol. Presently the site is occupied by a car sales business and a service and repair centre. The site is not safeguarded for economic purposes.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS15	Distribution of Housing

CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS24	Green Infrastructure, Sport and Recreation Standards
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP5	Undesignated Open Spaces
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP37	Internal Space Standards
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007  
 Residential Parking Standard SPD (Adopted) December 2013  
 Affordable Housing and ExtraCare SPD (Adopted) May 2014  
 CIL and S106 SPD (Adopted) March 2015  
 Waste Collection SPD (Adopted) January 2015 (updated March 2017)

2.4 Other Relevant Planning Documentation

Bristol Development Framework: Core Strategy, June 2011  
 Bristol Local Plan: Site Allocations and Development Management Policies, July 2014

**3. RELEVANT PLANNING HISTORY**

3.1 PK16/4204/F Withdrawn 08/02/2017  
 Demolition of car sales building and erection of 14no. dwellings with access, landscaping, parking and associated works.

**4. CONSULTATION RESPONSES**

4.1 Parish/Town Council  
 This area is unparished

**Internal Consultees**

4.2 Arts and Development Officer  
 No comment

4.3 Ecology Officer  
 No objection subject to condition

- 4.4 Economic Development  
No objection. Development would assist in achieving council's wider economic objectives.
- 4.5 Environmental Protection  
No objection. Conditions should cover potential for land contamination and restrict construction hours.
- 4.6 Highway Structures  
Technical informatives suggested
- 4.7 Highways Officer  
Objection on the grounds of inadequate parking. Highway works and waiting restrictions should be secured through an appropriate obligation.
- 4.8 Housing Enabling  
Affordable housing contribution should be sought on this development as it triggers the threshold when considered as a whole.
- 4.9 Landscape Officer  
Protection should be secured for existing trees and a landscaping condition should be attached to any approval.
- 4.10 Lead Local Flood Authority  
Drainage details need to be clarified including the connection with Wessex Water.
- 4.11 Public Open Space  
A public open space contribution should be sought on this development
- 4.12 Urban Design  
The scheme is well considered and makes the efficient use of land. The proposal also seeks to reduce residential carbon dioxide emissions.
- 4.13 Waste Engineer  
Concern over waste collection

#### **Statutory / External Consultees**

- 4.14 Avon and Somerset Police  
No objection but design improvements could be made in the interests of crime reduction
- 4.15 The Coal Authority  
Site does not fall into an area of high risk

#### **Other Representations**

- 4.16 Local Residents  
20 comments of objection have been received which raise the following points:



- Concern over way information was displayed on websites of different authorities
- Development on what was intended to be a parking area
- Highway safety issues
- Impact of noise, privacy, overshadowing, and overlooking
- Impact on house values
- Impact on nearby properties
- Lack of discussion or notification of other developments with existing residents
- Lack of visitor parking
- Loss of car garage/ existing business
- Object to massing of buildings/ overbearing
- Out of character with area
- Overdevelopment
- Parking issues in locality
- Pressure on local schools and doctors surgeries
- Profit orientated
- Traffic issues
- Updated layout does not address concerns

2 general comments have been received which raise the following points:

- Planning is a pointless process as residents are not listened to
- Poor communication with residents
- Queries raised over technical matters

## 5. **ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the demolition of the existing buildings on the site and its redevelopment for residential purposes.

### 5.2 Principle of Development

Under policy CS5, new development of this nature is directed to the existing urban area. As the site is within the East Fringe, it is an appropriate location for development of this nature. However, the site is currently in an economic use and therefore, under the provisions of policy CS13, attempts should be made to secure its ongoing economic use.

#### *Loss of Economic Use*

5.3 Policy CS13 manages development on non-economic development sites, such as this. Under this policy the priority would be to retain an economic use unless it has been demonstrated that a suitable economic use cannot be secured. Where a non-economic use is being considered, preference would be given to mixed use proposals over residential only schemes.

#### *Housing Land Supply*

5.4 At present the local planning authority cannot demonstrate a 5-year supply of deliverable housing land. Therefore guidance in the NPPF states that policies which act to restrict the supply of housing should not be considered up to date.

- 5.5 As this site is in the existing urban area, development here would not conflict with the locational strategy. As a result there is no 'in principle' objection to the use of the site for residential purposes. However, CS13 as set out above would act to restrict housing development and should therefore be considered out of date and carry less weight. This does not mean that the policy should be applied no weight, but that any conflict with this policy should be expressed in the overall planning balance with reference to NPPF guidance.
- 5.6 Economic Re-use  
It is fully acknowledged that the site is currently in an economic use and that there is little indication that the site is no longer suitable for economic purposes.
- 5.7 In response to the application, the council's strategic economic development team did not object to the loss of the economic use. The view taken was that the size of the site was relatively small and that the increased residents associated with the development would increase footfall and local spending.
- 5.8 In terms of policy CS13, it is clear that the loss of the economic use is not considered to result in a significant impact on the local economy. Therefore, the requirement for an economic re-use of the site in preference to a residential re-use would be a constraint to residential development. There would be some economic harm, and this is picked up in the overall planning balance; however, the scale of harm is not so significant that residential uses should not be given due consideration.
- 5.9 Design and Appearance  
The site has a frontage onto Soundwell Road and it is this part which is within South Gloucestershire. The buildings in this location would provide two short terraces of three dwellings. In terms of their appearance, the buildings would be stone fronted and have a Victorian style to them. This would respect the character of the immediate area and is an appropriate design approach.
- 5.10 Behind these terraces, a block of apartments would be constructed and behind that another terrace of houses. These are not within the administrative area of the council. Nevertheless they are considered to be of an appropriate design which reflects the prevailing character of the area while achieving an acceptable development density to ensure the efficient use of land in a highly sustainable urban area.
- 5.11 The proposal complies with the design standards expected by policy CS1. Therefore in the overall planning balance, design attracts neutral weight.
- 5.12 Residential Amenity  
Development should not be permitted that has a prejudicial impact on residential amenity. Along Soundwell Road the building line is retained and the existing houses are separated from the apartment building by the parking courtyard. The houses at the rear of the site are also separated from the surrounding existing buildings.
- 5.13 The development is considered unlikely to have an adverse impact on the amenities of any nearby occupier and is therefore acceptable in this regard.

- 5.14 Turning to the living conditions for the proposed dwellings, here there has been some flexibility in the application of policy. In national policy development is required to make the most efficient use land; this is transferred into policy CS16 which states that development in South Gloucestershire must make efficient use of land given the context of the site. Bristol City Council is more explicit in its policy and requires a minimum density to be achieved.
- 5.15 The development is therefore considered to make the efficient use of the site. However, in doing so there is a knock on effect on the provision of amenity space. Amenity space standards are set out in policy PSP43. This policy has been adopted since the application was first received by the authority and certainly after the initial scheme was received in 2016. Given this, it would be considered unreasonable to apply the minimum amenity space standards on this development as it would bring in to question how the minimum densities could be achieved and it did not form part of the development plan when the redevelopment of this site first came forward.
- 5.16 Notwithstanding that, the properties within South Gloucestershire all benefit from a rear garden and therefore are afforded reasonable provision of outdoor amenity space. It is not considered that the development would lead to substandard living conditions for future occupiers and is therefore acceptable. Permitted development rights should be removed to protect the garden areas that have been proposed.
- 5.17 Highways and Parking  
Access to the site is from Soundwell Road close to the authority boundary. There are two existing accesses to the site and the redevelopment would automatically lead to the cessation in the use of one of these. The access point has been assessed and on balance is considered to be acceptable. There would be a requirement to amend waiting restrictions in the vicinity and an appropriate agreement would need to be entered into. This has been assessed against the CIL Regulations and is considered to pass the relevant tests.
- 5.18 Cycle parking is provided for each property. Given that the site is in the urban area, it is hoped that the provision of dedicated cycle parking will encourage more sustainable travel patterns.
- 5.19 Vehicular parking is also provided on site. A similar situation arises here as did in relation to the provision of amenity space. South Gloucestershire is more suburban and rural than Bristol and there is a greater reliance on the private car and demand for off-street parking; this has led to a policy requirement for the provision of a minimum level of residential parking. This proposal does not comply with that minimum level with one parking space being provided for each dwelling and the highways officer has objected on that basis.
- 5.20 While this does not comply with policy, a pragmatic approach must be taken between achieving the optimum development on the site and appeasing the policy requirements of two very different local planning authorities. In this instance, only 6 of the proposed properties fall within South Gloucestershire and the application of its parking standard would be unreasonable and conflict with the purpose of efficient land use. Therefore, it is considered acceptable by

officers that a lower level of parking be provided without a severe highway impact given the character of the area. It is noted that there is on-street parking in the area which is under high demand. The provision of off-street parking would therefore assist in meeting the needs arising from the development.

#### 5.21 Affordable Housing

Affordable housing has been a significant area of negotiation as the applicant has been resistant to making any provision as part of the development proposal. Initially no affordable housing was offered by the applicant on the basis that the quantum of development in each authority area did not trigger the relevant threshold. This argument was not accepted by officers who took the view that the scheme as a whole should be considered. Affordable housing was therefore requested at 30% (South Gloucestershire Officers would have sought 32.5% as a compromise between each authority's trigger but accept that 30% is reasonable given the circumstances). Following that, the applicant submitted a viability case setting out why an affordable housing contribution could not be secured. This was analysed by Bristol City Council and their consultant, DVS; it was found that the scheme would be viable. The applicant then proposed an off-site sum as a contribution towards affordable housing. Again, officers did not consider that to be appropriate as the policy position is for on-site provision.

5.22 The applicant has now agreed to the provision of on-site affordable housing. As a result of the viability exercise, a reduction in the overall number of affordable houses to be provided has been agreed in line with the viability outcome. Six affordable units will be provided; four would be within Bristol City Council and two within South Gloucestershire. For South Gloucestershire this would be two four-bedroom houses. As a percentage, two units equates to 33.3% of the affordable houses provided. While as a whole across the site, the delivery of affordable homes is below policy expectations, officers have secured a high level of affordable housing provision in South Gloucestershire to meet affordable housing targets.

5.23 Subject to the applicant entering into an appropriate legal agreement, the proposal is acceptable in terms of its provision for affordable housing. The provision of affordable housing is a significant public benefit which should be afforded weight in the overall planning balance. The requested contribution has been examined against the CIL Regulations and is considered to accord with the relevant tests.

#### 5.24 Public Open Space

A request has been made by South Gloucestershire officers for a contribution towards public open space. As with affordable housing this request is based on considering the whole development as if it fell within the administrative area of this council. The results of the audit of public open space provision has indicated a shortfall and therefore a financial contribution would be sought to mitigate the impact of the development. A number of receptor locations have been identified, all of which would be within South Gloucestershire.

- 5.25 In discussion with Bristol City Council it became apparent that no similar exercise or contribution would be sought should the scheme have been wholly within Bristol.
- 5.26 Given that a viability exercise has been undertaken to assess the level of affordable housing provision, it is clear that any further contributions would have a viability impact. Officers have laboured hard to achieve an affordable housing contribution and a request for a contribution towards public open space would jeopardise the provision of affordable homes. Without assistance from Bristol City Council, it would be difficult for South Gloucestershire to justify raising objection to the development on this matter. Therefore, officers have taken the position that the request should not in this instance be carried forward.
- 5.27 Drainage  
The site is within the urban area. Drainage is considered under planning, in terms of reducing the impacts of flooding and encouraging sustainable development, and through other statutory technical consents such as the Building Regulations and agreement with statutory drainage undertakers.
- 5.28 Officers are satisfied that the proposal would be able to be drained without an adverse impact on flooding. Therefore it is a technical matter. A SUDS condition would therefore be an appropriate means by which to achieve this. In order that a condition can be discharged and to avoid burdening the applicant, Bristol City Council have indicated that they will apply such a condition and it is not therefore necessary for a duplicate condition to appear on a decision issued by South Gloucestershire Council.
- 5.29 Landscape, Ecology and Trees  
An extended phase 1 habitat survey accompanied the application. It found that there were a number of valuable habitats for birds on the site, albeit that these were limited. The site offered poor habitat for bats and reptiles. Therefore in order to address the ecology on site, a number of planning conditions should be imposed. It is likely that the most suitable places for bat/bird boxes would be within the site rather than near to Soundwell Road. Therefore, this issue would be best addressed going forwards by Bristol City Council who have indicated that this would be covered by a condition.
- 5.30 A scheme of landscaping is also proposed by condition. As part of the landscaping would be within South Gloucestershire, this condition should be included on any permission given.
- 5.31 Part of the site which is in South Gloucestershire would from historic records have been used as a petrol filling station. There is potential that this would have led to land contamination. To ensure this matter is addressed, it should be subject to investigation by condition.
- 5.32 Overall Planning Balance  
Although only 6 properties would be within South Gloucestershire, the scheme should be addressed as a whole with reference made to the direct impact on the district.

### *Community Infrastructure Levy (CIL)*

- 5.33 The development is CIL liable. The CIL receipt is used by the Council to fund infrastructure services, such as school places and health facilities, across the district. As the proposal is CIL liable, funds from the development would go towards the overall provision of infrastructure within South Gloucestershire and therefore the development mitigates its impact in that regard.

### *Economic*

- 5.34 There would be some economic harm resulting from the development due to the loss of the existing business premises. However, the economic development team also consider that the proposal would have an economic benefit, notwithstanding the loss of the business site, as it would lead to increased footfall which would improve the vitality and viability of a local centre.
- 5.35 In terms of the development's economic impact, given that there are both harms and benefits identified, the proposal is likely to have a neutral overall impact

### *Social*

- 5.36 The development would have significant social benefit through the provision of additional housing, including affordable housing, in a highly sustainable location. This is a factor of significant weight and acts to heavily swing in favour of granting planning permission.
- 5.37 Some social harm would result from the development in terms of the loss of local employment and its impact on a mixed and balanced community. This has been considered in the economic section and therefore will not be given weight here.

### *Environmental*

- 5.38 There would be an environmental benefit to the proposal as it would lead to the redevelopment of brownfield land within the city, improve visual amenity, and enable the clean-up of any contaminated land. This weighs in favour of the grant of planning permission.
- 5.39 To redevelop the site there would be some harm through the loss of habitat; however, conditions are proposed to mitigate this harm and therefore it is a neutral factor in the overall balance.

### *Presumption in Favour of Sustainable Development*

- 5.40 The development would lead to the creation of both market and affordable housing in a sustainable urban area. For South Gloucestershire there is a relatively modest benefit of 6 new dwellings. However, the benefit overall to housing supply should be considered as the site is on the boundary with Bristol City Council and therefore the development as a whole would provide 20 new dwellings to meet housing needs.

- 5.41 It is considered that the benefits of development outweigh the harms identified and planning permission should be granted subject to the conditions listed below and the applicant entering into a planning obligation.
- 5.42 Impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.43 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.44 Other Matters  
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.45 There are difficulties in determining a cross boundary application; however, the management of each authority's website is a matter for that authority. The views of local residents have been considered and the purpose of the planning system is to control development in the public interest.
- 5.46 This application may only consider what is contained within it; whether the site was previously meant as a parking area is not given weight as there are no conditions on any previous planning decisions controlling this.
- 5.47 Developers are entitled to make a profit. This application has been subject to viability testing and therefore has been considered. The impact on existing house values is not given weight in determining this application.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

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

(i) **AFFORDABLE HOUSING**

To deliver on site:

- 1 x 2 bed house (unit type D – 78.18 metres squared) on a shared ownership basis
- 1 x 3 bed house (unit type C – 99.22 metres squared) on a social rent basis
- 1 x 2 bed flat (size 50.94 square metres) on a social rent basis
- 1 x 2 bed flat (size 61.04 square metres) on a social rent basis

Reason

To accord with policy CS6 and CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the provisions of the NPPF.

(ii) **HIGHWAY WORKS**

To secure the provision of £10,000 towards the cost of a Traffic Regulation Order

Reason

To ensure the safe operation of the highway and to accord with policy CS6 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the provisions of the NPPF.

7.2 It is recommended that that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.

7.3 It is recommended that should the Agreement not be completed within 6 months of the date of the resolution to grant planning permission (obtained through the Circulated Schedule process), the application shall:

- (i) be returned to the Circulated Schedule for further consideration; or,
- (ii) that delegated authority be given to the Director or Environment and Community Services to refuse the application.

**Contact Officer: Griff Bunce**  
**Tel. No. 01454 863438**

## **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. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, and E), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to ensure adequate living conditions and protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP8 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Place Plan (Adopted) November 2017 and the National Planning Policy Framework

3. The historic use of the site as a petrol filling station may have caused contamination which could give rise to unacceptable risks to the proposed development.
  - A) Desk Study - Prior to any ground disturbance, an investigation shall be carried out by a suitably competent person into the previous uses and contaminants likely to affect the development and a report shall be submitted and approved in writing by the Local Planning Authority.
  - B) Intrusive Investigation - Where potential contaminants are identified under (A), prior to any ground disturbance, excluding any necessary demolition works, an investigation shall be carried out by a suitably competent person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted to and approved in writing by the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures. (Note (A) and (B) may be combined if appropriate).
  - C) Verification Strategy - Prior to the first occupation of any dwelling hereby permitted, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
  - D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary

an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing with the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

#### Reason

To protect existing and future occupiers from the effects of contamination and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework, March 2012.

4. Prior to any ground disturbance, a site specific Construction Environmental Management Plan (CEMP) has been submitted to and been approved in writing by the Local Planning Authority. The CEMP must demonstrate the adoption and use of best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:
  - a) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
  - b) All works and ancillary operations which are audible at the site boundary, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Monday to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
  - c) Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
  - d) Procedures for emergency deviation of the agreed working hours;
  - e) Control measures for dust and other pollutants;
  - f) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
  - g) Parking of vehicle of site operatives and visitors;
  - h) Route for construction traffic;
  - i) Hours of operation;
  - j) Method of prevention of mud being carried onto the highway;
  - k) Pedestrian and cyclist protection;
  - l) Proposed temporary traffic restrictions; and
  - m) Arrangements for turning vehicles.

#### Reason

To protect the amenities of nearby occupiers from the effects of construction work and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework, March 2012.

5. Prior to the first occupation of the development, a scheme of landscaping, which shall include: details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

The planting shall be undertaken within the first planting season following the approval of these details. Any plant, tree, or shrub included in the above scheme which becomes diseased, damaged, or dies within a period of 5 years from the completion of the planting shall be replaced with a specimen of a similar size before the end of the current planting season.

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.

6. Prior to the application of any external finish, details of the roofing and external facing materials proposed to be used (including a samples of the proposed stonework and a picture of a sample panel of stonework) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

7. The off-street parking facilities (for all vehicles, including cycles) shown on plan 35.01C shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

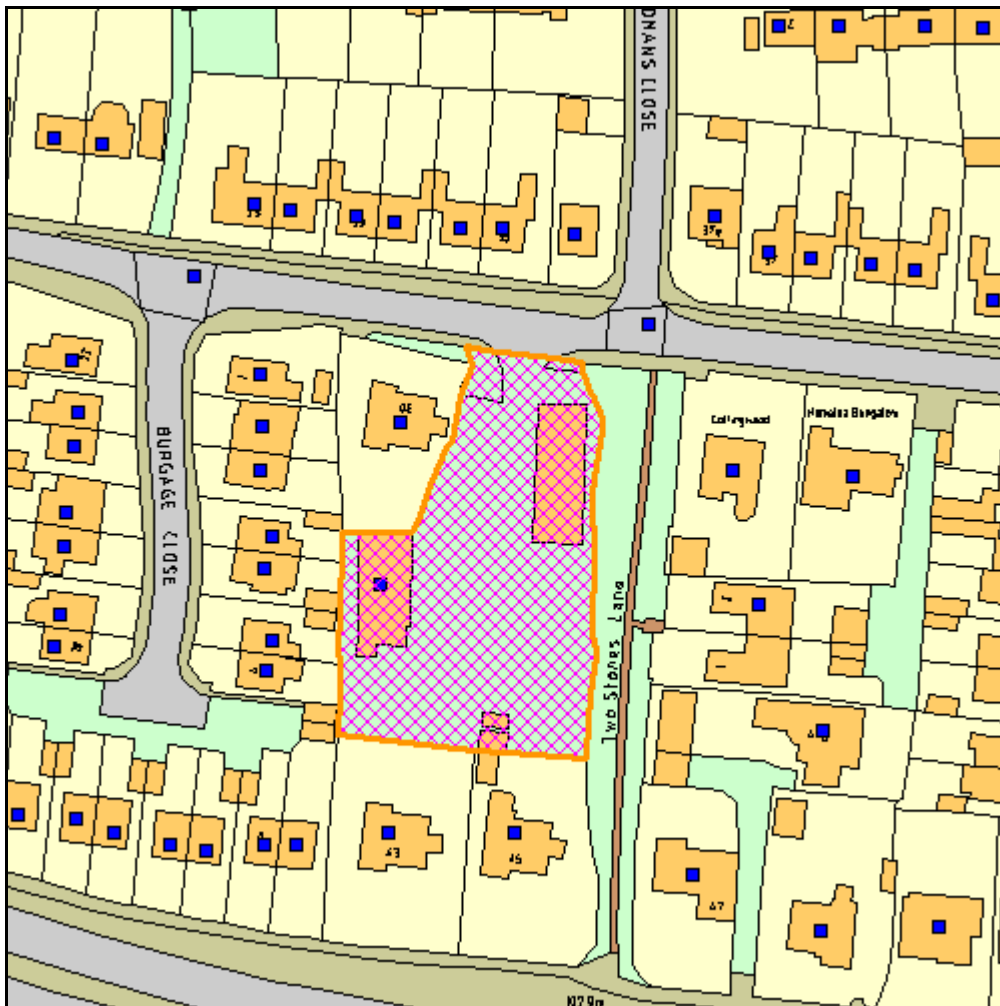
8. The development shall be carried out in accordance with the following plans: Site Location Plan, and F35/10/05A Elevations Type B (Plots 15-20); received 03 March 2017; and, F35/01C Block Plan, F35/02C Materials Plan, F35/04C Storey Heights Plan, F35/05 Cycle Store, F35/06 Bin Stores, F35/10/01A Type B Ground and First Floor Plans, F35/10/02B Type B Second Floor Plan, F35/11/01 Apartments Ground Floor Plan, F35/11/02A Apartments First Floor Plan, F35/11/03A Apartments Second Floor Plan, F35/11/04A Apartments Front Elevation, F35/11/05A Apartments Rear Elevation, F35/11/06/A Apartments Side Elevation, F35/12/01 Type C Ground and First Floor Plans, F35/12.02A Type C Second Floor Plan, F35/13/01 Type D Floor Plan, F35/14/01A Type C and D Front and Side Elevations; received 07 September 2017.

Reason

For the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PK17/5261/RVC	<b>Applicant:</b>	Mr Bradley Morgan Beaumont Homes
<b>Site:</b>	The Greenaways Woodmans Road Chipping Sodbury Bristol South Gloucestershire BS37 6DW	<b>Date Reg:</b>	28th November 2017
<b>Proposal:</b>	Variation of condition 1 attached to PK15/0255/F (attached through PK17/1817/NMA to add plans to decision notice) to substitute approved drawing with plans P3 A 003, P4 A 003, P5 A 003, P6 A 003 and P7 A 003 (retrospective)	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	373017 181877	<b>Ward:</b>	Chipping Sodbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd January 2018



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**N.T.S.**

**PK17/5261/RVC**

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

This application appears on the Circulated Schedule, due to a consultation response received, raising concerns with regards to the application.

### **1. THE PROPOSAL**

1.1 This application was submitted as a variation of condition 1 attached to PK17/1817/NMA to substitute approved drawings with plans P3 A 003, P4 A 003, P5 A 003, P6 A 003 and P7 A 003. PK17/1817/NMA was for a non material amendment to planning application PK15/0255/F – to add a condition for the approved plans to be conditioned. PK15/0255/F was for the demolition of 2 buildings and erection of 7no.detached dormer bungalows with associated works. In effect therefore the application is considered to be a variation of the original application, and the wording of the proposal has therefore been amended to reflect this.

1.2 The condition that is sought to be varied states:  
*'1. This decision relates only to the plans identified below:  
Received 20th January 2015: 201, 202; 203; 204; 205; 206; 207; 208,  
Received 11th February 2015: 001A,  
Received 25th February 2015: 101C; 102C; 103A; 104A; 105B; 107C  
109A; 210A; 211; 212;'*

The applicants are applying for elevation plans to replace the originals as follows:

Drawing P3A 003 replaces Drawing 208  
Drawing P5A 003 replaces Drawing 210A  
Drawing P7A 003 replaces Drawing 206  
Drawing P6A 003 replaces Drawing 212  
Drawing P4A 003 replaces Drawing 212

1.3 These proposed plan changes reflect changes to the elevations of the proposed scheme relating to finishes, materials, doors, windows and roof angles.

1.4 The development has been implemented, and the variation is therefore retrospective.

### **2. POLICY CONTEXT**

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS4A Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility

CS9 Managing Environment and Heritage  
CS13 Non-safeguarded Economic Development Sites  
CS15 Distribution of Housing  
CS16 Housing Density  
CS17 Housing Diversity  
CS30 Yate and Chipping Sodbury

South Gloucestershire Policies Site and Places Plan

PSP8 Residential Amenity  
PSP16 Parking Standards  
PSP43 Private Amenity Space Standards

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

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK15/0255/F - Demolition of 2no. buildings and erection of 7no.detached dormer bungalows with associated works. Approved 08.04.2015
- 3.2 PK17/1817/NMA - Non material amendment to planning application PK15/0255/F - for approved plans to be conditioned under PK15/0255/F

**4. CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council  
No objection

- 4.2 Other Consultees

PROW

No objection however the public bridleway LSO/19A/10 runs along the adopted path skirting the eastern boundary of the property.

Highways Structures

No comment

Lead Local Flood Authority

No objections

Sustainable Transportation

We note that this planning application seeks to vary a condition (ref no 1) placed on the permission granted (ref PK17/1817/NMA) for residential development at The Greenaways, Woodmans Road, Chipping Sodbury to permit the substitution of various drawings. We understand that these changes do not effect the sites access arrangements and so we have no highways or transportation comments about this proposed variation.

## **Other Representations**

### 4.3 Local Residents

One letter has been received, as follows:

*'First, I want to express my disappointment at the time that has passed between making my observations and the submission of this RVC application. It has been frustrating to witness continued work on site despite my concerns and question the point of obtaining planning permission if compliance is not/cannot be enforced by the Council?*

*The properties to which this application relates are now occupied which, as you may appreciate, leaves us in a difficult position. Had my wife and I been consulted on the Juliet balcony approved as part of the original planning application then we would have objected and can only assume that not being consulted was an oversight. Notwithstanding, we do not wish to cause our new neighbours any upheaval. Therefore, while we remain concerned about the inclusion of the first floor window in the gable end of Plot 3 in particular, we neither support nor object to this current application. However, the Case Officer is invited to consider whether the window should be obscured in some way.*

*It is understood that the developer intends to make further changes to the original planning permission. If that is the case then we trust the developer will do so via the proper channels prior to construction so that neighbouring residents have opportunity to make their comments. For the avoidance of doubt my wife and I wish to be consulted on ALL future applications/amendments in respect of this site.'*

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The principle of the housing developed is established. The dwellings have in fact now been built. The issue for consideration therefore is whether the changes highlighted above raise any further issues or give rise to different considerations. The main issues relating to the changes are considered to be those of design, finishes and materials and window/door location and whether these changes are acceptable in visual and residential amenity terms.

### 5.2 Residential Amenity

There are some relatively minor changes to the glazing/window patterns, however given their nature and location these are not considered to give rise to additional issues of overlooking or materially impact upon the original considerations of the application. The comments above are noted, however these principally appear to relate to the details of windows/Juliet balcony included as part of the original permission. The principle of the Juliet balcony opening on this elevation is approved, however the glazing now comprises of a smaller window. The window is over 18m away from the edge of the curtilages of the nearest properties to the east across curtilages, access track and verge. Given the existing approval, previous consideration, and relationship of the proposed window with the surrounding area it is considered acceptable as proposed.

### 5.3 Design/Visual Amenity

The proposals incorporate a slightly different finish to the previously approved external design. This includes varying proportions of the timber and stone finishes on the elevations of the dwellings and a variation in dormer design. This is not considered to fundamentally alter or materially detract from the approved scheme. The varied scheme is considered acceptable and does not raise any material or additional issues and the proposals are considered acceptable in their own right in this respect.

### 5.4 Transportation

It is not considered that the proposed variation affects the transport considerations of the site

### 5.5 Consideration of likely impact on Equalities

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

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

The remaining relevant conditions on PK15/0255/F have been carried over and updated where necessary.

## 6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report. Conditions that remain relevant and not subject to this variation application will be brought forward with this recommendation.

## 7. RECOMMENDATION

7.1 That permission for the variation of condition is granted.



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

## **CONDITIONS**

1. This decision relates only to, and should be carried out in accordance with, the plans identified below:

Received 20th January 2015:  
201, 202; 203; 204; 205; 207;

Received 11th February 2015:  
001A

Received 25th February 2015:  
101C; 102C; 103A; 104A; 105B; 107C  
109A; 211;

Received 10th November 2017:  
P3A 003, P4A 003, P5A 003, P6A 003, P7A 003

Reason

To ensure that the development is carried out in accordance with the approved plans.

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

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the provisions of the National Planning Policy Framework 2012.

3. No windows other than those shown on the plans hereby approved shall be inserted at first floor level at any time in the rear elevations of the dwellings on plots 4, 5, 6 and 7, or the side elevation of the dwelling on plot 6.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the provisions of the National Planning Policy Framework 2012.

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no walls, fences, gates or other means of enclosure shall be erected, positioned or placed within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road.

Reason

In the interests of visual amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

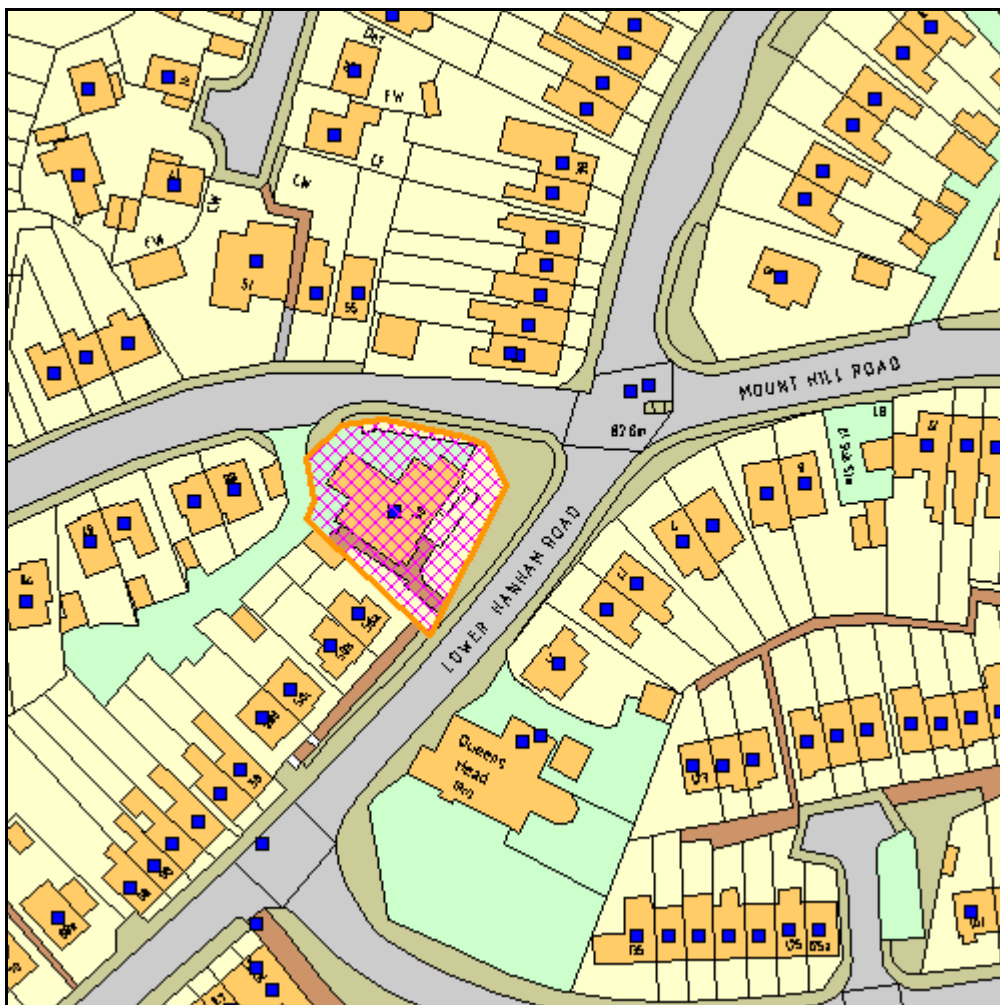
5. The off-street parking facilities and visitor spaces shown on plan ref. 107C (Proposed Highways) hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PK17/5275/F	<b>Applicant:</b>	Mr Delroy Brown
<b>Site:</b>	Rockleaze 56 Lower Hanham Road Hanham South Gloucestershire BS15 8QP	<b>Date Reg:</b>	27th November 2017
<b>Proposal:</b>	Change of use from Care Home (Class C2) to 7 no. self contained flats (Class C3) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). Formation of new vehicular access and associated works. (Re submission of PK17/3062/F)	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	364365 172636	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	5th January 2018



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## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to the receipt of the letters of objection from residents and Hanham Parish Council.

### **1. THE PROPOSAL**

- 1.1 The application relates to a former residential care home, which is currently vacant, locating at Rockleaze, 56 Lower Hanham Road, Hanham. It is a large two storey detached building. It is proposed to change the use of this care home (Class C2) to 7 no. flats (C3). The submitted plans show that the existing garage and the external staircase to the east elevation will be removed to make way for the proposed development. It is noted that previous planning applications were withdrawn.
- 1.2 During the course of the application, a number of changes have been made to the site layout including parking arrangements and the internal layout of the building. The proposed accommodation comprises 4x1 bed and 3x2 bed flats.
- 1.3 The site is situated within the urban residential area of Hanham, the building is not statutorily or non-statutorily protected, and it is not within any specific land-use allocations.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012  
The National Planning Practice 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.
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS15	Distribution of Housing
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreation Standards.

##### **Policies, Sites & Places Development Plan Document (Adopted) November 2017**

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management

PSP21	Environmental Pollution and Impacts
PSP39	Residential Conversions, Sub-Divisions and Houses in Multiple Occupation.
PSP43	Private Amenity Space Standards

2.4 Supplementary Planning Guidance

The South Gloucestershire Council Residential Parking Standards (Adopted).  
Design Checklist SPD (Adopted) 2007

Waste Collection: Guidance for New Development SPD (Adopted) January 2015

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK17/3062/F Change of use from Care Home (Class C2) to 7 no. self contained flats. Withdrawn.
- 3.2 PK16/6830/F Change of use from Care Home (Class C2) to 19 no. unit HMO (sui-generis). Withdrawn.
- 3.3 K3740/7 Form rooms in Roof by roof alteration. Refused 27.08.88
- 3.4 K3740/6 Alterations to roof forming extra bedrooms to owners flat. Refused 11.04.88
- 3.5 K3740/5 Revised Notification – two storey and single storey extensions (revised plans show fire escape on south west elevation. Approved 29.06.87
- 3.6 K3740/4 Erection of a single storey extension. Approved 21.11.86
- 3.7 K3740/3 Two 2-storey extensions and alterations to existing elderly persons home. Erection of garage & fire escape. Approved 25.07.83
- 3.8 K3740/2 Single storey kitchen, bedroom, bathroom, and garage extension. Withdrawn 23.01.83
- 3.9 K3740/1 Dormer bedrooms, sitting room and toilet facilities. Approved 17.05.82
- 3.10 K3740 Change of use of premises from residential to home for the elderly. Approved 26.10.81

**4. CONSULTATION RESPONSES**

4.1 Hanham Parish Council

Objection for the following reasons:

- Unsuitable access for dedicated vehicle parking on the site. The positioning of the parking spaces on the plans, whilst not to scale, do not appear to provide adequate space for safe manoeuvring. Inadequate provision of adequate private/communal amenity space

Objection to the revised plan for the following reasons:

- The proposed dropped kerb for over pavement parking is hazardous; impeding the safe and free movement of vehicles into Tabernacle Road, the distance from the junction to the dropped kerb is constricted. No turning circle provided. This part of Tabernacle Road is very narrow being a one way section with a further segment of the road allocated for cyclists. The only pavement is where the dropped kerb for parking is proposed, this will impede the safe movement of children and parents to the local school. This is designated a safe walking to school zone. Due to the width of Tabernacle Road, at this location, any manoeuvring of cars out of the designated parking spaces and onto the road will impede the safe movement of cars on a busy junction. Vehicles travelling up Lower Hanham Road ( B4046) turning left into Tabernacle Road are already visually impeded and would not have advance warning of vehicles manoeuvring in/out of parking spaces

#### 4.2 Other Consultees [including internal consultees of the Council]

The Coal Authority	No objection
Economic Development	No objection
Drainage Engineer	No objection in principle, but query the method of surface water disposal.
Sustainable Transport	No objection subject to conditions to secure the construction of the means of vehicular access, the permanent stopping up of the existing access, and the provision of off-street parking.
Highway Structures	No comment

#### **Other Representations**

##### 4.3 Local Residents

Two letters of comment has been received, which raises concern about the access onto Lower Hanham Road and the potential maintenance issue of replacement wooden fence on the western boundary of Rockleaze along the private access road between 88 Tabernacle Road and Rockleaze.

The residents raise concerns that where within less than 100 yards, there is a crossroad and a junction both with impeded vision for vehicles leaving Rockleaze. Residents of No's 66-54 park on Lower Hanham Road as the only available parking for them, as such it reduces vision for vehicles exiting Rockleaze turning right. Also those turning left do not have clear vision the road, as it is uphill with a major Crossroads within 50 yards then a slight S bend an area, where there has already been two fatalities.

Also, the concern is also raised that the proposed wood fence will require constant maintenance and this is a boundary wall to a private road.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The site lies within the Urban Area where the principle of residential development is acceptable. The existing building was previously occupied as a residential care home (Class C2) and the applicant indicated that the residential home provided care for up to 10 adults with learning disabilities. This proposal is to convert this former residential home to 7 no. self-contained flats.

5.2 The NPPF (para 14) states that; at the heart of the Framework is the presumption in favour of sustainable development. Sustainable development is defined in the Framework as having three dimensions, which lead to three roles – an economic role, a social role and an environmental role.

5.3 Policy CS23 of the adopted Core Strategy that existing community infrastructure will be retained, unless it can be demonstrated that (i) the use has ceased and there is no longer a demand, or (ii) the facility is no longer fit for purpose, and (iii) suitable alternative provision is available within easy walking distance to the required standards.

5.4 The site comprises a large two-storey detached building, which provided private health and social facilities, and such provision has ceased. The Council Economic Development Team has no objection to the proposal. In addition, the Council Enabling Team advised that there is no lack of such facilities in South Gloucestershire area. Therefore there is no objection to the principle to the loss of residential care home as part of the scheme.

5.4 Policy CS5 and CS29 of the adopted Core Strategy support residential proposals in the urban area. Policy PSP17 and PSP39 of the adopted Policies, Sites and Places Plan encourage proposals for a mix of housing and residential conversions provided that they would not harm the character and amenity of the area, amenity of the neighbour, and the proposals would provide adequate amenity space and parking spaces. As these are adopted, therefore full weight is given. The Council is currently unable to demonstrate a five year supply of housing land, this proposal for the provision of 7 no. residential units within an urban area should therefore be supported as it would comply with the NPPF.

### Design / Visual Amenity

5.5 The area is characterised by a group of two-storey residential properties with a mix of scale, styles and ages. The host building is situated at the junction of Tabernacle Road and Lower Hanham Road and is constructed with a mix of stonework, brick and render under a slate tile hipped roof. It is noted that the building has been largely extended with a two storey extension at the rear and single storey flat roof structures with external staircases.

5.6 The proposal is to convert the existing building and to remove the existing flat roof garage and external staircase. There would also be some minor alterations to the existing fenestrations and it is also proposed to construct a wall / balustrade above the existing flat roof structure.

- 5.7 Officers welcome the demolition the unsightly flat roof addition and the external staircase, and considered the proposed alterations to the existing fenestration are also acceptable. A planning condition is imposed to ensure that the exposed elevation would be made good following the demolition.
- 5.8 Regarding the boundary treatment, officers noted the concerns regarding the potential future maintenance. The proposal would create a communal garden fronting Lower Hanham Road. Whilst there is no objection in principle to replace some of the existing boundary wall / fence, it is considered that the new boundary treatment needs to be constructed with appropriate and robust materials given its prominent location. As such, notwithstanding the submitted details, it would be necessary to impose a condition seeking further / revised details of the boundary treatment in terms of the detailed design and material.
- 5.9 The proposal is considered to be acceptable with no objection raised on design/ visual amenity grounds subject to the above suggested conditions.

#### Residential Amenity

- 5.10 The closest residential dwellings to the site would be No. 56A Lower Hanham Road and No. 88 Tabernacle Road which lies to the west and the north to the site respectively, and there are a number of dwellings lying opposite the site.
- 5.11 The proposal would involve the demolition of the existing flat roof garage and the external staircases. It is not proposed to extend the existing building. A number of windows on the west elevation would be block up and a roof terrace/garden with balustrading would be constructed above the existing flat roof structure on the west elevation. There would be no extension to the host building.
- 5.12 The proposed roof terrace would be enclosed by a 1.2 metres high rendered block wall with an opaque glass over a 300mm. Whilst it is unlikely that the proposed roof terrace would cause significant overlooking impacts, it would be necessary to impose a condition seeking details of the means of enclosed including the finished floor level of the proposed roof terrace.
- 5.13 All other neighbouring properties are sited at an appreciable distance from the host building, thus it is not considered that there would be significant adverse impact caused upon the residential amenity of the neighbouring properties.

#### Amenity space

- 5.14 PSP43 seeks all new residential units (including those created by the change of use, development or sub-division of existing buildings) to provide private amenity space. Such space should be functional and safe, easily accessible from living areas, orientated to maximise sunlight, of a sufficient size and functional shape to meet the needs of the likely number of occupiers, and designed to take account of the context of the development, including the character of the surrounding area.



- 5.15 The submitted block plan shows that Flats 1, 2, 3 & 4 would have a direct access to their private amenity space. A communal garden is proposed to the front of the building.
- 5.16 The current proposal would only provide 7 no. self-contained flats. All ground floor flats and one of the first floor flats would have a private outdoor amenity space between 48-84 square metres, therefore the size of such amenity space would exceed the minimum of 5 square metre suggested in Policy PSP43 for a one/two bed flat. The remaining 3 flats would share a communal amenity space of approximately 145 square metres, but this would not be particularly private given that it would be fronting the main road.
- 5.17 It should be noted that PSP44 acknowledges that in town centre location there will be instances where external amenity space cannot be provided, in such circumstances it states that the applicant should demonstrate that suitable alternatives exist. The location of the site is such that it is within reasonable walking distance (approximately 6 mins, 0.3 miles) of public open space just off Magpie Bottom Lane. Furthermore, in this urban location there are a range of other amenities and services within walking distance. It is also acknowledged that these units would be relatively small in size and it would be unlikely to attract families with children. This situation needs to be weighed against the benefits of the provision of additional housing units. Officers have concluded that it does not outweigh the benefits and that the balance is in favour of providing the further units.

#### Highway and Parking Provision

- 5.18 The existing residential care home currently has 14 no. bedrooms, the proposal is to convert this building into 7 no. self-contained flats with a combination of 4 no. 1 bed flats and 3 no. 2 bed flats. The proposal is to close the existing vehicular access at the rear and to create a vehicle crossover and drop the kerb along Tabernacle Road in order to provide new access and 7 no. parking spaces.
- 5.19 Officers note that the some local residents as well as Hanham Parish Council have expressed concerns about this proposal on the basis of the access, road safety and parking issues.
- 5.20 As mentioned above, the site is a former Care- Home which could restart again without a need for a formal planning application. Given the extant use, officers are satisfied that the proposed use would not result in significantly more traffic to and from the property compared to the extant use of the building and as such it is unlikely to impact road safety in the area.
- 5.21 There is an existing vehicular access to the building off Tabernacle Road – the access is located on the bend and the visibility from it on to the public highway is restricted. As part of this application, it is proposed to create a new vehicular access off Tabernacle Road by removing a section of boundary wall along the existing building. It is noted that Hanham Parish Council is objecting to this application on the basis of the proposed access.

- 5.22 Details of access submitted with the application shows that this access is set back from the junction with Lower Hanham Road. The closest point between the new access and Lower Hanham Road junction is over 12 metres and this is considered adequate for a large car to negotiate the junction and stop as necessary if faced with someone using the access. Visibility at this location is adequate. On entry to Tabernacle Road, the drivers would have adequate sight line to the access and as such, they would be able to stop in time with their vehicle being completely cleared off the junction. Tabernacle Road (over its first 45 metres from its junction with Lower Hanham Road) is one-way. There is a short length of cycle way outside the site access on Tabernacle Road- this cycle way is well signed with road markings and signage and there are protective traffic island with bollards on the approach to this and at the junction with Lower Hanham Road ensuring that road safety is maintained. The Highway Officer therefore concludes that the proposed access to the development is safe and as such, it would not prejudice highway safety.
- 5.23 Existing parking area on site is limited to 3 or 4 spaces. As part of this redevelopment, the applicant proposed to improve the parking facilities on site. The submitted plan shows total of 7no. parking (i.e. one space per each dwelling). Whilst this level of parking does not fully meets the SG Council parking standards because there is no visitors' parking on site. The judgement as to whether the parking provision is acceptable or not does need to factor in the existing situation whereby there is a C2 use at the building. The proposed number of spaces is an increase in parking over the existing situation, and would be a slight improvement overall. As such, the officers consider the proposed parking to be acceptable in this particular instance, and do not consider the absence of off-site visitors spaces to amount to a severe highway impact (paragraph 32 of the NPPF).
- 5.24 In accordance with the Council's sustainability policy, the scheme also aims to provide cycle storage on the site. Plan submitted with the application shows a bicycle and bin store adjoining to the pedestrian access from Lower Hanham Road – this provision is considered satisfactory.
- 5.25 Additionally, it must be noted that the site is within a residential area. As the area consists of residential roads, there is a well-established network of pedestrians routes along the existing carriageways with formal crossing points, typical for a suburban area. These footway networks provide opportunity for connections between the site and existing facilities including shops and public transport connections enabling access to other surrounding locations. The site is situated with easy distance of bus stops on Lower Hanham Road and Mount Hill Road and it is approximately 400 metres walking distance away from Hanham High Street where there is good access to all amenities and services with a regular bus service to and from Bristol City Centre and other destination in south Gloucestershire area – as such, the site is in a sustainable location.
- 5.26 As such, officers have no highway objection to the proposal subject to planning conditions securing the construction of means of vehicular access, the stopping up of the existing access and the reinstatement of footway, and the provision of off-street parking spaces.

### Landscaping

5.27 Whilst the building is situated within an urban area, it would be necessary to consider if proposal would provide an acceptable landscaping scheme to conserve and where appropriate enhance the character of the site. The submitted plan shows that there would be some soft landscaping features within the proposed parking spaces. It is considered that such landscaping feature would help to improve the general appearance of the site. It is also that there would be a communal space to the front of the existing building, officers consider that some garden trees need to be planted within this area given its prominent location. Subject to a condition seeking a detailed landscaping and tree planting scheme, there is no landscaping objection to the proposal.

### 5.28 Environmental Issues

The site is not situated within an area at high risk of flooding and it is situated within an urban area. The Council Drainage Engineer has no objection subject to a planning condition seeking details of the disposal of surface water.

5.29 Furthermore, it is considered that it would be necessary to restrict the construction hours due to the proximity of the neighbouring residents, and a planning condition is therefore suggested to safeguard the amenity of the neighbouring occupiers.

5.30 The proposed site plan shows the location of the bin storage area for the proposed residential flats. Therefore, there is no in-principle to the proposed waste storage.

### 5.31 Conclusion

In accordance with the NPPF, consideration has been given to the sustainable location of the site and the need to significantly boost housing supply. In this instance, the benefits of approving the scheme significantly and demonstrably outweigh the disadvantages namely the limited amenity space provided for the units, and lack of bespoke visitors spaces. The recommendation to approve the application is therefore in line with the requirements of the NPPF.

## **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 with the following conditions:

**Contact Officer: Olivia Tresise**  
**Tel. No. 01454 863761**

## **CONDITIONS**

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

Reason

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

2. Landscaping and Planting Scheme

Notwithstanding the submitted details, prior to the demolition of the existing boundary wall along the northern boundary (along Tabernacle Road), detailed landscaping and tree planting scheme (and times of planting); and boundary treatments shall be submitted to the Local Planning Authority for written approval. For the avoidance of doubt, details of the proposed boundary treatment along the north boundary adjacent No. 88 Tabernacle Road, and the southern boundary enclosing the communal space shall be included in such landscaping scheme. Development shall be carried out in accordance with the agreed details prior to the first occupation of the proposed development hereby permitted.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policies PSP1 and PSP2 of the South Gloucestershire Local Plan (Adopted) November 2017.

3. Details of surface water disposal method (Pre-commencement condition)

Prior to the commencement of the development, details of surface water disposal method shall be submitted to and approved in writing by the Local Planning Authority. Should the surface water to be disposed to an existing watercourse, details of the location of any existing watercourses within the close proximity to the site shall be clearly indicated.

Reason

- a. This is a pre-commencement condition in order to avoid any unnecessary remedial works in the future.
- b. To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and National Planning Policy Framework 2012.

4. Construction Hours

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

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

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

No working shall take place on Sundays or Public Holidays.

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

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

5. Making good on the exposed elevation

Prior to the first occupation of the proposed development hereby approved, the exposed north elevation following the demolition of the single storey flat roof addition shall be made good with materials to match those of the host 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 Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

6. Details of Parapet Wall and Privacy Screen

Notwithstanding the submitted details, prior to the commencement of the relevant part of the development hereby approved, details of the proposed parapet wall and privacy screen on the side and rear elevation of the proposed roof terrace, including the finished floor level of the roof terrace, design and materials of the proposed parapet wall and privacy screen, shall be submitted to and approved in writing by the Local Planning Authority. The proposed privacy screen shall be permanently of obscure glass to level 3 standard or above. Development shall be carried out in accordance with the approved details prior to the first occupation of proposed development hereby approved and shall be retained as such thereafter.

Reason

To protect the privacy and amenity of neighbouring occupiers, to safeguard the visual amenity of the locality, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan (Adopted) November 2017.

7. Construction of vehicular access

Prior to the first occupation of the proposed development hereby approved, the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained.

Reason

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

8. Stopping up of Access and Reinstatement of Footway

Prior to the first occupation of the proposed development hereby approved, the existing access to the development site shall be permanently stopped up and the footway reinstated.

Reason

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

9. Provision of parking spaces

Prior to the first occupation of the proposed development hereby approved, all off-street parking spaces shall be provided in accordance with the approved plan, P6918/P/003 Revision E, and shall be subsequently maintained as such thereafter.

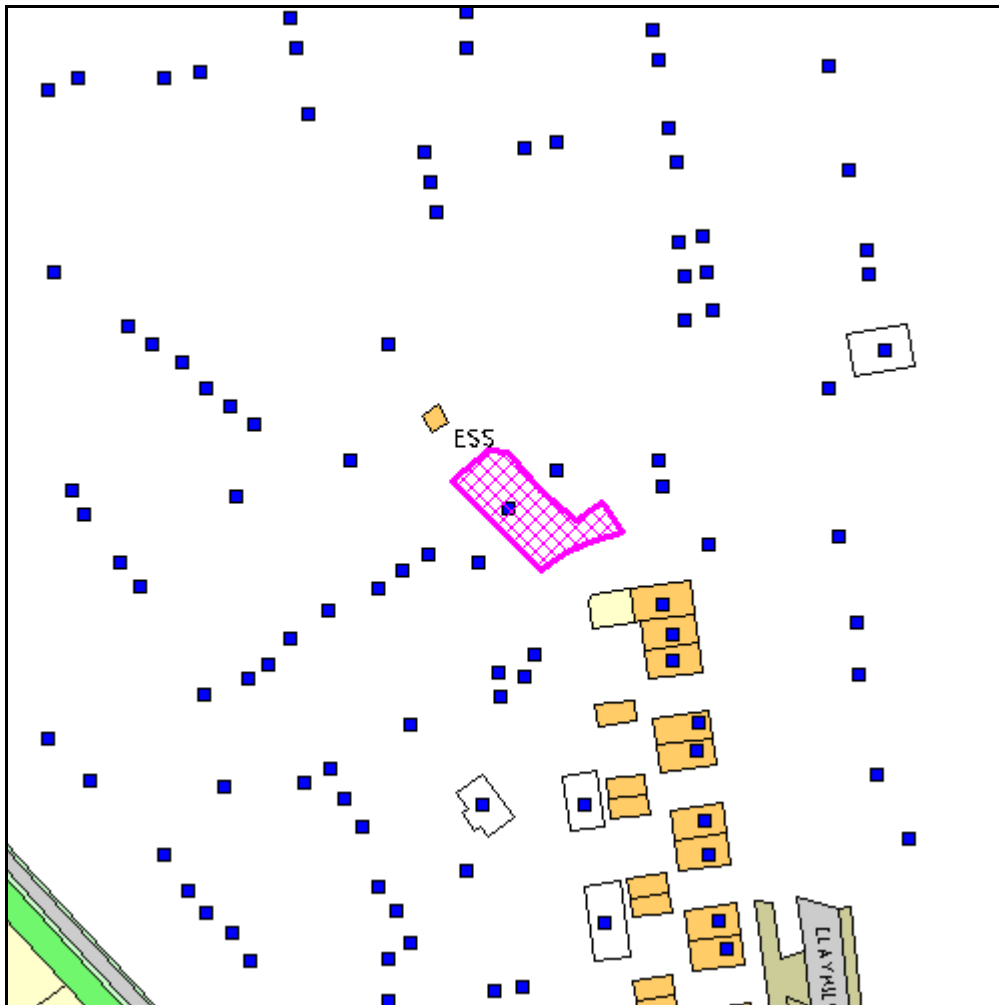
Reason

In the interests of highway safety to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the Council's Residential Parking Standards SPD (adopted).

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PK17/5523/F	<b>Applicant:</b>	Mr Paul Derrick
<b>Site:</b>	2 Celandine Court Yate South Gloucestershire BS37 7DF	<b>Date Reg:</b>	15th December 2017
<b>Proposal:</b>	Creation of new vehicular access and installation of driveway.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371903 184028	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th February 2018

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100023410, 2008. **N.T.S.** **PK17/5523/F**

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

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

### **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the creation of a new vehicular access and installation of a driveway at 2 Celandine Court, Yate.
- 1.2 The application site consists of a two storey detached property located within a newly built housing estate in the built up residential area of Yate.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire 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

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (adopted) December 2013  
Residential Parking Standards SPD (adopted) August 2007

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

- 3.1 PK13/1185/RM  
Erection of 235no. dwellings on 8.99 hectares of land with landscaping and associated works including provision of open space. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK12/0429/O).

Approved: 9<sup>th</sup> July 2013



- 3.2 PK12/0429/O  
Erection of up to 250 dwellings on 8.99 hectares of land with provision of open space and associated works. Outline application with access only.

Approved: 5<sup>th</sup> October 2012

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

- 4.1 Yate Town Council  
Unable to comment as more detail required. However, we have concerns on how drainage issue will be dealt with. See comments from Mr Scott Jones, Local Flooding Authority, noting that any surface water runoff from the new hard standing driveway area must not be allowed to discharge out onto the public highway.

- 4.2 Lead Local Flood Authority  
No objection in principle. Please note any surface water runoff from the new hard standing driveway area must not be allowed to discharge onto the public highway.

- 4.3 Sustainable Transport  
Although off street parking is already available for this property; given the fact that the Council's parking standards for residential development is minimum standards then, Highway Authority is not in a position to object to this application.

In order to provide a new parking space, a new vehicular access would have to be constructed to the side of the house on the land previously designated for landscaping. If the application is approved, this area has to be changed from soft landscaping to hardstanding area to accommodate for car space and access. Whilst this would not compromise road safety, planning colleague is advised that there would be changes to the approved planning/landscaping layout at this location.

- 4.4 Tree Officer  
No objection.

- 4.5 Landscape Officer  
Should you wish to approve I would strongly suggest that a re-enforced grass surfacing is used to reduce its visual impact and that hedging is added to the garden edge and side of the parking bay to reduce the visual impact of the parked cars.

#### **Other Representations**

- 4.6 Local Residents  
No comments received.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy PSP38 of the Policies, Sites and Places Plan (November 2017) allows the principle of development 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 Design and Visual Amenity

The application seeks full planning permission for the construction of a new vehicular access and the installation of a tarmac driveway. The access and driveway would be located at the side of the property, in the south east corner of the site. It would sit at the rear of the garages serving the host dwelling and neighbouring properties where there is currently a side garden. After consultation with the Landscape Officer, they advised 'I would strongly suggest that a re-enforced grass surfacing is used to reduce its visual appearance and that hedging is added to the garden edge and side of the parking bay to reduce the visual impact of the parked cars.' Numerous dwellings within the immediate area benefit from front accesses and tarmac driveways, the proposal would be located opposite an existing large tarmac driveway serving the properties on Dingley Lane; it would remove a relatively small share of the existing side/front garden and due to its siting it is not considered by the Officer that a tarmac driveway would have a significantly negative impact on the visual amenity of the area. Considering the comments from the Landscape Officer, a revised plan was submitted by the applicant to include hedging along the residential boundary line adjacent to the proposed driveway, this is considered to mitigate the visual impact of the parked cars on the streetscene to an acceptable level.

### 5.3 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan (Adopted) 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, as well as the private amenity space of the host dwelling.

5.4 The proposal would be situated at the side of the host dwelling and the rear of the garages serving the host dwelling and neighbouring properties. It would also be adjacent to a 2m high boundary wall separating the site with the rear garden of no.2 Dingley Lane. The proposed access and driveway would be opposite an existing driveway serving properties on Dingley Lane.

5.5 Considering the property is located within a built up housing development combined with the siting of the proposed driveway it would not appear to have a detrimental impact on the residential amenity of the neighbouring occupiers. Furthermore, it is considered that sufficient private amenity space for the occupiers of the host dwelling would remain should the driveway be installed.

As such, the proposed development is deemed to comply with Policy PSP38 of the PSP Plan.

5.6 Transport

The host property currently benefits from a single garage and 1no. off-street parking space. The proposal would improve the current parking provision and as such there are no objections on grounds of transportation. However, the applicant will need to apply to the highways team to construct a vehicular crossover; an informative will be included on the decision to advise the applicant.

5.7 Consideration of likely impact on Equalities

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

5.8 In regards to the above statement, the proposal is considered to have a neutral impact on equalities.

5.9 Other Matters

Concerns were raised by the Town Council over surface water run-off onto the public highway. An informative will be included on the decision notice to state the applicant must take all necessary drainage measures to prevent surface water discharging on to the public highway.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application is APPROVED subject to conditions attached to the decision notice and listed below.

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

## **CONDITIONS**

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

Reason

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

2. The proposed hedging, as shown on plan 'Proposed Layout' received 1 March 2018, shall be carried out in full in the first planting season following works to install the driveway being substantially complete.

Reason

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



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

The application is reported on Circulated Schedule as a result of comments from a neighbour.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a detached carport for the storage of two cars in association with Hunters Hall, a grade II listed building. Accordingly, the timber structure would be within the curtilage of the aforementioned listed building.
- 1.2 For the avoidance of doubt, the site lies within the Bitton Conservation Area and there are several trees onsite protected by tree preservation orders (TPOs).
- 1.3 Over the course of the application process, amendments were made to the proposal and an arboricultural report submitted, an appropriate period of consultation occurred in response to such amendments.
- 1.4 The proposed building is considered to be located within the residential curtilage of the host unit.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

Planning (Listed Buildings and Conservation Areas) Act 1990  
Planning (Listed Buildings and Conservation Areas) Regulations 1990  
(as amended)  
National Planning Policy Framework March 2012  
National Planning Practice Guidance  
Managing Significance in Decision-Taking in the Historic Environment  
(GPA 2)  
The Setting of Heritage Assets (GPA 3)

#### **2.2 Development Plans**

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

CS1 High Quality Design  
CS4A Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS34 Rural Areas

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

PSP1 Local Distinctiveness  
PSP2 Landscape  
PSP3 Trees and Woodland  
PSP8 Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance  
 Bitton Conservation Area SPD  
 Design Checklist SPD  
 Residential Parking Standards SPD

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

- 3.1 PRE16/1427  
 Erection of double/single bay carport.  
 03.03.2017
- 3.2 PK04/4066/LB  
 Demolition of existing conservatory to facilitate erection of replacement conservatory.  
 Approval  
 24.01.2005
- 3.3 PK04/4045/F  
 Erection of rear conservatory.  
 Approval  
 24.01.2005
- 3.4 PK04/0308/F  
 Erection of 1 no. detached double garage.  
 Refusal  
 15.03.2004
- 3.5 PK04/0302/F  
 Erection of replacement conservatory.  
 Withdrawn  
 16.03.2004
- 3.6 PK03/2601/LB  
 Demolition of existing conservatory and erection of replacement conservatory  
 Refusal  
 02.10.2003
- 3.7 PK03/2347/F  
 Erection of a conservatory and detached double garage.  
 Refusal  
 03.09.2003
- 3.8 PK01/1535/LB  
 Re-cladding of existing extension. Erection of first floor extension.  
 Re-instatement of original door openings to existing Coach House.

- Creation of internal living accommodation under existing first floor extension.  
Erection of glazed wall and courtyard. Internal alterations.  
Approval  
19.11.2001
- 3.9 PK01/1391/F  
Erection of first floor extension.  
Approval  
16.11.2001
- 3.10 PK00/2588/LB  
Demolition of existing first floor extensions and erection of two storey rear extension  
Refusal  
08.12.2000
- 3.11 PK00/2476/F  
Erection of two storey side extension  
Refusal  
08.12.2000
- 3.12 P87/4846  
INSTALLATION OF NEW WINDOW IN GROUND FLOOR KITCHEN AND RELOCATION OF QUATREFOIL (Previous ID: L32/1)  
Consent  
14.03.1988
- 3.13 K1984/1  
CONVERSION OF SURGERY INTO STABLES (TO BE READ IN CONJUNCTION WITH KLBC.32) (Previous ID: K1984/1)  
Approval  
05.05.1982
- 3.14 K1984  
ERECTION OF STABLE FOR TWO HORSES (OUTLINE) (Previous ID: K1984)  
Approval  
01.11.1977
- 3.15 L32  
Conversion of doctor's surgery back into original stables. To be read in conjunction with K1984/1  
Consent  
05.05.1982

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

- 4.1 Bitton Parish Council  
No objection



4.2 Sustainable Transport

No objection

4.3 Conservation Officer

Attach conditions requiring details of the eaves, rainwater goods and saddle stones and samples of the timber cladding and roof shingle

4.4 Tree Officer

Attach a condition ensuring the works are carried out in accordance with the submitted arboricultural documents

4.5 Archaeology Officer

No objection

**Other Representations**

4.6 Local Residents

2 comments (1 support; 1 objection) have been received which raise the following points:

*Support –*

- alleviate parking pressure
- enhance the character and appearance of the conservation area
- appropriately designed, well-screened and would generally be perceived in the context of the trees behind
- satisfactorily addresses the reasons the previous applications have failed

*Objection –*

- highly visible in streetscene
- revised proposal now similar to that refused in 2004
- should revert to previous scheme with a lower ridge height and additional mitigating screen planting to the south and southeast

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP38 of the Local Plan supports in principle the extension or alteration of an existing dwelling subject to an assessment of design, amenity and transport. In addition, as the building is listed for its architectural and historic importance and within a conservation area, consideration must be given to the preservation and enhancement of these heritage assets. Therefore, the proposal should be determined against the analysis set out below.

5.2 Design and Impact on Heritage Assets

Hunters Hall is a detached two-storey dwelling constructed of rubble stone with ashlar dressings. The rubble stone elevations appear to be a mixture of local lias limestone and Pennant sandstone.

- 5.3 Built very much in the Gothic style, it features architectural details such as Perpendicular tracery, diagonal stacks, coved cornice with crenelated parapets. Dated 1828, it is understood that this late Georgian property was subsequently embellished with architectural elements salvaged from other houses as part of its Gothic-style remodelling.
- 5.3 During the course of the application process, amendments have been made to the siting and scale of the carport to address previous conservation concerns. The revised scheme now seeks consent for a carport that would be located in the northwestern corner of the plot, to the side of the coach house. The carport is to be timber framed and open fronted with a dual pitched tiled roof. Whilst the neighbour's concerns that the structure would be visually prominent are acknowledged, the proposal would be set back from the road by roughly 28m. This will further help to reduce the bulk, mass and overall visual impact of the development from within the public domain.
- 5.4 Neighbours have drawn attention to the planning history for the site which saw a similarly located detached stone garage refused in 2004 due to its design and considered visual competition that would result.
- 5.5 Consequently, in seeking to address the basis for the refusal of PK04/0308/F, the rationale for the proposals now submitted is therefore to reduce the massing of the building and use distinctive materials.
- 5.6 The Council's conservation officer considers the previous design, massing and visual competition issues have been addressed and the scheme as submitted would preserve the setting of the listed building and the character and appearance of the conservation area and there is nothing before officers that would lead us to disagree with this assessment.
- 5.7 In the interests of preserving the architectural and historic interest of the listed building and the character and appearance of the conservation area, it is necessary to require the submission and approval of details regarding the eaves, rainwater goods and saddle stones and material samples of the timber cladding and roof shingle.
- 5.8 Residential Amenity  
Bearing in mind the substantial landscaping surrounding the corner, its scale and the degree of separation with nearby properties, the scheme would not adversely affect the living conditions of neighbouring occupiers.
- 5.9 Transport and Parking  
A carport would not normally need to conform to the Council's required minimum internal dimensions for a garage as set out in the Residential Parking Standards SPD. However, in this case, the building possesses solid walls on three sides and so must be considered to be a garage. Furthermore, examination suggests that it does not possess the required internal dimensions so cannot be considered as part of the site's offstreet parking provision. Notwithstanding this issue, there remains a significant area of hardstanding on the site, on which several cars could be parked. Consequently, no highways or transportation objection is raised.

#### 5.10 Trees

An arboricultural report was not submitted with the planning application. The applicant has since submitted one which the Council's tree officer has reviewed and finds sufficient to protect the existing offsite trees. A condition will therefore be imposed requiring the development to be carried out in accordance with the submitted arboricultural documents.

#### 5.11 Impact on Equalities

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

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

#### 5.13 Other Matters

A neighbour has argued that the proposal should revert to its original submission but with a lower ridge height and additional mitigating screen planting. However, Officers did not consider the previous proposed siting to be successful because it was visually prominent and given the amendments made to the scheme are satisfactory, there are no issues that outweigh the conclusion that the application as submitted now should not succeed.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 It is recommended that planning permission is GRANTED subject to the conditions listed.

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

## **CONDITIONS**

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

Reason

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

2. All works must proceed in strict accordance with the Arboricultural Report (Silverback Arboricultural Consultancy Ltd, March 2018).

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the existing offsite trees, and to accord with Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

3. Prior to the commencement of relevant works, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.
  - a. Eaves, verges and ridges
  - b. Rainwater goods
  - c. Staddle stones (if applicable)

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details. For the avoidance of doubt the rainwater goods shall be aluminium or cast iron with a black finish.

Reason

To ensure the development serves to preserve the architectural and historic interest of the listed building in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure it also preserves the character and appearance of the conservation area in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; national guidance set out within the NPPF; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. Prior to the commencement of relevant works, a representative samples of the following materials shall be submitted to and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the agreed samples.
  - a. timber cladding
  - b. roof shingle

Reason

To ensure the development serves to preserve the architectural and historic interest of the listed building in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure it also preserves the character and appearance of the conservation area in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; national guidance set out within the NPPF; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

5. The development hereby permitted shall be carried out in accordance with the following plans:

Received 20.12.2017:

Heritage Statement

Site Location Plan

Covering Letter

Received 24.01.2018:

Proposed Block Plan (LPC/4299/SD1/1 Rev B)

Proposed Elevations and Floor Plan (LPC/4299/SD1/2 Rev B)

Received 09.03.2018:

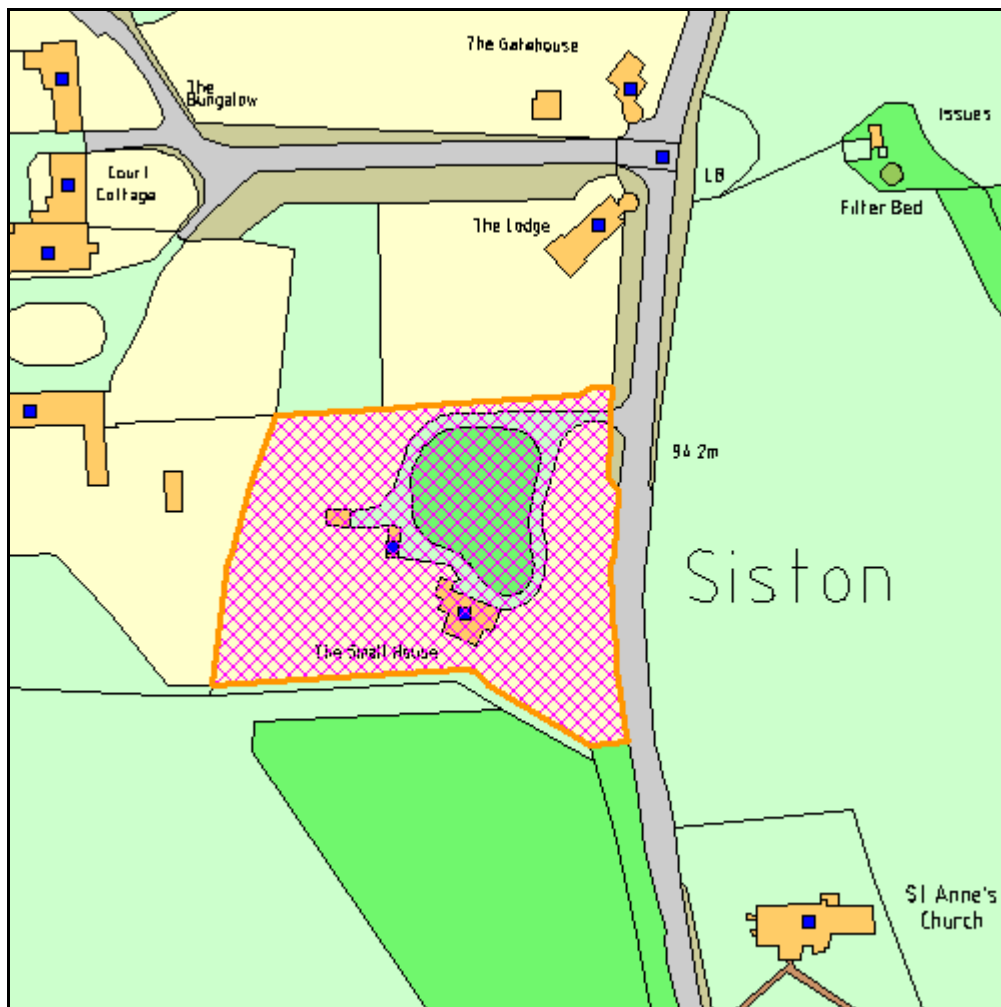
Arboricultural Report

Reason

For the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PK17/5917/F	<b>Applicant:</b>	Mr & Mrs K McCarthy
<b>Site:</b>	The Small House Siston Court Mangotsfield South Gloucestershire BS16 9LU	<b>Date Reg:</b>	19th January 2018
<b>Proposal:</b>	Erection of detached triple garage with home office above (Retrospective).	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	368779 175301	<b>Ward:</b>	Siston
<b>Application Category:</b>	Householder	<b>Target Date:</b>	6th March 2018



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 100023410, 2008. **N.T.S.** **PK17/5917/F**

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

This application has been referred to the circulated schedule for determination as comments of objection, contrary to the officer recommendation, have been received.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a detached triple garage at a property in Siston.
- 1.2 A previous planning application (PK15/3472/F) was granted at the property for a replacement double garage. This permission element has not been implemented. The current application proposes a larger garage building with additional stores and office.
- 1.3 The application is part retrospective as the inner concrete block walls have been completed but nothing else.
- 1.4 The application site is a detached recently-extended locally listed house set in a large plot in Siston. It forms part of the former curtilage of Siston Court, which itself is Grade I listed and whose grounds are of local importance. The site is also located within the Siston Conservation Area, the Bristol and Bath Green Belt and has a roadside area tree preservation order (TPO).

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

Planning (Listed Buildings and Conservation Areas) Act 1990  
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)  
National Planning Policy Framework March 2012 (NPPF)  
National Planning Practice Guidance  
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)  
The Setting of Heritage Assets (GPA 2nd edition)

#### **2.2 Development Plans**

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

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards

PSP17 Heritage Assets  
PSP38 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) 2007  
Green Belt SPD (Adopted) 2007  
Local List SPD (Adopted) 2008  
Siston Conservation Area SPD (Adopted) 2010  
Residential Parking Standards SPD (Adopted) 2013

### 3. RELEVANT PLANNING HISTORY

- 3.1 DOC16/0054  
Discharge of condition 3 a (windows and fixed glazing), 3 b (rooflights) 3 c (doors) 3 e (eaves), 4 (stone samples) and 5 (roof tiles) attached to planning permission PK15/3472/F. Erection of two storey front and side extensions and first floor side extensions to provide additional living accommodation with associated works. Demolition of existing garage and erection of replacement with landscaping works.(Re-submission of PK14/5017/F)  
Decided (*conditions 3a, b, c, e & 4 discharged*)  
13.04.2016
- 3.2 PK15/3472/F  
Erection of two storey front and side extensions and first floor side extensions to provide additional living accommodation with associated works. Demolition of existing garage and erection of replacement with landscaping works. (Re-submission of PK14/5017/F)  
Approved  
11.11.2015
- 3.3 PK14/5017/F  
Erection of two storey front and side extensions and first floor side extensions to provide additional living accommodation with associated works. Demolition of existing garage and landscaping works  
Refused  
13.02.2015
- 3.4 PRE14/0471  
Pre-application: extension and garage  
24.07.2017
- 3.5 PK13/3675/F  
Erection of 2.4 metre high boundary wall and entrance gates  
Approved  
02.12.2013

### 4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council  
No comment



4.2 Tree Officer  
No comment

4.3 Sustainable Transport  
No objection

4.4 Avons Gardens Trust  
No comment

4.5 Conservation Officer  
Objection:

- harmful to the setting of the locally listed building and does not preserve or enhance the character of appearance of the Siston Conservation Area

4.6 Historic England  
No objection

4.7 Planning Enforcement  
No comment

### **Other Representations**

4.8 Local Residents  
2no. comments of objection have been received which raise the following points:

- site will be used as a small scale commercial enterprise, harming area character and appearance
- increased traffic associated with a commercial use
- application has been made to remedy existing breach of planning control
- loss of privacy and outlook
- trees removed without permission

## **5. ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the erection of a detached garage with office above at a property in Siston.

5.2 Principle of Development  
Extensions and alterations to existing buildings are managed by policy PSP38 of the Local Plan. This policy is broadly supportive of development subject to an assessment of design, amenity and transport. However, the site lies within the Bristol and Bath Green Belt where there is an assumption against development unless it falls within pre-defined exception categories. Additionally, as the host property is locally listed and within a conservation area, one of the district's locally registered parks and gardens and the setting of a listed building, any development must pay due respect to these heritage designations. Therefore, the application should be determined against the analysis set out below.

### 5.3 Green Belt

- Located in the Bristol and Bath Green Belt, development must protect the open nature of the land and should not result in a disproportional addition to the original dwelling.
- 5.4 However, there is a previous planning application which is material when assessing the impact on openness – the approval of PK15/3472/F which resulted in a net increase to the volume of the dwelling by 317m<sup>3</sup>, accounts to a 31% increase over the volume of the original dwelling. However, although it is stated that the dwelling as it stood was ‘original’, the case officer at the time then counted the original garage against the overall increase in volume of the dwelling and as such calculated a 44% cumulative increase. Nevertheless, the proposed development was found to have an acceptable impact on openness.
- 5.5 Having regard to the discrepancy mentioned above and the lack of planning history prior to consent PK13/3675/F, Officers find the applicant’s submitted volume calculations under PK15/3472/F should take precedence for the purposes of this application and as such conclude for clarity that the previous scheme amounted to a **31% increase**.
- 5.6 Furthermore, although never fully implemented, approval of PK15/3472/F did establish that a triple garage would be an appropriate form of development in this location. However, the application did not include rooms over the garage facility, but as this one does, the departures from the approved scheme must be considered.
- 5.7 The proposed development would be larger than that previously approved, adding an additional 377m<sup>3</sup> or in other words a **66% increase** over the existing house which is more than the SPD guidance. However, Officers are mindful that the SPD makes it clear that the Council should not prejudge applications by applying a definitive percentage rule, and that the 30% guide is a very general guideline and merely a starting point. In considering what would be a disproportionate extension the Council will have regard to the form of the existing development, its size, design, shape and bulk, whether or not the proposed extension would appear out of proportion, and its effect upon the openness of the Green Belt.
- 5.8 In this particular case, the proposed garage would inevitably reduce the openness of the Green Belt slightly by reason of its scale when compared to the previous garage on site. The impact of the proposed extension on the openness of the site would result in a degree of intrusion in the countryside which would also cause a small amount of harm to openness and the purposes of the Green Belt of assisting in safeguarding the countryside from encroachment.
- 5.9 The application site is located in the village of Siston and is one of a few large detached dwellings fronting Siston Lane. The dwelling is set back from the road within a formal landscape setting with extensive tree and shrub planting along its boundaries. The proposed garage would not be readily visible from the road and has been carefully designed to ensure that it is sympathetic to the character and appearance of the dwelling and the area. The proposal would

replace a previous basic garage with a gable roof which would be a visual improvement. It would not, therefore, result in harm to the visual amenity of the Green Belt.

- 5.10 It is therefore considered that the proposal should be regarded as a proportionate extension to the house, thus falling within the exceptions to Green Belt policy set out at bullet point 3 of paragraph 89 of the NPPF. In these circumstances, it is not necessary to make an assessment of any very special circumstances which might otherwise be required to justify the development. However, in order to minimise further impact on the openness of the Green Belt, it is considered necessary to remove permitted development rights which would otherwise allow additional uncontrolled built development on the site.
- 5.11 Heritage  
A number of heritage designations are present on the site. The house is locally listed, located within a conservation area and forms part of the historic landscape of Siston Court (the house itself is grade I listed and the surrounding landscape is locally registered park and garden).
- 5.12 This application follows a number of schemes to redevelop the property in 2015 and subsequent enforcement investigations, including the construction of a garage that was not in accordance with the approved scheme which resulted in its construction being halted and partial demolition.
- 5.13 In the assessment of the previous scheme, clear consideration was given to the scale of the replacement garage, largely in light of the Green Belt status of the site but also its sensitive heritage status. As can be seen on the approved plans, there was a clear intention to ensure it remained as close to a “like-for-like” replacement as possible in regard to volume.
- 5.14 As mentioned above, the garage now proposed is greater in scale than the previous scheme, with an increase in height, width and depth. With dormers also proposed to the front elevation, overall the garage now seeking consent is considered to be materially different to that previously proposed by virtue of its increase scale, massing and character.
- 5.15 The Council’s Conservation Officer objects to the proposal on the grounds that it would harm the setting of the locally listed building and its appearance would fail to both preserve or enhance the character and appearance of the Siston Conservation Area. Concern has been expressed that the building appears top heavy with a massing silhouette more akin to a chalet bungalow than a detached garage.
- 5.16 Regard has been had to the amendments suggested by the Conservation Officer which include replacing the front dormers and rear skylights with conservation rooflights and reducing the overall height and depth of the structure. However, Officers are not persuaded that the design of the garage is objectionable. Its proportions, fenestration and matching materials would be consistent with the host building and it would be subservient in its appearance by being set down in height from the main house. As such, although the proposal would create a building of large size and mass, it would respect and

blend in appropriately with the existing site, leaving the dominance of the host property intact, and would not harm the character, appearance or setting of this historic landscape or any of its features. Furthermore, its full visual impact would not be appreciable except from within the site. Accordingly, the balance falls towards granting permission.

#### 5.17 Amenity

Development should not be permitted that has a prejudicial impact on residential amenity. The proposed garage was not previously considered to harm amenity; this is still considered to be the case despite concerns raised by neighbours. By virtue of its siting and the placement of the first floor windows/rooflights means it is unlikely that there would be a prejudicial impact on privacy or lead to loss of outlook for any nearby occupier. Sufficient amenity space is retained at the property and the garage will not materially affect the amenity offered to the existing property.

#### 5.18 Transport

The proposed garage would not impede access to and from the site and would provide garaging which complies with the Residential Parking Standards SPD. The development is considered acceptable in this regard.

5.19 Concerns have been expressed that the site could become a business premises which would negatively affect the overall character of the area and result in a marked rise in traffic or people calling. According to the Design and Access Statement, the applicants intend to only use the outbuilding for garaging, storage and other activities associated with the occupation of the main dwelling but to ensure this remains so, a condition will be imposed restricting use to that effect.

#### 5.20 Other Matters

Concerns have been raised that more trees on the site could be felled without consent, however, there is no mention within the application that further tree works are necessary to implement the development. It is, however, noted that trees to the front of the site are already protected by an area TPO but given the site is located in a conservation area, ones that are not protected by the Order are protected by the provisions of section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local planning authority, using a 'section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exception applies. Anyone who cuts down, uproots, tops, lops, wilfully destroys or wilfully damages a tree in a conservation area, or causes or permits such work, without a section 211 notice is guilty of an offence and at risk of penalties.

#### 5.21 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.22 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 It is recommended that planning permission is GRANTED subject to the conditions listed below.

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

## **CONDITIONS**

1. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, C, D, E, G), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

### Reason

In order to control further development which may have a detrimental effect on the openness of the Green Belt and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP7 and PSP38 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and, the National Planning Policy Framework March 2012.

2. The building hereby approved shall only be used for garaging of domestic vehicles, ancillary domestic storage and other purposes incidental to the enjoyment of the Small House and shall not be used for any commercial or business use.

Reason

The development has been permitted on the particular circumstances of the case and the use of the building for any other purpose would require scrutiny in order to ensure the resulting development accords with Policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP8, PSP11, PSP16 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; the Residential Parking Standards SPD (Adopted) December 2013; and, the National Planning Policy Framework March 2012.

3. The development hereby approved shall be carried out in accordance with the following plans:

Received 20.12.2017:

Design & Access Statement  
Site Location Plan (Loc.Si.P1.01)

Received 09.01.2018:

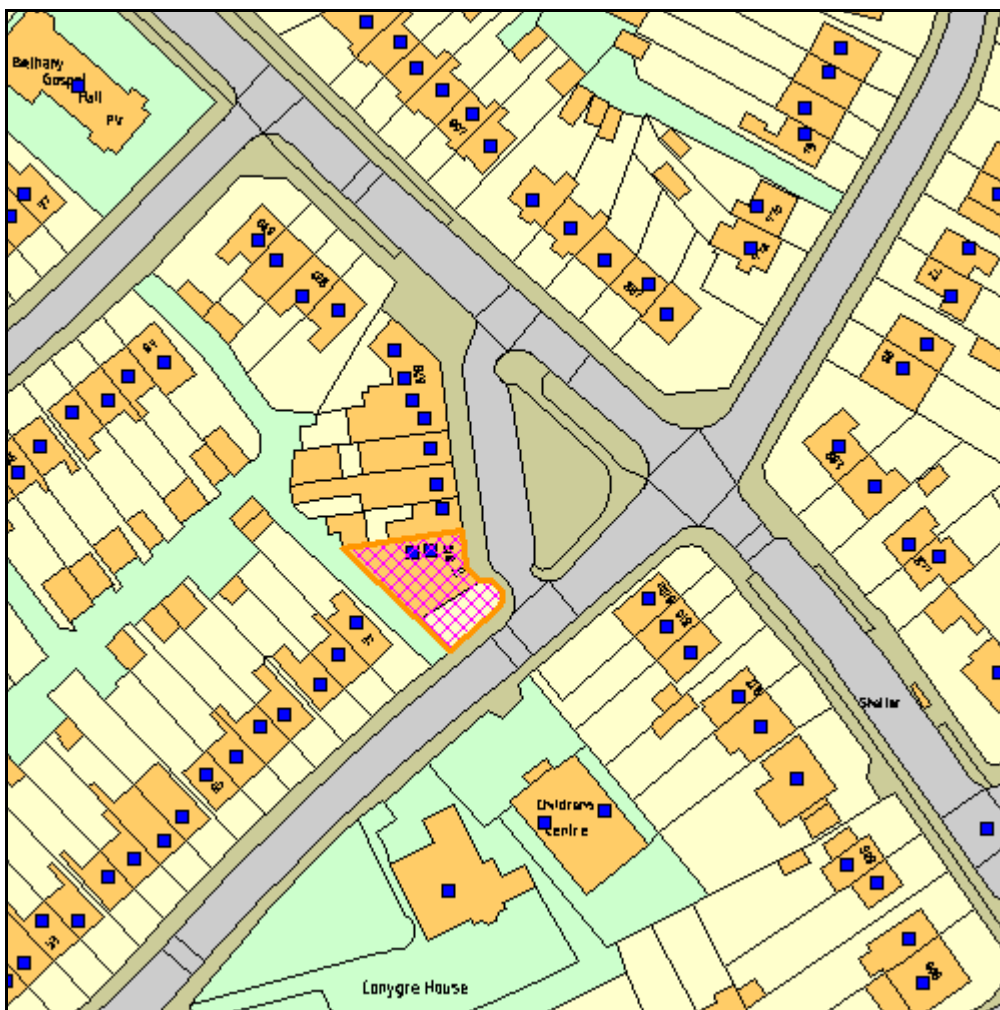
Proposed Block Plan (Si.P1.01)  
Proposed Floor Plan, Roof Plan and Section (Gg.Pr.F1.P1.01a)  
Proposed Elevations (Pr. Elvs.03a)  
Existing Elevations (Ex. Elvs.01a)

Reason

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

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT16/4963/F	<b>Applicant:</b>	Mr C.A. Riaz
<b>Site:</b>	818 Filton Avenue Filton Bristol South Gloucestershire BS34 7AP	<b>Date Reg:</b>	2nd September 2016
<b>Proposal:</b>	Erection of single storey and two storey side and rear extensions to extend the existing shop unit and create 2no. additional flats with associated works (Resubmission of PT16/0345/F).	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	360751 179463	<b>Ward:</b>	Filton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th October 2016



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 100023410, 2008. **N.T.S.** **PT16/4963/F**

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

This report is being referred to the Circulated Schedule as the s 106 has now been signed, but was not signed within 6 months of the original resolution. For the avoidance of doubt there have been no material changes in planning terms since the original resolution was made.

### **Background:**

This application was referred to sites by Cllr A Monk for the following reason:

- So that Members can see the setting and size of the plot as this is in addition to a current shop with a small amenity space beside it
- Feel there is consideration for over development
- Additionally parking is limited in the vicinity

It had previously appeared on the Circulated Scheduled for the week 5<sup>th</sup> May 2017 following an objection from a local resident. It also appeared on the list due to the requirement of a s.106 agreement for works to the highway directly outside the application site to accommodate parking.

## **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a single storey side extension to extend the existing shop unit and a two storey side and rear extension to facilitate the creation of 2no. additional flats with associated works.
- 1.2 This proposal has involved extensive negotiations moving away from the original intention of a having two storey side and rear extensions to create 1no. additional shop unit and 3no. additional flats which was considered not to represent an acceptable form of development by Officers. This greatly reduced proposal is considered to have overcome concerns relating to overlooking, overdevelopment, living conditions for future occupants and parking.
- 1.3 During the course of the application the need for a s106 for works to alter the location of speed bumps directly outside the proposed parking area was identified. The applicant has agreed to this in principle but has elected to wait for the application to proceed through the circulated schedule process and for a resolution to be made, prior to entering the legal agreement.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework (NPPF) March 2012  
National Planning Policy Guidance  
Technical housing standards – nationally described space standard (THS)  
March 2015
- 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  
CS14 Town Centres and Retail  
CS15 Distribution of Housing  
CS16 Housing Density  
CS17 Housing Diversity

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

RT8 Small Scale Retail Uses within the Urban Areas  
T7 Cycle Parking  
T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

Residential Parking Standard SPD (Adopted) December 2013  
South Gloucestershire Design Checklist SPD (Adopted) August 2007  
South Gloucestershire Waste Collection: guidance for new development SPD (Adopted) January 2015

2.4 Emerging PSP DPD Site and Places

PSP44 Private Amenity Space Standards

**3. RELEVANT PLANNING HISTORY**

3.1 PT16/0345/F Erection of single storey and two storey side and rear extensions to create 2no. additional shop units and 3no. additional flats with associated works

Refused 14.4.16

For the following reasons:

*Design*

*The proposed extensions, by reason of bulk, scale, massing, design and external appearance, would represent a cramped form of development which would be out of keeping with the existing building and other nearby properties and, if allowed, would detract from the visual amenities of both the site and the locality. The proposal is therefore considered contrary to saved Policy RT8 of the South Gloucestershire Local Plan (Adopted) 2006, Policy CS1, CS16 and CS17 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and NPPF (2012).*

*Residential amenity*

*The proposal by virtue of its massing, scale and overall design will impinge on the residential amenity of No. 77 Conygre Road due to overlooking and thereby impact on the privacy of this dwelling to the detriment of residents. As such the proposal is contrary to saved Policy RT8 of the South Gloucestershire Local Plan (Adopted) 2006; Policies CS16 and CS17 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the NPPF (2012).*

### *Parking*

*The proposal fails to address the demand for residential car parking, a total of 5no. spaces, which is contrary to the South Gloucestershire Council SPD: Residential Parking Standards (Adopted) 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006*

- 3.2 PT09/1115/F           Erection of single storey side extension to provide additional shop facilities, cycle storage and bin store. Erection of two storey side extension to facilitate subdivision of existing dwelling into 4 no self contained flats and associated works.  
Refused                   16.6.09

#### *Reason 1:*

*The proposal will impinge significantly on the established building line of Conygre Road and will result in a detrimental impact on the visual amenities of the streetscene. This impact is exacerbated by the massing, scale and overall design of the building proposed. As such the proposal is contrary to Policy RT8 and D1 of the South Gloucestershire Local Plan(Adopted) 2006 and the south Gloucestershire Design Checklist (Adopted) 2007.*

#### *Reason 2:*

*The proposed extension, by reason of its bulk, massing, design and external appearance, would be out of keeping with the existing building and other nearby properties and, if allowed, would detract from the visual amenities of both the site and the locality. The proposal is therefore considered contrary to Policies D1, H4 and RT8 of the South Gloucestershire Local Plan (Adopted) 2006 and the South Gloucestershire Design Checklist (Adopted) 2007.*

#### *Reason 3:*

*In the absence of a legal agreement the scheme fails to make adequate provision to mitigate the impact upon the local road network in the Bristol North Fringe, contrary to policy T12 of the South Gloucestershire Local Plan (adopted) January 2006.*

- 3.3 PT04/3490/F           Erection of shop with two flats over.  
Refusal                   8.10.04

#### *Reason 1:*

*The proposal will impinge significantly on the established building line and will result in a detrimental impact on the visual amenities of the streetscene. This impact is exacerbated by the massing, scale, and overall design of the building proposed. As such the proposal is contrary to Policy RT8 and D1 of the South Gloucestershire Local Plan (Revised Deposit Draft).*

#### *Reason 2:*

*The proposal will result in additional pressure on the available parking for the existing shops. Consequently there will be an increase in on street congestion on a junction with a busy classified highway that forms a bus, commuter and school route. As such the proposal is detrimental to the transportation safety of all classes of highway user and is contrary to Policy LP23 of the adopted Bristol*

*North Fringe Local Plan and Policy T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).*

- |     |             |  |
|-----|-------------|--|
| 3.4 | PT00/2270/F | Retention of existing boundary wall reducing in height to 1800mm (retrospective). Installation of replacement shop front; upgrading of existing stair enclosure to rear of property leading to first floor flat. |
|     | Approved    | 21.8.00  |
| 3.5 | P95/2495    | Change of use of premises from retail to hot food takeaway. (Class A1 to Class A3 of the Town and Country Planning (Use Classes) Order 1987). Installation of extractor flue.                                    |
|     | Refused     | 2.11.95  |
| 3.6 | P92/2451    | Change of use of premises from D.I.Y. Shop to hot food takeaway (class A1 to class A3 of the town & country planning (use classes) order 1987)   |
|     | Refused     | 23.10.92   |
| 3.7 | P88/3318    | Installation of dormer windows in side and rear elevations   |
|     | Approved    | 10.11.88   |
| 3.8 | N2615       | Erection of single storey extensions at side and rear of existing shop to form additional living area and additional shop space.   |
|     | Approved    | 2.1.90   |

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

- 4.1 Filton Town Council  
Objection on the grounds of insufficient parking
- 4.2 Other Consultees

Sustainable Transport

Objection: In transportation terms this is very similar to the previously refused proposal. Whilst the application has provided an element of car parking for the residents it does not go far enough. In addition the waste facilities for residents does not comply with the Council's standards.

*Updated comments:*

*The site is constrained in terms of size. Given the constraints it is recommended that the applicant reduce the overall size of the scheme. The revised plans do not address issues previously identified and as such does not comply with policy and is recommended for refusal.*

*Further updated comments:*

*The reduced proposed scheme is now acceptable but to accommodate the required parking a new Traffic Regulation Order would be required to vary the position of the existing speed bumps. The existing street light would also need to be replaced.*

Archaeology

No objections

Economic Development Officer

No objection

Highway Structures

No comment

Lead Local Flood Authority

No objection

### **Other Representations**

#### **4.3 Local Residents**

One letter has been received from a local resident. The points raised are summarised as:

- The construction will disrupt my daily living as I work nights
- No consideration in the plans to address the impact locally of this proposal
- There is already a convenience store less than 20 yards away
- No consideration has been given to vehicle parking and access to the site – likely impact on where I can park as there is already a strain on the parking here
- A larger shop would not be in the interests of local people – the Abbey Wood shopping complex is less than 2 miles away

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The application stands to be assessed against the above listed policies and all other material considerations. The development would result in the creation of new living accommodation in the form of 2no. new flats, the increase in size of an existing flat and the extension of the existing shop unit. Of particular relevance here is the resulting design and impact on the character of the existing property and the area in general. Impact on the residential amenity of neighbours and of the existing and future occupants is considered, as is the impact of the development on parking and highway safety.

5.2 Paragraph 14 of the NPPF states that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. In the first instance,

it is noted that the proposal is for development within the existing urban area and therefore accords with the adopted Development Plan.

- 5.3 Policy CS1 of the Core Strategy demands the 'highest possible standards of design and site planning', a number criteria which compose high quality design are form, scale, massing, density and overall layout. Policy CS16 and Policy CS17 deal with the subdivision of existing properties to form flats where it would not adversely affect the character of the area and where cumulatively, it would not lead to unacceptable localised traffic congestion and pressure on parking. In addition both policies call for such conversions to provide adequate private/semi-private and/or communal outdoor space. Although the existing property has already been converted into a flat, the internal re-configuration with the introduction of an additional bedroom means that the impact on highway and the provision of amenity space must be taken into consideration.
- 5.4 The NPPF (2012) promotes sustainable development and encourages economic growth and this means *seeking positive improvements in the quality of the built, natural and historic environment*. It also supports the *integration of residential and commercial uses within the same unit*. Although it is recognised that saved Policy RT8 (small scale retail uses within urban areas) is an older adopted policy its ethos remains broadly aligned with the aims of the NPPF. These are summarised as supporting employment uses within urban areas but only where such development would not have an adverse impact on the environment, on highways, on residential amenity or the general character of the area.
- 5.5 The proposal therefore has a number of elements in its favour which include both the potential of employment opportunities through the increase in size of the existing shop and also the creation of new homes through the proposed 2 no. new flats. It is furthermore noted that this amended scheme has addressed previous issues such as the provision of off-street parking, the poor residential amenity for future and existing occupants, the impact on neighbours and the overall appearance of the resulting structure.
- 5.6 Policy assessment  
The ethos of saved Policy RT8 remains essentially in accordance with the NPPF and so it is useful to consider the proposal using some of the heading criteria of this older policy: character; residential amenity; highway matters; and environmental impact which are pertinent to this proposal as well as it being a mixed use development.
- 5.7 Character  
The area surrounding the application site comprises mainly residential streets. The application site is part of a rank of local shops with alternative closest shops being located on the far side of Station Road. As a development of flats and a shop the proposal would not be out of keeping with its immediate surroundings and this counts in its favour. Significant weight can be given to it being an appropriate form of development in principle.

5.8 *Economic benefit*

One comment from a local resident has expressed the view that the extension to the shop would not be of benefit to the local residents. The proposed extension would be about 64.94 square metres of ground floor retail space. It is acknowledged that no justification or details regarding the demand for the increase has been given. However, on the basis that it is an extension to an existing business, rather than a separate one, there is no objection to the proposal but only a very small amount of weight can be given in favour of the development for this reason.

*Design and Visual Amenity*

- 5.9 It is noted that within the existing rank, each of the properties has been altered in some shape or form from the introduction of dormer windows to large rear extensions. The corresponding property at the other end of the rank was extended some time ago to provide additional retail floor space and accommodation above. The application site similarly benefits from an area of land to its southern side and on this occasion the proposed extension would not be as extensive as previously proposed. In total it would comprise a single storey flat roof addition to the south to accommodate the extension to the shop, a two storey pitched roof side/rear extension to accommodate two new two bed flats and alterations to the existing flat to increase the number of bedrooms from two to three.

*Overall bulk and massing*

- 5.10 Whereas the previous scheme proposed to fill the entire curtilage with some form of built form, it is acknowledged that this scheme represents a reduction given that the existing shop unit is to be extended and only two additional flats are proposed. Parking for the residential elements has been provided in the area currently used as storage for the ground floor shop unit. To the rear, a flat roof would cover the entire area taking the built form up to the boundary with the rear access lane, as is the current situation. Within this area would be facilities for the ground floor shop, the refuse areas for shop and flats and entrance stairs to the three flats above.
- 5.11 The proposed pitched roof two-storey element will in its entirety house the shop extension, part of the existing shop unit and the two new two bed flats – Flat 1 at first floor level and Flat 2 and second floor level. By reconfiguring the internal arrangement of the existing flat, entrances to all three flats plus an additional bedroom to Flat M1 can be created.
- 5.12 It is noted that this development would be a sizeable addition to the existing property but at the same time it is noted that other properties in this rank have benefitted from some large extensions, including some which have also taken up much of the curtilage. In this design it is noted that there is some break in the built form by means of subservient roof heights but it is furthermore, considered that this proposal would in its current form represent the maximum this property could be extended. Development within existing urban areas is encouraged by both national and local planning policy and as this scheme complies with these policy aims weight is accordingly awarded in its favour.

*Two storey pitched roof side/rear extension*

- 5.13 A previous refusal reason for a scheme on this site in 2009 cited that a two storey side extension which followed on from the existing front building line would *impinge significantly on the established building line of Conygre Road and will result in a detrimental impact on the visual amenities of the streetscene*. Clearly this scheme has attempted to overcome that previous refusal reason by proposing a two-storey addition at a 30 degree angle from the end of the terrace and by this means would not be forward of the front building line of No. 77 Conygre Road. It is acknowledged that the other end of the rank of shops has been extended in a similar way and another angled two storey extension could balance the end of the terrace. Changes to the design and resulting fenestration have removed the impact on residential properties along Conygre Road and on other nearby residential properties and this is discussed in the residential amenity section.
- 5.14 The pitched roof two-storey side/rear extension would include within it:
- at ground floor the extension to the existing shop unit
  - at first floor a new two bed flat, Flat F1 and the reconfiguration of the lower part of the existing flat M1 and the entrance to Flat F2
  - at second floor level a new two-bed flat, Flat F2 bedrooms to the existing flat M1.
- 5.15 Although the bulk of the shop unit would be within the proposed pitched roof two-storey element, part of the shop frontage would present as a single storey addition to the side of the existing shop. This is considered in more detail under the single storey side extension assessment below.
- 5.16 The existing property benefits from three dormer windows of modest proportions which have allowed the conversion of the roof space into habitable accommodation resulting in the current flat, M1. Under this application the existing front dormer window would remain unchanged and the existing small rear dormer would be altered in terms of its shape but would essentially stay in the same place. However, the scheme proposes three very large dormers, one to each of the south, west and northwest elevations.
- 5.17 The three dormers are unusual in their shape but it is acknowledged that two would not be visible from the main roads. The largest dormer on the south side elevation would serve to accommodate the living space and bedrooms of Flat 1 and are necessary to achieve the residential element. Its corner position does somewhat emphasise this design feature but at the same time dormer additions to properties are not unusual, albeit recognised as being different to original rooflines.

*Single storey side extension*

- 5.18 The side extension would be to the south. This area of land is unusual in shape as it forms the end part of a crescent-like shape at one end of this rank of shops/flats. It is acknowledged that the proposed single storey structure has been significantly reduced at this point and does not propose to follow the boundary line. Instead, it would extend out from the proposed two-storey addition, for the most part by about 1.5 metres, extending to a maximum of 3 metres to accommodate the new shop frontage. The current boundary is a

- high, curving wall demarking this corner. This feature would be removed and the area converted into a parking area for 4 no. residents parking bays and 3no. cycle hoops. The single storey structure would have a flat roof and plans indicate that it would be about 3 metres in height, about one metre higher than the existing side/rear boundary wall at this point.
- 5.19 This proposed asymmetrical structure would incorporate the proposed retail unit and 4 parking spaces dedicated to the residential units. The extension to the shop is fairly modest but existing empty shops within this rank are noted, leading Officers question the potential contribution to economic growth in terms of the service it could provide to locals or its contribution to employment (although here there are no details to assess in this respect). Neutral weight is therefore given for this retail element.
- 5.20 Conclusion of character/design assessment  
It is recognised that the proposal has some merits in that it would provide new homes and in this respect the potential to assist in addressing the general current housing shortage and the more specific shortfall in the Council's five year land supply. Weight is given in its favour for this reason, but the degree of weight from these new flats would have a 'less than significant' impact on housing numbers and is therefore limited. The potential to promote the local economy given the size of the proposed unit is, however, negligible, especially as no supporting evidence has been provided and the corresponding weight is considered neutral.
- 5.21 Weight must now accordingly be attributed to the overall design. It is acknowledged that the application site is within a built up area and development is encouraged in such locations. However, this cannot be at the expense of the resulting appearance. Changes made to the overall design during the course of the application by reducing the bulk and massing of, in particular, the two-storey pitched roof extension and the two-storey flat roof extension which would have had a detrimental impact on the existing street scene are acknowledged and welcomed. Although the different styles of dormer windows is noted, overall the scheme cannot be regarded as being visually intrusive development in the context of the character of the area in general and on this basis is supported.
- 5.22 Residential Amenity  
The existing structure comprises a shop unit at ground floor and a two bed flat at first floor and second floor levels. Given that there is a substantial flat roof rear extension to the main property it is acknowledged that there is a lack of dedicated amenity space for the two bed flat. The area to the side which would be developed as part of this application (the car parking area for 4 vehicles) has the function of additional amenity space/garden serving the ground floor shop. The proposal however, would increase the residential accommodation provision on the site whilst at the same time removing the possibility for using the land to the side as amenity space for any of the future occupants.
- 5.23 South Gloucestershire Council have an emerging Policy Sites and Places DPD which sets out the private amenity space standards as follows:



1 bed flat 5sqm

2+ bed flat 5sq m + private shared community space

It is acknowledged that this had not yet been fully adopted and so attracts only little weight. Nevertheless, the importance of some form of dedicated amenity space for any new dwelling is recognised. In this case there is no provision for amenity space for any of the flats and it must be acknowledged that the flats may not ultimately be occupied by families; that opportunities for leisure exist at the nearby Abbey Wood retail park; and that the site is well served by public transport with the prospect for using the nearby open spaces.

- 5.24 Notwithstanding the above, one of the flats as a three bed unit is large enough to house a family and therefore the closest play areas for children have been identified. Using a 480 metre buffer which is considered an appropriate distance and used a guide for such calculations, public open spaces have been found at Sandown Road and College Lane and play area at Blenheim Drive and Church View. Outdoor space for children to play in can therefore be found within reasonable walking distance of the site.
- 5.25 Moving on to potential impact on neighbours. The proposed single storey extension to the side which would host the new shop unit and would not impact on the amenity of neighbours to the southwest at No. 816 Filton Avenue and similarly not adversely affect the existing children's nursery opposite on Conygre Road. Although the large dormer in the southwest elevation would be closer to these two than the existing side dormer, they would be separated by a distance of over 20 metres which is acceptable.
- 5.26 The impact on the adjacent neighbour at No. 77 Conygre Road must now be assessed. This property is separated from the application site by a rear access lane, about 5 metres wide. It is acknowledged that this property does not have any openings in the opposing elevation. Two first floor high level windows would be directly opposite the property, but the possibility of overlooking of the rear garden of No. 77, would be limited. The proposed rear dormer serving the second floor flat would not have any windows directly opposite this neighbour, but the presence of new openings in the side dormer are noted and again it is considered that the overlooking would be limited. These changes have sufficiently overcome the concerns expressed in the refusal of the previous application.
- 5.27 Comments from a local resident expressing concerns regarding potential disruption are noted, however, the scale of the development must be taken into consideration and it is likely that such a scheme would be completed within a reasonable amount of time. However, to minimise disruption a condition will be attached to the decision notice to ensure that appropriate construction hours are adhered to.
- 5.28 Sustainable Transport  
The site is on a corner position with an area of public open space at the corner's apex. Parking is provided on both sides of the small access lane to the front of the rank – an approximate 14no of spaces to serve 5no shops and it is assumed between 5 and 6 no flats above the shops.

- 5.29 The car parking demand generated by the proposed development would be for the residential accommodation only as the proposed new retail unit would be less than 35 sq metres. According to the Council's parking standards a development of 2 x 2 bed and 1 x 3 bed flats would require 5 spaces. Four residents parking spaces are proposed in what was the walled garden and four secure cycle spaces are proposed within the refuse area for the flats close to the rear access area. On the basis that the application site is located in an area close to many employment opportunities and with a number of cycle routes, the provision of 4 dedicated parking spaces for the flats is considered acceptable.
- 5.30 Comments from a local resident are noted, however, the site is accessible by sustainable modes of transport and parking for the proposed retail element could be accommodated on the adjacent highway network where time limited parking is available as well as the parking on the adjacent service road. Servicing of the retail unit can take place from the service road or Filton Avenue. This is the existing situation and the small extension to the existing shop would not generate a significant increase on service vehicle movements and as such would not be detrimental to highway safety.
- 5.31 It is noted that access to the proposed residential parking spaces would require the existing speed cushions to be moved, requiring a new Traffic Regulation Order. This will be dealt with by a s106 agreement between the applicant and the Council. The existing street light would also need to be removed to accommodate the car parking.
- 5.32 Suitable and sufficient cycle parking is proposed for the flats and the shop in accordance with the Council's standards and adequate bin storage areas are proposed for the new shop in accordance with the Council's Waste SPD.
- 5.33 Environmental effects  
The proposal would be for retail and residential and given its location within a rank of shops and flats in a residential area of Filton, it is considered that it would not give rise of any adverse environmental effects.
- 5.34 Planning Obligations  
The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations (CIL). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;
- a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.

In this instance, it is considered that the planning obligations relating to the financial contributions towards highway works and provision/maintenance of POS, to mitigate the impacts from the development and provision of affordable housing, are consistent with the CIL Regulations (Regulation 122).

- 5.35 Regulation 123 also limits to 5 (back dated to April 2010) the number of S106 agreements that can be used to fund a project or type of infrastructure, from the point at which the Council commences charging the CIL or after April 2015. CIL charging has commenced and officers have confirmed that the contributions sought would not exceed the threshold of 5 S106 Agreements for the off-site provisions.
- 5.36 The planning balance  
In conclusion the proposed shop unit could result in additional facilities for nearby residents, although no specific details have been provided and no evidence to suggest that such facilities are needed and no justification as to why empty units in the rank cannot be used. Similarly it could provide additional employment but again this is difficult to substantiate with any certainty without any justification in the form of additional figures/details. Given the scale of the unit at 64.94 sq m a modest amount of weight is given to this element.
- 5.37 It is recognised that 2no. additional new flats could be a benefit to the area and to the housing supply in general and modest weight is given to the contribution this number would make to housing figures.
- 5.38 Changes made under this application have sufficiently addressed the concerns raised under the previously refused scheme. In the overall balancing exercise the proposal is now considered acceptable and can be supported.

## 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 **approve** 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 an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:
- a) A sum of £15,000 for works to move the existing speed bumps and update the Traffic Regulation Order and move the existing street light.

The reasons for this Agreement are:

- (i) In the interests of highway safety on Conygre Road in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11<sup>th</sup> Dec. 2013.

7.2 The Head of Legal & Democratic Services has prepared and sealed the agreement which was signed on 13.3.18.

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

## **CONDITIONS**

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

Reason

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

2. Development shall be in strict accordance with the below listed plans:

As received on 31.8.16:

Site and block plan - PL04 A

As received on 21.6.17:

Existing and proposed floor plans - PL02 E

Existing and proposed elevations - PL03 C

As received on 26.4.17:

Existing and proposed elevations - PL01 D

Reason

For the avoidance of doubt and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 213; saved Policies H4, T7 and T12 of the South Gloucestershire Local Plan (Adopted) 2016 and the NPPF (2012).

3. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the provisions of the National Planning Policy Framework.

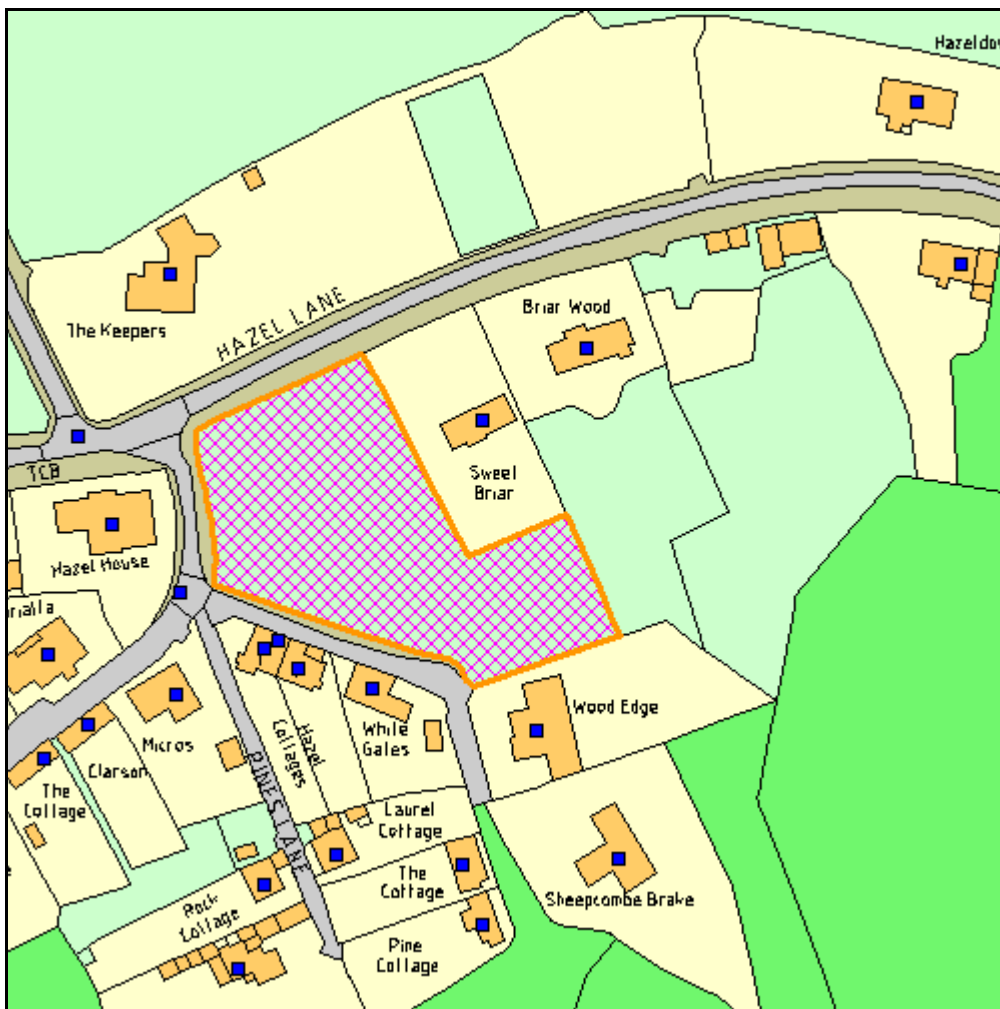
4. The off-street parking facilities (for all vehicles, including cycles) shown on the plan Existing and Proposed Floor Plans PL02 E hereby approved shall be provided before the first occupation of the new flats and shop extension and thereafter retained for that purpose.

Reason

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

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT17/4635/F	<b>Applicant:</b>	Mrs K. Honor
<b>Site:</b>	Paddock To The West Of Sweet Briar Hazel Lane Tockington Bristol South Gloucestershire BS32 4PL	<b>Date Reg:</b>	17th October 2017
<b>Proposal:</b>	Demolition of existing shelter and erection of 2no detached dwellings with access and associated works.	<b>Parish:</b>	Olveston Parish Council
<b>Map Ref:</b>	361913 187454	<b>Ward:</b>	Severn
<b>Application Category:</b>	Minor	<b>Target Date:</b>	28th November 2017



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 100023410, 2008. **N.T.S.** **PT17/4635/F**

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

This application appears on the circulated schedule due to consultation responses received, contrary to Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of 2no.-detached dwellings with access and associated works.
- 1.2 The site is paddock, located on land to the south of Hazel Lane, near Tockington. The application site is located outside of any defined settlement boundary and is located within the designated Green Belt. A small wooden stable building exists in south eastern corner of the site. This southern area is however omitted from the layout of the proposed dwellings and their associated curtilages with a hedgerow indicated denoting the private curtilage boundaries. The field is stated as being 2.95 ha in area and is enclosed by hedgerow some walling and fencing.
- 1.3 As part of the ongoing application process revised plans were requested and subsequently received revising the scale, design and layout of the proposals. These were subsequently fully reconsulted.

### **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  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS34 Rural Areas

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

PSP1 Local Distinctiveness  
PSP2 Landscape  
PSP7 Development in the Green Belt  
PSP8 Residential Amenity  
PSP11 Transport Impact Management  
PSP16 Parking Standards  
PSP40 Residential Development in the Countryside  
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
Development in the Green Belt SPD  
Residential Parking Standards  
South Gloucestershire Design Checklist

**3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant

**4. CONSULTATION RESPONSES**

4.1 Olveston Parish Council

Olveston Parish Council object to the following planning application at, Paddock to The West Of Sweet Briar Hazel Lane Tockington Bristol South Gloucestershire BS32 4PL

PT17/4635/F - Demolition of existing shelter and erection of 2no detached dwellings with access and associated work

The Parish Council do not object to infill within the existing Hamlet, but recognise the area is within the Green Belt. The proposal needs to be in keeping with adjacent surroundings, and the recent South Glos Housing Needs Survey for the Parish of Olveston needs to be taken into account.

Upon reconsultation, a further, similar response was received, as follows:

Olveston Parish Council continues to object to the following planning application at, Paddock To The West Of Sweet Briar Hazel Lane Tockington Bristol South Gloucestershire BS32 4PL

PT17/4635/F - Demolition of existing shelter and erection of 2no detached dwellings with access and associated work

The Parish Council does not object to infill within the existing Hamlet, but recognises the area is within the Green Belt. The revised proposal needs to be in keeping with adjacent surroundings, and the recent South Glos Housing Needs Survey for the Olveston parish still needs to be taken into account.

4.2 Other Consultees

Ecology Officer

This is an application for the demolition of existing shelter and erection of two detached dwellings with access and associated works.

Ecological Issues

A Reptile Survey Report has been submitted in support of the proposed application by IES (October, 2016). The findings are detailed below:



### Habitats

The site is a sheep grazed field, and shows the close cropped vegetation typical of this land-use. However, there are small areas at the boundary left untouched by grazing such as scrub patches, rubble piles, species-poor hedgerows and a stone wall.

### Reptiles

Reptile surveys were undertaken late in the season (September/October) when reptile activity begins to decrease. However, weather records presented alongside the surveys indicate that weather remained suitable for reptiles well in to October.

Surveys revealed a low population of slow-worms, i.e. under 5 slow-worms per visit. Habitat within the centre of the paddock is heavily grazed and lacks the vegetation structure required for reptiles to thrive. Surveys targeted the boundary habitats, where the slow-worms were found.

### Conclusion

There is no ecological objection to this application.

A low population of slow-worms is present on site, although due to current land-use this is restricted to the boundaries. The report recommends using habitat manipulation to persuade the slow-worms to move in to more suitable habitat during construction. The boundary habitat will be retained, as well as other suitable habitat just beyond the site boundary. It is expected that slow-worms will return to the garden.

### Recommendation

That the following condition be attached:

All works must proceed in strict accordance with the methods detailed in Section 4.2 of the Reptile Survey Report (IES Consulting, October 2016). This relates to the use of habitat manipulation prior to construction. A copy of the Reptile Survey Report must be kept on site at all times.

### Landscape

The site lies to the edge of Old Down where the houses and cottages are well spaced and individually styled. The paddock is an integral and significant component of the landscape character of the locality and, visually, acts as a "village green" for the surrounding dwellings.

The proposal for two identical, substantial houses that are suburban in character, is not in keeping with the rural village/hamlet character of the locality.

The loss of the paddock to development would have a significant negative effect on the landscape character of the area and for that reason refusal is recommended on landscape grounds.

Also, the proposed development would have an adverse effect on the openness of the Green Belt and, particularly, would be contrary to the preservation of the setting and special character of Old Down.

### Sustainable Transportation

The applicant seeks to erect 2 detached dwellings with new access. Each new dwelling will contain 4 bedrooms. Adequate off street parking is provided in line with SGC minimum parking standards. The proposed dwellings will have their own vehicular accesses onto Hazel Lane / The Down which provide good visibility. There are no transportation objections.

### Lead Local Flood Authority

No objection

Upon reconsultation it was advised that the previous comments remained relevant

### Highways Structures

No comment

### Archaeology Officer

No objection

## **Other Representations**

### 4.3 Local Residents

10 letters of objection have been received, summarised as follows:

- there will be a detrimental impact upon residential amenities of properties behind due to their layout
- there will be a loss of privacy, with the rear elevations of the proposed properties overlooking properties in this direction
- the loss of privacy and amenity would be contrary to the human rights act
- there will also be overshadowing and a loss/reduction in light
- the on site parking provision is not sufficient and would not discount on-street parking
- public transport is poor and homeowners would need to drive, creating more traffic
- Hazel Lane is a potential cut through, and due to its width makes passing difficult and a potential safety issue
- the design is modern contemporary and not in keeping with the surrounding area
- the site lies outside the settlement boundary and in the Green Belt and should not be approved, there are no very special circumstances
- further domestic properties will impede drainage in the area and cause flooding to be a greater threat
- the site is not Brownfield and is not infill development
- if approval is granted this will be followed by more applications/development in the area
- any housing shortage has been provided for by big developments in Thornbury and Charlton Hayes
- Old Down is an area of unspoilt green fields and natural habitat
- natural hedgerows, old orchards and green fields will disappear along with their wildlife
- other more degraded land should be built upon

- consideration should be given as to how and where construction vehicles access the site without causing hazard and hours of operation
- concern over the precedent that allowing such development may set

Upon reconsultation of the revised proposals, a further 8 objections were received

These objections maintained the previous objection reasons considering that the revised design of the proposals did not overcome the reasons for objection

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The application site is in the Green Belt and is outside of the settlement boundary/defined urban area. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. Reference is made to the demolition of an existing shelter. This is very small wooden construction located in the south eastern corner of the site which appears to be associated with the sites use as a paddock. This is also on land that would not be part of the proposed dwellings or associated curtilages. It is not considered that the existence of this structure forms the basis for consideration that the land as a whole is a brownfield site and this report does not therefore make that assumption. Concerns over the setting of a precedence for future applications are noted, however, each individual application must be judged on its own merits, pursuant to the prevalent and relevant policies and development management considerations. The housing needs survey referred to relates to the wider Olveston Parish area, covering the settlements of Tockington, Old Down, Awkley, Lower Hazel and Ingst. The findings this survey indicated that there is likely to be a requirement for a small number of affordable dwellings potentially as a rural exception site, depending upon the availability of an appropriate site. This application is not being proposed or determined as a rural exception site or for affordable housing.

- 5.2 The application site is outside of any defined settlement boundary. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The paragraph goes on to suggest that if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites then their relevant policies for the supply of housing should not be considered up-to-date, including that in relation to settlement boundaries restricting housing development. At this time, South Gloucestershire cannot demonstrate a five year housing land supply, meaning paragraph 49 of the NPPF is engaged. Regardless of this, the starting point for any decision-taker is the adopted Development Plan, but the decision-taker is now also required to consider the guidance set out within paragraph 14 of the NPPF. Paragraph 14 states a presumption in favour of sustainable development, and states that proposal that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the

benefits, when assessed against the policies in the NPPF and other policies of the Development Plan. Policy CS9, seeks development to, amongst other things, maximise opportunities for local food cultivation by avoiding the best and most versatile agricultural land. The area of land in question is a relatively small parcel of moderate grade grazing land. It is not linked directly to wider agricultural areas and it is not considered that the proposals would significantly affect available useable agricultural land.

- 5.3 Policies CS5 and CS34 of the Core Strategy and PSP40, for the purposes of housing provision; all relate to the retention of settlement boundaries; generally not supporting residential development outside of settlement boundaries or urban areas. In light of the lack of a 5 year supply of deliverable housing, the weight that these policies can be given will be limited. Notwithstanding this other relevant policy restrictions would still apply and the relevant policies of the adopted Development Plan remains the starting point for consideration, the NPPF presumptions being a material consideration in the assessment to be given an applied level of weight in each individual case.
- 5.4 The main concerns regarding development outside of defined settlement boundaries are sustainability and impact upon the open countryside. Notwithstanding the above references to the NPPF, Para 55, states of that isolated homes in the countryside should be avoided, and also acknowledges that where there are smaller settlements, development in one village may support services in a village nearby. Further to this, PSP11 provides criteria for assessing what may be considered sustainable locations in terms of availability or proximity to services or proximity to public transport services connecting to key services. In this respect it is stated that development proposals which generate demand for travel should be located within 400m from a suitable bus stop facility. In these respects the circumstances of the site and surroundings and any mitigating effects may be considered and given weight.
- 5.5 In terms of location and sustainability, although there is no formal settlement boundary identified, the site is located within the hamlet of Old Down, amongst existing buildings and immediately adjacent to an existing detached dwelling which is located on a road containing other properties. The hamlet contains a public house but little else in the way of its own services. However adjacent villages contain further services that can be supported. The village of Alveston is approximately 1200 metres to the north west, whilst the town of Thornbury is approximately 2.5 km to the north. Further to this the main bus route (Alveston Road) is within 400m from the site, providing easy access to Thornbury, Cribbs Causeway and Bristol, amongst other places. Taking into account the above and given the sites location relative to the existing settlement, other properties, its relationship and proximity to dwellings immediately on either side, and its accessibility from the road, it is not considered that the site could reasonably be argued to be within an unsustainable location or that a dwelling would have an unreasonable impact upon the open countryside in visual amenity terms. The proposals would not be considered isolated development. On this basis no harm has been identified that would significantly and demonstrably outweigh the benefits of providing the dwellings at this location

## 5.6 Green Belt

The NPPF states that great importance is attached to Green Belts, with its fundamental aim being to prevent urban sprawl by keeping land permanently open. The NPPF states that the construction of new buildings is considered inappropriate development except if it falls within one of the limited exceptions provided. The NPPF provides a limited set of exceptions whereby development may not be considered inappropriate, these include limited infilling of villages. The Council's adopted Green Belt SPD limits the construction of new buildings to infill within the boundaries of settlement as defined in the proposals map. Policy CS34 seeks to maintain existing settlement boundaries, to protect the Green Belt from inappropriate development and protect and conserve the rural areas distinctive character. Policy CS5 of the Core Strategy strictly limits new development in the open countryside and states that small scale development will take place within defined settlement boundaries of villages and also seeks to protect the Green Belt. The application site is not within a designated settlement boundary but is clearly within the confines and built up area of the existing hamlet. As suggested above the policies restricting housing supply through identification of settlement boundaries are at this point in time considered out of date. The definition of infill in the Council's Green Belt SPD is small scale and which fits into an existing built up area in a defined settlement boundary, normally in-between existing buildings, in a linear formation. The proposals for 2 dwellings would be considered small scale and there are properties on either side to which the proposed dwellings would match in a linear formation. It is considered that the proposals can be considered as infill, given the sites location and the fact that it is between other buildings, located amongst existing dwellings within the confines of the built up area of the hamlet.

## 5.7 Design/Visual Amenity/Layout

The site is a relatively small grassed paddock area located between dwellings within the hamlet. There is not considered to be any significant landscape merit or designation to the site, the main visual impact therefore being that the area is currently open, undeveloped land within the hamlet setting. Whilst the landscape comments, above, are noted, the land cannot be considered as a village green, being in private ownership and fenced off for private use and there are no known public rights of way across it. There are no other designations on the site. As stated in the relevant sections above, infill development within the Green Belt can be acceptable in Green Belt terms. The paddock is a small parcel of land set within the hamlet amongst existing dwellings with a backdrop of other dwellings behind it, to either side and opposite. It is not considered that the proposals would in principle significantly or materially erode the wider rural character of the area and the open countryside which surrounds the hamlet.

5.8 The original landscape comments regarding nature of the design of the dwellings is noted and it was considered that the original proposals were more suburban in feel, unsuited to this location. Design amendments were therefore sought such that the revised proposals are considered to be much more in keeping with the nature and context of the site and surroundings. The footprints have been reduced slightly and each house has been designed slightly different but aiming to follow a more traditional theme, incorporating pitched

- gables over the dormer windows and half hip roofs, both appearing essentially as 1.5 storeys to keep the scale lower, finished in a mix of coloured render and weatherboarding. A condition is recommended securing the precise nature of the external finishes.
- 5.9 The revised layout pushes the dwellings forward slightly, creating a front building line akin to properties on either side. The layout, plots and density is acceptable within the context of the form of layout within the vicinity.
- 5.10 Sustainable Transportation  
The plots, driveway and frontages, incorporating garages provide sufficient space to allow for off street parking. Adequate off street parking is therefore provided in line with SGC minimum parking standards. The proposed dwellings will have their own vehicular accesses onto Hazel Lane / The Down which provide good visibility. On this basis, there are no transportation objections.
- 5.11 Residential Amenity  
The concerns above, relating to amenity impacts are noted. The revised plans have pushed the dwellings further forward, northwards within the plots, away from the nearest properties to the rear. The nearest two storey point between the rear of the proposed dwellings and the front of the existing dwellings on the Inner Down to the south is approximately 22 metres, between which is curtilage and road. It is considered that, given the location of the property and its distance and relationship with other properties in the area, that they would be acceptable in local amenity terms and not give rise to any unacceptable amenity impact, in terms of overlooking or overbearing impact, upon the nearest properties such as to warrant objection or sustain a refusal of the application on these grounds. Similarly there are not considered to be any amenity issues associated with the properties on either side or to the front, across the road, given the relative relationships and distances involved. A standard informative is recommended to advise of working times for construction sites.
- 5.12 Ecology  
Appropriate ecological surveys have been undertaken and provided. There are no objections from the Council's ecological officer on this basis. A condition is recommended to secure compliance with recommendations in respect of the reptile survey.
- 5.13 Drainage  
There would be no objection to the proposals in drainage terms.
- 5.14 Planning Balance  
Paragraph 14 of the NPPF, states a presumption in favour of sustainable development, and states that proposal that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. No harm has been identified that would significantly and demonstrably outweigh the benefits of the dwellings at this location. Therefore in this instance, and on balance, on account of a

demonstrable lack of 5 year housing land supply and the relative policy restrictions relating to housing supply and settlement boundaries, more weight is given to the presumptions of the NPPF and it is recommended that the application is approved.

#### 5.15 Equalities

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

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

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

## CONDITIONS

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

Reason

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

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

Reason

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

3. All works must proceed in strict accordance with the methods detailed in Section 4.2 of the Reptile Survey Report (IES Consulting, October 2016). This relates to the use of habitat manipulation prior to construction. A copy of the Reptile Survey Report must be kept on site at all times.

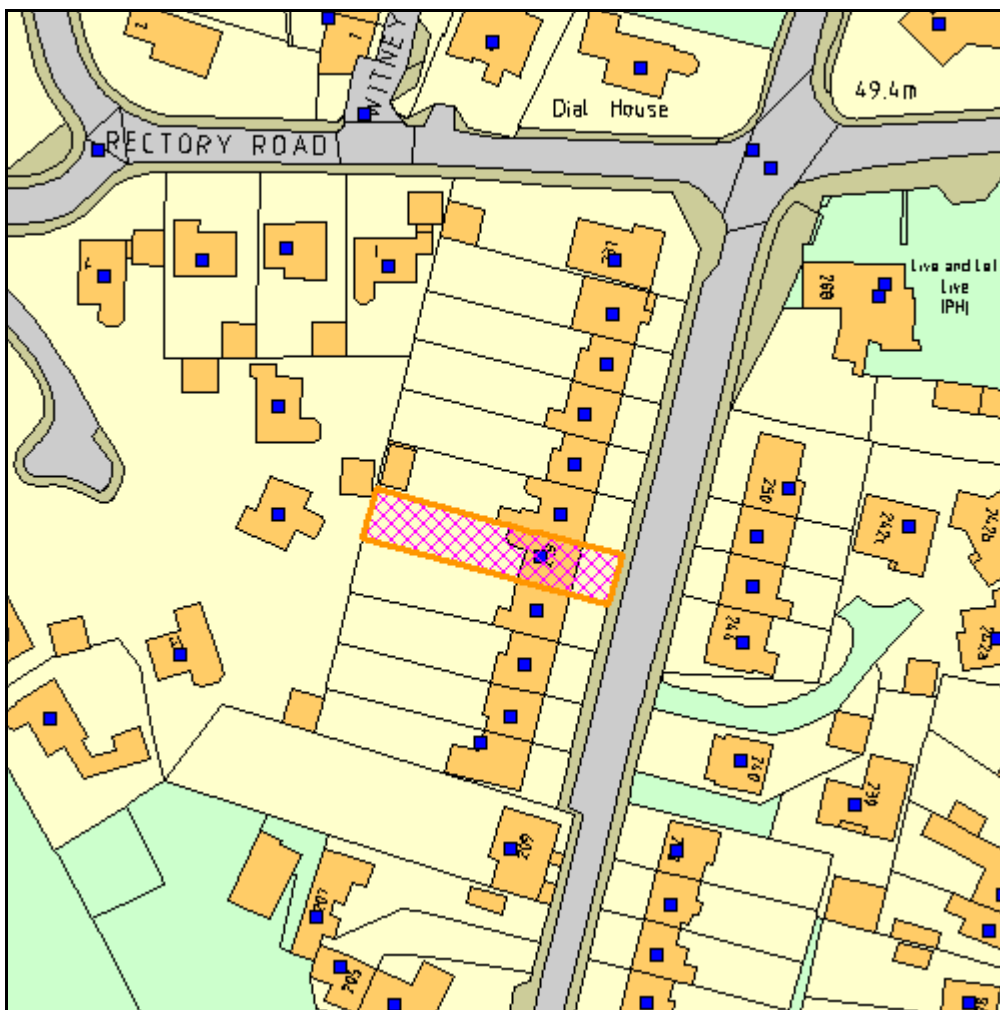
Reason

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



**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT17/5560/F	<b>Applicant:</b>	Mrs Claire Hodges
<b>Site:</b>	219 Park Lane Frampton Cotterell Bristol South Gloucestershire BS36 2EW	<b>Date Reg:</b>	12th December 2017
<b>Proposal:</b>	Alterations to raise existing garage roof to facilitate garage conversion. Installation of 1no rear dormer to facilitate loft conversion.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	366739 181611	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Householder	<b>Target Date:</b>	22nd January 2018



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

This report appears on the Circulated Schedule following an objection comment from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the installation of 1 rear dormer and alterations to raise an existing garage roof to facilitate its conversion.
- 1.2 The application site relates to a two-storey semi-detached property in the settlement of Frampton Cotterell.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

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

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

- 3.1 PT00/0099/F  
Erection of rear conservatory.  
Permitted development  
01.02.2000

### **4. CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council  
No objection

#### 4.2 Sustainable Transport

Condition parking to be completed prior to commencement of the development and surfaced with a permeable bound material, plus attach informative advising applicant they need permission from the Council's Development Implementations Team to alter the existing dropped kerb

### **Other Representations**

#### 4.3 Local Residents

One letter of objection has been received from a local resident; the points raised are as follows:

- proposed development would overlook neighbour's windows and garden

## **5. ANALYSIS OF PROPOSAL**

#### 5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Adoptive policy is supportive of extensions within existing residential curtilages provided the development is of high quality design, in-keeping with the area and would not have adverse impacts on amenity or transport.

5.2 The proposal is considered to accord with the principle of development and this is discussed in more detail below.

#### 5.3 Design and Visual Amenity

The application site is a two-storey semi-detached property which benefits from an attached garage to the south side. The proposal includes a partial roof raise of this element which would allow for its conversion to a breakfast room and utility. A rear dormer would also be introduced as part of a proposed loft conversion to create a fourth bedroom with en-suite. Openings would be in the rear and side elevations only with a few new rooflights bringing additional light into the rooms. In terms of its design, scale and massing, the proposal is typical of similar type extensions and good quality materials to match the existing dwelling and its attached neighbour would assist a successful integration into the street scene. Given the above the proposal is considered acceptable.

#### 5.4 Residential Amenity

It was noted on the site inspection that the main property occupies an elevated position, overlooking part of the Rectory Road estate to the west. The second floor addition incorporates windows serving the fourth bedroom and its en-suite. The neighbours' concern is recognised that dormers of this type can provide opportunities for overlooking to neighbouring gardens, with consequent loss of privacy. However, similar views are already available from the existing dormer at second floor level in 221 Park Lane. It is also common to find mutual overlooking of rear garden areas from adjacent properties in such residential situations. It is therefore considered that the proposal would not significantly erode the living conditions of neighbouring occupiers by way of overlooking.

- 5.5 With regard to neighbours at 217 Park Lane, although the proposal would involve raising part of the garage roof and installing a non-habitable window at second floor level in the side elevation, it is considered there would be no adverse impact on the amenity of these neighbours.
- 5.6 Sufficient garden space would remain to serve the host property. The proposal is therefore acceptable in residential amenity terms.
- 5.7 Sustainable Transport  
One additional bedroom will be provided to the second floor making a total of four after development. Part of the alterations to the ground floor will reduce the garage to a length which is unsuitable for the parking of a motor vehicle. However, it is proposed to widen the existing vehicular access to provide parking for two vehicles in front of the house. The level of parking proposed complies with the Council's residential parking standards for the size of the proposed dwelling.
- 5.8 A condition requiring the provision of the parking, in a solid bound material and in accordance with the approved drawings, is necessary in the interests of highway safety. An informative will also be attached advising the applicant they need to apply for permission from the Council's Development Implementations Team if they wish to make alterations to the existing dropped kerb. On this basis, there are no objections to the scheme.
- 5.9 Impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.10 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.11 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

Reason

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

2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan Proposed Plans and Elevations 219PL.OCT17.P.1 hereby approved shall be provided before first occupation of the new extensions, surfaced with a permeable bound material, and thereafter retained for that purpose.

Reason

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

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

Received 04.12.2017:

Proposed Side Elevations (219PL.OCT17.P.2)

Existing Plans and Elevations (219PL.OCT17.E.1)

Existing Side Elevations (219PL.OCT17.E.2)

Location and Block Plan (219PL.NOV17.LP.BP.1)

Proposed Plans and Elevations (219PL.OCT17.P.1)

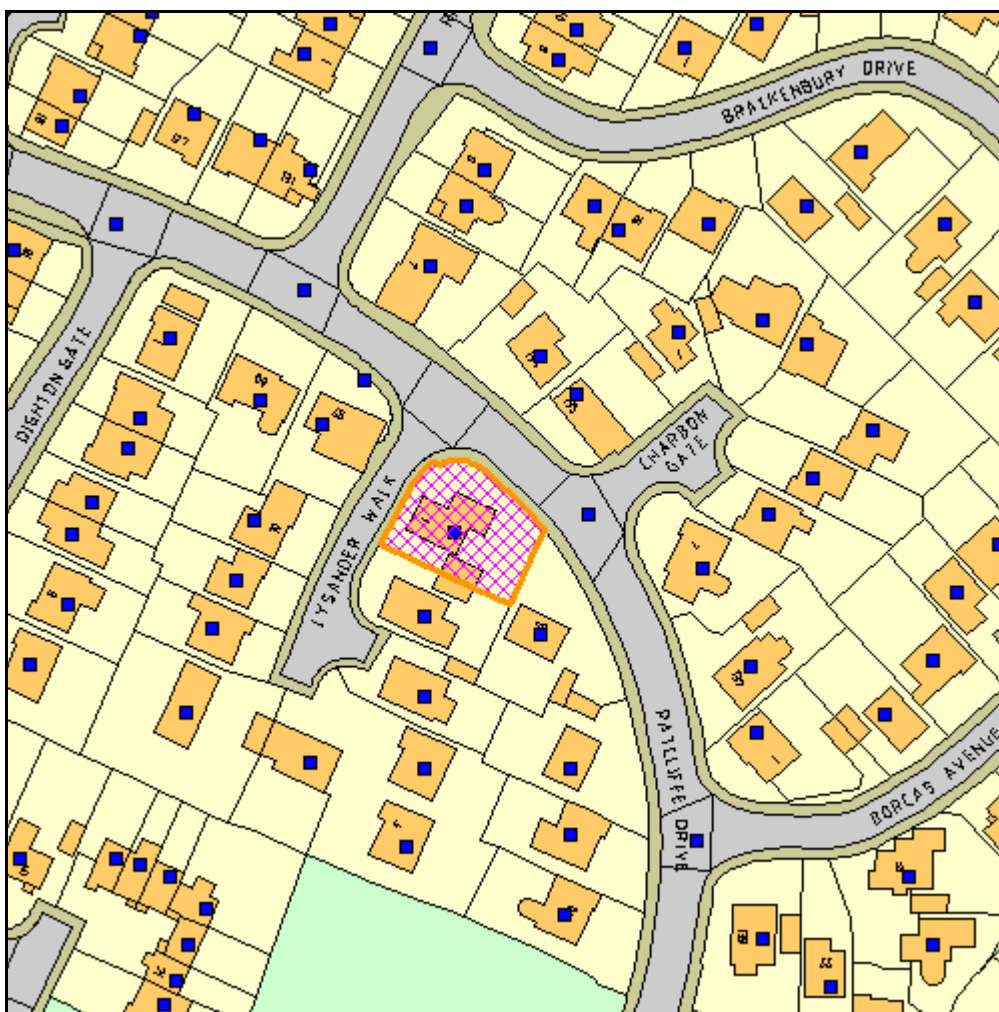
Proposed Second Floor Plan (219PL.NOV17.P.3.A Rev A)

Reason

For the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT17/5722/F	<b>Applicant:</b>	Mr Gary Haslam
<b>Site:</b>	1 Lysander Walk Stoke Gifford Bristol South Gloucestershire BS34 8XE	<b>Date Reg:</b>	7th February 2018
<b>Proposal:</b>	Erection of two storey side extension to form additional living accommodation and single storey front extension to enlarge existing bay window.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362478 180327	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Householder	<b>Target Date:</b>	8th February 2018



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

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

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a two storey side extension and a single storey front extension to extend an existing bay window. The application site is a detached dwelling on Lysander Walk, Stoke Gifford.

### **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 P88/1708 Approved 01.06.1988  
Erection of single storey side and rear extensions to provide entrance porch, dining room, utility room and sun lounge

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
No objection

## **Other Representations**

### 4.2 Local Residents

One comment received stating concern relating to stress and subsidence to walls. States that “soil has been heaped against the wall on the Lysander Walk side, stressing the wall”. Asks whether compensation/repaid has been considered for any damage done to No. 64 Ratcliffe Drive.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Saved policy 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 two-storey side extension and front extension to extend the bay window.

### 5.3 *Side Extension*

The extension would extend from side of the dwelling. Its ridge height would sit below that of the existing dwelling, and its elevations would sit short of the front and rear elevations of the dwelling. It would measure 4m in width, and would use materials to match the existing dwelling. It would not be considered to have a negative impact on the visual amenity of the dwelling, or the wider street scene.

### 5.5 *Front Extension*

The extension to the bay window would consist of a modest front extension to abut the bay window. Given the scale of the proposal, it would not be considered to have a negative effect on the street scene, or the visual amenity of the dwelling itself.

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

### 5.6 Residential Amenity

#### *Side Extension*

The dwelling on a corner, with no dwellings to its north. The extension would sit on the northern elevation of the property, away from any nearby residential dwellings or their rear gardens. Due to its position, it would not have any overshadowing, overbearing or overlooking impacts on any nearby residential occupiers.



5.7 *Front Extension*

The front porch would be modest in size, located away from the site boundary and to the front of the dwelling. Its scale and position means that it would be unlikely to have a significant impact on the residential amenity of any nearby occupiers.

5.8 It is noted that a neighbour has commented with worries relating to subsidence and damage to their property. However, this would be a civil matter and is not within the scope of the planning system to control; any structural issues would be picked up during the building control process.

5.9 Overall, the proposal is considered acceptable in terms of residential amenity.

5.10 Sustainable Transport

As a result of the development, the dwelling would become a five bedroom dwelling. To accord to PSP16, a five bedroom dwelling must have three off-street parking spaces within the site's boundary. Having visited the site, it is considered that two off-street parking spaces currently serve the property. This is not commensurate with the standards set out within PSP16; however, ample on-street parking exists within the immediate area. It is not considered that the addition of one bedroom would have a severe negative impact on the safety of road users, and therefore, there are no transport objections to the proposed development.

5.11 Equalities

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

5.12 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**

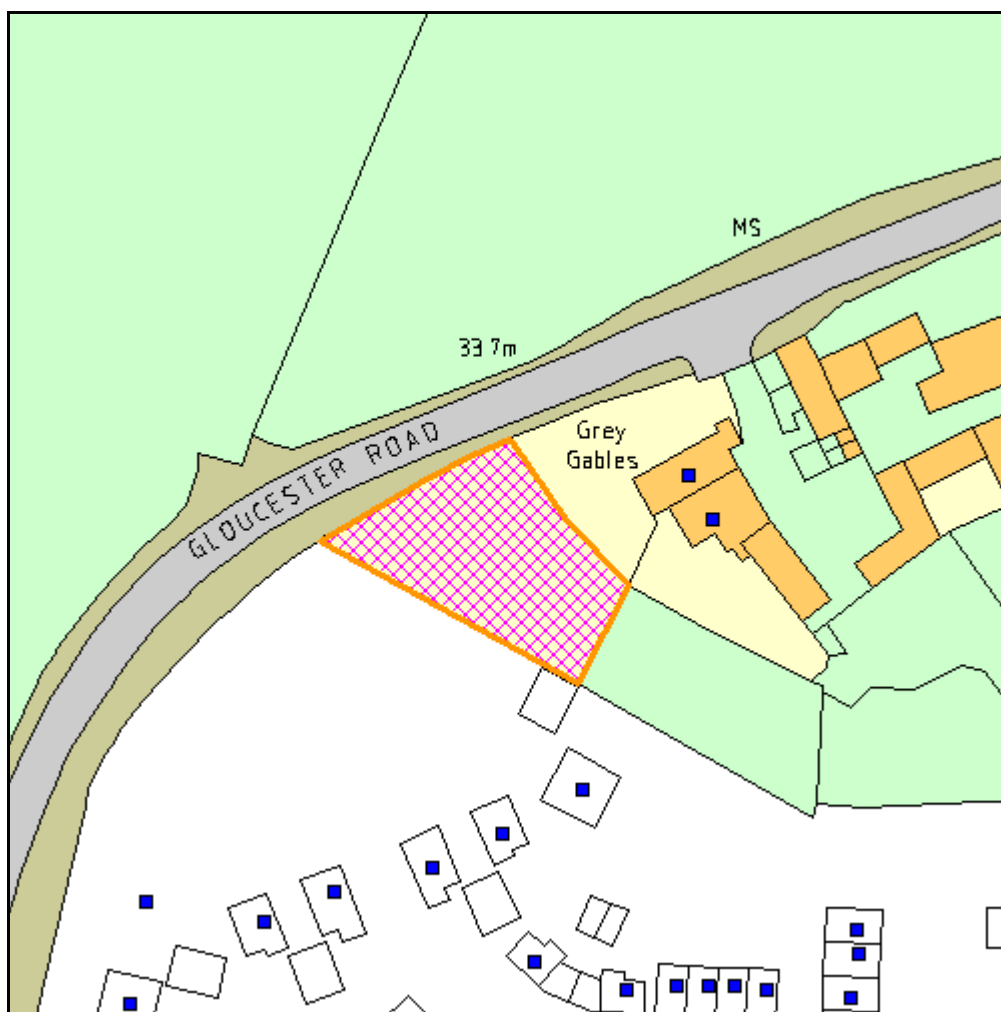
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT18/0009/F	<b>Applicant:</b>	Mr & Mrs Beswick
<b>Site:</b>	Site Adjacent To Grey Gables Old Gloucester Road Thornbury Bristol BS35 1LJ	<b>Date Reg:</b>	9th January 2018
<b>Proposal:</b>	Erection of 1 no. dwelling with new access and associated works. Erection of detached garage. (Resubmission).	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364613 191438	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th February 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 1no. dwelling with new access and associated works, and the erection of a detached garage at land adjacent to Grey Gables, Thornbury.
- 1.2 The application site consists of land immediately to the south-west of the existing dwelling at Grey Gables, which consists of a large, detached farmhouse set within a large plot. The site is located outside of the defined settlement boundary of Thornbury and is considered to be within the open countryside, although it is not within the Bristol/Bath Green Belt. The application site is situated immediately to the north of the Thornbury Fields housing development. A scheme for 130 dwellings at land to the west of the application site on the opposite side of Gloucester Road also recently appeared at Development Control (West) Committee. Whilst a formal decision has not yet been issued, Members resolved to approve the application.
- 1.3 Planning permission was originally granted for the erection of a detached dwelling at the site in August 2017 under application ref. PT17/2040/F. A certificate of lawfulness (CLP) was then applied for, with the aim of amending the scheme by adding a single storey rear extension and converting the loft of the approved dwelling. However as the dwelling had not yet been constructed, the application failed and was subsequently withdrawn. The current application, which includes the amendments sought under the CLP application, has now been submitted for consideration.
- 1.4 Revised plans were requested and received by the Local Planning Authority on 27<sup>th</sup> February 2018. The revised plans include revised floor plans which involve a reconfiguration of the internal layout at a first floor level, and a revised block plan showing the siting of a proposed single storey extension and on-site trees.
- 1.5 As the development approved under application ref. PT17/2040/F could still be lawfully implemented, it is only considered necessary in this case to assess the elements of the current proposal which differ from the previous proposal. These consist of the following:
  - Erection of a single storey rear extension
  - Insertion of 4no. roof lights at rear elevation to facilitate loft conversion
  - Increase in ridge height by approximately 0.2 metres.

### **2. POLICY CONTEXT**

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

## 2.2 Development Plans

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS32	Thornbury
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Standards

## 2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Waste Collection Guidance for New Development (Adopted) January 2015

## 3. RELEVANT PLANNING HISTORY

### 3.1 **PT17/4822/CLP**

Certificate of Lawfulness for proposed single storey rear extension and conversion of roof to form additional living accommodation.

Withdrawn: 01.12.2017

### 3.2 **PT17/2040/F**

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

Approved: 08.08.2017

### 3.3 **PT16/4774/O** - *Land on opposite side of Old Gloucester Road*

Erection of 130 no. dwellings on 8.00 hectares of land with public open space, drainage, associated works and access. Outline application with access for consideration, all other matters reserved.

Status: Pending Decision

## 4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council  
Objection – Council reiterates its previous comments

### 4.2 Other Consultees

#### Sustainable Transport

As this application is essentially a duplicate (in transportation terms) to planning application PT17/2040/f then I can confirm that there is no transportation objection subject to provision of the conditions applied on the previously approved scheme.

#### Lead Local Flood Authority

No objection subject to SUDS condition

#### Archaeology

As per the previous application, A HC11 condition for a programme of archaeological work should be applied to any consent granted.

#### Highway Structures

No comment

### **Other Representations**

#### 4.3 Local Residents

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

- We bought our house relatively recently and selected this plot due to proximity to the green space currently offered by the site of proposed development and the balancing pond at Thornbury Fields. Erection of this dwelling will spoil the outlook of our property.
- We feel the green spaces in the town should be celebrated and preserved, and not all built upon. There is already copious development within the town region.
- The site is outside the development plan for the town.

- Concern about access arrangements and highway safety - this is a poor visibility part of the road with often excessive traffic speeds. This highway region is likely to change with proposed developed on the opposite side of the road thus any impacts can only be speculative.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The principle of erecting a new dwelling at the site has already been established under application ref. PT17/2040/F. As the amendments to the previous scheme are fairly minor and do not alter the scope of the development proposal, the development is considered to be acceptable in principle. The remainder of this report will assess the proposed variations to the previously approved scheme.

### 5.2 Design and Visual Amenity

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

#### *Rear extension*

- 5.3 The proposed rear extension would incorporate a flat roof, and would span just over half the width of the rear elevation. The rear elevation and one side elevation of the extension would consist of glass panels, with the other side elevation forming a solid wall. The overall form and detailed design of the extension would result in a fairly contemporary appearance.

- 5.4 In terms of its visual relationship with the host dwelling, it is considered that by virtue of its scale and form, the proposed extension would appear as a proportionate addition to the host dwelling. The more contemporary design approach is also considered appropriate in this case. In terms of the impact of the addition on the streetscene or character of the wider area, it is considered that any views of the extension from public areas would be limited. As such, any impact on the immediate streetscene or the character and distinctiveness of the locality would be limited.

#### *Roof lights and loft conversion*

- 5.5 The insertion of the proposed roof lights in to the rear-facing roof slope would facilitate the conversion of the loft within the property. The roof lights would not be visible from public areas, and as such any impacts on the character of the area would be limited. The roof lights are considered to be of an appropriate scale and configuration, and is it not considered that their insertion would detract from the appearance of the building.

#### *Increase in roof height*

- 5.6 Under approved application PT17/2040/F, the ridge height of the main dwelling was to be set at approximately 7.8 metres. Under the current application, the ridge would be set at approximately 8 metres. On balance, it is not considered

that the slight increase in height would materially alter the appearance of the building.

#### *Cumulative impact*

- 5.7 Overall, it is not considered that proposed changes, when considered individually and cumulatively, would have any adverse impacts in terms of design and visual amenity. The development proposal is considered to accord with the design criteria set out in policy CS1 of the Core Strategy.

#### *Roof tiles*

- 5.8 A planning condition attached to the previous consent required the tiles to be used in the construction of the new dwelling match those of the existing dwelling in colour, texture and profile. This condition will be carried forwards and attached any decision, should the current application be approved.

#### 5.9 Residential Amenity

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

- 5.10 On balance, it is not considered that the development proposal currently under consideration would have any greater impact on the residential amenity of neighbours than the previously approved proposal. The proposed dwelling is set within a spacious plot, and as such it is not considered that the addition of the rear extension or the slight increase in roof height would have any significant impacts on immediate neighbours. As the proposed roof lights would be set in to the rear-facing roof slope, the outlook from the windows would be reduced and as such it is not considered that their insertion would give rise to any overlooking issues.

- 5.11 With regard to private amenity space, the levels of space that should be provided for residential units is based on the number of bedrooms contained within the unit. The Council's minimum standards are set out in policy PSP43 of the Policies, Sites and Places Plan. It is noted that the conversion of the loft would increase the total number of bedrooms from 3 to 5, when compared to the previously approved scheme. However given the size of the proposed rear garden, it is considered that sufficient space would be provided as to accommodate the increase in bedroom number.

#### 5.12 Transport

It is not considered that the erection of the rear extension, the insertion of roof lights or the increase in ridge height would have any material impact on highway safety. However the transportation related conditions attached to the previous permission will be carried forwards.



- 5.13 In terms of parking provision, the increase in bedroom number does increase the minimum parking requirement from 2 to 3 spaces (in accordance with policy PSP16 of the Policies, Sites and Places Plan). It is considered that it is possible to provide a minimum of 3 spaces to the frontage of the site and within the proposed garage. As such, the proposed parking arrangements are considered acceptable. However given the increase in bedroom number, a condition will be attached to any decision, requiring a minimum of 3 parking spaces to be provided prior to the first occupation of the dwelling and thereafter retained for that purpose.
- 5.14 Environmental Issues  
An acoustic report detailing how the highway would affect the proposed unit was requested from the applicant during the course of the previous application. However this was not forthcoming. Instead, the applicant flipped the first floor plan of the proposed dwelling so that the majority of the bedrooms only had windows facing the rear, so that all bedrooms had openable windows away from the highway. This was considered to be acceptable.
- 5.15 Under the current application, the first floor plan had originally been reverted to first layout proposed under the previous application, with bedroom windows facing on to the highway. However following discussions with the applicant, the first floor plan was reverted to the layout approved under the previous application, with bedroom windows facing the rear. This is considered acceptable.
- 5.16 The application site is at a low risk of flooding and it is considered that details of the surface water and foul water drainage can be adequately dealt with through the submission of further details following determination.
- 5.17 Landscape and Vegetation  
The tree officer raised no objection to the previous application, subject to the development being carried out in accordance with the recommendations of the submitted arboricultural report. The officer report indicated that a condition would be attached to any decision, ensuring that the development be carried out in accordance with the arboricultural report, however this appears to have been omitted.
- 5.18 In terms of the current application, a revised block plan has been submitted, indicating that the proposed alterations to the previously approved scheme would have no additional impacts on trees. As such, there is no objection subject to the development being carried out in accordance with the recommendations of the arboricultural report, which has also been submitted with the current application. This will be secured by condition.
- 5.19 Ecology  
It is not considered that the proposed alterations would have any additional ecological impacts. As such there is no objection on ecological grounds, subject to the ecology related conditions attached to the previous consent being carried forwards.

#### 5.20 Archaeology

As per the comments of the archaeology officer, it is not considered that the alterations would have any additional impact, and as such there is no objection subject to a condition for a programme of archaeological work being applied to any consent granted.

#### 5.21 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.

5.22 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. 3 year standard time limit

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. Tiles to match

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

Reason

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

3. Construction Traffic Management Plan

Prior to the commencement of development, the applicant is required to submit a Construction Traffic Management Plan to the Local Planning Authority for written approval. For the avoidance of doubt, details of wheel washing, delivery times (to avoid network peak hour), contractor parking and storage would need to be included.

Reason

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

This is required to be agreed prior to the commencement of development as it relates to the construction period.

4. Access details

Prior to commencement of development, details of the proposed access shall be submitted to the Local Planning Authority for written approval, with the agreed details implemented prior to first occupation of the dwelling. For the avoidance of doubt, the access works shall include relocation of the 'Advance Direction Sign' and a bound permeable driveway.

Reason

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

This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

5. Parking provision

The off-street parking facilities at the site (for all vehicles, including cycles) shall make provision for the parking of a minimum of 3 vehicles (measuring at least 2.4m by 4.8m), and shall be provided before the dwelling is first occupied, and thereafter retained for that purpose.

#### Reason

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

### 6. SUDS

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

#### Reason

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

This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

### 7. Arboricultural Assessment

The proposed development shall be carried out in accordance with the submitted Arboricultural Assessment dated July 2017 written by Tim Pursey (Arboricultural Consultant).

#### Reason

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

### 8. Ecological Appraisal

The development shall proceed in accordance with the avoidance and mitigation recommendations set out in Section 6.2 of the Ecological Appraisal (Smart Ecology, March 2017). Any deviation from these recommendations shall be submitted to the Local Planning Authority for approval in writing.

#### Reason

In order to ensure there is not harm to protected species in accordance with policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

### 9. Bird boxes

Prior to first occupation, the type and location of two bird boxes (based on the recommendations in Section 5.2 of the Ecological Appraisal (Smart Ecology, March 2017)) shall be submitted to the Local Planning Authority for approval in writing.

Development shall proceed in accordance with the agreed details, with the bird boxes in place prior to first occupation of the dwelling.

Reason

In order to ensure biodiversity gain in accordance with policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

10. Archaeological investigation

Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

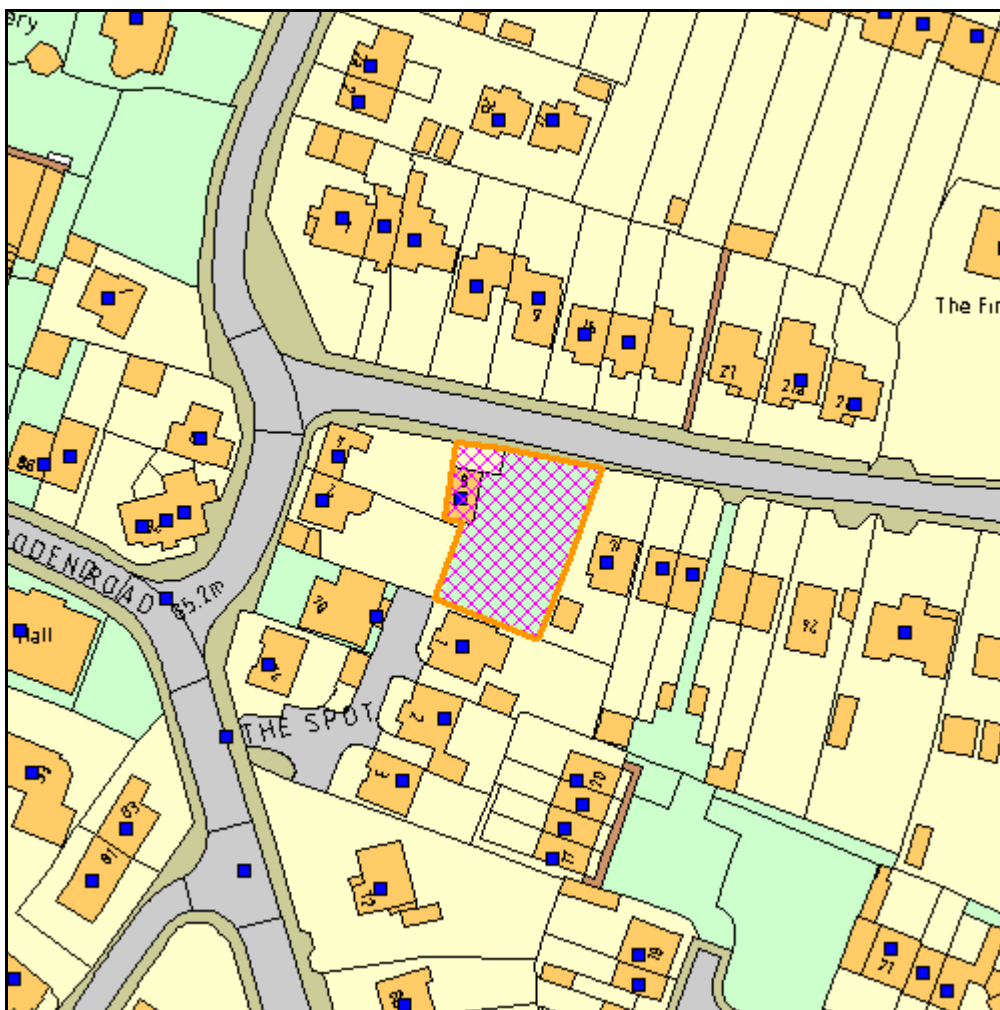
Reason

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

This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT18/0078/F	<b>Applicant:</b>	Mr P Endicott
<b>Site:</b>	Frampton Garage 6 The Causeway Coalpit Heath South Gloucestershire BS36 2PD	<b>Date Reg:</b>	15th January 2018
<b>Proposal:</b>	Erection of 1no. timber framed storage building (Class B2; as defined in Town and Country Planning (Use Classes) Order 1987) (Retrospective).	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	367397 181289	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Minor	<b>Target Date:</b>	8th March 2018



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 100023410, 2008. **N.T.S.** **PT18/0078/F**

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

This application has received comments that are contrary to the Case Officer recommendation. As such, according to the current scheme of delegation must be reported to the Circulated Schedule for Members.

### **1. THE PROPOSAL**

- 1.1 The site is located towards the eastern end of The Causeway; and is situated on its south side adjacent to 14, The Causeway. Currently the site is used by Frampton Garage as a customer car-parking area; reception for the car repair/maintenance business; a staff canteen; and storage.
- 1.2 This planning application is retrospective and relates to a rectangular shaped single storey building in the southwest corner of the application site. This would provide storage in association with Frampton Garage.
- 1.3 The original application related to temporary permission for the proposal. This time limit was removed following talks between the Agent and Case Officer.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plan

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design  
CS5 Location of Development  
CS8 Improving Accessibility  
CS13 Non-safeguarded Economic Development Sites  
CS34 Rural Areas

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

PSP1 Local Distinctiveness  
PSP8 Residential Amenity  
PSP11 Transport Impact Management  
PSP28 Rural Economy

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist  
Frampton Cotterell and Coalpit Heath Village Design Statement

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

- 3.1 PT06/0260/O Demolition of commercial garage and hairdressing salon to facilitate erection of four new dwellings on 0.13 hectares of land (Outline).

Means of access and siting to be considered (in accordance with amended plans received by the Council on 24 May 2006).

Refused 4<sup>th</sup> October 2007

- 3.2 PT08/1014/O Erection of 4 no. dwellings on 0.062 hectares of land (Outline) with access and layout to be considered all other matters to be reserved (Re-Submission of PT06/0260/O)

Approved 16<sup>th</sup> May 2008

- 3.3 PT11/1312/RM Erection of 4 no. dwellings. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT08/1014/O).

Approved 6<sup>th</sup> June 2011 (expired 6<sup>th</sup> June 2013)

- 3.4 PT13/3174/O Erection of 4no. dwellings (Outline) with all matters reserved.

Approved 15<sup>th</sup> October 2013.

- 3.5 COM/13/0184/OD Investigation that the site is being used as a car park

Case closed.

- 3.6 PT13/3175/F Change of use of land to car park in association with Frampton Garage for a temporary period of 3 years.

Approved 22<sup>nd</sup> November 2013

- 3.7 PT15/0636/F Demolition of existing Hairdressing Salon and erection of detached Retail Unit (Class A1)

Approved 21<sup>st</sup> April 2015

- 3.8 PT16/1604/F Retention of customer car park and Change of use of Hairdressing Salon (Class A1) to ancillary office and reception premises to be used in association with Frampton Garage (Class B2) (Retrospective)

Approved 5<sup>th</sup> September 2016.

- 3.9 PT17/0851/F Erection of a single storey building to form store and staff facilities. (Class B2).

Approved 13<sup>th</sup> June 2016

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

- 4.1 Frampton Cotterell Parish Council  
"No objection."



Highway Structures

“No comment.”

Economic Development

“No objection.”

Lead Local Flood Authority

“No objection.”

Sustainable Transport

“No objection.”

Planning Enforcement

None received.

**Other Representations**

4.2 Local Residents

Two objection letters were received which related to previously unauthorised development at the site; proliferation of retrospective applications; use of car park for business; use of unauthorised buildings for business use; revving of engines; industrial waste storage in a skip at the site; materials; and nearby parking issues.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site is located within the settlement boundary associated with Frampton Cotterell, Coalpit Heath and Winterbourne. This is a rural location. In this instance the proposed development would be directly linked to Frampton Garage, a car repair workshop located close by on Woodend Road and with the existing car park and reception facilities on the application site approved under Planning Permission PT16/1604/F referred to in section 3 of this report.

5.2 The National Planning Policy Framework is generally supportive of positive economic development including the rural areas. Similarly, Policy CS34 of the South Gloucestershire Local Plan, Core Strategy seeks to protect employment and economic development in rural areas in order to provide local employment in the interests of sustainability. The development would have a positive impact upon the viability of the business use associated with the site at Frampton Garage. It is considered that the proposed building is acceptable in principle subject to considerations relating to visual and residential amenity impacts.

5.3 Design and Visual amenity

The site is now enclosed along its boundary with The Causeway by good quality fencing. This is positioned behind the existing stone wall which has been renovated and retained by the site owner. The proposed building is modest in form and single storey in height. The building is steel framed, with timber fencing surrounding it and a translucent sheet roof. It is not proposed to change the surface of the existing car parking area or fencing and access to the site as part of this development. The site is not widely visible for the

- surrounding locality which is generally characterised by residential development.
- 5.4 Given that the site is now well enclosed by high quality fencing, views into the site from the public realm are restricted. However, the building will be visible to a limited extent and would appear as a small building with a similar scale to existing domestic outbuildings seen generally in the locality. It is noted that the design and materials of the structure are slightly at odds with the rural/residential feel of the wider area. However, the site itself is in business use; as such it is not thought that this storage building would result in a detrimental impact to the visual amenity of the area. On this basis, it is considered that the proposed development is acceptable in visual terms and would not undermine the character of the area or the aims of the Frampton Cotterell and Coalpit Heath Village Design Statement
- 5.5 Residential Amenity.  
In this instance, one objection was raised from the local community in respect of noise resulting from the proposed development, waste storage and use of unauthorised the car park and buildings for business use.
- 5.6 The use of the site to provide facilities in association with Frampton Garage is established through extant planning consents. Officers acknowledge that the existing use results in vehicular movements that will create a level of noise. Nonetheless, the extant planning permission is subject to a condition that controls the hours of use and these are restricted to 'day-time' hours. Additionally, the use of the site is specifically restricted so as to prevent repairs to vehicles being carried out on the area of land (this activity would take place within the main workshop associated with Frampton Garage off site). Any uses which conflict with the previous planning conditions would be a breach of planning control. Nonetheless, a specific condition preventing the use for any other use other than storage is appropriate in the interest of residential amenity.
- 5.7 Highway Safety  
Again, the use of the site as part of Frampton Garage business is established through extant planning permissions. This includes the provision of car parking in association with the business. In this instance, the Highway Authority has confirmed that the proposed development would not result in an unacceptable highway impact and on this basis, officers consider that the proposed development is acceptable in those terms.
- 5.8 Drainage Issues  
The South Gloucestershire Drainage Engineer has no objection to the development. On this basis, officers are satisfied that the matters relating to foul water drainage is acceptable.
- 5.9 Other matters  
An objection was raised regarding the use of a skip for disposal of industrial waste. This is not within the remit of the planning system in this instance. Neighbour concerns should be addressed to the Councils environmental protection department who will investigate the matter.

## 6. **CONCLUSION**

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

## 7. **RECOMMENDATION**

- 7.1 That planning permission is **approved** subject to the conditions set out in the decision notice.

**Contact Officer: David Ditchett**  
**Tel. No. 01454 863131**

## **CONDITIONS**

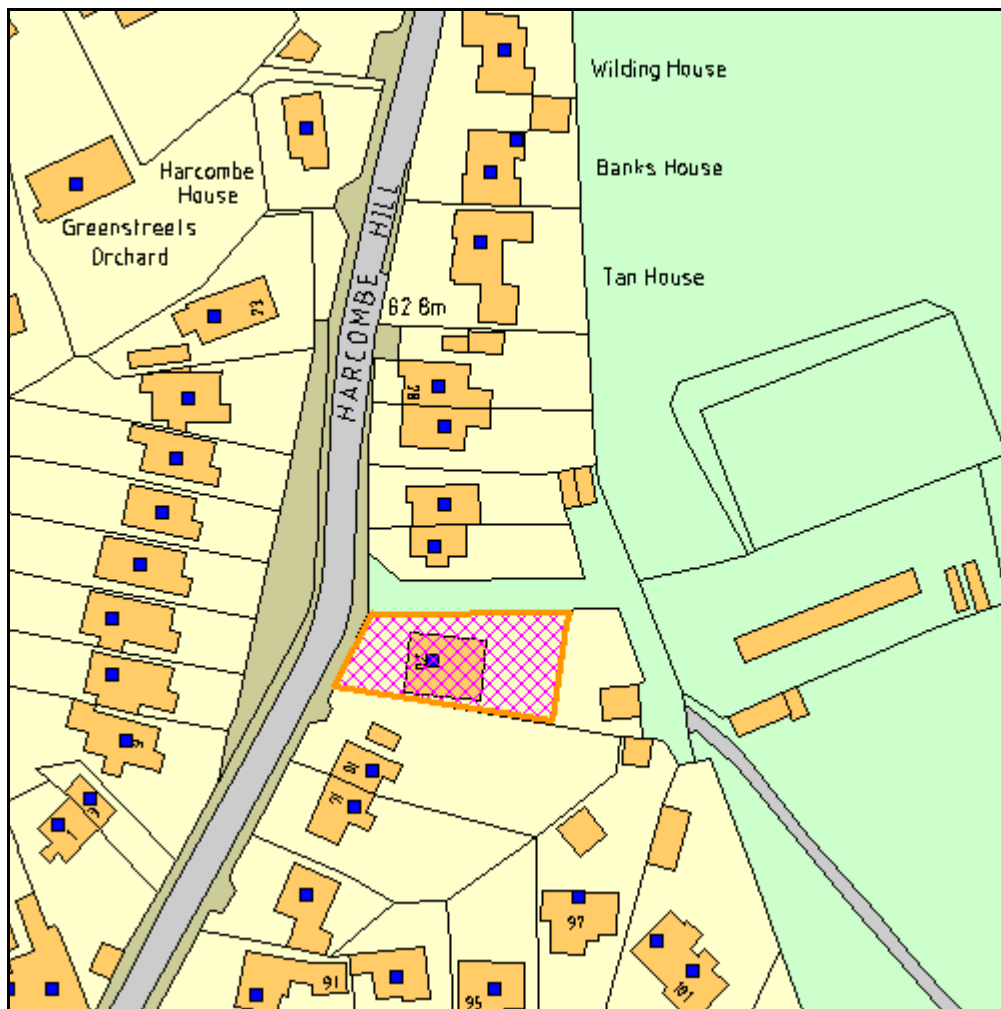
1. The use of the building hereby approved shall be used strictly for storage ancillary to the use of the car repair workshop located at 76, Woodend Road, Frampton Cotterell (Frampton Garage) and for no other purpose. For the avoidance of doubt, there shall be no repairs of vehicles whatsoever carried out within the building.

### Reason

To prevent unacceptable levels of noise and activity on the site; and in the interests of the residential amenity of the occupants of nearby residential dwellings and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT18/0135/F	<b>Applicant:</b>	Mr D Drew
<b>Site:</b>	20 Harcombe Hill Winterbourne Down Bristol South Gloucestershire BS36 1DE	<b>Date Reg:</b>	15th January 2018
<b>Proposal:</b>	Demolition of existing dwelling and erection of 2no dwellings with access parking and associated works.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365463 179709	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	8th March 2018



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

This application has received objection comments that are contrary to the Officer recommendation. As such, according to the current scheme of delegation must be placed on the Councils Circulated Schedule for members.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of 2no detached dwellings with access, parking and associated works within the residential curtilage of 20 Harcombe Hill Winterbourne.
- 1.2 The application site consists of a detached dwelling on the eastern side of Harcombe Hill. The site is located within the defined settlement boundary of Winterbourne.
- 1.3 The site was subdivided and permission for a bungalow on the eastern side of site was granted in November 2017.

### **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 Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS15 Distribution of Housing  
CS16 Housing Density  
CS17 Housing Diversity  
CS34 Rural Areas

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

PSP1 Local Distinctiveness  
PSP2 Landscape  
PSP8 Residential Amenity  
PSP11 Transport Impact Management  
PSP16 Parking Standards  
PSP37 Internal Space and Accessibility Standards for dwellings  
PSP38 Development within Existing Residential Curtilages  
PSP43 Private Amenity Space Standards

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

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

- 3.1. PT17/4130/F  
Approve with Conditions (28.11.2017)  
Demolition of existing garage and erection of 1no dwelling with associated works.
- 3.2. N6350  
Approve with Conditions (06.03.1980)  
Erection of two storey rear extension to form lounge, kitchen and W.C. with two bedrooms and bathroom over. Erection of front porch. Erection of a double domestic garage and construction of new vehicular access.

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
“Objection. The Parish Council feel that this is an over development of the site.”

4.2 Other Consultees

Highway Structures

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

Or

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

Lead Local Flood Authority

“No objection.”

Sustainable Transport

No objection providing the boundary wall to the front is reduced to 0.9m; the access to the rear of the site is removed; the parking and turning area has a permeable bound surface; and that a construction traffic condition is added.

### **Other Representations**

- 4.3 Local Residents  
Four comments of objection were received which related to construction traffic; parking and access for the proposed dwellings; increased traffic in the area; loss of light to rear garden; and small gardens.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The NPPF states that proposals that accord with the development plan should be approved without delay. Policy CS5 sets out the locational strategy for development in the district. New development is directed towards existing urban areas and defined rural settlements. CS5 states “small scale development may be permitted within the settlement boundaries of villages defined on the Policies Map.” As the site is located within the settlement boundary of Winterbourne, development is supported in this location. As such, based solely on the location of the site, the principle of the development is acceptable.

5.2 Notwithstanding this, it is recognised that, at present, the local planning authority is unable to demonstrate a five-year supply of deliverable housing land. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. However, as the application site falls within the defined settlement boundary of Winterbourne, the principle of development is acceptable under the provisions of policy CS5. As policy CS5 is not seeking to restrict the supply of housing, it can be afforded full weight in this case.

5.3 Whilst the principle of the proposed development is acceptable under the provisions of policy CS5, the impacts of the development require further assessment to identify any potential harm. The harm identified will then be balanced against the benefits of the proposal. The further areas of assessment are design and visual amenity, residential amenity, and transportation.

### 5.4 Design and Visual Amenity

Policy CS1 of the Core Strategy and PSP38 of the PSP Plan seek to ensure that development proposals are of the highest possible standards and design. 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.

5.5 The host dwelling is an ageing detached unoccupied four bed property set within a spacious plot. Its elevations are stonework and render, with white timber windows and doors. Its roof is pitched and tiled with a cat slide element to the rear over an existing extension.

5.6 The proposed dwellings would be constructed in place of No.20. These will be constructed from natural pennant stone to the front elevations with rough case white render to the side and rear elevations. The roof will be double roman clay tiles. Owing to the mixed nature of Harcombe Hill containing both rendered properties immediately to the north of No 20, and traditional stonework properties to the south and west, the design materials proposed reflect this. Moreover, the new natural pennant stone to the front elevations of the new dwellings combined with the refreshed boundary wall, parking area and front landscaping would be an improvement on the existing decaying dwelling. The proposal therefore complies with policies CS1 and PSP38. Moreover, while the

new dwellings have a cumulatively larger footprint than the house that is being demolished, when considering the properties in the vicinity; the development is considered to be small-scale which would also accord with CS5 of the Core Strategy.

- 5.7 Winterbourne lies just outside of the northern fringe of Bristol, it is surrounded by the Bristol/Bath Green Belt. 20 Harcombe Hill has an access road which runs down its northern and eastern boundaries. Directly to the east of this road is the Green Belt. This area has a mix of traditional stonework and render properties. These replacement dwellings will be seen as part of the existing linear pattern of housing, which is mixed in character and detailing. The design of the proposal is considered to be sympathetic to the area and is considered to make an efficient use of the land available; as such the proposal is deemed to comply with policy CS16 of the Core Strategy.
- 5.8 Residential Amenity  
Policies PSP8 and PSP38 of the adopted PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers
- 5.9 To the east of the site would be a new bungalow approved under application PT17/4130/F. The rear of the new dwellings will be just 14m from this bungalow. However, owing to the topography (set 2m below); the orientation of the bungalow in relation to the new dwellings; the single storey nature of the bungalow; and the proposed landscaping which will be conditioned there is not considered to be detrimental impact to the residential amenity of the occupiers of the bungalow or the new dwellings as a result of the development of the site as a whole.
- 5.10 The two new dwellings would form part of a line of properties on the eastern side of Harcombe Hill, replacing an existing detached dwelling. Only opaque side windows are proposed to the first floor of the new dwellings; and the front and rear first floor windows are a sufficient distance from neighbouring properties to not detriment the privacy of the occupiers of these properties. Additionally, the side windows proposed on the ground floor would serve the kitchens and would also be a sufficient distance from neighbouring properties.
- 5.11 The floor plans for the new dwellings show 2 generously sized bedrooms each. It is noted that both are en-suite; and one bedroom has a separate dressing room that may function as a separate room. In addition there is an attic space with velux windows. On balance given the scale of the dwellings it is considered more appropriate to assess them as if they had 4 bedrooms for the purposes of amenity space and parking than 2 bed properties. PSP43 requires 4 bed properties to have a minimum of 70m<sup>2</sup> of private external amenity space. Plot one would have 70m<sup>2</sup> and plot 2 would benefit from 72m<sup>2</sup>. These rear gardens are considered to be suitable for the family homes that these new dwellings are likely to become; as such accord with Policy PSP43.



- 5.12 When considering the existing boundary, combined with the siting and scale of the proposals. The proposals would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the adopted PSP Plan.
- 5.13 Transport  
Both plots would benefit from two parking spaces, this provision meets the requirements of PSP16. Also, in regards to access, this would be maintained and widened; and a turning circle would be added to serve both properties. The Transport Officer requested that the boundary wall be reduced to 0.9m and that the turning circle and parking area should have a permeable bound surface. This will be conditioned.
- 5.14 Concerns from residents were raised regarding construction traffic and current traffic problems in the area. A condition will be added to ensure the impact of construction traffic is managed. Also, in regards to the proposals impact on current traffic issues in the area as raised by neighbours. On a site visit the Case Officer noted that the majority of properties on Harcombe Hill benefit from large drives; as such on street parking is a minimum. Moreover, the addition of two new dwellings on this site is unlikely to result in a significant increase in trip numbers. When combining this with the parking provision that meets South Gloucestershire standards it is unlikely that the development proposed would result in an impact that would amount to a “severe” impact to highway safety – which is the threshold suggested by paragraph 32 of the NPPF.
- 5.15 The Transport Officer also recommended that an access to the rear of the site be removed. This access would serve the new bungalow to the east of the site that gained permission under ref PT17/4130/F and was addressed in the report associated with the aforementioned application. As such this access will remain unaltered
- 5.16 Drainage  
Additional drainage details were provided by the Agent at the request of the Case Officer. These details were considered sufficient by the Councils Drainage Officer. As such no objection is raised.
- 5.17 Landscape  
Subject to a landscape scheme being submitted, and approved by the Council, there are no landscape objections.
- 5.18 Ecology  
The dwelling to be demolished has the potential to host protected species. A report has been submitted with the application which states while no bats or birds are currently residing in the building, however recommendations are proposed to offset the potential loss of habitable space. These recommendations will be conditioned.

#### 5.19 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.

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

#### 5.20 Conclusion

As noted from the assessment above, the new dwellings proposed will benefit from parking spaces and private amenity space that meet South Gloucestershire minimum standards. Additionally, with the application of conditions, the access to the site has been found to be safe and usable. Furthermore, the design and layout is well suited to the locality and as a result of this design the Case Officer has found that neighbour amenity will be protected. Overall the Case Officer considers the proposal to accord with the applicable policies of the development plan and the application should be granted.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 That the application be **GRANTED** subject to the condition(s) set out in the Decision Notice.

**Contact Officer: David Ditchett**  
**Tel. No. 01454 863131**

### CONDITIONS

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

Reason

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

2. The development shall be constructed according to the approved plans listed below.

Site Location Plan

Received by the Council on 11th January 2018

Topographical Survey

Drawing No. 660/9559/1

Received by the Council on 11th January 2018

Floor Plans and Section

Drawing No. 1520-01B

Received by the Council on 11th January 2018

Elevations

Drawing No. 1520-02B

Received by the Council on 11th January 2018

Site Section

Drawing No. 1520-04

Received by the Council on 11th January 2018

Vehicle Swept Path Plots

Drawing No. HO-003B

Received by the Council on 11th January 2018

Site Plan

Drawing No. 1520-03D

Received by the Council on 8th March 2018

Site Section

Drawing No. 1520-05C

Received by the Council on 8th March 2018

Reason

To ensure a satisfactory form of development and to accord with Policies CS1, CS8, CS16 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policies PSP8, PSP11, PSP16, PSP38 and PSP43 of South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017 and the NPPF.

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plans hereby approved shall have a permeable bound surface, shall be provided before the buildings are first occupied, and shall thereafter be retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and Policies PSP11, PSP16 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017.

4. The hours of working on site during the period of construction shall be restricted to  
Monday - Friday.....7:30am - 6:00pm  
Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

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

Reason

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

5. Prior to the first use or occupation of the development hereby permitted full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These hard details shall include means of enclosure; car parking layouts; and hard surfacing materials. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, plant sizes and proposed numbers/densities where appropriate.

Reason

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

6. The boundary wall and any vegetation fronting the highway (Harcombe Hill) shall be no more than 0.9 metres in height at any time.

Reason

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

7. Prior to commencement of development the applicant is required to submit a Construction Traffic Management Plan for written approval to the Local Planning Authority. For the avoidance of doubt details of wheel washing, delivery times (to avoid network peak hour), contractor parking, storage, and measures to ensure the access road running along the north of the site is not blocked at any time would need to be included.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This information is required prior to commencement as it relates to the construction period.

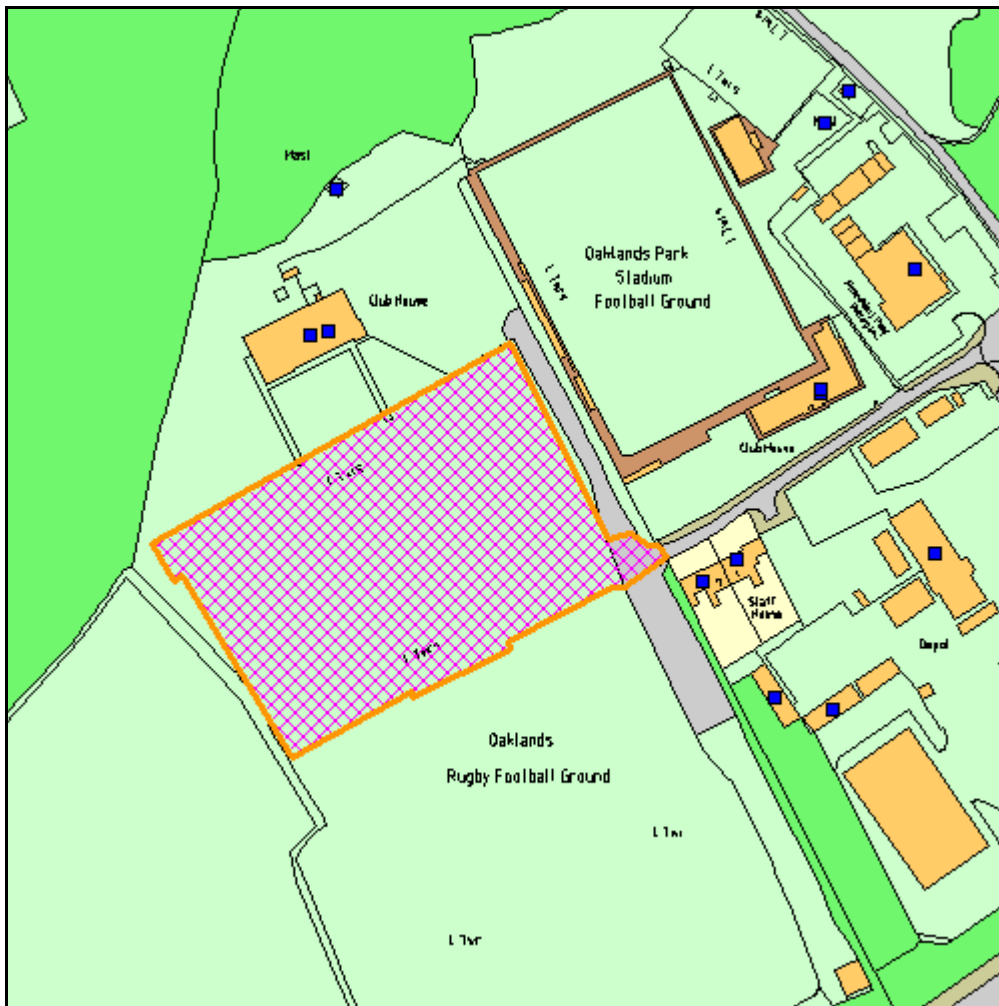
8. The development shall proceed in accordance with the recommendations 1-5 on page 7 of the Bat Survey written by Diversity Environmental Consultants Ltd (ref. d425.1) and received by the Council on 11th January 2018. Any deviation from these recommendations shall be submitted to the local planning authority for approval in writing.

Reason

In order to ensure there is not harm to protected species in accordance with policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018

<b>App No.:</b>	PT18/0188/F	<b>Applicant:</b>	Rugby Football Union
<b>Site:</b>	North Bristol Rugby Football Club Oaklands Park Stadium Gloucester Road Almondsbury Bristol South Gloucestershire	<b>Date Reg:</b>	23rd January 2018
<b>Proposal:</b>	Installation of 3G artificial grass pitch with associated hard landscaping. Erection of fencing, ancillary storage container, dugouts and replacement flood lighting.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	360503 183454	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Major	<b>Target Date:</b>	18th April 2018



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100023410, 2008. **N.T.S.** **PT18/0188/F**

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

This application has been referred to the Circulated Schedule following the receipt of a concern raised being contrary to the Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The proposed development comprises the installation of an artificial grass pitch with surrounding hard landscaping. Erection of fencing, ancillary storage container, dugouts and replacement flood lighting. The entire pitch area measures 114m by 76m. A perimeter and linked path will lie around the edge of the pitch on the east, west and south side of the pitch with a 3m wide area of hardstanding on the north side below the club house for spectator standing. There will be two dugouts on the southern side of the pitch, while to the north west-there will be a steel storage container measuring 12.2m by 2.4m with a height of 2.6m and the pitch will be surrounded by 1.2 metre rail fencing with access points.
- 1.2 The existing 8no. floodlights are to be replaced by 6 no. 15 metre high collapsible columns.
- 1.3 The application site, which lies in the Green Belt (outside of the settlement boundary of Almondsbury is situated to the north-west of Jnct16 of M5 within the North Bristol Rugby Club site. It comprises a grass pitch lit by eight floodlighting columns. This area currently comprises the clubhouse at the northern most end and three grass pitches to the south and a car park, all assessed from Gloucester Road. The pitch which is the subject of this application is the northern most pitch, closest to the clubhouse. To the immediate east of the site lies the Oaklands Park football stadium and police depot/highways depot while to the west lies agricultural land. To the south lies the motorway. The entire site area is just over 1 hectare in total.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework 2012  
Technical Guidance to the National Planning Policy Framework 2012  
National Planning Practice Guidance 2014  
National Planning Policy Framework Consultation Draft March 2018

#### **2.2 Development Plans**

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

CS1 High Quality Design  
CS2 Green Infrastructure  
CS3 Renewable and Low Carbon Energy  
CS4A Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS7 Strategic Transport Infrastructure  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS23 Community Infrastructure and Cultural Activity

CS24 Green Infrastructure, Sport and Recreation Standards  
CS25 Communities of the North Fringe of Bristol Urban Area

- 2.3 Supplementary Planning Guidance  
Development in Green Belt SPD (Adopted) 2007  
South Gloucestershire Design Checklist (Adopted) 2007
- 2.4 South Gloucestershire Local Plan: Policies, Sites and Places Plan November 2017  
PSP1 Local Distinctiveness  
PSP2 Landscape  
PSP7 Development in the Green Belt  
PSP11 Transport Impact Management  
PSP16 Parking Standards  
PSP17 Heritage Assets  
PSP19 Wider Biodiversity  
PSP21 Environmental Pollution and Impacts  
PSP44 Open Space, Sport and Recreation

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

The site and the surrounding area of been subject to numerous applications including sport facilities however these are considered to be the most relevant:

- 3.1 P85/1889 Erection of clubhouse and 8 no. 10 metre high floodlighting columns and 4 no. 6 metre high floodlighting columns. Construction of access road and car park for 81 cars and 2 coaches; provision of three Rugby pitches. (Approved 24/07/1985)

P86/1706 Erection for use as clubhouse and changing rooms, construction for new vehicular and pedestrian access and car parking (Approved 16/07/1986)

PT06/0569/F Carrying out of engineering works to existing Rugby pitch to increase level and provide drainage (Approved 31<sup>st</sup> August 2006)

### 4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council

No response received

Other Consultees

Sport England (summary)

Sport England raises no objection to this application which is considered to meet exception E5 of our adopted Playing Fields Policy.

*The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development*



*of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.*

The provision of the new AGP will provide increased usage in comparison to the existing natural turf pitch. This will not only benefit North Bristol RFC, who will have set number of hours guaranteed for usage, but also other local clubs and partner organisations. Work is on-going to agree a usage plan but community use agreements will be in place and a partnership user group formed to review this annually, led by the RFU.

#### Highways England

No objection raised

#### Landscape Officer

No comment

#### Sustainable Transport

We note that this planning application seeks permission to install an artificial grass pitch and associated hard landscaping at North Bristol Rugby Football Clubs Oaklands Park Stadium which is located on Gloucester Road, Almondsbury. It also seeks to erect fencing, an ancillary maintenance equipment storage container, two dugouts and replacement flood lighting. As we understand that the area in question is already occupied by a natural grass rugby pitch which will be replaced by the new one. Therefore, we do not consider that this proposal will result in any material change in activity at the site, so it will not change this sites travel demand patterns. Consequently it will not raise any highways and transportation issues and hence we have no comments about this application.

#### Public Rights of Way

No objections subject to informatives to advise the applicant of their duties/responsibilities in relation to a PROW that lies to the west of the pitch

#### Highway Structures

No objection

#### Lead Local Flood Authority (LLFA)

Initial Comments

Drainage and Flood Risk Management Team (Engineering Group - Street Care) has no objection in principle to this application subject to the following comments. The proposed drainage strategy is in principle acceptable to us. However, we do have one query which is in relation to the existing AGP Land Drainage System. We request clarification as to the outfall of this system (existing watercourse/sewer).

The applicant has subsequently forwarded this information to the satisfaction of the LLFA.

The Case Officer referred the concern raised by the Gloucestershire Football Association (GFA) to the Lead Local Flood Authority who have commented as follows:

In terms of comments we would have no objection in principle to this application. With regards to the comments from GFA/Mr Neale in relation to flooding/drainage issues in the overall area as per my email of Thursday last week the proposed drainage design should offer some level of betterment in terms of what is in place now and with pitch itself it would be designed to take flows (surface water runoff) for all events up to and including the 100 year + 40% Climate Change event. This is acceptable to us and meets industry requirements. I would recommend a SUDS condition be applied to the application in order for us to obtain the detailed design for the drainage system to be constructed which from reviewing the FRA/Drainage Strategy is to be completed by others. This would provide confirmation that the system has been designed as per the FRA/Drainage Strategy and also reassurance to GFA that the pitch drainage system has been designed accordingly so that it does not increase flood risk to their site.

#### Lighting Engineer (Street Care)

I have had a look at the lighting layout and I have no objection regarding the lighting proposal. I can confirm that the proposed lighting design fulfilled the recommendations provided by the document *Guidance Notes for the Reduction of Obtrusive Light GN01:2011*.

#### Ecology

There is no ecological objection to this application. The ecological reports recommend various mitigation and enhancement measures to prevent biodiversity loss, and enable biodiversity gain, through the proposed development. Conditions are therefore recommended to secure these gains and to ensure, in the interests of the bats that the lighting scheme is installed correctly.

### **Other Representations**

#### 4.3 Local Residents

No objections received from local residents

A response was received from the Gloucestershire Football association that raised no objection to the principle of the development but raised concerns that the proposal should provide adequate drainage to ensure that surface water does not flow towards their site or the access road. Pictures were provided to show that this is an existing problem.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The policies of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted Nov 2017) also forms part of the extant Development Plan.

### 5.3 Green Belt

At the heart of considering whether the proposal is acceptable is consideration of Green Belt Policy given the siting of the proposal within the Bristol/Bath Green Belt. Certain forms of development fall within the category of “appropriate development” and these are set out in the National Planning Policy Framework. Where development falls outside these criteria by definition it is deemed inappropriate and harmful to the Green and should not be approved except in very special circumstances.

The proposed development, because there are three distinct elements, the pitch, the container and the floodlights, does not fall neatly into one of the categories set out in the NPPF which largely relate to the erection of new buildings. However provided the development does not conflict with the purpose of including land in the Green Belt and preserves its openness certain other forms of development are considered appropriate.

The laying of a new pitch and the associated footpaths and hard standing are considered to fall within the definition of an engineering operation (no change of use is involved only a significant technical improvement to the natural grass pitch to allow better playing conditions in all weathers). The pitches would not conflict with the purposes of the Green Belt as set out in para 80 of the NPPF nor given the existing use of the site would it result in any greater impact upon the Green Belt. Furthermore Policy PSP 7 of the PSP clearly is supportive of sport and recreation in the Green Belt (albeit in relation to changes of use).

In considering the container used for storage this small structure is considered to fall within the definition of an appropriate supporting facility for outdoor sport and recreation and as such is considered appropriate and the dugouts and fencing are also considered to fall within the same category.

Lastly the floodlights, again do not fall neatly into a category, they are not a building as such. It is considered that it would be unreasonable to consider these inappropriate given that “facilities for outdoor sport” are appropriate.

Furthermore in terms of impact upon openness the eight existing columns are to be replaced by six more efficient lighting columns and thus the impact on the openness of the Green Belt (in terms of physical presence), is considered less.

Overall it is considered that the proposal is appropriate in Green Belt term, will not be in conflict with the purposes of the Green Belt and will not affect its openness.

- 5.4 In considering the principle of development it should be noted that the importance of sports and recreational facilities are supported through Policies CS24 and CS25 of the Core Strategy.

PSP44 of the Policies, Sites and Place Plan supports development proposals of the development, expansion or improvement of outdoor sports and recreation outside the urban areas and the boundaries of settlements subject to a number of criteria as follows:

- *The proposals for facilities that are likely to be major travel generators are located on sites which are highly accessible by public transport, on foot and by bicycle*

The proposal will not result in any significant increase in traffic generation over and above the existing situation. Effectively the proposal will not involve more people using the site/facility at any one time but the facility having the potential to be used more often with less “downtime” due to waterlogging etc. Notwithstanding this the site is located close to public transport and can be accessed on foot or bicycle.

- *The proposal would not in itself, or when considered with other recent or proposed sports and recreation developments in the immediate locality, have an unacceptable effect on the historic environment, character and diversity of the landscape*

It is not considered that the proposal would have any such impact that would exceed the current impact.

- *The proposal would not give rise to unacceptable levels of on-street parking to the detriment of the surrounding area and highway safety*

It is not considered that the proposed development, which involves upgrading an existing facility, will result in any significant additional highway impact.

- *Any external lighting or advertisements would not result in the unacceptable loss of amenity, nor constitute a road safety hazard*

The proposed lighting will involve a reduction in the number of lighting columns currently in place nevertheless the lighting scheme has been viewed by officers and further information has been requested to ensure

that there will be no adverse impact upon the surrounding highway network.

In terms of residential amenity, there are two residential properties situated to the east of the site on the opposite of the access road. As such lighting has the potential to have an impact upon these properties and therefore for the same reason it is essential that the operation of the lights and their specification avoid light spillage. This has been considered in the assessment made by the lighting engineer as per the impact upon the highway. The lighting is considered acceptable in these terms. It has also been a consideration that the lighting should be appropriate in ecological terms as light spillage can impact upon bat activity in the area something identified in the submitted ecological report (see ecology below).

The proposal will involve the loss of a natural grass pitch however Sport England raises no objection to the proposal as it is considered to meet their exception E5 as the proposed development is for an outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport. Sport England have noted that the use of artificial pitches are supported by the Rugby football Union largely on the basis that it allows all year round use.

It is considered that the lighting is acceptable in the above terms and a condition will be attached to ensure that it is installed in accordance with the approved details.

The principle of development is therefore considered acceptable subject to consideration of the following material planning considerations.

#### 5.5 Transportation

It is not considered that the proposed development which involves a replacement pitch would result in any increased demand at any one time (albeit the pitch maybe in use more often). All existing parking and access arrangement will remain. A condition will be attached to the decision notice to ensure that the construction management plan submitted with the planning application is followed during the construction phase.

It is therefore considered that the proposal is acceptable in transportation terms.

#### 5.6 Design and Landscape Issues

Having considered the proposal in the context of the site and the wider area it is considered that the scheme is acceptable in landscape terms.

The storage container does not meet the highest standards of design albeit it will be colourfully decorated in the logo of the English Rugby brand. Given its size and location it would not be prominent within the context of the wider area and is considered acceptable in these terms.

#### 5.7 Impact on Residential Amenity

The application site is set within a complex of sporting facilities with agricultural land to the west. There are however two residential properties to the south-east of the site on the opposite side of the access road.

The use of the land as a sports pitch is already established, as such its continuing use is not considered to have any greater impact than the existing situation. As set out elsewhere in this report a full assessment of the impact from the floodlighting has been made and subject to a condition to ensure that they are completed fully in accordance with the accepted details they are deemed acceptable.

#### 5.8 Ecology

Policy CS9 of the Core Strategy indicates that new development will be expected to conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity. Policy PSP19 of the PSP goes further and specifically states that where appropriate (proportionate to the size of the proposal) that ecological gain will be secured.

A Preliminary Ecological Appraisal and a Preliminary Bat Roost Assessment by Middlemarch Environmental (December, 2017) was submitted in support of this application. The site is not a statutory or non-statutory site for nature conservation. It is not considered that any protected species will be affected by the proposals. A condition will be attached to the decision notice to ensure that all works proceed in accordance with the recommendations in the submitted report this will include the retention and protection of the hedgerows and trees, bat sensitive lighting scheme, erection of bird and bat boxes and to ensure that reptiles, hedgehogs and badgers are not harmed during works. In addition a condition will require specific details of the location, number of bird nesting and bat boxes.

In summary there is no ecological objection to this application subject to the above conditions.

#### 5.9 Drainage

Policy CS9 of the Core Strategy seeks to locate development away from areas of flood risk and to *reduce and manage the impact of flood risk through location, layout, design, choice of materials and the use of Sustainable Drainage Systems (Suds)*.

The application site is in Flood Zone 1 and is not in itself prone to flooding, however as noted in the comments received from the neighbouring land user, the site at present does result in run-off. Of relevance here is PSP20 of the Policies, Sites and Places Plan in more detail indicates that where possible a proposal should reduce surface water discharge by a site wherever practicable and feasible provide a 30% betterment to the existing situation and incorporate Suds to reduce surface water such that any such problems are addressed.

A ground appraisal report covering drainage strategy/flood risk been submitted and considered by officers with additional information requested and received relating to the point of discharge of surface water. Officers are satisfied that the strategy is compliant with the above policy requirements, however for the avoidance of doubt it is considered appropriate to attach a condition to require the submission of the details of the Suds scheme.

The applicant expressed concern over the imposition of a pre-commencement condition and negotiations have subsequently taken place to attach a condition allowing some works to take place however prior to the start of the substantive part of the development the submission of the Suds scheme for approval would be required. The Lead Local Flood Authority is satisfied with the wording of the condition and this satisfies the requirement placed upon LPA's to work proactively with the developer. Subject to this condition it is considered that the proposed development is acceptable in drainage terms.

#### 5.10 Environmental Impact – Lighting

Policy CS9 of the Core Strategy seeks to ensure that land, air, and aqueous environments, buildings and people are protected from pollution. Pollution includes an increase in levels of artificial light. It is noted that the proposed development includes floodlighting and although this will replace existing flood lighting columns nevertheless the lighting must comply with the appropriate standards having regard to the nature/character of the area.

For lighting purposes areas are put into specific categories (dark skies, rural, suburban and urban) and the lighting levels are determined accordingly. There has been a debate between officers and the applicant over the appropriate category for the site. While the area has many of the characteristics of a suburban area (with the motorway lighting nearby), it also looks out to rural areas to the west. A lighting scheme has been submitted with additional calculations which have been revised and it is considered that subject to a condition to ensure that the development is completed in accordance with these details the proposed development is considered to be acceptable in these terms.

## 5.11 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.

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

## 7. RECOMMENDATION

- 7.1 That planning permission be GRANTED subject to the conditions listed below.

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

## CONDITIONS

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

Reason

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



2. The development should proceed in accordance with the recommendations made in the Preliminary Ecological Appraisal and a Preliminary Bat Roost Assessment by Middlemarch Environmental (December, 2017). This includes the retention and protection of the hedgerow and trees, bat sensitive lighting scheme, erection of bird and bat boxes, ensuring reptiles, hedgehogs and badgers are not harmed during works and planting of native species within the landscaping.

Reason

To conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017.

3. Prior to the first use of the development full details of the location, number and types of bird and bat boxes as recommended in the Preliminary Ecological Appraisal and a Preliminary Bat Roost Assessment by Middlemarch Environmental (December, 2017) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017.

4. This decision relates only to the plans identified below:

Received 12th January 2018

Design and Access Statement;

Site Location Plan - Ref: MCA MUK 1826-08 Rev A;

Existing Location Plan with Google Earth - Ref: MCA MUK 1826-01 Rev A;

Existing Location Plan - Ref: MCA MUK 1826-02 Rev B;

Existing Site Plan - Ref: MCA MUK 1826-04 Rev B;

Proposed Site Plan - Ref: MCA MUK 1826-05 Rev B;

Proposed Location Plan - Ref: MCA MUK 1826-06 Rev A;

Existing Site Plan - Ref: MCA MUK 1826-07;

Construction Detail - Ref: MCA MUK 1826-09;

Proposed Elevations - Ref: MCA MUK 1826-10;

Proposed Storage Container - Ref: MCA MUK 1826-11;

Construction Traffic Management Plan (including separate plan);

Floodlighting Information (Brochure);

Floodlight Column Drawing - Ref: 000348 E01;

Floodlight Spillage - Ref: HLS03228;

Proposed Materials and Appearance (images);

Draft Usage Plan;

Crowd Barrier Plan;

Reason

For the avoidance of doubt

5. The development shall be carried out in accordance with the Construction Management Plan (McArdle Sport Tec) received 12th January 2018.

Reason

In the interests of the amenity of the area and Highway Safety and to accord with Policy CS8 and CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

6. Prior to the installation of the drainage system and pitch playing surface, detailed proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

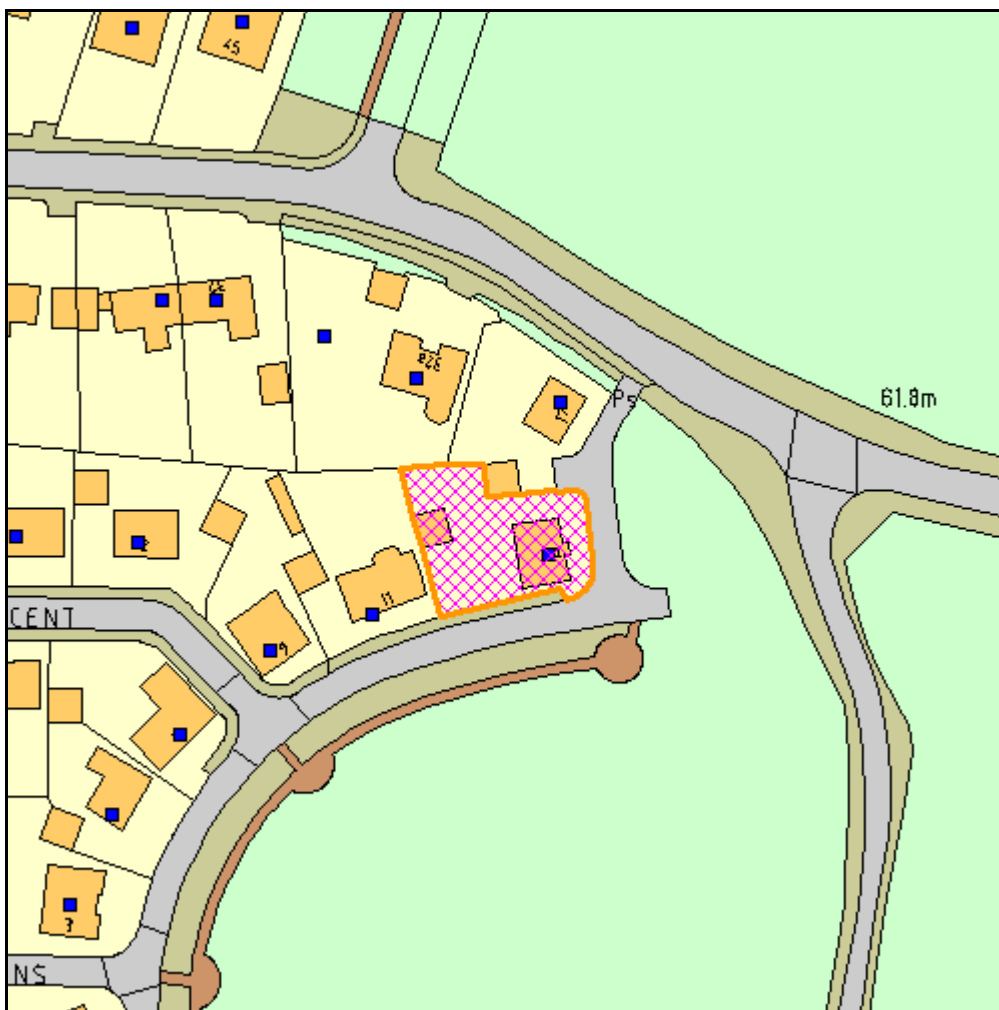
7. The proposed floodlighting shall be installed in accordance with the lighting details (Siteco) and drg. no. HLS03228 - Proposed Floodlighting received 12th January and Lighting Calculations (Jan Skrzypkowski 01-02-2018) received 2nd March 2018.

Reason

In order to protect the amenity of the area from light pollution and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT18/0208/CLP	<b>Applicant:</b>	Mr And Mrs Blackford
<b>Site:</b>	15 Magnolia Gardens Almondsbury Bristol South Gloucestershire BS32 4FT	<b>Date Reg:</b>	2nd February 2018
<b>Proposal:</b>	Certificate of lawfulness for the proposed erection of a single storey side extension to form additional living accommodation.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	362202 184421	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Certificate of Lawfulness	<b>Target Date:</b>	29th March 2018



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

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

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey side extension at 15 Magnolia Gardens, Almondsbury would be permitted development.
- 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 Act 1990 (As Amended) 1990 section 192 Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) Schedule 2, Part 1, Class A

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

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

- 3.1 No relevant planning history

### **4. CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council  
No comments received.

- 4.2 Councillor  
No comments received.

#### **Other Representations**

- 4.3 Local Residents  
No comments received.

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

- 5.1 Received by the Council on 15<sup>th</sup> January 2018:  
  
The Location Plan

## 6. ANALYSIS OF PROPOSAL

### 6.1 Principle of Development

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

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

6.3 The proposed development consists of a single storey extension to the side of a detached house. This development would fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the enlargement, improvement or other alteration of a dwellinghouse. This allows single storey side extensions subject to the following;

### 6.4 Single-storey side extension

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

- (a) **Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, 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) **As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

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

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

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

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

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

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which—**
- (i) forms the principal elevation of the original dwellinghouse;**
  - or**
  - (ii) fronts a highway and forms a side elevation of the original dwellinghouse;**

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

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

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

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

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

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**

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

The side extension would be single storey.

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

The height of the eaves does not exceed 3 metres. The development therefore meets this criteria.

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

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

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

The development would not include any of the above.

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

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

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

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

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

The materials used in the exterior work will match the existing.

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

Not applicable.

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

Not applicable.

**7. RECOMMENDATION**

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

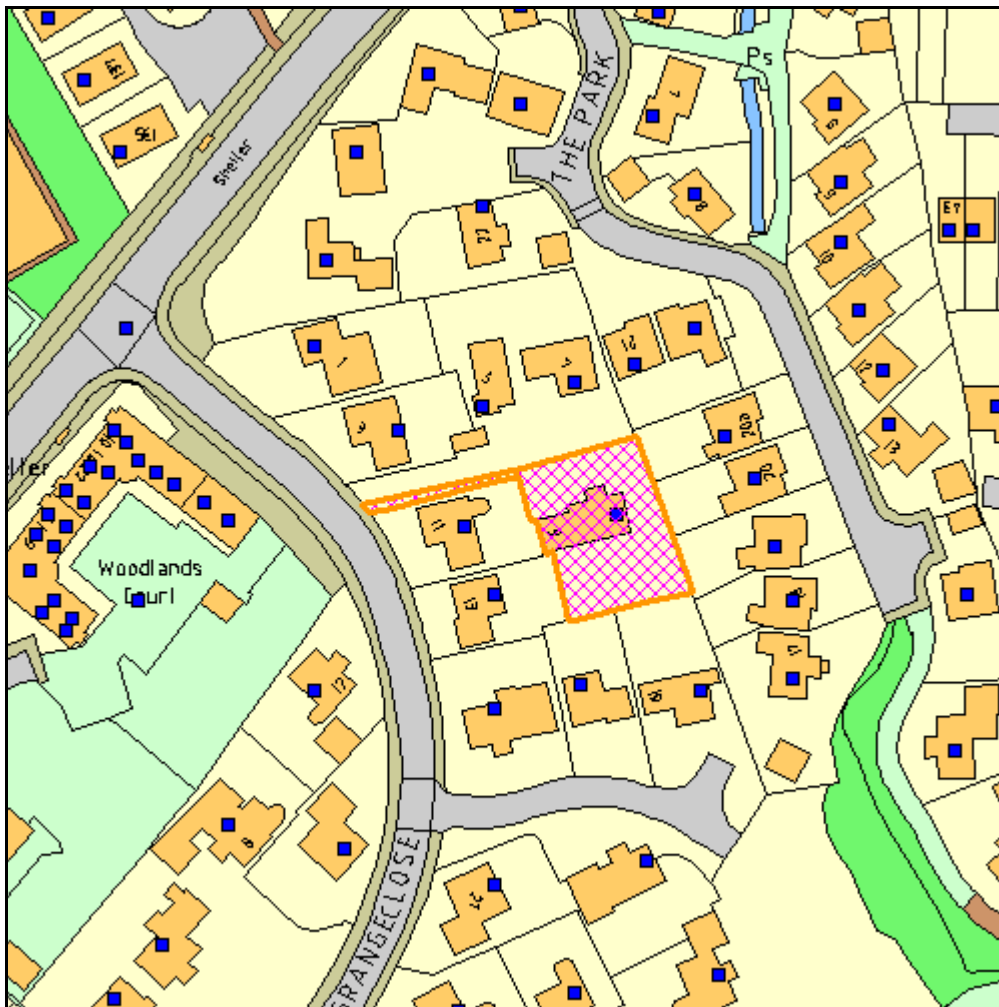
Evidence has been provided to demonstrate that on the balance of probabilities the proposed erection of a single storey side extension would fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order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

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



**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT18/0240/CLP	<b>Applicant:</b>	Mr Roger Cowley
<b>Site:</b>	9 Grange Close Bradley Stoke Bristol South Gloucestershire BS32 0AH	<b>Date Reg:</b>	20th February 2018
<b>Proposal:</b>	Application for a certificate of lawfulness for the proposed erection of an outbuilding.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	361148 182981	<b>Ward:</b>	Bradley Stoke North
<b>Application Category:</b>	Certificate of Lawfulness	<b>Target Date:</b>	16th 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 erection of an outbuilding would be lawful under the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 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 Act 1990 (as amended) 1990 section 192 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) Schedule 2, Part 1, Class E.

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

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

- 3.1 P92/1868  
Approval (15.07.1992)  
Erection of first floor side extension to form bedroom

### **4. CONSULTATION RESPONSES**

#### **4.1 Bradley Stoke Town Council**

"Bradley Stoke Town Council objects to this application as its out of keeping with the area."

#### **Other Representations**

#### **4.2 Local Residents**

None received.

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

- 5.1 Site Location Plan  
Received by the Council on 24<sup>th</sup> January 2018

Block Plan  
Received by the Council on 20<sup>th</sup> February 2018

Proposed Plan and Elevations  
Received by the Council on 20<sup>th</sup> February 2018

## 6. **ANALYSIS OF PROPOSAL**

### 6.1 Principle of Development

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

- 6.2 The issue is to determine whether the erection of an outbuilding falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class E of the GPDO 2015; which permits buildings etc. incidental to the enjoyment of a dwellinghouse, providing it meets the following criteria:

Class E – Buildings etc incidental to the enjoyment of a dwellinghouse

#### **Permitted development**

##### **E. The provision within the curtilage of –**

- (a) Any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or**
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.**

#### **Development not permitted**

##### **E.1 Development is not permitted by Class E 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 dwelling has not been granted by virtue of Class M, N, P, PA or Q of Part 3 of the GPDO.

- (b) the total area of the ground covered by buildings, enclosures and containers within the curtilage (other than the original**

**dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original (dwellinghouse);**

The total area covered by buildings will not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse) following the construction of the proposed outbuilding.

**(c) any part of the building, enclosure, pool, or container would be situated on land forward of a wall forming a principal elevation of the original dwellinghouse;**

No part of the proposed outbuilding will be on land forward of a wall forming the principal elevation of the original dwellinghouse.

**(d) the building would have more than a single storey;**

The proposed outbuilding would be single storey.

**(e) the height of the building or enclosure would exceed –**  
**(i) 4 metres in the case of a building with a dual pitched roof,**  
**(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or**  
**(iii) 3 metres in any other case;**

The proposed outbuilding would have a flat roof; be within 2 metres of the boundary of the curtilage of the dwellinghouse; and would not exceed 2.5 metres in height. The proposal therefore meets these criteria.

**(f) the height of the eaves of the building would exceed 2.5 metres;**

The eaves would be 2 metres.

**(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;**

The host dwelling is not a listed building.

**(h) it would include the construction or provision of a verandah, balcony or raised platform;**

The proposal would not include a verandah, balcony or raised platform.

**(i) it relates to a dwelling or a microwave antenna; or**

The proposal would not include a microwave antenna.

**(j) the capacity of the container would exceed 3,500 litres.**

The proposed outbuilding is not a container.

## 7. **RECOMMENDATION**

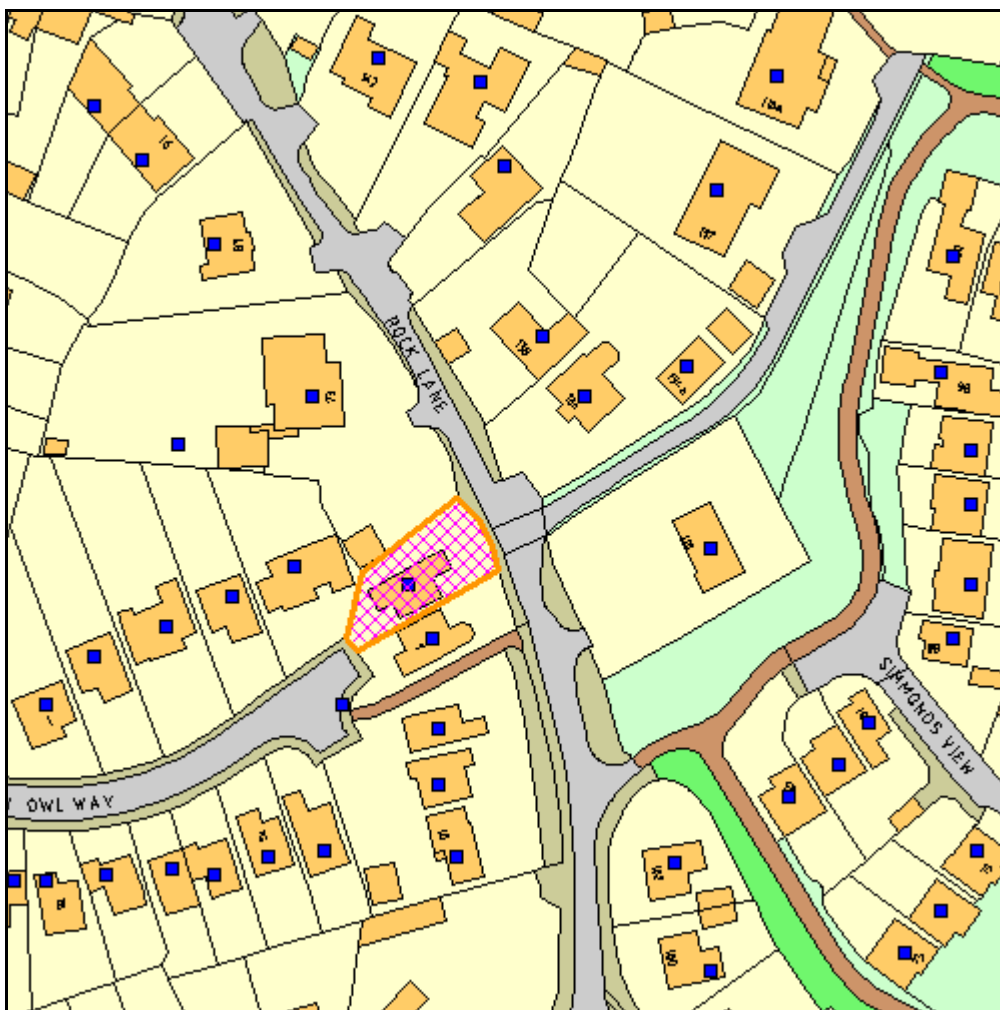
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the following reason:

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

**Contact Officer: David Ditchett**  
**Tel. No. 01454 863131**

**CIRCULATED SCHEDULE NO. 11/18 – 16 MARCH 2018**

<b>App No.:</b>	PT18/0475/F	<b>Applicant:</b>	Mr And Mrs Marshall
<b>Site:</b>	6 Barn Owl Way Stoke Gifford Bristol South Gloucestershire BS34 8RZ	<b>Date Reg:</b>	31st January 2018
<b>Proposal:</b>	Erection of two storey side extension. Demolition of existing conservatory and erection of single storey rear extension to provide additional living accommodation.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362748 180051	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Householder	<b>Target Date:</b>	27th March 2018



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

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

### **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of a two storey side extension, demolition of an existing conservatory and erection of a single storey rear extension to provide additional living accommodation at 6 Barn Owl Way, Stoke Gifford.
- 1.2 The application site consists of a two storey detached property located within a cul-de-sac in the built up residential area of Stoke Gifford.

### **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 PT00/2015/F  
Erection of rear conservatory.  
Approved: 14<sup>th</sup> September 2000
- 3.2 P84/0005/1  
Residential development (22 dwellings).  
Approved: 16<sup>th</sup> April 1984

## 4. **CONSULTATION RESPONSES**

### 4.1 Stoke Gifford Parish Council

Objection- Further detail is required regarding future parking arrangements. The last planning application for a conservatory in 2000 highlighted only the garage for parking provision.

### 4.2 Sustainable Transport

A revised plan needs to be submitted showing that two parking spaces can be provided within the site boundary. Subject to the above, there would be no transportation objection raised.

*Comments after revised plan was submitted:*

A revised plan has now been submitted which shows that the required level of vehicular parking can be provided within the site boundary. On that basis, there is no transportation objection.

## **Other Representations**

### 4.3 Local Residents

No comments received.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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

### 5.2 Design and Visual Amenity

The proposed development consists of a two storey side extension and a single storey rear extension. The single storey rear extension would replace an existing conservatory.

### 5.3 *Two storey side extension*

The proposed side extension would sit on the north elevation and would be built to meet the rear building line of the existing dwelling. The proposal would identify as subservient, it would consist of a dual pitched roof to match the existing dwelling with a ridge height approximately 0.2 metres lower than that of the host dwelling; at the front it would be stepped back from the principal elevation of the host dwelling by approximately 0.4 metres and would have a width of approximately 2.7 metres; it would also include a second 'stepped back' section which would be set back a further 3.4 metres at a width of approximately 3.4 metres. The visual impact of this element of the design on



- the streetscene would be mitigated by the proposal being somewhat screened from the public realm due to its siting within the cul-de-sac. The front of the extension includes a single storey porch area with a lean to roof extending approximately 1 metre from the principal elevation of the two storey extension; this includes the relocation of the front door to the principal elevation. All materials proposed for the external finish would match the existing dwelling.
- 5.4 *Single storey rear extension*  
The proposed single storey rear extension would extension to the rear by approximately 3.2 metres and have a width of approximately 7 metres and would part replace an existing conservatory. It would consist of a gable end roof with 2no roof lights and bi-fold doors on the rear elevation. All the materials proposed for the external finish would match the existing dwelling.
- 5.5 Overall, it is considered that the proposed development would not be detrimental to the host dwelling or surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.
- 5.6 Residential Amenity  
Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.7 The host dwelling is sited in the far corner of a cul-de-sac, set back from the highway; the proposal would be adjacent to no.5, Barn Owl Way which is set at a right angle to the application site and would be the main property to consider when assessing the impacts on residential amenity. The neighbouring property benefits from a two storey side extension which does not contain any side elevation windows. The proposed two storey extension would also include no side elevation windows and it is therefore considered there would be no material overlooking or overbearing impact, nor would it appear to significantly impact existing levels of light afforded to the neighbouring occupier.
- 5.8 Considering the siting and single storey nature of the rear extension it would not appear to have a material overbearing or overlooking impact, nor is it considered to materially impact existing levels of light afforded to neighbouring occupiers. Furthermore, it is considered that sufficient private amenity space would remain for the occupiers of the host dwelling should the proposed development be constructed.
- 5.9 Overall, the proposal is not considered to have a detrimental impact on the residential amenity of surrounding properties or the host dwelling and is therefore deemed to comply with policy PSP38 of the PSP Plan.
- 5.10 Sustainable Transport and Parking Provision  
A concern over parking provision was raised by the Parish Council. The application is proposing an increase in bedroom numbers from four to five; South Gloucestershire Residential Parking Standards state a five bedroom property provides a minimum of three off-street parking spaces.

A revised Block Plan was submitted to indicate two off-street parking spaces would be provided at the front of the property, combined with the existing single garage the proposal would comply with the Council's Residential Parking Standards. As such, no objection is raised in terms of transportation. A condition will be included on the decision notice to ensure the required parking provision is put in place in accordance with the submitted plans.

#### 5.11 Equalities

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

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

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

## CONDITIONS

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

Reason

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