



**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. 25/18

Date to Members: 22/06/2018

Member's Deadline: 28/06/2018 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

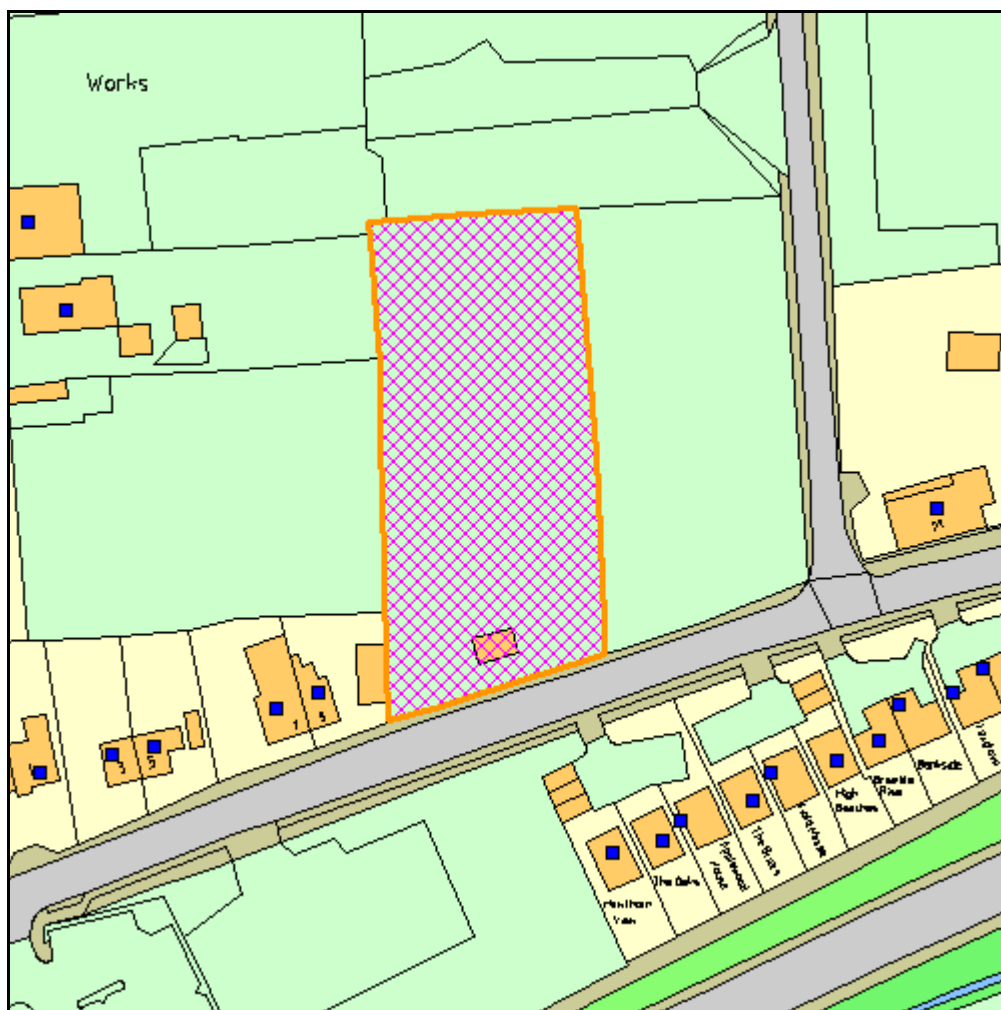
CIRCULATED SCHEDULE - 22 June 2018

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK17/5684/O	Approve with Conditions	Land On North Side Of Broad Lane Yate South Gloucestershire BS37 7LD	Ladden Brook	Iron Acton Parish Council
2	PK17/5966/RM	Approve with Conditions	Land South Of Poplar Lane Wickwar Wotton-Under-Edge	Ladden Brook	Wickwar Parish Council
3	PK18/0527/RM	Approve with Conditions	Parcels PI23b, PI23d & PI23e North Yate New Neighbourhood South Gloucestershire Yate	Yate North	Yate Town
4	PK18/0810/RVC	Approve with Conditions	1 Crossleaze Road Hanham South Gloucestershire	Hanham	Hanham Abbots Parish Council
5	PK18/1240/F	Approve with Conditions	Tumbleweed Golden Valley Lane Bitton South Gloucestershire BS30 6LG	Bitton	Bitton Parish Council
6	PK18/1319/F	Approve with Conditions	11 Westland Avenue Oldland Common South Gloucestershire BS30 9SH	Oldland	Bitton Parish Council
7	PK18/1489/F	Approve with Conditions	23 Stanshawes Drive Yate South Gloucestershire BS37 4ET	Yate Central	Yate Town
8	PK18/1608/F	Approve with Conditions	Wayside Cottage Emersons Green Lane Emersons Green South Gloucestershire	Emersons	Emersons Green Town Council
9	PK18/1798/F	Approve with Conditions	12 North Walk Yate South Gloucestershire BS37 4AP	Yate Central	Yate Town
10	PK18/1837/F	Approve with Conditions	Plot 1 And 2 The Greenways Chipping Sodbury South Gloucestershire BS37 6DW	Chipping	Sodbury Town Council
11	PK18/1863/F	Approve with Conditions	8 Gages Close Kingswood South Gloucestershire BS15 9UH	Woodstock	None
12	PK18/1907/CLP	Approve with Conditions	25 Goldney Avenue Warmley South Gloucestershire	Siston	Siston Parish Council
13	PK18/1973/F	Approve with Conditions	28 The Meads Downend South Gloucestershire BS16 6RQ	Emersons	Emersons Green Town Council
14	PK18/2033/F	Approve with Conditions	2 Gloucester Road Staple Hill South Gloucestershire	Staple Hill	None
15	PK18/2052/F	Approve with Conditions	The Stables Mounds Court Farm Siston Hill Siston South Gloucestershire BS30 5LU	Siston	Siston Parish Council
16	PK18/2105/F	Approve with Conditions	32 Elmtree Avenue Mangotsfield South Gloucestershire BS16 9BW	Rodway	Emersons Green Town Council
17	PK18/2155/F	Approve with Conditions	32 Brompton Close Kingswood South Gloucestershire BS15 9UX	Woodstock	None
18	PK18/2234/CLP	Approve with Conditions	78 Lower Hanham Road Hanham South Gloucestershire BS15 8QZ	Hanham	Hanham Parish Council
19	PT18/1377/F	Approve with Conditions	Pavilion St Michaels C Of E Vc Primary School Linden Close Winterbourne South Gloucestershire BS36 1LG	Winterbourne	Winterbourne Parish Council
20	PT18/1509/CLP	Approve with Conditions	Olveston Football Club Olveston Road Tockington South Gloucestershire BS32 4PF	Severn	Olveston Parish Council

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
21	PT18/1599/F	Approve with Conditions	Lea View New Passage Road Pilning South Gloucestershire BS35 4LZ	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
22	PT18/2028/F	Approve with Conditions	Holly Cottage 4 Strode Common Alveston South Gloucestershire BS35 3PJ	Thornbury South And	Alveston Parish Council
23	PT18/2074/F	Approve with Conditions	19 Grange Close Bradley Stoke South Gloucestershire BS32 0AH	Bradley Stoke North	Bradley Stoke Town Council
24	PT18/2157/CLP	Refusal	12 Downfield Drive Frampton Cotterell South Gloucestershire BS36 2EQ	Frampton Cotterell	Frampton Cotterell Parish
25	PT18/2161/PDR	Approve with Conditions	24 Wheatfield Drive Bradley Stoke South Gloucestershire BS32 9DP	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
26	PT18/2187/CLP	Approve with Conditions	1 Chatsworth Park Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council
27	PT18/2197/CLP	Refusal	The Birch House 51B School Road Frampton Cotterell South Gloucestershire BS36 2BU	Frampton Cotterell	Frampton Cotterell Parish
28	PT18/2222/F	Approve with Conditions	7 Witney Mead Frampton Cotterell South Gloucestershire BS36 2DS	Frampton Cotterell	Frampton Cotterell Parish

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK17/5684/O	Applicant:	Mr Nick Tanner
Site:	Land On North Side Of Broad Lane Yate Bristol South Gloucestershire BS37 7LD	Date Reg:	18th December 2017
Proposal:	Erection of 7no dwellings (Outline) with access and scale to be determined. All other matters reserved.	Parish:	Iron Acton Parish Council
Map Ref:	369967 183554	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	9th February 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PK17/5684/O

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments of objection from local residents and the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks outline planning permission for the erection of 7no. dwellings with only access and scale to be determined (Outline). All other matters of landscape, siting and appearance to be considered as reserved matters.
- 1.2 The application site relates to land on the north side of Broad Lane, Yate. It is noted that the site is currently an open field and would be subdivided into two to accommodate this proposal. It occupies an area of around 0.276ha. The southern boundary of the whole field is adjacent to Broad Lane where an existing field gate is noted in the far west corner, the western boundary is adjacent to one residential dwelling and open fields, to the north is a scrap yard to the north and to the east beyond the rest of the field is Engine Common Lane. The site is within the settlement boundary of Yate. The whole of the area north of Broad Lane is covered by Tree Protection Order 0633 issued in 2009.
- 1.3 During the course of the application and following initial comments from transport, drainage, tree officers and the ecologist, additional information was submitted to address concerns.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance 2016
Technical Guidance to 'NPPF'

- 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 Generation
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
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS30	Yate and Chipping Sodbury
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP4	Designated Local Green Spaces
PSP8	Residential Amenity
PSP9	Health Impact Assessments
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
South Gloucestershire Design Checklist (Adopted) 2007)
South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
Affordable Housing SPD (Adopted) Sept.2008.
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 201

3. **RELEVANT PLANNING HISTORY**

History of the site

- 3.1 PK07/1631/F Erection of 14 no. dwellings with associated works.
Withdrawn 13.12.07

History of nearby development at 9 Broad Lane

- 3.2 PK17/5251/F Erection of 1 no. dwelling with new access and
associated works (Resubmission of PK17/0680/F)
Pending decision

- 3.3 PK17/0680/F Erection of 1no. detached dwelling with access and
associated works.

Refused 18.10.17

Reason 1:

The proposal is considered to represent a cramped form of development whereby due to the constraints of the site and its proximity to the host would result in unacceptable harm to the amenity of future occupants and immediate neighbours. This harm would take the form of overshadowing and insufficient amenity space. In addition the constraints of the site have affected the amount of parking that can be achieved on site to such an extent that there is conflict with the adopted standards and the potential to impact highway safety. Overall this scheme is contrary to Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, saved Policy H4 and T12 of the

South Gloucestershire Local Plan (Adopted) 2006, relevant supplementary planning guidance and the National Planning Policy Framework 2012.

Reason 2:

The proposed development has the potential to impact on trees covered by an area Tree Preservation Order. However, no information has been provided to enable a reasoned judgement to be made in respect of the effect of the proposed development on these important landscape features. Accordingly, the proposal does not accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, saved Policy L1 of the South Gloucestershire Local Plan (Adopted) 2006 and the National Planning Policy Framework 2012.

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

Objection:

The existing housing on Broad Lane follow a linear development on either side of that part of Broad Lane. The application envisages a road driven at right angles to Broad Lane and consequently is out of character with the existing housing arrangements. We also have concerns about seven houses utilising a road that must cross the walkway pavement on Broad Lane. This walkway is used by pedestrians particularly children going to and from North Road Community Primary School and Brimsham Green Secondary School. This road was designated as part of the route to school for those schools.

Internal Consultees

4.2 Drainage comments

Initial concerns – more information required.

The site is in an Area Susceptible to Groundwater Flooding. There is no public surface water sewer in the vicinity. In order to demonstrate that soakaways are suitable for this site the applicant will need to carry out on site percolation tests. This will then allow the applicant to calculate an infiltration rate which will determine whether disposal of Surface Water via infiltration is a suitable option.

Updated comments

Additional information in the form of a Feasibility Sketch Plan confirms there is sufficient space for soakaways on site. Proposed drainage for the road is still queried but this can be covered by a SUDS Condition.

4.3 Sustainable Transport

Visibility splays from the site unacceptable.

Concerns regarding width of pavement within the site and the turning area, but these can be considered under the reserved matters application.

Updated comments:

Revised plans indicate the required access splay can be achieved

4.4 Landscape Officer

No objection subject to a condition requiring the replacement of the hedge.

4.5 Tree Officer

The whole of the area to the north of Broad Lane is covered by a Tree Protection Order therefore surveys and constraints plans will be required with any reserved matters application. This to be conditioned.

4.6 Ecologist

Following the submission of an Ecological Impact Assessment prepared by Burrows Ecological (April 2018) there are no objections subject to conditions regarding an approved CEMP: Biodiversity plan; subject to external lighting details and subject to bird and bat boxes.

4.7 Environmental Protection

No objection subject to condition regarding potentially contaminated land

Other Representations

4.8 Local Residents

Seven letters of objection have been received from local residents. The points raised are summarised as:

Traffic:

- Broad Lane very busy with off road parking and traffic movements due to the Council yard and the ATF lane within the Council yard
- Does not show adequate visibility splay
- Lack of proper footpath
- Danger to horse riders, cyclists and pedestrians using the South West Walk Way

Wildlife:

- Deer use this field and houses would destroy yet another wildlife habitat

Trees:

- Application for a house near this plot was refused due to removal or damage to trees protected by a TPO

Design

- Filling the gap between 9 Broad Lane and Engine Common Lane would be better – the development parallel to Engine Common Lane would be out of character with the area

Flooding

- Area well known as being subject to surface water flooding

Other

- Noise pollution

5. **ANALYSIS OF PROPOSAL**

- 5.1 This is an outline planning application for the erection of 7no. dwellings with only access and scale to be determined and all other matters such as siting, landscape and appearance to be reserved matters. Accordingly the scope of this application is limited primarily to matters of the principle, scale and access. Whilst design matters are considered in a broad sense, this assessment cannot consider detailed design issues as these would be reserved for the later stage.
- 5.2 **Principle of Development**
The application site is situated within the established settlement boundary of Yate. It comprises half of an open field. In terms of the scheme the principle of development within a settlement boundary is supported by both local and national planning policy and therefore considered sustainable development.
- 5.3 The NPPF has a strong presumption in favour of sustainable development and declares planning authorities should approve development proposals without delay where they accord with the local development plan, unless material considerations indicate otherwise. New development in urban areas is encouraged in the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 along with the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 which together form the adopted local development plan. Policies CS5 and CS15 of the Core Strategy encourage new residential development into the urban area and Policy CS29 encourages the provision of new housing in the Yate (in line with Housing policy CS15 of the Core Strategy (adopted) December 2013).
- 5.4 However, all development is required to conform to design policies and not to have an adverse impact on the character of the area, landscaping, residential amenity, highway safety, wildlife, drainage and archaeology, or will be affected by land contamination.
- 5.5 **Five Year Housing Supply**
South Gloucestershire Council cannot demonstrate a five year housing land supply. This proposal would add seven dwellings to that shortfall. A modest amount of weight in favour of the scheme can be awarded for this reason.
- 5.6 **Affordable housing trigger**
The trigger for affordable housing contribution within an established settlement is 10 houses and above or 1000 square metres of internal space. This application is for 7no. (and under 600 square metres) and therefore falls below the threshold but it is firstly noted that the site is only half of an existing field and confirmation has been given by the applicant that the rest of the field is owned by his father. Planning history indicates that a scheme for 14no. houses on the entire field was submitted in 2007. At that time it was pointed out to the applicant, Mr Turner senior that the site was liable to affordable housing contribution. The scheme was withdrawn before the decision was issued. Given the above an informative will be attached to the decision notice stating that if an application for housing is made on the rest of the field, identified by the red edge on the Site Location Plan attached to application PK07/1631/F,

regardless of who owns the site at the time, it is likely that it will trigger an affordable housing contribution.

- 5.7 This outline application deals with access and scale only, with matters of landscape, siting and appearance to be considered under a subsequent reserved matters application.

5.8 Access

The proposed development will be accessed from the public highway known as Broad Lane via a new road which will run along the eastern boundary of the development as shown on plan no. 51979/1/100 Rev D. Broad Lane has been significantly improved following the development of residential properties to the south of Broad Lane. These improvements include increasing the visibility at the junction from Broad Lane onto North Road as well as a new pedestrian footway.

- 5.9 Initial consultee comments identified a potential safety issue regarding visibility splays from the site access point. It was noted that the line of vision for drivers exiting the site would be across third party land and this was considered unacceptable. To conform to Manual for Streets guidance the visibility splays of 2.4 metres x 43 metres need to be provided to the nearest carriageway edge in both directions with all obstructions (including boundary hedge) within the visibility area removed or set back behind the visibility line.

- 5.10 Following these comments a revised plan was received showing the appropriate visibility splay can be achieved and also providing a letter from the applicant stating that he has permission to use part of the hedge to achieve this access. It is also noted the Certificate B was served as part of this application. On this basis it is considered that an acceptable access from this field onto Broad Lane to provide a new entry and exit point for residential development could be achieved.

- 5.11 However, it is noted that there are other issues including the width of the footway and the turning area which do not comply with the Council's current standards. If the drive is to be adopted by the Council then the footway would need to be 2 metres in width and a road of 5 metres in width. If it is not to be adopted (although it must be built to adoptable standards), the drive could be a shared surface but this must be 6 metres wide. These matters could be dealt with under reserved matters but there is some concern that the proposed turning head on the illustrative plans would not be able to accommodate an 11.3 metre refuse truck. Using this illustrative plan it appears that the proposed parking for Plot 7 would also present a problem with regards to the turning head as these parking spaces would hinder the manoeuvring of a truck of this size.

- 5.12 It is acknowledged that this outline application is dealing only with access and scale and is not considering the matter of siting of the residential dwellings within the plot. Although it has been found that an acceptable access could be created onto Broad Lane it is worth pointing out that if the scheme was to be submitted with the layout as per the indicative drawings then it is likely to be unacceptable given the issues identified above.

5.13 Scale

The details submitted with the application indicate the proposed houses would be two-storey detached. They would be of a modern design and although layout/siting is not being considered here, the plans show the 7 houses would be essentially in a row, perpendicular to Broad Lane. The Design and Access Statement indicates the following composition:

- Four x three bed detached houses extending to around 56 square metres
- Two x four bed detached houses extending to around 87.5 square metres
- One x four bed detached house extending to around 87.5 square metres with a double garage extending to around 41.5 square metres.

The total proposed floor area amounts to around 528 square metres.

5.14 It is stated that the dwellings would have a maximum eaves height of around 5.2 metres and a maximum ridge height of around 8.5 metres. In terms of the character the area is mixed with a new development of modern two-storey houses directly opposite the site while those houses immediately next to the site to the west are older semi-detached stone fronted with brick quoin details. Details of design and appearance are not being discussed here but when the reserved matters are submitted it is expected that the houses would reflect their immediate surroundings in terms of style and appearance.

5.15 The scale of the proposed houses would therefore be acceptable and a condition will be attached to the decision notice to ensure these parameters are adhered to in the reserved matters application.

5.16 Again although the matter of siting/position of the houses within the site is not being considered here it is necessary to highlight that given the constraints identified in the respective transport section and tree section, there are concerns that the proposed configuration of 7no. dwellings of this size would be unlikely to be acceptable. In particular because of the protected Oak tree the position of the double garage for Plot 6 would require either specialist construction treatment and/or need to be brought forward. This could mean it would be in front of the main house, therefore requiring design changes and the parking for Plot 7 could impede on-site turning for larger vehicles.

5.17 Character of the area

It is noted that some comments received from local residents have criticised the layout of the site. It is acknowledged that Broad Lane has a predominantly linear pattern of development and this scheme would result in a line of houses at 90° to Broad Lane. This is not representative of the current pattern of housing but the existing hedges which should be retained as much as possible, will assist in the development being screened somewhat from the public highway. On balance there would not be a significant and demonstrable harm to the character of the area by this scheme. Furthermore, there is the possibility that the other half of the field could come forward for residential development. If this was the case it would be important that the access proposed here be used for both developments, thereby creating a small grouping of houses.

5.18 Trees, Landscape and Ecology

5.19 *Trees:* The application site is an open field with hedges around the periphery, used for agriculture and equestrian purposes. The whole of the site is covered under tree protection order SGTP0 0633. This was not acknowledged in the planning application and a Tree Survey was requested and received by the LPA.

5.20 The most significant tree on site is an Oak, identified as T4 in the submitted Tree Survey. This tree appears to be in close proximity to the proposed garage of Plot 6. If the garage is within the Root Protection Area (RPA) of T4 it will be necessary to design accordingly. For example, to use a pile and beam foundation design to avoid damaging the tree's root system or to site the garage outside the RPA. This matter will need to be fully addressed within a detailed Arboricultural Method Statement and Tree Protection Plan that should be submitted as a condition of this approval.

5.21 *Landscape:* The scheme would require the removal of a large section of mature hedge to the southern boundary adjacent with Broad Lane. This is a robust, native hedge which helps retain a leafy street scene and its removal will be detrimental to the landscape character of Broad Lane. In any future submission of reserved matters the replacement of this hedge line, where it would not impact on the visibility splays would be required as a condition of this permission.

5.22 *Ecology:* During the course of the application an ecological impact assessment was conducted and the report concluded that the hedgerow to the west and south of the site is the only habitat to qualify as a Local Priority Habitat and it therefore considered to be of local importance. Development that would directly or indirectly have an adverse impact on nationally or internationally protected species of flora or fauna will not be permitted unless any damaging effects are capable of being avoided, overcome or offset by mitigation measures. It recommended that during the construction phase, a 2 metre buffer should be erected around the hedges using robust fencing and that any hedge removed to create visibility splays, should be replaced with an equal length of hedge. This will be covered by a CEMP: biodiversity condition. Furthermore, given the presence of trees, scrub and hedges bat and bird boxes are required as part of the mitigation and will be secured by condition.

5.23 Residential Amenity

Development should not be permitted which has a prejudicial impact on residential amenity – this must consider existing neighbours and the living conditions of future occupiers of the proposed development. The indicative plan shows the 7 houses set out in a row, at right angles to Broad Lane. The plan shows that Plot 1 would have rear elevations facing the side of one of a pair of semi-detached cottages, No. 9 Broad Lane and that a distance of around 22 metres would separate the two sites. It is noted that an application has been received for the erection of a new dwelling within the side garden of No.9, but this has not yet been determined.

- 5.24 Adopted policy PSP43 stipulates the minimum amount of amenity space for new dwellings. The number of bedrooms in the dwellings varies between three and four. A three bed dwelling is required to have 60 square metres of private amenity space and a four bed dwelling is required to have 70 square metres.
- 5.25 The indicative site layout plan shows that this level of amenity space can be achieved for all 7 of the proposed houses. However, it is important to emphasise that any scheme submitted under reserved matters will be carefully considered to ensure that it is policy compliant in terms of amenity space, protects the identified trees, the local priority habitat (hedges) and also addresses transport issues.
- 5.26 Comments from a local resident have expressed concern that the development would result in an increase in noise. This outline proposal is for the erection of 7no. domestic residences and given the existing character of the area, it is considered that this proposal would not result in an unacceptable increase in the level of noise or disturbance to residents and on this basis is acceptable.
- 5.27 Drainage
Comments from local residents are noted and additional information was requested during the course of the application. The details received confirmed that there is sufficient room for soakaways on site. The application form states that surface water runoff generated by this development will be discharged via infiltration. In order to demonstrate that soakaways are suitable for this site the applicant will need to carry out on-site percolation tests. This will then allow the applicant to calculate an infiltration rate which will determine whether disposal of Surface Water via infiltration is a suitable option. The method for carrying out a percolation test can be found in paragraphs 1.34 -1.37 (pg32) of Building Regs H – Drainage and Waste Disposal. Surface water runoff will need to be managed within the confines of the site up to and including the 100 year plus 40% allowance for climate change event and this can be conditioned under an appropriately worded SUDs condition.
- 5.28 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.
- 5.29 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.
- 5.30 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

5.31 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:

Wildlife

It is acknowledged that this is currently an open field and that certain forms of wildlife may use the site. It is however, located within the settlement boundary of Yate where development is encouraged by both national guidance and local planning policy. The ecological survey undertaken as part of this report has identified protection is required for the boundary hedge and additional mitigation and support for birds and bats in the form of special boxes. These matters can be dealt with by condition.

5.32 Adjacent planning application

It has been commented that an application for the erection of a new house adjacent to this site was refused on the basis of it impacting on protected trees. The Tree Officer is satisfied that sufficient measures can be taken to protect the trees and on this basis there is no objection to this current application.

5.33 Planning Balance

The proposal is for seven new homes to be located within the established settlement boundary of Yate. The provision will assist the current housing land supply shortage and as such attracts weight in favour of the scheme. Matters of access and scale only have been assessed in this application. It is considered that the scale of the proposed houses would be appropriate given the character of the area and an acceptable form of access can be achieved on site to allow this field to be used for residential development. Working within the limitations of this type of outline application the scheme is acceptable in principle, but given the identified matters regarding ecology, trees and transport any reserved matters scheme would require much thought and consideration to achieve an acceptable development.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that the application be **APPROVED** subject to the conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

1. Submit Reserved Matters:

Approval of the details of the layout, landscaping and appearance of the building(s) of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

2. Reserved Matters details in writing:

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

Reason

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

3. Reserved Matters expiry timeframe:

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

Reason

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

4. Development time period

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

Reason

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

5. Scale:

The scale in terms of the height parameters of the proposed new dwellings shall be in accordance with the details submitted in the Design and Access Statement as received by the Council on 10.1.18.

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. Drainage:

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.

A detailed development layout showing the location of surface water proposals is required along with results of percolation tests and infiltration calculations to demonstrate that the proposal is suitable for this site.

Note: No public surface water sewer is available.

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action in future and to comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012.

7. Construction Environmental Management Plan: biodiversity

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall be written in accordance with BS42020:2013, and shall include details on mitigation for great crested newt and methods for hedgerow protection, removal and replacement and details of the buffer fencing. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action in future and in the interests of the amenity of the landscape and biodiversity and the general character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies, Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

8. External lighting scheme:

Prior to occupation, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- o Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- o Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

In the interests of the amenity of the landscape and biodiversity and the general character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies, Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

9. Bat and bird boxes:

The development hereby permitted shall not be occupied until a bird box and bat box as recommended in the Ecological Impact Assessment (Burrows Ecological, April 2018) has been installed on each new dwelling with their location to be agreed with the local planning authority.

Reason

In the interests of the amenity of the landscape and biodiversity and the general character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies, Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

10. Contamination:

- A) Desk Study - Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably competent person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.
- B) Intrusive Investigation - Where potential contaminants are identified under (A), prior to the commencement of development (excepting 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 prior to commencement of the development for the written

approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks (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 occupation, 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.

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

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

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action in future and to ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

11. Arboricultural method statement and tree protection plan:

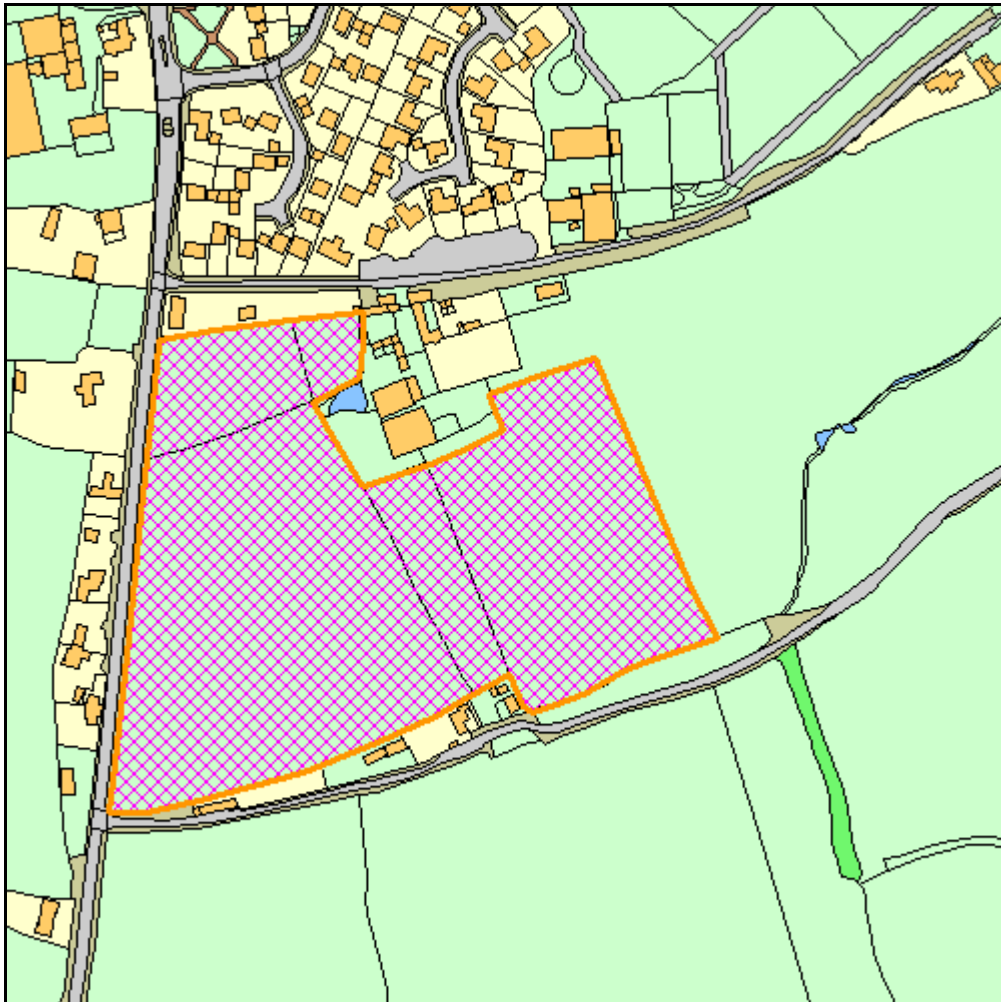
The landscaping details to be submitted as part of the reserved matters in condition 1 shall include a detailed Arboricultural Method Statement and a Tree Protection Plan shall be submitted to the Council for approval in writing. Development shall proceed in accordance with these approved details.

Reason

In the interests of the long term health of the trees and to protect the character and appearance of the area to accord with Policies CS1, CS 2 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP2 and PSP3 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK17/5966/RM	Applicant:	Bellway Homes Ltd (South West)
Site:	Land South Of Poplar Lane Wickwar Wotton-Under-Edge GL12 8NS	Date Reg:	11th January 2018
Proposal:	Erection of 80 dwellings with associated landscaping, including wetlands, drainage, pedestrian and vehicle links, open space including play areas, allotments and other associated infrastructure. (Reserved matters to be read in conjunction with PK16/4006/O).	Parish:	Wickwar Parish Council
Map Ref:	372722 187815	Ward:	Ladden Brook
Application Category:	Major	Target Date:	29th March 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PK17/5966/RM

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with the Council Scheme of Delegation because objections have been received that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the erection of up to 80 dwellings with associated landscaping, drainage, pedestrian and vehicle links, open space, play areas, allotments and other works. The application is for the Reserved Matters associated with outline planning permission PK16/4006/O granted in May 2017. The Reserved Matters for which consent is sought are for landscaping, layout, scale and appearance (the acceptability of the principle of development and the means of access having been determined through the outline consent).
- 1.2 The development will comprise 52 units of market housing (10 no. 3 bed, 37 no. 4 bed and 5 no. 5 bed properties) and in accordance with the S106 agreement 28 units of Affordable Housing of 27% intermediate and 73% social rent (4 no. 1 bed and 4 no. 2 bed apartments, 9 no. 2 bed, 9 no. 3 bed and 2 no. 4 bed houses). Cycle and vehicle parking is provided across the site.
- 1.3 In accordance with the Design and Access Statement approved at the outline stage, out of the 4.53 hectares site area approximately 2 hectares will comprise Green Infrastructure. This will largely be on the eastern side of the site (and includes areas of grassland, woodland and wetland, locally equipped area for play, attenuation basin situated at the south-eastern corner. Other infrastructure includes a foul water pumping station.
- 1.4 The site comprises 4 different sized fields of agricultural land bounded by hedgerows. The site is located to the south of Poplar Lane with the northern boundary running along the side of No.83 Sodbury Road and the farm buildings associated with Poplar Farm. The site lies to the east of Sodbury Road and to the north of Horwood Lane and of four properties that lie along that lane. The eastern boundary of the site adjoins further agricultural fields that are associated with Poplar Farm.
- 1.5 The application site is immediately to the south of the settlement boundary of Wickwar (which runs along Poplar Lane to the north). The site is not located within the Green Belt and is situated within Flood Zone 1, an area of low flood risk. A Public Right of Way runs diagonally across the site from Sodbury Road to Horwood Lane via the side of a property on that lane. All existing trees on the site are protected by a Tree Preservation Order.
- 1.6 In support of the application alongside the plans/elevations the applicant has submitted the drainage strategy, landscape strategy and plans, public art brief and arboricultural report.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework (NPPF) March 2012
National Planning Policy guidance (NPPG) 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS5	Location of Development
CS6	Infrastructure and developer contributions
CS7	Strategic Transport Infrastructure
CS9	Heritage and the natural environment
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS20	Extra Care Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Sport and recreation standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP8A	Settlement Boundaries
PSP8B	Residential Amenity
PSP10	Development Related Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Diversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP39	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Residential Parking Standards SPD (Adopted 2013)
Affordable Housing and Extra Care Housing SPD (Adopted May 2014)
South Gloucestershire Biodiversity Action Plan (Adopted)
The South Gloucestershire Design Check List SPD (Adopted August 2007)
Trees on Development Sites SPD Adopted Nov. 2005
Waste Collection Guidance for new developments January 2015 SPD
South Gloucestershire Landscape Character Assessment (adopted Nov 2014)
Wickwar Ridge and Vale LCA 5

Other documents

Wickwar Village Plan 2005

3. RELEVANT PLANNING HISTORY

This Application Site

- 3.1 PK16/4006/O Outline planning permission for up to 80 residential dwellings (including up to 35% affordable housing), landscaping, informal public open space, children's play area, new access and associated works with access to be determined. All other matters reserved. (Approved with conditions May 2017)

PK18/0253/F Formation of a drainage swale associated with the disposal of surface water from the adjacent residential development site (pending consideration)

- 3.2 An application has been received on a site to the south of the application site (Land to the South of Horwood Lane)

PK17/4552/O Erection of up to 90 residential dwellings with public open space, landscaping, sustainable drainage system and vehicular access from Sodbury Road (Outline) with access to be determined. All other matters reserved (Resolution to grant planning permission subject to the signing of a S106 Agreement – Development Control East Committee 3rd May 2018)

4. CONSULTATION RESPONSES

The proposed development has been the subject of two full consultations, the second following the negotiation of revisions to the scheme. For clarity initial comments and follow-up comments are set out below.

4.1 Wickwar Parish Council (summary)

The Wickwar Parish Council strongly objects to planning application PK17/5966/RM on the proposed development as a whole. The South Gloucestershire Council Local Plan core Strategy 2006-2027 section 16 vision for Rural Areas which includes Wickwar states 'The diversity and unique character of individual settlements and the open countryside will be conserved and enhanced' and 16.12 states 'the design of new development must respect and enhance the varied and distinctive character and setting of the rural area'. The proposed development from Bellway Homes fails to provide a design for the development which addresses these core strategy requirements. The proposed development is considered a modern estate non-descript development which is detrimental to the character of Wickwar and would result in the loss of the settlements uniqueness. This view is supported by South

Gloucestershire Councils landscape department report which stated that the proposed development is a 'nowhere anywhere place not particularly distinctive or special to Wickwar'.

The following concerns are raised:

- The safe ingress and egress at the entry/exit point is not sufficiently considered given the high speed of traffic using Sodbury Road
- The safety of pedestrians, cyclists and horse riders has not been assessed – particularly in terms of a walk way into Wickwar
- There is insufficient parking provided, particularly visitor parking
- The Great Crested Newt Pond needs to be maintained from a safety perspective. It is close to the LEAP
- The maintenance and ongoing safety considerations of the public open space, GCN pool, allotments and attenuation pond need to be considered
- The community orchard has been removed

No further comments were received to the second round of consultations.

4.2 **Other Consultations**

Avon and Somerset Police

Suggestions have been made for the applicant to consider in the design of the development

Wessex Water

No objection

Points of connection will need to be agreed with the network. Surface water disposal will need to be agreed with the Lead Local Flood Authority. Attenuation basins and swales are not adopted by Wessex Water and the LPA will need to be satisfied with future ownership/maintenance arrangements (surface water connections to the public sewer will not be permitted).

Environmental Protection

No objection

Housing Enabling (summary)

No objection is raised to the proposed development subject to a number of issues being addressed as follows:

- Plans should be revised to redistribute affordable dwellings to smaller clusters of 6 in accordance with the S106 agreement,
- Confirmation is needed that the affordable homes will be to be built to Lifetime Homes standard, Part 2 of Secured by Design, and that they will comply with the RP Design Brief,

- Wheelchair units should be relocated to a more accessible position within the site and have covered parking. The internal layout of wheelchair units to be amended as per comments.

Following the submission of amended details no objection is raised.

Tree Officer

No objection. The details submitted to discharge the Condition on the outline consent are acceptable. A condition should ensure works are in accord with these submitted details.

Waste Engineer

I am unsure about the turning area around plots 45 to 54. The bin store for the eight apartments is satisfactory although the walking distance to empty the bins at 15m is slightly more than the preferred 10m. The walking distance between plot 42 and the bin collection point is substantial at 70m and may be inconvenient for the occupier.

Public Open Space Officer

Initial Comments (summary- full details are on the public website labelled "initial comments")

A number of detailed concerns raised relating to the extent of highway and pos adoption. Furthermore more detail is required in relation to the allotment provision, surface water infrastructure (as per comments below from the lead local flood authority), street lighting, play are, planting specification, street furniture.

The applicant has sent in further information to address the above points and following a period of negotiation the Public Open Space Officer is satisfied with the details supplied (full details of the management and maintenance regime for the site and the private management company responsible for this need to be submitted to the LPA prior to the commencement of work to accord with the S106 agreement).

Heritage Officer (summary)

- There is a need for more structural planting to the rear of plots 43-48 to mitigate against any impact upon the locally listed building at Poplar Farm particularly as a line of six properties is shown
- The alignment of plots 12-18 should more reflect properties opposite as a gateway to the village
- Main west frontage should be of natural stone and render not re-con, natural slate should be used rather than re-con. Palette of materials should enhance local distinctiveness
- The link to the green space from the main road should be simplified
- Loss of definition to the western edge through the introduction of parking
- There should be a more considered design to plot 63-70 at the centre of the site and at plots 4-5 (weakened by parking)

Following the submission of further details no objection is raised.

Lead Local Flood Authority Drainage Engineer

Initial Comments for Surface Water Strategy (summary)

Attenuation Basin – Clarification needed for gradient of basin sides. Minimum height of freeboard must be 0.3m not 0.2m. A maintenance strip needs to be provided around the north-west and western edge of pond, a hedgerow will need to be repositioned to allow this. Clarity required on invert level of basin.

Discharge rates are acceptable. Details required as to inflow rates to GCN pond and measures for overflow. Also further information required as to role and impact of the pond at Poplar Farm.

Engineering layout plans – a buffer is required to SW Manhole S25 and S8 to protect it from possible root damage. This will be needed if it is to be offered to Wessex Water for adoption. More information needed on possible flooding of system – expected depth and velocity. Clarity is required regarding flood exceedance to ensure that this does not exit out onto the public highway which would be unacceptable.

Following the submission of further detail, comments have been received as follows;

Further details of the future management of the Suds scheme is required to include how full maintenance of the attenuation pond is to be achieved.

Following the submission additional information subject to a condition to secure the maintenance strategy no objection is raised.

Ecologist (summary)

Initial Comments

- Reduced provision for gcN and should be link to pond to the north
- Wetland area reduced as has green space for ecology and is now constrained by other features
- No connectivity between pos and southern boundary. There should be greater connectivity between the sites open spaces
- Lighting units, reptiles, GCN and bird boxes need to be considered now as well as LEMP

Following the submission of revised details no objection to the development is raised.

Archaeologist

No objection raised however it is reiterated that no work can take place prior to the discharge of Condition 14 attached to the outline consent (requiring a programme of archaeological work leading to a mitigation strategy and implementation of that strategy all prior to the commencement of any works)

Public Rights of Way Team (summary)

The site layout incorporates the multi-user link parallel and other public right of way routes previously shown. As per other comments, it is agreed that an alternative form of segregation should be secured on the multi-use link between Plot 77 and 80. A diversion order will be required at the southern end of the footpath (croft cottage) and details of the link to the existing PROW network at the north-east corner are requested. Dropped kerbs are required where the public footpath crosses internal roads in the site.

Following the submission of revised details and additional information, the following comments have been received:

No objection. It is preferred that the multi-user link exits at the southern end onto Horwood Lane rather than Sodbury. This would allow it to join to the possible future extension to the route that forms part of the development to the south of Horwood Lane. Also it is welcomed that footpath LWR/21 that crosses the site is separated from the road layout however at the points that the footpath meets the roadways dropped kerbs should be indicated.

Landscape Officer (summary)

Initial Comments

- A greater variety of more native/wildlife species required not ornamental species. This would benefit ecology.
- More opportunities for hedgerow planting should be sought and south and east landscape areas should read as one element
- No community orchard is shown and back garden tree planting
- More informal arrangement for LEAP
- Planting with rear boundaries should be included. Boundaries should be more permeable, possible use of trellis/close board combination preferred
- Consistent front boundaries preferred
- Clarification on boundary treatment between development and field required
- Path treatments questioned – black top unacceptable
- Layout and contouring of attenuation ponds needs to be better considered and swale and rain gardens could be incorporated into suds
- Extent of structure planting to the west of the farm questioned
- Question over planting at hammerhead to Plots 1/18 and block and paving types
- Soft landscaping requires landscape management and maintenance plans

Following extensive negotiations improvements to the scheme have been secured and no objection is raised.

Urban Design Officer (summary)

A large number of improvements have been made to the scheme but some issues to be resolved

- Only one opportunity for cyclists and pedestrians to join multi-user link at the northern end

- Preferable for there to be no vehicular route from access southwards by Unit 3 (unnecessary hedgerow at Unit 2)
- Unit 33 has skewed relationship with main street – needs feature on wsw elevation
- High density at north-east side of side. Additional tree planting possible. Also use of fenestration at Unit 49
- Units 57 to 60 in particular position of 59 and 60 creates possible loss of privacy to surrounding properties. Access drive is inefficient use of land
- A better boundary treatment around car park at units 63-70 preferable on the northern side would ensure that this area was less prominent. The entrance to this area could be moved to provide a boundary on the bend
- Close boarded fencing should be replaced on flank of 49 and rear boundaries 58, 61 and 74 with brick walling
- Too many façade treatments and no logic to where used. Similar house types might best be treated in a constant palette.

Sustainable Transport Team

Initial Comments (summary) – the site benefits from an outline consent and therefore the principle of development has been established, however a number points need to be addressed as follows:

- No narrowing of the road is acceptable along the site frontage. Details of access and visibility required
 - Alteration/removal of private drive accessing onto main entrance at Plot1/2
 - Footway – needs to be widened along access road that serves 57 to 63/70
 - Refuse collection – distances to collection points excessive for Plot 41/42 and 77-80. Should be amended
 - Auto-track – Required to show suitability of turning area for refuse service/delivery vehicle
 - Hedgerow – opp 77-80 should be reconsidered as an impact upon the amenity of the footpath (accessibility and security). Maintenance must also be secured
- Following the submission of amended details there is no objection to the development on highways grounds

4.3 Other Representations

Local Residents

There have been 18 letters received (from eight individual respondents) raising objections to the proposed development. The grounds of objection can be summarised as follows:

- The development is the wrong size and too large for Wickwar
- The proposal is in the wrong location in terms of travel to work, facilities etc
- The proposal will make existing road conditions worse
- There are no safe walking routes from the development to the village centre
- There would be a conflict between need for lighting and restrictions required to protect biodiversity
- The design of the houses is unimaginative, there should be a variety of rendered and painted facades

- The parking strategy is incorrect and not justified
- Provision of adequate parking must be given top priority
- There are no strategic policy comments posted
- Inadequate play space is provided
- Electric charging points should be provided
- The proposal bears too close a resemblance to the initial proposal
- Proposal should promote biodiversity and green infrastructure should be located throughout the site and not concentrated on the eastern side
- The proximity to SSSI ancient woodland would result in loss of habitat for species

Following the submission of revised details 7 letters of objections from four correspondents have been received. The grounds of objection can be summarised as follows:

- The proposed development due to a reduction in tree planting will result in the overlooking of neighbouring properties with resulting loss of privacy
- There should be more parking spaces allocated for visitors
- The development should incorporate a pull-in (and turn around) point for buses for safety
- The social housing should not be provided all in one place. This will result in the devaluation of adjoining neighbouring properties
- The proposal should be refused on the grounds that it will result in more traffic, more noise and pollution and because there is a lack of local facilities
- Work has already commenced

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is for the erection of 80 residential dwellings (of which it is agreed that 35% shall be of affordable housing), with associated access, parking, hard/soft landscape works, public open space/children's play area and allotments.

The application is the Reserved Matters application that follows the approval of outline consent PK16/4006/O and landscaping, scale, appearance and layout are the material considerations.

The site area is identical to that approved in the outline consent and the scale parameters are as per that consent. It should be noted that an area to the south-east of the site is identified for works associated with the attenuation pond. These are outside of the red line and will be the subject of a separate application.

The principle of development (along with the position of the access) is therefore acceptable having been established through the outline consent. The remainder of this report will consider in detail the outstanding material planning considerations.

5.2 **Design**

The current proposal considers the detailed layout of the proposal as well as the appearance. At the outline stage, as required, a Design and Access Statement was assessed by officers and endorsed setting out the broad design principles that the detailed design and appearance were expected to follow taking into account the characteristics of the site and its surroundings including its constraints and opportunities.

The site is located at the edge of the settlement boundary away from the historic core. To the immediate north of the site housing largely comprises modern two storey detached properties. Detached properties with more individual characters lie on the opposite side of Sodbury Road and on the southern boundary (Horwood Lane). Key constraints are the hedgerows on and around the site with trees on the southern and north eastern boundary as well as a number of footways (LWR 21/10 from Horwood Lane to Sodbury Road and LWR 20/10 on fields to the west). A number of changes to the original submission have been negotiated.

Layout

Key principles agreed at the outline stage, through the Design and Access Statement have been carried through to the detailed design and this is welcomed.

This includes properties facing onto Sodbury Road (as per the other side of the road), to create a frontage. It is considered important for the development to integrate with the existing settlement in this way.

It was considered important for the site to provide an attractive entrance/gateway feature incorporating an area of open space. This has been achieved and close to the entrance lies a focal point building. An original proposal for a right turn from the front entrance of the site to access Plots 3 and all properties fronting onto Sodbury to the south of this point has been removed thus preventing this being the preferred route for traffic and enhancing the sense of space to the front of these properties.

Given the rural surroundings, where the development abuts the countryside it was considered important that there were lower densities so that there was a soft and filtered edge to the settlement. The entire eastern boundary comprises the area of open space (open space in total constitutes over half the application site area) but further into the site the first area of built form comprises the larger detached properties facing onto this large landscape buffer.

It was considered important to create character areas within the development and this has been achieved with different street types. There is a main route through but this is not a directly straight road and has secondary roads off it. The secondary roads have a more informal arrangement of houses whereas the main or primary route has more of a formal building line. It is considered that this creates a legible environment and an attractive place to pass through.

The use of the multi- user link and connections to the wider footpath network (a linkage at the north-east corner will link to the footpath to the east). In terms of safety, changes to the design have been negotiated following comments from the police

including the removal of a rear footpath within the northern portion of the site and the opening up of part of the multi-user link where it would have passed between landscaping that would have compromised its amenity and safety (the police have confirmed that they are satisfied with the layout from the perspective of “designing out crime”). Additional and more clearly defined access routes to the multi-user link have been negotiated and access to this route has also been enhanced by the removal of the right turn at the entrance as described above, reducing the amount of traffic that would use this route.

Comments received from the police are noted. Some areas of “backland development” have also been removed for example at Plots 59 and 60. This ensures that the frontages are visible from the street and such areas provide a more efficient use of space and a safer environment from a security aspect. Some rear footways are retained and the security implications for this is noted however account has been had to the character of the area and the fact that the detailed lighting scheme is to be secured through a condition. An additional footway has been secured to the rear of Plots 57 60 and Plot 76 to provide a link through to the front of the site and this will be required to be lit as part of that scheme. Where possible blank elevations are avoided to ensure surveillance.

At the northern edge of the site the housing has been slightly “broken up” to ensure a less intense concentration of built form with a small dispersal of the parking provision. Several small changes have been negotiated for example making more of a feature of the left hand bend to the rear of the centrally located flatted element, with addition of a small area of landscaping which will also improve the appearance of the parking court.

Scale

The outline allowed for up to 80 dwellings and this limit has not been exceeded. In order to reflect local character, a restriction in the maximum height of buildings was imposed by condition of 9 metres and this has been adhered to in the detailed design, however across the site buildings have a variation in heights so that there is a varied roofscape across the site. Whilst the overall restriction of height of 9 metres in height has not been exceeded a variety in the height of ground to ridge height or eaves adds visual interest. In addition there are a variety of property widths. The scale of the buildings are considered appropriate.

Appearance

The detailing proposed is considered acceptable, this includes a variety of features such as chimneys and window styles. Negotiations have taken place to improve the appearance of specific buildings such as Plot 33 which has a slightly skewed relationship to the main avenue at its south eastern end. The introduction of a bay window adds interest to an otherwise uninteresting but prominent elevation.

Building materials comprise a mix of smooth white render, recon buff stone, brick and natural Purbeck blue and ragstone. The natural stone properties are located in the most prominent locations principally along the site frontage where they adjoin the white rendered properties and along the main street that forms the link between the areas of open space.

Slate tiles will be the predominant roofing material particularly along the site frontage, main-street and facing onto the open space on the eastern side of the site, with concrete tiles used limited to properties along the secondary roads.

Public Art

Policy CS1 seeks to ensure “where the scale, location and/or significance of the development proposal warrants it, embedded public art within the public realm or in a location where it can be viewed from public areas”. A Public Art Plan has been submitted setting out the proposed approach having regard to the character of the location, the commissioning process, a draft budget (£45100) materials and maintenance. The Public Art Officer has reviewed the plan and is happy with the contents. A condition will be added to the decision notice to ensure that the development proceeds fully in accord with this plan.

Energy use

Policy CS1 of the Core Strategy seeks to ensure that energy conservation and the protection of environmental resources is integral to good design. PSP6 goes further and indicates that all development will be encouraged to minimise end user energy requirement over and above the building regulations through energy and efficiency measures (with major development being required to reduce Co2 emissions further by at least 20% via the use of renewable and/or low carbon generation sources on or near the site providing it is practical and viable). It should be noted that PSP was adopted after the grant of outline consent.

It should be noted that the development provides good opportunities across the site for the installation of solar technologies given the orientation of many of the roofs. The applicant has also indicated that electric charging points for vehicles will be provided on each property within the garage area.

Overall it is considered that the design of the development is of a high quality that combines a distinctiveness while also being acceptable within the context of the wider area.

5.3 **Flood Risk/Drainage**

Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy in accord with Chapter 10 of the National Planning Policy Framework seeks to reduce and manage the impact of flood risk through location, layout, design, choice of materials and the use of Sustainable Urban Drainage Systems (Suds). PSP20 states that development will be expected to reduce surface water discharge from a site *“incorporating Sustainable Drainage Systems (Suds) to reduce surface water run-off and minimise flood risk”*.

The application site is located within Flood Zone 1, the lowest area of Flood Risk. Condition 12 attached to outline consent PK16/4006/O required the submission of a full Sustainable Urban Drainage scheme with the reserved matters application. This has allowed the landscaping scheme now submitted as a reserved matter to be considered at the same time as the landscaping which is essential on a greenfield site.

This information is included on the submitted plans and within a separate Suds Management Strategy.

In addition an additional application has been submitted and is being considered for a separate parcel of land to the east of the site for the formation of a drainage swale associated with the submitted scheme.

Further clarification has been sought regarding the construction of the attenuation basin, the role of the nearby pond at Poplar Farm and details on the functioning of the proposed Great Crested Newt pond and some of the detail on the engineering plans as per the initial consultation response set out above. All this information is included within a revised Management Strategy document.

Subject to a condition to secure that works take place in accord with the Management Strategy (the maintenance of the GCN pond will be set out in the Landscape and Ecological Management Document that will need to be submitted prior to the commencement of development – Condition 8 on the outline consent), it is considered that the scheme is acceptable in drainage terms.

5.4 **Environmental Protection**

Policy CS9 indicates that new development will be expected to protect land, people and buildings from pollution and also to promote the re-use of contaminated land with appropriate remediation.

As these matters relate to the principle of whether development upon this site is appropriate, relevant conditions were attached to the outline application and thus form part of the consent.

Given the historical use of the land for agricultural purposes a condition attached to the outline consent requires that prior to the commencement of development a detailed site investigation is undertaken to confirm whether contamination is present and then if that is the case the appropriate mitigation is undertaken. The condition also requires immediate action/remediation in the event of contamination being found once work has commenced.

With respect to impact upon the development from existing noise sources, an acoustic report was requested in order to assess the impact upon the development of the nearby Country Style Supplies located slightly to the north of the site on the opposite side of Sodbury Road. This report was considered at the time of the outline application and a condition requiring the development to be designed in accordance with the findings of the report was attached to the outline consent in the interests of the amenity of future occupiers. Environmental Protection Officers raise no objection to the proposed layout.

Lastly in terms of air quality while Environmental Protection Officers consider the background pollution to be low, a condition was included on the outline consent to secure a Construction Management Plan including a Dust Management Plan in order to mitigate against any adverse impact from the development itself. This includes a requirement to submit the details of the hours of working during the construction phase for approval in order to protect the amenity of neighbouring occupiers.

Subject to these existing conditions the proposed development is considered acceptable in these terms.

5.5 **Heritage Issues**

Policy CS9 of the Core Strategy and Policy PSP17 of the Policies, Sites and Places Plan seek to ensure that heritage assets are conserved, respected and enhanced in manner appropriate to their significance.

In considering the outline planning permission PK16/4006/O Poplar Farmhouse was identified as the nearest heritage asset. This is located immediately to the north of the site. The building is locally listed but is not proposed for demolition. Also identified was Sturt Bridge, a scheduled ancient monument and Grade II Listed building/bridge which crosses the Little Avon River approximately 800 metres to the east of the built form proposed albeit there is no direct inter-visibility between the site and the late medieval bridge. In addition another locally listed building is located opposite the entrance to Horwood Lane located to the south of the site. In addition it was identified that any extension to the south would further distance the historic part of the town sited with a Conservation Area from its rural hinterland. Notwithstanding this it was considered that any harm that might result would be less than significant and as part of the balancing exercise set out in Paragraph 14 of the NPPF it was considered that the benefits from the proposal outweighed any harm.

Negotiations have taken place to secure improvements to the scheme to mitigate against any impact upon the heritage asset and to ensure integration with the wider character of the immediate area. These improvements include additional planting to the rear of plants 43-48 to provide screening between the development and Poplar Farm. Properties along the Sodbury Road will be of the highest grade materials (and along a substantial part of the main street) using natural stone and slate. A condition will be applied to the decision notice to ensure the use of these materials on the properties identified. Plots 12-18 help frame the entrance to Wickwar. The heritage officer has no objection to the proposal following these adjustments and the proposal is considered acceptable in heritage terms.

5.6 **Archaeology**

Policy CS9 seeks to ensure that new development conserves, and enhances heritage assets in a manner appropriate to their significance.

Prior to the determination of the outline application the applicant undertook a geophysical survey of the site which indicated that there is an absence of archaeology of national significance, however given that the results did not demonstrate clearly that archaeology did not exist on the site, a condition was included with the decision requiring trial trenching leading to the production of a detailed mitigation strategy to be applied to the construction phase of the development. The Council Archaeologist has stressed the importance of the applicant abiding by the requirements of the condition, however subject to that there is no objection to the current application on archaeological grounds.

5.7 **Public Rights of Way**

Policy CS8 states that all new development will be encouraged to support travel by other means than the private car, with this being achieved among other means by the provision of and integration of walking, cycling and public transport into the local network. The policy along with Policy CS6 allows for developer contributions to secure improvements to existing facilities. Policy PSP10 of the Policies, Sites and Places Plan also safeguards active travel routes which include public rights of way as well as seeking improvements to existing routes and ensuring that new developments are integrated into the existing network of paths.

A footpath runs diagonally across the site (LWR/21/10). As part of the outline consent through conditions and a legal agreement improvements to this footpath were secured, a multi-user link along the frontage of the site, a link to footpath LWR/20/10 runs to the north-east of the site and a footpath diversion around Croft Cottage on the southern side of the site.

Conditions 15 and 16 required full details of the footpath improvements and multi-user link to be submitted with the reserved matters application and for all works to take place thereafter in accordance with the approved plans. Amendments have been negotiated to ensure the multi-user link exits onto Horwood Lane (rather than Sodbury Road), so as to provide continuity with the possible extension to the similar link on the site to the south where outline consent for up to 90 dwellings (PK17/4552/O) has been recently given. In addition dropped kerbs will now be provided where the public right of way crossing the site joins the adopted carriageway.

The proposed development is acceptable in these terms.

5.8 **Landscaping**

Policy CS1 of the Core Strategy requires that development of a sufficient scale or significance explains how it contributes towards the vision and strategic objectives of the locality. Policy CS9 states that new development will be expected to “*conserve and enhance the character, quality, distinctiveness and amenity of the landscape*” and that character is identified in the South Gloucestershire Landscape Character Assessment (Wickwar Ridge and Vale) that was adopted as a supplementary planning document in November 2014.

The key consideration at the outline stage was the impact of the proposal upon the existing landscape character, nevertheless the design and access statement informed as to how the detail to be brought forward at the reserved matters stage would respond to the site and its setting.

Concerns as set out above (consultation response) were raised to the quality of the original submission for this application and a protracted series of negotiations has taken place to secure necessary improvements. The number of changes are too numerous to list in detail but below is a summary of the changes that have been agreed.

Further trees have been added to the scheme that are native and wildlife friendly. For example at Plots 76-80 some additional planting has been added. A belt of planting has been added to the rear of Plots 43-48 (this is also a requirement of the heritage officer. Trees have been added within the area of open space with more careful consideration of shading at the Great Crested Newt Pond through the removal of a tree. The profile of the pond has been amended to allow for the growth of aquatic plants around the edge in a more shallow depth. Tree species chosen for the open space area include those that would be associated with an orchard for example pear trees, additional tree planting is also shown in some back gardens. The open space area at the entrance to the site has been amended with the reduction in the number of the smaller trees and inclusion of a larger oak to provide a more appropriate gateway.

The original layout for the play area appeared very formal (circular) and has been amended to a more irregular arrangement with the addition of a tree to increase shading. Buff coloured surfacing has been suggested for the paths, officer having considered that hoggins is not a durable material. A condition will be added to the decision notice to require a sample of this material. A further amendment has secured alterations to some of the boundary treatments with the use of brick rather than bow top fencing. In addition the use of close-boarded fencing has been reduced at a number of locations particularly on the site boundary with the farm post and rail fencing has been introduced. Where close boarding fencing is the means of providing privacy within rear gardens trellises on top have been added to allow planting to soften their visual impact. Alterations to the levels have been made around the attenuation pond and meadow grassland provides a natural treatment whilst allowing easy access for maintenance.

The maintenance of the open space will be agreed through the submission of the details submitted prior to the commencement of development (and will need to be agreed prior to the occupation of any of the buildings on the site). This is a requirement of the S106 agreement. Also as part of the landscape submission, the Section 106 agreement required the submission of an implementation timetable. The applicant has specified that the works at the entrance will be completed within 7 months of the development and the works within the residential area will be completed in line with the occupation of those dwellings that front onto that space. The completion of the LEAP, GCN pond and all the Public Open Space around the attenuation basin should be completed upon 70% of the occupations with all the remaining open space provided upon the occupation of the last unit. This will be the subject of a condition.

Subject to the above condition the proposed development is considered acceptable in landscaping terms.

5.9 Public Open Space Issues

Given that a large proportion of the site is devoted to open space to include surface water infrastructure including attenuation pond and pumping station, allotments, lighting, play area, paths, planting and newt pond. A significant level of negotiation has taken place to secure improvements to initial proposals in all these areas. These improvements are too numerous to specify but include ensuring the correct siting of the play area, the correct equipment, signage, appropriate fencing, surfaces and appropriate planting. With respect to the water infrastructure appropriate depths have

been secured, in the case of the Newt pond this is to secure the correct environment for plant growth. The correct margins for ensuring maintenance around the water features has been secured within a Sustainable Urban Drainage management strategy. The appropriate infrastructure for the allotments has also now been secured.

Subject to conditions to ensure that works take place in accord with the Suds Management Strategy, to secure full details of the fencing for the compound (given the rural location it should be painted green rather than just be galvanised steel as might be found in a more commercial/industrial setting) the proposal is considered acceptable in these terms. In addition a condition will be attached to secure full details of the surfacing of the paths that pass through and around the open space area to the east of the site both to ensure its durability and in terms of visual amenity.

5.10 **Impact Upon Trees**

Policy CS1 and Policy CS9 of the Core Strategy indicate that development must safeguard, conserve and enhance existing features of the landscape. The site is covered by a tree preservation order.

In considering the proposal at the outline stage the proposed area of open space was welcomed as an opportunity for tree planting. The types and amount of trees are considered above.

With respect to the existing trees a condition was attached to the outline consent as follows:

The landscaping details submitted pursuant to condition 1 shall include the submission of an Arboricultural Implications Assessment, Arboricultural Method Statement and a Tree Protection Plan for approval. The development shall be carried out in accordance with the approved details.

This information has been submitted with the application and assessed by the Tree Officer. The details submitted are considered acceptable and a condition will be attached to the decision notice to ensure that all works take place in accord with these details in respect of tree protection.

5.11 **Ecology**

The National Planning Policy Framework (Section 11) indicates that the planning system should contribute to and enhance the natural and local environment primarily through minimising impacts on biodiversity and providing net gains in biodiversity where possible (para 109). Core Strategy Policy CS9 and PSP19 also require that new development shall conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity.

A detailed Ecological Appraisal was submitted with the outline application. The site which comprises intensive agricultural fields is not covered by any statutory or non-statutory nature conservation designations. Bishops Hill Wood – designated as a Site of Special Scientific Interest (SSSI) and Site of Nature Conservation Interest (SNCI) for its calcareous grassland and broadleaved woodland – and the Little Avon River and Tributary SNCI – designated for its open flowing water and bankside vegetation – lie

to the southeast and east of the application site respectively although neither will be directly affected by the development.

It was considered on balance that while some hedgerow would be lost as part of the development at the access, it was considered that the provision of 1.45 hectares of public open space comprising a mixture of wet (species-rich) grassland, mixed woodland/scrub planting, SUDS (designed to have value for a range of herpetofauna, particularly great crested newts) and a community orchard will have a significant benefit to local biodiversity and thus this enhancement outweighed any loss.

It should be noted in considering the outline application that the potential for a new bus stop outside the site was identified with a financial contribution towards this secured through the legal agreement. It should be noted that this will be achieved through the provision of a further gap in the hedgerow at the front of the site (of approximately 7-8m). The location of the bus stop would be next to the existing opening for the public right of way (immediately to its north) thus minimising the visual impact by reducing the number of gaps in the hedge. It is considered that this is acceptable given the amount of additional planting that will take place on the site.

Changes to the scheme have been negotiated and the scheme is now deemed acceptable in ecological terms. A condition will be applied to the decision notice to require the depth of the Great Crested Newt Pond not to exceed 0.7 m in depth in the interests of this species and to allow the growth of appropriate aquatic plants within the margins. Tree shading around the pond has been reduced. Conditions applied to the outline consent still apply namely that all works take in accord the provisions detailed in the original ecological appraisal (in relation to Newts, Herpetofauna, Hedgehog and Badgers), that prior to the commencement of development a scheme of new bird nesting boxes/features is submitted and approved. In addition in order to prevent light spillage in the interests of the newts and bats a scheme of street lighting is submitted for approval prior to the commencement of development and lastly the requirement that a Landscape and Ecological Management Plan is drawn up and agreed with the Council prior to the commencement of development with all works taking place in accord with the approved details.

Subject to the existing conditions set out above and the new condition relating to the Great Crested Newt Pond the proposed development is considered to be acceptable in ecological terms.

5.12 **Transportation**

Access to the development was determined/agreed through the outline permission and the access shown on this application for reserved matters is fully in accord with those details. Concern regarding the safe ingress and exit from the site is noted however alongside the approved geometry of the entrance a comprehensive package of works was agreed at the outline stage including traffic calming, the upgrade of existing and provision of a new bus stop and footpath improvements outside of the site boundary. In terms of the new bus stop an appropriate location has been agreed, next to the where the public right of way exits onto Sodbury Road, thus ensuring the minimum removal of hedgerow and an easily accessible facility from within the development. Concern has been raised that the bus should not stop to pick up passengers on the Sodbury Road however this is common practice and it is not

practical without the removal of hedgerow to create a layby to take the bus off the road when stopping.

It is considered that vehicular routes through the development are acceptable and safe and convenient for users. The internal layout would be adopted under s38 of the Highways Act 1980. The use of shared surfaces is welcomed. Additional information submitted has addressed the issues initially raised by officers (as set out above in the consultation response set out above).

The remaining issue for consideration is the parking provision. Concern has been raised that insufficient vehicle parking provision has been made (in particular in relation to visitor parking spaces provided) and that this will result in the overspill of vehicles onto the surrounding network.

Minimum standards for residential parking are set out in PSP16 of the Policies Sites and Places Plan (Adopted Nov 2017). The number of spaces required is based upon the number of bedrooms per dwelling or apartment (for example a 3 bed dwelling would require 2 no. parking spaces). In addition 0.2 spaces per dwelling should be provided for visitors unless otherwise agreed by the Council.

A detailed parking schedule at the request of Officers has been provided indicating the number of spaces provided for each dwelling. In summary the development requires the provision of 148 spaces for the dwellings (excluding visitor parking) and 195 spaces are provided. Each property meets the expected standard however as indicated there is a significant over provision of space. In addition 7 no. spaces for visitor parking are provided and this serves the affordable dwellings. This provision falls 9 spaces short of the standard for visitor parking however this is accepted given the over provision of spaces for individual dwellings and it is considered that the site as a whole is capable of accommodating visitor parking within this context and that there would be no impact upon the surrounding highway network. A condition will be attached to the decision notice requiring that all parking spaces are provided prior to the occupation of each property.

There was an initial concern that in terms of Waste collection certain properties in particular Plots 41 and 42 as well as Plots 77-80 would fall outside the maximum distance set out in the Waste Collection SPD between a collection point and properties. Officers are satisfied, following the submission of additional information that the development complies with the Council SPD with regard to the distance of each property to collection points and ability to provide appropriate storage to accommodate the requirements of the Council collection strategy. A condition will be added to the decision notice to require the provision of all collection points shown (to accommodate general waste, recycling, food and garden waste) prior to the first occupation of the development.

Subject to the conditions set out above the proposed development is considered acceptable in transportation terms.

5.13 **Residential Amenity**

Concern has been raised that the proposed development would result in the overlooking of property on the opposite side of Sodbury Road. It should be noted however that the properties that face onto Sodbury are set back from the road such that distances from the windows in the new properties and those opposite are

between approximately 27 metres and 38 metres. Although not set out formally in policy, traditionally a distance of 21 metres has been considered appropriate. It is not considered therefore that the proposal will result in an unacceptable relationship in respect of loss of privacy or overlooking.

The relationship between new houses and those that surround the site is considered acceptable having regard to any impact upon privacy or outlook. At the northern edge of the site the plots overlook part of the rear garden of No.83 Sodbury Road but there no window to window view. The relationship here is considered acceptable as it is along the southern boundary.

Within the site following some minor adjustments the relationship between properties is considered acceptable in these terms and adequate private amenity space to accord with policy standards is achieved.

5.14 **Other Issues**

At the northern edge of the site concern has been raised that the affordable housing units are grouped such that they adjoin a neighbouring property. The concern relates to the loss of property value that this may cause.

It should be noted that impact upon property value is not a material planning consideration. It is presumed by the Case Officer that the concern relates to the affordable nature of the properties and future occupancy. It is important to note that this form of accommodation will be managed by a registered social provider, with an agreement between the occupier and the provider in place. As such this form of accommodation is subject to specific controls which market housing would not be. While the concern is noted this is not an issue that is a material planning consideration.

Concern has been raised that works have already commenced. It should be noted that matters that do not constitute development such as clearance work can be undertaken without the need for planning permission. During the course of the application it was brought to the attention of the Case Officer that some signs had been installed on the site. This was subsequently brought to the attention of the Council Enforcement Team and the signs were removed.

Concern has been raised regarding future maintenance responsibilities. The applicant indicated at the outline application stage that a private management company would take responsibility for the maintenance of the open space including surface water drainage features. The S106 agreement signed at the outline at Section 2.4 (with clarification of precise requirements at Annexe 3), requires at the reserved matters stage or within 6 months of the commencement of the development a Management and Maintenance scheme to be submitted for approval by the Council and that no dwelling should be occupied prior to this approval. The details have not been submitted at this stage and will therefore be expected within 6 months of the commencement of the development.

5.15 **Consideration of likely impact on 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

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

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

1. Approved Plans List

This development shall be implemented in accordance with the plans identified below:

Received 22nd December 2017

1644 101 Location Plan
1644 151 Sherbourne Plans and Elevations
1644 152 Shipton Plans
1644 156 Swanley Plans
1644 157 Swanley Elevations Render
1644 158 Swaley Elevations Natural Stone
1644 159 Woodcote Plans
1644 163 Lilac Plans
1644 164 Lilac Elevations Render
1644 165 Lilac Elevations Recon
1644 166 Lilac Elevations Natural Stone

1644 169 Elm Elevations Render
1644 170 Elm Elevations Recon
1644 171 Elm Elevations Natural Stone
1644 174 Wroughton Elevations Recon
1644 176 Wroughton Elevations Natural Stone
1644 177 Morton Plans
1644 178 Morton Elevations Brick
1644 179 Morton Elevations Recon
1644 180 Morton Elevations Recon
1644 185 2B House Type - Plans
1644 186 2 B House Type - Elevations Brick
1644 187 2B House Type - Elevations Render
1644 188 3B House Type - Plans and Elevations Brick
1644 190 3B House Type - Plans and Elevations Render
1644 191 4B House Type - Plans and Elevations Render
1644 194 Garages Sheet 1 Plans and Elevations
1644 195 Garages Sheet 2 Plans and Elevations
1644 196 Garages Sheet 3 Plans and Elevations
1644 197 Sub Station Plans and Elevations

Received 19th March 2018

1644 176 2 Wroughton Elevations Recon Stone Plot 33
3816 119 Pumping Station Detail
3816 112 Highway Construction Details
3816 113 Adoptable Drainage Details

Received 1st May 2018

1644 111b Street Scene
1644 150a Sheldon Plans and Elevations
1644 153a Shipton Elevations Brick
1644 154a Shipton Elevations Render
1644 155a Shipton Elevations Recon
1644 160a Woodcote Elevations Brick
1644 161a Woodcote Elevations Render
1644 162a Woodcote Elevations Recon
1644 171-1 Elm Plans - Plot 39
1644 171 2 Elm Elevations Recon Plot 39 only
1644 176-1 Wroughton Plans Plot 33
1644 176 -2 Wroughton Elevations Recon Stone Plot 33 only
1644 181c 1 and 2 bed flats Block Plans
1644 182a 1 and 2 bed flats Block First Floor Plan
1644 183b 1 bed and 2 bed flats Block-Elevations Sheet 1 render
1644 183b 1 bed and 2 bed flats Block-Elevations Sheet 1 Render
1644 189a 3B House Type - Plans and Elevations Render
1644 198 Enclosure Details Sheet 1
1644 199a Enclosure Details Sheet 2
1644 199-1 Enclosure Details Sheet 3

Received 25th May 2018

3816 114 02A Storm Water Attenuation Details

Received 20th June 2018

1644 100x Site Layout
1644 102 1K External Works Layout (Sheet 1)
1644 102 2K External Works Layout (Sheet 2)
1644 103k Materials Layout
1644 104K Storey Heights Layout
1644 105K Affordable Housing Layout
1644 106K Waste Collection Strategy Layout
1644 107K Parking Strategy Layout
1644 108M Boundary Details Layout
1644 109K Surface Treatment Layout
1644 110J Adoptions Layout
1644 112H s106 Areas
edp4338/d003g Detailed Hard and Soft Landscape Design
edp 4338/d004f Detailed Hard and Soft Landscape Design
edp 4338/d005g Detailed Hard and Soft Landscape Design
EDP 4338/d006g Detailed Hard and Soft Landscape Design
EDP4338/d007h Detailed Hard and Soft Landscape Design
EDP4338/d008g Detailed Hard and Soft Landscape Design
Edp4338/d009g Landscape Strategy
3816-107D Flood Exceedance Plan 1% Storm Event 1 in 100 year
3816 114F Storm Water Attenuation Details
3816 115F Manhole Schedule
3816 110 01A Engineering Layout Sheet 1 of 2
3816 110 02A Engineering Layout Sheet 2 of 2
3816 SK110 Vis D Preliminary Engineering Layout Vis Splays
3816 106 01E Vehicle Swept Path Analysis Sheet 1 of 2
3816 106 02D Vehicle Swept Path Analysis Sheet (Fire Service Vehicle) 2 of 2
3816 111 1E Longitudinal Sections (Sheet 1)
3816 111 2E Longitudinal Sections (Sheet 2)
1644 199-2 Enclousre Details Sheet 4
1644 199-3 Enclousre Details Sheet 5

Reason

For the avoidance of doubt

2. Parking Provision

The off-street parking facilities for each dwelling (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before that 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 set out in PSP16 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017 (Nov 2017).

3. Waste Storage and Collection

Prior to the occupation of each dwelling hereby approved storage provision for refuse bins, boxes and bin collection points shall be provided in accordance with the Waste Collection Strategy Layout shown on Drawing No. 1644 106 H and retained as such thereafter.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Core Strategy 2013, Waste Collection Guidance for new developments January 2015 SPD and the National Planning Policy Framework.

4. Materials

The external materials used for each dwelling shall be as shown on Material Layout Plan 1664 103 Rev H received 25th May 2017.

Reason

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

5. Public Art

The development shall be carried out in accordance with the details and timetable set out in the Public Art Plan (Studio Response received 14th June 2018)

Reason

In order to enhance legibility, character and distinctiveness to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013.

6. Pumping Station Compound

Prior to the commencement of works on that part of the development, details of the fencing (to include its colour) for the pumping station compound shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accord with the approved details.

Reason

The site is situated in a rural location and it is therefore necessary that the development reflects this and to accord with Policy CS1 of the South Gloucestershire Local Plan Policies Sites and Places Plan (Nov 2017)

A pre-commencement condition is required in order to prevent the need for future remedial action.

7. Footpaths (Open space area)

Notwithstanding any details shown on the plans hereby approved, prior to the commencement of that part of the development, a sample of the surfacing materials to be used for the footpaths within the Open Space area shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accord with the approved details.

Reason

In the interest of the visual amenity of the area and to accord with Policy CS1 of the South Gloucestershire Core Strategy 2013.

A pre-commencement condition is required in order to prevent the need for future remedial action.

8. Suds Management

The future management of the Surface Water Sustainable Drainage features shall take place in accord with the Sustainable Urban Drainage Management Strategy (SDL Bigwood June 2018) received 18th June 2018

Reason

In order to reduce and manage the impact of flood risk and to accord with Policy CS9 of the South Gloucestershire Core Strategy (2013)

9. Landscaping Implementation Timetable

Landscaping shall be implemented in accordance with the following timetable:

- 1) The applicant shall give notice to the Local Planning Authority of the commencement of works
- 2) The completion of the Public Open Space at the entrance to the site shall be completed within 7 months of the commencement of the development
- 3) The completion of the open space and landscaping within the residential area shall be completed upon the occupation of the units that front on to those areas of Public Open Space
- 4) The completion of the Locally Equipped Area for Play (LEAP), Great Crested Newt Pond and Public Open Space surrounding the attenuation shall be completed by 70% occupation of the development
- 5) Completion of the remaining Public Open Space (ie that not included in point 2 to 4 above) shall be provided prior to the occupation of the last dwelling.

Reason

In the interests of the visual amenity of the site and the wider area and to accord with Policy CS1, CS2 and CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

10. Great Crested Newt Pond

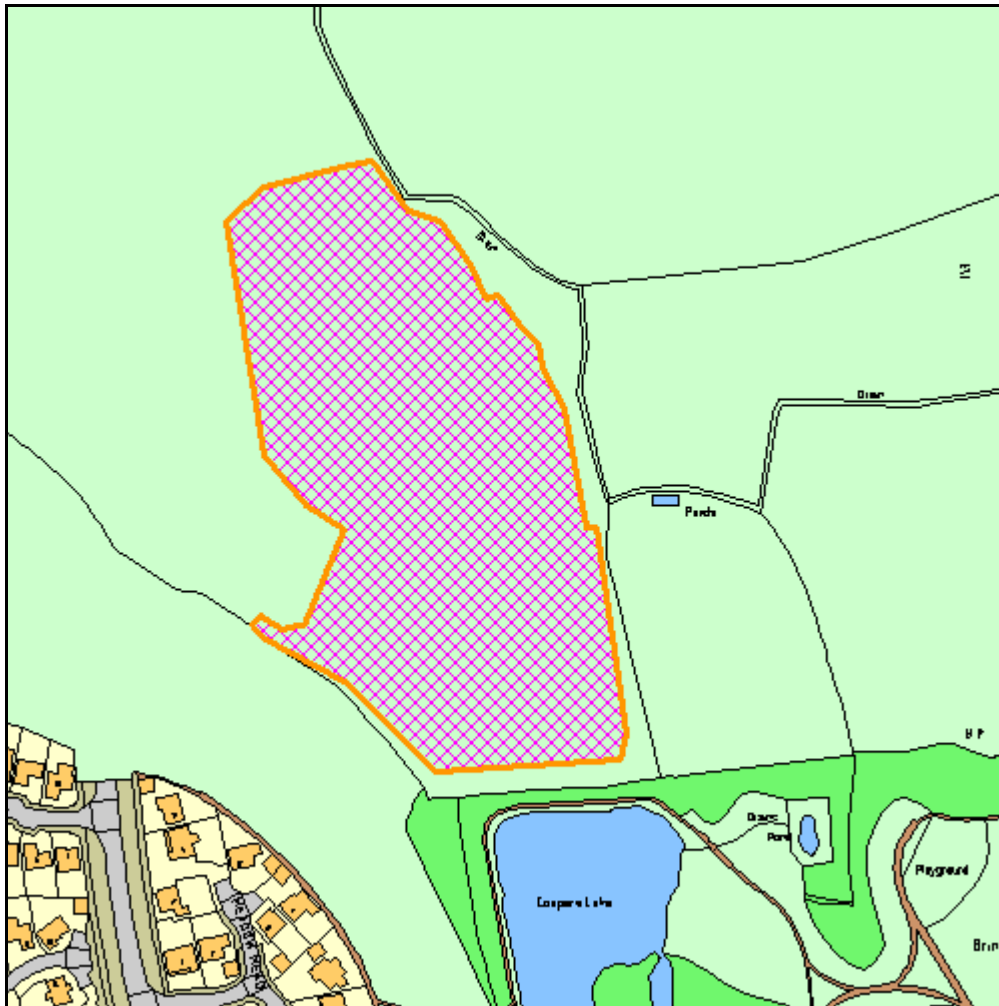
The Great Crested Newt Pond shown on the plans hereby approved shall not exceed 0.7 metres in depth.

Reason

In the interests of the ecology of the site and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/0527/RM	Applicant:	David Wilson Homes Bristol Division Bdw Trading Ltd
Site:	Parcels PI23b, PI23d & PI23e North Yate New Neighbourhood South Gloucestershire Yate	Date Reg:	8th February 2018
Proposal:	Erection of 73 no. residential dwellings and their associated roads, drainage, landscaping, garaging and parking. Approval of the reserved matters appearance, layout, scale and landscaping associated with application PK12/1913/O superseded by application PK17/4826/RVC.	Parish:	Yate Town Council
Map Ref:	370661 183703	Ward:	Yate North
Application Category:	Major	Target Date:	7th May 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK18/0527/RM

INTRODUCTION

This application appears on the circulated schedule because an objection has been received from Yate Town Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of 73 dwellings, associated roads, drainage, landscaping, garages and parking. The reserved matters, which comprises appearance, layout, scale and landscaping should be read in conjunction with outline planning permission PK17/4826/RVC. This outline consent included details of access into the site off Randolph Avenue and Leechpool Way, with provision for access from Peg Hill. The scheme benefits from an approved design code (North Yate New Neighbourhood Design Code Rev D-March 2017) and masterplan (Condition 39 Detailed Masterplan 4739-LDA-00-XX-DR-L-0013), as well as a number of framework plans approved at outline stage.
- 1.2 This application is for parcels PL23b, PL23D and PL23E as shown on the approved phasing plan, which are in the initial phases of development at North Yate. Comprising an area of some 2.21ha the parcels are located towards the southern end of the NYNN site. The parcels abut greenspace to the east comprising a play area and attenuation basins; a school to the north; primary streets and green infrastructure comprising an attenuation basin to the west; and vegetation with Cooper Lake beyond to the south. The order that parcels will be developed reflects Barratt's and DWH buildout strategy influenced by timings involved in the grounding of high voltage electricity cables. The strategy is to build from south to north with initial construction access off Leechpool Way for 6 months to assist in the buildout of the initial phase. Once the main spine road between Leechpool Way and Randolph Avenue has been constructed, construction traffic will only use the access off Randolph Avenue. This reflects the approved Construction Management Plan.
- 1.3 Access into the parcel will be via primary and secondary streets, which were approved under the planning application for infrastructure (PK17/4260/RM). The 73 residential units in parcels PL23B, PL23D and PL23E would include a mix of houses and flats of 1, 2, 3 and 4 bedrooms, ranging in 2, and 2.5 storeys in height. A statement of compliance has been submitted in support of this application.
- 1.4 The following are some of the improvements have been secured through the application process:

Changes to the appearance of the units to be more in accordance with the vision of the Design Code;

A more rationalised use of materials to create more composed streetscapes;

Provision of access paths around the southern parcel providing access to POS and avoiding the creation of 'dead' open space;

A significant increase in visitor parking;

Provision of more secure parking courts;

An increase in the width of green corridors to the south and east boundaries so that development has far less impact on trees and vegetation to be retained;

An increase in the separation distance between development and the proposed NEAP to the east to ensure the future viability of the play area.

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
CS2 Green Infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS30 Yate and Chipping Sodbury
CS31 North Yate New Neighbourhood

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings
PSP43 Private Amenity Space Standards
PSP47 Site Allocations and Safeguarding

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)
Waste Collection: Guidance for New Developers SPD (adopted)
Extra Care and Affordable Housing SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/042/SCO, Scoping Opinion for a proposed mixed-use site approximately 104ha in North Yate.
- 3.2 PK12/1913/O, Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved. Approved on 17th July 2015.
- 3.3 PK15/5230/RVC, Variation of condition 41 of Planning Permission PK12/1913/O to change the proposed wording which related to the need for an Energy Statement and energy targets. Approved on 6th May 2016.
- 3.4 PK16/2449/RVC, Variation of condition 12 attached to planning permission PK12/1913/O to allow for a programme for archaeological investigations across the site. Approved on 15th August 2016.
- 3.5 PK17/0039/NMA, Non-material amendment to Condition 19 of PK16/2449/RVC (Outline planning permission for the North Yate New Neighbourhood) to reflect the updated phasing plan submitted pursuant to Condition 4. Approved on 23rd February 2017.
- 3.6 PK17/4826/RVC, Variation of conditions 12, 19 and 41 attached to outline planning permission PK12/1913/O to rationalise and validate amendments to conditions previously granted under application reference numbers PK15/5230/RVC, PK16/2449/RVC, and PK17/0039/NMA. Approved on 27th November 2017.
- 3.7 PK17/4260/RM, Laying out of landscape and infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PK12/1913/O superseded by PK16/2449/RVC). Recommended approval.
- 3.8 PK17/5389/RM, Erection of 86 dwellings , associated roads, drainage, landscaping, garages and parking to include reserved matters of appearance, layout, scale and landscaping (Reserved Matters application to be read in conjunction with Planning permission PK17/4826/RVC). Approved on 4th June 2018. (Parcels PL14D and PL22).
- 3.9 PK17/5388/RM, Erection of 77 dwellings , associated roads, drainage, landscaping, garages and parking to include reserved matters of appearance, layout, scale and landscaping (Reserved Matters application to be read in conjunction with Planning permission PK17/4826/RVC). Approved on 4th June 2018. (Parcels PL23A and PL23C).

- 3.10 PK18/0529/RM, Reserved matters for appearance, layout, scale and landscaping attached to outline planning permission PK12/1913/O Installation of local play area and associated works. Still under consideration.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Parking layout will result in huge number of dangerous reversing manoeuvres onto main road 130,111, 102, 103, 94, 95, 92, 93, 96, 97, 98, 99, 100, 101, 104, 105 blind corner 78, 79 also on corner;

Object to the narrow grass verges which will become eyesores. Verge by p148 plot serves no function and should not be public;

Object to lack of drop kerbs over main roads, only over side roads except at one cross junction lack of crossing points;

Parking bays badly located, e.g. bay for 106;

Not enough visitor parking as lots of units only have one parking space.

Housing at southern end too close to park will exacerbate complaints about park use and will undermine the quiet environment of the lake for users, fishermen and wildlife;

The Southern hammerhead should not be adopted public highway;

Lack of pavements;

No identification of entrance to park;

Concerns regarding play area next to a water basin.

4.2 Drainage Officer

Drainage and Flood Risk Management Team (Engineering Group - Street Care) has no objection in principle to this application subject to it being built in accordance with the approved drainage details.

The submitted information B693/37 Surface Water Contributing Areas Plan Sheet 2 of 3, D209/02 B Main Drainage and H560 S9 SW.MDX 05/06/2018 17:21 show compliance to the wider surface water drainage network.

Note the above MicroDrainage calculations relate only to Parcels 23B, D and E, as the surface water layout is only correct for those areas. The MicroDrainage calculations H560 S9 SW.MDX 25/04/2018 15:35 should be used for the other parcels connecting to the S8 and/or S9 network, as these are correct for the approved surface water layout.

Note any works to existing land drainage features will require land drainage consent.

4.3 Highway Structures Officer

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.

The developer is to propose routes for any abnormal load movements required for the construction of this development. An abnormal load is any vehicle or load that is over 3 meters wide, 18.75 meters long or over 40 tonnes in weight

4.4 Sports England

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

4.5 Historic England

Thank you for your letter of 8th February 2018 regarding the above application. On the basis of the information available to date, in our view you do not need to notify us of this application under the relevant statutory provisions, details of which are below.

4.6 Landscape Officer

Footpaths around southern parcel are missing; development encroaches into RPZ of trees and hedgerow to the south and east; unit 131 lies too close to the neighbouring NEAP; plot 87 and 89 and associated path are too close to the existing hedgerow; the density appears substantially higher than the masterplan with a dominance of parking; proposed planting scheme again proposes phormiums as the specimen plants creating a generic housing estate landscape not creating any distinctive character for North Yate.

4.7 POS Officer

Access alongside the green corridor is pinched and broken in several places, and there are level differences between the green corridor and the proposed development. The POS would be fragmented and some areas would be inaccessible for POS users and maintenance. The relationship between the levels of the proposed development and the watercourse needs to be clarified. The gradient of the embankment between the top of the basin and the edge of the carriageway also needs to be clarified. Properties are 8 metres closer to the NEAP than the masterplan and would be within the recommended minimum distance from the NEAP, which is unacceptable. There is no landscape management plan.

4.8 Crime Prevention Design Advisor

Plots 89, 96, 101, 111, 115, 130 and 139 have parking spaces which are likely to be dark and have no natural surveillance. Plots 91, 110, 133 and 134 have gable end walls exposed to the public realm. It is important to avoid the creation of windowless elevations. The garages and car parking spaces for plots 106-110 at the rear of the properties have no immediate natural surveillance.

4.9 Coal Authority

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

4.10 Refuse Officer

Overall the arrangement is good. The exceptions are the bin muster points near plot 149, plot 114 and plot 116 which are too far from the road for the collection crew to make an efficient collection. The muster by plot might perhaps be moved to the side of the bin store. Ideally the bins should be presented within ten metres of the access point for the collection vehicle.

4.11 Affordable Housing Officer

No Objection

4.12 Environmental Protection

No adverse comments

4.13 Transportation DC Officer

Having assessed the revised plans as submitted with the application and with the new information on the general layout, parking (both on-plot and visitors' parking) as well as vehicle tracking for service vehicles, etc. I confirm that there is no highway objection to this application.

It is recommended that shared-surfaced roads are completed with Concrete Block paving material with exception on tight corners and within the hammerhead where tarmac material may be used. That is said, I am happy to leave this matters to be determined by my colleagues in 'Development Implementation team' at s38 stage.

4.14 Listed Building Officer

No comment

Other Representations

4.14 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

North Yate New Neighbourhood is a major development site allocated by policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings. Outline consent was subsequently granted on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This approval covers a substantial area of the NYNN allocation. A masterplan and design code for the

North Yate New Neighbourhood were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. The principle of the development is therefore, acceptable.

5.2 Urban Design

The approved design code envisages a new neighbourhood made up of different areas with their own particular qualities. Three separate character areas – Yate Gallops, Yate Woods, and Yate Meadows are proposed in order to achieve this. The idea, according to the design code, is that the character areas facilitate design that works with the existing site and its surrounding context, whilst enabling a range of development types to come forward to broaden the market choice on offer and to help deliver a commercially sustainable scheme.

- 5.3 The site lies within the Yate Meadows character area. This area has the strongest visual and physical relationship to the wider countryside. It is characterised by contiguous green space, and contains extensive ponds, swales and recessed flood attenuation areas. The eastern edge of Yate Meadows is characterised by individual buildings at a generally lower scale, which is part of the sensitive design response to the wider countryside setting.

5.4 Parameter Plans

The approved parameter plans show parcels PL23B, PL23D and PL23E are required to provide entirely residential development, with a density between 35-50DPH, with a maximum of 3 storeys in the northern parcel and 2.5 storeys elsewhere except the southern edge of the southern parcel, which is required to be 2 storeys. The proposal is entirely residential and has a density of approximately 35DPH and is a maximum height of 2.5 storeys, and 2 storeys to the southern edge of the parcel. The proposal is considered to comply with the approved density and storey heights parameter plans.

5.5 Green Infrastructure

The application parcels are not required to provide any specific green infrastructure. The parcels do however front green space, including existing trees and hedgerow and a watercourse, to the east and south sides of the parcel. The development also fronts an attenuation basin to the southwest. According to the Green Infrastructure parameter plan, a green corridor of a width of approximately 4 metres is required to be provided to protect existing trees and vegetation along the southern boundary bordering Coopers Lake. The proposed scheme provides a corridor of a minimum width of approximately 4 metres along the southern boundary. To the east, the parameter plan requires a green corridor to be provided of a sufficient width to ensure that the development frontage is located outside the Root Protection Area (RPA) of existing trees. The proposal demonstrates a green corridor to the east with no development encroaching into the RPA of the existing trees. The proposal is considered to accord with the parameter plan in respect of green infrastructure.

5.6 Access and Movement

The application parcels are subdivided by primary and secondary streets, which accords with the parameter plan. The design of these streets has already been approved by virtue of the infrastructure application. The parameter plan

requires on plot footway/shared surfaces to be provided to the eastern edge of the parcels, and to wrap around the east, south and west edges of the southernmost parcel. The plans have been amended to provide the required paths/shared surfaces. A shared surface extends around the southernmost parcels, whilst a dedicated pedestrian footpath is provided to the east of parcels PL23B and PL23D. The proposal is considered to be in accordance with the parameter plan.

5.7 Waste Collection and Storage

The Refuse Strategy Layout plan submitted demonstrates that the majority of properties will have refuse storage areas within rear gardens with collection intended from the public highway to the front of the property, which will ensure convenient access by future occupiers and collection crews; and that the various receptacles are stored where they will be well screened from the public realm. Apartment blocks have dedicated enclosed bin storage areas within close proximity to the apartment blocks and the public highway for ease of access by occupiers and collection crews. Several properties which are accessed off a private drive are served by a communal bin muster point. The bin muster points serving private drives adjacent to plots 112 and 116 have been moved much closer to the adopted highway to make collection quicker and easier for collection crews. The revised plans are considered to be acceptable and there are no objections on this basis.

5.8 Layout and Appearance

Similar to the proposals relating to parcels PL14b and PL22 and PL23A and PL23C, which are also located within the Meadows character area, the appearance of units within this parcel has been improved significantly to better reflect the aspirations of the Design Code and to improve the character and visual amenity of the development. Accordingly, the materials proposed have been rationalised so that red brick is proposed to buildings fronting primary and secondary streets with render in key locations such as junctions, reconstituted stone to units that front green space, and buff brick to dwellings within core areas. Slate roof tiles are proposed to all areas with the exception of core, where brown pan tiles are proposed. Weatherboarding is also proposed in various colours as embellishment. The more consistent use of materials to group buildings that relate to each other is considered to be the correct approach in terms of 'place making' and will result in more coherent streetscapes. Elevations comprise fenestration of larger and more vertical proportions to increase solar gain and provide a more contemporary appearance. The previous use of glazing bars and window detailing such as window surrounds has been reconsidered to provide a simple and less fussy approach envisaged by the Design Code.

5.9 When used as an embellishment detail, it is considered important that the weatherboarding is recessed to the same level as the brickwork. A largescale detail will be secured by condition to ensure an adequate standard of appearance.

- 5.10 Following discussions with the Council's Urban Design Officer, the developer has made a number of changes to the layout of the scheme. These changes include the relocation of parking spaces previously proposed to the front of units 78-86, as these were in a highly visible position and would have negatively affected the success of the apartment block in addressing the view from the main street to the west. Vehicular parking to the side of plot 106 previously had a squeezed appearance and would have been very prominent from views from the primary street. The layout has been reconsidered to provide a more satisfactory arrangement to the side of plot 106 with parking being less prominent from views from the street and a street tree providing a stop to views.
- 5.11 The southern parcel has been amended significantly due to the need to provide access links around the parcel in accordance with the approved parameter plans, and to increase the level of separation to the proposed NEAP to the east. The amended layout to this parcel is considered to provide a more consistent building line to the east, and better addresses the surrounding public open space, particularly to the west/southwest. The pedestrian footpath to the east of the parcel previously comprised an awkward dogleg path and section of isolated fencing that would have looked odd in the streetscene and erratic car parking may have blocked pedestrian access to the path. The revised path layout provides a far more successful arrangement and removes the potential conflict between parking and pedestrian access.
- 5.12 There are instances where the proposed scheme has not been able to follow the approved Design Code. The main divergences are that Code U9M indicated to the northern and southern most edges of the parcel require gable end presentations and Green Edge Codes G1M and G2M have not been consistently followed. However, the deviations have been justified by the developer and are not considered to materially affect the quality of the proposal.
- 5.13 PROW
There are no Public Rights of Way which cross the reserved matters parcels. Although the setting of the existing public right of way LYA/50 to the southeast will be affected, significant weight is given to the fact that residential development has already been approved in principle by virtue of the approved outline framework plans and masterplan. Plans have been amended to provide a stronger development edge to parcel PL23E, with dwellings orientated to better address the green space to the southwest and PROW beyond. The PROW Officer has suggested the provision of a link to the open space area immediately to the south of the parcel. Links to Coopers Lake and to the existing play area have however, been provided for in the infrastructure application PK17/4260/RM.
- 5.14 Shared Street Design
The main shared surface street provided wraps around the perimeter of parcel PL23E. The curved line of the street, which is pinched in places by visitor parking will serve to calm vehicular speeds. However, it is considered that the consistent and relatively broad width of the street may result in casual parking occurring erratically around the perimeter unless controlled.

Revised plans received provide localised narrowing of the highway to better control on street parking and will avoid the street from becoming dominated by cars parking around the perimeter. The road will be entirely tarmac and constructed to adoptable standards. The only changes of surface material are block paving to denote visitor parking and a threshold to the shared street. The NYNN Design Code makes reference to 'truly' shared surface streets. The design code sets out that this should include measures for the use of a single surface finish laid flush across the space from property boundaries and no features other than parking that define a carriageway for vehicles. The proposed shared surface design is considered to accord with the design code; however, it will be necessary for officers to work closely with the Council's Highway Adoption Engineers to ensure that a flush surface is carried through to the detailed design stage.

5.15 Security

The comments of the Crime Prevention Officer have been addressed through the provision of more windows of the side elevations of properties to provide surveillance over side parking areas. Any elevations which are prominent from views from the public realm comprise windows to avoid blank gable elevations. In addition to the Crime Prevention Officers comments, a side window has also been provided to plot 150 to address views from the north and provide surveillance over the adjacent parking court. The Crime Prevention Officer raised concerns regarding the security of the parking court to the rear of plots 114 and 115 as this area does not benefit from any natural surveillance. Accordingly, the plans have been amended to provide gates to the parking court to provide a more secure environment for residents.

5.16 Landscaping

In the original layout submitted, the proposed scheme did not provide access around the perimeter of the southernmost parcel, which was a requirement of the outline consent. This left areas of POS inaccessible, and effectively dead space. The revised plans propose a shared surface street around the perimeter to provide access for the public and will allow for maintenance of the public open space. The development is also set further back from trees and vegetation on the southern and eastern boundaries of the parcel. This vegetation is close to Coopers Lake and has important amenity and ecological value. The revised plans will ensure that the development has less of an impact on existing vegetation, moving development out of the RPZ of trees and providing more space to accommodate differences in levels. To the northern edge, plot 87 and 89 and the associated pedestrian footpath have been moved further away from the existing hedgerow to better accommodate the level changes between the development and the retained vegetation in accordance with the Landscape Officers comments.

5.17 The Council's Landscape Officer has also raised concerns regarding the proposed planting schedule which proposes species such as phormiums which are a specimen plant which has been used a lot in other development proposals, and would not result in a distinctive landscape character for North Yate. The proposed tree species is considered to be restrictive and small scale. There also needs to be coordination between the planting to verges approved as part of the infrastructure application, which includes shrubs, herbaceous

planting, as well as tree planting and the landscape drawings for the proposed residential parcel to ensure there is no confusion or conflict as to what is required to be provided. The developer has agreed to a condition to address this matter to ensure that the landscape schedule for verges is consistent with the infrastructure approval. Verges are a requirement of the Design Code to provide a distinctive and pleasant public realm and cannot be removed as requested by Yate Town Council.

- 5.18 Following concerns that development on the eastern edge of the southern parcel would be too close to the allocated position of a NEAP, which could adversely affect the future function and viability of the play area if noise complaints are received from residential occupiers, the proposed dwellings have been moved further away from the boundary to ensure that an appropriate separation distance is provided to the NEAP.

5.19 Residential Amenity

Existing neighbouring properties at Meadow Mead are approximately 65 metres from the proposed dwellings. Given this level of separation, it is not considered that any significant adverse residential amenity issues would be introduced in respect loss of natural light, privacy or outlook. Weight is also given to the fact that the relationship has already been approved in principle by virtue of the North Yate Masterplan. There are some tight back to back distances between the proposed dwellings, particularly 150-147 on 133-135 with a separation distance of approximately 17 metres. However, this is due to the requirement for plots 133-135 to be set back from the eastern boundary to avoid being impacted by a NEAP to the east. However, given that the backs of the properties will be at an oblique angle to each other, which will lessen any inter-visibility impacts, it is not considered that it would result in any significant adverse privacy impacts. Overall, the private amenity space for dwellings is considered to be acceptable in size. Although the size of the private amenity space for a number of properties is less than the guide set out under Policy PSP43, there is no objection on this basis given that the proposed density has already been accepted in principle by virtue of the approved density parameter plan. Moreover, the size and layout of private amenity areas is such that it is considered that they would function adequately for future occupiers. Balconies are provided for the northern apartment block, and outside communal space around the apartment blocks is provided for future occupiers. Plots 147-150 are set back from the street and are accessed via a parking court. Whilst it is preferable for these properties to have a street frontage, the boundary treatments that surround the parking court comprise brick wall and hedge to improve the amenity of this area. Accordingly, there are no objections in respect of residential amenity.

5.20 Transportation

Following comments made by the Council's Transportation Officer regarding visitor parking, the number of visitor parking spaces has been increased significantly from 7 spaces to 21 spaces. This level of parking exceeds the parking requirement for visitors set out in the Council's Residential Parking Standards SPD (adopted). The internal road layout is considered to be acceptable, and tracking plans demonstrate that vehicles of various sizes will be able to manoeuvre adequately within the parcels.

The provision of traffic calming measures to primary and secondary streets has been considered under the separate infrastructure application which has been approved, and will also be considered further at the S38 highway adoption stage. These roads will also be subject to a Road Safety Audit both at the detailed design stage and following the completion of the works.

- 5.21 Yate Town Council has objected to the proposed layout which allows vehicles to access and egress properties directly from the spine road. The means of access to residential properties directly off primary and secondary streets has already been approved in principle by virtue of the approved North Yate New Neighbourhood Masterplan, which was approved by the Development Control (EAST) Committee on 15th December 2016, as well as the subsequently approved North Yate New Neighbourhood Design Code. Therefore, the reserved matters application, demonstrating direct access to properties off the spine road, is fully in accordance with the design code and masterplan. Whilst the layout may result in vehicles reversing on a bend onto the spine road, the low speed of the road combined with the good visibility available are such that there would not be any significant adverse highway safety issues.
- 5.22 It is noted that parking for plots 106, 108 and 109 is fairly remote from the properties; however, this is not considered to be a significant issue given that all other properties in the parcels have parking that is well related. The amendments to the parking court for the inclusion of gates to provide a more secure environment is such that occupiers will be more inclined to park their cars there.
- 5.23 In response to Yate Town Council's concerns regarding a lack of crossing points for pedestrians on main roads, this is an issue that is still being considered and negotiated with the Council's Highway Engineers via a S38 Highway Adoption application. Under the S38 Highway Adoption application, the detailed design of roads is required to be tested via a road safety audit process. The initial stages of the audit have been carried out and have identified a need for additional dropped kerbs with tactile paving, which have been added to the detailed design drawings.
- 5.24 The main spine streets (primary and secondary) will comprise a standard street design with segregated pedestrian paths and a defined carriageway. The North Yate Design Code, requires that all other residential streets be predominately shared surface streets in order that they are viewed as being subordinate to primary and secondary streets in the overall street network hierarchy to discourage through traffic, and to help reduce vehicular speeds in residential areas. A shared surface street is where there is no defined carriageway or footpath, with the aim being that a shared surface street gives pedestrian's priority over vehicles. The North Yate Design Code, which seeks provision of shared surface streets is a document that has already been approved by the Local Planning Authority. The proposed scheme, which incorporates shared surface streets is in accordance with the design code.

5.25 Listed Building Impacts

The closest heritage asset is the grade II listed Goosegreen Farmhouse and barn which is approximately 370metres to the southwest of the parcels. Given the separation distance and the intervening development, it is not considered that there would be a significant effect on the setting and significance of the listed building. Weight is also given to the fact that the masterplan showing residential development in this location has also been approved.

5.26 Affordable Housing

The revised plans submitted propose 21 social rented and 5 intermediate units, which provide a total of 26 affordable housing units. Accordingly, the affordable housing quantum and clusters have been provided in accordance with the agreed S106 agreement. Although there are a couple of variations between the range of house types proposed and the Affordable Housing Masterplan, the Council's Affordable Housing Officer is satisfied that it is in broad accordance and the tenure types proposed and is acceptable. The Affordable Housing Masterplan and Affordable Housing Plan will need to be amended following the approval of this reserved matters application to regularise the differences. An informative note is considered appropriate to bring this to the attention of the developer. The revised plans have corrected a discrepancy between the housetype drawings and the layout where some of the affordable housetypes were incorrectly specified as FOGs, and the developer has confirmed that the proposal will meet the Nationally Described Space Standards as required by policy PSP37 of the Council's Policies Sites and Places Plan. The applicant has confirmed in writing that the affordable homes will be built to Lifetime Homes standard, Part 2 of the Secured by Design, Code for Sustainable Homes Level 3 and that they will comply with the RP Design Brief. The applicant has also clarified that there will be sufficient space to accommodate a through floor lift following concerns raised by an Occupational Therapist. Accordingly there are no affordable housing objections.

5.27 Drainage

The Council's Drainage Officer requested further information in order to check that the proposed development complies with the overall Drainage Strategy for the North Yate New Neighbourhood. Following the receipt of this information, the Drainage Officer has confirmed that the proposal complies with the wider surface water drainage strategy. Details have also been submitted to demonstrate the flow paths and the location where water would pool, as well as the likely depths in the event the surface water drainage system becomes blocked and/or exceeded. The Drainage Officer has highlighted that any works to existing land drainage features will require land drainage consent. An informative note is appropriate to bring this to the attention of the developer. The Drainage Officer has also highlighted that the revised MicroDrainage calculations relate only to Parcels 23B, D and E, as the surface water layout is only correct for those areas. The MicroDrainage calculations H560 S9 SW.MDX 25/04/2018 15:35 should be used for the other parcels connecting to the S8 and/or S9 network, as these are correct for the approved surface water layout. An informative note is also considered to be appropriate to bring this to the attention of the developer.

5.28 Ecology

A number of ecological strategies were secured as part of the discharge of conditions on the outline consent. This included a Landscape and Ecological Management Plan, and wildlife mitigation strategies. These strategies were required to help mitigate the impact on, as well as measures to enhance wildlife. An informative note is attached to notify the developer of the requirement to accord with the relevant wildlife strategies.

5.29 Further Matters

Yate Town Council's concerns regarding the proximity of an attenuation basin to a park are noted. The attenuation basin is located to the southwest of the parcel, and the park, which does not yet have consent, will be located to the southwest beyond the attenuation basin. This arrangement has already been approved in principle by virtue of the North Yate New Neighbourhood Masterplan; the attenuation basin S8 will also have side slopes of 1:3 gradient and a maximum water depth of 1 metre.

For this type of basin there is no requirement for any protective fencing to the perimeter of the basin. Accordingly, there are no objections on this basis.

5.30 Consideration of likely 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 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. 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. 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 a neutral impact as equality matters have duly been considered in planning policy.

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 Reserved Matters Consent is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. Prior to the development hereby approved being brought into operational use, details of street lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before the development is brought into operational use.

Reason

To ensure that the lighting scheme does not adversely impact on the landscaping scheme, and to ensure the health and appearance of vegetation in the interest of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

2. All hard and soft landscape works shall be carried out in accordance with the details to be approved under condition 11. The works shall be carried out in the first planting season prior to occupation of the final dwelling approved under this reserved matters application or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. Any trees or plants shown on the landscaping scheme hereby approved, which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interests of the character and appearance of the area, to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017 and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. Prior to the construction of development above Damp Proof Course (DPC) level, samples of all external facing materials shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

5. Prior to the construction of development above Damp Proof Course (DPC) level, sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority . The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

6. Prior to the construction of development above Damp Proof Course (DPC) level, sample panels of brickwork, demonstrating the colour, texture, facebond and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the brickwork is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

7. Prior to the construction of development above Damp Proof Course (DPC) level, the design and details including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the local planning authority:
 1. Eaves, verges and ridges
 2. All windows (including cill, reveal and lintels)
 3. All external door hoods, architraves, canopies and porches
 4. Extracts, vents, flues & meter boxes
 5. Dormers
 6. Weatherboarding cladding relative to masonry external leaf/window frames
 7. Bay windows

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

8. Prior to the construction of development above Damp Proof Course (DPC) level, a sample panel of the render indicating colours and texture, shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

9. The bin storage shown on the drawings hereby approved shall be provided before the corresponding dwellings are first occupied, and thereafter retained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

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

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

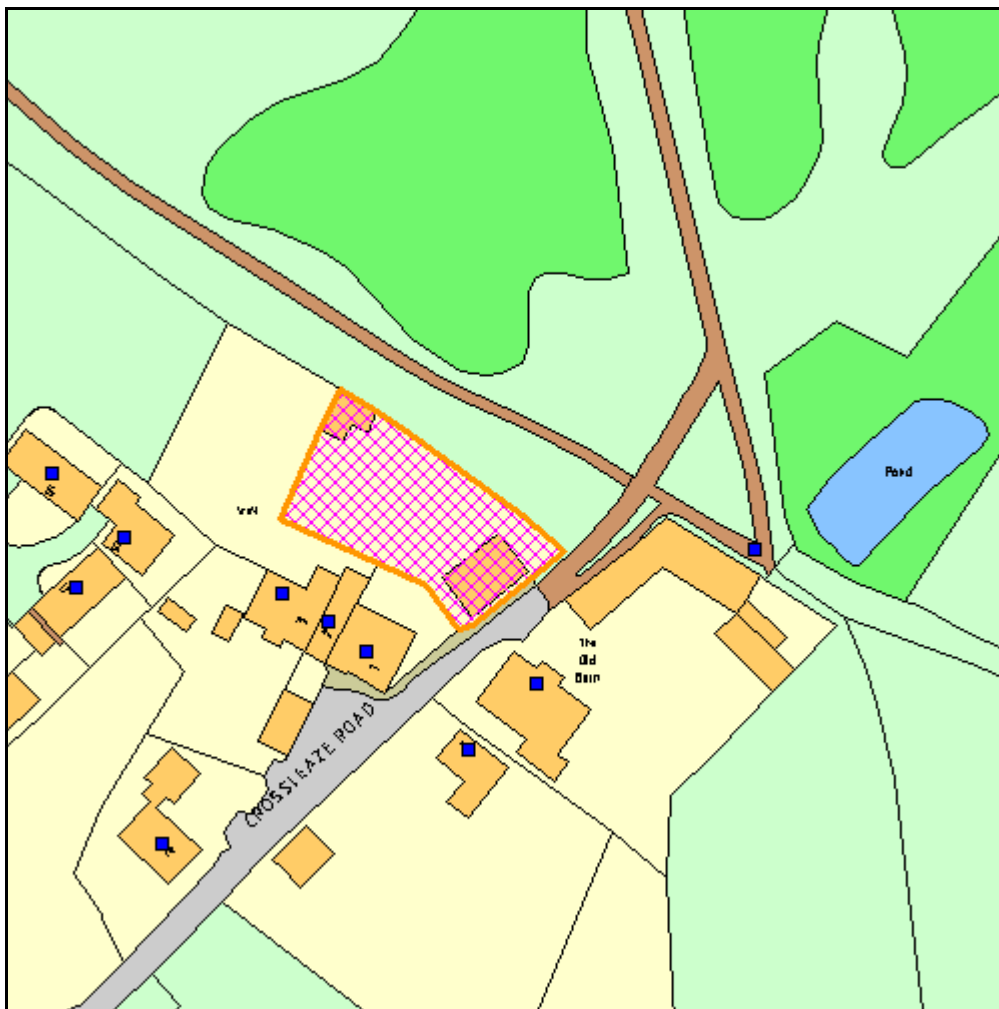
11. Notwithstanding the details submitted, within 3 months of the date of this decision, a revised landscape plan to accord with the planting schedules approved in the infrastructure application PK17/4260/RM for primary and secondary street verges and the North Yate New Neighbourhood Design Code shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/0810/RVC	Applicant:	Mr Page Tuck
Site:	1 Crossleaze Road Hanham Bristol South Gloucestershire BS15 3NH	Date Reg:	26th February 2018
Proposal:	Removal of condition 2 attached to planning permission PK08/0799/F to allow residential annex to be used as an independent dwelling.	Parish:	Hanham Abbots Parish Council
Map Ref:	364355 171091	Ward:	Hanham
Application Category:	Minor	Target Date:	19th April 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK18/0810/RVC

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 This application seeks permission for the removal of condition 2 of planning permission PK08/0799/F. The removal would allow the residential annex to be used as an independent dwelling.

1.2 Condition 2 currently reads:

The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as No. 1 Crossleaze Road.

Reason

To protect the residential amenity of existing and future occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

1.3 The application site is within the defined urban area of Hanham. Crossleaze Road is a minor road serving a small number of dwellings and converted farm buildings. The site falls outside of the Bristol and Bath Green Belt.

1.4 In considering the application, it is appropriate to focus on this condition and the reasons for it being imposed. As a decision to approve a variation or removal of condition application of this nature is effectively issuing a new planning permission, it is also necessary to check all conditions attached to the original application are still relevant and necessary and need following through to this application.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of the Bristol Urban Area

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 PK08/0799/F

Construction of chimney to existing garage to facilitate conversion to ancillary residential accommodation.

Approved: 25th April 2008

3.2 PK03/0473/F

Erection of front porch and two storey and single storey rear extension to form additional living accommodation (Resubmission).

Approved: 14th April 2003

3.3 P96/4656

Erection of detached double garage and snooker room

Approved: 7th February 1997

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

Objection- we see no reason to remove the condition of the original planning permission which was put in place to protect residential amenity.

4.2 Sustainable Transport

Whilst the proposal (i.e. change of use from an annex to an independent dwelling) has the potential to generate additional traffic movements to and from the site, I am satisfied that the impact from this would not be significant to justify the refusal of this application on traffic issue. Access to the site is via a quiet residential cul-de-sac with small number of properties being served from it and as such, the access road is considered acceptable.

In terms of parking, since 2008 (when the Council was applying maximum parking standards) the policy for residential parking has changed- the council has now adopted the minimum parking standards and this means that each property depending on number of bedrooms in it should provide off-street parking. Therefore, if the existing annex is being an independent dwelling then, it is appropriate that the applicant provides off-street parking for this as well as parking for the original house.

With this in mind, the applicant is requested to submit a revised plan (including a revised red edge plan) showing details of parking arrangement for both properties on the site.

Once such information has been submitted then, we would make our final recommendation on this application.

Comments after a revised Block Plan was submitted with revised red line and proposed parking provision;

In consideration to the revised plan as submitted, I do not wish to pursue highway objection to this application on the basis of parking. If the Council is minded to approve this application then, it is recommended that a planning condition is imposed so that all parking spaces shown on the plan are 'marked out' with white lining and subsequently maintain these satisfactorily thereafter.

4.3 Highway Structures

No comment

4.4 Lead Local Flood Authority

No objection

Other Representations

4.5 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application seeks to remove a condition which ensures that a previously approved annex remains ancillary to the main dwellinghouse at 1 Crossleaze Road, Hanham. The condition was imposed to protect the residential amenity of existing and future occupiers.

Applications made under S73 of the Act seeks permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under S73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted.

If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly. If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.

Policy PSP8 of the Policies, Sites and Places Plan (Adopted) November 2017 states development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of nearby properties through loss of privacy; overbearing; or loss of light. 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.

It is considered that the proposal accords with the principle of development subject to further considerations as set out below.

5.2 Appropriateness of Location

The proposal would be located at the end of Crossleaze Road, Hanham which is a cul-de-sac serving a small number of properties. Policies CS5 and CS34 of the South Gloucestershire Core Strategy state that new build housing should be limited to urban areas and established settlement boundaries. In that regard, the proposal complies with the adopted development plan as it proposes a new dwelling within the established settlement boundary of Hanham.

- 5.3 Paragraph 14 of the NPPF states presumption in favour of sustainable development, and states that proposals that accord with the development plan should be approved without delay.

5.4 Design and Visual Amenity

The application does not seek to alter the appearance of the building. The only physical alteration would most likely be the sub-division of the plot, and the provision of additional parking spaces. It is not considered that these alterations would cause any significant harm to visual amenity.

- 5.5 The orientation of the building is such that the principal elevation is facing onto the rear garden, any new dwelling should seek to contribute positively to the streetscene and should also respect the overall appearance and orientation of nearby dwellings. In this regard it would be more appropriate to have the principal elevation visible from the highway. That said, the proposal is located at the end of Crossleaze Road and so would not be prominent within the streetscene and the existing property opposite does not benefit from a principal elevation which fronts the highway. Therefore, it is not considered that the occupation of the building as a separate residential unit would have any significantly greater impact on visual amenity than if it were occupied as an ancillary annex. As such, there is no objection to the removal of the condition in this regard.

5.6 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.7 When considering the implications of the removal of condition 2 on the residential amenity of neighbours, the main property to consider is the existing property at 1 Crossleaze Road. As the proposed alterations to the original permission would not alter the scale or form of the building, it is not considered that the separate occupation of the building would have any greater overbearing or overshadowing impacts to the neighbouring occupier. Due to the positioning of the existing buildings and single storey nature of the annex, it is not considered to result in any significant overlooking issues.
- 5.8 Due to the creation of an independent residential planning unit, careful consideration must be given to the sub-division of the plots in regards to the amenity space remaining and created for the existing and newly created curtilages. The proposed site plan as part of the application is basic in its depiction of the curtilages remaining and created. It is considered that, although undefined, the amount of space which would remain in the ownership of the original dwellinghouse would be considered sufficient. However, this would need to be well defined with appropriate boundary and landscaping treatment to successfully achieve the highest level of site planning and layout.
- 5.9 Overall, it is not considered that the occupation of the annex building as a separate residential unit would have any greater impact on residential amenity than if it were to remain ancillary to the host dwelling. As such, the proposal is deemed to comply with policy PSP8 of the PSP Plan.
- 5.10 Sustainable Transport and Parking Provision
The application proposes 2no. off-street parking spaces for each of the proposed new residential unit and the remaining dwelling with a shared access. This would be considered acceptable in regards to the council's Residential Parking Standards. Although it is noted that there is potential for increased traffic to and from the site, the impact would not be significant. Therefore, the proposed access from Crossleaze Road is considered to be acceptable. It is recommended by the Sustainable Transport Officer that the parking spaces are 'marked out' with white lining and subsequently maintained thereafter. The existing driveway consists of a loose stone surface and so a condition of this nature would not be appropriate in this instance.
- 5.11 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

Contact Officer: James Reynolds
Tel. No. 01454 864712

CONDITIONS

1. Prior to the first occupation of the development as a separate planning unit, details demonstrating the boundary treatments at the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the agreed details and thereafter retained as such.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies PSP8 and PSP43 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

2. The development hereby approved shall not be occupied as a separate planning unit until the off street car parking as shown on the plans hereby approved has been provided. For the avoidance of doubt the off street parking shall comprise of 2 car parking spaces for the development hereby approved and 2 car parking spaces for 1 Crossleaze Road. Thereafter the development shall be retained as such.

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. 25/18 – 22 JUNE 2018

App No.:	PK18/1240/F	Applicant:	Mr Edward Jefferies
Site:	Tumbleweed Golden Valley Lane Bitton South Gloucestershire BS30 6LG	Date Reg:	17th April 2018
Proposal:	Erection of side and rear dormer to facilitate loft conversion.	Parish:	Bitton Parish Council
Map Ref:	368375 169665	Ward:	Bitton
Application Category:	Householder	Target Date:	11th June 2018



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008.

N.T.S.

PK18/1240/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE.

The application has received objections that are contrary to the Officer recommendation. As such, according to the current scheme of delegation must be placed on the circulated schedule for Members.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the installation of side and rear dormers to facilitate a loft conversion at Tumbleweed Golden Valley Lane Bitton.
- 1.2 The application site is within the Bitton Conservation Area and settlement boundary, there is also a public right of way that runs along the southern site boundary and extends to the rear of the application site (PBN33). By nature of this public right of way, the proposal is largely visible from a number of public vantage points.
- 1.3 The development is a third submission in order to overcome issues with the previous designs. The dormers require planning permission as the application site is located on article 2(3) land.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Residential Parking Standard SPD (Adopted) December 2013
South Gloucestershire Design Checklist SPD (Adopted) August 2007
Bitton Conservation Area: Advice Note

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/1830/F
Refusal (01.08.2017)
Alteration to roofline and installation of rear dormer to include Juliet balcony and side dormer to form loft conversion (Resubmission of PK16/6842/F)
- 3.2 PK16/6842/F
Refusal (28.02.2017)
Alteration to roofline and installation of rear dormer to include Juliet balcony to form loft conversion
- 3.3 PK11/1585/F
Approve with Conditions (27/06/2011)
Erection of single storey side and rear extensions to provide additional living accommodation. Erection of garden shed.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
“Councillors again object strongly to these proposals. They feel that the application offers poor design and leaves the property, which is within the Bitton Conservation Area, out of keeping in the area and very unbalanced as one of a pair of houses. There are fears of a loss of privacy to houses in Aubrey Meads which would be overlooked by the side dormer. All aspects of this house are readily visible from the well-used public right of way which comes down from Upton Cheyney and the proposals would be a blot on the landscape.”

Public Rights of Way

“No objection”.

Sustainable Transport

“No objection.”

The Conservation Officer

“No objection.”

Other Representations

- 4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1, which is echoed by PSP38 seeks that the siting, form, scale, height, massing, detailing, colour and

materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

- 5.2 Also, Policy CS9 'Managing the Environment and Heritage' of the South Gloucestershire Core Strategy aims to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. Similarly, saved Policy PSP17 will only permit development within a conservation area where it would preserve or enhance the character or appearance of the conservation area. The proposal accords with the principle of development subject to the consideration below.

5.3 Design and Visual Amenity

The host property is a two storey semi-detached dwelling with rendered elevations and white UPVc windows and doors. The roof is tiled and hipped. The property benefits from a large previous ground floor alteration (PK11/1585/F) which comprises of a single storey side and rear extension which wraps around the property.

- 5.4 As noted from the comments of the Conservation Officer, which the Case Officer echoes; the scale and design of the side dormer is a text book example of how to approach such things i.e. it is set down from the main ridge and set in from the flank elevation. Therefore in profile the hip of the main roof will remain evident and the dormer extension will read as such, rather than the "gabling off" effect that often occurs. While it is acknowledged that the semi-detached pair would become unbalanced, when considering the site and its surroundings it is not thought that this is sufficient to warrant a reason for refusal.

- 5.5 The rear dormer and Juliet balcony is considered to be subservient to the host dwelling due to its hipped roof and substantial reduction from the previous submission. Additionally, as it is to the rear of the property little would be seen from the public views offered in the area. This part of the development is considered to be acceptable.

- 5.6 The applicant has revised the proposal in line with Officer comments from previous applications. Thus, at the third iteration the proposal is now acceptable in terms of design and visual amenity, and would comply with policy CS1 of the Core Strategy and PSP38 of the PSP Plan.

5.7 Heritage

The development is located within the Bitton Conservation Area. The NPPF includes Conservation Areas within the definition of 'designated heritage assets'. Policy CS9 requires officers to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance.

- 5.8 As the application site is located on Golden Valley Lane; which is one of the key entrances to the Bitton Conservation Area, the proposal would be widely viewed. However, as ascertained the proposed dormers are now considered to be acceptable and would preserve the character and appearance of the Conservation Area. As such, the development accords with the Section 72 (1)

of the Planning (Listed Buildings and Conservation Areas) Act 1990; the NPPF; and Policies CS9 of the Core Strategy and PSP17 of the PSP Plan.

5.9 Residential Amenity

The dormers do not result in a materially overbearing or overshadowing impact on the nearby occupiers due to the position of the dwelling and the size of the proposal. Additionally, the proposed 'Juliet' balcony would not materially harm the privacy of the nearby occupiers or users of the public right of way. However, the proposed side dormer would look directly into the rear gardens of Nos 4 and 5 Aubrey Meads, thereby impacting on their privacy. However, this dormer window will be obscure glazed (which will be conditioned as such) and would serve the landing of the host dwelling as such is not a principal room. Thus it is unlikely that a material loss of privacy would occur that would warrant a reason for refusal.

5.10 Highways

Post development the number of bedrooms at the property will increase from 3 to 4. PSP16 requires that four bedroom dwellings have two parking spaces within the site boundary. As the property benefits from a large parking area to the front of the property that can accommodate multiple cars there are no objections on transport grounds.

5.11 Public Rights of Way

As noted from the Public Rights of Way Officer the proposal is unlikely to affect public use of the path.

5.12 Equalities

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: 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 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.

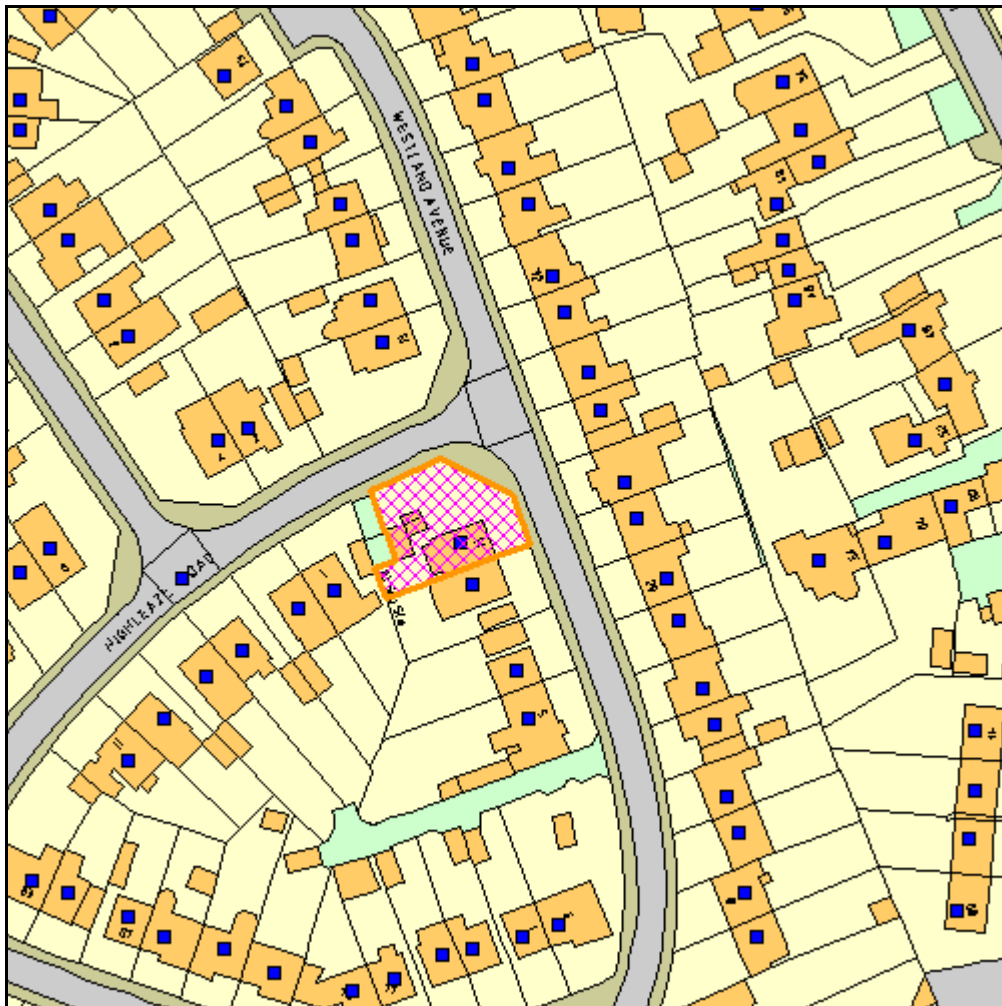
3. Within one month of the development hereby permitted being substantially complete, and at all times thereafter, the proposed dormer window on the southern elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/1319/F	Applicant:	Andy Cross
Site:	11 Westland Avenue Oldland Common Bristol South Gloucestershire BS30 9SH	Date Reg:	3rd April 2018
Proposal:	Demolition of existing workshop and outhouse. Erection of 1no dwelling, creation of new vehicular access and associated works.	Parish:	Bitton Parish Council
Map Ref:	367114 171569	Ward:	Oldland Common
Application Category:	Minor	Target Date:	23rd May 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK18/1319/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule to take into account the comments of objection that have been received. Such comments are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a detached bungalow within the curtilage of 11 Westland Avenue, Oldland Common. The site is a corner plot at the junction of Westland Avenue and Highleaze Road and the new dwelling would be located to the north, following the existing building line.
- 1.2 The proposed development consists of a 3-bedroom bungalow which respects the host dwelling in terms of form, scale and design.
- 1.3 The site is situated within the east fringe of Bristol. No other land use designations cover the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Location Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
CIL and S106 SPD (Adopted) 2015

3. RELEVANT PLANNING HISTORY

3.1 There is no planning history on this site.

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Objection

- overdevelopment
- out of keeping
- fencing would harm neighbours living conditions

4.2 Other Consultees

Highway Structures

No objection

Lead Local Flood Authority

No objection

Sustainable Transport

No objection

- drop kerb informative

Tree Officer

Objection

- tree report with tree protection plan required

Coal Authority

No objection

- Coal Authority standing advice informative

Other Representations

4.3 Local Residents

7 local residents have objected, raising the following points –

- out of keeping
- harm to character and appearance of area
- overdevelopment
- high quality materials should be secured by condition
- loss of light
- loss of outlook
- loss of privacy
- overbearing
- insufficient garden space
- construction should be controlled by a management plan or condition
- on-street parking reduction
- increase on-street parking pressure

- harm to highway safety
- insufficient on-site parking
- proposed fencing could cause structural damage and/or personal injury
- understood entrance proposed to front, not side as shown on plan
- no postal notification (26 Westland Avenue)
- set a precedent for further development
- annexe preferable
- work has begun without planning permission
- contrary to development plan

5. **ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the erection of a detached bungalow in Oldland Common.

5.2 Principle of Development

The application is located in the existing urban area of the east fringe of Bristol. Under policy CS5 – which sets the locational strategy for development in the district – new development is directed towards the existing urban areas and defined rural settlements. Therefore development in this location would comply with the strategic development locational strategy.

5.3 However, at present the local planning authority cannot demonstrate a 5-year supply of deliverable housing land and in accordance with paragraph 49 of the NPPF, the policies in the development which act to restrict the supply of housing are out of date. This means that applications for residential development should be considered in context of the presumption in favour of sustainable development (as set out in paragraph 14 of the NPPF). This paragraph states that when policies are out of date, planning permission should be granted unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits of the proposal.

5.4 In reality, the current housing supply shortage has little impact on the determination of this application as the proposal does not conflict with the overall locational strategy of the district. It therefore falls to the specifics of the proposal.

5.5 Design

The proposed footprint and massing of the building would not be out of character with nearby buildings, and whilst it is noted a slightly lower eaves level, Officers are satisfied the proposals would broadly respect the context of the existing street scene and as a consequence would not result in a dominant or overbearing impact.

5.6 It is accepted that the proposed materials would not be out of keeping with other development within the wider area, and note that the proposals have sought to adopt various design cues and details from other building within the street, including an interpretation of the differing surface treatments visible on the host dwelling. It is acknowledged that the proposed fenestration would not be a consistent with the existing context and appearance of development, but

would not appear out of keeping with the singular design of the proposal. Officers are satisfied that their inclusion would not erode with any significance the local distinctiveness of the character of the area.

- 5.7 Officers agree with the Parish Council and local residents that the detached form of the proposal is a departure from the traditional form and design of buildings prevalent on Highleaze Road and Westland Avenue, however it is not considered that this in itself would amount to a harmful effect on the street scene and area, but merely reflects an evolution of design from a new development. Furthermore, the boundary treatment proposed is considered to be visually appropriate as directly comparable examples exist elsewhere in the street.
- 5.8 As a consequence, Officers are satisfied that the proposed development would not have an adverse effect on the character and appearance of the area. On that basis the suggested materials condition is unnecessary but a condition to ensure that the development is carried out in accordance with the approved plans will be imposed, as this provides certainty.
- 5.9 Residential Amenity
Development should not be permitted that has a prejudicial impact on residential amenity. This should be considered in terms of the application site itself and the impact of the proposal on all nearby occupiers.
- 5.10 Measuring the proposed gardens shows they are both acceptable and following the relocation/removal of windows, the impact on the host bungalow would not be prejudicial.
- 5.11 The proposed development would be visible to a number of neighbours in the locality but Officers do not consider, contrary to the views of local residents, that the proposal would be unacceptably oppressive, overbearing, or create an unsatisfactory living environment for any neighbouring occupant. A condition will however be imposed to control construction working hours in order to maintain the level of amenity enjoyed by neighbouring residents.
- 5.12 It is therefore not considered that the proposal would have a prejudicial impact on residential amenity.
- 5.13 Transport and Parking
The application seeks to erect a new detached 3-bedroom dwelling immediately adjacent to 11 Westland Avenue. To achieve this the demolition of an existing workshop and outhouse is necessary.
- 5.14 Local residents are concerned that insufficient parking would be provided. The Council's minimum domestic car parking standards, as set out in the Residential Parking Standards SPD, indicate that 3-bedroom properties must be provided with two off-street car parking spaces. Examination of the submitted information indicates that this will be achieved by using the existing off-street parking area to the rear of the property. It is noted that the necessary spaces are provided in a tandem manner which is not ideal, but as the space appears

- to be long enough to accommodate two vehicles without obstructing the adjacent footway, then this element is acceptable.
- 5.15 It is also understood that the existing dwelling has 2-bedrooms and as such must continue to be provided with one or more off-street spaces. To overcome the loss of spaces at the rear, it is noted that an area of hardstanding is proposed at the front of the property to accommodate these vehicles. As these two spaces appear to be of the correct dimensions, this element is acceptable as well.
- 5.16 It is noted that provision of this new area of hardstanding requires additional drop kerbs to be installed on the adjoining public highway in Westland Avenue. Hence, an informative will be attached to remind the applicant of the need for any works on the public highway, including installation of drop-kerbs, to be fully approved by the Council before, during and after construction.
- 5.17 Local residents' primary concern is that the resulting loss of on-street parking will lead to issues over highway safety and increased pressure for parking elsewhere in the street. It is acknowledged that 1 on-street parking space will be lost but this is not considered to be critical in this suburban location and thus an objection could not be sustained on this basis.
- 5.18 It also seems that just about all the adjoining properties fronting Westland Avenue have driveways with dropkerbs and although the dropkerbs are closer to the junction than would be desirable, those on the opposite side of the road are closer and potentially more dangerous. Hence the authority has no grounds for objection to their provision at this property.
- 5.19 The authority has no record of any accidents taking place on Westland Avenue in the last 20 years which suggest speeds are appropriate and drivers behave sensibly. There is therefore no reason to suppose this proposal will alter that position.
- 5.20 After careful consideration, it is therefore not considered that this proposal raises any material highways or transportation concerns.
- 5.21 Trees
The Tree Officer is concerned that the proposal could harm the variegated Sycamore tree which is to be retained to the front and as such has requested tree protection measures be submitted. However, the proposal would also include the removal of a tree to the rear of the site.
- 5.22 Officers acknowledge that the Sycamore makes a pleasing contribution to the character and appearance of the area, but as the tree does not benefit from protection under a TPO Officers, are mindful that the applicant could prune or fell it without consent. Furthermore, there would be ample opportunity for new planting within the eastern part of the site. The above request is therefore considered unreasonable.

5.23 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.

5.24 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.

5.25 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 a neutral impact.

5.26 Overall Planning Balance

The Council is unable to demonstrate a 5-year housing land supply. Whilst one dwelling would not have a significant impact on the supply of housing land, it must still be considered in light of the presumption in favour of sustainable development. While it is acknowledged that there are minor issues with the appearance and tree loss, these factors are not considered to be sufficient reasons for refusal. When these are assessed as part of the planning balance it is not considered that concerns regarding the proposal outweigh other considerations and therefore it is recommended that planning permission is granted.

5.27 Other Matters

Several other issues have been raised by objectors; each is considered in turn below.

5.28 *Potential risks to property and person:* there is no basis to withhold planning permission solely on the basis of perceived health and safety, risks which may arise from bad weather.

5.29 *Failure to comply with planning permission:* in the interests of certainty, a condition requiring that the development accords with the approved plans will be imposed.

5.30 *Notification failure:* a local resident at 26 Westland Avenue claims they did not receive a neighbour notification, but it is understood that notice has been served on this owner, and a number of others, in accordance with the regulations.

5.31 *Precedent for further development of this type:* the proposal has been found acceptable having regard to the relevant planning policy, the specific context of the site and its surroundings and other material considerations. A generalised concern of this nature does not justify withholding permission in this case.

- 5.32 *Annexe preferred:* personal development preferences are not planning matters and as such cannot be considered under this planning application assessment
- 5.33 *Work carried out before planning consent:* if the applicant has proceeded without permission, a planning breach will have been committed. However, the development has been found acceptable and if this application is successful, no further action need be taken.
- 5.34 On the other hand, if the application fails, the Council can serve an enforcement notice stipulating that the breach is remedied. This can be expensive and frustrating for those concerned, and can involve dismantling the entire development. To avoid such complications, it is best to ascertain whether or not planning permission is required before any work begins.
- 5.35 *Conflict with development plan policies:* the proposal has not been found contrary to the terms of the development plan as a whole.

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday 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 residential amenity of neighbouring occupiers and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and, the National Planning Policy Framework.

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

Received 17.03.2018:

Coal Authority Property Search Report

Coal Mining Risk Assessment

Design & Access Statement

Statement of Significance

Received 03.04.2018:

Proposed Elevations (CROSS170118E)

Existing Bungalow Proposed and Existing Floor Plans (CROSS170118EL)

Proposed Floor Plans for the Proposed New Dwelling (CROSS170118L)

Site Plan (CROSS170118OS)

Proposed Bin Store Elevations and Street Scene Elevations (CROSS170118SSD)

Existing and Proposed Elevations for the Existing Dwelling (CROSS170118EE)

Proposed Block Plan (CROSS270318PS)

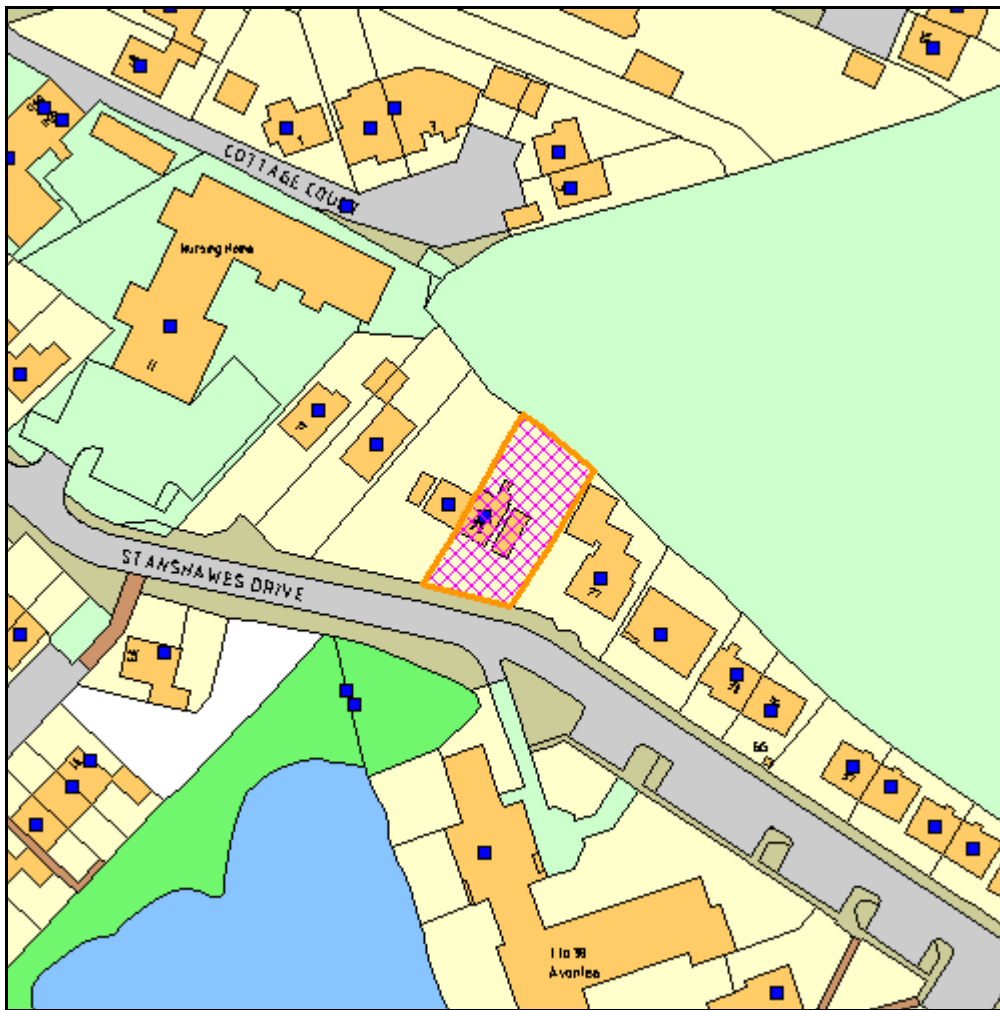
Existing Block Plan (CROSS270318S)

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/1489/F	Applicant:	Lily Hale
Site:	23 Stanshawes Drive Yate Bristol South Gloucestershire BS37 4ET	Date Reg:	11th April 2018
Proposal:	Demolition of existing outbuildings and erection of 1 no. detached dwelling with new access and associated works.	Parish:	Yate Town Council
Map Ref:	370861 182033	Ward:	Yate Central
Application Category:	Minor	Target Date:	6th June 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PK18/1489/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has received objections that are contrary to the Officer recommendation. As such, according to the current scheme of delegation must be placed on the circulated schedule for Members.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the demolition of the existing outbuildings and the erection of 1no detached dwelling with new access and associated works at 23 Stanshawes Drive yate.
- 1.2 The application site relates to a semi-detached property situated within the settlement boundary.
- 1.3 Permission for an attached dwelling on the same plot (PK16/3204/F) was granted by the Development Control (East) Committee in August 2016. As of a site visit on 12th April 2018 this permission has not been implemented.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS30 Yate and Chipping Sodbury

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
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Waste collection: guidance for new developments (Adopted) 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/3204/F
Approve with Conditions (16.08.2016)
Erection of 1no attached dwelling, access and associated works.
- 3.2 PK15/3687/F
Approve with Conditions (02.10.2015)
Erection of first floor side extension over garage and alterations to existing conservatory
Neighbouring application (27 Stanshawes Drive)

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
“Object. This is a small space to accommodate a very big house and will only provide 2 off-street parking spaces for the new house, despite being 4 bedroomed, with no residual garden space to provide more. Will result in on-street visitor parking on a narrow road. Parking for 2 x four bedroom houses needs to be off-street parking as directly opposite the entrance to Avonlea, used for ambulances and minibuses to get to the front door. It is a narrow drive.”

Lead Local Flood Authority
“No objection.”

Highway Structures
“No comment.”

Sustainable Transport
No objection subject to parking conditions to include the materials used, the provision and retention of the parking spaces for both properties and the height of the front boundaries to be no more than 0.9m.

Other Representations

- 4.2 Local Residents
One objection received stating that they raise no objection to the additional dwelling but does object to the design of the parking arrangements which would be contrary to existing parking arrangements in the area to the detriment of the street scene

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
A new dwelling was granted permission in the location proposed in 2016 as such the principle of development is acceptable. Notwithstanding this, Paragraph 14 of the NPPF states that proposals that accord with the development plan should be approved without delay. Policy CS5 sets out the locational strategy for development in the district. New development is directed towards existing urban areas and defined settlements. As the site is located

- within the settlement boundary of Yate, 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 Yate, the principle of development is acceptable under the provisions of policy CS5. As policy CS5 is not seeking to restrict the supply of housing, it can be afforded full weight in this case.
- 5.3 Whilst the principle of the proposed development is acceptable under the provisions of policy CS5, the impacts of the development require further assessment to identify any potential harm. The harm identified will then be balanced against the benefits of the proposal. The further areas of assessment are design and visual amenity, residential amenity, and transportation.
- 5.4 Design and Visual Amenity
The host unit forms part of a semi-detached pair of dwellings within spacious plots with open side gardens. Although the open side gardens are attractive features, the removal of this space through the construction of a dwelling is not considered to be harmful to the character of the area, indeed large spaces between dwellings in a linear form do not form a prevalent feature within Stanshawes Drive.
- 5.5 The dwellings along Stanshawes Drive have a varied and modern character composed of dormer bungalows; two care homes; two storey dwellings; and both hipped roof dwellings and gable end dwellings. To the north of Stanshawes Drive is Yate International Academy and to the south west of Stanshawes Drive is the more recent residential development composed of Blue Cedar Close; Hollybrook Mews and Coopers Court Retirement Home. With this in mind, the area has been subject to a mix of development in recent years, as such the erection of a detached dwelling in the location proposed would not be at odds with the character of the area.
- 5.6 The ridge height of the proposed dwelling would be set below the host dwelling, thereby creating a step down to the dormer bungalow to the east. In that regard the scale of the development is considered to be acceptable, it complements the existing attached dwelling and the dwelling fits within the application site well, leaving adequate space between its side elevations and the adjacent dwellings.
- 5.7 In regards to the neighbour comment regarding the design of the parking area to the front of both dwellings. Several properties in the immediate area have large drives and some have entire frontages of block paving as parking. Moreover, as parking areas to the front of properties common in urban areas such as this Officers deem the design of the parking area in the current submission to be acceptable.

- 5.8 The materials proposed for the new dwelling are red brick and render elevations, white UPVc windows, and a pitched tiled roof. There are examples of these materials and designs both on the host and surrounding properties. As such the erection of a detached dwelling in the location proposed would not be at odds with the character of the area. It is therefore considered that the proposal is acceptable in terms of policy CS1 of the Core Strategy (Adopted) December 2013.
- 5.9 Residential Amenity
Policies PSP8 and PSP38 of the adopted PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; poor amenity space, loss of light; and loss of privacy of neighbouring occupiers.
- 5.10 The proposal contains windows to the front and rear first floor elevations, these will not materially overlook nearby occupiers. Also, two first floor side elevation windows are proposed which would serve a bathroom and an en-suite. These windows would be obscure glazed and would look out onto the driveway of the adjacent dwelling (No.27). These windows are not considered to be materially harmful to the privacy of the neighbouring occupiers as the windows would be obscure glazed and even if not obscure glazed would not overlook any materially sensitive areas.
- 5.11 In 2015 planning permission was granted to erect a first floor side extension over the existing garage (planning ref. PK15/3687/F) at the neighbouring 27 Stanshawes Drive. It is understood that this permission has been implemented. This permission included the insertion of a first floor front dormer window, and it is understood that this development effectively converted the first floor of this garage into an annexe, including a bedroom, bathroom, living/dining area and a kitchenette. As the proposed dwelling is set forward of the annexe it is unlikely that a materially harmful impact would occur to the occupiers of this annex.
- 5.12 Overall the proposal has an acceptable scale that will not materially harm the levels of light which the nearby occupiers currently enjoy. Further to this, the dwelling proposed will not significantly harm the levels of outlook or privacy of any nearby residents. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the PSP Plan.
- 5.13 Policy PSP43 sets the minimum standards for private amenity space. Post development the three bedroom host dwelling would require a minimum of 60m² and the proposed four bed dwelling would require a minimum of 70m². Post development the host dwelling would benefit from 84m² and the proposed dwelling would benefit from 83m². As such, sufficient private amenity space remains to serve both dwellings.
- 5.14 Transport
PSP16 sets the parking requirements for new development; three and four bedroom properties require 2 off-street parking spaces each; and two each would be provided. As such the proposal has sufficient parking. Notwithstanding this, a comment was received relating to parking issues in the area. This was noted on a site visit and the Case Officer understands the

frustrations of parking issues in residential areas such as this. However, as sufficient parking, that is safe to access will be provided there are no transport objections to the proposal.

- 5.15 New accesses are also proposed for both dwellings. The Transport Officer raised no objection subject to conditions regarding the materials, the provision and retention of the parking areas, and the height of the front boundaries. These will be added to the permission.

5.16 Drainage

Drainage details were submitted with the application and the Drainage Officer raised no objection to the proposal.

5.17 Equalities

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

5.18 Planning Balance

If approved, 1no. dwelling in a sustainable location would be created. As such the proposal would make a very small contribution to the supply of housing. Also, this dwelling will not be detrimental to the appearance of the area; and the site will benefit from sufficient parking spaces. On balance therefore, permission should be granted.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: David Ditchett
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided for both properties before the new dwelling is first occupied and thereafter retained for that purpose. The motor vehicle parking areas shall be constructed from a permeable bound surface.

Reason

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

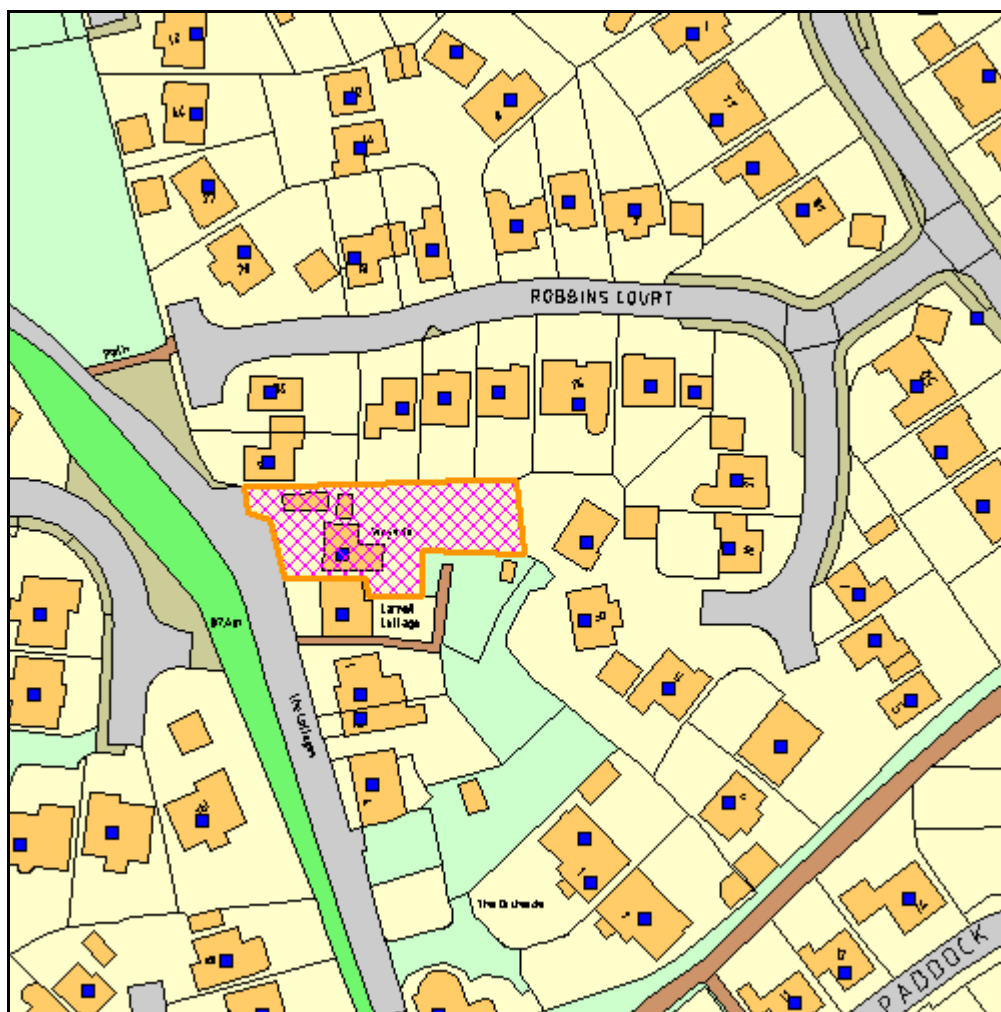
3. The boundary wall and any vegetation fronting the highway shall be no more than 0.9 metres in height at any time.

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.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/1608/F	Applicant:	Tim Poole
Site:	Wayside Cottage Emersons Green Lane Emersons Green Bristol South Gloucestershire BS16 7AB	Date Reg:	12th April 2018
Proposal:	Erection of two storey rear extension to form additional living accommodation. Installation of windows and door to side elevations.	Parish:	Emersons Green Town Council
Map Ref:	366915 176761	Ward:	Emersons Green
Application Category:	Householder	Target Date:	6th June 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK18/1608/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE.

The application has received objections that are contrary to the Officer recommendation. As such, according to the current scheme of delegation must be placed on the circulated schedule for Members.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey rear extension at Wayside Cottage Emersons Green.
- 1.2 The property site relates to a detached dwelling that is located within the settlement boundary and built up residential area of Emersons Green.

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 Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1. None relevant.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
“No Objection, however, Members have noted neighbours comments regarding the side window and feel that if appropriate, obscured glass should be used.”

Sustainable Transport

“No objection.”

Other Representations

4.2 Local Residents

Five neighbour comments were received. Two raised no objection but had concerns/advice regarding the Party Wall Act, risk of overlooking from a new window and removing the overgrown foliage in the rear garden. The remaining three objected to overlooking, overshadowing, historic boundary issues, loss of privacy, loss of light and loss of value to nearby properties.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

The host dwelling is detached and two storey, with brickwork and rendered elevations with brown UPVC windows and doors. The property has a front porch, single storey rear extension, pitched tiled roof and a detached garage and driveway.

5.3 It should be noted that on the balance of probabilities the proposed two storey rear extension falls within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015. Nonetheless, the application will be thoroughly assessed.

5.4 The rear extension would be 3.9m deep (the host dwelling is 6m deep) and no wider than the host dwelling. The eaves would be maintained and the ridge line would be set 0.5m below the host ridge line. As such the rear extension would appear subordinate respecting both the host and surrounding properties. Moreover, as matching materials would be utilised for the extension, the design and character would be as close as could be achieved to the host and surroundings dwellings. Therefore the proposal is considered to accord with policies CS1 of the Core Strategy and PSP38 of the PSP Plan.

5.5 Residential Amenity

Policies PSP8 and PSP38 of the PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.6 Several objectors were concerned regarding harm to their residential amenity. As part of the development new windows are proposed to the rear elevation of the extension, when considering the location of these windows in relation to neighbouring properties it is highly unlikely that these would be materially

detrimental neighbouring occupiers. New windows are also proposed to both side elevations of the existing house only. Of these one will serve a bathroom so is likely to be obscure glazed. It is not considered that a condition to secure this is necessary as it is adjacent to the side wall of the adjacent property which does not have a window facing the site at this point. The second new window will serve an existing bedroom where according to a neighbour comment, a window had previously existed but was removed. It is acknowledged that this will have direct and indirect views into the rear gardens of some neighbouring properties, and indirect views of the rear elevation of 28 Robbins Court. However, when considering the location of this in relation to the neighbouring dwellings and the historical existence of a window in the same location, Officers consider it unlikely that this would result in a material loss of privacy to warrant a reason for refusal. This is considered to be a fairly typical residential relationship within a sub-urban area.

- 5.7 Concerns were also raised regarding a loss of light and overshadowing impact from the proposal. It is acknowledged that partial loss of light will occur to the areas of neighbouring rear gardens closest to the proposal. However, Officers do not consider that the proposal would result in any loss of light to nearby principal and habitable rooms. As such, while it is unfortunate that some loss of light and overshadowing would occur to the rear gardens immediately surrounding the addition only, when considering the location of surrounding properties, the existing trees and vegetation, and the size of the rear gardens in relation to their host dwellings, the impact is not considered sufficient enough to result in detrimental harm to neighbouring occupiers. As such could not warrant a reason for refusal. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the PSP Plan.
- 5.8 Following the development, over 70m² of private outside amenity space would remain. This exceeds the requirements of policy PSP43.
- 5.9 Highways
Post development the number of bedrooms at the property will increase from three to four. Policy PSP16 requires the property to have two parking spaces within its boundary. As noted a garage and driveway exist at the property, therefore there are no transport objections.
- 5.10 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.

5.11 Other Matters

Several comments and documentation was submitted regarding an historic boundary dispute. This dispute is a civil matter and should be dealt with between the interested parties. It is not for the planning system to settle disputes between neighbours regarding land ownership. Moreover, any permission granted by the Council does not grant permission for the applicant/developer to carry out works on, or over, land not within the ownership, or control, of the applicant.

5.12 In regards to the impact on house prices in the area as a result of the development, and the overgrown rear garden, this is not something that has attracted weight as a material planning consideration in this assessment.

5.13 Finally, in regards to the Party Wall Act. The Case Officer spoke to the objector directly regarding the issue and the attention of the applicant is directed toward the informative on the decision notice.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

Contact Officer: David Ditchett
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

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

Reason

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

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall 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 the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/1798/F	Applicant:	Mirage Property Services Ltd
Site:	12 North Walk Yate Bristol South Gloucestershire BS37 4AP	Date Reg:	27th April 2018
Proposal:	Change of use from retail to amusement/adult gaming centre (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include alterations to shopfront. (amendment to previously approved scheme PK17/4480/F).	Parish:	Yate Town Council
Map Ref:	371459 182522	Ward:	Yate Central
Application Category:	Minor	Target Date:	21st June 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. N.T.S. PK18/1798/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the circulated schedule for determination as an objection has been received from Yate Town Council, and a local resident.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of an existing retail unit in Yate Shopping Centre to an amusement arcade/adult gaming centre (Sui Generis). Planning permission is also sought for the installation of a new shopfront. This follows the recent grant of a previous consent for this use – reference PK17/4480/F. This application is similar to the consent save for a difference to the front elevation for the shopfront. This shows a single door to the right hand side rather than a central double door as per the consented scheme.
- 1.2 The application site is situated on North Walk, which runs from North Parade and Station Road to Four Seasons Square at the heart of the shopping centre. The unit is within the inner shopping centre to which access is controlled when the Centre is not open. The shopping centre is within the designated town centre of Yate and forms both part of the primary shopping area and a primary shopping frontage. The unit was formally occupied by a jewellery shop until the business relocated to a more prominent location within the shopping centre in circa 2014; since then the unit has remained unoccupied.

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
CS14	Town Centres and Retailing
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP11	Transport Impact Management
PSP31	Town Centre Uses
PSP33	Shopping Frontages

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Shopfronts and Advertisements SPD (Adopted) April 2012

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/1798/F Change of use to amusement/adult gaming centre (sui generis).
Approved 15.12.17.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection raised (similar to the previous objection submitted in relation to application PK17/4480/F). The following summarises the main points:

- Harmful impact upon vulnerable members of the community
- Proximity to care facilities
- Loss of activity from primary shopping frontage
- Use is not appropriate in town centre location
- Objection raised to licence application (*not repeated in full – available to view on planning file*)
- Application should be subject to site inspection should officers be minded to grant permission.

4.2 Highway Structures

No comments to make.

4.3 Environmental Protection

No adverse comment.

4.4 Sustainable Transport

No objection was raised to the previous consent. The changes proposed are not likely to affect the overall travel demand or traffic patterns associated with Yate Shopping Centre. There is no highway objection to the application.

4.5 Local Lead Flood Authority

No objection

Other Representations

4.6 Local Residents

One objection is received which states that in a location frequented by children and families this use seems quite inappropriate.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application seeks planning permission for the change of use of a unit in Yate Shopping Centre into an amusement/gaming venue (Sui Generis) and the installation of a new shop front. The recent planning history is highly material as this recently granted consent for such a use – reference PK17/4480/F. This application therefore is focussed on the differences this proposal has with the existing consent. This primarily relates to the appearance of the shop elevation such that there will be a single door located to the side of the shop front, rather than centrally located double doors.

Although not within a 'D' Use Class, the proposal is for a leisure facility. Main town centre uses are defined in the glossary to the NPPF and include leisure, entertainment facilities, and recreation uses such as, for example casinos. On that basis, officers are satisfied that the proposed use as an amusement arcade and adult gaming centre is a main town centre use. Policy CS14 and PSP31 direct main town centre uses to the defined town and district centres; the development would therefore accord with the locational strategy for such forms of development. The proposed development is therefore acceptable in principle, and moreover has recently previously found to be so with an extant permission for this use in place.

5.2 Impact on Primary Shopping Frontage

Policy PSP33 seeks to retain retail uses within the primary shopping frontages. Other uses, such as that proposed, would only be acceptable where: it makes a positive contribution to the vitality and viability of the centre; does not undermine the retail function and character of the shopping frontage/area; includes a shopfront; and, maintains an active ground floor use.

5.3 North Walk is a noticeably quieter area within the shopping centre. It leads only to the units on North Parade (a number of which are empty), a cut-around to the car park, and Station Road. As a result, it is not subject to heavy footfall. The latest (2017) Town Centre and Retailing Audit identifies that North Walk retains 76.8% of the frontage in a retail use (or last used for retail); it also identifies this site as one of two vacant units in the frontage. The change of use would bring in an alternative town centre use which would add to the offer of the town centre. It would, as a result, impact on the vitality and viability of the centre. It would not have a significant impact on retail provision in the frontage or the wider shopping area. An active use would be retained, although the shopfront itself would be blank (albeit it designed as a shopfront).

5.4 The scale of development is proportionate to the centre; it would only make up a small part of the overall provision in the centre. It would not therefore lead to a significant change to the offer and operation of the shopping centre or town centre more widely.

5.5 The change of use is therefore considered acceptable. Given that the site is within the inner part of the Centre, where the operator of the Centre can control access, it is not considered necessary to control opening hours by condition; it would be a matter for landlord and tenant. Furthermore, it may not be reasonable to attempt to control operating hours given that the proposed use is an appropriate main town centre use in a designated town centre.

5.6 Shopfront

The replacement shop front which now proposes a single side door rather than a central double door is considered in keeping with units found within Yate Shopping Centre. Any signage would be subject to a separate application to the local planning authority for advertisement consent.

5.7 Social Impact

Concern has been raised by the Town Council, and a local resident that the development would have undesirable social consequences and may impact upon vulnerable members of the community. As noted in the original planning permission granted, the operators have a statutory duty to control access to the venue. It should not, therefore, fall within the remit of the local planning authority to enforce existing appropriate legislation. The assessment from a planning perspective is whether the use is appropriate within a town centre. Any conditions on the operation of the site are more likely to be imposed through the licencing regime.

5.8 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.

5.9 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 It is recommended that planning permission is GRANTED subject to the condition listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

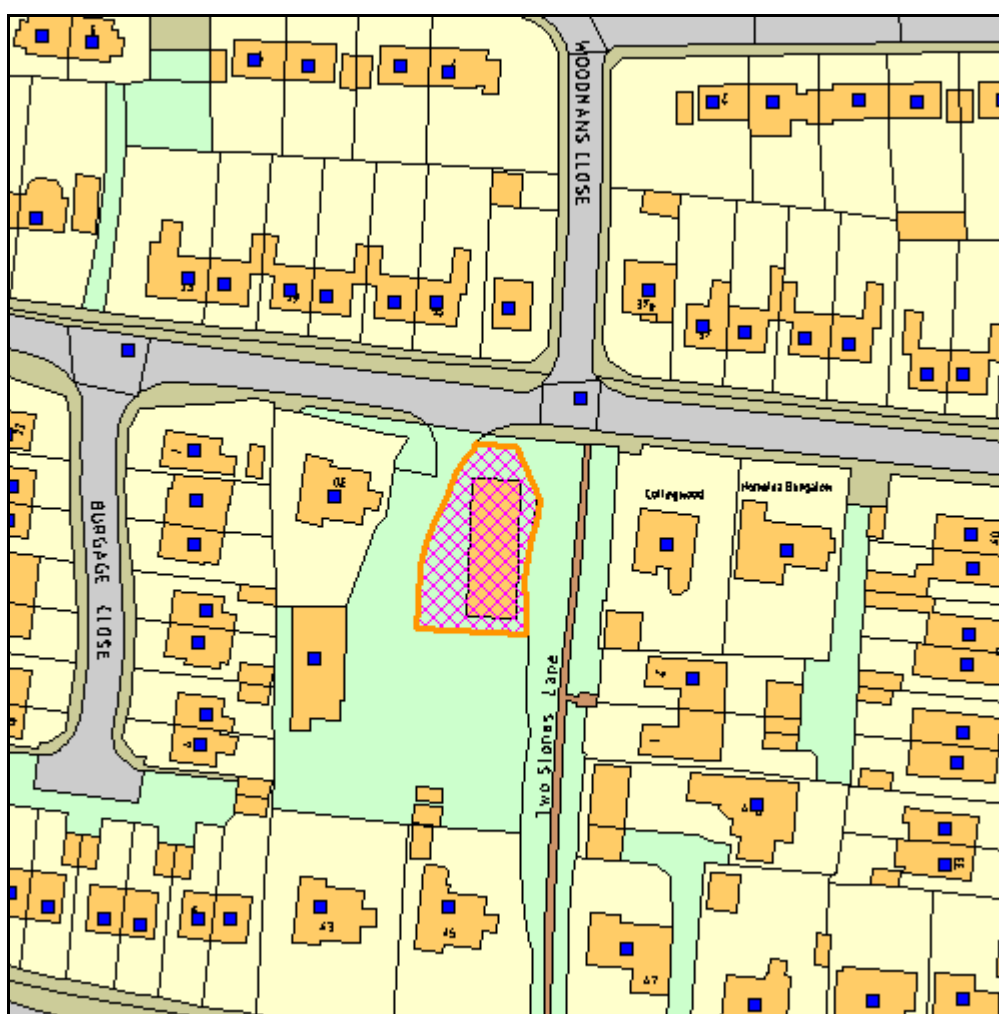
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/1837/F	Applicant:	Beaumont Homes
Site:	Plot 1 And 2 The Greenways Chipping Sodbury Bristol South Gloucestershire BS37 6DW	Date Reg:	23rd April 2018
Proposal:	Erection of 2 no. dwellings with associated works (amendment to a previously approved scheme PK15/0255/F).	Parish:	Sodbury Town Council
Map Ref:	373017 181877	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	15th June 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK18/1837/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule, due to objections received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of 2 no. dwellings with associated works. The proposals are essentially an amendment to a previously approved scheme ref. PK15/0255/F. PK15/0255/F was for the demolition of 2no. buildings and erection of 7no.detached dormer bungalows with associated works. The 7 dwellings approved under that permission, included the two the subject of this application, on plots one and two. This application seeks to amend that previous consent, in respect of the dwellings on plots one and two. The remainder of the scheme has been built.
- 1.2 The plots the subject of this condition are located at the front of The Greenways. The site is located within the residential area of Chipping Sodbury, amongst other housing.
- 1.3 The proposals seek changes/amendments to the approved scheme in respect of these two plots consisting of alterations to the layouts of the dwellings, addition and removal of windows, addition of dormers and the addition of single garages to the side of each property. Plot one would now essentially be facing and accessed from Greenways as opposed to Woodman Road. Materials will be as previously approved and will match the existing development.

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 sand 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 PK17/1287/O - Erection of 3no dwellings (outline) with layout to be determined; all other matters reserved. Refused 9th June 2017.
- 3.3 PK17/1817/NMA - Non material amendment to planning application PK15/0255/F - for approved plans to be conditioned under PK15/0255/F
- 3.4 PK17/5261/RVC - 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). Approved 23rd March 2018.

4. **CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council
No objection

- 4.2 Other Consultees

Highways Structures
No comment

Lead Local Flood Authority
No objections in principle subject to advice

Sustainable Transportation
There is no highway objection to this application subject to a planning condition to ensure that the proposed car parking and garaging of vehicles are provided on site all in accordance with the submitted and approved plans the said parking spaces shall be used for their intended purpose only and be maintained accordingly thereafter.

Other Representations

- 4.3 Local Residents
3 objection letters have been received, as follows:

1. 'First I still stand by my comments in previous applications that these properties are not Dormer Bungalows but houses, they are far taller than all other bungalows surrounding. They are actually marketed outside on the board as houses/dormer bungalows. I can only assume this is to appeal to a larger market place. In truth the height of these properties have intruded into the privacy of the surrounding properties and ruined our outlook.

The application form states that there are no hedges, shrubs etc on the plot and yet I am led to believe the boundary of the property reaches the stream on Two Stones Lane. Meaning the foliage between my property and the site would belong to plot 1. This is my only screening from the development, is this going to be left in tact? Or replaced with the unsightly fencing further up the line? (I believe there are currently birds nesting). If it is removed, will it be replaced by similar screening to hide the fencing that will quickly be covered in weeds as it is up the rest of the lane?

I was under the impression that some screening was to be planted up the lane to replace the hedges that were taken out but this has never happened.

Plot 2 is referred to as front/rear/side elevations, whilst plot one is referred to as east/west/north/south elevations! This leads to confusion as to which way the properties could be facing and I'm assuming from the drawing of all properties in the site that the front of both properties are facing West?

Presuming plot 1 to be the front door facing inwards towards the culdesac then the rear of the property and the large upstairs window would be facing directly into my windows along the length of my property. This affects 3 rooms in my property and the annexe at the rear, to this I strongly object as I have already had the rear of my property which used to be a private garden invaded by an upstairs window in plot 3'

2 'These properties will have a profound effect on the properties Collingwood and Collingwood Annexe and others in two stones lane. Affecting privacy and sunlight to the properties. Which had already been badly affected by the previous houses built which are now looking directly into at least 3 properties opposite. A previously private garden and conservatory is now like a goldfish bowl and my daughter rarely opens her blinds or sits in her garden due to the lack of privacy.'

3 'I am writing to object to this application. These two houses are far from the 'assisted living' bungalows originally conceived for this site. Putting aside the fact the current properties there are different to the designs, the fact the developers worked outside of normal hours and with little regard to people living nearby, I raise the following objections:

Privacy: These are houses with first floor windows which will look onto Woodmans Road, in a way the original bungalows would not.

Parking: Visitors to the existing 7 bungalows do not use their driveways or private parking spaces. Some park on Woodmans Road where the houses opposite have no option but to park on the road. With the extra traffic and parking from St John's School, any more cars will create issues endangering children who use the road to get to and from school (probably about 100 pedestrians and 30 cars twice each day). These new properties are 4 bed houses, and only having one parking space will necessitate occupiers and visitor parking on Woodmans Road as the Greenaways access road is too narrow.

Extra traffic: The 7 bungalows already add to what is a busy road where speeding is an issue. The Greenaways residents have had several near misses exiting that road, and building a fence blocking line of site to what is now a T-junction will lead to an accident.

Design: The design of these dwellings is not in keeping with the surrounding buildings. The current bungalows are hidden from the street, but these houses will stand out from the existing buildings in a way no other buildings in the town have been allowed to.

Drainage: There is a lot of surface water run-off from the development onto the road (does the private road have drains?) leading to issues with surface water on Woodmans Road. These plans have little or no green space, so presumably will only worsen this problem.

Oversight: The existing bungalows were so different from the original plans, that new drawings were submitted after they were built, presumably to help this application? Will the developers be made to keep to plans this time, or will they be allowed to build and then resubmit plans.

Use: Originally the entire plot was going to be used for assisted-living homes. The marketing of these £450k 'executive' homes makes no reference to this. If these are, therefore, 4 bed family homes I would object to so many extra occupiers being housed in an already busy and crowded part of the road'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the housing developed is established. Most of the dwellings have in fact now been built. The issue for consideration therefore is whether the changes the subject of this application, 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, orientation, finishes and materials and window/door location and whether these changes are acceptable in visual and residential amenity terms.

5.2 Residential Amenity

The main changes relate to the orientation of the dwellings and the associated fenestration dormers and gables. The height of the dwellings will not increase and will remain as previously approved and the building lines would remain similar to the front and rear, as those previously approved.

5.3

Plot One would now essentially front and be accessed from Greenways, with a side garage and associated parking to the front, as opposed to parking and access facing Woodman Road. There would be two side dormer structures and a new first floor window. This window would serve a bathroom and could be conditioned to be of obscure glazing. The change in orientation of the dwelling would mean that a pitched roof would face the rear of the property, thus reducing the bulk of the building and associated roofline in this direction, and removing the two rooflights facing in this direction.

- 5.4 Plot 2 would remain at the same orientation as previously approved, facing and accessed from Greenways. The main changes would be the design to the front elevation, incorporating glazed two storey dormer and two smaller first floor dormers instead of the two storey dormer and one smaller first floor dormer arrangement. A single one storey side garage would also be added. A first floor window on the rear elevation would also be removed.
- 5.5 On the basis of the above considerations, it is not considered that the amended proposals for these two plots would give rise to additional or material and significant amenity impacts in their own right such as to warrant objection and sustain refusal of the application on this basis.
- 5.6 Any elements of the implemented consent that are considered not to have been implemented in accordance with the relevant approvals and subsequent conditions would be subject to enforcement investigation.
- 5.7 Design/Visual Amenity
The proposals incorporate a different design and orientation to the previously approved 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 give rise to significant design concerns or material issues in their own right over and above the existing approved scheme. The amended scheme for these two dwellings 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. Materials would be consistent with the previous consents and approved schemes of materials submitted required, as would planting, and drainage provisions access and management, which have all been agreed. Any remaining relevant conditions and requirements of PK15/0255/F have been carried over and updated where necessary.
- 5.8 Transportation
The principle of the two dwellings in these plots is established. It is not considered that the proposed amendment affects the transport considerations of the site. Parking provision and access proposed would be acceptable and in accordance with the Council's parking standards, and remains acceptable. There are no Highways Officers objections to the proposals.
- 5.9 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. CONCLUSION

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

4. Prior to the use or occupation of the dwellings hereby permitted, and at all times thereafter, the proposed first floor window on the east elevation shall be glazed with obscure glass to level 3 standard or above.

Reason

To protect the residential amenity of neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

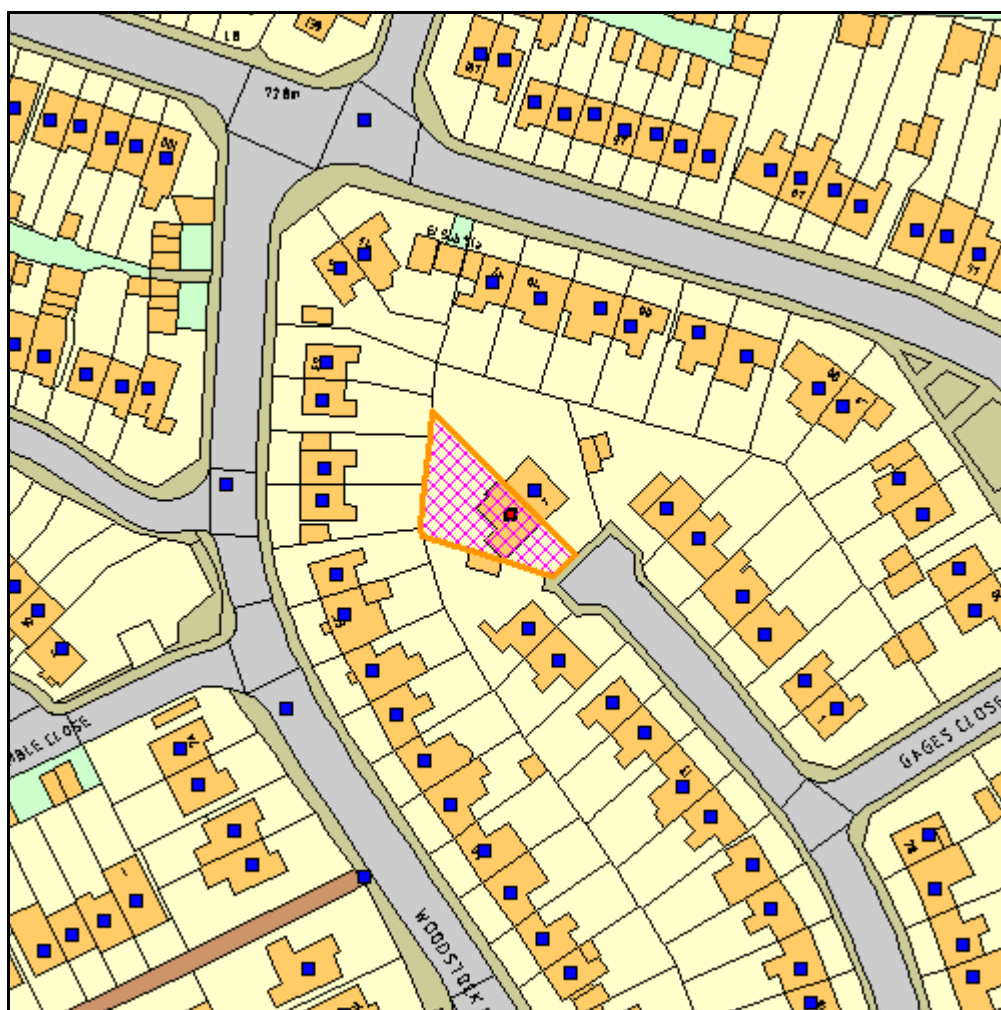
5. The off-street parking facilities, including the garages, shown on the approved plans, shall be provided before the dwellings are first occupied, and thereafter retained for that purpose.

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.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/1863/F	Applicant:	Mr And Mrs E Anayo
Site:	8 Gages Close Kingswood Bristol South Gloucestershire BS15 9UH	Date Reg:	8th May 2018
Proposal:	Erection of a two storey side extension to form additional living accommodation. Replacement of garage door with a window to facilitate garage conversion.	Parish:	None
Map Ref:	365766 173464	Ward:	Woodstock
Application Category:	Householder	Target Date:	19th June 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK18/1863/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in light of the concerns expressed by a local resident.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a 2 storey side extension and to replace an existing garage door with a window at a semi-detached property within an established residential area of Kingswood.
- 1.2 During the course of the application the plans were revised to clarify the parking provision on site and obscure a side window.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
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 K2348/1
ERECTION OF TWO STOREY SIDE EXTENSION TO PROVIDE PLAYROOM AND GARAGE (Previous ID: K2348/1)
Approval
18.10.1978

- 3.2 K2348
ERECTION OF TWO STOREY SIDE EXTENSION TO PROVIDE PLAYROOM
OVER EXISTING GARAGE (Previous ID: K2348)
Refusal
15.08.1978

4. **CONSULTATION RESPONSES**

- 4.1 Parish/Town Council
This area is unparished

- 4.2 Other Consultees

Sustainable Transport
No objection

Other Representations

- 4.3 Local Residents
1 comment has been received in regard to this application. The comment raises the following matters:
- overlooking from proposed first floor side window; willing to negotiate a stained or frosted window
 - may affect neighbour's property value

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
The principle of extending residential properties within their curtilage is supported by the development plan policies under PSP38. This is however subject to the consideration of the criteria and impacts set out below.
- 5.2 Design
The property is a semi-detached rendered house located on a residential cul-de-sac with similar styled properties. The alterations comprise two parts. The most significant is a 2 storey side extension which would replace an existing 1970s addition. This follows the main ridge and front building line, but features a full height gable end to the rear. It will be in materials to match the existing building and is considered a suitable addition to the dwelling. The window replacing the garage door also respects the character of the existing dwelling.
- 5.3 Impact upon Living Conditions
The proposals are unlikely to have a material impact upon those living conditions over and above the existing situation – the obscuring of the first floor side window overcomes the neighbour's concerns. The resulting dwelling will maintain an acceptable relationship with other residential properties nearby, whilst retaining sufficient garden space for No 8.

5.4 Transportation

The resulting dwelling will remain a 4 bed, but the garage will have been converted into living accommodation. The access, parking and driveway will remain and will provide for 2 off street spaces which is the minimum requirement. There is no objection on this basis.

5.5 Consideration of likely impact on Equalities

It is considered that the proposal would have a neutral impact upon Equalities.

5.6 Other Matters

Loss of property value is not a material planning consideration.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: 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 development shall be implemented strictly in accordance with the following documents:

Received 19.04.2018:

Site Plan & Site Location Plan (2412/05)

Received 04.06.2018:

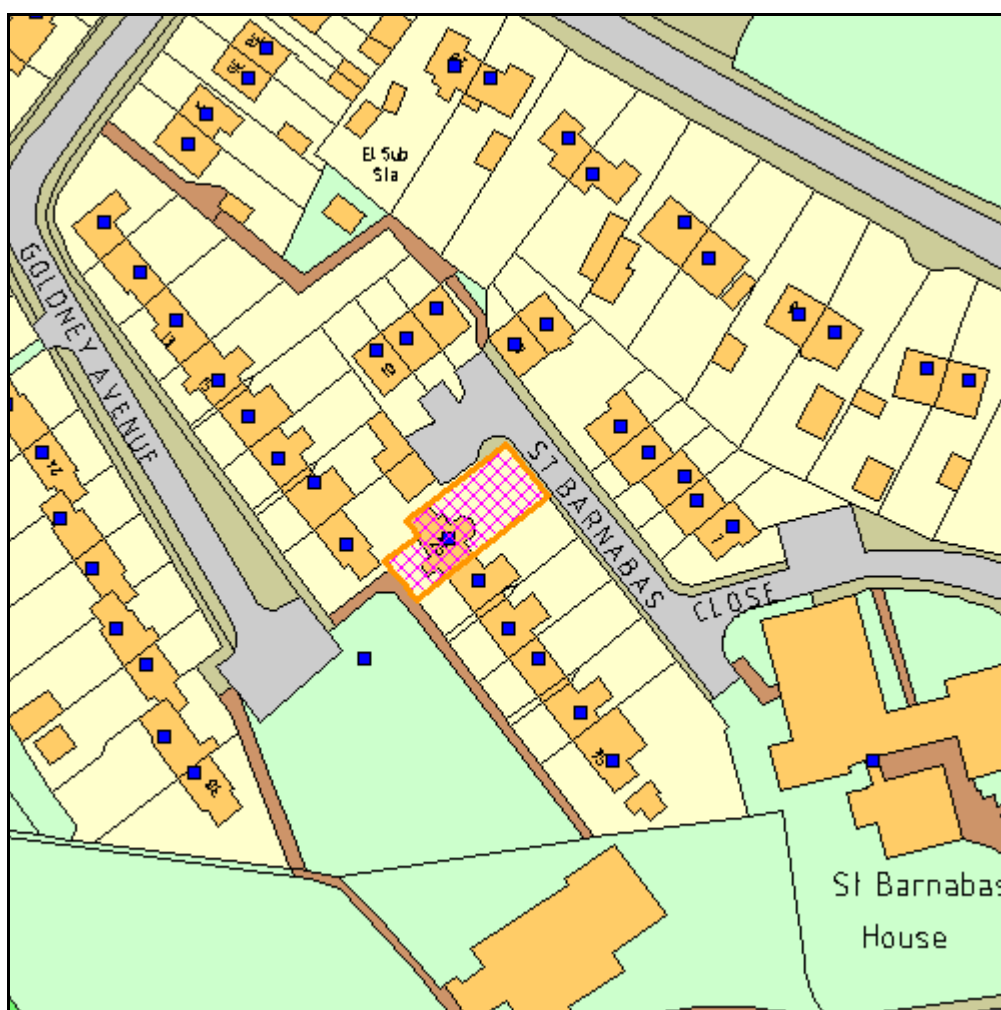
Combined Plan (2412/01/2018 Rev C)

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/1907/CLP	Applicant:	Mr Robert Dibble
Site:	25 Goldney Avenue Warmley Bristol South Gloucestershire BS30 5JG	Date Reg:	2nd May 2018
Proposal:	Certificate of lawfulness proposed to erect outhouse.	Parish:	Siston Parish Council
Map Ref:	367391 173297	Ward:	Siston
Application Category:	Certificate of Lawfulness	Target Date:	21st June 2018



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008.

N.T.S.

PK18/1907/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the 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.
- 1.3 It should be noted that the permitted development rights at the property remain intact.

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.

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/1831/PNH
Approve (12.06.2015)
Erection of single storey rear extension which would extend beyond the rear wall of the original house by 3.49 metres, for which the maximum height would be 3.85 metres and the height of the eaves would be 2.67 metres
- 3.2 PK04/4085/F
Approve with Conditions (03.02.2005)
Erection of rear conservatory.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
"No objection."

Other Representations

- 4.2 Local Residents
None received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Proposed Elevations
Received by the Council on 24th April 2018

Proposed Floor Plan
Received by the Council on 24th April 2018

Plan Indicating Site Location
Received by the Council on 27th April 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 dual pitched roof; would 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 1.85 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

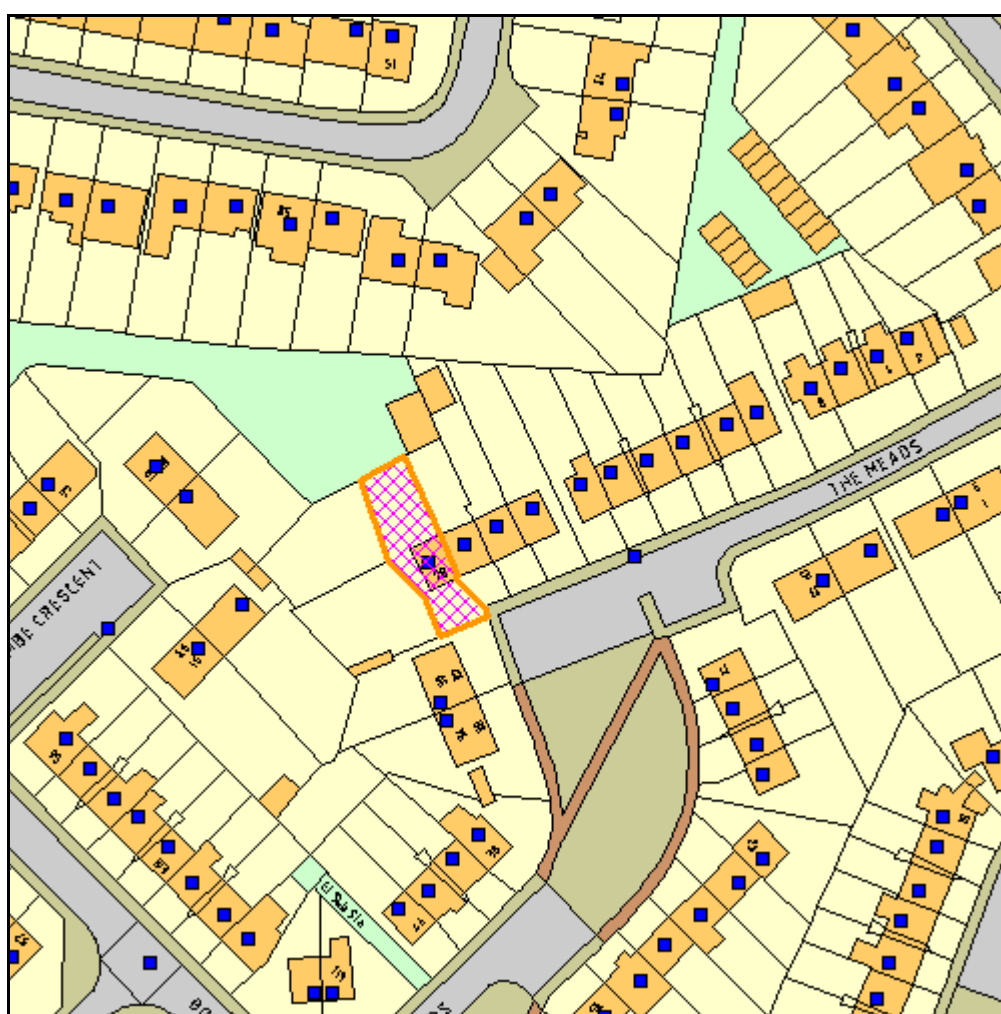
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the following reason:

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. 25/18 – 22 JUNE 2018

App No.:	PK18/1973/F	Applicant:	Mr Brett Clifford
Site:	28 The Meadows Downend Bristol South Gloucestershire BS16 6RQ	Date Reg:	17th May 2018
Proposal:	Erection of two storey side and rear extension and single storey front extension to form additional living accommodation.	Parish:	Emersons Green Town Council
Map Ref:	365840 177470	Ward:	Emersons Green
Application Category:	Householder	Target Date:	11th July 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PK18/1973/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of a two-storey rear and side extension and a single storey front extension to an end of terrace property in The Meadows, Downend.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4. CONSULTATION RESPONSES

4.1 Emersons Green Town Council

No objection subject to adequate parking being provided

(This has been considered an objection, as parking in line with PSP16 is not provided onsite).

4.2 Sustainable Transport

Asked for revised information in relation to amount of parking onsite.

- 4.3 Lead Local Flood Authority
No objection subject to informative on decision notice
- 4.4 Highway Structures
No comment

Other Representations

- 4.5 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
PSP38 allows the principle of extensions within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.
- 5.2 Visual Amenity
The proposal consists of the erection of a two-storey rear and side extension and a single storey front extension to an end of terrace property in The Meads, Downend.
- 5.3 *Two-Storey Rear and Side Extension*
The side and rear extension would abut the ridge of the existing gable-ended dwelling, and would extend 1.8m past the side elevation; this new elevation would have a door to the front. It would wrap around the north-western side corner of the house, extending across the entirety of the dwelling's rear flank, incorporating a gabled roof to the rear. It would be considered suitably sized, extending around 2.8m from the rear elevation of the dwelling. It would be hidden from nearby public areas due to its location, and the position of the existing site to the end of the terrace. It would be finished in materials to match the existing dwelling, and would be considered acceptable in terms of visual amenity.
- 5.4 *Single Storey Front*
The single storey extension would have a lean-to roof, with a window to the front. It would extend around 1.5m past the front elevation of the dwelling, extending across the entire frontage. It would use materials to match the existing dwelling; it would be considered acceptable in design terms.
- 5.5 *Cumulative Impact*
Overall, it is not considered that the proposed development would harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

5.6 Residential Amenity

The dwelling is located to the end of a terrace. The two-storey rear element and the single-storey front element would sit next to the boundary with No. 26; the two storey side element would also sit close to the boundary with some gardens to the west.

5.7 *Two-Storey Side and Rear Extension*

The two-storey extension would extend past the rear elevation of the property by 2.8m. Although this would sit next to the eastern boundary of the site, the height and depth would not be considered to have an overbearing or overshadowing impact on the property next door. The side element sits to the western boundary of the site; it would not be considered to have a significant overbearing or overshadowing impact on these gardens. It is noted that an upper floor window is located on the western elevation of the proposal; this would look over the gardens of the dwellings to the west; this serves a bedroom. Although this is regrettable, a condition will be added to the decision notice to ensure that this window is non-opening and obscure glazed, to ensure the privacy of the neighbours from the direct overlooking of this window.

5.8 *Single Storey Front Extension*

The single storey extension would sit to the front of the dwelling. It would extend 1.5m from the front of the house. This extension is very modest in size; it is therefore considered that there would be no overbearing, overlooking or overshadowing impacts as a result of the proposed development.

5.9 *Cumulative Impact*

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

5.10 Sustainable Transport

It is noted that the town council have no objections, provided adequate parking exists on site. At present, the dwelling has two bedrooms. As a result of the proposal, the dwelling would become a three bedroom dwelling; this would require two off-street parking spaces. There are currently no parking spaces on site; however, ample parking exists on the road to the front of the dwelling, and within a parking area to the rear of the dwelling. It appears that this more established area of housing was built with parking to be provided in this way rather than on plot parking although it is noted that some properties have utilised their front garden areas for parking. This is not a realistic option for this property which is located at the end of the cul-de-sac such that vehicular access would be difficult. It is not considered that the addition of one bedroom to the dwelling would have a significant impact on the safety of road users such that a refusal reason could be reasonably sustained on this basis.

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).

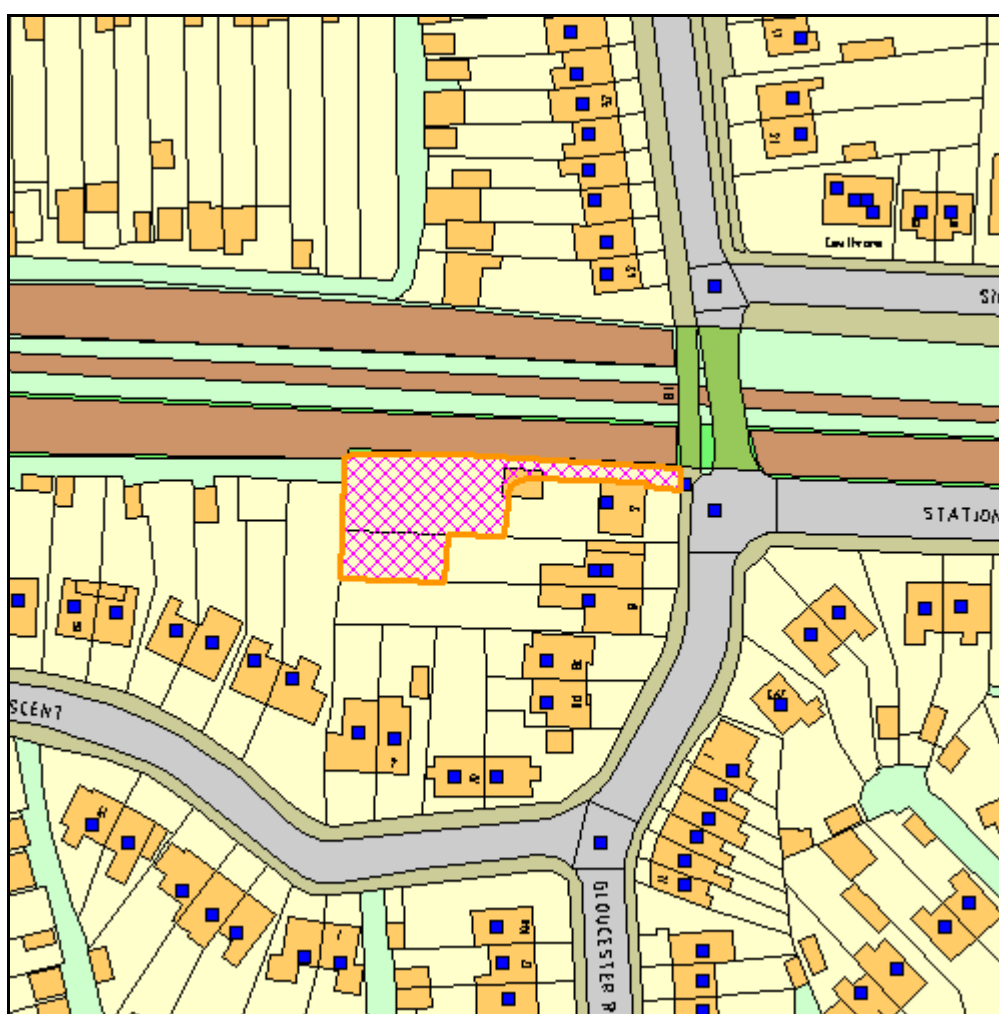
2. The glazing on the west elevation(s) shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/2033/F	Applicant:	S & M Elvins QBS (South West) Ltd
Site:	2 Gloucester Road Staple Hill Bristol South Gloucestershire BS16 4SD	Date Reg:	8th May 2018
Proposal:	Erection of 2no dwellings with associated works. (Amendment to previously approved scheme PK17/0459/F).	Parish:	None
Map Ref:	365375 175649	Ward:	Staple Hill
Application Category:	Minor	Target Date:	27th June 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK18/2033/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in light of the comment received from a local resident.

The Proposal

- 1.1 The proposal seeks to erect 2no. dwellings with access and associated works to the rear of 2 Gloucester Road, Staple Hill.
- 1.2 The proposal site is to the rear of the garden of the existing property in a tandem arrangement.
- 1.3 The application is a resubmission of a previously approved scheme in order to change the external facing materials. An application for non-material amendment was submitted for the works but it was found that changes would materially affect the external appearance of the structure and therefore full planning permission is required to regularise the change.
- 1.4 The site is located within the built up residential area of Staple Hill.

2. Policy Context

2.1 National Guidance

National Planning Policy Framework (adopted) March 2012
National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy (adopted) 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community Infrastructure
CS24 Open Space Standards

2.3 South Gloucestershire Local Plan: Policies Sites and Places DPD (adopted) November 2017

PSP

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions and Sub-Divisions

PSP42 Custom Build Dwellings
PSP43 Private Amenity Space Standards

- 2.4 South Gloucestershire Supplementary Planning Documents
Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013

3. Relevant Planning History

- 3.1 PK18/0951/NMA – Withdrawn – 17/05/2018 - Non material amendment to PK17/0459/F to change the external materials from reconstructed stone to white coloured render.
- 3.2 PK17/0459/F – Approval – 31/05/2017 – Erection of 2no dwellings with associated works.
- 3.3 PK15/1148/F – Approval – 18/05/2015 – Erection of 2no dwellings with associated works

4. Consultation Responses

- 4.1 Unparished area
No Comment Available

- 4.2 Other Consultees

Highway Structures

Recommend the following condition:

“To ensure the development does not adversely affect the stability of the railway cutting slope, please provide (by a suitably qualified geotechnical engineer) a targeted investigation and assessment of the effect of the new foundations and new vehicular access and parking provision on the cutting slope. This should take the form of (but may not be limited to) a slope stability analysis to demonstrate that slope failure mechanisms are not induced by the new loading arrangement”

Lead Local Flood Authority

No objection but requested further information.

Coal Authority

No objection subject to the appendage of standard advice.

Transport Officer

No objection subject to the appendage of conditions to secure parking

Other Representations

4.3 Local Residents

One comment received neither objecting nor supporting the proposal but identifies concerns over the development of the site to date and the associated dust and noise which is impacting on the living conditions of those nearby. The respondent requests that a condition is appended to control this impact.

5. Analysis of Proposal

5.1 Principle of Development

Policy PSP38 of the Policies Sites and Places Plan is supportive in principle of development within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation.

As stated above the proposal is for amendments to a previously approved scheme. Accordingly, the principle has recently been established, and therefore this report will focus on the differences with that extant approval namely the alteration to the external facing materials. No other changes are proposed, consequently the following report will only consider the changes to this approved scheme – i.e. the design impact and whether the altered materials would have any further negative impact on neighbours.

Design and Visual Amenity

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. The site has an extant permission for the erection of 2no semi-detached dwellings. On the site inspection it was found that the groundworks have largely been completed. The alterations only seek to change the external facing materials to the rear and side elevation to render from reconstituted stone. An application for non-material amendment was submitted, however it was found to amount to a material change as it would materially affect the external appearance of the structure and how it would be read by an onlooker. Consequently a revised full application was invited.

It is acknowledged that the host dwelling and its neighbours have a stone covering to front elevations, however the prevailing house type in the locality tends to have rendered elevations. Consequently the general character of the area is rendered early to mid-20th century dwellings and the revised material would be consistent with this prevailing house type. As a result the proposal would be in keeping with the general character of the area and no objection is raised to the revised material palette.

Overall, it is considered that the proposed development would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. The changes are not viewed to result in any further harm to the visual amenity of the area and consequently are viewed to accord with the provisions of PSP1, PSP38 and CS1.

5.2 Residential Amenity

Policy PSP7 of the adopted Policies Sites and Places DPD gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.

Again it must be noted that this is a resubmission of an approved scheme. No additional built form is proposed under this application and the proposal only seeks to change external materials. This change is not viewed to have any further impact on the amenity of neighbours itself and no objection is raised to this impact subject to the inclusion of the condition to ensure the rear dormer window is obscured glazed and non-opening unless the part that opens is in excess of 1.7 metres of the room in which it is situated.

A comment has been received from the nearest neighbour whom cites concern over the operation of the site. It is expected that building works are carried out in a residential location such as this from time to time, however according to the comments development has been taking place outside of reasonable hours. A condition will be attached to ensure that works do not take place outside of normal hours to prevent further impact on neighbours. Breach of this condition could result in enforcement action.

The subject property is located within a built up residential area and given the scope of the changes to the original permission is not seen to have a further impact on the amenity of neighbours subject to the inclusion of the conditions mentioned above.

5.3 Sustainable Transport and Parking Provision

The revised proposal does not include any additional bedrooms and consequently the highways impact of the proposal remains the same as that approved. No further harm has been identified, however a condition will be attached to ensure the provision of 5no parking spaces overall and for 2no cycle spaces per dwelling, prior to the occupation of the new units. Further conditions have been suggested by the transport officer in relation to the adjacent bridge, however it is understood that the works to support the bridge have been completed and development has already commenced. Given this consideration the proposal is not considered to have any further adverse impact on highway safety and is therefore acceptable in respect of saved PSP16 and the Residential Parking Standards SPD.

Land Stability

The application site falls directly adjacent to the Bristol/Bath Cycle track on the former railway line and also Teewell Hill Bridge. A scheme of works has recently taken place on the Bridge and works were not allowed to commence

until these works have been completed. The Highway Structure team have confirmed the works were completed and development is not prevented from commencement by this issue. Additionally due to the proximity of the cycle path and associated structures the development could lead to issues as a result of the cutting slope. The previous permission had required a condition for approval to secure further information with regard to this but no discharge application was submitted and it appears the groundworks have taken place. The specification and sections of the proposed foundations has been provided under this application, however this has not quite been sufficient to indicate that the measures would be suitable. Therefore a further condition is propose to require additional information. Whilst it remains the case that land stability is primarily the responsibility of the developer, in this case the focus of the report/area of interest is in realtion to the cutting and cycle track adjacent.

Drainage and Flood Risk

Drainage and flood risk is controlled through other legislation for developments of this scale. This information would be required as part of any building control application and therefore it has not been requested.

Planning Balance

Overall the proposed change in materials is not seen to have a negative impact on the appearance of the structure and the locality and would not result in any further harm to amenity or transportation impacts, consequently permission should be granted subject to the conditions suggested above and attached to the decision notice.

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 set out below.

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

- 1. All hard and soft landscape works shall be carried out in accordance with the Site Plan 1782/P/29 and the Arboricultural Report received by the Local Planning Authority on 30th April 2018. The works shall be carried out prior to the occupation of the approved dwellings.

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.

2. The dwellings hereby approved shall not be occupied until 5no parking spaces, measuring a minimum of 2.4 x 4.8 metres have been introduced within the curtilage of the site. The spaces 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 the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

3. Prior to first occupation of the dwellings hereby approved, and at all times thereafter, the proposed second floor windows on the west elevation (serving the ensuite bathrooms) shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m from the floor of the room in which they are installed.

Reason

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

4. Prior to any further loading of the foundation structure or any above ground works provide (by a suitably qualified geotechnical engineer) a targeted investigation and assessment of the effect of the new foundations and new vehicular access and parking provision on the cutting slope shall be submitted to and approved in writing by the Local Planning Authority. This should take the form of (but may not be limited to) a slope stability analysis to demonstrate that slope failure mechanisms are not induced by the new loading arrangement.

Reason

To ensure the development does not adversely affect the stability of the railway cutting slope and to accord with policy CS9 and the provisions of the NPPF (2012).

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

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

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

No working shall take place on Sundays or Public Holidays.

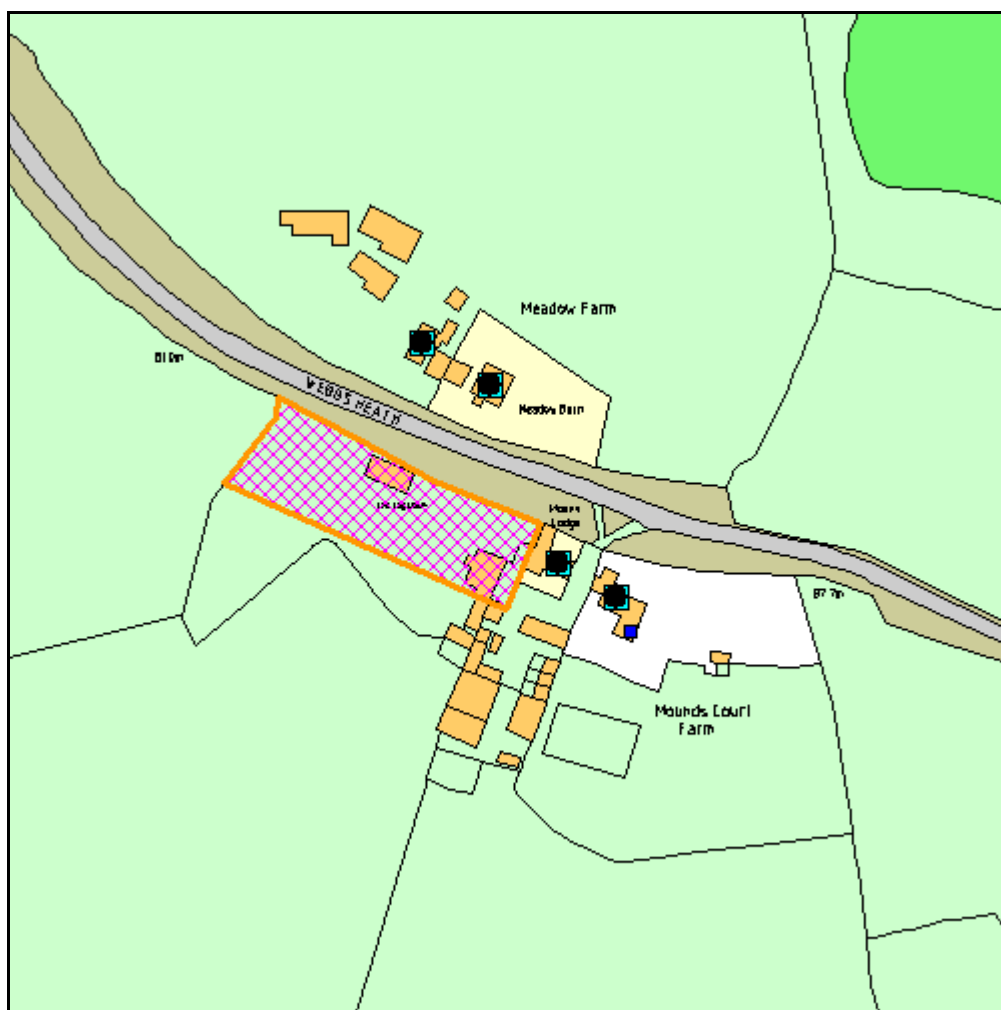
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/2052/F	Applicant:	Mr Jack Davies
Site:	The Stables Mounds Court Farm Siston Hill Siston South Gloucestershire BS30 5LU	Date Reg:	3rd May 2018
Proposal:	Erection of two storey side extension to form additional living accommodation. Resubmission of PK18/0579/F	Parish:	Siston Parish Council
Map Ref:	367765 174049	Ward:	Siston
Application Category:	Householder	Target Date:	28th June 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PK18/2052/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey extension to The Stables, Mounds Court Farm. Mounds Court Farm is located outside of any defined settlement boundary as shown on the Local Plan proposals maps and is therefore considered to be in the open countryside. The site is also within the Bristol and Bath Green Belt. The barn itself is locally listed.
- 1.2 This is a resubmission of PK18/0579/F, which was refused due to issues relating to heritage and green belt concerns. The size has been reduced, and some elements of the existing dwelling are to be removed to reduce the impact that the proposal would have on the green belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS34 Rural Areas

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

PSP1 Local Distinctiveness

PSP7 Development in the Green Belt

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP17 Heritage Assets and the Historic Environment

PSP38 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) 2007

Design Checklist SPD (Adopted) 2007

Local List of Buildings SPD (Adopted) 2008

Residential Parking Standard SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK18/0579/F Refused 05.04.2018
Erection of two storey side extension to form additional living accommodation.
- Refusal Reasons:*
1. The proposal will continue the incremental domestication of this former barn, reducing the dominance and definition of the original structure and resulting in a general sense of overdevelopment, contrary to Policy CS1 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.
 2. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the extension is considered to be disproportionate. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017; and the National Planning Policy Framework.
- 3.2 PK17/1657/RVC Approved 15.06.2017
Removal of condition no. 2 attached to planning permission PK16/6495/F to now say the developer will not appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.
- 3.2 PK16/6495/F Approved with conditions 22.02.2017
Erection of single storey rear extensions to provide additional living accommodation.
- 3.3 PK16/4732/NMA Objection 14/10/2016
Non Material Amendment to planning permission PK13/0235/F to raise ridge height to dwelling; installation of new door, roof light and window; existing out building retained to be included within dwelling and change of 2no. external openings to allow for lifted cills.
- 3.4 DOC16/0082 DOC decided 04/04/2016
Discharge of conditions 7 (details of proposed bat roost) and 8 (precautionary inspection for bats) attached to planning permission PK13/0235/F. Demolition of existing buildings. Conversion of existing agricultural buildings to form 2 no. dwellings with associated works. (Re -Submission of PK11/3765/F)

- 3.5 PK15/1830/F Approved with conditions 29/07/2015
Construction of new vehicular access from Webbs Heath. Erection of detached outbuilding and 1.8m high boundary fence.
- 3.6 PK13/0235/F Approved with conditions 21/03/2013
Demolition of existing buildings. Conversion of existing agricultural buildings to form 2 no. dwellings with associated works. (Re -Submission of PK11/3765/F)
- 3.7 PK11/3765/F Refused 27/01/2012
Demolition of outbuildings and conversion of existing agricultural buildings to form 2no. dwellings and erection of 1no. detached dwelling with associated works.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
Object due to heritage and green belt concerns.

4.2 Other Consultees

Conservation Officer
No objection

Archaeology Officer
No objection

Sustainable Transport
No objection

Other Representations

- 4.3 Local Residents
One objection received due to loss of views.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for a two-storey rear extension to The Stables, Mounds Court Farm.
- 5.2 Principle of Development
Policy PSP38 of the Policies, Sites and Places Plan is generally supportive of extensions and alterations to existing dwellings subject to an assessment of design, amenity and transport. However, key issues include the site's location in the green belt where only limited categories of development will be permitted. Further, the barn is locally listed therefore any development must retain the character of the building because it makes a significant contribution to the character and distinctiveness of the locality. The proposal is therefore acceptable in principle subject to the consideration of the issues set out below.

5.3 Green Belt

The site lies in the Bristol and Bath Green Belt. The government attaches great importance to green belts with the fundamental aim of keeping the land permanently open in nature. Inappropriate development within the green belt is by definition harmful to the green belt and should not be approved except in very special circumstances.

- 5.4 Development in the green belt is inappropriate unless it is listed in the exception categories as defined in paragraphs 89 and 90 of the NPPF. The extension or alteration of a building is an exception category provided that the development does not result in a disproportionate addition over and above the size of the original building. The previous application was refused as it was felt that the addition would be disproportionate, and would not accord to PSP7 or the paragraphs 89 and 90 of the NPPF. The current application removes an existing single-storey element, and reduces the size of the proposed extension. The addition to the building would be below a 30% volume increase, and would be considered acceptable in green belt terms.

5.5 Design and Heritage

The barns and the adjacent farmhouse are all identified as locally listed buildings and are, therefore, non-designated heritage assets under the definitions in the NPPF. The building itself is highly visible from Webbs Heath, although there is some amount of screening due to the soft landscaping features surrounding the site. The conversion of the barns following the original 2013 application (PK13/0235/F) sought to protect the simple rural and agricultural aesthetic of the buildings but there has been continued pressure to further extend this particular building. This resulted in an approval in 2016 (PK16/6495/F) for additional, and extended single storey lean-to structures either side of the west facing barn door entrance.

- 5.6 This application now seeks an extension to the building, in the form of a simple extension to the gable end of the barn with an open-sided oak-frame lean-to on the west elevation. It would be modest in size, and would be considered acceptable in design terms.
- 5.7 The reduction in the footprint of the addition is welcomed and it is now a simple extension to the gable end of the barn. The conservation officer has stated that there is no heritage objection in principle to the proposed development, but recommends that the gable of the extension omits the coping stone parapet; this will be controlled via a condition added to the decision notice.

5.8 Residential Amenity

Development should not be permitted that has a prejudicial impact on residential amenities. This should be considered in terms of the impact on the application site and any nearby occupier. Concerns about the loss of a view have been expressed, but the Local Planning Authority determines proposals in the public interest, not to preserve individual private views. As indicated above the impact on the general visual appearance of the area is considered acceptable.

- 5.9 It is not considered that the proposed extension would impact on the living conditions of the application site. Sufficient garden space is retained to serve the property and the amenity level is preserved.
- 5.10 It is not considered that the proposed extensions would impact on the living conditions of nearby occupiers. It is not considered that the proposed extensions would be overbearing on nearby occupiers.
- 5.11 Transport and Parking
The development would result in a four-bedroom dwelling. Under the Residential Parking Standard SPD, a four-bedroom dwelling requires two parking spaces. Three parking spaces are provided onsite. Accordingly, there are no transport objections to the proposed development.
- 5.12 Archaeology
The archaeology officer has stated that as the current application is modest in terms of ground disturbance, there are no archaeological objections.
- 5.13 Equalities
The Equality Act 2010 protects people from discrimination in the workplace and in wider society. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.14 With regards to the above this planning application is considered to have a neutral impact on equality.

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

Contact Officer: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

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

Reason

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

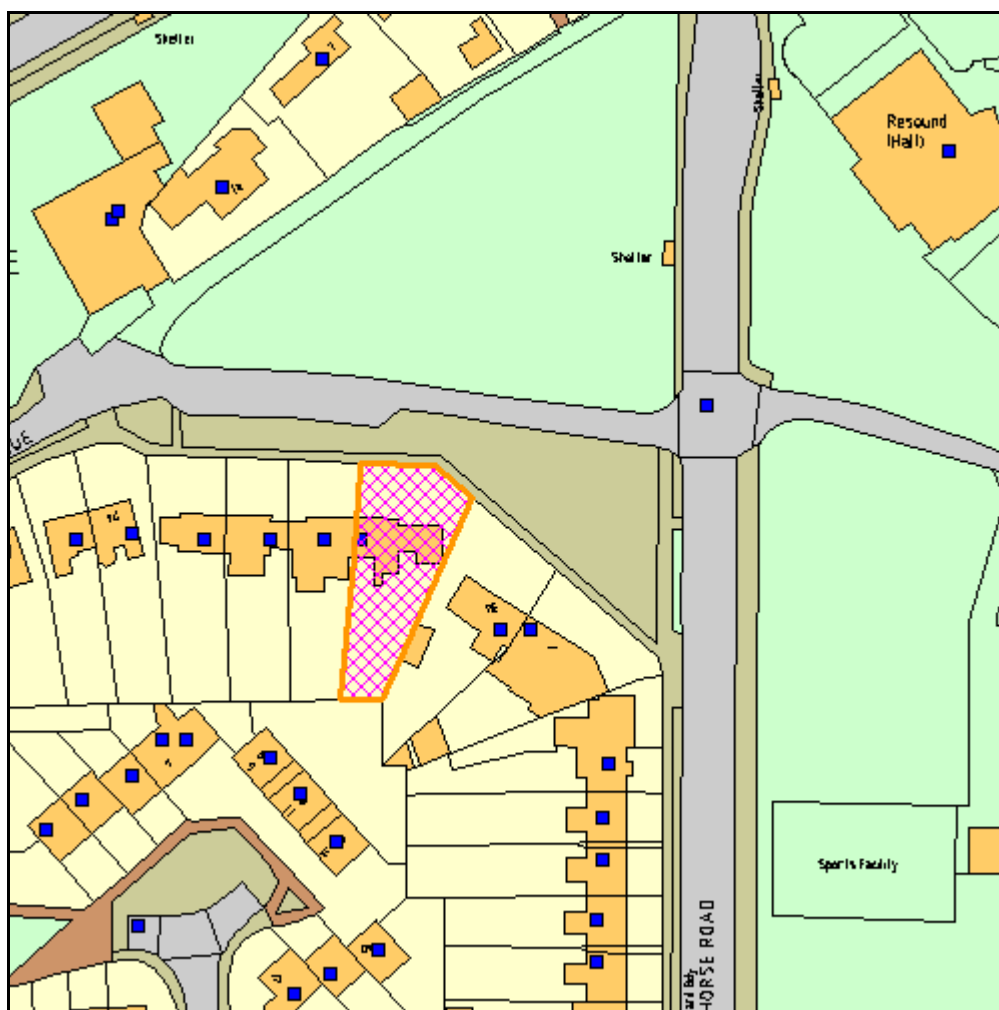
2. Prior to the commencement of development, an elevation plan omitting the coping stone parapet to the north elevation shall be submitted to and agreed in writing with the Local Planning Authority. The development shall proceed in accordance with the agreed plans.

Reason

To ensure that the proposed development retains the character of the locally listed building and accords to Policy CS1 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. This is required prior to commencement to ensure that the proposal is carried out in accordance with the revised plans.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/2105/F	Applicant:	John Upham
Site:	32 Elmtree Avenue Mangotsfield Bristol South Gloucestershire BS16 9BW	Date Reg:	9th May 2018
Proposal:	Demolition of existing conservatory and erection of two storey rear extension to form additional living accommodation.	Parish:	Emersons Green Town Council
Map Ref:	366319 177332	Ward:	Rodway
Application Category:	Householder	Target Date:	4th July 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PK18/2105/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in light of the concerns expressed by local residents.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of an existing conservatory and the erection of a two storey rear extension at a semi-detached property in Mangotsfield. The site forms part of a row of similar styled properties facing a large triangle of amenity land.
- 1.2 The site is located within the urban area of the east fringe of Bristol. No other planning land use designations cover the site.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
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 K7765
ERECTION OF ATTACHED GARAGE (Previous ID: K7765)
Approval
08.09.1994

4. CONSULTATION RESPONSES

4.1 Emersons Green Town Council
No objection

4.2 Other Consultees

Sustainable Transport
No objection

Other Representations

4.3 Local Residents

1 comment has been received in regard to this application. The comment raises the following matters:

- proposed extension shown in line with rear extension at No 30 but on ground this measures only 3.54m so the proposed development will actually be 0.39m longer
- potential loss of light and outlook

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the demolition of an existing conservatory and the erection of a two storey rear extension at a semi-detached house in Mangotsfield.

5.2 Principle of Development

Policy PSP38 of the Local Plan is broadly supportive of extensions and alterations to existing dwellings subject to an assessment of design, amenity and transport. Therefore the proposal is acceptable in principle but should be determined against the analysis set out below.

5.3 Design

Following demolition of the conservatory, it is proposed to erect a projecting rear wing over the complete width of the dwelling. The wing would include a gable end feature facing the garden. It would project approximately 3.95 metres from the rear elevation and have an overall ridge height of 6.9 metres. Externally, the extension would be finished in render and tile to match the appearance of the existing dwelling.

5.4 It is considered that the proposed extension is in keeping with the general character and appearance of the property. The shape and form of the extension respect the massing of the existing house and the use of matching materials is appropriate. No objection is raised to the design and appearance of the proposed extension.

5.5 Amenity

Development shall not be permitted that would have a prejudicial impact on the residential amenity of existing or nearby occupiers. It is not considered that the proposal would have a detrimental impact on the residential amenity of the application site as sufficient amenity space would be retained.

- 5.6 Due to the size and form of the extension and its location on the rear elevation there is the potential for the development to have an impact on the amenities of neighbouring occupiers. In particular the field of view plus some early light to a first floor room in 30 Elmtree Avenue is likely to be affected by the development. However it is considered that the degree of infringement on outlook and lighting would not bring about materially harmful living conditions within the affected room (which face south) such that the proposal should be refused on this basis.
- 5.7 Local residents argue that although plan 1287/P/03 shows a consistent rear building line with the neighbours, in reality the proposal would project slightly further than the situation shown on this plan; based on their own calculations taken from the ground the difference is some 0.39 metres. However Officers find no grounds for not taking the plans at face value; scaling the aforementioned plan shows that the rear extension would be about 3.95 metres deep (this is clearly labelled as well), and in the Officers opinion was drawn in a professional manner to show what is intended to be built. Even if the local residents' figure of 0.39 metres is accepted, bar the first floor room discussed above, it is not considered the additional length would impact the neighbours' living conditions any further.
- 5.8 It is considered that there would be satisfactory relationships between the proposed and other adjoining properties.
- 5.9 Transport and Parking
The proposed development would not lead to an increase in the number of bedrooms at the property. Therefore the development would not lead to an increase in the parking demands for the property. Therefore there is no material change in parking requirements and the existing parking provision is adequate.
- 5.10 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.11 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. 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 implemented strictly in accordance with the following documents:

Received 03.05.2018:

Existing Plans and Elevations (1287/P/02)

Proposed Plans and Elevations (1287/P/03)

The Location Plan (1287/P/01)

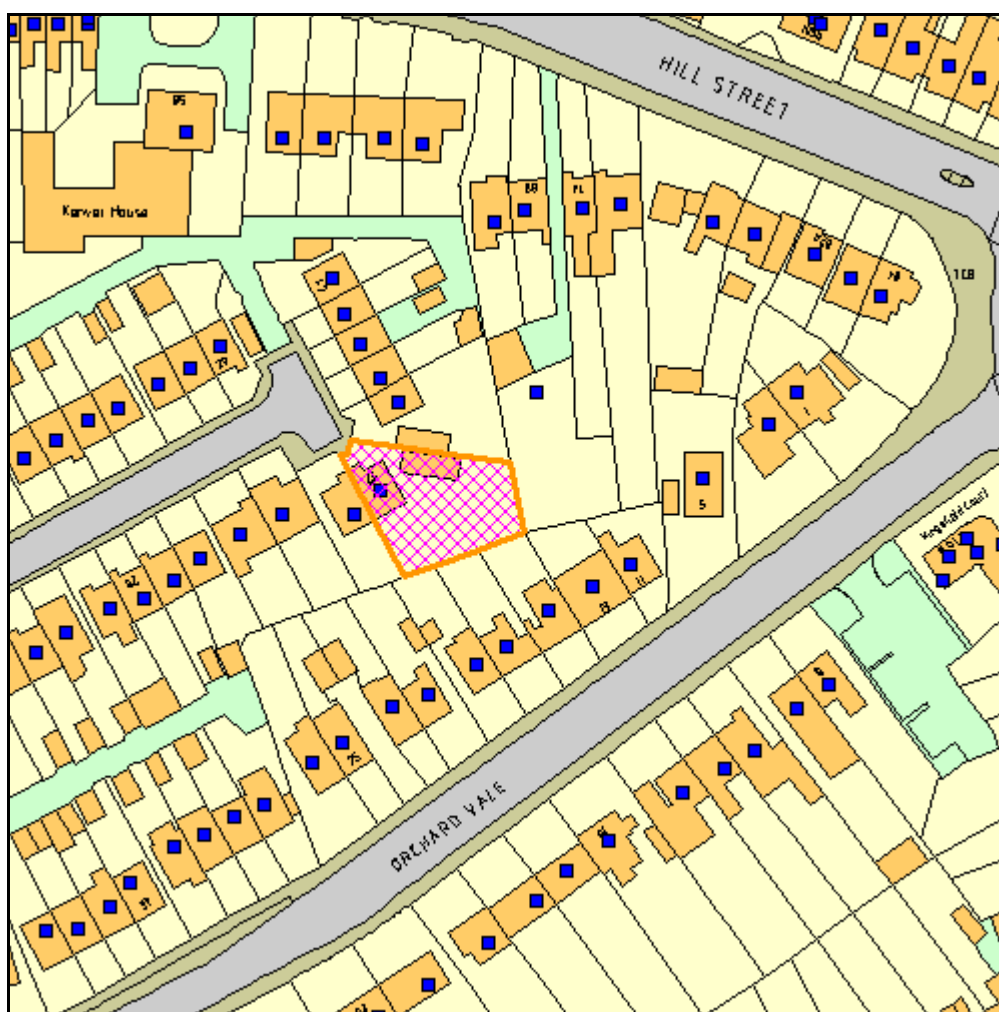
Photographs & Photomontages 5x

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/2155/F	Applicant:	Mr Richards
Site:	32 Brompton Close Kingswood Bristol South Gloucestershire BS15 9UX	Date Reg:	14th May 2018
Proposal:	Two storey side link extension to form additional living accommodation. Refurbishment of existing garage to facilitate use as garage, utility and store.	Parish:	None
Map Ref:	366078 173595	Ward:	Woodstock
Application Category:	Householder	Target Date:	6th July 2018



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK18/2155/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey side link extension to form additional living accommodation and the refurbishment of the existing garage to facilitate use as a garage, utility and store at 32 Brompton Close, Kingswood.
- 1.2 The application site relates to a two storey, semi-detached property which is located within a cul-de-sac in the built up residential area of Kingswood. There is a protected Horse Chestnut tree located within the site boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP11 Transport
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK02/2167/F
Installation of rear dormer.
Approved: 27/08/2002

4. CONSULTATION RESPONSES

4.1 Town/Parish Council Unparished area

4.2 Sustainable Transport

Alterations will be made to the existing garage which will result in a size which does not comply with the Council's minimum requirements. However, the plans submitted show that two parking spaces will be available to the frontage of the site. As this level of parking complies with the Council's residential parking standards, there is no transportation objection raised.

4.3 Tree Officer

There are no objections in principle to the proposed development however the applicant will need to submit an arboricultural report.

Comments following a later site visit;

The mature Horse Chestnut is in a state of advanced decline. Given this, and the absence of any other significant trees or hedgerows on or adjacent to the site, I would suggest there is no longer a need for a tree survey.

Other Representations

4.4 Local Residents

Objection comments received from 1 no neighbouring occupier, summarised as follows;

- There is no reference in the application to the Horse Chestnut tree. The tree is approximately 100ft tall and over 100years old.
- There is a main drain which runs through the area the proposed work will take place. There has been problems in the past with this blocking up.

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 extension which would link the main property with the existing single garage; and the refurbishment of the existing garage to include a garage, utility and store.

- 5.3 The proposed two storey link extension would be located on the west elevation of the main dwelling and would link to the existing single garage which is set at approximately a 45° angle. The proposal would have a width of approximately 4m and a depth of approximately 6.3m. It would be set back from the principal elevation of the main dwelling by approximately 1.9m and would have a ridge height lower than the existing dwelling, as such the proposal would identify as subservient. The materials to be used in the external finish of the proposed development include a combination of brickwork and pebble dash rendered elevations, profiled roof tiles and white UPVC windows. All materials would match those of the existing dwelling and are therefore deemed acceptable.
- 5.4 The proposed extension would infill the gap between the main dwelling and garage, reducing the width of the principal elevation of the garage. A modest single storey extension would link the existing garage to the proposed side extension, this would be located on the side elevation of the proposed two storey extension and would not be visible from the public realm. The proposed uses of a garage, store and utility the existing are considered to be incidental to the enjoyment of the dwelling. As such, the alterations to the existing garage are deemed to be acceptable.
- 5.5 Overall, it is considered that the proposed development would not be detrimental to the character of the host dwelling or the surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.
- 5.6 Residential Amenity
Policy PSP8 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.7 The host dwelling is located on the corner plot at the end of a cul-de-sac. The neighbouring property to the northwest consists of a similar orientation to the application site, the main dwelling is set at a 90° angle to the subject property and has a single garage on the boundary adjacent to the proposed development. The neighbouring property benefits from 1no first floor side elevation window, however due to the siting of the proposal and the inclusion of no side elevation windows, it would not appear to have a material overlooking or overbearing impact. The proposal is also not considered to significantly impact on the existing levels of light afforded to the neighbouring occupiers.
- 5.8 The proposal will occupy additional floor space, however it is considered that sufficient private amenity space will remain for the occupiers of the host dwelling following development.
- 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 PSP8 of the PSP Plan.

5.10 Trees

A concern was raised regarding the protected Horse Chestnut tree which is located within the site boundary, to the rear of the proposed development. After consultation with the tree officers, the tree in question was found to be in a state of advanced decline. As no other trees or hedgerows of significance are considered to affect the proposal, it was not deemed necessary to request an arboricultural report or tree protection plan.

5.11 Sustainable Transport and Parking Provision

The proposal will include the addition of one bedroom, resulting in a four bedroom property; South Gloucestershire Council residential parking standards require a four bedroom property to provide two off-street parking spaces. Although, the proposal will remove the use of the existing garage as a parking space, the plans provided indicate there is space to accommodate two vehicles to the front of the garage. As such, the proposal is deemed comply with the Council's parking standards and no objections are raised in terms of transport.

5.12 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.

5.13 Other Matters

For a minor application of this type, it is considered that drainage concerns would be satisfied by compliance with Building Regulations.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: James Reynolds
Tel. No. 01454 864712

CONDITIONS

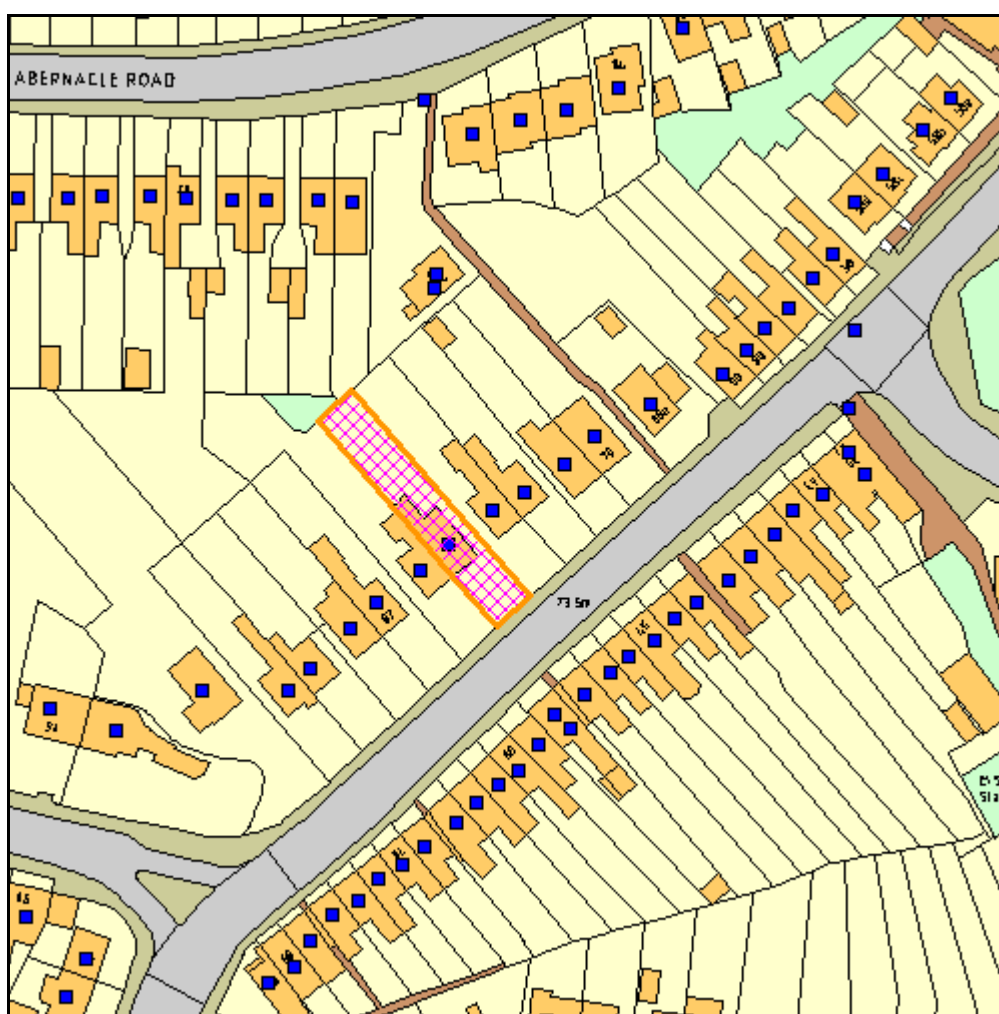
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PK18/2234/CLP	Applicant:	Mr Nick Stuart
Site:	78 Lower Hanham Road Hanham Bristol South Gloucestershire BS15 8QZ	Date Reg:	14th May 2018
Proposal:	Erection of single storey rear outbuilding to form workshop/garden room.	Parish:	Hanham Parish Council
Map Ref:	364276 172545	Ward:	Hanham
Application Category:	Certificate of Lawfulness	Target Date:	6th July 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PK18/2234/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the erection of an outbuilding to form a workshop/garden room at 78 Lower Hanham Road, Hanham 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 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council

No objection

4.2 Councillor

No comment received

Other Representations

4.3 Local Residents

1no support comment received, as follows:

My husband and I, occupants of no.76, have viewed the plans and have no objections.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Received by the Council on 11th May 2018:

Block & Site Location Plan
Proposed Elevations
Proposed Floor 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 erection of an outbuilding falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class E of the GPDO 2015. It should be noted that there is no restriction on permitted development rights at the subject property. As such permitted development rights are intact and exercisable. It is also considered that the proposed use of the outbuilding could be defined as for 'a purpose incidental to the enjoyment of the dwellinghouse.'

6.3 The proposed development consists of a single storey outbuilding which would form a workshop/garden room. The proposed development would fall within Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 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

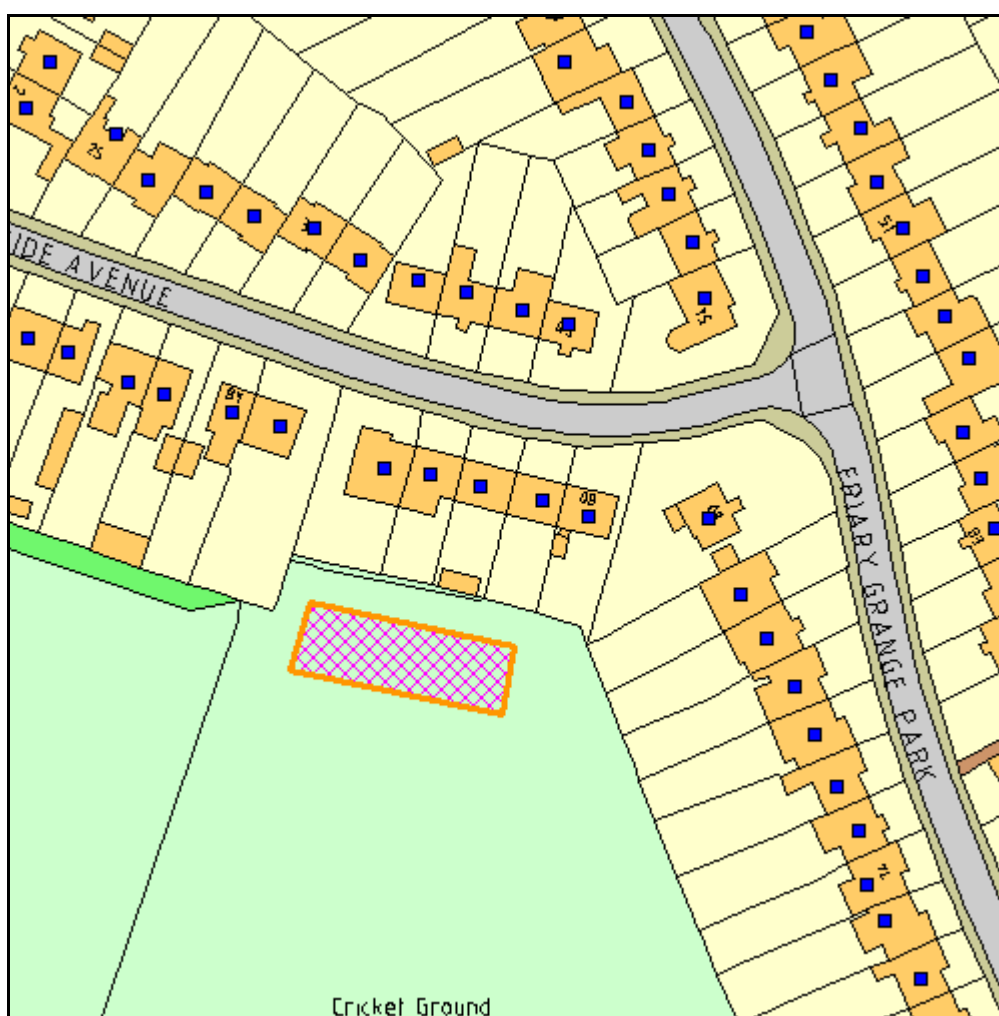
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the following reason:

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: James Reynolds
Tel. No. 01454 864712

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PT18/1377/F	Applicant:	Mrs Elizabeth Bracey
Site:	Pavilion St Michaels C Of E Vc Primary School Linden Close Winterbourne South Gloucestershire BS36 1LG	Date Reg:	30th April 2018
Proposal:	Installation of fully enclosed twin-lane non turf practice area 32.94m long x 7.92m wide and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	365186 180596	Ward:	Winterbourne
Application Category:	Minor	Target Date:	25th June 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT18/1377/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the Installation of fully enclosed twin-lane non turf practice area 32.94m long x 7.92m wide and associated works at Pavilion, St Michaels C Of E Vc Primary School, Linden Close, Winterbourne.
- 1.2 The proposal aims to provide improved facilities for Winterbourne Cricket Club as well as the school and local community groups. The site lies within the settlement boundary of Winterbourne. A public footpath runs along the applications Southern boundary of the site.

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
CS23	Community Infrastructure

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

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/2287/F – Approved - 19.09.2008
Erection of cricket pavilion

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council
No objection

4.2 Other Consultees

Sustainable Transport

We note that this planning application seeks to replace the existing cricket nets at St Michaels School in Linden Close, Winterbourne with more modern structures for the same purposes. As a result, we do not believe that this will create any highways or transportation issues and so we have no comments about this proposal.

Lead Local Flood Authority

No objection

Archaeology

No comment

Sport England

The ECB fully supports this application. They advise that this new non-turf practice facility is much needed at this thriving cricket club (Winterbourne CC) as the existing ones are unusable.

Whilst the site is mentioned in the PPS (site ID 117) as are the nets there is no mention of them being updated. The design meets with the ECB specifications and is being installed by an approved supplier. Orientation is not ideal (East – West) as usually North – South is preferred. However due the constraints on the site the proposed orientation has been discussed and is supported.

Other Representations

4.3 Local Residents

This application has received a total of 1 support comment and 1 objection comment. These are outlined below.

Support

- I live the closest to this proposal. I fully support it. The current facilities are old and tatty and anything put in its place will improve the outlook. The opportunities this will offer the children of the village associated with the cricket club and the school has only got to be a good thing.

Objection

- Object to the proposed location of the practice area.
- The enlargement will result in increased parking issues.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP44 of the Policies, Sites and Places Plan is supportive of the protection and provision of sporting facilities. The proposal to extend and improve the existing facilities would provide a safer environment and reliable sporting facilities, and is therefore considered to be acceptable in principle. However the development must be assessed against further relevant criteria in order to identify any potential issues. The further considerations in this case are design and visual amenity, residential amenity and transport.

5.2 Design and Visual Amenity

The application site is an existing cricket field with associated pavilion and existing cricket nets, the existing nets are in a state of disrepair and in need of replacement. The proposal intends to replace the existing cricket nets with twin lane nets measuring 34metres in length, approximately 8metres in width and a maximum height of 4metres.

5.3 The orientation of the nets will run east to west due to site constraints, the proposal will replace the existing nets situated in the northern corner of the host site. Cricket nets exist within the site and as the principle of the site is a cricket pitch the provision of new nets is not considered to raise any issues. Given the design and location of the proposal it is not considered there to be design or amenity implications associated with the proposals.

5.4 Residential Amenity

Residential properties can be seen immediately to the north and east of the host site. The proposal will replace an existing set of cricket nets that are in a state of disrepair and unsafe. The proposal will improve upon the current situation by providing a safer environment both for participants and nearby occupiers. Due to the scale, siting and nature of this application, the case officer does not consider the proposal would have a significant detrimental effect on the amenity of neighbouring occupiers.

5.5 An objection was raised regarding the location of the proposal, comments were made as to why the nets cannot be placed elsewhere in the sites curtilage. The proposed scheme will improve on safety and will be more aesthetically pleasing than the existing, the proposal will seek to replace the existing nets in the same location albeit a little larger. The proposals position has been carefully considered due to site constraints. It is not considered that the proposal would have any unacceptable impacts on residential amenity. The proposal is therefore considered to accord with policy PSP8 of the Policies, Sites and Places Plan.

5.6 Transport

Due to the nature of the application it is not considered that the proposal would impact upon highway safety, vehicle access or current parking provision. The club shares facilities with the local school and has use of the school car park and playground as extra parking should this be required. Therefore, there are no objections on highways grounds

5.7 Equalities

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

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

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the 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: Westley Little
Tel. No. 01454 862217

CONDITIONS

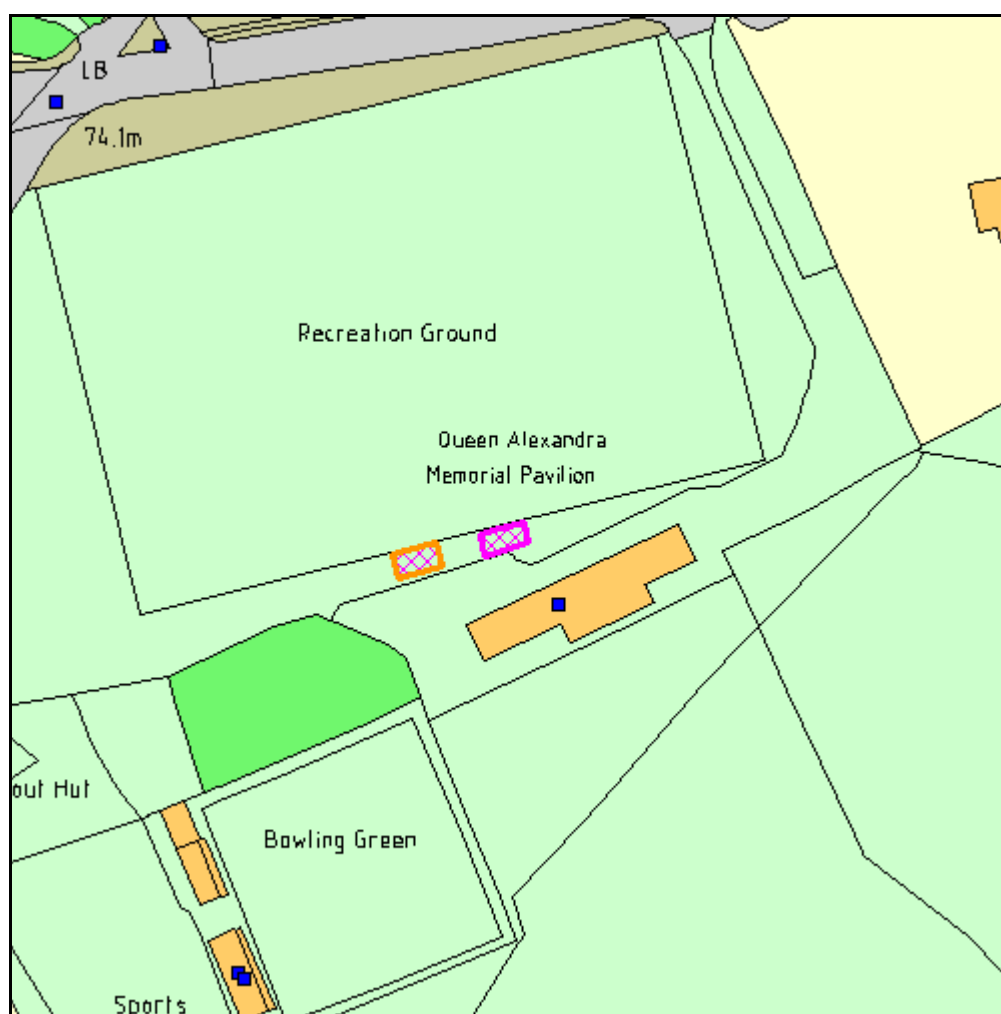
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PT18/1509/CLP	Applicant:	Olveston Football Club
Site:	Olveston Football Club Alveston Road Tockington South Gloucestershire BS32 4PF	Date Reg:	19th April 2018
Proposal:	Certificate of lawfulness for the proposed erection of 2no. metal framed 'dugouts' with perspex canopies.	Parish:	Olveston Parish Council
Map Ref:	361216 187215	Ward:	Severn
Application Category:	Certificate of Lawfulness	Target Date:	12th June 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PT18/1509/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE.

The application is for a Certificate of Lawfulness, 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 2no. metal framed 'dugouts' with Perspex canopies at Olveston Football Club Olveston would be lawful.
- 1.2. The application is a formal way of establishing whether the proposal requires planning permission or not.
- 1.3. It should be noted that the site in question does not benefit from 'permitted development rights'.

2. POLICY CONTEXT

- 2.1. Town and Country Planning Act 1990 (as amended) sections 55 and 192.

3. RELEVANT PLANNING HISTORY

- 3.1. None relevant.

4. CONSULTATION RESPONSES

- 4.1. Olveston Parish Council
"Olveston Parish Council has concerns over the letter currently published with the application and also would like to record that the postal address for the Council is actually 8 Orchard Rise, rather than that shown."

Ecology Officer
None Received.

Planning Enforcement
None received.

Fields in Trust
None received.

Tree Officer
"No objection."

Public Rights of Way
"No objection"

Other Representations

4.2. Local Residents

Six objection letters were received, of which two were duplicates. These related to advertisement consent, dugouts being applied for are different to those displayed previously, proposal being development, addresses being different, dug outs being structures, consultations, visual impact, design, length of time dugouts used, storage, and that the site is a village green.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

Existing Location Plan

Drawing No. 14/0058/001

Received by the Council on 17th April 2018

Proposed Dugout Images

Received by the Council on 26th March 2018

Email from applicant confirming dugouts anchorage details.

Received by the Council on 21st May 2018

6. ANALYSIS OF PROPOSAL

6.1. Principle of Development

The application for a Certificate of Lawfulness is purely an evidential test that is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly, there is no consideration of planning merit, the application is based on the facts presented. As the submission is not an application for planning permission and 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 is considered 'development' as described in the Town and Country Planning Act 1990 (as amended) section 55 below:

55 Meaning of "development" and "new development".

- (1) Subject to the following provisions of this section, in this Act, except where the context otherwise requires, "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

[F1(1A) For the purposes of this Act “building operations” includes—

- (a) demolition of buildings;
- (b) rebuilding;
- (c) structural alterations of or additions to buildings; and
- (d) other operations normally undertaken by a person carrying on business as a builder.]

(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

- (a) the carrying out for the maintenance, improvement or other alteration of any building of works which—
 - (i) affect only the interior of the building, or
 - (ii) do not materially affect the external appearance of the building

6.3 As recognised in the definition given to the words ‘building operations’, the work done will normally involve work to a ‘building’. The meaning of the word ‘building’, therefore, is also relevant to the question of whether a particular activity constitutes development. A number of significant judicial decisions have been made on its precise meaning and application.

6.4 *Barvis Ltd v Secretary of State for the Environment* (1971) 22 P & CR 710 is the strongest authority for assessing what constitutes a ‘building’. Coming from this decision are the key elements to consider; which are its size, its permanence and physical attachment to the land.

6.5 The relevance of permanence was considered in *Skerritts of Nottingham Ltd v Secretary of State for the Environment transport and the Regions* [2000] JPL 1025. In it the question of whether the erection of a marquee every year between February and October amounted to a building operation. Ultimately the court decided that as it took several people several days to erect/disassemble the marquee, despite its temporary nature the marquee was considered to be a ‘building operation’. The application form states that no concrete or blocks will be used and the structures are temporary. However, the images included show that the dugouts would be on concrete bases. The Case Officer contacted the applicant to confirm the exact nature of the proposal. The applicant stated that the images were for illustration only and in fact the dugouts would be anchored using large 14 inch screws (also included in images supporting the application) that would be sunk into the ground. The dugouts would then be fixed to these screws. When applying the test arising from the *Skerritts* case then, it would take just two people a few minutes to move. In this regard the proposed dugouts lack permanence.

- 6.6 In regards to the attachment of the proposed dugouts to land. A decision by the Secretary of State which was later upheld in *Britton* [1997] JPL 617, stated that a woven timber framework anchored to land by posts driven into the ground was not operational development. This decision bears a strong correlation to how the proposed dugouts would be fixed to the ground. By proxy, Officers consider that the dugouts attachment to the land is also tenuous as they can be removed at any time. In this regard they would lack a significant attachment to the land and would not be considered as operational development on these facts.
- 6.7 Finally, when considering the size of the dugouts and whether they constitute buildings, the decision in *Cheshire CC v Woodward* [1962] 2 QB 126 is an important consideration. Lord Parker CJ stated that to be considered a structure or erection is to change the physical character of the land. When considering the site in which the dugouts would be located, far from changing the character of the land, the dugouts would enforce its use as a playing field. As such the size of the dugouts are not considered to warrant labelling as a 'building' or 'structure' for the purposes of the Town and Country Planning Act 1990 (as amended).
- 6.8 In summary, the proposed dugouts lack permanence; have a tenuous attachment to the land; and are not of a sufficient size to change the character of the land thus on the balance of probabilities should not be classified as a 'structure' on the facts presented. Therefore, the proposed erection of 2no. dugouts are not considered to be 'building operations' for the purposes of the Town and Country Planning Act 1990 (as amended) as they are not considered to be 'buildings' or 'structures'. Thus, they are not considered to be 'development' and do not require planning permission.

7. **RECOMMENDATION**

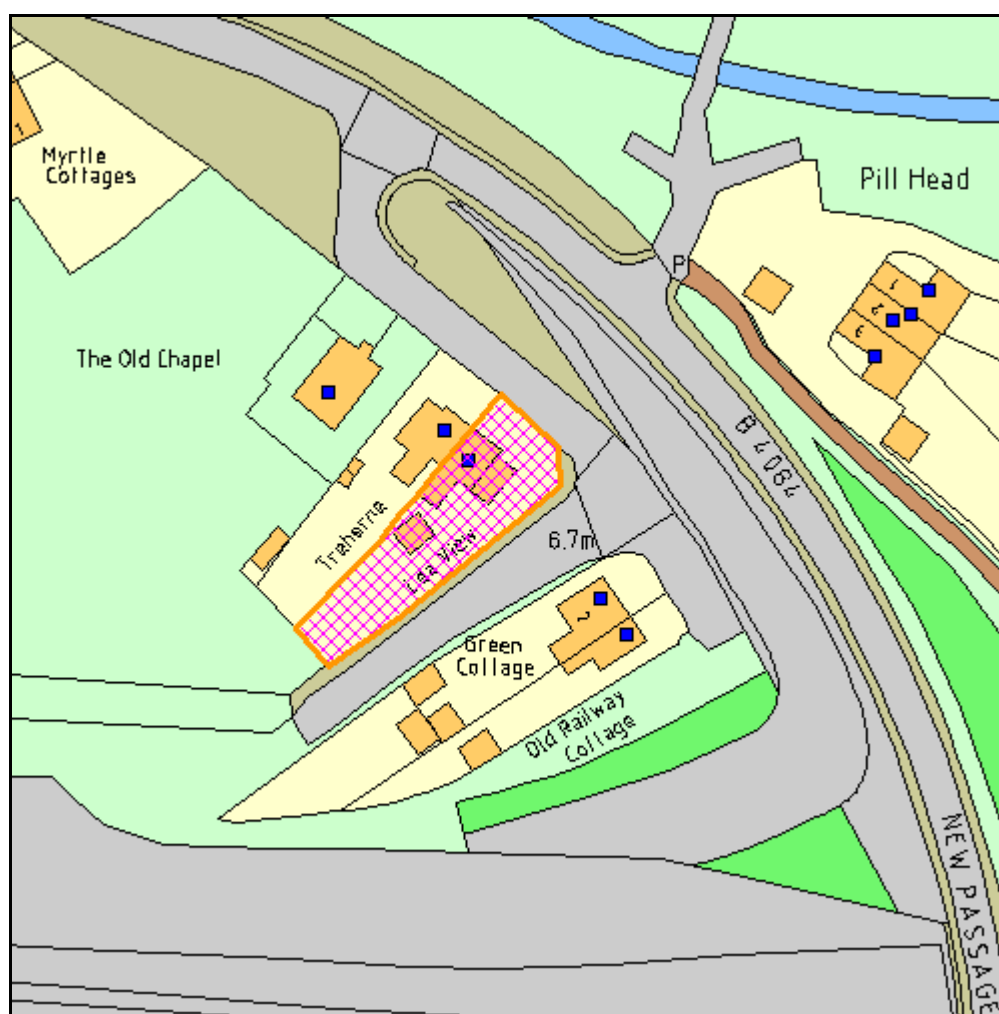
- 7.1. That a Certificate of Lawfulness for the Proposed Development is **GRANTED** for the reasons listed below:

The evidence provided is sufficient to demonstrate that, on the balance of probabilities, the proposed erection of 2no. metal framed 'dugouts' with Perspex canopies does not constitute 'development' as described in Town and Country Planning Act 1990 (as amended) section 55(2)(a)(ii).

Contact Officer: David Ditchett
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PT18/1599/F	Applicant:	Mr And Mrs D Hatherall
Site:	Lea View New Passage Road Pilning Bristol South Gloucestershire BS35 4LZ	Date Reg:	17th April 2018
Proposal:	Erection of detached garage with storage above.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354956 185906	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	11th June 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PT18/1599/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of detached garage with storage above at Lea View, New Passage Road, Pilning.
- 1.2 The application site relates to a two storey, semi-detached property which is located within a residential area of Pilning.
- 1.3 The site is within the Bristol/Bath Green Belt. The site is also located in Flood Zones 2 and 3.

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

PSP7 Development in the Green Belt

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 N4839 – Approved - 14.09.1978
Erection of a replacement garage and domestic store.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No objection

Lead Local Flood Authority
No objection

Archaeology
No comment

Other Representations

- 4.2 Local Residents
This application received a total of 1 objection comment.

- The proposal would need access to a private road shared by the adjacent property. This proposal will have serious access implications to the disabled resident at the adjacent annex.

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 Green Belt
National Green Belt policy under the NPPF has five aims which help to prevent urban sprawl as set out in paragraph 80:

- To check the unrestricted view sprawl of large built up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The fundamental aim of Green Belt Policy is to keep land permanently open.

- 5.3 Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate in Green Belt. Exceptions to this are:
- Buildings for agriculture and forestry;

- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land with it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and purpose of including land within it than the existing development..

5.4 The SPD Development in the Green Belt (2007), also has a disproportionate test for additions within this special area. In assessing whether a proposal is disproportionate account will be taken of:

- The increase in volume of the original dwelling
- The appearance of the proposal (it should not be out of proportion with the scale and character of the original dwelling).
- Existing extensions and outbuildings within the curtilage

5.5 No volume calculation is available as only the garage elevations were submitted and no prior planning consent can be found on record. Submitted plans show a detached garage located at the far south west corner of the properties curtilage. The proposal is large for a detached garage, at two levels the total volume after development would be approximately 321.4 cubic metres.

5.6 It is acknowledged that the proposed height of 6.5 metres is considerable for a detached garage. However, it should be noted that the applicant could erect a garage with a footprint of up to 50% of the total area of the curtilage under permitted development allowances. Furthermore, this form of development is common within the vicinity with adjacent properties benefitting from development similar to the proposal in both design and scale. It is not therefore considered that the outbuilding represents a disproportionate addition to the dwelling house.

5.7 Overall, it is concluded that the proposal would not in this instance result in material harm to the openness of the Green Belt and is considered to comply with Policy PSP7 of the PSP Plan (November 2017) and the NPPF.

5.8 Design and Visual Amenity

The application seeks full planning permission for erection of detached garage with storage above.

5.9 The proposed detached garage will be located at the far south west corner of the properties rear garden. The proposal will measure 8 metres wide, 8 metres deep and will have a maximum height of 6.5 metres. The proposal will

introduce 1no door to the north elevation and a roller shutter door to the south east elevation with direct access onto the adjacent shared private road. The proposal will feature a gabled roof with 3no roof lights.

- 5.10 The garage is considered to be of an appropriate scale and form, and would appear as a fairly typical addition to a domestic property. It is not considered that the proposal would have a significant negative effect on the visual amenity of the surrounding area, and the development is therefore considered acceptable.
- 5.11 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.
- 5.12 An objection comment raised concerns that the proposed garage will cause access issues for the adjacent neighbour. During a site visit it was noted that numerous vehicles were parked on both sides of the private road. It is considered that the proposal would ease on-street congestion and improve access both for the host site and adjacent properties.
- 5.13 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Due to the location of the proposal, it is not considered that its erection would materially harm the residential amenity at any of the adjoining properties. Due to levels of separation, it is not deemed that the proposal would impact upon the residential amenity enjoyed at properties
- 5.14 The proposal will occupy additional floor space, however sufficient private amenity space will remain following development and there is no objection with regard to this.
- 5.15 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).
- 5.16 Sustainable Transport and Parking Provision
The application site is situated on a private road and does not currently benefit from off street parking. As a result of the proposed development the 3 bed property will benefit from 2 off street vehicular parking spaces. South Gloucestershire Residential Parking Standards SPD outlines that properties with 3 bedrooms must make provision for the parking of a minimum of 2 vehicles, with each parking space measuring a minimum of 2.4m x 4.8m. On this basis, it is considered that the minimum parking provision for a 3-bed property can be provided on-site following development.

5.17 Flood Risk

The subject property is located in an area that is considered to be at risk of flooding. The proposal will implement a series of flood mitigation measures during the construction phase and is not thought to result in any further risk. The Local Flood Authority have no objections over the proposed development, consequently the proposal is considered acceptable in this respect.

5.18 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application is **APPROVED** subject to the conditions listed on the decision notice.

Contact Officer: Westley Little
Tel. No. 01454 862217

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. 25/18 – 22 JUNE 2018

App No.:	PT18/2028/F	Applicant:	Mrs Rachel Knowles
Site:	Holly Cottage 4 Strode Common Alveston Bristol South Gloucestershire BS35 3PJ	Date Reg:	2nd May 2018
Proposal:	Erection of a two storey front extension to form annexe ancillary to main dwelling.	Parish:	Alveston Parish Council
Map Ref:	362807 188210	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	25th June 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT18/2028/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application received comments that are contrary to the Officer recommendation. 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 seeks full planning permission for the erection of a two storey front extension to form an annex ancillary to the main dwelling at Holly Cottage 4 Strode Common Alveston.
- 1.2 The application site consists of a detached dwelling set 40m back from the road. The site is located in the settlement boundary and within the Bristol/Bath Green Belt.
- 1.3 Permission for a deeper two storey front extension was granted in 2001 (PT01/2060/F) however, this was not implemented. Also, while the reference PT01/2060/F refers to a two storey rear extension, the description is incorrect and the previous plans show a two storey front extension similar to the current proposal.
- 1.4 Permission to erect a detached dwelling in the front of the plot was granted in 2009 (PT09/5028/F). This has now been constructed.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility

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

PSP1 Local Distinctiveness
PSP7 Development in the Green Belt
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) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/2351/NMA
No objection (04.10.2010)
Non material amendment to PT09/5028/F to alter the window design.
- 3.2 PT09/5028/F
Approve with Conditions (23.09.2009)
Erection of 1no. detached dwelling with garage, alteration to access & associated works.
- 3.3 PT01/2060/F
Approve with Conditions (04.09.2001)
Demolition of existing rear outbuildings and erection of two storey rear extension. Erection of detached garage.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
None received.

Alveston Parish Council
"No objection."

- 4.2 Other Consultees

Archaeology
"No comment."

Sustainable Transport
No objection subject to an annex condition.

Other Representations

- 4.3 Local Residents
One comment received neither objecting to nor supporting the proposal stating that "whilst we have no objections in principle to the extension to Holly Cottage we are a bit concerned, if the tree which is on the boundary of the property is felled as part of the development, then we would lose all privacy to our property from that direction."

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The site is acknowledged as being located in the Green Belt where development is rigorously controlled, thus the proposal must accord with national and local policy (NPPF and PSP7).

- 5.2 Additionally, Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1, which is echoed by PSP38 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.
- 5.3 Annexe Test
For a proposal to be an annexe it should only contain ancillary accommodation to the main dwelling and have some form of functional and physical reliance upon the main dwelling. In this instance the proposal has all the elements of principal living accommodation (i.e. one bedroom, an en-suite bathroom, a living area and a small kitchen) that would enable it to be used as an independent unit of residential accommodation. However, officers note that it would share a garden, parking area, access, and services with the main dwelling. Also, it would be linked to the main dwelling via a shared access door between the kitchens on the ground floor. As such, on balance it does seem to show some physical reliance on the main property. Furthermore, with the addition of a condition ensuring that the annex remains ancillary to the main dwelling, this will ensure that the development is not used separately to the main house.
- 5.4 Green Belt
Policy PSP7 permits extensions to properties in the Green Belt providing that they the extension is not disproportionate to the original dwelling. As noted in section 1.3, a larger two storey front extension was approved in 2001; this indicates that Officers previously found a similar proposal to be acceptable development in the Green Belt. Also, the annex would be constructed above an existing single storey element, thus no additional ground area would be required, and as the annex ridge height would be set below the hosts, the annex would remain within the existing built form of the host dwelling. As such the proposal is considered to be proportionate to the host dwelling and is considered to be appropriate development in the Green Belt.
- 5.5 Design and Visual Amenity
The host dwelling is a semi-detached two storey dwelling with cream rendered elevations and UPVc windows. The roof is pitched and tiled. The property benefits from a front porch, a lean to single storey front extension forming a store, and a large driveway/parking area abutting a front garden area.
- 5.6 As noted in point 5.4, the two storey front extension would be constructed above an existing single storey front element, extending no further to the sides/front. Also, the roof would be pitched and tiled with the ridge height set below the host dwelling. All of these design elements ensure the extension remains subordinate to the host dwelling, respecting both the host and surrounding properties. Also as matching materials would be used for the extension the proposal is considered to be acceptable in terms of design and visual amenity, and would comply with policy CS1 of the Core Strategy and PSP38 of the PSP Plan. Finally, although this is a front extension it is not

prominent in the street scene given the nature of the location of the dwelling behind other built form.

5.7 Residential Amenity

Policies PSP8 and PSP38 of the PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.8 There are two new windows proposed to the first floor. The one window facing the objectors property would serve an en-suite and would be obscure glazed. The obscure glazing will be conditioned. The only other window with the potential to impact neighbour amenity is to the front of the proposal. However, owing to its location set some 40m back from the road and its placement in relation to nearby properties is unlikely to detriment the living conditions of neighbours.

5.9 A neighbour raised an objection regarding a possible loss of privacy if a nearby tree was felled. The application form states that no trees would be felled by the proposal. Moreover, the tree in question is 7m from the proposal, therefore there is little to suggest that the tree would be felled as a result of this proposal (the removal of the tree is however something that could be done without recourse to the Local Planning Authority irrespective of this proposal). Nonetheless, owing to the location of the annex in relation to the objector's property, Officers deem it prudent to place a condition ensuring that no new windows (other than those approved in the plans submitted) are inserted to the west/south west elevation of the host property (which includes the annex).

5.10 When considering the existing boundary, and nearby properties combined with the siting and scale of the proposal. The proposal 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 PSP Plan.

5.11 Following the development, over 100m² of private outside amenity space would remain in the form of a front garden area. This exceeds the requirements of policy PSP43.

5.12 Transport

Post development the dwelling will contain four bedrooms, PSP16 requires that 2 off street parking spaces are present and three will be provided. As such there are no transport objections.

5.13 Equalities

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

It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

Contact Officer: 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 hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Holly Cottage 4 Strode Common Alveston Bristol South Gloucestershire BS35 3PJ.

Reason

The development has been permitted on the particular circumstances of the case and the development would require further assessment to be used as a separate residential dwelling with regard to access and private amenity space, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the NPPF.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the west/south west elevation of the property.

Reason

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

4. Within one month of the development hereby approved being substantially complete and at all times thereafter, the proposed first floor window on the west/south west elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

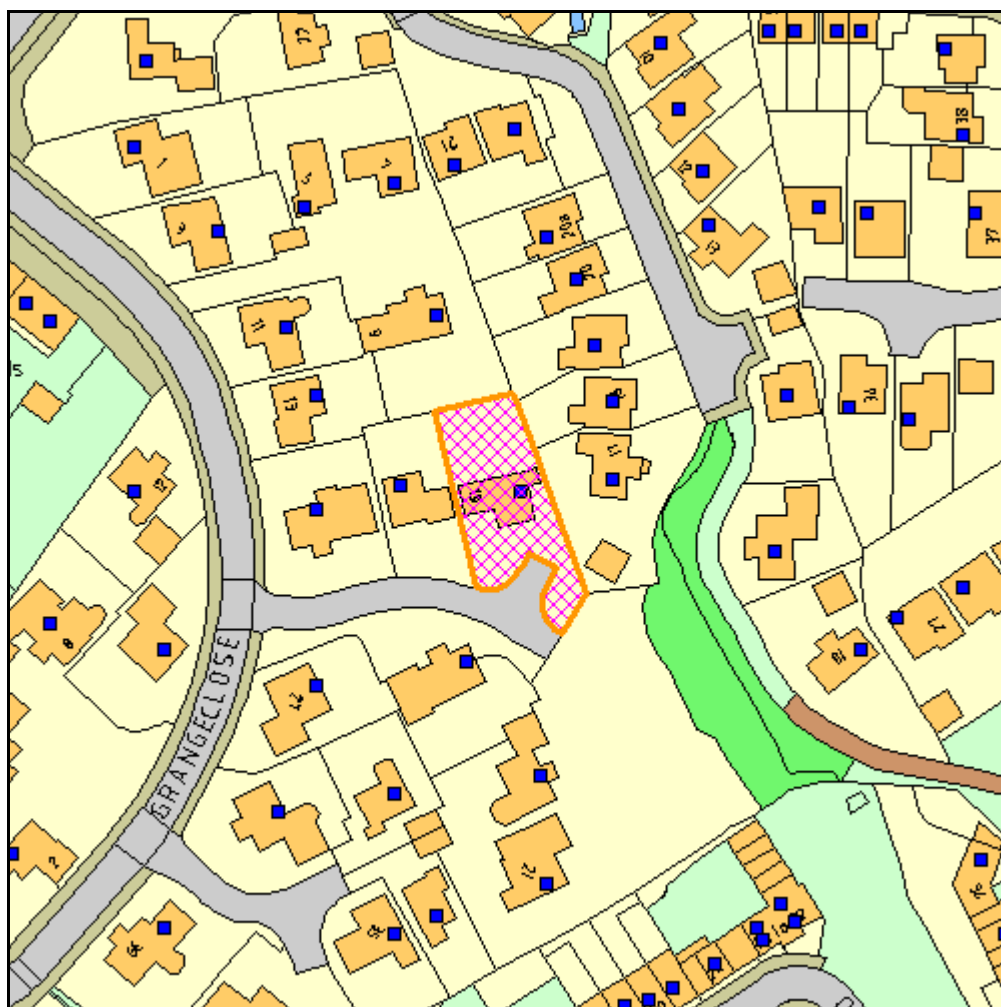
5. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PT18/2074/F	Applicant:	Mr Chris Plummer
Site:	19 Grange Close Bradley Stoke Bristol South Gloucestershire BS32 0AH	Date Reg:	4th May 2018
Proposal:	Erection of first floor side and single storey rear extension to provide additional living accommodation. Erection of single storey side extension to form garage. Conversion of existing garage to form annexe ancillary to main dwelling.	Parish:	Bradley Stoke Town Council
Map Ref:	361162 182952	Ward:	Bradley Stoke North
Application Category:	Householder	Target Date:	26th June 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PT18/2074/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a first floor side and single storey rear extension, the erection of single storey side extension to form a garage and the conversion of the existing garage to form an annexe ancillary to main dwelling at 19 Grange Close, Bradley Stoke.
- 1.2 The application site consists of a relatively large detached property within a moderately sized plot. The application site is located within the established residential area of Bradley Stoke. The main property incorporates an attached garage with a gabled roof, and is finished in facing brick with brown double roman roof tiles.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4. **CONSULTATION RESPONSES**

4.1 **Bradley Stoke Town Council**

Object due to overdevelopment, the fact that the proposal is out of keeping with the surrounding street scene and parking concerns.

4.2 **Sustainable Transport**

No objection

4.3 **Archaeology Officer**

No comment

4.4 **Drainage and Flood Risk Management**

Original Submission

Asked for completed flood mitigation form

Form Complete

No objection

Other Representations

4.5 **Local Residents**

Three objections received due to:

- Possible damage to tree with protection order
- Proposed garage extension is too close to boundary fence, leading to possible damage to fence and inability to maintain extension
- Overbearing impact
- Proposed garage will be built over storm water sewer
- 100% increase in size would represent overdevelopment
- Design out of character with surrounding area
- Objection due to overlooking and intervisibility (x2)
- Impact on view (x2)

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

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

5.2 **Design and Visual Amenity**

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and

amenity of both the site and its context. It is noted that the town council, and neighbours have objected due to design concerns.

5.3 *First Floor Side Extension*

The extension would sit atop the existing garage, sitting below the existing overall ridge height of the dwelling. It would abut the rear of the dwelling, extending past the front of the existing garage. It would sit well back of the existing front elevation. The roof would be gabled to the side, to match the existing dwelling. The extension is considered suitably subservient to the existing dwelling and would be considered acceptable in design terms.

5.4 *Garage Extension*

The proposed new garage would extend from the side of the dwelling. It would consist of a lean-to single-storey extension with a hip to the front end, which would be constructed using materials to match the existing dwelling. It is considered that the extension would respect the character of the existing dwelling and the extension is suitably subservient to the existing dwelling.

5.5 *Single Storey Rear*

The single storey rear extension would span almost the entirety of the property's rear, and would measure 3.8m in depth. It would have a lean-to roof above and would be finished in the same materials as the existing dwelling. Overall it is considered that the scale and design of single storey element would result in an addition that is in keeping with the host dwelling.

5.6 *Cumulative Impact*

It is considered that the proposed additions to the dwelling would appear suitably subservient and would not have a significant negative impact on the visual amenity of the surrounding area.

5.7 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration. Neighbours have objected due to overbearing, overlooking and loss of view.

5.8 The first-storey side extension would largely sit above the existing garage, although it would extend past the front. This would sit next to the dwelling to the west. The extension would not go past the front or rear elevations of the dwelling; it would be considered acceptable in terms of overbearing and overshadowing. Although a new upper floor window would be located to the rear, this would not be considered to have any more overlooking impact than the windows currently located to the rear of the dwelling.

- 5.9 The single-storey side extension to form a garage would be modest, sitting to the end of the rear garden of the property to the east. It would sit within the confines of the property's side elevation; accordingly, it would not be considered to have any overbearing, overshadowing or overlooking impacts.
- 5.10 The rear extension would be 3.8m in depth, and would be modest in height with a lean-to roof. It would sit away from the site's boundaries; it would not be considered to have any overbearing, overshadowing or overlooking impacts. Ample outdoor amenity space would remain for the dwelling. Therefore, there are no objections in relation to residential amenity.
- 5.11 It is noted that neighbours have objected due to loss of views; however, this is not a material consideration that can be assessed within this report.
- 5.12 Transport
The applicant seeks to erect a first floor side and single storey rear extension to provide additional living accommodation, erect a single storey side extension to form garage and convert the existing garage to form an annexe ancillary to the main dwelling. These proposals would increase the number of bedrooms within the property to 5. The existing garage is to be converted to living accommodation, however adequate room for 2 vehicles will remain on the driveway. In addition to this, it is proposed to create a third parking space to the front of the proposed garage. A 5 bed dwelling requires a minimum of 3 off street parking spaces and this criteria has been met on the proposed plans. There are no transportation objections.
- 5.13 Annexe Test
By definition an annex must be ancillary to the main dwellinghouse and should have some form of physical and functional reliance upon it. In this case the proposed annex does contain elements associated with independent living accommodation i.e. bedrooms, kitchen, living room and bathroom. It is, however, acknowledged that the parking and amenity space would be shared. It is therefore overall, considered to meet the criteria of an annex. However, it is usual for a condition to be attached to the decision notice stating that the use of the annex must be ancillary to the main dwelling and that it cannot be used independently of that dwelling. This would prevent the unit being subdivided without being re-assessed through a further planning application.
- 5.14 Trees and Vegetation
A neighbour has commented, stating that there are trees with protection orders close to the site. Having looked at the site and the designations surrounding it, no TPOs have been identified; however, if there are trees with protection orders on site, the applicant would be expected to ensure that these trees are not damaged during the course of development.
- 5.15 Flood Risk
A neighbour has commented, stating that the garage extension would sit atop a storm drain. The drainage and flood risk management officer originally commented asking for a flood risk mitigation form to be submitted and completed; this was submitted and was deemed satisfactory by the flood risk

management officer. Accordingly, there are no objections in relation to flood risk.

5.16 Other Matters

It is noted that neighbours have commented on the closeness of the garage extension to the existing fence, and have commented on the likely damage to the fence and difficulty in maintaining the extension. These are considered civil matters and cannot be assessed within this application.

5.17 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.

- 5.18 The proposal would provide potential accessible living within the annexe; with regards to the above this planning application is considered to have a slightly positive 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 **approve** 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** for the reasons outlined above.

Contact Officer: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

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

Reason

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

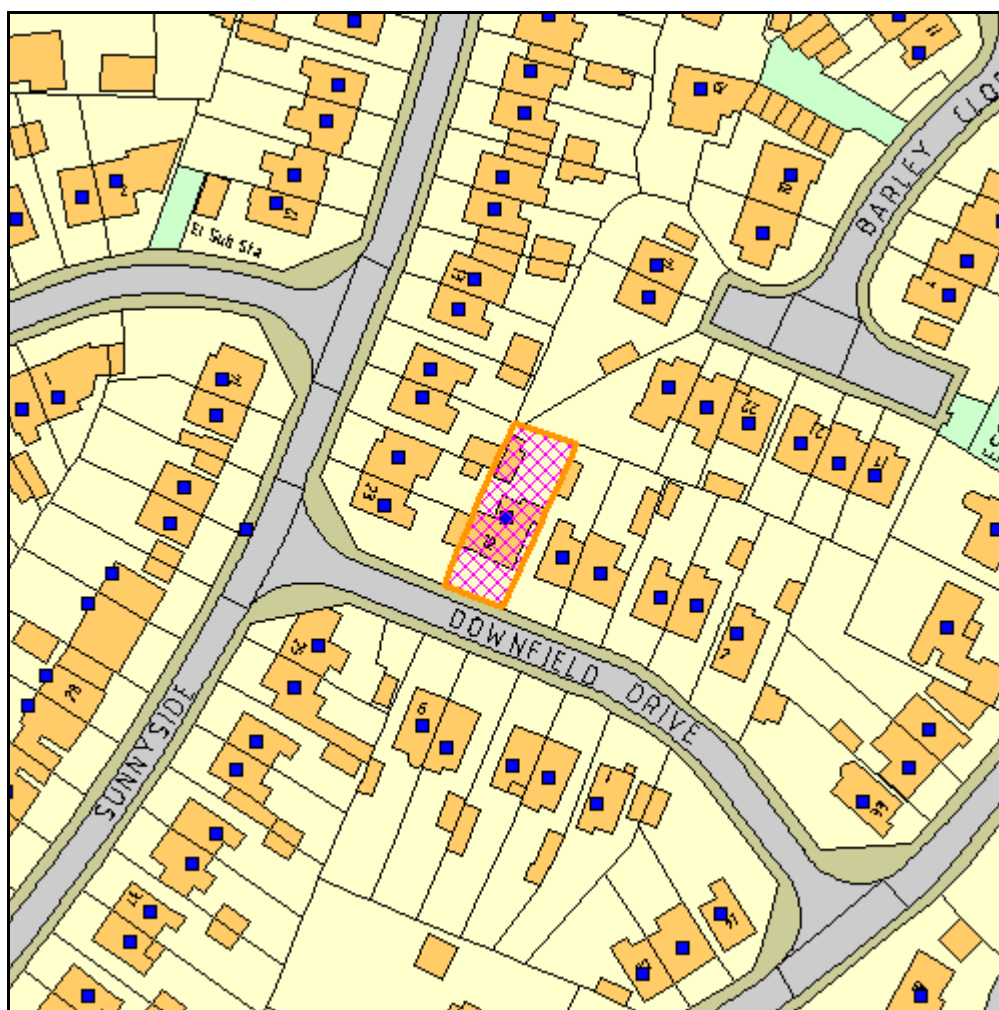
2. The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 19 Grange Close, Bradley Stoke.

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PT18/2157/CLP	Applicant:	Mr Tim Howe
Site:	12 Downfield Drive Frampton Cotterell Bristol South Gloucestershire BS36 2EQ	Date Reg:	25th May 2018
Proposal:	Demolition of existing conservatory and erection of single storey rear extension.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366951 181551	Ward:	Frampton Cotterell
Application Category:	Certificate of Lawfulness	Target Date:	4th July 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PT18/2157/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed single storey rear extension 12 Downfield Drive, Frampton Cotterell would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 P91/2289 – Approved - 23.10.1991
Erection of two storey side extension to provide garage with additional bedroom above (in accordance with amended plans received by the council on 14TH october 1991)

4. CONSULTATION RESPONSES

- 4.1 Councillor
No comments received

Frampton Cotterell Parish Council
No Objection

Other Representations

- 4.2 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Existing Floor Plans and Elevations
Proposed Floor Plans

Received by Local Planning Authority 07 May 2018

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

- 6.2 The key issue in this instance is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GPDO (2015). 6.3 The proposed development consists of a single storey extension to the rear of property. This development would fall within Schedule 2, Part 1, Class A, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

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

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

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

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

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

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

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

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

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

The extension does not extend beyond a wall which fronts a highway or forms the principal elevation of the original dwellinghouse.

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

The proposal does not extend beyond the rear wall of the original dwellinghouse by more than 4 metres, or exceed 4 metres in height.

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

Not applicable.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;**

The extension would be single storey.

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

The extension would be within 2 metres, however, the eaves would not exceed 3 metres in height.

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

The proposal does extend beyond a side wall of the original dwellinghouse and have a width greater than half the width of the original dwellinghouse.

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

The proposal does not include any of the above.

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

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

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

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

- (a) The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar**

appearance to those used in the construction of the exterior of the existing dwellinghouse;

The submitted plans indicate that the proposed extension would be finished in materials to match existing. As such, the proposal meets this criterion.

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

Not applicable.

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

Not applicable.

7. RECOMMENDATION

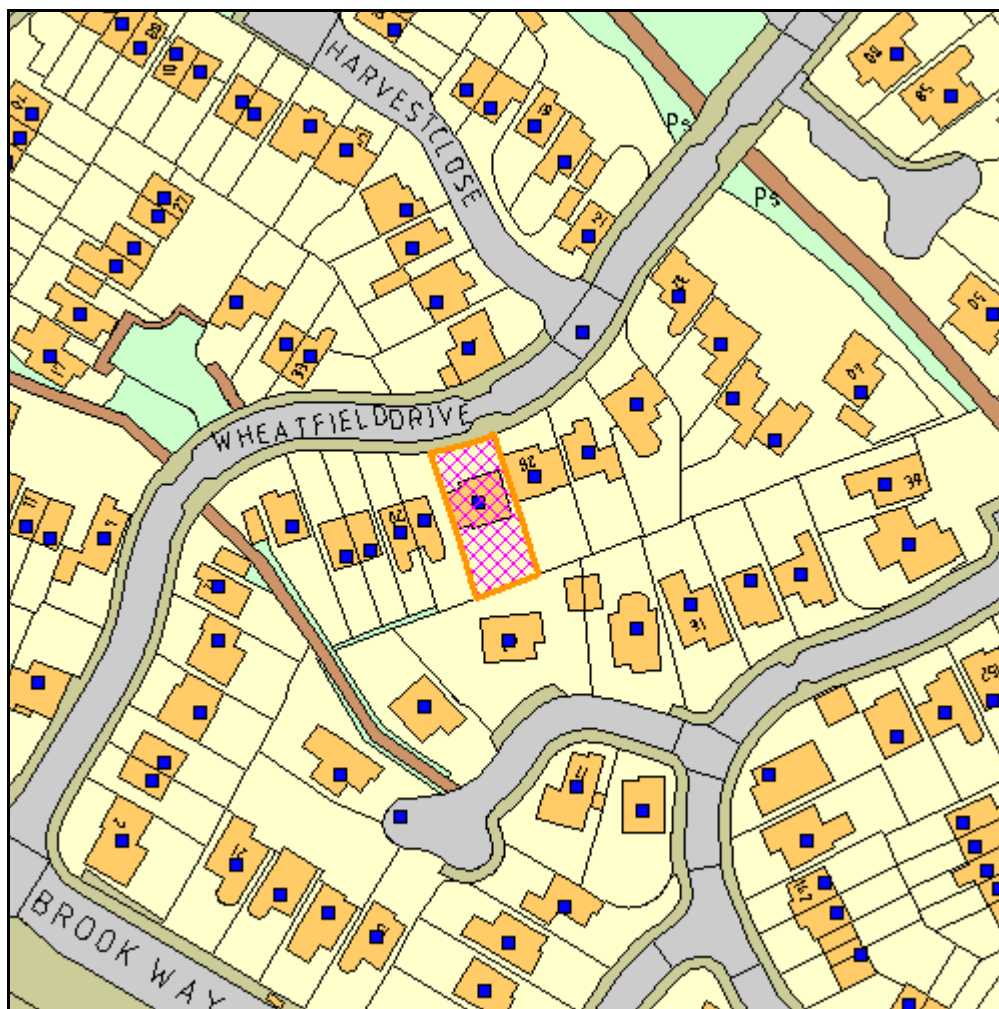
- 7.1 That a certificate of Lawfulness for Proposed Development is **refused** for the following reasons:

The evidence provided has been insufficient on the balance of probabilities to demonstrate that the proposed single storey rear extension falls within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. This is because there is evidence to suggest that the proposal is contrary to paragraph A.1 (J) (iii) of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The proposal does extend beyond a side wall of the original dwellinghouse and have a width greater than half the width of the original dwellinghouse.

Contact Officer: Westley Little
Tel. No. 01454 862217

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PT18/2161/PDR	Applicant:	Mr Dave Brown
Site:	24 Wheatfield Drive Bradley Stoke Bristol South Gloucestershire BS32 9DP	Date Reg:	10th May 2018
Proposal:	Installation of rear dormer to facilitate loft conversion to include installation of juliet balcony.	Parish:	Bradley Stoke Town Council
Map Ref:	361563 182242	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Householder	Target Date:	29th June 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PT18/2161/PDR

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the Installation of 1no rear dormer to facilitate a loft conversion.
- 1.2 The application site relates to a detached property located within Wheatfield Drive, Bradley Stoke.
- 1.3 Planning permission is required because permitted development rights were restricted under application ref. P96/1507.

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 P96/1507 Approved 03.07.1996
Erection of 58 dwellings

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

Feels that the proposals are out of keeping with the street scene.

Other Representations

4.2 Local Residents

Three objections received due to:

- Concerns relating to design
- Loss of privacy and overlooking x2
- Sets a precedent for other dormer windows x2
- Property would go from two to three storeys
- State that occupiers of Dewfalls Drive are not able to have dormer windows and it would be unfair to permit development x2

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

The proposal consists of the Installation of 1no rear dormer with a Juliet balcony to facilitate a loft conversion, and the installation of 3no. rooflights to the front of the dwelling. The proposal would have a slightly pitched roof, and would span almost the entirety of the rear of the property. It would use materials to match the existing dwelling. It is noted that a number of objections have been received in relation to the design of the proposal; however, the proposal takes the form of a normal dormer window and it would be considered acceptable in design terms.

5.3 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.

- 5.4 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers in terms of overbearing or overshadowing. It is noted that a number of neighbours have objected due to loss of privacy and overlooking; dormer windows are a normal feature on residential dwellings, and the overlooking of neighbouring rear gardens is not considered materially significant, considering

that residential rear gardens are usually overlooked by upper floor rear windows. The dwelling to the rear of No. 24 is located around 15.5m away; this is considered an acceptable separation distance. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).

5.5 Transportation

The proposed development will provide one additional bedroom within the loft conversion making a total of four if permitted. No change is proposed to the existing vehicular access and parking within the site. The level of parking available complies with the Council's residential parking standards. On that basis there is no transportation objection raised.

5.6 Other Matters

It is noted that neighbours objected to the application due to it setting a precedent for other future dormer windows, the fact that it would make the property three storeys, and because occupiers at Dewfalls Drive are unable to have dormer windows. Each planning application is assessed on its own merits, which have been discussed earlier in this report. Finally, while the permitted development rights of Dewfalls Drive may have been removed, it does not follow that no alterations or additions will be permitted. The removal of permitted development rights does however mean that a planning application is required when it would not otherwise have required one. This allows the proposal to be assessed on its merits – as has been done in this case.

5.7 Equalities

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

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

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the development plan, 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: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

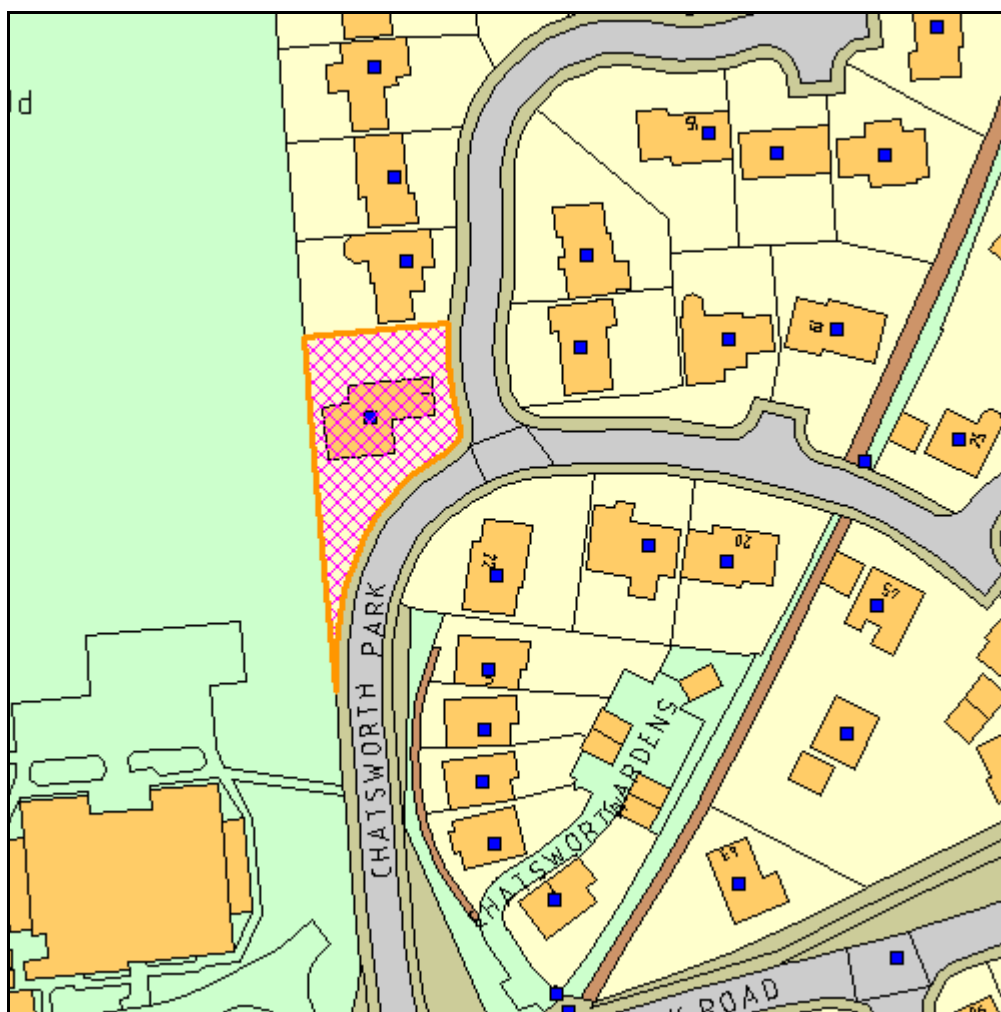
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PT18/2187/CLP	Applicant:	Mr Gareth Stokes
Site:	1 Chatsworth Park Thornbury Bristol South Gloucestershire BS35 1JF	Date Reg:	10th May 2018
Proposal:	Erection of single storey rear extension and alterations to windows on rear elevation.	Parish:	Thornbury Town Council
Map Ref:	364114 191007	Ward:	Thornbury North
Application Category:	Certificate of Lawfulness	Target Date:	3rd July 2018



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT18/2187/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is for a Certificate of Lawfulness. 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 rear extension and alterations to windows on the rear elevation at 1 Chatsworth Park, Thornbury would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit; the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning 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 PT18/0133/F
Erection of first floor side extension over existing garage to form additional living accommodation.
Approved: 22/03/2018
- 3.2 P87/1886
Erection of first floor rear extension to provide enlarged bedroom (in accordance with the amended plan received by the council on 30th June 1987).
Approved: 15/07/1987

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No comment received
- 4.2 Councillor
No comment 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 8th May 2018:

Site Location Plan
Elevations - Existing & Proposed
Ground Floor Plan- Existing
First Floor Plan- Existing
Ground Floor Plan- Proposed
First Floor Plan- Proposed

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

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

6.3 The proposed development consists of the erection of a single storey rear extension and the alteration of windows on the rear elevation. The proposed development would fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria set out below:

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

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

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

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

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

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

The height of the rear extension would be 3.8 metres. This will not exceed the height of the roof of the existing dwellinghouse.

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

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

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

The extension would not extend beyond a wall which forms the principal elevation; or fronts a highway and forms a side elevation, of the original dwellinghouse.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse,**
(ii) or exceed 4 metres in height;

The host property is detached and the proposal would extend beyond the rear wall of the original dwelling by 3 metres and have a height of 3.8 metres.

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
- (ii) exceed 4 metres in height;

Not applicable.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;

The extension would be single storey.

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

The extension would 2 metres from the boundary and would have an eaves height of 2.7 metres.

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

The extension would not exceed 4 metres in height, have more than a single storey or have a width greater than half the width of the original dwellinghouse.

- (ja) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

The proposed single storey rear extension would not be joined to any existing enlargement of the original dwellinghouse. Therefore, the total enlargement does not exceed the limits set out in sub-paragraphs (e) to (j).

- (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.**
- d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c);**

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

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

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

The submitted information indicates that the proposal will be finished in materials to match the exterior finish of the existing dwellinghouse.

- 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**

The alteration to the windows will be located on the upper floor rear elevation.

- c) Where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, 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

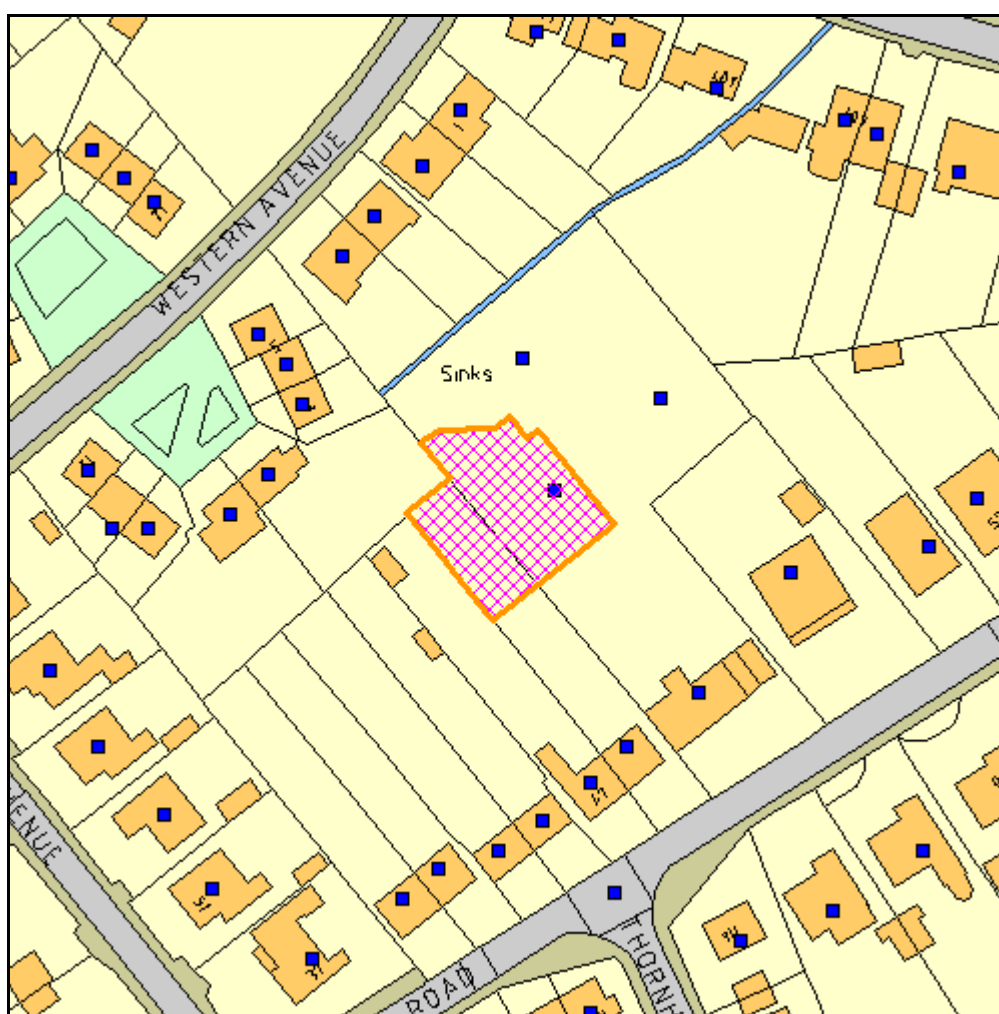
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the following reason:

Evidence has been provided to demonstrate that on the balance of probabilities the proposed single storey rear extension and alterations to windows does 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. 25/18 – 22 JUNE 2018

App No.:	PT18/2197/CLP	Applicant:	Susan Mellors
Site:	The Birch House 51B School Road Frampton Cotterell South Gloucestershire BS36 2BU	Date Reg:	10th May 2018
Proposal:	Erection of single storey side and rear extension to form additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366148 181997	Ward:	Frampton Cotterell
Application Category:	Certificate of Lawfulness	Target Date:	4th July 2018



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008.

N.T.S.

PT18/2197/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey side and rear extension at The Birch House, 51B School Road, Frampton Cotterell would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning 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 PT14/2429/F – Approved - 06.11.2014
Erection of 3 no dwellings with garages, access and associated works.
Erection of garage and new access for 51 School Road. (Resubmission of PT13/3917/F).

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection

Councillor
No Comments

Other Representations

4.2 Local Residents

This application received a total of 2 objections, these are outlined below.

- Site is overdeveloped, trees on site already completely removed even those with TPO's

- Past development resulted in parking hazards. This will continue if proposal is allowed

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

- 5.1 Site location Plan
Existing Elevations
Proposed Elevations
Existing Floor Plans
Site Layout Plan
Proposed Floor Plans

Received by local planning authority 09 May 2018

6. **ANALYSIS OF PROPOSAL**

6.1 **Principle of Development**

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

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

- 6.3 The proposed development consists of a single storey side and rear extension. This development would fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

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

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

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

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

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

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

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

The height of the eaves of the 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 extension would not extend beyond a wall which forms the principal elevation of the original dwellinghouse. The development therefore meets 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 proposal does extend beyond the rear wall of the original dwelling house by more than 4 metres.

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**

- (ii) exceed 4 metres in height;

Not applicable.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;

The extension would be single storey.

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

The extension would be within 2 metres of a boundary, however the eaves would not exceed 3 metres.

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

The extension would extend beyond a wall forming a side elevation of the original dwellinghouse. However the extension would not exceed 4 metres in height, would not have more than a single storey, and would not have a width greater than half the width of the original dwellinghouse.

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

The development 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;

Submitted plans show the proposal will be finished in materials similar to those used in the exterior finish of the existing dwellinghouse.

- (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 **refused** for the following reasons:

The evidence provided has been insufficient on the balance of probabilities to demonstrate that the proposed single storey side and rear extension falls within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. This is because there is evidence to suggest that the proposal is contrary to paragraph (f) of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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.

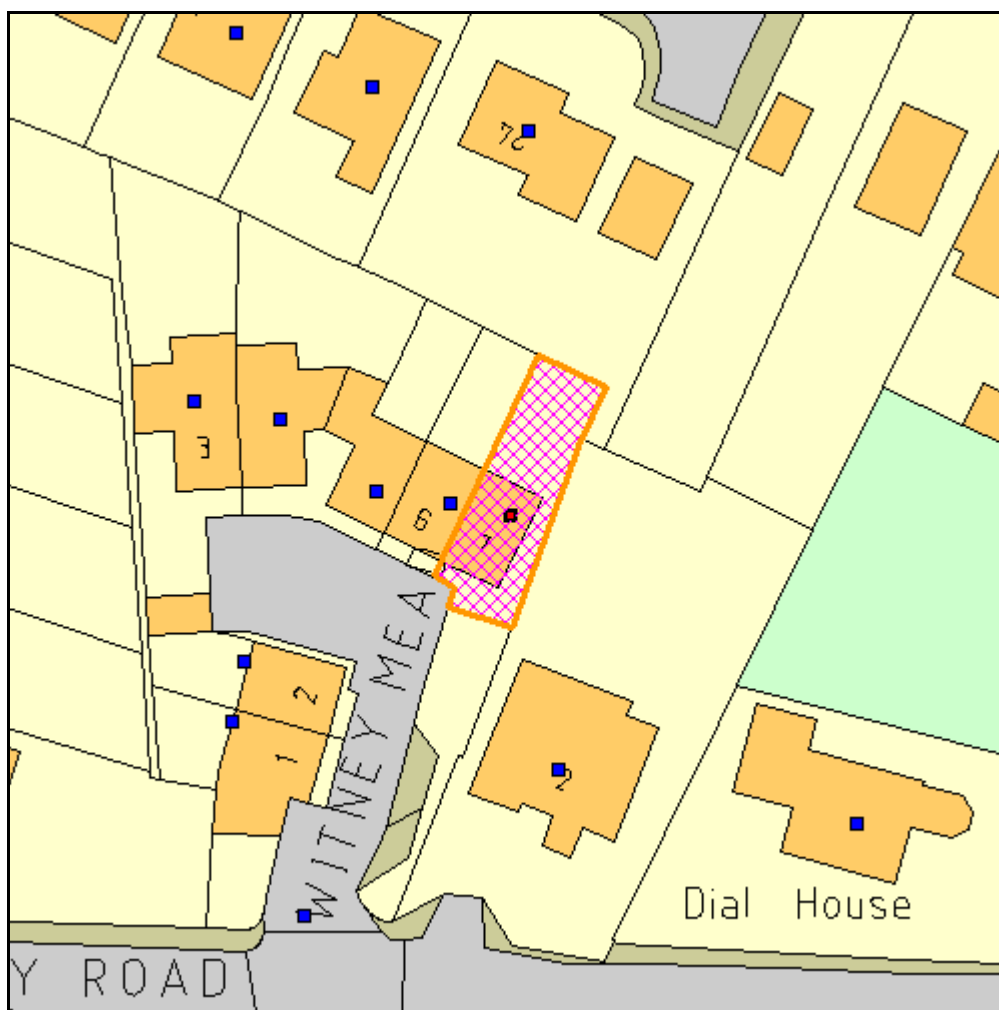
Contact Officer: Westley Little
Tel. No. 01454 862217

REASONS FOR REFUSAL

1. Evidence has been provided to demonstrate that on the balance of probabilities the development does not fall within permitted development for the curtilage of the dwellinghouse under Schedule 2, Part 1, of the Town and Country Planning (General Permitted Development) Order 2015 (GPDO) (As Amended) as it does not accord with Class A. (F) (i) as it extends further than 4 metres from the rear wall of the original dwellinghouse.

CIRCULATED SCHEDULE NO. 25/18 – 22 JUNE 2018

App No.:	PT18/2222/F	Applicant:	Mr Ross Pritchard
Site:	7 Witney Mead Frampton Cotterell Bristol South Gloucestershire BS36 2DS	Date Reg:	15th May 2018
Proposal:	Erection of rear conservatory and single storey front and side extension to form additional storage area	Parish:	Frampton Cotterell Parish Council
Map Ref:	366727 181717	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	9th July 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. **N.T.S.** **PT18/2222/F**

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension and a single-storey side and front extension to provide additional living accommodation at 7 Witney Mead, Frampton Cotterell.
- 1.2 The application site relates to a two storey, end of terrace property located within the built up residential area of Frampton Cotterell.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

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 PT01/2203/F Approved 24.12.2001
Demolition of existing surgery premises and erection of 7 no dwellings.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection

Other Representations

4.2 Local Residents

One objection received due to loss of privacy and possible damage to hedge.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

The proposed development consists of the erection of a single storey rear extension and a side extension which would extend past the front of the property. The dwelling is located in a small cul-de-sac, surrounded by similar properties.

5.3 *Rear Extension*

The proposed rear extension would take the form of a conservatory, with a glazed roof and rendered walls. It would have a hipped roof above, with an angle wall to the north east. It would measure around 3.2m in depth, spanning almost the entirety of the rear of the property. It would measure 3.1m to the top of its ridge, with the eaves sitting at 2.22m. It would be considered acceptable in design terms.

5.4 *Side and Front Extension*

The side extension would extend from the eastern side of the property, with render to match the existing dwelling. It would have a door to the side, facing onto the public car parking area. It would have a flat roof, although the height and design would allow it to appear as a boundary wall around the property's side access way. Although it would look somewhat unconventional, it is not considered that there would be any material harm to the visual amenity of the surrounding area; accordingly, there are no objections in relation to design.

5.5 Overall, it is considered that the proposed extension would not be detrimental to the character of the host dwelling or the surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.

5.6 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.7 Considering the siting and single storey nature and low overall height of the proposal, combined with the existing boundary treatments, it would not appear to have a material overbearing or overlooking impact, nor is it considered to significantly impact on existing levels of light afforded to the neighbouring occupiers. Furthermore, it is considered that sufficient private amenity space for the occupiers of the host dwelling would remain should the proposed extension be constructed. It is noted that a neighbour has objected due to loss of privacy; the proposal is single-storey, and would not be considered to materially increase overlooking.
- 5.8 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is deemed to comply with Policy PSP8 of the PSP Plan (November 2017).
- 5.9 Sustainable Transport and Parking Provision
There would be no additional bedrooms and no loss of parking as a result of the proposal; therefore, there are no transport objections to the proposed development.
- 5.10 Other Matters
It is noted that a neighbour has commented with concerns relating to their hedge which runs along the boundary of the site. This hedge would not be considered significant enough for statutory protection; this issue is considered primarily a civil matter.
- 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 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: 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).