



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS  
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY  
THE DIRECTOR OF PLANNING, TRANSPORTATION AND STRATEGIC  
ENVIRONMENT**

**CIRCULATED SCHEDULE NO. 01/11**

**Date to Members: 07/01/11**

**Member's Deadline: 13/01/11 (5pm)**

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 Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (e.g, if the schedule is published on a Friday, comments have to be received by the end of Thursday) (see cover page for the date).

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

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

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

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

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

## **GUIDANCE FOR 'REFERRING' APPLICATIONS**

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

- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863518, 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 – 7 JANUARY 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/3167/R3F	Deemed Consent	Council Grounds Maintenance Depot Brook Road Kingswood South Gloucestershire	Kings Chase	None
2	PK10/3209/F	Approve with Conditions	Unit A Tower Lane Warmley South Gloucestershire	Siston	Siston Parish Council
3	PK10/3231/F	Approve with Conditions	71 Southey Avenue Kingswood South Gloucestershire BS15 1QT	Kings Chase	None
4	PT10/2883/F	Approve with Conditions	Parking Area Sundayhill Lane Falfield Wotton Under Edge South Gloucestershire GL12 8BX	Charfield	Falfield Parish Council
5	PT10/2952/LB	Approve with Conditions	4 Over Court Mews Over Lane Almondsbury South Gloucestershire BS32 4DG	Almondsbury	Almondsbury Parish Council
6	PT10/2962/F	Approve with Conditions	Land In Front Of 1-14 Orchard View Falfield Wotton Under Edge South Gloucestershire GL12	Charfield	Falfield Parish Council
7	PT10/3140/ADV	Approve with Conditions	Car Park Willow Brook Centre Savages Wood Road Bradley Stoke South Gloucestershire BS32 8BS	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
8	PT10/3141/F	Approve with Conditions	Car Park Willow Brook Centre Savages Wood Road Bradley Stoke South Gloucestershire BS32 8BS	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
9	PT10/3164/F	Approve with Conditions	Bell Cottage 12 The Hill Almondsbury Bristol South Gloucestershire BS32 4AE	Almondsbury	Almondsbury Parish Council
10	PT10/3241/F	Approve with Conditions	Tiltfield The Street Olveston South Gloucestershire	Severn	Olveston Parish Council
11	PT10/3349/CLE	Approve with Conditions	Spring Barn Home Farm House Eastwood Park Falfield Wotton Under Edge South Gloucestershire GL12 8DA	Charfield	Falfield Parish Council
12	PT10/3350/CLE	Approve with Conditions	Spring Barn Home Farm House Eastwood Park Falfield Wotton Under Edge South Gloucestershire GL12 8DA	Charfield	Falfield Parish Council

# ITEM 1

## CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PK10/3167/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	Council Grounds Maintenance Depot Brook Road Kingswood South Gloucestershire	<b>Date Reg:</b>	19th November 2010
<b>Proposal:</b>	Erection of 1 no jack leg cabin for use as office building	<b>Parish:</b>	None
<b>Map Ref:</b>	366442 173886	<b>Ward:</b>	Kings Chase
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th January 2011



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100023410, 2008. **N.T.S.** **PK10/3167/R3F**

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

This application has been forwarded to the Council's Circulated Schedule of applications, in accordance with the Council's adopted scheme of delegation, as the applicant is South Gloucestershire Council.

### **1. THE PROPOSAL**

1.1 The application site is situated on the east side of Kingswood close to the A4174 Ring Road. The site is bounded by the playing fields and all weather pitches for Kingsfield School to the north, east and west and the school canteen and a single dwelling to the south. The site comprises a Council Grounds Maintenance Depot with a single access track off Brook Road running between the school canteen and Rose Cottage. The site contains a number of storage containers, maintenance machinery and vehicles.

The site is situated within the urban area as defined in the adopted Local Plan. Public Right of Way KW/50 runs north to south adjacent to the east boundary of the site.

1.2 The application proposes erection of 1 no jack leg cabin for use as office building. The building is temporary in nature, without permanent footings and is of steel construction.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG13 Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

T8 Parking standards

T12 Transportation for New Development

E3 Employment Development within the Urban Area

South Gloucestershire Core Strategy Pre Submission Publication Draft – March 2010

CS1 High Quality Design

CS5 Location of Development

CS8 Improving Accessibility

2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist – August 2007

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

3.1 None

### **4. CONSULTATION RESPONSES**

#### **4.1 Consultees [including internal consultees of the Council]**

Sustainable Transport – No objection  
Coal Authority – No objection

#### **Other Representations**

#### **4.3 Local Residents**

None received.

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

#### **5.1 Principle of Development**

Policy E3 of the adopted Local Plan accepts alterations to existing buildings which provide employment uses subject to acceptability in terms of environmental effects, highway safety and traffic, residential and visual amenity and density. Policies T8 and T12 are also relevant relating to parking standards and highway safety respectively.

The South Gloucestershire Core Strategy Pre-Submission Publication Draft was issued March 2010 and the consultation period expired on 06.08.2010. The Council's response to the representations received was considered at the Council's Cabinet meeting on 13 December 2010 and at the Full Council meeting on 15 December 2010 and the proposed changes to the Core Strategy agreed by Full Council have now been published. Whilst this document is a material consideration in the determination of planning applications, it cannot be afforded significant weight at this stage.

#### **5.2 Visual impact**

The application site forms part of a Council depot on land behind the Kingsfield School canteen block. The site is screened from views from Brook Road to the south by the canteen building and the proposal would not be visible from public views from Brook Road. The depot site is also screened from views from the north and east by tall hedging on the north and east boundaries. As such the proposal would be well screened from views from RoW KW/50 to the east. The proposal would provide a temporary building of steel construction coloured grey. The building would reflect the industrial character of the site and would be closely associated with existing buildings within the depot site. The design and materials for the building are of an industry standard and would not detract from the character distinctiveness and amenity of the surrounding area. As

such it is considered that the design of the proposal accords with the criteria of Policy D1.

As the building is temporary in nature and construction it would inevitably deteriorate through weathering and use over time and this would result in an eventual detrimental visual impact. The depot would require the building for a maximum of 5 years and as such a condition is recommended to ensure the building is removed from the land on expiry of this timescale, in the interest of preserving the character and appearance of the area.

### 5.3 Residential amenity

The proposal would provide additional office and storage within the site and as such would create no additional issues of noise, smell or vibration over and above that which exists at present within the site. The building would be situated 30m from the curtilage of Rose Cottage to the south east which is the only dwelling in close proximity to the site. This is considered to be sufficient distance for there to be no concern in relation to loss of daylight/sunlight, overbearing impact or loss of privacy to the occupiers.

### 5.4 Highway matters

The proposed building would not obstruct any existing turning/manoeuvring areas within the existing depot site. There is ample off street parking within the site in accordance with the Council's adopted Parking Standard. As such it is considered that the proposal would result in no significant highway safety issues.

## 6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.

- a) Due to its position a significant distance from the closest dwelling and considering the existing use and context, the proposed development is considered not to give rise to a material loss of amenity to the local residents. The development therefore accords to Policy E3 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed building would be designed and positioned to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and E3

of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

- c) The proposal would incorporate sufficient space for vehicle manoeuvring within the site and would not result in a material increase in traffic. The proposal is therefore considered to represent a sustainable form of development which would have no detrimental highway safety impact. The development therefore accords to Policy E3, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

- 7.1 Consent is GRANTED subject to the conditions and informatives as outlined in the attached decision notice:

**Contact Officer: Sean Herbert**  
**Tel. No. 01454 863056**

### **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 building hereby permitted shall be removed and the land restored to its former condition on or before 31.01.2016 in accordance with the scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason

The building is not of a permanent construction and stationing of this temporary building on a permanent basis would inevitably impact on the character and appearance of the area as the building deteriorates, in order to accord with Policy D1 of the adopted South Gloucestershire Local Plan (2006).



## CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PK10/3209/F	<b>Applicant:</b>	Mr Johal
<b>Site:</b>	Unit A Tower Lane Warmley South Gloucestershire	<b>Date Reg:</b>	26th November 2010
<b>Proposal:</b>	Change of use from childrens soft play area (Class D2) with ancillary Cafe (Class A3) to include (Class A5) hot food takeaway mixed use as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	366867 172714	<b>Ward:</b>	Siston
<b>Application Category:</b>	Minor	<b>Target Date:</b>	18th January 2011



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 100023410, 2008. **N.T.S.** **PK10/3209/F**

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

This application has been referred to the Circulated Schedule following the receipt of an objection from a neighbouring occupier, which is contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to a modern warehouse unit located on the southern side of Tower Lane, Warmley. The unit is one of a number of industrial/commercial premises that lie within the Tower Lane Safeguarded Employment Area and Warmley Conservation Area (as defined in the South Gloucestershire Local Plan (Adopted) 6th January 2006). The single-storey, brick built unit has a gross internal floor space of 456 sq.m. There is an open hard-standing area to the front of the building; a further area of hard-standing lies to the rear beyond which lies a stream in a wooded valley.
- 1.2 Planning permission PK09/0826/F was previously granted to change the use of the existing (B2) unit to a Children's Soft Play Area (D2) with ancillary Café (A3) use. No built development was required to change the use of the building. Most of the warehouse floorspace is currently used to provide the play area and seating for the café. The original office space is now used to provide the kitchen and servery for the café as well as a private hire playroom. The current opening hours are:- 09.00 to 18.00 Mon-Fri, 09.30 to 17.30 Sat and 09.30 to 17.30 Sundays & Bank Holidays.
- 1.3 The current application seeks permission to include an element of A5 Hot Food Take-Away within the existing use of the site. No building works or physical changes are required other than the installation of an odour abatement system. The proposal has come about as a result of demand for take-way food from surrounding warehouse staff, delivery drivers, passing trade, occupiers of the nearby mobile home park and at weekends visitors to the industrial museum opposite. It is not proposed to increase the hours of operation. The proposal would provide employment for an additional 2 full time and 2 part-time employees.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

- PPS1 - Delivering Sustainable Development
- PPS4 - Planning for Sustainable Economic Growth
- PPG13 - Transport
- PPS5 - Planning and the Historic Environment
- PPS25 - Development and Flood Risk

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan (Adopted) January 2006**

- D1 - Design
- L10 - Historic Parks and Gardens
- L11 - Archaeology

L12 - Conservation Areas  
L13 - Listed Buildings  
L17 & L18 - The Water Environment  
EP1 - Environmental Protection  
EP2 - Flood Risk  
T7 - Cycle Parking  
T8 - Parking  
T12 - Transportation Development Control Policy for New Development  
E3 - Criteria for Assessing Proposals for Employment Development within the Urban Area.  
E4 - Safeguarded Employment Areas  
LC4 - Proposals for Community Facilities

2.3 Supplementary Planning Guidance  
Warmley Conservation Area SPG Note Nov 1998

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

- 3.1 P80/4417 - Erection of garage/store for company vehicles and construction of additional car parking spaces.  
Approved 13 Aug 1980
- 3.2 P86/4255 - Change of use to general industrial building (Class iv) and alteration to loading/unloading doors.  
Approved 21 Jul 1986
- 3.3 P86/4320 - Construction of new highway  
Approved 3<sup>rd</sup> Dec 1986
- 3.4 P93/4536 - Change of use of premises from class B2 industrial to Class B8 warehousing and distribution with ancillary trade counter.  
Approved 29 Nov 1993
- 3.5 P95/4013 - Construction of car parking area. Alterations to existing bridge.  
Approved 22 May 1995
- 3.6 PK09/0826/F - Change of use from vacant warehouse (B2) to use as a childrens soft play area (D2) with ancillary Café (A3) use.  
Approved 24 June 2009

### **4. CONSULTATION RESPONSES**

- 4.1 Siston Parish Council  
No response
- 4.2 Other Consultees
- Avon & Somerset Police  
No response

The Coal Authority

No objection

### **Other Representations**

#### 4.3 Local Residents/Proprietors

1no. response was received from a neighbouring occupier who objected on the grounds that the proposal would result in illegal parking.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The unit lies within the Tower Lane Safeguarded Employment Area but is already in D2 Children's Soft Play Area use with ancillary A3 Café use. Policy LC4 supports the development of community facilities within the existing urban area subject to further criteria that are discussed below. Officers consider that the main issue for consideration is the impact the proposal might have on surrounding highways and the setting of the Conservation Area.

### 5.2 Transportation Issues

Policy LC4 aims to direct community facilities to locations that are accessible on foot and by bicycle and closely related to areas of demand. Being close to a large housing estate, the site is in a sustainable location and the demand for a limited take-away service from the existing café has been outlined in paragraph 1.3 above. The existing building has established entrances for both pedestrians and vehicles. The main roller shutter door is retracted during opening hours to reveal glazed entrance doors facilitating the main pedestrian/customer access/egress to the front. The existing double doors to the left of the front elevation would be utilised by staff only.

5.3 There are established vehicular access points from Tower Lane to the parking areas located to the front and rear of the Unit. In total there are 13no. off-street parking areas, 8no. to the front (1no. of which is for disabled parking) and 5no. to the rear. This level of parking provision is considered to be acceptable for the existing and proposed use. There would be 6no. cycle parking spaces to the front of the building and adequate accessible waste storage facilities to the rear. There is an existing ramped wheelchair access to the side of the building.

5.4 The existing use already includes an ancillary café use within the same building. There are restrictions on the hours of the existing use, these being : 09:00hrs to 18:00hrs Mon-Fri, 09:30hrs to 17:30hrs Sat. and 09:30 hrs to 17:30 hrs Sundays and Bank Holidays; there are no proposals to amend these hours. Given the sustainable location, existing parking provision and control on hours of operation, officers are satisfied that the proposal would have no adverse highway implications.

### 5.5 Conservation Issues

The site is within the Warmley Conservation area and located across the road from the Brassworks and Windmill Tower Building (Grade 2 Listed), the Scheduled Ancient Monument and registered Historic Garden associated with

the 18<sup>th</sup> Century industrial works and estate of William Champion. The proposal therefore needs to be assessed against Policies L10, L12 and L13, which seek to protect the character and appearance of the Scheduled Ancient Monument and Historic Garden, Conservation Area and Listed Buildings respectively.

5.6 No works to the building would be required. Since the setting of the Conservation Area and Listed Buildings would be preserved, any enhancements to the appearance of the building or landscape schemes are not in this case justified.

#### 5.7 Environmental Issues

The site lies within Environment Agency Flood Matrix Zone 2. A Flood Risk Assessment was previously submitted to which the Environment Agency offered no comments. There is therefore no objection to the proposal on flood risk grounds. The existing systems would be used to dispose of foul and surface waters. A new odour abatement system would be installed, the details of which could be secured by condition.

#### 5.8 Impact Upon Residential Amenity

The site lies within an industrial site and is sufficiently distant from residential properties. Given the restricted opening hours, there would be no adverse impact on residential amenity.

## 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.

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

1. Consideration has been given to the highway implications of the proposal in accordance with Policies T8, T12 and LC4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

2. The proposal has been considered in relation to its impact on residential amenity and would accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. Consideration has been given to the proposals impacts on the environment in accordance with Policies EP1, LC4, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

4. Consideration has been given to the proposals impact on the Conservation Area and Listed Buildings in accordance with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan

(Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

7.1 That planning permission be GRANTED subject to the following conditions:

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

### **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 premises shall be used as a Children's Soft Play Area (D2) with ancillary Cafe (A3) and Hot Food Take-Away (A5) uses and for no other purpose (including any other purpose in Class D2 or A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The area of floor space used for the A3 Cafe use as shown on the Proposed Ground Floor Plan (No. CA/1085/01 A) hereby approved, shall not be extended or increased in any way without the prior written approval of the Local Planning Authority.

Reason

So as not to prejudice the creation of employment uses within the defined employment area in accordance with Policy E4 (A) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

4. The (A5) hot food take-away element of the business shall be confined to the kitchen/servery area shown on the approved Proposed Ground Floor Plan (No. CA/1085/01 A).

Reason

To prevent an over intensification of the A5 use having regard to the parking implications and so as not to prejudice the creation of employment uses within the

defined employment area in accordance with Policies LC4, T12 and E4 (A) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 respectively.

5. The uses hereby permitted shall not be open to customers outside the following times :- 09.00 to 18.00 Mon-Fri, 09.30 to 17.30 Sat and 09.30 to 17.30 Sundays & Bank Holidays.

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the first A5 use hereby approved, full details of the proposed odour abatement and extraction system to be used in the development shall be submitted to and agreed in writing with the Local Planning Authority. These shall include details of:

- (i) the type of emissions;
- (ii) noise levels associated with operation of flue;
- (iii) specification and location of all fans, plant and flues;
- (iv) maintenance/cleaning schedule.

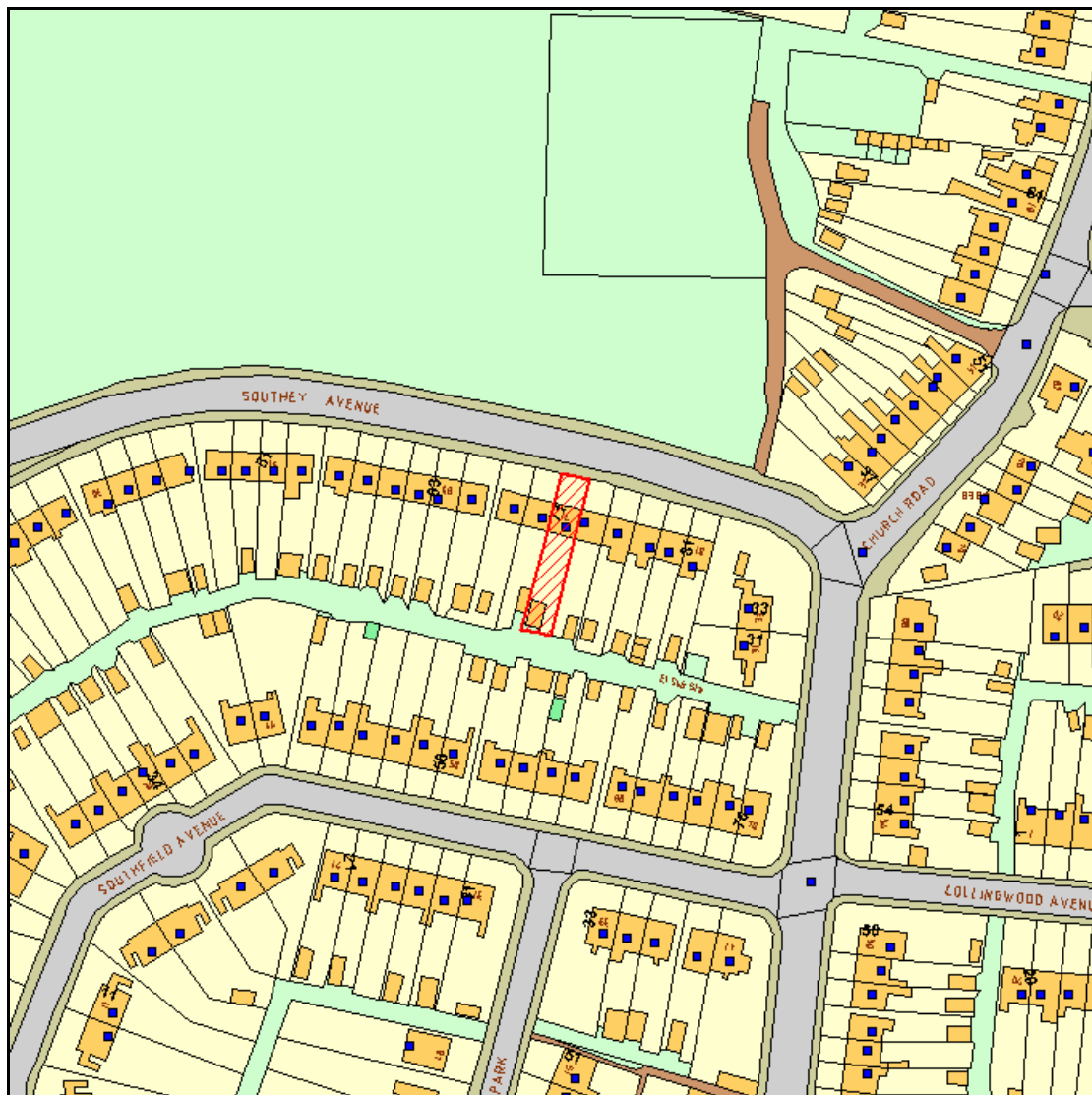
The odour abatement system shall be installed in accordance with the agreed details before the A5 take-way use commences.

#### Reason

To minimise disturbance to occupiers of neighbouring dwellings and to accord with Policies EP1 and LC4(C) of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PK10/3231/F	<b>Applicant:</b>	Mr Antony Tape
<b>Site:</b>	71 Southey Avenue Kingswood South Gloucestershire BS15 1QT	<b>Date Reg:</b>	25th November 2010
<b>Proposal:</b>	Erection of two storey rear extension to form additional living accommodation.	<b>Parish:</b>	None
<b>Map Ref:</b>	365170 174167	<b>Ward:</b>	Kings Chase
<b>Application Category:</b>	Householder	<b>Target Date:</b>	19th January 2011



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 100023410, 2008. **N.T.S.** **PK10/3231/F**



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

The following report appears on the Circulated Schedule following an objection being received from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a two- storey rear extension to form additional living accommodation. The proposed extension would measure 3.85 metres deep, 5.4 metres wide and a height of 7.1 metres.
- 1.2 The application site related to a two-storey terraced property situated in the established residential area of Kingswood.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Design in New Development

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

South Gloucestershire Core Strategy, Pre-submission Publication Draft March 2010

CS1 High Quality Design

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

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

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Parish Council  
The area is un-parished

#### **Other Representations**

- 4.2 Local Residents  
A comment from a local resident states he has no objection to the proposal but is concerned that the signal from his satellite dish will be blocked. He wonders if he will be required to bear the brunt of the cost when the dish is moved to a new location.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policies D1 and H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

### 5.2 Design and Visual Amenity

The proposed two-storey rear extension will have a hipped roof finished in New Redland brown Double Roman tiles to match those of the existing dwellinghouse. The exterior walls will be render finished of a colour to match the existing finish. White uPVC framed windows in the proposed extension will be used for the whole of the rear of the property with Velux windows in the roof. The materials used will be of a good quality and as such it is considered that the proposed rear extension is of an appropriate design and accords with Policy D1 of the South Gloucestershire Local Plan (adopted) 2006.

### 5.3 Residential Amenity

The proposed rear extension will project from the rear of the existing dwellinghouse by 3.85 metres. Boundary treatments on either side of the property consist of 1.8 metre high fencing. The rear of the property is bound by 1.8 metre high fencing and a garage which is accessed via a lane dividing the gardens of properties on Southey Avenue and Southfield Avenue.

It is noted that the extension is quite deep having a depth of 3.85 metres. However, consideration must be given to the existing extensions at Nos. 75 to 81 Southey Avenue already in existence. These existing extensions appear to sit comfortably with acceptable impact on current levels of amenity. In addition to this, no windows are proposed in the east or west elevations of the extension and consequently there are no issues of inter-visibility or loss of privacy to consider. The north-south orientation of the rear extension means issues of loss of day/sunlight are considered to be acceptable. The gardens in this terrace are quite long and sufficient garden space will remain to serve the property. Impact on residential amenity is subsequently deemed to be satisfactory.

### 5.4 Other matters

One comment from a neighbour relates to potential loss of his satellite signal as a result of the proposed development. This is not a planning matter and as such cannot be addressed in this report.

## 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.

The proposed two storey rear extension is considered to be in-keeping with the overall character of the dwelling and surrounding area in terms of its scale,

design and the materials used. Furthermore, the existing level of residential amenity afforded to neighbouring properties is protected. As such the proposal accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted ) 2007.

- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 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 found in the decision notice.

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

## **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. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PT10/2883/F	<b>Applicant:</b>	Knightstone Housing Association Limited
<b>Site:</b>	Parking Area Sundayhill Lane Falfield Wotton Under Edge South Gloucestershire	<b>Date Reg:</b>	28th October 2010
<b>Proposal:</b>	Erection of 2no. semi-detached dwellings with associated works.	<b>Parish:</b>	Falfield Parish Council
<b>Map Ref:</b>	368061 193235	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th December 2010



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 100023410, 2008. **N.T.S.** **PT10/2883/F**

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

This application appears on the Circulated Schedule following the receipt of representations from local residents that are contrary to the Case Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of 2no. semi-detached dwellings. Both of these dwellings would be affordable units.
- 1.2 The application site is approximately 0.06ha in area and roughly rectangular in shape. The site comprises of an existing rank of Council owned garages and hardstanding. The site is situated to the rear of an existing block of flats and adjacent to the rear gardens of nearby residential units. The site has an existing access onto Sundayshill Lane.
- 1.3 The proposed semi-detached dwellings would be sited across the application site. To the rear of the units there would be private amenity space and to the front there would be parking spaces and a turning head. The units would be 1 ½ storeys in scale and would incorporate dormer windows in the front roof slope.
- 1.4 The application site is situated within the Falfield settlement boundary.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

- PPS1: Delivering Sustainable Development
- PPS3: Housing
- PPS9: Biodiversity and Geological Conservation
- PPG13: Transport

#### 2.2 Development Plans

##### South Gloucestershire Local Plan (Adopted) January 2006

- D1: Achieving Good Quality Design In New Development
- L1: Landscape Protection and Enhancement
- L9: Species Protection
- T8: Parking Standards
- T12: Transportation Development Control Policy for New Development
- H2: Proposals for Residential Development within the Existing Urban Area
- H4: Development within Existing Residential Curtilages

#### 2.3 Emerging Development Plans

##### South Gloucestershire Core Strategy (Submission Draft) March 2010

- CS1: High Quality Design
- CS5: Location of Development

CS9:	Environmental Resources and Built Heritage
CS16:	Housing Density
CS17:	Housing Diversity
CS34:	Rural Areas

- 2.3 Supplementary Planning Guidance  
 South Gloucestershire Design Checklist SPD (Adopted) 2007  
 South Gloucestershire Trees on Development Sites SPG (Adopted) 2005

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

- 3.1 There is no previous planning history on the site. However the concurrent planning application for the proposed car parking and spur road is relevant:
- 3.2 PT10/2962/F Construction of 5no. parking bays, tarmac spur road and stone access track.  
 Approved 06.01.2011.

### 4. **CONSULTATION RESPONSES**

- 4.1 Falfield Parish Council  
 No comment.
- 4.2 Highways Authority  
 No objection subject to suitable mitigation for loss of garages being agreed.
- 4.3 Public Rights of Way  
 No objection.
- 4.4 Environmental Protection  
 No objection.
- 4.5 Street Care  
 No objection, subject to SuDs condition.
- 4.6 Local Residents  
 Four letters of objection have been received from local residents. The main objection are summarised below:
- A. Loss of privacy.
  - B. Consultation procedure.
  - C. Inadequate parking.
  - D. Access.
  - E. Harm pedestrian safety.
  - F. Damage to wildlife.
  - G. Inaccurate ecology survey.
  - H. Misleading information in Design & Access Statement.
  - I. No need for the development.
  - J. No employment opportunities in the village.
  - K. Development should not commence until new parking area is complete.

## 5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection 2no. semi-detached dwellings.

The main issues to address in the determination of this application are: -

1. Is the principle of residential development within the Falfield settlement boundary acceptable?
2. Would the proposed development deliver the most efficient use of land?
3. Would the proposed development achieve good standards of site planning and design?
4. Would the proposed development provide adequate private amenity space?
5. Would the proposed development prejudice the amenities of nearby occupiers?
6. Would the proposed development have acceptable transportation effects?
7. Would the proposed development have an unacceptable effect on the water environment (surface water drainage)?
8. Would the proposed development maintain the amenity and longevity of trees within the development site?
9. Would the proposed development directly or indirectly have an adverse effect upon nationally or internationally protected species?

### 5.2 Principle of Development

The proposed development relates to the erection of two semi-detached dwellings on previously development land within the Falfield settlement boundary. PPS3 and Policy H2 of the South Gloucestershire Local Plan establish that new residential development on sites within the urban area are acceptable in principle, subject to the proposal satisfying other material considerations, such as an density, design, residential amenity, and highway safety.

- 5.3 It should also be noted that both of the dwellings would be affordable units. Nevertheless the development falls below the threshold for affordable housing set under Policy H6 of the South Gloucestershire Local Plan and therefore would not be secured via a Section 106. Notwithstanding this it is considered that this development would contribute to the need for affordable housing within Falfield.

### 5.4 Efficient Use of Land

A key objective of PPS3 and Policy H2 of the South Gloucestershire Local Plan is to make effective use of land by re-using land that has been previously used. The proposed development seeks to re-use a former car park for residential

- purposes. The Council expect schemes to make the maximum effective use of sites by achieving the maximum density compatible with the site's location, accessibility, environmental constraints, and its surroundings.
- 5.5 In this application, the development would deliver two semi-detached dwellings, which equates to a density of approximately 33 dwelling per hectare. Officers are satisfied that this amount of development would achieve the most efficient use of the application site and thus would accord with PPS3 and Policy H2 of the South Gloucestershire Local Plan.
- 5.6 Design  
A key objective of PPS1, the South Gloucestershire Local Plan, and the emerging South Gloucestershire Core Strategy is to promote high quality design that responds to its context, the distinct assets of the district and creates a 'sense of place' and civic pride. The Council approach to design is set out under policy D1 of the South Gloucestershire Local Plan, CS1 of the emerging Core Strategy, and the Design Checklist SPD.
- 5.7 Before assessing the quality of the design of the proposed development it is important to understand the context of the site and its surrounding area. The application site comprises of a set of garages and hardstanding. The site is adjoined by residential development to the south and east and open countryside to the west and north. The site is surrounded by fairly low-density residential development, which comprises of brick built post-war cottages. The site features a hedgerow along its western and northern boundaries. It is considered that the site is not widely visible from the street scene.
- 5.8 The proposed dwellings would be sited within the centre of the application site and would comprise of a pair of semi-detached chalet bungalows. The development would be fairly enclosed and would not be widely visible from the street scene. Furthermore the development would be well spaced from the surrounding development. It is considered that this would be an appropriate layout and would respect the character and appearance of the street scene.
- 5.9 In terms of scale and massing, the proposed chalet bungalows would be subservient to the adjacent residential development. With regard to the dwelling's appearance, the building would not be widely visible from the street scene. In view of this, there is limited context to inform the design of the proposed dwelling. As such, the applicant has adopted a modern design and would utilise finishes that are common in the surrounding area, for instance red brick. It is considered that this represents an appropriate design approach for the site.
- 5.10 The proposed development would achieve good standards of environmental sustainability. This is because the unit would achieve standards such as Code for Sustainable Homes Level 3 and Lifetime Homes. It is considered that this demonstrates that the development would achieve good quality design.
- 5.11 The proposed development would provide two small rear gardens. It is considered that this would meet the basic outdoor needs of the occupiers of the



- new dwellings. On this basis, Officers are satisfied that the development would provide a good quality living conditions.
- 5.12 In summary, it is considered that the design of proposed development would respect the character and appearance of the site and the surrounding area. The proposed development therefore accords with policies D1, L1, and H2 of the South Gloucestershire Local Plan.
- 5.13 Residential Amenity  
It is acknowledged that a number of local residents have objected to the development on the grounds that it would result in a loss of privacy. Policy H2 of the South Gloucestershire Local Plan is clear that new development should only be permitted where it would not prejudice the amenities of nearby occupiers. On this basis, the impact of the proposed development on these occupiers have been assessed below:
- 5.14 Overbearing Effect/Loss of Light  
The side elevation (south west) of the proposed development would be separated from the rear elevations of the dwellings along Sundayshill Lane by at least 20m. It is acknowledged that the outlook of these dwellings would be altered by the proposed development. Nevertheless, given the distance separating the properties and the minimal scale of the bungalows, it is considered that the impact of the proposal would not result in a material overbearing effect or loss of light, and would accord to Policy H2 of the South Gloucestershire Local Plan.
- 5.15 Loss of Privacy  
It is noted that a nearby neighbour raised concerns that the proposed first floor dormer window would afford views into their property. Following these comments the applicant submitted amended plans, which replaced the dormer windows with roof lights.
- 5.16 The proposed development is orientated so that it would front onto the rear garden of No. 14 Sundayhill Lane and its side elevation would face onto Nos. 15-18 Sundayhill Lane. Nevertheless the proposal would not include any windows that would afford direct views into these adjacent properties. It is noted that there would be roof lights on the front of the property, however these are not considered to harm privacy because any view would be over a considerable distance and at an oblique angle. On this basis, it is considered that the proposed development would not be detrimental to privacy, and would accord to Policy H2 of the South Gloucestershire Local Plan.
- 5.17 Transportation  
The proposed housing development would replace 8 existing garages. It is noted that the site does have some limited visibility onto Sundayshill Lane. Nevertheless, the Highways Authority consider that the anticipated levels of traffic would be comparable with those generated historically on the site and therefore would not have a materially greater impact on the highway.
- 5.18 A small turning head would be provided to the rear of the plot. It is noted that larger service vehicles would have to wait on the roadside within the bellmouth

of the access. Nevertheless such vehicles would not visit a development of this size with enough frequency to cause significant disruption to traffic. It should be noted the householders would have to transfer bins to the collection point further than is permitted under building regulations though this would be unlikely to have highway implications.

5.19 It is noted that there is some concern from local residents that there would be insufficient parking after the garages are removed. Notwithstanding this, measures have been taken to ensure alternative provisions will be made for the cars displaced from the existing garages. This is formed through a five bay parking area that would be located to the front of the dwellings along Orchard View. This proposal has been recommended for approval under PT10/2962/F. The Highways Authority is satisfied that this new parking area would ensure that there is suitable parking provision of the existing and proposed development. It is recommended that a condition be attached to ensure that works on the proposed development do not commence until the highway works (PT10/2962/F) have been substantially completed. It should be noted that if the concurrent application for the highway works were to be refused this application would not be issued and the matter of parking would be re-visited. The proposed development would therefore accord with Policy T12 and H2 of the South Gloucestershire Local Plan.

5.20 Water Environment

The Council Drainage Engineer has confirmed that the development would not have adverse drainage issues. However, it is recommended that a condition be attached to ensure that a scheme of drainage is agreed prior to the commencement of development. The scheme should incorporate sustainable means of drainage that ensure the development drains within its own curtilage and does not materially increase run-off on adjacent sites.

5.21 Trees

It is noted that there is a hedgerow along the west and northern boundaries of the site. It is considered that this feature add amenity to the site and is worthy of retention. It is therefore recommended that no development commenced until an Arboricultural Method Statement to show how the feature shall be protected has been submitted and approved.

5.22 Ecology

The proposed development would involve the demolition of the existing garage block. The applicant has submitted an Ecological Survey that has assessed the impact of these works on any protected species with the garages. The Councils Ecologist has scrutinised this study and has agreed with the conclusion that the development would not adverse harm any international or nationally protected species, subject to a method statement being submitted and approved.

5.23 Outstanding Matters

It is noted that local residents have raised a number of other issues:

Consultation

It is noted that there was some concern from local residents that the consultation for this application was not undertaken correctly.

Notwithstanding this, Officers are satisfied that all publicity complied fully with the Council's Statement of Community Involvement.

## **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.
- a) The proposed residential development would be situated within the Falfield settlement boundary. It is considered that this is an appropriate area for residential development. It is therefore considered that the principle of the proposed development would accord with PPS3 and policy H2 of the South Gloucestershire Local Plan (adopted) January 2006.
  - b) The density of the proposed development would represent the most efficient use of land that is compatible with the site and its surrounds. The proposed development would therefore accord with PPS3 and policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
  - c) The design and landscape impact of the proposed development has been fully assessed. It is considered that the development would achieve good standards of siting planning and design. This is because the siting, overall layout, density, form, scale, height, massing, detailing, materials, are informed by, and respect and enhance the character and appearance of the site and locality. The proposed development would therefore accord with PPS3 and policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
  - d) The impact of the proposed development on nearby properties has been fully assessed. It is considered that the siting and layout of proposal would not result in a material loss of privacy, an overbearing effect, or adverse levels of air, light and noise pollution. The proposed development would therefore accord with Policy H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
  - e) The impact of the proposed development in terms of transportation has been fully assessed. It is considered that proposal would have satisfactory access and parking arrangements. The proposed development would therefore accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.
  - f) The drainage arrangements of the proposed development have been fully assessed. It is considered that subject to a condition securing Sustainable Drainage Systems the proposal would be acceptable. The proposed development would therefore accord with Policy L17/L18 of the South Gloucestershire Local Plan (adopted) January 2006.
  - g) The proposed development would not directly or indirectly have an adverse effect upon nationally or internationally protected species. The proposed

development would therefore accord with Policy L9 of the South Gloucestershire Local Plan (adopted) January 2006.

- h) The proposed development would not harm the amenity and longevity of trees within the development site. The proposed development would therefore accord with Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

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

## **7. RECOMMENDATION**

7.1 Planning permission to be **GRANTED** subject to consent first being granted for the highways improvements (PT10/2962/F) and the following condition(s); -

**Contact Officer: Peter Rowe**  
**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. No development shall commence until the highway works to form 5no. parking bays, tarmac spur road and stone access track on land in front of 1-14 Orchard View, Falfield, (approved under PT10/2962/F) have been substantially completed.

Reason

To ensure that satisfactory parking provision is delivered to off-set the loss of the existing garages, and to accord to policies H2, T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

3. No development shall commence until drainage details have been submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of any doubt the drainage proposals should incorporate Sustainable Drainage System (SuDs) for the disposal of surface waters. If this is not practicable it must be demonstrated that an acceptable alternative means of surface water disposal is incorporated.

Reason

To ensure the development would not have a unacceptable effect on the water environment, and to accord to Policy L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall take place until a tree protection plan and method statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and BS5837:2005. For the avoidance of any doubt, the submitted details shall include details of any protective fencing and details of the works within the Root Protection Areas of the retained trees.

Reason

To ensure the amenity and health of nearby trees, and to accord to Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall commence until a method statement to include the provisions recommended in the extended Phase 1 survey report dated October 2010 by Ecosulis (Section 6, Ecological Recommendations) has been submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure the development protects protected species, and to accord to Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011**

**App No.:** PT10/2952/LB  
**Site:** 4 Over Court Mews Over Lane  
 Almondsbury South Gloucestershire  
**Proposal:** Internal and external alterations to facilitate the conversion of existing garage to form additional living accommodation. Reinststate 2no. original windows.  
**Map Ref:** 358686 182308  
**Application Category:** Minor

**Applicant:** Dr J Patterson  
**Date Reg:** 9th November 2010  
**Parish:** Almondsbury Parish Council  
**Ward:** Almondsbury  
**Target Date:** 31st December 2010



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 100023410, 2008. **N.T.S.** **PT10/2952/LB**

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

This application has been referred to the Circulated Schedule as comments have been received from local residents.

### **1. THE PROPOSAL**

- 1.1 Listed Building consent is sought for internal and external alterations to facilitate the conversion of existing garage to form additional living accommodation, and the re-instatement of 2 no. original windows at first and second floor level to the side elevation at 4 Over Court Mews, Over Lane, Over.
- 1.2 The application site forms part of 4 no. residential units and is the converted gatehouse that was originally associated with Over Court. The Court was demolished in the early 1980's and the site redeveloped. The site forms part of a Grade II\* Listed Building. It lies within the hamlet of Over and is also within the Green Belt. The rear of the site backs on to Bristol Golf Course.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS5 Planning for the Historic Environment
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
L13 Listed Buildings
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)
- 2.4 Emerging Policy  
South Gloucestershire Core Strategy Pre-Submission Publication Draft  
March 2010  
CS9 Environmental Resources and Built Heritage

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

- 3.1 PT04/0511/LB Erection of rear conservatory.  
Approved 1 April 2004.

### **4. CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council  
No objection.
- 4.2 Other Consultees [including internal consultees of the Council]  
English Heritage  
No objection.

## **Other Representations**

### 4.3 Local Residents

2 letters have been received raising the following concerns/comments:-

- a) the paint scheme of the proposed front door should match the colour of our front door in order to retain the common symmetry;
- b) the creation of a new entrance should not result in the removal of the current entrance as this would result in the loss of symmetry with our front entrance;
- c) a future owner may wish to seek to reinstate the garage. A condition should be attached to the current permission to ensure that any reinstatement must match the other garages.
- d) loss of parking space from garage conversion;
- e) increased parking could lead to restriction of turning circle.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application site is a converted former Gate House and is a Grade II\* Listed Building. It forms part of 4 no. dwellings within the original environs of Over Court, which was demolished in the early 1980's. Policy L13 of the adopted Local Plan advises that development including alterations or additions affecting a listed building will not be permitted unless the building and its setting would be preserved, and features of architectural or historic interest would be retained. The character, historic form, and structural integrity of the building must also be retained.

### 5.2 Listed Building Considerations

The gatehouse was converted in the 1980s into two separate residences either side of the dominating arch. The development endeavoured to mirror the two properties to preserve the architectural symmetry of the building. As such, the application site was extended northwest with a single storey garage range. The conversion involved much alteration of the interiors of the building and the alteration of many of the original window openings resulting in the odd arrangement of the opening casements above a horizontal transom and fixed glazing panel below.

- 5.3 The application seeks permission to reopen the blocked gable windows and to introduce fixed windows to provide additional light into the end rooms. Further information was sought and received on 20 December in relation to the lower window. In terms of the lower gable window, this is evidently an original door possibly to a hay/storage loft. Reopening a section of this will not, therefore, damage previously unaltered wall material and the introduction of a window would be acceptable in principle. The joinery does differ from the existing windows but this is not necessarily a problem on this elevation. Further information is required in respect of the depth of reveal, joinery details and cill but this can be conditioned. The cill should be natural stone to match the existing.

- 5.4 The gable circular window is blocked at present and is shown to be divided into 6 segments but the solid centre is clumsy – this centre should



be glazed, with a circular bar supporting the radiating glazing bars. The reopening of this gable window would also have minimal harm on the significance of the listed building providing the new windows are carefully detailed and constructed.

5.5 The alterations proposed to one bay of the garage in order to form a hallway, WC and utility room will not harm the significance of the listed building.

5.6 The works are in accordance with Policy L13 of the adopted Local Plan and the policies contained in PPS5

5.7 Other Issues

With regard to concerns raised by a local resident, b and c are outside the remit of the current application and would be the subject of a listed building application in any event. With regard to d and e, these matters are planning issues and would not be considered under a listed building application. In this instance, the conversion of garage to additional residential accommodation does not require planning permission. It should also be noted that the proposal is acceptable in terms of adequate off-street parking/turning facilities.

6. CONCLUSION

6.1 The recommendation to grant listed building consent has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 Listed Building Consent is **GRANTED** subject to those conditions listed below.

Contact Officer: **Karen Hayes**  
Tel. No. **01454 863472**

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. Prior to the commencement of development, the detailed design including materials and finishes of the following items shall be approved in writing by the local planning authority:

- a. All new window and doors (including cill and reveal)
- b. Rooflights
- c. Sample of obscure glazing

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPS5.

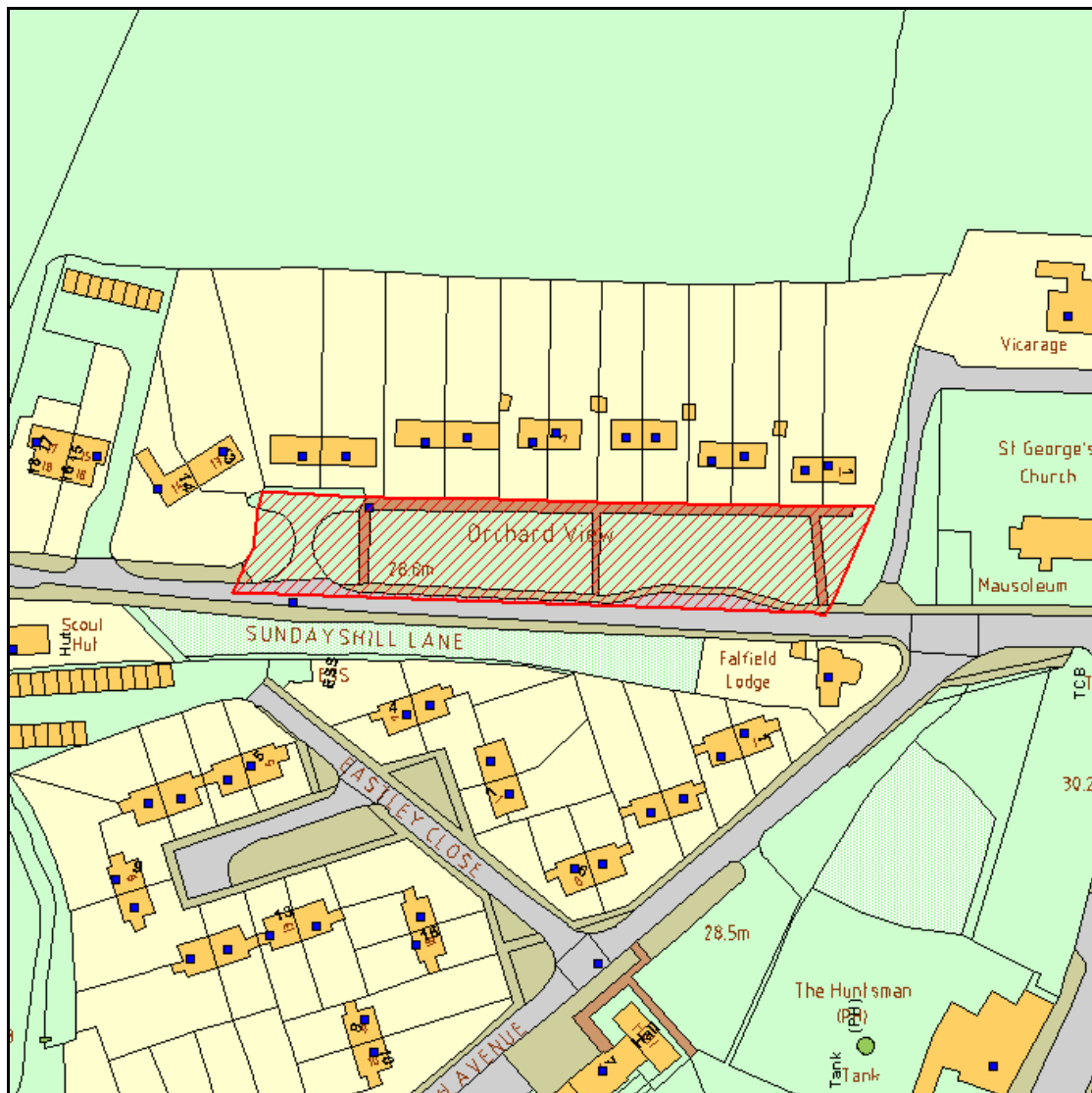
3. Prior to the commencement of development a sample panel of stonework, of at least one metre square, showing the stone, coursing, mortar and pointing, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of the development, for the purposes of consistency.

Reason:

In order that the development serves to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at PPS5.

## CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PT10/2962/F	<b>Applicant:</b>	SGC Streetcare Design And OPS
<b>Site:</b>	Land In Front Of 1-14 Orchard View Falfield Wotton Under Edge South Gloucestershire GL12 8DG	<b>Date Reg:</b>	22nd November 2010
<b>Proposal:</b>	Construction of 5no. parking bays, tarmac spur road and stone access track.	<b>Parish:</b>	Falfield Parish Council
<b>Map Ref:</b>	368177 193281	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	17th January 2011



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

This application appears on the Circulated Schedule because South Gloucestershire Council has submitted the application. Furthermore, representations have been received from local residents that are contrary to the Case Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the construction of five parking bays, a spur road, and a stone access track.
- 1.2 The application site relates to an area of open space and a small parking area, which is situated to the front of a rank of semi-detached dwellings (Orchard View). The site is unusual due to fact the open space prevents any vehicular access to the dwellings. This arrangement has led to the degradation of the quality of the open space as vehicles drive across the land to access properties.
- 1.3 This scheme accompanies a concurrent planning application (PT10/2883/F) for the development of two new affordable homes on a nearby garage site for Orchard View. This scheme has raised the necessity for providing five new parking spaces for the displaced vehicles. The scheme has also provided the opportunity to solve the on-going access problems to the "land-locked" dwellings by facilitating the construction of a spur road. The proposed development would therefore comprise of a five bay car park to the west of the site and a spur road that would link Sundayshill Lane to the individual dwellings along Orchard View. It is important to note that the vast majority of the open space would be retain as part of this application.
- 1.4 The application site is situated within the Falfield settlement boundary.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1: Delivering Sustainable Development  
PPG13: Transport

#### **2.2 Development Plans**

##### South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development  
L1: Landscape Protection and Enhancement  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development  
LC9: Protection of Open Space and Playing Fields

#### **2.3 Emerging Development Plans**

##### South Gloucestershire Core Strategy (Submission Draft) March 2010

CS1: High Quality Design

CS9: Environmental Resources and Built Heritage  
CS34: Rural Areas

- 2.4 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) 2007  
South Gloucestershire Development within the Green Belt (Adopted) 2007

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

3.1 None.

### 4. **CONSULTATION RESPONSES**

4.1 Falfield Parish Council  
No comment.

4.2 Highways Authority  
No objection.

4.3 Public Rights of Way  
No objection.

4.4 Tree Officer  
No objection.

4.5 Conservation Officer  
No objection.

4.6 Local Residents  
Two letters of objection have been received from local residents. The main points have been summarised below: -

- a) Loss of trees.
- b) Loss of rural character.
- c) Loss of wildlife.
- d) No enforcement for resident parking.
- e) Concern that parking will be used as a 'Park and Ride'.
- f) Lack of parking for car displaced by the redevelopment of the garages.
- g) Is the road suitable for HGVs.

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

5.1 This application seeks planning permission for the construction of new parking bays and a access road. The key issues to address in the determination of this application are:

(1) Is the 'principle' of the development acceptable?

(2) Would the proposed development maintain the character and appearance of the site and its surrounds?

- (3) Would the proposed development maintain the residential amenity of nearby occupiers?
- (4) Would the proposed development have acceptable effect upon highway safety?
- (5) Would the proposed development maintain the amenity and longevity of trees within the development site?
- (6) Would the proposed development directly or indirectly have an adverse effect upon nationally or internationally protected species?
- (7) Would the proposed development have an acceptable effect upon the water environment?

5.2 Principle of Development

Policy LC9 of the South Gloucestershire Local Plan states that proposals for the development of open space will only be permitted if: -

- A. The development would not result in, or add to, a deficiency of public open space, or the loss of space performing a significant recreational function, or the loss of space likely to meet projected recreational demand in the plan period; or
- B. The proposal includes provision of a placement facility of at least the equivalent benefit to existing users, at an alternative site which is accessible by public transport, on foot and by bicycle; or
- C. An overriding community need, other than for housing, employment, or shopping facilities, which cannot be met on any other site is demonstrated; or
- D. A limited development would result in enhanced outdoor sport and recreation facilities at the site; and
- E. In all the above circumstances the development would not have unacceptable environmental effects and would not prejudice residential amenity.

5.3 The application site relates to an area of open space that is situated to the front of a rank of semi-detached dwellings. At the moment there is no vehicular access across the open space and therefore vehicles often drive over the grassed area to reach their properties. This has led to damage to the land, particularly during winter months, and has reduced the quality of the open space and increased maintenance costs.

5.4 The proposed development would provide a purpose built spur road that would enable the properties to be accessed from Sundayshill Lane without driving over the area of open space. It is considered that this proposal would enhance the quality, amenity and the function of the existing open space because vehicles would no longer cause damage to the land. Accordingly the proposed

development would provide clear benefits to the local community that could not be met in any other location. On this basis, it is considered that the loss of open space would be clearly outweighed by the benefits of the proposed development. Thus, the principle of the proposed development would accord with Policy LC9(c) of the South Gloucestershire Local Plan.

5.5 Visual Amenity

The application site comprises of a large area of open space that is situated to the front of a rank of semi-detached dwellings. This area comprises of grass and a number of trees and bushes. It is considered that the green nature of this area makes a significant contribution to the character and appearance of street scene. Nevertheless, it must be acknowledged that this character has been somewhat degraded by the by vehicles crossing and damaging the quality of the open space.

- 5.6 The proposed development would involve the removal of some of the grassed area to provide a new parking bays, a stone spur road and a tarmac access. It is considered that this development is small scale in relation to the remaining open space and thus would not materially harm the contribution that the area makes to the street scene. Furthermore it is considered that considerable weight should be attributed to the long terms enhancements that the proposed development would provide by preventing vehicles damaging the open space. Therefore, notwithstanding the objections from local residents, it is considered that the proposed development would not materially harm the character and appearance of site and its surrounds.

5.7 Residential Amenity

The proposed parking bays and spur road would not give rise to any effects that would materially harm the residential amenities of nearby occupiers.

5.8 Transportation

It is acknowledged that local residents have raised a number of concerns with regard to the transportation effects of the proposed development. For instance there is concern that there is a lack of parking, the spur road is not suitable for HGVs and there would be no enforcement to ensure that local residents only used the parking bays.

- 5.9 Officers are satisfied that that the proposed parking bays would off-set the parking lost through the development of the nearby garage block site for housing (PT10/2883/F). Furthermore it should be acknowledged that the proposed development would provide vehicular access to the curtilage of each the land locked dwellings along Orchard View. On this basis, Officers consider that the proposed development would enhance the existing parking situation. The concerns regarding enforcement of parking spaces are noted, nevertheless the new parking bays would be within the public highways and thus it would be unreasonable and unenforceable to attach a condition that would restrict the parking to residents only. Notwithstanding this, the parking bays would be overlooked by existing dwellings and therefore would be unlikely to be attractive locations to park for non-residents. Moreover, if significant parking problems do arise then there is other traffic control measures that could be taken, however these are beyond the remit of the Local Planning Authority.

On this basis it is considered that the proposed development would not give rise to unacceptable transportation effects.

5.10 Trees

The proposed development would require the removal of four trees. None of these trees are categorised as better than category C in accordance with BS5937 and therefore should not be considered a constraint on the proposed development. It is noted that other works would be carried out on the trees on site but these are in the interests of health and safety and are remedial pruning works. Replacement tree planting is proposed to take place in the winter following completion of the scheme. This would involve at least one-for-one replacement and would provide a net amenity gain. On this basis, it is concluded that the proposed development would not materially harm the amenity and longevity of trees within the development site. It is suggested that a condition be attached to ensure the implementation of the re-planting.

5.11 Wildlife

It is noted that some local residents have raised concerns with regard to potential loss of wildlife through the development of the open space. Notwithstanding these concerns, it should be noted that the land is a managed environment and therefore it is concluded that the site is unlikely to offer a habitat for nationally or internationally protected species.

5.12 Drainage

The Council Drainage Engineer has confirmed that the development would not have adverse drainage issues. However, it is recommended that a condition be attached to ensure that a scheme of drainage is agreed prior to the commencement of development. The scheme should incorporate sustainable means of drainage that ensure the development drains within the site and does not materially increase run-off on adjacent areas.

**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.

(a) The proposed development would provide an enhancement to the open space and would not undermine the function of the land. It is therefore concluded that the principle of the proposal would be acceptable and would accord with Policy LC9 of the South Gloucestershire Local Plan (adopted) January 2006.

(b) The proposed development would not materially harm the character and appearance of the site and its surrounds. The proposed development would therefore accord with Policy D1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

(c) The proposed development would not materially harm the amenities of nearby neighbouring occupiers. The proposed development would



therefore accord with Policy LC9 of the South Gloucestershire Local Plan (adopted) January 2006.

- (d) The proposed development would not give rise to unacceptable transportation effects. The proposed development would therefore accord with Policy LC9 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.
- (e) The proposed development would not harm the amenity and longevity of trees within the development site. The proposed development would therefore accord with Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.
- (f) The proposed development would not directly or indirectly have an adverse effect upon nationally or internationally protected species. The proposed development would therefore accord with Policy L9 of the South Gloucestershire Local Plan (adopted) January 2006.
- (g) The proposed development would not harm the amenity and longevity of trees within the development site. The proposed development would therefore accord with Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.
- (h) The drainage arrangements of the proposed development have been fully assessed. It is considered that subject to a condition securing Sustainable Drainage Systems the proposal would be acceptable. The proposed development would therefore accord with Policy L17/L18 of the South Gloucestershire Local Plan (adopted) January 2006.

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

## **7. RECOMMENDATION**

7.1 Planning permission to be **GRANTED** subject to the following condition(s): -

**Contact Officer: Peter Rowe**  
**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. No development shall take place until details and location of the replacement trees have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the trees shall be planted no later than the first planting season following the completion of the development hereby permitted.

Reason

To ensure suitable replacement trees are planted to maintain the character and appearance of the site and street scene, and to accord with policies D1 and L1 of the South Gloucestershire Local Plan (adopted) January 2010.

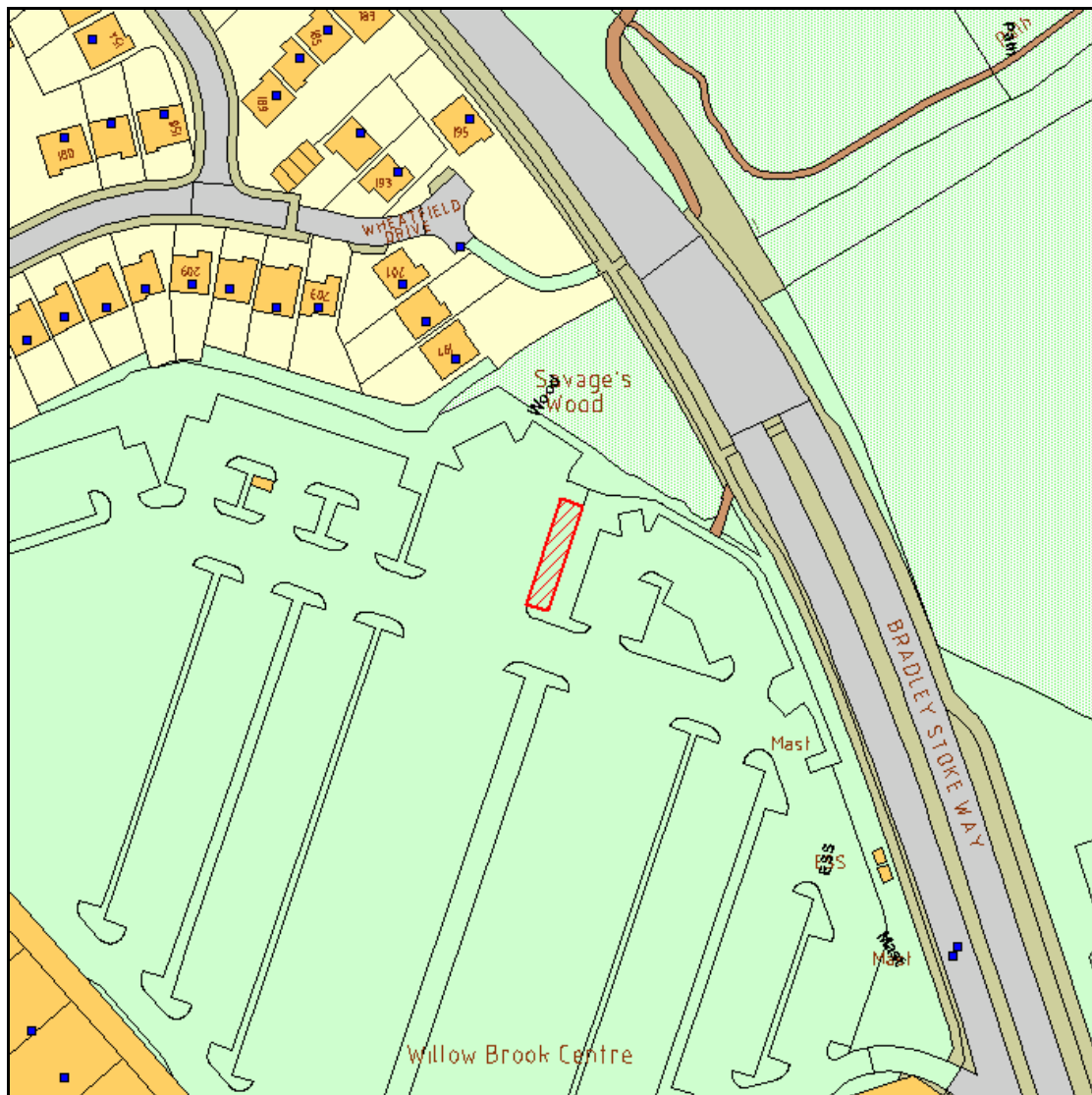
3. No development shall commence until drainage details have been submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of any doubt the drainage proposals should incorporate Sustainable Drainage System (SuDs) for the disposal of surface waters. If this is not practicable it must be demonstrated that an acceptable alternative means of surface water disposal is incorporated.

Reason

To ensure the development would not have a unacceptable effect on the water environment, and to accord to Policy L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011**

<b>App No.:</b>	PT10/3140/ADV	<b>Applicant:</b>	Miss Abby
<b>Site:</b>	Car Park Willow Brook Centre Savages Wood Road Bradley Stoke Bristol	<b>Date Reg:</b>	10th December 2010
<b>Proposal:</b>	Display of 3 no. non-illuminated fascia signs and 3 no. non-illuminated free- standing signs	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	362113 182039	<b>Ward:</b>	Bradley Stoke Central And Stoke Lodge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	3rd February 2011



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 100023410, 2008. **N.T.S.** **PT10/3140/ADV**

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

This application has been referred to the Circulated Schedule due to a letter of objection received from a local resident.

### **1. THE PROPOSAL**

1.1 This application relates to the display of 3 no. non illuminated fascia signs and 3 no. free standing signs to advertise a hand car wash and valet centre located on the car park at Willow Brook Centre, Bradley Stoke. The enterprise is situated on nine car parking spaces to the north of the car park and comprises wet wash area, dry valet area and a portacabin. Three signs are proposed on both side elevations and the front elevation of the portacabin, the largest measuring 3m in width by 1.5m. The three free standing signs are located along the main access road into the car park. They measure 1m in height and 0.76m in width.

1.2 The site lies within the town centre of Bradley Stoke.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1 Delivering Sustainable Development  
PPG19 Outdoor Advertisement Control

#### **2.2 Development Plans**

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design  
RT1 Development in Town Centres  
T12 Transportation Development Control Policy for New Development

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

South Gloucestershire Design Checklist (Adopted)

#### **2.4 Emerging Policy**

South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010  
CS1 High Quality Design

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

3.1 PT10/3141/F Change of use of land from car parking to hand car wash and valeting area to include erection of canopy and siting of one portacabin. This application is on this Circulated Schedule with a recommendation for planning consent.

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

4.1 Bradley Stoke Town Council  
No objection.

4.2 Sustainable Transport  
No objection.

#### **Other Representations**

4.3 Local Residents  
One letter has been received objecting to the proposal on the following grounds:-  
a) too close to residential properties;  
b) should be located nearer to other retail units to minimise disruption;  
c) noise;  
d) loss of parking spaces.

These comments relate to the planning application for the car wash. This application purely relates to advertisement consent.

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

5.1 Principle of Development  
Advice contained within PPG19 states that outdoor advertisements can only be controlled in the interests of 'amenity' and 'public safety'. With regard to 'amenity', the impact of the proposal must be assessed in terms of its impact on the visual amenity of the immediate neighbourhood and any cumulative effect on its wider surroundings. With regard to 'public safety', any advertisement must be assessed in highway safety terms as to whether its location or the advertisement itself is likely to be so distracting, confusing or physically hazardous that it endangers people in the vicinity.

5.2 Amenity  
The proposed signs are considered acceptable in visual amenity terms. The signs are wholly appropriate with regard to the context of the site within a town centre and are of a size commensurate with the scale of the portacabin. The free-standing signs are also acceptable due to their limited height at 1m. The signs would not detract from the appearance of the area or the centre as a whole, especially as they are non-illuminated and unobtrusive in nature. It is therefore considered that the proposed advertisements are acceptable in terms of visual amenity.

5.3 Highway Safety  
No objection has been raised from the Council's Transportation Officer and as such the proposal is also acceptable in this regard.

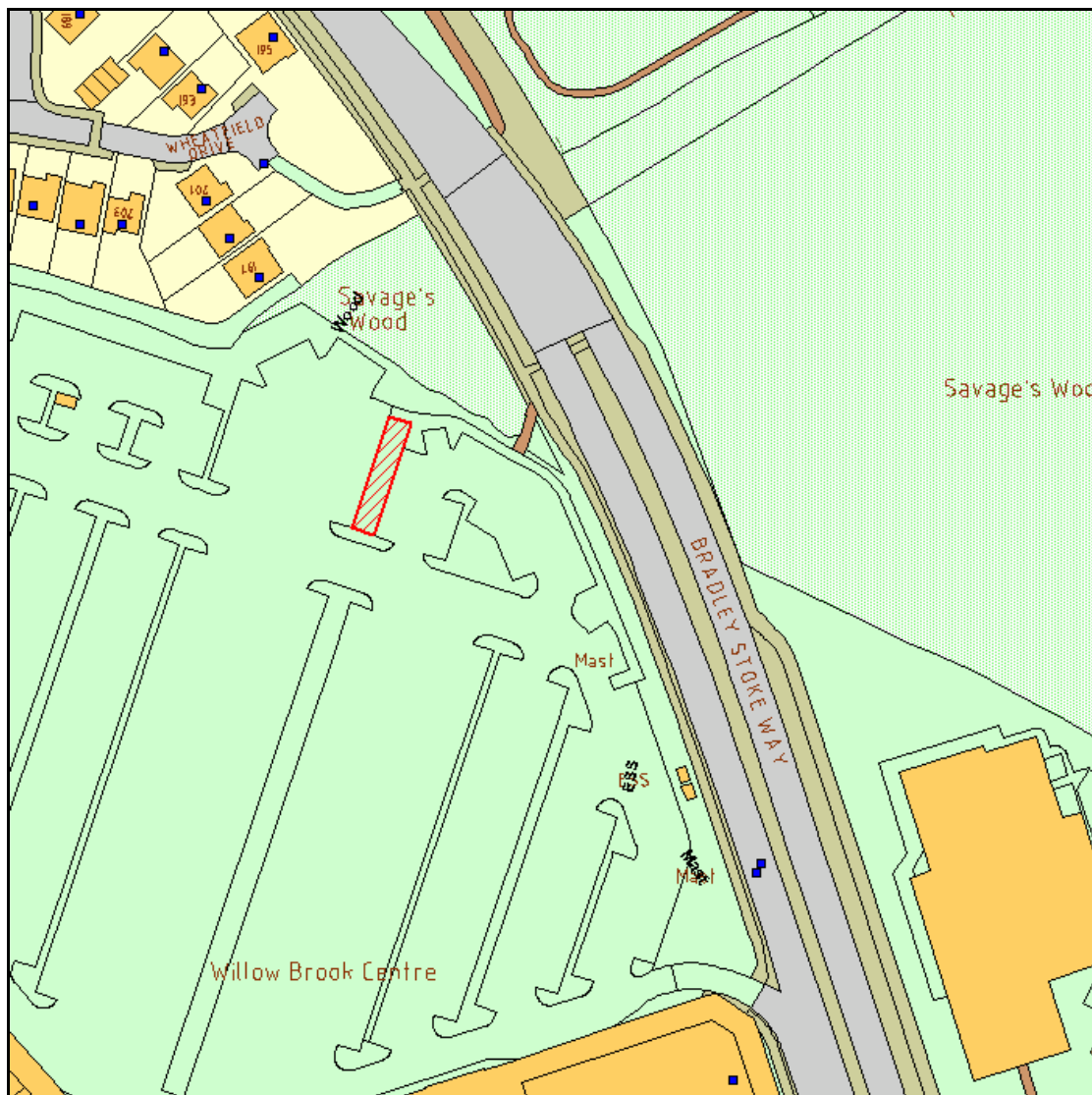
#### **6. RECOMMENDATION**

6.1 Advertisement Consent be granted subject to the condition set out on the decision notice.

**Contact Officer: Vivian Butt**  
**Tel. No. 01454 863427**

## CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PT10/3141/F	<b>Applicant:</b>	Miss Abbey
<b>Site:</b>	Car Park Willow Brook Centre Savages Wood Road Bradley Stoke Bristol	<b>Date Reg:</b>	29th November 2010
<b>Proposal:</b>	Change of use of land from car parking to hand car wash and valeting area (Class Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include erection of canopy and siting of 1 no. portacabin and associated works	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	362113 182039	<b>Ward:</b>	Bradley Stoke Central And Stoke Lodge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th January 2011



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 100023410, 2008. **N.T.S.** **PT10/3141/F**

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

The application has been referred to the Circulated schedule due to letters of objection from local residents.

### **1. THE PROPOSAL**

- 1.1 This full application relates to the change of use of 9 car parking spaces to hand car wash and valeting area (Sui Generis) to include the erection of canopy and siting of portacabin at the Car Park, Willow Brook Centre, Savages Wood, Bradley Stoke.
- 1.2 The proposal is to be sited to the north of the existing car park. Four of the spaces are to be used as a wet wash area, a further four are to be used as a dry valeting area and one space is to be used to site a portacabin. This will house a customer reception area to one end with the remainder used for storage of detergents and a water-recycling unit. The unit is constructed of steel, coloured white and measures 4.88m in length, 2.44m in width and has a height of 2.5m. A canopy is to be erected over the dry valeting area. This measures 7.95m in width, 4.85m in depth and has a maximum height of 3.105m. The canopy is of polyester and coloured royal blue. Both the wet and dry areas are to be screened to the side and rear by a 1.8m clear Perspex screen.
- 1.3 The proposal will employ four full-time and two part-time employees. Hours of operation are 09.00 hours to 18.00 hours Monday to Saturday and 09.00 hours to 14.00 hours on Sundays and Bank Holidays.
- 1.4 The application site is located within the car park of Bradley Stoke Town Centre.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPG13	Transport

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan (Adopted) January 2006**

D1	Design
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
RT4	Emerging Town Centre at Bradley Stoke

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

**South Gloucestershire Design Checklist (Adopted)**

#### **2.4 Emerging Policy**



CS1	High Quality Design
CS14	Town Centres and Retail
CS25	Communities of the North Fringe of Bristol Urban Area

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

- 3.1 PT05/1949/F Demolition of existing buildings to facilitate mixed use development to include retail, leisure, community facilities, bus station, petrol filling station, car parking. Approved 19 October 2007.

### 4. **CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council  
No objection.
- 4.2 Sustainable Transport  
No objection.
- 4.3 Other Consultees [including internal consultees of the Council]  
Environmental Services  
No objection.

#### **Other Representations**

- 4.4 Local Residents  
Six e-mails have been received (five from the same person) objecting to the proposal on the following grounds:-
- a) noise,
  - b) fumes;
  - c) too close to residential properties;
  - d) should be located nearer to retail units;
  - e) loss of parking spaces.

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

- 5.1 Principle of Development  
The application site is to be located on nine car parking spaces of the car park associated with Willow Brook Centre. The main issues to therefore consider relate to retail policy, transportation, residential amenity and design.
- 5.2 Retail Issues  
Advice contained within PPS4 promotes new economic growth, especially where it is sustainable. Policy EC4 states that Local Planning Authorities should proactively plan to promote competitive town centre environments and provide consumer choice by supporting a diverse range of uses as well as supporting shops, services and other important small scale economic uses. Policy EC10 also states that applications that secure sustainable economic growth should be treated favourably, especially where they are accessible and have an impact upon local employment.

- 5.3 Emerging policies of the South Gloucestershire Core Strategy are also relevant. In particular, Policy CS14 aims to protect the retail character and function of town centres by resisting development that detracts from their vitality and viability. Moreover, Policy CS25 supports the provision of additional small-scale employment opportunities within the north fringe of Bristol where they enhance the variety and integration of uses in existing centres.
- 5.4 Having regard to the above, it is considered that the application is in accordance with up-to-date national and emerging planning policy and advice. Although the proposal involves the loss of 9 car parking spaces, it is considered that the proposed use is ancillary to the retail use of the site. It is likely that the facility will be used in association with any trip to the town centre, rather than resulting in a purpose built trip. Clients will leave their car to be cleaned/valeted whilst shopping within the centre, resulting in a more sustainable form of development. It also increases the range of services the existing centre has to offer. In addition, the car wash operation will be environmentally friendly. A water-recycling unit is to be provided within the portacabin, recycling oil free wash-water. The unit is capable of recycling approximately 1000 litres of wash water per hour, saving up to 85% of fresh water, since it is only used for clear rinsing.
- 5.5 Transportation  
The proposed layout has been sited to permit safe access across the car park for customers who can use the existing designated pedestrian walkways for access to the shopping centre. From a site visit it was clear that even in what can be argued as the busiest time of the year this car park does have adequate capacity for this proposal. At the time of the site visit the proposed area for the car wash and the surrounding spaces were empty even with an area of the car park being utilised for selling Christmas trees. As such there is no transportation objection to this proposal.
- 5.6 Residential Amenity  
The site is located to the north of the car park, the nearest dwelling being that of 197 Wheatfield Drive to the north-west which is side-on to the site and a minimum 33m away. It is considered that having regard to the existing use of the site and its location within the Bradley Stoke Town Centre, no material increase in noise and disturbance and fumes will result. In addition, the jet washes are housed within the portacabin to minimise any noise. The hours of operation reflect operating hours of other retail units within the centre and do not start before 9am or go beyond 6pm on any given day. Furthermore, no objections have been raised from the Council's Environmental Protection Section. As such the application is acceptable in this regard.
- 5.7 Design  
The proposal involves the erection of canopy and the stationing of a container unit. It is considered that the proposal is functional in its design and will not be visually obtrusive due to its very limited size and height.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to grant permission is for the following reasons:-
1. The proposal will add to the vitality and viability of the existing town centre, providing an ancillary use that compliments the centre. The proposal would therefore accord with Planning Policy D1 (Achieving Good Quality Design in New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.
  2. The proposal is acceptable in highway safety terms. As such the proposal is considered to be compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

## 7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the conditions set out on the decision notice.

**Contact Officer: Vivian Butt**  
**Tel. No. 01454 863427**

## 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).

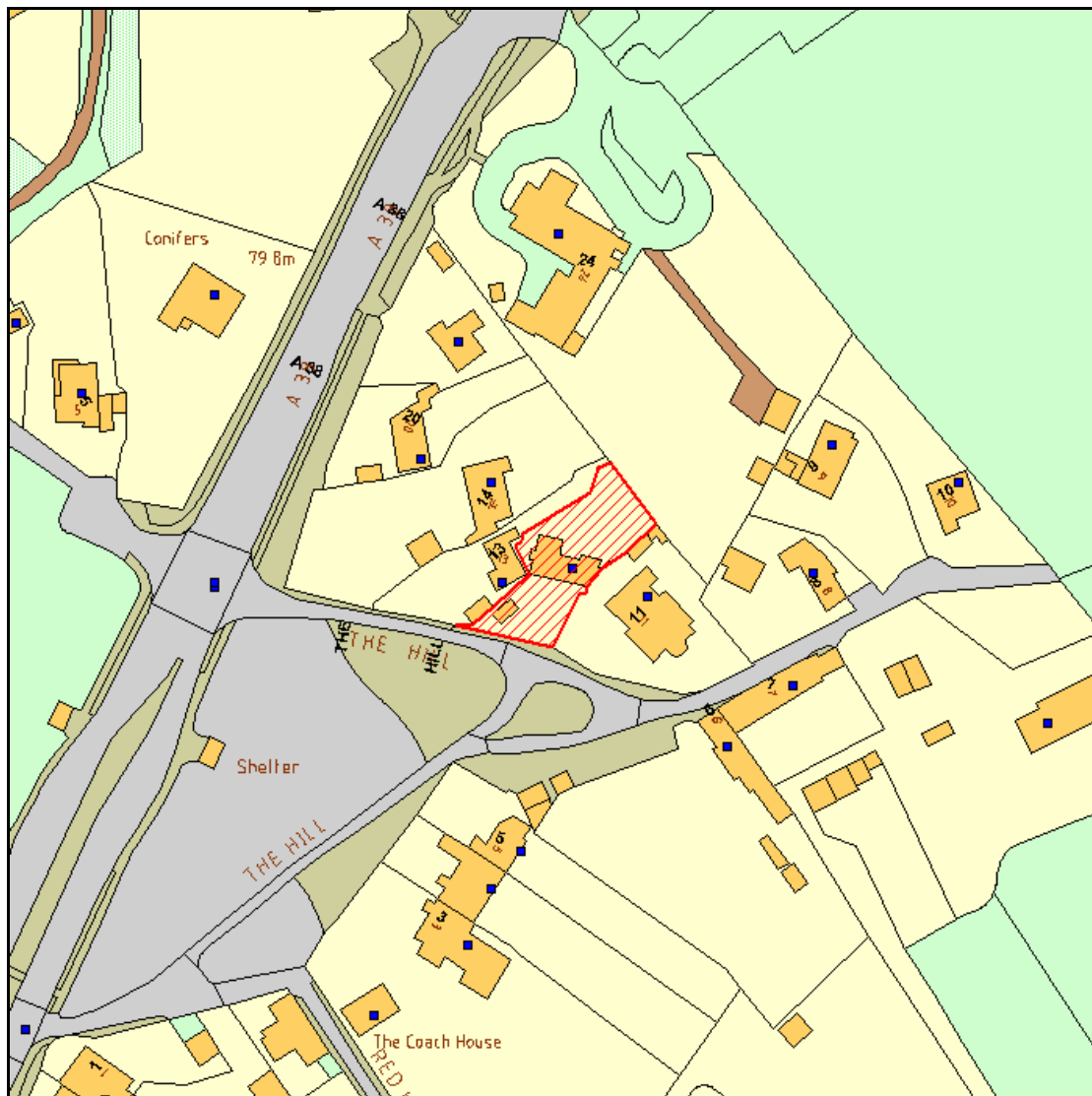
2. The use hereby permitted shall not be open to customers outside the following times ; 08.30 to 18.30 hours Monday to Saturday and 09.00 to 16.30 hours on Sundays and Bank Holidays. .

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PT10/3164/F	<b>Applicant:</b>	Mr David Graham
<b>Site:</b>	Bell Cottage 12 The Hill Almondsbury Bristol South Gloucestershire	<b>Date Reg:</b>	29th November 2010
<b>Proposal:</b>	Erection of detached garage	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	360712 183954	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Householder	<b>Target Date:</b>	20th January 2011



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 100023410, 2008. **N.T.S.** **PT10/3164/F**

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

This application appears on the Circulated Schedule following the receipt of representations from a local resident that was contrary to the Case Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a detached garage. The proposal would be approximately 5.1m in length, 3.2m in width, and 3.6m in height.
- 1.2 The application site relates to an existing detached cottage and its associated curtilage. The site lies within the Almondsbury settlement boundary and is designated as Green Belt.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1: Delivering Sustainable Development  
PPG2: Green Belt

#### 2.2 Development Plans

##### South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design In New Development  
H4: Development within Existing Residential Curtilages  
GB1: Development within the Green Belt

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007  
South Gloucestershire Development within the Green Belt (Adopted) 2007

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

- 3.1 PT08/3057/F Erection of detached garage. (Resubmission of PT08/2199/F)  
Approved 30.12.2008.
- 3.2 PT08/2199/F Erection of single and two-storey rear extension to provide additional living accommodation and detached garage.  
Split decision. The extension was approved, whilst the detached garage was refused. 19.09.2008.
- 3.3 P88/3293 Erection of detached single garage (in accordance with the amended plan received by the council on 6<sup>th</sup> December 1988)  
Approved 04.01.1989.
- 3.4 N8301 Erection of two-storey rear extension to form study with bedroom over.

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

4.1 Almondsbury Parish Council  
No objection.

4.2 Highways Authority  
No objection.

4.3 Local Residents  
One letter has been received from a local resident. They had no objection to the principle of the garage but raised the following concerns: -

- a) A larger gravel drive would cause loose materials to wash into the road.
- b) Rain water from pitch roof to be directed into a drain.

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

5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extension to residential dwellings. This is subject to the proposal:

- respecting the character and appearance of the existing dwelling and the surrounding area;
- not prejudicing the amenities of nearby occupiers,
- maintaining highway safety; and
- providing adequate amenity space.

5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

5.3 Design  
The proposed development would be situated to the front of the host dwelling and would replace an existing flat roof garage. The proposed garage would be single storey and would have a dual pitched roof. Furthermore it would be finished in render and clay pantiles to match the existing dwelling. It is considered that this development would be fairly unassuming and would be read as a subservient domestic outbuilding. On this basis, it is considered that the development would not harm the character and appearance of the site or the surrounding area.

5.4 It is noted that planning permission (PT08/3057/F) was granted for a detached garage on another part of the front garden. This development can be implemented up until the 30<sup>th</sup> December 2011. According, if both of these developments were implemented, it would result in an over development of the front of the site and would be harmful to the character of the area. Therefore, it is recommended that a condition be attached to ensure that the previously

- approved garage cannot be constructed if the garage approved under this consent is implemented.
- 5.5 Residential Amenity  
The proposed development would replace the existing single storey garage. On this basis, it is considered that the replacement garage would not materially harm the residential amenity of nearby occupiers.
- 5.6 Transportation  
The Highways Authority has been consulted as part of this application and they have confirmed that the proposed access and parking arrangements would be satisfactory and would not harm highway safety.
- 5.7 Green Belt  
It is considered that the development would constitute a limited and proportionate addition to the existing dwelling. Furthermore, as the garage would replace an existing garage it would not materially harm the openness of the Green Belt.
- 5.6 Other Matters  
It is noted that a local resident has raised concerns with regard to the potential for loose gravel to wash into the road. Notwithstanding these comments, it is considered that given the domestic use of the drive it unlikely to result in significant levels of gravel being brought onto the highway. On this basis, it is considered that the proposed surface material would be acceptable.
- 5.6 Furthermore the local resident also sought reassurances that any grey water from the pitched roof would be directed into a drain. Notwithstanding this, the applicant has confirmed that the development would actually be drained via a soakaway in the front garden. This is considered to be an appropriate form of drainage for a development of this scale.

## 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.
- a) The proposal would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
  - b) The proposal would respect the overall design and character of the existing dwelling and the surrounding area. The development therefore accords to policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.
  - c) The proposed would be a limited extension to the existing dwelling and therefore would constitute an appropriate form of development within the

Green Belt. The development would accord with policies GB1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Development within the Green Belt SPD (Adopted) 2007.

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

## **7. RECOMMENDATION**

- 7.1 Planning permission to **GRANTED** subject to the following condition(s): -

**Contact Officer: Peter Rowe**  
**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 be carried out as an alternative to the permission granted on 30th December 2008 for the 'Erection of Detached Garage' at Bell Cottage, 12 The Hill, Almondsbury (Reference: PT10/3164/F) but not in addition to it, to the intent that the applicant may carry out one of the developments permitted but not both, nor parts of both developments.

Reason

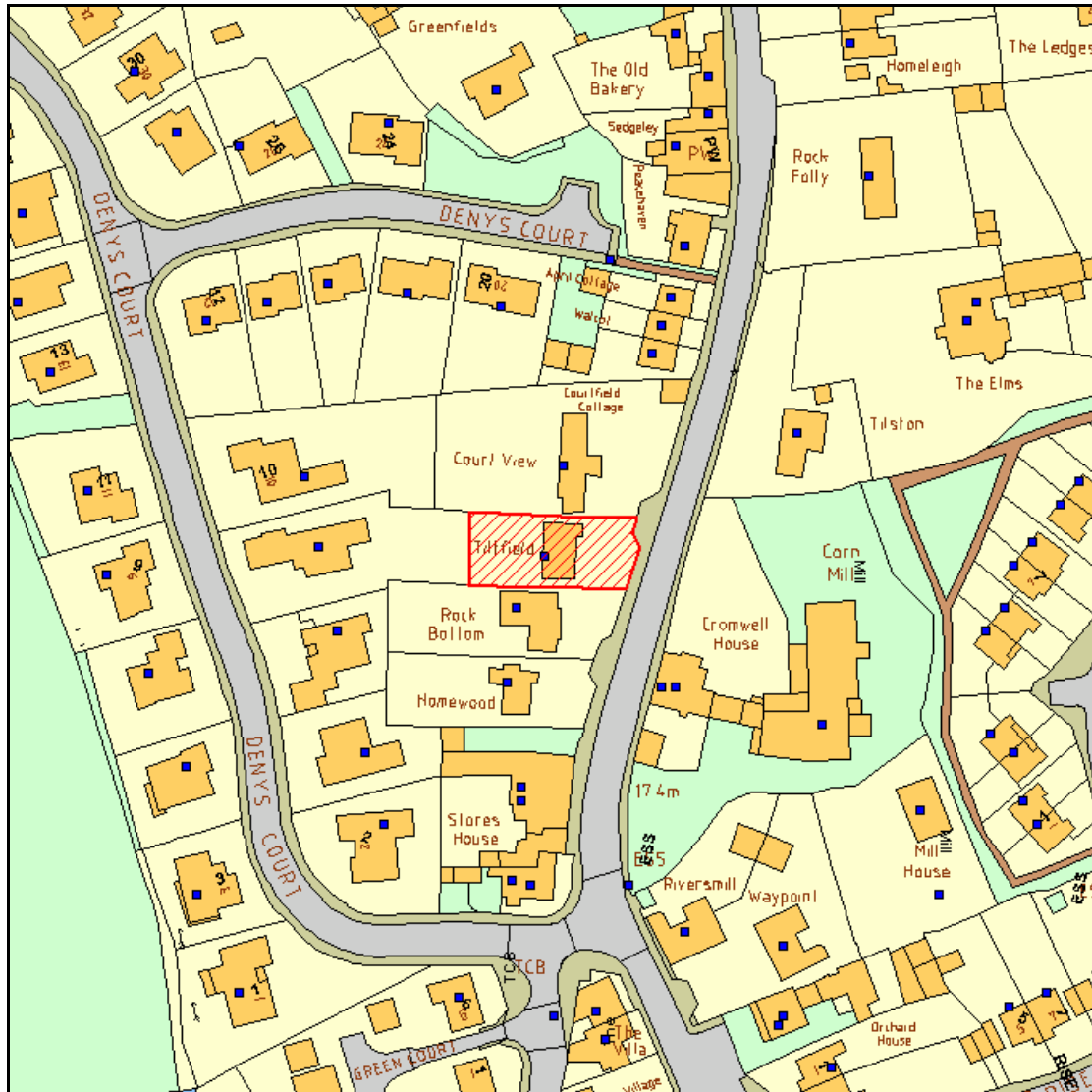
To maintain the character and appearance of the site and its surrounds, and to accord with policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.



## CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011

**App No.:** PT10/3241/F  
**Site:** Tiltfield The Street Olveston Bristol  
South Gloucestershire  
**Proposal:** Erection of garden shed in front  
garden.  
**Map Ref:** 360079 187090  
**Application Category:** Householder

**Applicant:** Mr A.G Watts  
**Date Reg:** 25th November  
2010  
**Parish:** Olveston Parish  
Council  
**Ward:** Severn  
**Target Date:** 19th January 2011



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100023410, 2008.

**N.T.S.**

**PT10/3241/F**

This application is being circulated to Members because the officer's recommendation is contrary to a written representation received by a local resident.

## 1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a garden shed in the front garden of the domestic curtilage. The shed would have a monopitch roof and would measure approximately 2.1 metres in width, 3.6 metres in length and circa 2.4 metres at the highest point. It would be located on an existing concrete base.
- 1.2 The application site relates to a two-storey chalet bungalow style dwelling in the Olveston Settlement boundary 'washed over' by the Green Belt located in the Olveston Conservation Area.

## 2. POLICY CONTEXT

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG 2 Green Belts  
PPS5 Planning for the Historic Environment  
Historic Environment Planning Practical Guide (March 2010).
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Design  
GB1: Green Belt  
H4: Development within Existing Residential Curtilages  
T12: Transportation in New Development  
L12: Conservation Areas
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist Supplementary Planning Document 2007  
South Gloucestershire Development in the Green Belt SPD (Adopted) 2007  
Olveston Conservation Area SPD
- 2.4 Emerging Policy  
South Gloucestershire Council Core Strategy Submission Publication January 2011  
CS1: High Quality Design

## 3. RELEVANT PLANNING HISTORY

- 3.1 PT00/2019/F Proposed loft conversion to form two bedrooms en-suite and construction of dormer windows.  
**Refused.** 14-SEP-00
- 3.2 PT01/0436/F Installation of dormer windows in front elevation.  
Conversion of garage to living accommodation.  
**Approved.** 18-JUN-01.

- 3.3 PT04/2349/F Alterations to roof line, and installation of 3 no. dormers in front (east) elevation to facilitate formation of 2 no. bedrooms with en-suite facilities, one further bedroom, and bathroom. Installation of chimney on south elevation. **Withdrawn.** 17-AUG-04.
- 3.4 PT04/3134/F Two storey rear extension to form extended dining room with bathroom over. Construction of front dormer windows to form additional bedrooms and bathroom. Installation of chimney on South elevation. **Approved.** 29-OCT-04.

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

- 4.1 Olveston Parish Council  
No objection
- 4.2 Conservation Officer  
No objection

#### **Other Representations**

- 4.3 Local Residents  
1 letter received objecting to the proposal on the following grounds:  
a) the structure will be obtrusive and unsightly at a height of 2.489 metres.

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

- 5.1 Principle of Development  
The proposed development consists of ancillary residential development within an existing residential curtilage. Policy H4 of the Local Plan permits this type of development in principle subject to the following considerations.
- 5.2 Green Belt  
The application site is located in the washed over Olveston Settlement Boundary. The proposed development consists of a small scale ancillary shed to be located in the corner of a walled front garden. Given that the principle of infilling applies in this location and the proposed development is of a minor nature, it is not considered inappropriate development as set out in PPG2 and does not result in material harm to the openness of the Green Belt. As such it accords with criteria in policy GB1 of the South Gloucestershire Local Plan (Adopted) 2006.
- 5.3 Residential Amenity  
The proposed shed would be located in the front garden area of domestic curtilage associated with the property. There is an approximately 1.8 tall timber fence on either side acting as a boundary treatment with an approximately 3 metre tall natural stonewall separating the application site from the footpath to the front. A local resident has raised concerns that the proposal would appear

obtrusive and unsightly given its height of circa 2.4 metres. The proposed shed would be set back from the boundary shared with Rock Cottage by approximately 1 metre and would be some 10 metres from the neighbouring dwelling. This distance is considered sufficient and when combined with the existing boundary treatment and overall modest height of the shed is considered not to result in an overbearing impact or material harm to the existing levels of residential amenity afforded to the neighbouring occupier.

The shed would be windowless and would not impact on the existing turning circle or parking arrangements. As such the proposal meets criteria contained in policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

#### 5.4 Design and Impact on the Conservation Area

The shed would be constructed of timber boarding and roof sheeting. A local resident raised a concern that the shed would appear unsightly. The front garden is bounded by a very high stone boundary wall, and there is also tree planting along this boundary. Therefore, while it is ordinarily preferable to locate ancillary structures such as sheds in rear gardens, it is not considered that this structure will be particularly visible, and therefore will not have detrimental impact on the character and appearance of the street scene or conservation area. The conservation officer has no objections to the proposal and it is considered that the proposed development accords with criteria contained in policies L12, H4 and D1 of the South Gloucestershire Local Plan (Adopted) 2006 and the South Gloucestershire Design Checklist SPD.

## 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 proposed shed by virtue of its small scale and location in the Olveston settlement boundary is appropriate development and would not result in material harm to the openness of the green belt. As such it accords with criteria in policy GB1 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The proposed development would be screened from the road and be of a traditional shed design. It would not affect the existing street scene and would not have a detrimental impact on the character of the existing dwelling or upon the conservation area. As such the proposed development accords with criteria contained in policies L12, H4 and D1 of the South Gloucestershire Local Plan (Adopted) 2006 and the South Gloucestershire Design Checklist SPD.
- 6.4. The proposal would be approximately 10 metres from the neighbouring dwelling and set back approximately 1 metre from the boundary treatment shared with the neighbouring occupier. It would have windowless elevations and would not impact on existing parking arrangements. It would not cause material harm to the existing levels of residential amenity. As such it accords with policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

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

## **7. RECOMMENDATION**

7.1 That planning permission be **GRANTED** subject to the following conditions.

**Contact Officer: Genevieve Tuffnell**  
**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. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PT10/3349/CLE	<b>Applicant:</b>	Mr And Mrs A May
<b>Site:</b>	Spring Barn Home Farm House Eastwood Park Falfield Wotton Under Edge South Gloucestershire	<b>Date Reg:</b>	7th December 2010
<b>Proposal:</b>	Application for Certificate of Lawfulness for an existing ancillary domestic garden shed (Use Class C3).	<b>Parish:</b>	Falfield Parish Council
<b>Map Ref:</b>	367465 192045	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th January 2011



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

This application has been referred to the Circulated Schedule because it forms a Certificate of Lawfulness.

### **1. THE PROPOSAL**

- 1.1 This application comprises a Certificate of Lawfulness in respect of an existing garden outbuilding that has been previously erected without the benefit of planning permission.
- 1.2 The application relates to Spring Barn at Eastwood Park, Falfield. The application site is positioned beyond any settlement boundary and within the open countryside. The property is curtilage listed.
- 1.3 This application follows a certificate of lawfulness (PT10/2256/CLE) in respect of the host dwelling and relating to the use of a former agricultural building to provide for the current residential use. This certificate was granted for the following reason (and with the following limitation):

*'The applicant has demonstrated that on the balance of probability the site has been occupied as a dwelling for a continuous period of four years up to and including the date of this application with the surrounding land hatched in red also used for residential purposes. This certificate does not relate to the detached outbuilding behind the dwelling and the metal shipping container and lorry body sited in the rear garden in respect of which no evidence has been submitted'.*

- 1.4 Accordingly, this application relates to the 'detached outbuilding' with a second application also submitted in respect of the shipping container and the lorry body (PT10/3350/CLE).

### **2. POLICY CONTEXT**

- 2.1 Because the application is a Certificate of Lawfulness the policy context is not directly relevant and therefore the planning merits are not under consideration. The applicant need only prove that on the balance of probabilities the building has been in situ for a period of at least 4 years.

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

- 3.1 P99/2602: Conversion of barn to form one dwelling (amendments to previous design). Permitted: 23 January 2000
- 3.2 P99/2603/L: Conversion of barn to form one dwelling. Permitted: 23 January 2000
- 3.3 PT09/0431/F: Erection of two-storey side extension to provide additional living accommodation; installation of dormer window in south elevation. Refused: 22 April 2009

- 3.4 PT10/1239/F: Erection of first floor rear extension and installation of louvered dormer window to the side to provide additional living accommodation. Refused: 12 November 2008
- 3.5 PT10/2256/CLE: Application for a Certificate of Lawfulness for existing use as a residential dwelling house and for the continued use of land for residential purposes. Permitted: 20 October 2010
- 3.6 PT10/3350/CLE: Application for a Certificate of Lawfulness for the existing use of the stationing of a shipping container and a lorry body. Decision Pending

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

- 4.1 Falfield Parish Council  
No comments received
- 4.2 Other Consultees  
No comments received

#### **Other Representations**

- 4.3 Local Residents  
No comments received

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

- 5.1 The application relates to Spring Barn at Eastfield Park, Falfield. At the time of the previous certificate of lawfulness, it was noted that a detached outbuilding and shipping container and lorry body were located within the rear garden and all were excluded from this certificate. This application seeks to regularise this issue in respect of the detached outbuilding.
- 5.2 The detached outbuilding comprises a single-storey timber structure with a tiled roof that stands to the rear of the dwelling (facing an area of hardstanding); it appears to provide for ancillary storage. The agent reasons that the building forms permitted development although given that the Council considers the property to be curtilage listed (disputed by the applicant/ agent) this removes the possibility of this building forming permitted development; accordingly this certificate has been submitted.
- 5.3 Evidence in Support of Application  
The application is supported by a sworn affidavit received from the owner of Spring Barn. This advises that the property was purchased by the applicant and his wife on March 12 1999 at which time, a 'substantial steel-framed farm building' stood within the rear garden, a site plan showing this is appended to the sworn statement. This was demolished and replaced by the existing outbuilding that provides for ancillary garden storage. This building measures approximately 6m x 5.5m and 2.7m in height; photos of this are also appended. This building was completed during in 2000 and has been continuously used since this time.



5.4 In conclusion, it is cited that the applicant is completing the sale of this property and is looking to regularise the planning position in respect *'of the building incidental to my dwelling on the basis that the building has been erected and has been substantially completed for in excess of 4 years and is located within my lawfully certified garden area'*.

5.5 Conflicting Evidence

The sworn evidence provided is accepted as true unless contradictory evidence indicates otherwise. There is no contradictory evidence.

5.6 Analysis

The application relates to a small ancillary garden structure that, in the event that a planning application was submitted might be considered as acceptable. Notwithstanding this, it is considered that the evidence does indicate that on the balance of probabilities, this outbuilding has been in situ for in excess of 4 years thus there is no objection to this application.

6. **RECOMMENDATION**

6.1 A Certificate of Lawful Use is **GRANTED**.

**Contact Officer: Peter Burridge**  
**Tel. No. 01454 865262**

**CONDITIONS**

1. The applicant has demonstrated that on the balance of probability that the single-storey domestic garden shed to the rear of the property and edged in red on the site plan submitted has been in position for a continuous period of 4 years up to the date of this application.

## CIRCULATED SCHEDULE NO. 01/11 – 7 JANUARY 2011

<b>App No.:</b>	PT10/3350/CLE	<b>Applicant:</b>	Mr And Mrs A May
<b>Site:</b>	Spring Barn Home Farm House Eastwood Park Falfield Wotton Under Edge South Gloucestershire	<b>Date Reg:</b>	6th December 2010
<b>Proposal:</b>	Application for the Certificate of Lawfulness for the existing use of the stationing of a shipping container and lorry body for ancillary domestic storage.	<b>Parish:</b>	Falfield Parish Council
<b>Map Ref:</b>	367465 192045	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th January 2011



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

This application has been referred to the Circulated Schedule because it forms a Certificate of Lawfulness.

### **1. THE PROPOSAL**

- 1.1 This application comprises a Certificate of Lawfulness in respect of the use of land for the stationing of a shipping container and a lorry body that have been previously placed on site without the benefit of planning permission.
- 1.2 The application relates to Spring Barn at Eastwood Park, Falfield. The application site is positioned beyond any settlement boundary and within the open countryside. The property is curtilage listed.
- 1.3 This application follows a certificate of lawfulness (PT10/2256/CLE) in respect of the host dwelling and relating to the use of a former agricultural building to provide for the current residential use. This certificate was granted for the following reason (and with the following limitation):

*'The applicant has demonstrated that on the balance of probability the site has been occupied as a dwelling for a continuous period of four years up to and including the date of this application with the surrounding land hatched in red also used for residential purposes. This certificate does not relate to the detached outbuilding behind the dwelling and the metal shipping container and lorry body sited in the rear garden in respect of which no evidence has been submitted'.*

- 1.4 Accordingly, this application relates to the 'shipping container and lorry body' with a second application submitted in respect of the outbuilding (PT10/3349/CLE).

### **2. POLICY CONTEXT**

- 2.1 Because the application is a Certificate of Lawfulness the policy context is not directly relevant and therefore the planning merits are not under consideration. The applicant need only prove that on the balance of probabilities the lorry body and shipping container have been in situ for a period of at least 10 years.

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

- 3.1 P99/2602: Conversion of barn to form one dwelling (amendments to previous design). Permitted: 23 January 2000
- 3.2 P99/2603/L: Conversion of barn to form one dwelling. Permitted: 23 January 2000
- 3.3 PT09/0431/F: Erection of two-storey side extension to provide additional living accommodation; installation of dormer window in south elevation. Refused: 22 April 2009

- 3.4 PT10/1239/F: Erection of first floor rear extension and installation of louvered dormer window to the side to provide additional living accommodation. Refused: 12 November 2008
- 3.5 PT10/2256/CLE: Application for a Certificate of Lawfulness for existing use as a residential dwelling house and for the continued use of land for residential purposes. Permitted: 20 October 2010
- 3.6 PT10/3349/CLE: Application for a Certificate of Lawfulness for an existing garden shed. Decision Pending

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

- 4.1 Falfield Parish Council  
No comments received
- 4.2 Other Consultees  
Conservation Officer: no objection

#### **Other Representations**

- 4.3 Local Residents  
No comments received

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

- 5.1 The application relates to Spring Barn at Eastfield Park, Falfield. At the time of the previous certificate of lawfulness, it was noted that a detached outbuilding and shipping container and lorry body were located within the rear garden and all were excluded from this certificate. This application seeks to regularise this issue in respect of the shipping container and the lorry body, which comprise a use of land in this instance.
- 5.2 The lorry body and shipping container are equivalent to single-storey structures and stand in the corner of the rear garden adjacent to a former pump house that previously provided for the Home Farm complex. In the letter received as part of this application, the agent reasons that the evidence is quite clear in that the shipping container and lorry body were both moved onto the land when the applicant purchased the property and have remained there since this time being used for incidental storage.
- 5.3 Evidence in Support of Application  
The application is supported by a sworn affidavit received from the owner of Spring Barn. This advises that the property was purchased by the applicant and his wife on March 12 1999 at which time, it was completely derelict and required rebuilding. Having sold their previous property to fund the purchase, the storage container and lorry body were moved onto the site to provide domestic storage space with the applicant and his wife living in a caravan during the period of the building works. The caravan does not form part of this application and is no longer on site.

5.4 In conclusion, the applicant confirms that the lorry body and the shipping container have remained on the land in the position that they were originally placed in 1999 and have never been moved. Further, it is confirmed that both have been used for incidental storage. However, it is stated that the lean-to now attached to the side of the lorry body (used for storing firewood) was only constructed three years ago.

5.5 Conflicting Evidence

The sworn evidence provided is accepted as true unless contradictory evidence indicates otherwise. There is no contradictory evidence.

5.6 Analysis

The application relates to a shipping container and lorry body that in planning terms would not generally be considered as acceptable in this location. Notwithstanding this, it is considered that the evidence does indicate that on the balance of probabilities, this lorry body and shipping container have been in situ for in excess of ten years thus the evidence would indicate the use is now lawful. Any certificate that is granted should though be worded so as to omit the wooden lean-to now attached to the side of the lorry body.

## 6. RECOMMENDATION

6.1 A Certificate of Lawful Use is **GRANTED**.

**Contact Officer: Peter Burridge**  
**Tel. No. 01454 865262**

## CONDITIONS

1. The applicant has demonstrated that on the balance of probability that the land edged in red on the site plan submitted has been used for a continuous period of 10 years up to the date of this application for the siting of one single-storey shipping container and one single-storey lorry body for the purposes of ancillary domestic storage. This certificate does not relate to the lean-to attached to the side of the lorry body that has only been in situ for 3 years.

