



**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. 48/11**

**Date to Members: 09/12/11**

**Member's Deadline: 15/12/11 (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.

**Dates and Deadlines for Circulated Schedule**  
**During Christmas and New Year period 2011/2012**

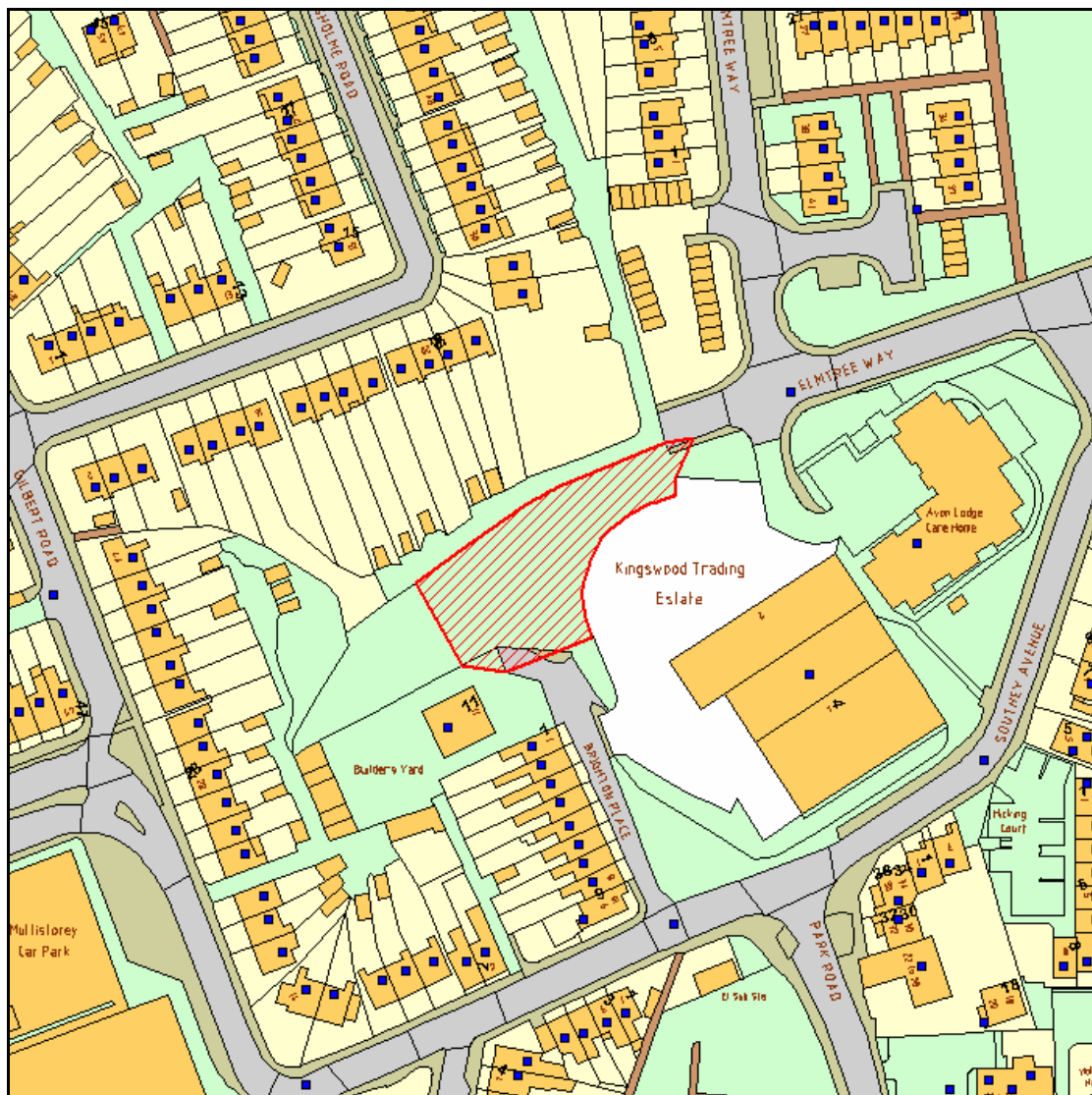
<b>Schedule Number</b>	<b>Date to Members 9am on</b>	<b>Members Deadline 5pm on</b>
49/11	Thursday 15 December 2011	Wednesday 21 December 2011
50/11	Thursday 22 December 2011	Tuesday 03 January 2012
51/11	No Circulated Schedule production	No Circulated Schedule production
01/12	Friday 06 January 2012	Thursday 12 January 2012

# CIRCULATED SCHEDULE – 9 DECEMBER 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/1026/F	Approved Subject to 106	Elmtree Way Kingswood South Gloucestershire BS15 1QS	Kings Chase	None
2	PK11/3042/RV	Approve with Conditions	4 And 5 Petty France Cottages Petty France Badminton South Gloucestershire GL9 1AF	Cotswold Edge	Hawkesbury Parish Council
3	PK11/3166/F	Approve with Conditions	92 High Street Marshfield Chippenham South Gloucestershire SN14 8LS	Boyd Valley	Marshfield Parish Council
4	PK11/3167/LB	Approve with Conditions	92 High Street Marshfield Chippenham South Gloucestershire SN14 8LS	Boyd Valley	Marshfield Parish Council
5	PK11/3357/R3F	Deemed Consent	43 The Park Kingswood South Gloucestershire BS15 4BL	Kings Chase	None
6	PK11/3530/F	Approve with Conditions	2 Hillside Mangotsfield South Gloucestershire BS16 9JY	Rodway	None
7	PK11/3535/F	Approve with Conditions	25 Glenwood Drive Oldland Common South Gloucestershire BS30 9RZ	Oldland	Bitton Parish Council
8	PT11/2950/F	Refusal	Severn Lodge Farm New Passage Pilning South Gloucestershire BS35 4NG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
9	PT11/2951/LB	Refusal	Severn Lodge Farm New Passage Pilning South Gloucestershire BS35 4NG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
10	PT11/3255/F	Approve with Conditions	181 Woodlands Road Charfield Wotton Under Edge South Gloucestershire GL12 8LA	Charfield	Charfield Parish Council
11	PT11/3318/CLP	Approve with Conditions	722 Southmead Road Filton South Gloucestershire	Filton	Filton Town Council
12	PT11/3475/TRE	Split decision See D/N	Orchard House Frenchay Hill Frenchay South Gloucestershire BS16 1LU	Frenchay And Stoke Park	Winterbourne Parish Council
13	PT11/3553/F	Approve with Conditions	28 Grange Park Frenchay South Gloucestershire BS16 2SZ	Frenchay And Stoke Park	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011

<b>App No.:</b>	PK11/1026/F	<b>Applicant:</b>	K P Wilton & Son Ltd
<b>Site:</b>	Elmtree Way Kingswood South Gloucestershire BS15 1QS	<b>Date Reg:</b>	12th April 2011
<b>Proposal:</b>	Erection of 5 no. dwellings with associated access, landscaping and external works. (Resubmission of PK06/1996/F).	<b>Parish:</b>	None
<b>Map Ref:</b>	364899 174189	<b>Ward:</b>	Kings Chase
<b>Application Category:</b>	Minor	<b>Target Date:</b>	1st June 2011



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100023410, 2008. **N.T.S.** **PK11/1026/F**

## **INTRODUCTION**

This application is reported on the Circulated Schedule due to the receipt of a neighbour objection and the requirement for a Section 106 Agreement.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of five two storey dwellings. The application is a resubmission of a previously approved application, Ref PK06/1996/F that was approved with conditions on 6 February 2008. This application is an identical application, submitted due to the expiration of the three year time limit of the original application.
- 1.2 The site is at present largely overgrown, lying between a builder's yard/office and an industrial estate. The road that currently serves the site and the industrial estate (Brighton Place) will not serve the proposed development; access for the development is proposed to be off Elmtree Way to the north-east. The houses on Kingsholme Road to the north of the site are separated from the site by a breezeblock wall and a rear access lane, before their long rear gardens, most of which have detached garages sited at the end of the gardens facing onto the rear access lane.
- 1.3 Both the side of the nearest building on the industrial estate and the end terrace property in Brighton Place, both to the south, present blank elevations to the site. The proposed access is something of a 'dogleg' arrangement, due to landownership issues. The approved application was subject to a Section 106 Agreement (now lapsed) that was put in place to ensure that the access is constructed in a way to maintain highway safety.
- 1.4 The proposal would set the five houses around a small courtyard area, with parking and raised beds, akin to a home zone, sited at the end of an access drive that would lead off Elmtree Way to the east. Four of the houses would be semi-detached and be sited in a north-south direction; the fifth dwelling, nearest the site entrance, would be detached and be sited in an east-west direction, with a blank gable end, providing some enclosure from the east.
- 1.5 It is proposed that the new Section 106 Planning Agreement would also be used to secure a small element of public art, perhaps in the style of a design on the gable end of the detached dwelling and/or the provision of planters within the site, aiding its identity as a small home zone type development.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing as revised June 9<sup>th</sup> 2010  
PPG13 Transportation
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development  
H2 Residential Development within the Urban Area  
T7 Cycle Parking

T8 Parking Standards  
T12 Transportation Development Control Policy  
EP2 Flood Risk for Development  
L17 & L18 The Water Environment  
LC13 Public Art

South Gloucestershire Council Core Strategy (Submission Draft) (December 2010)

CS1 High Quality Design  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Environmental Resources and Built Heritage  
CS17 Housing Diversity  
CS16 Housing Density

2.3 Supplementary Planning Guidance  
Design Checklist (adopted 2007)

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK03/2939/F Demolition of storage building to erect 9 houses and 12 flats – Withdrawn 17 October 2003
- 3.2 PK04/2145/F As above (Resubmission) – Refused 6 August 2004
- 3.3 PK06/1996/F Erection of 5no. dwellings and associated works  
Approved with Conditions 6 February 2008, subject to a Section 106 Agreement, signed on 5 February 2008.

**4. CONSULTATION RESPONSES**

4.1 Parish/Town Council  
No parish.

4.2 Other Consultees

Technical Services

No objection subject to a condition regarding sustainable drainage and the inclusion of informatives.

Environmental Protection

No objection in principle, and has recommended the inclusion of informatives.

Children and Young People

No objection subject to a contribution of £20,932 for additional primary school provision. This will be secured by a Section 106 Legal Agreement.

#### Coal Authority

The risk assessment has been informed by an appropriate range of sources of information; including BGS geological mapping, historic OS mapping and a (somewhat dated) Coal Mining Report. From this desk based assessment, the Report cannot conclude with certainty as to the extent of any coal mining risks. It therefore sets out appropriate recommendations for further mitigation measures; including obtaining an up-to-date Coal Mining Report and, if necessary, undertaking intrusive site investigation works, including gas monitoring.

#### Enabling Officer (Affordable Housing)

No objection

### **Other Representations**

#### 4.3 Local Residents

One letter of objection has been received, citing the following concerns:

- Concerns that the development would result in a loss of privacy to the neighbouring dwellings
- The change in use of the site from industrial to dwellings will result in an increase in noise, especially at night, for example slamming doors and car engine noise
- The access road is narrow and with the adjacent care home and trading estate could create an accident black spot
- Dangerous bend on approach to the site from Southey Avenue into Church Road. The development would lead to an increase in traffic using these roads.
- Increase in light pollution
- Industrial vehicles on trading estate could cause safety risk to children living in new houses
- Inclusion of apartment blocks inappropriate
- Development would be over-intensive, especially with apartment blocks

4.4 Although comments have been received regarding apartment blocks, no apartments are proposed within this development.

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

#### 5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The site, as part of a builders' yard, lying within the urban boundary, is considered to be brownfield and therefore, subject to the analysis below, there is no objection in policy terms to the principle of residential development in this location.



## 5.2 Density of Development

PPS3 has been reissued on 9 June 2010 to reflect concerns regarding the redevelopment of neighbourhoods, loss of Green Space and the impact upon local character. The changes involve the exclusion of private residential gardens from the definition of previously land and the removal of the national indicative density target of 30 dwellings per hectare. The existing policies in the South Gloucestershire Local Plan (Adopted) January 2006, Policies H2, H4 and D1 already require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land. This application is for 5 houses on a site measuring 0.12 hectares. As such, the density of the proposed development would be 45 dwellings per hectare, which is considered to represent an appropriate density for the provision of houses in this location, close to Kingswood Town Centre. The location is considered to be sustainable, as the town centre provides services and employment opportunities within a short walking distance, as well as bus connections to the city centre.

## 5.3 Design and Street Scene

This application is very similar to the previously approved application PK06/1996/F. It is proposed to construct 2No. pairs of 3-bedroom semi-detached 2-storey houses and 1No. detached 2-storey house. There will be new private access road from Elmtree Road and 5No. parking spaces within the site. Each of the houses will have a private back garden and there will be a 2 metre high brick wall screening the houses from the builder's yard. Additionally, the site will be separated from dwellings along Brighton Place by the retention of the existing builder's yard.

5.4 The 5 metre wide access drive, the standard turning head and the on-plot parking arrangements are all characteristic of a sub-urban style of layout but this is counterbalanced by the layout based on a Home Zone, which is appropriate in this location. The built form is considered to be arranged in a coherent fashion, with the street defined by buildings, planting and landscape materials featuring the following points:

- Dwellings that define the edges of the Home Zone or shared surface should overlook the space.
- Private space, around dwellings that front onto the street, has been kept to a minimum, to ensure that there is a direct relationship between the dwellings and the Home Zone or shared surface space.
- The layout has been designed to accommodate on-street parking, with parking spaces arranged so as not to inconvenience pedestrians and/or cyclists.
- Opportunities for indiscriminate on-street parking have been minimised through the careful arrangement of planting and other features within the street.
- Additional design features, such as the inclusion of public art (see below).

## 5.5 Public Art

South Gloucestershire Local Plan LC13 states: In determining applications for new developments the Council will seek the contribution of an agreed percentage of the total development costs for the provision or commission of publicly accessible art, craft and design works. It should be acknowledged that the scheme can have clear benefits for developers, not least of all by raising the quality of design and interest in, a development and subsequently its value. Good design and the use of public art can create a sense of place. Creating a sense of place where residents and legitimate users are able to go about their daily routine without unduly fearing crime or insecurity is also a key element of Secure by Design Initiative for New Homes 2009. The policy does not aim to add to the total cost of a development, but to secure a percentage of the identified development budget.

5.6 The public art is proposed to be the inclusion of planters to be sited outside the properties, and/or the use of decorative bricks to create a design, perhaps on the front of each dwelling and on the eastern gable end of dwelling No. 1 on the submitted Layout Plan (the detached dwelling closest to the site entrance). The use of public art will be an aid to the design of the development as a home zone, helping to enhance the character of the residential site that is close to a light industrial area. The public art undertaking will be secured by the Section 106 Agreement.

5.7 The design of this proposal is therefore considered to be successful in urban design terms and complies with policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006. The suburban appearance of the approach road, governed by its width, is unavoidable, due to the site's separation from the surrounding street pattern, but this is considered to be made up for by the sense of place created in the main part of the site, as well as the effective way in which it functions.

## 5.8 Residential Amenity

The consultation process has raised the issue of overlooking from the proposed dwellings into the houses on Kingsholme Road. The proposed dwellings face north. The windows are orientated to the north and south as the front and rear of the properties. To the north of the proposed dwellings lies the proposed five metre wide access lane, beyond which lies an access track to the rear gardens of the dwellings in Kingsholm Road, which also measures approximately 5 metres in width. The houses in Kingsholm Road have rear gardens varying in length between 29 and 32 metres, giving window to window distances of over 40 metres to the site. This distance is well outside the 21 metre standard employed by the Council. Regarding the overlooking of the rear gardens of the properties in Kingsholm Road, the proposal would lead to some overlooking from a new direction, but at a range of around 15 metres to the end of the gardens, which are very long and overlooked by the neighbouring properties in the terrace in the usual pattern. It is considered that at this distance and with such large gardens, there would not be a loss of residential amenity as there would still be substantial areas of each garden which would be private and not overlooked, by both the existing terrace and the proposed dwellings, except at long distance. In the direction of Brighton Place, the distance is shorter, but privacy in those rear gardens would be maintained by the existing boundary

treatments. In relation to Gilbert Road, the distance is even longer than that to Kingsholme Road.

5.9 With regard to the residential amenity of future occupants, the five proposed houses would have private enclosed rear gardens of 38 square metres or more, together with some additional amenity space to the front. This garden size is considered to be adequate to meet the needs of family accommodation. Overall, therefore, it is considered that the proposal would not harm the residential amenity of surrounding occupiers or future occupiers of the development.

5.10 Transportation

The proposal is for erection of five dwellings on part of land that previously was used as a builder's yard. An objection has been received stating that the proposed development will increase traffic to the area. As a builder's yard, the site is capable of generating a high level of traffic throughout the day. On traffic grounds therefore, it is considered that there can be no reason to object to the principle of the development.

5.11 The proposed vehicular access to the site will be via a private road that will be constructed by the applicant. The existing hammerhead at the end of Elmtree Way, the public highway at this location, is proposed to be extended to provide access to the site. Highway works (i.e. the alteration to the existing hammerhead and footways on Elmtree Way) plus provision of safety barriers will be required to ensure road safety is maintained at this location. These works must be secured under the renewal of the appropriate legal agreement. The highway works will be subject to safety audit and all costs will have to be met by the developer.

5.12 It is proposed to provide 5no. parking spaces on site, one space for each unit. This level of parking complies with the Council's maximum parking standards. A turning area is incorporated into the design and the proposal also indicates details of swept-path for a 6.6m long refuse vehicle.

5.13 An objection has been received regarding the nearby industrial estate and the risk to children from industrial vehicles. The industrial estate has a separate entrance. The proposed access lane will have to comply with Highway standards. It is therefore considered that the propose development will not create a material increase in road safety. Additionally, the Council's Highway Engineer has not raised any objection to the development.

5.14 Therefore, subject to completion of a S106 legal agreement to secure highway works then, there are no highway objections to the proposal.

5.15 School Provision

Since the previous application there has been a change to the local population age structure. At primary level there is a projected deficit of places in the local area. The proposed development of 4no three-bedroomed houses and 1no. four-bedroomed house will generate two additional primary school pupil requirements based on the pupil number calculator. A contribution of £20,932 is required for additional primary provision. This will be secured by a Section

106 Legal Agreement. There is a projected surplus of places at secondary schools in the local area. No contribution is required for additional secondary provision. The final amount of contribution should be calculated using DfE cost calculators current at the time of signing a Section 106 agreement, increased in accordance with any increases in the Royal Institute of Chartered Surveyors Building Cost Index.

5.16 Enabling Officer (Affordable Housing)

The application relates to land within the urban area, so therefore this application falls below the affordable housing threshold as set down under Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006 which is 15 units or 0.5 hectare. However that should any other adjoining land come forward for development at a later date, the Council would have to consider the whole site i.e. land subject of this application and any other adjoining land in determining whether the scheme falls above or below the thresholds of the site. Please note that the emerging draft Core Strategy affordable housing policy has a reduced threshold of 10 dwellings in urban areas, and a requirement for 35% affordable housing.

5.17 Other Issues

It is considered likely that the site will in the past have been subject to some level of contamination, possibly from storage of chemicals, due to its previous use as a builders' yard. For this reason, a condition appears below requiring an investigation of contamination and for remedial action to be taken, if found necessary. With regard to drainage, a condition appears below requiring the submission of a drainage plan that will incorporate Sustainable Drainage principles. With regard to the objection over light and noise pollution, it is considered that the proposed residential use will not create a material loss of amenity over and above that of the existing urban area.

5.18 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, it is considered that a Section 106 Agreement is necessary to mitigate the effects of the development in terms of highway improvements.

## **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 (i) The scheme demonstrates a high quality of design, layout and density appropriate for, and informed by, its location. The application therefore satisfies the requirements of Policies D1, H2 and LC13 of the South Gloucestershire Local Plan (Adopted)
- (ii) Impact on levels of residential for both the existing neighbouring dwellings and for the future new residents has been assessed as is deemed to be acceptable. The application therefore complies with the requirements of Policies D1, H2 and LC4 of the South Gloucestershire Local Plan (Adopted).
- (iii) The proposed access to the site is considered safe. The application therefore complies with the requirements of Policies D1, T8, T12, and H2 of the South Gloucestershire Local Plan (Adopted) January 2006
- (iv) Adequate provision is being made to ensure that the extra impact on the education service is being mitigated against in accordance with the requirements of Policy LC2 of the South Gloucestershire Local Plan (Adopted)
- 6.3 The recommendation to approve 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 authority be delegated to the Director of Planning, Transportation and the Strategic Environment to grant permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

i – The payment of £20,932 as a contribution towards additional primary education provision.

ii – The entering in to a Bond with a reputable surety approved beforehand by the Council for £10,000 for to the effect that if the owner defaults in any way in carrying out its obligations regarding Highway Works then the Council may demand the sum of money necessary to remedy the default from the surety and the surety shall pay such sum to the Council within five working days.

iii - The inclusion of a scheme of public art within the development.

The reasons for the agreement are:

i – To mitigate against the impact of the development and in order to comply with the requirements of Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006

ii – To provide a satisfactory access and egress for the site in the interests of highway safety and in order to comply with the requirements of Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

iii – To provide a satisfactory level of design for the development and in order to comply with the requirements of Policies D1, H4 and LC13 of the South Gloucestershire Local Plan (Adopted) January 2006

7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

7.3 Should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Planning, Transport and Strategic Environment to refuse the application.

**Contact Officer: Elizabeth Dowse**  
**Tel. No. 01454 862217**

## **CONDITIONS**

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

Reason

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

2. The buildings shall not be occupied until the associated car parking areas and manoeuvring areas have been drained and surfaced in accordance with the details approved in writing by the Local Planning Authority. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the first dwelling is occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No development shall take place until a Waste Management Audit has been submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
  - (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
  - (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
  - (c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
  - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
  - (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

Development shall be carried out in accordance with the agreed details.

#### Reason

To accord with the Local Planning Authority's adopted Waste Management Strategy, and to accord with Policies 37 and 43 of the adopted South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002; and Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results submitted to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any [residential] unit hereby permitted is first occupied.

#### Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policies EP1/EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevation of any of the properties.

#### Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

#### Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policies EP1, EP2, L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The drainage scheme approved, incorporating best management practices, shall be implemented in accordance with the approved details before the development is occupied.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policies EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Monday - Friday .	07.30 - 18.00
Saturday .	08.00 - 13.00

and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

In periods of dry weather, dust control measure should be employed including wheel washing and damping down. Any stockpiles of materials which are likely to give rise to windblown dust, shall be sheeted, wetted or so located as to minimise any potential nuisance.

Reason

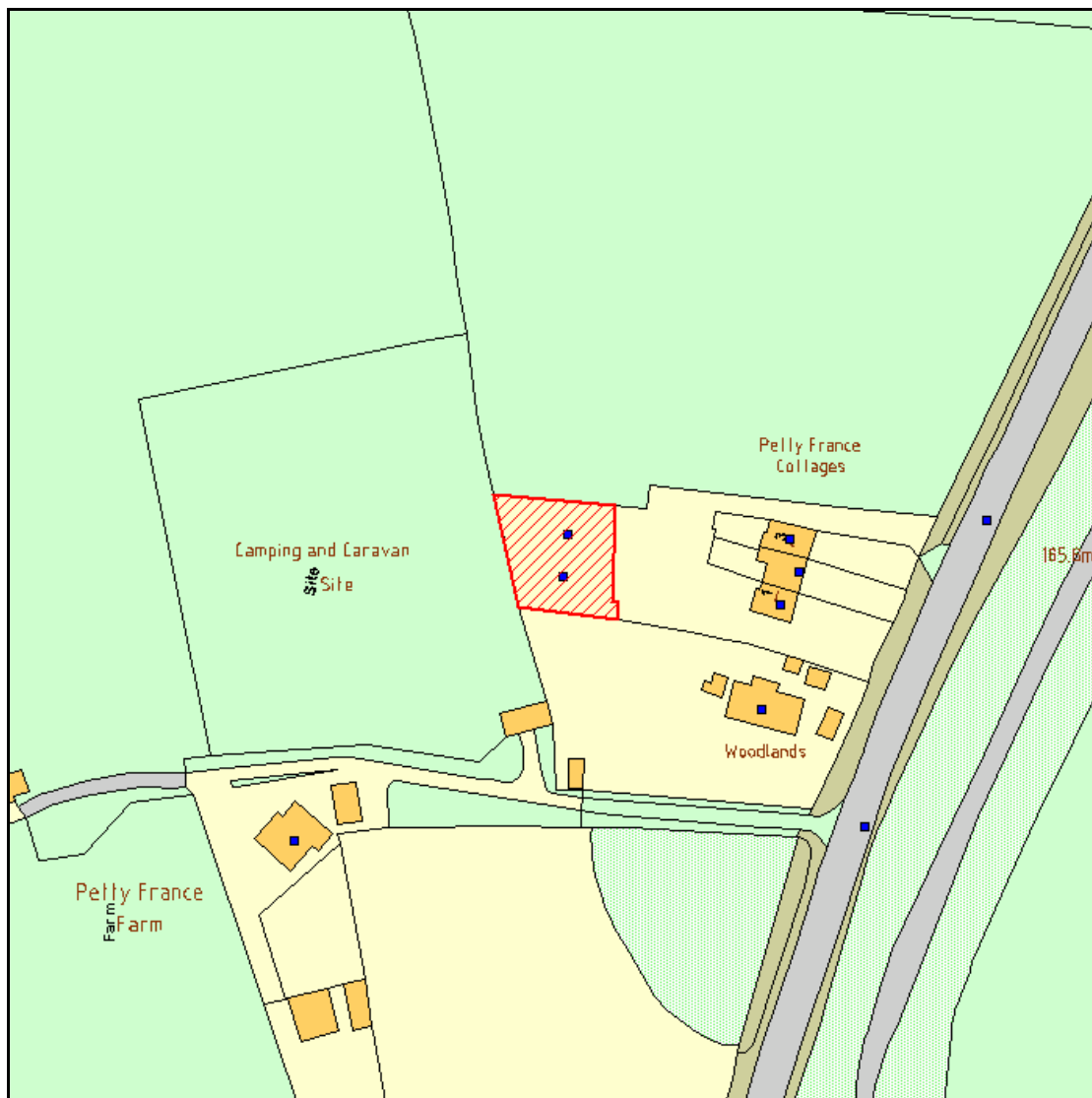
To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.





**CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011**

<b>App No.:</b>	PK11/3042/RVC	<b>Applicant:</b>	Mr P Davies
<b>Site:</b>	4 And 5 Petty France Cottages Petty France Badminton South Gloucestershire GL9 1AF	<b>Date Reg:</b>	24th October 2011
<b>Proposal:</b>	Variation of condition 4 attached to planning permission PK07/0693/RM to revise the Landscape plan.	<b>Parish:</b>	Hawkesbury Parish Council
<b>Map Ref:</b>	378754 185612	<b>Ward:</b>	Cotswold Edge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th December 2011



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 100023410, 2008. **N.T.S.** **PK11/3042/RVC**

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

This application has been referred to the Circulated Schedule as a result of objections received from local residents and Hawkesbury Upton Parish Council; the objections being contrary to the officer recommendation.

### **1. THE PROPOSAL**

1.1 The 0.59 ha application site is former garden land situated to the rear of Petty France Cottages. The Cottages themselves are a terrace of 3no., lying adjacent to the western side of the A46. A caravan site lies to the rear of the plot but is currently disused. Open fields bound the plot to the north, a PROW lies within this field. Access is currently via a driveway off the A46 running to the south of The Cottages beyond which lies a scatter of individual residential properties and farm buildings. A second access track, off the A46, runs to the north of the Cottages and was previously only used by no.3, the northernmost of the three cottages. The site lies in open countryside within the Cotswolds AONB.

1.2 Outline planning permission (with siting and access determined) for the erection of two dwellings was granted on appeal in October 2005. The outstanding reserved matters of external appearance, design and landscaping were subsequently approved under PK07/0693/RM.

1.3 The two houses are now in an advanced stage of completion and much of the landscaping has been implemented. Two garages for nos. 2 & 3 respectively, approved under the original permission P95/1076 for the renovation of the three cottages, have also only recently been completed.

1.4 For various reasons, some of the landscaping as implemented, does not conform to that secured under Condition 4 of the Reserved Matters permission PK07/0693/RM; hence the current application, which seeks to regularise this situation. Condition 4 of PK07/0693/RM currently reads as follows:

*'All hard and soft landscape works shall be carried out in accordance with the landscape details as shown on the Landscape Plan no. FRANCE 13B hereby approved. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.'*

*Reason*

*To protect the character and appearance of the area to accord with Policies H4, D1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

1.5 If the current application were approved the only change to Condition 4 would be the Landscape Plan number.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1 - General Policy and Principles

PPS3 - Housing  
PPS5 - Planning for the Historic Environment  
PPS7 - The Countryside: Environmental Quality and Economic and Social Development.  
PPG13 - Transport : Guide to Better Practice

## 2.2 Development Plans

### Joint Replacement Structure Plan

Policy 31 - Residential Development  
Policy 33 - Residential Development  
Policy 59 - Transportation Aspects of Development

### The South Gloucestershire Core Strategy Submission Draft Dec 2010

CS1 - High Quality Design  
CS5 - Location of Development  
CS9 - Managing the Environmental Heritage

### South Gloucestershire Local Plan (Adopted) 6th January 2006

D1 - Design in New Development  
L1 - Landscape Protection and Enhancement  
L2 - Cotswolds AONB  
H3 - Residential Development in the Countryside  
H4 - Development within Existing Residential Curtilages  
T8 - Parking Standards  
T12 - Transportation Development Control Policy

## 2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List (SPD) Adopted 23<sup>rd</sup> August 2007.  
South Gloucestershire Landscape Character Assessment – Area 1, Badminton Plateau.

## 3. RELEVANT PLANNING HISTORY

- 3.1 P95/1076 - Renovation and extension to three cottages.  
Approved 30<sup>th</sup> March 1995.
- 3.2 P97/1403 - Erection of 1 no. double detached garage (instead of single garage as previously approved).  
Approved 25<sup>th</sup> April 1997
- 3.3 P99/2252 - Erection of detached double garage with storage space over.  
Refused 15<sup>th</sup> Sept. 1999
- 3.4 P99/2674 - Erection of detached double garage with storage space over.  
Approved 17<sup>th</sup> November 1999
- 3.5 PK02/2134/F - Erection of detached double garage with storage space over.  
(Design amendments to planning permission P99/2674)  
Approved 9<sup>th</sup> August 2002

- 3.5 PK04/1638/O - Erection of 1no. detached dwelling and associated works with siting and access to be determined (Outline) with all other matters to be reserved.

Refused 15<sup>th</sup> July 2004 for reasons of:

- The site lies in open countryside and the proposal does not fulfil any of the limited Local Plan Policy criteria that would allow the erection of a new dwelling in the countryside.
- The development would result in traffic turning and waiting on the A46, detrimental to highway safety.

- 3.6 PK04/4077/O - Erection of 2 no. dwellings (Outline) with access and siting. All other matters reserved.

Refused 16<sup>th</sup> May 2005 for reasons of:

- The site lies in open countryside and the proposal does not fulfil any of the limited Local Plan Policy criteria that would allow the erection of a new dwelling in the countryside.
- It has not been demonstrated that there is a local need for affordable housing in this location. Furthermore the site lies in open countryside, remote from any village boundary. The proposal would also result in a highway hazard. The proposal does not qualify as Low Cost Housing to Meet Local Needs or a Rural "Exception" Scheme.
- The proposed development would result in traffic and waiting on the A46, a principal traffic route, thus adding to the hazards faced by other road users.

A subsequent appeal APP/P0119/A/05/1185816 was allowed on the 26<sup>th</sup> October 2005.

- 3.7 PK07/0693/RM - Erection of 2no dwellings. (Approval of reserved matters to be read in conjunction with outline planning permission PK04/4077/O).

Approved 14 Dec 2007.

- 3.8 PK10/1415/NMA - Non-material amendment to PK07/0693/RM to increase size of conservatories by 1.7 metres and alteration to roof pitches.

No objection 12 July 2010.

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

##### **4.1 Hawkesbury Upton Parish Council**

Object on the following grounds:

- The original planting of hedges should be maintained to separate the driveways.
- The original planting of shrubs should be maintained rather than the trees, as these may interfere with the septic tank.
- Noise should be kept to a minimum.
- There are concerns regarding safety.
- The boundary wall should be repaired at a height of 1.4m as per the originally approved plans.

- Because of the further garage developments, it is important to keep the original planting scheme to maintain residential amenity.

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

##### Historic Environment Officer

No comments to make.

##### Tree Officer

No comments to make.

##### Landscape Officer

The construction of the two houses is complete and the gardens, access road and turning/parking area have been gravelled. The boundary dry stone wall is currently under construction, which is to be approx 600mm high when viewed from the adjacent fields to the north and west, which are lower level and will be at ground level -0.5m high within the site. The approved plans showed the boundary walls to be built to 1.4 height, including a dry stone wall to divide the gardens of nos. 4 & 5. Dry stone walls are a characteristic feature of the area and it is considered that the wall should be maintained at a height of 1.4m as previously approved.

The actual layout on the ground and currently being constructed, does not relate to the submitted landscape plan; existing vegetation, including the *Leylandii* hedgerow to the northern boundary is not indicated and many of the plant names are incorrect. There are also other discrepancies; a stone wall is shown dividing the gardens, but a timber horizontal panel fence has been erected instead and the oil tank to no.5 is incorrectly shown.

The proposed Beech, Oak and Field Maple shown close to the water treatment plant are too large a species and are located too close to the tank. These trees would be better located within the north-western corner of the site, where there is room for the trees to mature and also provide screening in views from the north.

The landscape proposals cannot be approved at this time, as the landscape plan does not accurately reflect what has actually been built and is currently under construction.

##### Sustainable Transport

Most of the original parking/turning areas appear to have been retained and remain sufficient to enable vehicles to turn within the curtilage of their land even with the new garages that have been constructed. The vehicles do not circulate throughout the site as there is a fenced/hedge barrier separating the two garages.

Therefore, there are no adverse traffic or transportation comments in respect of the application.

## **Other Representations**

### 4.3 Local Residents

1 no. objection was received from the occupant of no.1 Petty France Cottages. The concerns raised are summarised as follows:

- The revised plan is not a true representation of what is on the ground.
- The back gardens have been laid to gravel not grass.
- The stone boundary wall to the north and west is shown at a height of 0.5m not 1.4m as originally approved.
- The location of no.5's oil tank is not located by the side of the house but behind the new garage, which serves no.3.
- The Water Treatment Plant is shown in the wrong place and was not installed on a concrete base.
- Concern about proximity of large trees to water Treatment Plant.
- Shrubs planted too close to No.1's garage.
- The boundary planting between no's 2 & 3 is omitted. It is required to prevent a roundabout effect for traffic. No.3 does not have right of access to the rear of no.1 or down no.1's driveway.
- Change of outlook due to fences and garages that have been erected.
- The parking and turning access have been compromised along with the approved planting.
- The garages for nos. 2 & 3 were not on the approved plan.
- The fencing that has been erected is not in-keeping with the surroundings.

4.4 Following the receipt of a revised landscape plan, the occupant of no.1 Petty France Cottages made the following further relevant comments:

- The planting between nos. 2 & 3 should be across the full width from the back of the gardens to the stained fence in order to prevent access to the rear of no.1.
- Access to the septic tank from the north is not required.
- Emergency vehicles could use either of the two main driveways.
- The new garages have compromised the turning areas.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The acceptance in principle of the erection of the two dwellings on this plot, in the positions shown and utilising the existing access arrangements; was previously established with the granting on appeal of outline application PK04/4077/O. The current application seeks to vary the landscaping of the site that was previously approved under the Reserved Matters application PK04/4077/RM. For the avoidance of doubt however, and in light of the level of concern that has been raised about the access arrangements, further explanation of the access situation is warranted.

5.2 The original plans as submitted with outline application PK04/4077/O showed that the northernmost of the two access tracks would be used by no.3 Petty France Cottages (as existing) and the northernmost of the two new houses i.e.

annotated as no.5 on the plans. The southern access would be used by nos. 1 and 2 Petty France Cottages, the neighbouring property known as 'Woodlands' and the southernmost of the new dwellings annotated as no.4 on the plans. In his decision letter the Inspector raised no objection to the use of either access as proposed.

- 5.3 In the appellant's statement however it was indicated that notwithstanding the submitted access details, the preference would be to use the southernmost access only and this was referred to at paragraph 11 of the Inspector's Decision Letter. The Inspector took a flexible approach to this matter stating that:-

*"In my view, consideration of this is a matter that could be dealt with by means of a condition requiring submission and approval of a detailed scheme for the access arrangements."*

- 5.4 The following is condition 5 that was attached to the outline planning permission:-

*"No development shall take place until a scheme setting out details of the access, parking and manoeuvring arrangements has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details."*

- 5.5 In applying this condition the Inspector delegated the final access, parking and manoeuvring arrangements to officers. The approved details are those shown on the approved plans for the Reserved Matters application PK07/0693/RM. It should be noted that it was always envisaged that a barrier would prevent circulation of traffic between the two access drives and behind nos. 1 & 2 Petty France Cottages.

#### Landscape Issues

- 5.6 In his decision letter (para.7) the Inspector noted the Council's view that subject to the dwellings being sympathetically designed at the Reserved Matters stage, they would not adversely affect the natural beauty of the landscape of the Cotswolds AONB and would respect the surroundings. Also, the landscaping could ensure the planting of trees on the boundaries to secure adequate screening of the development in views from the adjacent countryside. The Inspector accepted this view subject to the details of the Reserved Matters, and in particular subject to the design of the dwellings respecting the appearance of the existing cottages. The design of the actual dwellings was approved as a Reserved Matter and is not in question here.

- 5.7 The landscape plan as originally submitted with this current application showed a number of differences from that originally approved under the Reserved Matters application PK07/0693/RM. Concerns were raised by the Council's Landscape Architect (see 4.2), the Parish Council (see 4.1) and the occupant of no.1 Petty France Cottages (see 4.3); these are all summarised in the Consultation Section above see paras. 4.1 to 4.3 above. Following a meeting on-site with the Council's Landscape Officer, the applicant submitted a revised plan in order to take account of many of the concerns raised; this revised plan now has the approval of the Council's Landscape Officer.



5.8 The changes to the original landscape scheme are generally as follows:

### **Hard Surfacing**

The rear garden areas of the two new dwellings are now surfaced with washed South Cerney Gravel, as opposed to grass.

### **Boundary Treatments**

#### **Boundary Walls to the North and West**

It was originally proposed to restore the collapsed natural Cotswold Stone walls on the northern and western boundaries to a height of 1.4m using the stone available on the site. It has however transpired that there is insufficient stone on site to attain this height and the applicant submits that it has not proven possible to source matching stone from elsewhere.

As a compromise therefore, the walls have been restored using the available stone to a height of approximately 600mm when viewed from the adjacent fields to the north and west. Due to the difference in respective ground levels between the fields and the rear gardens of the new dwellings, the wall would only be some 200mm high when viewed from within the site. In order to compensate for the reduced wall height, a hedgerow of Hawthorn/Blackthorn and other native hedgerow species is to be planted along the inside of the wall along the entire northern and western boundaries. A stock proof fence would protect the hedgerow whilst growing. Officers are satisfied that this would form an appropriate boundary treatment within the Cotswolds AONB that would adequately screen the site.

#### **Barrier between the rear of Nos. 2&3 Petty France Cottages**

The latest revised plan shows a barrier re-introduced between the rears of nos.2&3. It was originally envisaged that this barrier, would be a solid hedgerow and that an important function of the barrier, would be to prevent the circular movement of cars between the two access lanes and behind nos. 1 & 2 Petty France Cottages. In this case however a 3m section of the barrier would comprise a timber post and rail fence with removable rails for occasional large vehicle access.

The applicant considers that he has right of access to the rear of nos.1&2 but has clarified that the section of the barrier would not contain a gate but that he would like to retain the option to unscrew the timber rails to allow turning space for a trailer, emergency vehicle or the vehicle that services the water treatment plant. Officers are satisfied that, in landscaping terms the barrier is acceptable.

The occupier of no.1 Petty France Cottages does not consider that the applicant has right of access over the land to the rear of nos. 1&2. It is not however within the remit of the Planning Act to resolve such disputes which are civil matters.

#### Boundary between Rear Gardens of nos. 4&5.

The originally approved Cotswold Stone wall has been replaced with a timber fence but this would support native climbing plants and would not therefore be prominent within the landscape.

#### Soft Planting Around Water Treatment Plant etc.

Due to the recent erection of the garage for no.2, the planting around the Water Treatment Plant has been revised. As requested by the occupant of no.1 and on the advice of the Landscape Officer, the large trees adjacent to the Water Treatment Plant have been deleted, as has the planting to the rear of the garage to no.1. Again, climbing plants would be supported on timber fencing erected around the Water Treatment Plant, and these are considered acceptable.

The areas of planting to the fronts of the new houses has been reduced, but this has the advantage of increasing the parking and turning area here.

On balance therefore officers are satisfied that, in accordance with Policy L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, the revised scheme of landscaping would not adversely affect the natural beauty of the Cotswolds AONB or the character of the landscape in general (L1) and would maintain visual amenity and a satisfactory outlook for local residents in accordance with Policies D1 and H4.

#### 5.9 Impact Upon Residential Amenity

In his decision letter at paragraph 12, the Inspector in allowing the appeal made reference to the concerns raised about likely adverse impact on residential amenity and concluded that:-

*“taking into account the position of the existing garage to the east of the site, the significant distance between the proposed and existing cottages and the potential for boundary planting under the landscaping reserved matter, I consider the scheme would not unacceptably affect the outlook or privacy of the occupiers of the existing cottages. The number of vehicle movements that would normally be associated with the proposed dwellings which would pass by the side of no.1 would not, in my judgement, result in increased noise and disturbance for its occupiers that would be of a degree that would in itself be a reason for withholding permission. The scheme would not conflict with emerging plan policy H4 in these respects.”*

- 5.10 The Inspector has clearly considered the proposal in relation to Policy H4 (now adopted) criterion B, which requires developments to not prejudice the amenities of nearby occupiers. Concerns have been raised by the occupier of no.1 about loss of residential amenity; it is noted however that in considering the impact of traffic passing the side of no.1, the Inspector referred to “dwellings” and officers interpret this to mean the traffic from both of the new dwellings as proposed. The traffic to nos. 1 & 2 already pass the side of no.1 and access the garages to the rear. In turn the traffic to nos.4&5 do not currently pass directly behind nos. 1&2 and would not do so in the revised scheme. It is possible that there may be occasional turning of larger vehicles

within this land (see para. 5.8 above) if access is available but this would not have a significant impact.

5.11 Having regard to the Inspector's comments, officers conclude that a refusal reason based on adverse impact on residential amenity could not reasonably be substantiated in this case.

5.12 Highway Issues

Officers are satisfied that sufficient parking and manoeuvring space would be retained and that an adequate barrier remains in place to prevent the circulation of traffic directly behind nos.1&2 and between the two driveways. An additional gate has been included that would give the option of using the northern access drive to access no.5 (not previously included). There are no objections to this arrangement. The proposal therefore accords with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.13 Other Issues

Of the other issues raised that have not been addressed above:

- The applicant has confirmed that the Water Treatment Plant has been correctly installed to both the Environment Agency's and Building Inspector's satisfaction. As it is placed on bedrock, a concrete base is not required.
- No.5's oil tank is now shown in the correct position.

## 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.

- a) The proposal is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed landscaping is considered to be of a good quality design and layout, which integrates well with the rural context. The proposal therefore accords with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- c) The impact of the proposal on trees and other important landscape features within or adjacent to the site has been considered in accordance with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 in this respect.

- d) Adequate access, parking and turning area would be maintained in accordance with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- e) The proposal would adequately preserve and enhance the natural beauty of the Cotswolds AONB in accordance with Policy L2 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 conditions listed on the Decision Notice and the relevant condition (4) varied to read as follows:

*'All hard and soft landscape works shall be carried out in accordance with the landscape details as shown on the Landscape Plan no. FRANCE 13p/E (received 29 Nov 2011) hereby approved. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.'*

### *Reason*

*To protect the character and appearance of the area to accord with Policies H4, D1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

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

## **CONDITIONS**

1. The previously approved sample panel of stonework, demonstrating the colour, texture and pointing, shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

### Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1, H4, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The roofing tiles, stone quoins, window surrounds and lintels shall be in full accordance with the samples/details previously approved.

### Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1, H4, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The proposed parking and turning areas shall be surfaced in a cotswold limestone gravel or similar material only to match the existing South Cerney gravel driveway serving no.1 Petty France Cottages.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1, H4, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

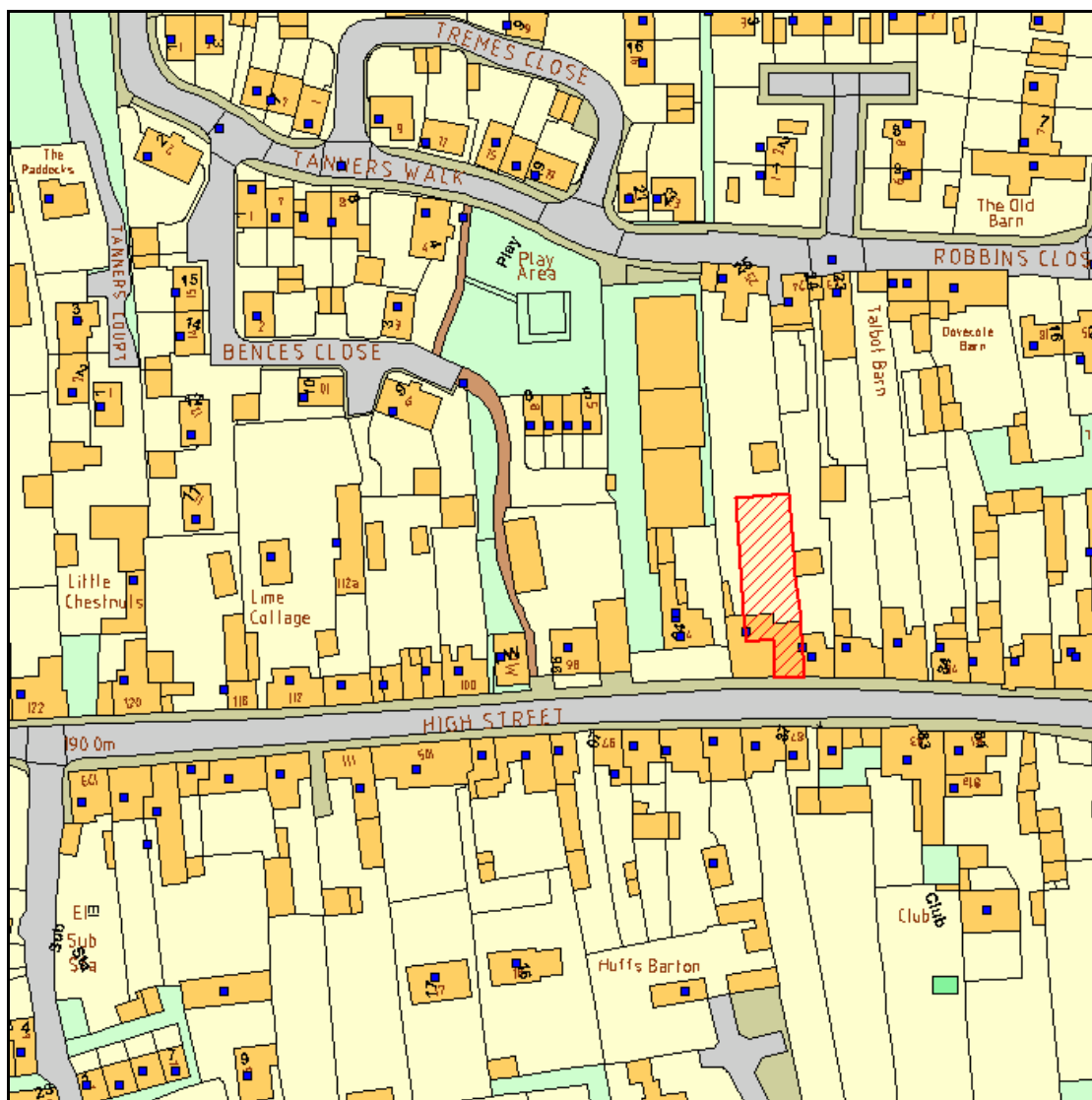
4. All hard and soft landscape works shall be carried out in accordance with the landscape details as shown on the Landscape Plan no. FRANCE 13p/E (received 29 Nov 2011) hereby approved. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Policies H4, D1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011**

<b>App No.:</b>	PK11/3166/F	<b>Applicant:</b>	Mr And Mrs M White
<b>Site:</b>	92 High Street Marshfield Chippenham South Gloucestershire SN14 8LS	<b>Date Reg:</b>	6th October 2011
<b>Proposal:</b>	Erection of dual pitched roof to replace mono pitched roof over existing single storey rear extension.	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	377732 173759	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	2nd December 2011



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 100023410, 2008. **N.T.S.** **PK11/3166/F**

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

This application has been referred to the Circulated Schedule due to the receipt of local resident's objection.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission to erect a dual pitched roof to replace an existing mono pitched roof over a single storey rear extension at No. 92 High Street Marshfield. This application site relates to a Grade II listed building, which was originally listed in 1952, and the site is also within Marshfield Conservation Area and the Cotswolds AONB.
- 1.2 During the course of the application, the applicant submitted revised drawings to demonstrate the following amendments:
- a. omitted the creation of a new hallway and modifications to the basement stairs
  - b. omitted the alterations to fireplace in rear room
  - c. there is no proposal install any additional beams
  - d. the proposed new staircase, associated modification to the rear elevation, and the construction of a new screen wall have all been abandoned and the existing layout retained
  - e. the proposed new window to the first floor bathroom has been omitted
  - f. The roof on the rear elevation will be made good using matching natural Welsh slates after the existing velux roof light is removed.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1 Delivering Sustainable Development  
PPS15 Planning for the Historic Environment

#### **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, Including Extensions and New Dwellings  
L2 Cotswolds AONB  
L12 Conservation Areas

##### **South Gloucestershire Council Core Strategy (Submission Draft December 2010)**

CS1 Good Quality Design

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

Supplementary Planning Document Design Checklist (Adopted)  
Marshfield Conservation Area SPD

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

- 3.1 P87/1544 Erection of detached domestic garage, erection of single storey rear extension to provide enlarged living room; internal alteration to kitchen and bathroom and provision of internal w.c. on ground floor. Approved 20.05.87
- 3.2 P84/1894 Conversion of existing outbuilding to form dwelling and erection of 2 storey rear extension. Construction of new vehicular access. Approved 25.07.84

### **4. CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council  
No objection.

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received on the original proposal, and the local residents raise the following concerns:

The proposed new flue for the wood burning stove appears to be too short according to building regulation stipulations. This proposed arrangement could cause fumes to enter either number 90 or 92. It should also be noted that the property number 90 also sits at a higher ground level, which may compound the problem.

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

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the principle of development within residential curtilages providing it is within keeping with the character of the area and subject to considerations of design, residential amenity and highway safety. Policy L2 allows for development within the Cotswolds AONB where it would conserve the natural value of the landscape. Policy D1 permits development where good standards of design are achieved. This is reflected in Policy CS1 of the South Gloucestershire Core Strategy Submission Draft. The principle of development is therefore acceptable subject to the following detailed assessment.

The application relates to a Grade II listed building, which is a residential property, lies to the north of High Street. The proposal is to replace the existing mono-pitched roof with a dual pitched roof. Its ridge would be approximately 4.2 metres above ground level.

- 5.2 Design/Visual Amenity  
The proposal is to construct a dual pitched roof over the existing rear extension to replace the existing mono-pitched roof. Officers consider that the dual pitched roof would be more in keeping with the character of the host dwelling. In addition, the new roof would be finished with natural slate, and this would improve the appearance of the property.



The roof replacement would be located at the rear of the property, and it would not be visible from the public domain. Officers therefore consider that it would not cause any harms to the character and appearance of the area.

### 5.3 Residential Amenity

#### Overbearing Analysis

The ridge of the roof would be approximately 4.2 metres above ground level, and the eaves height would be approximately 2.5 metres. Officers noted that the neighbouring property has a single storey pitched roof extension to the rear with a roof light on the west elevation and a dormer window to the rear. The ground level of this neighbouring property is lower than the application site.

Whilst the proposal would introduce a gable roof, which would be adjacent to the neighbour's rear extension and rear dormer, the ridge of the new roof would be approximately 2.5 metres away from the neighbouring property. In addition, the new roof would still be much lower than the existing gable to the west. Officers therefore consider that it would not cause significant overbearing or loss of daylight to warrant a refusal of this application.

#### Privacy Analysis

A conservation roof light is proposed to the west side elevation, and officers therefore consider that it would not cause significant loss of privacy to the neighbouring property.

### 5.4 Cotswolds AONB and Marshfield Conservation Area.

Although the dwelling lies within the Cotswolds AONB it is located within the defined settlement boundary of Marshfield and cannot be seen from the surrounding countryside. It is therefore considered that the development would not cause any harms to the landscape character of the AONB. Additionally, It is considered that due to the proposed materials, the extension would not cause any detrimental impact on the character or appearance of the Conservation Area.

### 5.5 Amenity Space

The property has a substantial rear garden and it is therefore considered that sufficient garden space would remain to serve the occupiers of the dwelling.

### 5.6 Highway Safety Analysis

As the extension is located at the rear of the property, therefore it would not prejudice highway safety.

### 5.7 Other Issues

A local resident objects the height of the new flue, which has been omitted from the proposal.

## 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 It has been assessed that the proposal has been designed to respect and maintain the materials and design and character of the dwelling and will not have a harmful effect on either the Conservation Area or the Cotswolds AONB. The development therefore accords with Policies D1, H4, L2 and L12 of the South Gloucestershire Local Plan (Adopted) 2006.

It is not considered that the proposal would cause any significant adverse impact in residential amenity. The development is therefore considered to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

- 6.3 The decision 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 conditions as set out on the decision notice.

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

## **CONDITIONS**

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

Reason

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

2. Prior to the commencement of work a sample of natural slate shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance in the Marshfield Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason

To ensure a satisfactory standard of external appearance in the Marshfield Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

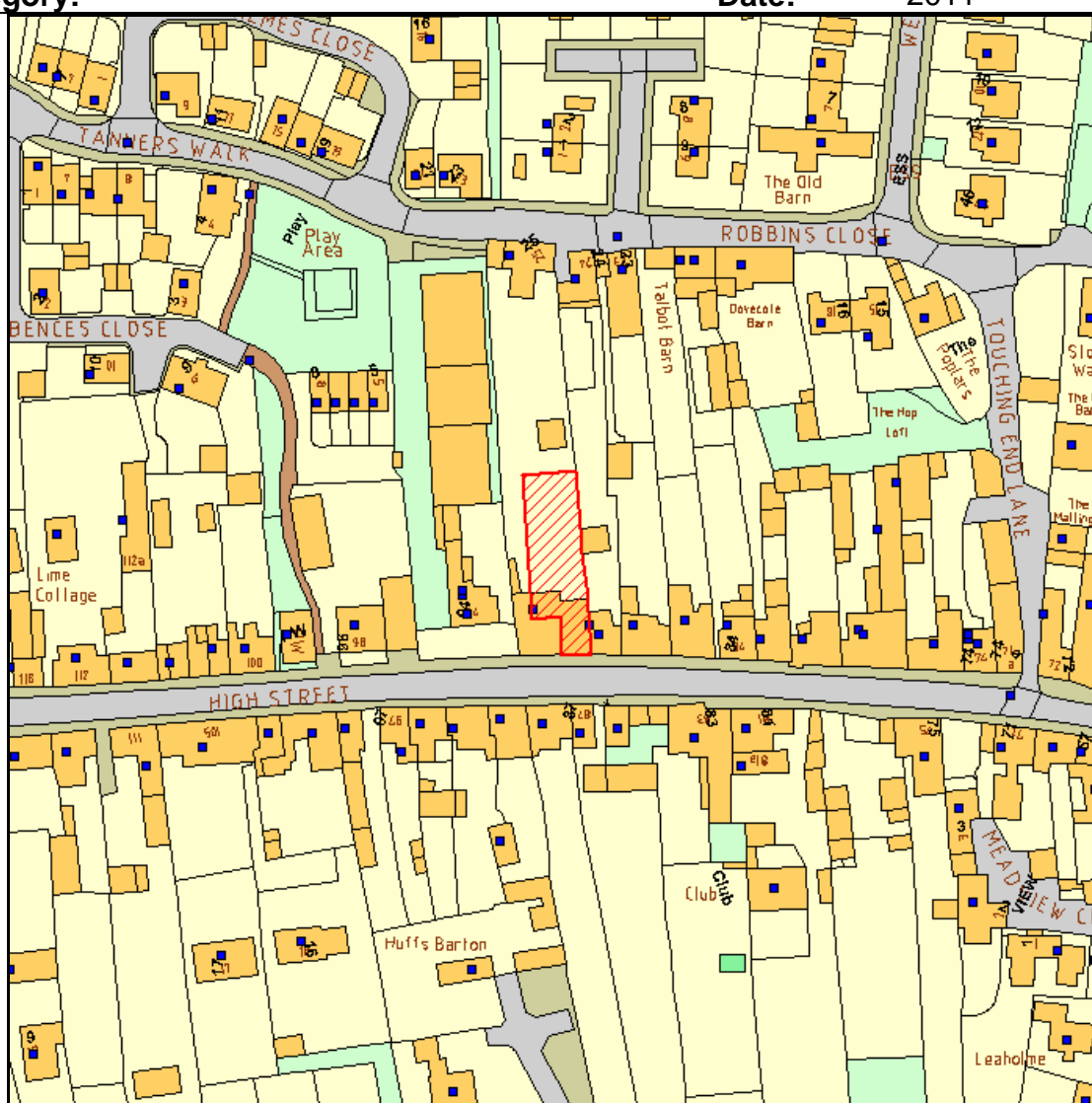
4. All new external rainwater and soil pipes shall be formed in cast metal and painted black.

Reason

To ensure a satisfactory standard of external appearance in the Marshfield Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011

<b>App No.:</b>	PK11/3167/LB	<b>Applicant:</b>	Mr And Mrs M White
<b>Site:</b>	92 High Street Marshfield Chippenham South Gloucestershire SN14 8LS	<b>Date Reg:</b>	6th October 2011
<b>Proposal:</b>	Internal and external alterations including demolition of rear porch, installation of doors and windows to rear elevation and erection of dual pitched roof to replace mono pitched roof over existing single storey rear extension.	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	377732 173759	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	30th November 2011



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

This application has been referred to the Circulated Schedule due to the receipt of a local resident's objection.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks listed building consent to carry out a number of works at No. 92 High Street Marshfield. The proposed works include the demolition of rear porch, installation of doors and windows to rear elevation and erection of dual pitched roof to replace mono pitched roof over existing single storey rear extension.

During the course of the application, the applicant submitted revised drawings to demonstrate the following amendments:

- omitted the creation of a new hallway and modifications to the basement stairs
- omitted the alterations to fireplace in rear room
- there is no proposal install any additional beams
- the proposed new staircase, associated modification to the rear elevation, and the construction of a new screen wall have all been abandoned and the existing layout retained
- the proposed new window to the first floor bathroom has been omitted
- The roof on the rear elevation will be made good using matching natural Welsh slates after the existing velux roof light is removed.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS5 Planning for the Historic Environment

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L13	Listed Buildings
L12	Conservation Areas

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

- 3.1 PK00/3158/LB Removal of render from front elevation (retrospective)  
Refused 31.01.01
- 3.2 P87/1510/L Incidental works of demolition to facilitate erection of detached domestic garage; erection of single storey rear extension to provide enlarged living room; internal alterations to kitchen and bathroom and provision of internal w.c. on ground floor.

- 3.3 P84/1911/L Conversion of existing outbuilding to dwelling (including incidental works of demolition) Erection of 2 storey rear extension. Construction of new vehicular access. Approved 17.09.84

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

- 4.1 Marshfield Parish Council  
No objection

- 4.2 Councils Conservation Officer  
No Objection to the revised proposal subject to the attachment of conditions

#### **Other Representations**

- 4.3 Local Residents  
One letter of objection has been received on the original proposal, and the local residents raise the following concerns:

The proposed new flue for the wood burning stove appears to be too short according to building regulation stipulations. This proposed arrangement could cause fumes to enter either number 90 or 92. It should also be noted that the property number 90 also sits at a higher ground level, which may compound the problem.

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

- 5.1 Principle of Development

Policy L13 of the South Gloucestershire Local Plan (Adopted) and PPS5 allow for alterations/additions to a listed building, provided the development is compatible with and would not detract from the special character or features of the building and its setting. Section 16(2) of the Planning (Listed building and conservation area) act 1990 states that when determining a listed building application the local planning authority shall have special regard to the desirability of preserving the building or its setting and any features of special architectural or historic interest which it possesses.

- 5.2 Impact on the Listed Building.

This application relates to a grade II listed building which was originally listed in 1952.

The works to replace the existing flat roof are generally supported. This is presently a very clumsy structure with two large rooflights dominating the elevation and a heavy lead eaves line. The replacement of this with a pitched roof would give a more traditional form to the extension and echo the gable of the main building and those on the neighbouring properties. Due to the increased depth of this part of the building, the gable is to be predominantly glazed which is acceptable. The removal of the porch and the blocking of the 1<sup>st</sup> floor window in the gable are also acceptable.

The applicant submitted revised proposal in order to address officers' former concerns including the omission of the alteration of the ground floor layout. Consequently, the works involve far less intervention into historic fabric and are more sympathetic to the character of the listed building. Internally, the works now propose the reconfiguration of some modern internal partitions and the overall layout works well.

However, officers are concerned that the need to bring the soil pipe down into the front room and box it in due to the layout of the floor structure and the lack of alternative drain positions. Therefore a condition is imposed to seek further details of the work to ensure that it will be sympathetically handled. In addition, a condition is imposed to seek further details of all structural alterations to the listed building, particularly the physical impact of the new stair to the second floor.

The rest of the proposals are acceptable in principle, subject to following conditions.

5.3 Other issues

The local resident objects the proposed flue on the rear elevation, which has been omitted from the proposal.

6. **CONCLUSION**

6.1 The recommendation to grant Listed Building Consent has been taken having regard to the section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in PPS 5 (Planning for the Historic Environment).

7. **RECOMMENDATION**

7.1 Listed Building consent be approved subject to the following conditions

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

**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. No development shall take place until a detailed schedule and specification of repairs and alterations to the attic floor structure has been submitted to the Council for approval. The specification shall include details of the extent of proposed replacement of historic fabric. No works shall be commenced until the Council has

given written approval for the submitted details, and the works shall be constructed exactly in accordance with the details so approved.

#### 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. No development shall take place until the detailed design including materials and finishes of the following items have been approved in writing by the local planning authority:
  - a. All new internal and external doors including frames, architraves and door furniture & fittings.
  - b. Window W1.4 (including cill, head and reveal details)
  - c. New staircases, including baluster rail and newel post
  - d. All new vents and extracts
  - e. Glazed gable including roof truss and verge detail.
  - f. Internal soil pipe run and method of concealment.
  - g. Rooflight

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.

4. No development shall commence until a sample of natural slate 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

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.

5. The stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

#### 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.

6. All new external rainwater and soil pipes shall be formed in cast metal and painted black.

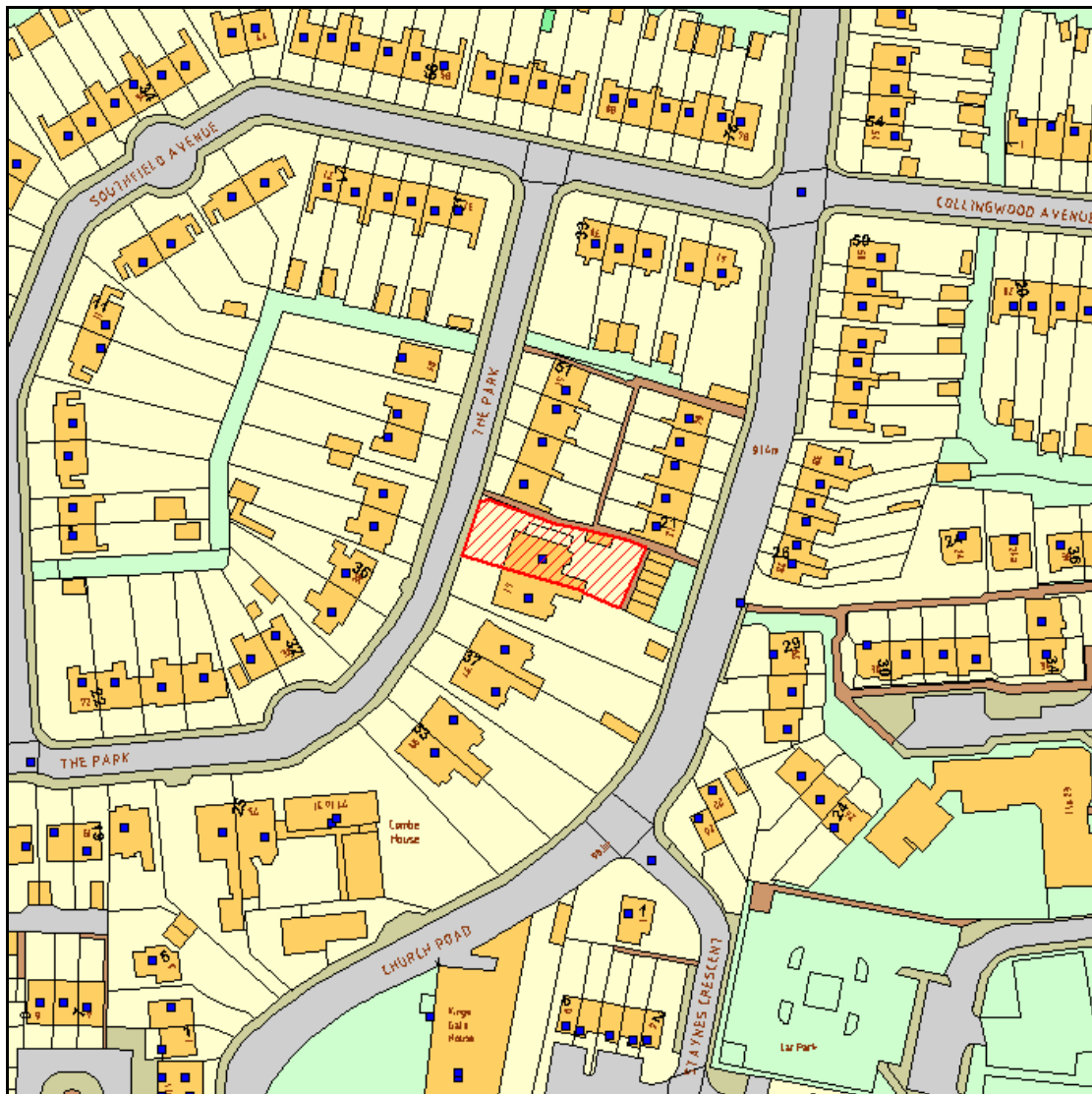


Reason

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. 48/11 – 9 DECEMBER 2011

<b>App No.:</b>	PK11/3357/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	43 The Park Kingswood South Gloucestershire BS15 4BL	<b>Date Reg:</b>	26th October 2011
<b>Proposal:</b>	Change of Use from Offices (Class B1) to dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	None
<b>Map Ref:</b>	365167 174014	<b>Ward:</b>	Kings Chase
<b>Application Category:</b>	Minor	<b>Target Date:</b>	16th December 2011



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

This application has been referred to the circulated schedule due to the receipt of two letters of objection from local residents.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for change of use of offices (Class B1) to 1no. dwelling (Class C3) at 43 The Park, Kingswood. No external alterations are proposed.
- 1.2 The property is a two storey semi detached property located within a residential area of Kingswood

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Transport
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
T8 Parking Standards  
T12 Transportation Development Control policy  
H5 Re-use of Buildings for residential Purposes
- 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/Town Council  
Site falls outside of any parish boundaries.
- 4.2 Environmental Protection  
No objections

#### **Other Representations**

- 4.3 Local Residents  
Two letters of objection has been received raising the following concerns:
  - Support proposal to return The Park to a residential property
  - Concern about metal fire escape to the rear which would not be appropriate for residential use

- Fire escape would result in overlooking and security risk
- Loss of privacy
- Fire escape not necessary
- Would like condition to remove fire escape.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H5 of the South Gloucestershire local Plan allows for the conversion of buildings for residential use provided that the proposal would not prejudice the character of the surrounding area or the amenities of nearby occupiers and provided adequate parking and amenity space is provided. The following criteria assesses these issues.

### 5.2 **A. Would not prejudice the character of the surrounding area; AND**

The property is located within a residential area, and was a dwelling before being used as an office. Given that the neighbouring properties are residential, it is not considered that the change of use of No. 43 the park from an office to a residential dwelling would cause any detriment to the character of the area. Issues of design are discussed under a separate heading below.

### **B. Would not prejudice the amenities of neighbouring occupiers; AND**

No extensions or alterations to existing openings are proposed as such it is not considered that the proposal would result in any overshadowing or overbearing impact on the neighbouring properties.

Concern has been raised regarding the existing fire escape to the rear of the property and the potential overlooking and loss of privacy that would result from this. Whilst the fire escape is in place, and it is accepted that overlooking from this could already take place, it is considered that the change of use could result in additional overlooking as the fire escape could be more easily accessible and would be accessible at all times of the day. To overcome these concerns, the agent has agreed that a condition can be attached to any permission to ensure that the fire escape is removed within three months of the first occupation of the dwelling. Therefore the impact on residential amenity is subsequently deemed acceptable.

### **C. Would identify an acceptable level of off street parking; AND**

The application site has an existing garage, furthermore there is space on the driveway for several cars to park. Therefore the parking provision is considered to be in compliance and within the Councils required parking standards, furthermore, here is space within the curtilage for cycle storage. Whilst the Councils highways officer has noted that the vegetation on site may need to be reduced to ensure adequate visibility, given the extant use of the site and the fact that the proposed use is likely to result in a decrease in daily vehicle movements, in combination with the fact that the driveway is already in place, it is not considered that any objections can be raised with regard to access and parking.

#### **D. Would provide adequate amenity space; AND**

There is a large garden to the rear of the property that can be accessed from the house and from the driveway to the side. It is considered that the garden provides sufficient private and usable amenity space for the proposed dwelling. Furthermore, there is space in the front garden area for bin storage and recycling.

#### **E. The property is located within the existing urban area as defined on the proposals map.**

The site is situated within an urban area, as such this criterion is met.

#### 5.3 Design / Visual Amenity

No external alterations are proposed and the removal of the rear fire escape would result in a positive enhancement to the dwelling. As such, it is considered that the proposed conversion would not be harmful to the character and appearance of the principal building and street scene.

### **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 conversion would be result in a positive enhancement to character and appearance of the main dwelling house. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact and the parking provision would be in compliance with Policy T8. As such the proposal accords with Policies D1, T8 and H5 of the South Gloucestershire Local Plan (Adopted) 2006.

6.3 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 be approved subject to the conditions outlined below.

**Contact Officer: Kirstie Henshaw**  
**Tel. No. 01454 865207**

### **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. Within 3 months of the first occupation of the dwelling hereby permitted, the existing rear fire escape on the eastern elevation must be removed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011**

<b>App No.:</b>	PK11/3530/F	<b>Applicant:</b>	Mr And Mrs Grogan
<b>Site:</b>	2 Hillside Mangotsfield Bristol South Gloucestershire BS16 9JY	<b>Date Reg:</b>	11th November 2011
<b>Proposal:</b>	Erection of two storey side and single storey front and rear extension to form additional living accommodation. Erection of detached garage.	<b>Parish:</b>	None
<b>Map Ref:</b>	366082 176125	<b>Ward:</b>	Rodway
<b>Application Category:</b>	Householder	<b>Target Date:</b>	4th January 2012



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 100023410, 2008. **N.T.S.** **PK11/3530/F**

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

An objection has been received, contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for a two storey and a single storey front and rear extension, together with the erection of a replacement detached garage to this semi detached roughcast render and pantile house. The site takes up a corner position at the junction of two residential roads and faces 'Hillside'. The proposed extension is for the southern (side) elevation of the dwelling. Between the house and site and the neighbouring property stands a wooden double garage, which is proposed to be replaced with a deep single garage and a lean-to attached garage belonging to No. 4. The existing hardstanding would be retained in front of the new garage to provide a total of 3 off street parking spaces to serve the extended property.
- 1.2 The proposed extension to the side elevation would be two storey, with projecting single storey elements under lean-to roofs, extending 1.2 metres at the front and 2 metres at the rear. Amended plans were requested and received showing the first floor element of the proposal set back from the front and set down at ridge level, in order to demonstrate subservience to the host dwelling. No windows are proposed for the new side elevation. The application forms show that, with the exception of the existing timber/ new uPVC door, the materials proposed would match those of the host dwelling.
- 1.3 The only first floor window in No. 4, facing the site, serves a landing.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
H4 House Extensions  
T8 Parking standards
- South Gloucestershire Core Strategy -Submission Draft (December 2010)  
CS1 High Quality Design

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

- 3.1 K3937 Erection of porch Approved

### **4. CONSULTATION RESPONSES**

- 4.1 Parish/Town Council  
Unparished area
- 4.2 Other Consultees [including internal consultees of the Council]  
None



## **Other Representations**

### **4.3 Local Residents**

On letter was received, apparently objecting to the proposal, as follows:

I am bringing to attention of the minor side road on the estate of Mangotsfield. Hillside directly has 6 elderly persons bungalows and 8 houses. the bungalows house 5 cars and the houses 7 cars/trucks. My ex partner had her front door kicked through due to parking difficulties. Two elderly tenants are moving of two properties from three bed houses. this would feasibly mean the road would need to accommodate at least another 2 vehicles or up to 6. This situation could easily be resolved particular to meet the two car parking places per household. The private housing on the hill has a lot of council owned land which is only used for dog bins. It could be dropped down level to road and walled off. Then gridded. This could easily accommodate residents and their visitors. Also in not making it extremely dangerous for the elderly persons. Visitors, animals. also the lorries that frequently use this s a cut through and have to ask residents to move their vehicles. It would also be more suitable to make it a one way street if not cul-de-sac. Thanking you for your attention.

While it is unclear whether the objection relates to this proposal, it would appear to be connected.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

This application stands to be assessed against the policies listed above, in the light of all material considerations. The issues to be resolved are the impact of the proposed extensions and garage on visual and residential amenity.

### **5.2 Garage: Design and Visual Amenity**

The design of the garage has been kept simple and its irregular length is effectively concealed through its location between the dwelling on site and the neighbouring house. It is considered that this would be an improvement over the current tired looking wooden double garage and would enhance the street scene. The materials proposed would match the house on site. This part of the proposal is considered to accord with policy D1.

### **5.3 Garage: Residential Amenity**

The proposed garage would stand in the position of the part of the existing double garage closest to No. 4. At a similar height and length, the replacement is considered to have a neutral impact and not harm existing levels of residential amenity. It is considered to accord with policy H4 in this regard.

### **5.4 Extensions: Visual Amenity**

The plans originally submitted did not demonstrate subservience to the host dwelling, with the ridgeline and front and rear building lines being flush at first floor level. At ground floor level these lines were not flush as there would be a projection in each case. The materials to be used are shown to match the host dwelling. Amended plans were requested to set the extension back and down slightly, in order for it to be read as such in relation to the host dwelling. The plans which were received are considered to have resolved these issues and the proposal, in its amended form, is considered to accord with policy D1 in this regard.

#### 5.5 Extensions: Residential Amenity

As stated at 1.3 above, the window in the side elevation of No. 4, next door does not serve a habitable room and therefore the extension coming closer to this property than the house does at present at first floor level is not considered to cause any overbearing impact. There is considered to be no harm arising from this proposal which would impinge upon current levels of residential amenity enjoyed by adjoining properties and the proposal is considered to accord with policy H4 of the adopted Local Plan in this regard.

#### 5.6 Other Issues

The consultation process has raised an additional issue, regarding parking on Hillside. It should be emphasised that the planning system, while having control over parking provision in new development, has no control over vehicle ownership. Therefore the part of the objection which is valid to the planning application only relates to parking provision. At present, the site offers four parking spaces, two of them being within the garage, if that is used for those purposes. The proposal would reduce that number of spaces by one, but it still meets the maximum parking standards for a house of the proposed increased size. No works outside of the site would be required in order to mitigate any effects of the development.

### 6. CONCLUSION

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

6.2 The proposed extension would provide enlarged family accommodation, with a design appropriate to the house's setting, without causing any harm to existing levels of residential amenity. The proposed replacement garage is considered to enhance the street scene, without causing any harm to existing levels of residential amenity. Taken together, the proposed development accords with policies D1 and H4 of the adopted South Gloucestershire Local Plan.

6.3 The recommendation to approve 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 is approved, subject to the conditions shown below.

**Contact Officer: Chris Gosling**  
**Tel. No. 01454 863787**

## **CONDITIONS**

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

Reason

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

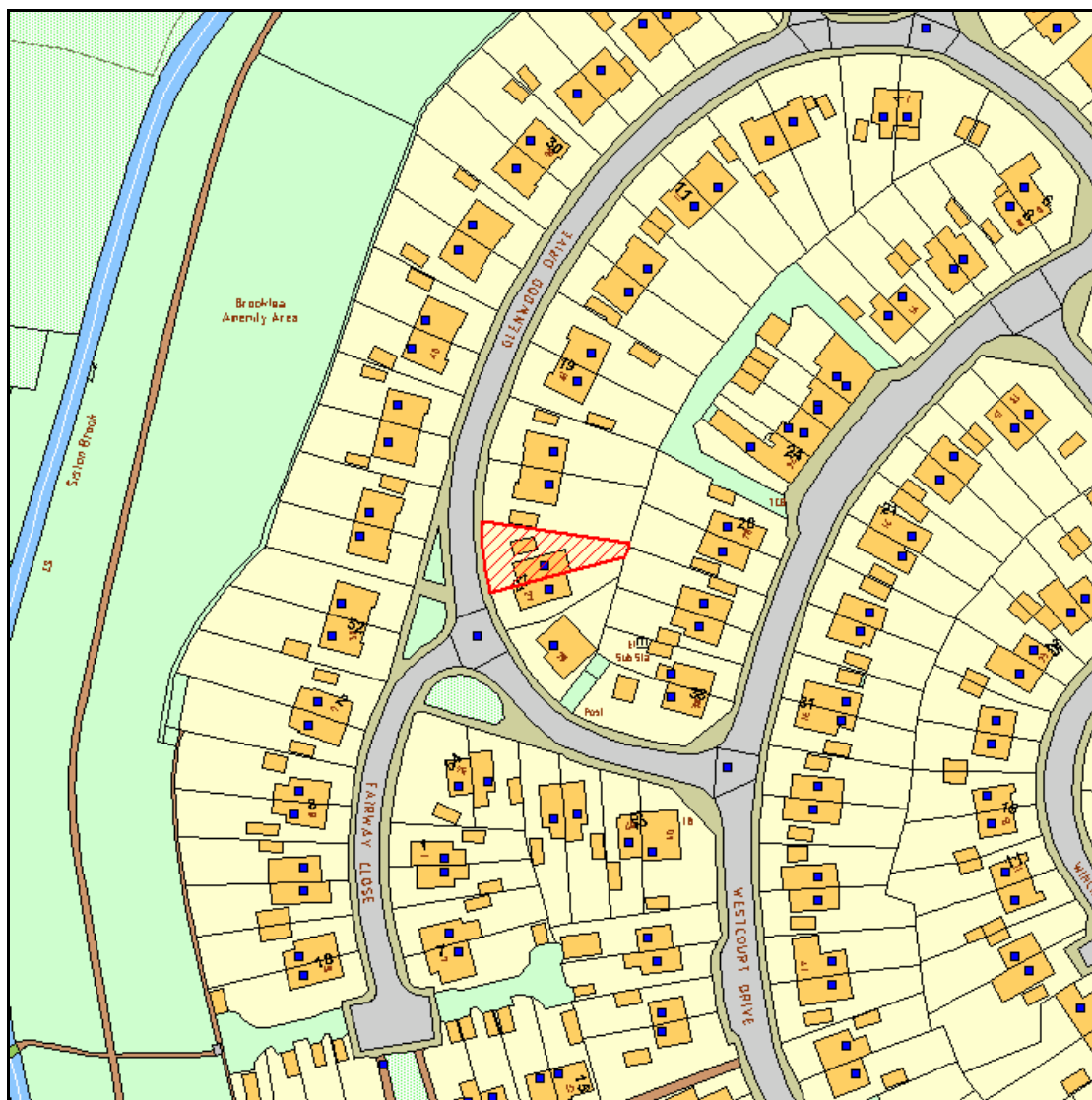
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011

<b>App No.:</b>	PK11/3535/F	<b>Applicant:</b>	Mr & Mrs J Mawer
<b>Site:</b>	25 Glenwood Drive Oldland Common South Gloucestershire BS30 9RZ	<b>Date Reg:</b>	14th November 2011
<b>Proposal:</b>	Two storey side extension and first floor rear extension	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	366914 171688	<b>Ward:</b>	Oldland Common
<b>Application Category:</b>	Householder	<b>Target Date:</b>	5th January 2012



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 100023410, 2008. **N.T.S.** **PK11/3535/F**

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

An objection has been received, contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a two storey side extension and a single storey rear extension to 25 Glenwood Drive, a brick and pebbledash two storey semi in a road characterised by runs of similar properties and bungalows. The house on site stands next to a bungalow to the north, with a detached garage and a driveway to the bungalow between them. A further detached garage stands to the north of the host dwelling and the proposal is effectively to build over it and connect it to the house. Between house and garage would be a new entrance and hall, above it, two bedrooms and a garage. The bedroom windows are proposed to face front and rear.
- 1.2 Also proposed is a first floor rear extension, over an existing flat roofed single storey extension. This would project the same distance as the existing single storey element, 3.6 metres from the rear building line and form a rear-facing gable end. The only window proposed for this enlarged bedroom would face the rear garden.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
H4 House Extensions
- South Gloucestershire Core Strategy -Submission Draft (December 2010)  
CS1 High Quality Design

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

- 3.1 K1703/1 Single storey front extension Approved

### **4. CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council  
No objection
- 4.2 Other Consultees [including internal consultees of the Council]  
Wessex Water  
A public water main/ public sewer is shown on the land proposed to be built on, according to Wessex's records. Building within 3 metres of the statutory easement will require Wessex Water's agreement, as confirmed by the Building Regulations. Wessex have not objected to the proposal.

### **Other Representations**

- 4.3 Local Residents  
One letter of objection was received, citing the following concerns:

- Has due consideration been taken that the house next door is a bungalow?
- Will the window proposed in the side elevation open? It will look into the adjoining garden and kitchen.
- Will the side elevation be in brick and render? If so it would look unfinished and it should all be render.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The issues in the case of both proposed extensions are the impact on residential amenity and visual amenity. The extensions will be analysed individually on that basis.

### 5.2 Side extension: Residential Amenity

The side extension would come no further towards the adjacent bungalow than the existing garage on site does. The side elevation of the bungalow is shielded from the site by its own detached garage and it has no windows in the gable end that rises above this garage. No side-facing windows are proposed for the extension other than a first floor bathroom (non-habitable room) window. Regardless of whether this window opens or not, it would serve a non-habitable room. It is considered that the proposed extension would not have any overbearing impact in a northerly direction and that, subject to the condition preventing the later insertion of additional side facing windows, there would be no loss of privacy. The proposal, with regard to the side extension, is considered to accord with policy H4.

### 5.3 Rear Extension: Residential Amenity

The side elevations of the proposed rear extension again propose no side-facing windows and the condition referred to above would prevent their later insertion. With regard to overbearing impact, the extension is only proposed for first floor level and the degree of projection is not considered to be overbearing, given that the other side of the semi has a similar extension, almost as deep, at this level. It is considered that the proposal would accord with policy H4 in this regard.

### 5.4 Side Extension: Design and Visual Amenity

The proposed extension is considered to be of an appropriate scale, it acknowledges its relationship with the host dwelling by being slightly set back and set down at ridge height. The application forms show that both extensions will be faced with materials to match the house and this is considered appropriate, although given the complicated arrangement of brick and pebbledash, it is considered that the extensions would benefit from simplicity and amended plans have been requested and received, which show that the extensions would be finished with dry dash aggregate render, with brick featuring only on the corbels of the side elevation.

5.5 Rear Extension: Design and Visual Amenity

The design of the rear extension has been kept simple and unadorned, which is considered to be appropriate. It is subservient in scale to the host dwelling and along with the proposed side extension is considered to be in accordance with policy D1 and the relevant part of policy H4 of the adopted Local Plan.

5.6 Other Issues

Although Wessex Water has not objected to the proposal, its records show that the extension would be above a sewer which requires 3 metres of clearance. The planning application is for proposed development, but, given the operation of separate legislation (the Building Regulations) if Wessex do not agree to building within the 3 metre easement, then the proposed extension would not be able to be built and receive clearance under the Building Regulations. This is not directly a planning matter and if it is to be resolved would be a matter for the landowner and Wessex Water to agree upon.

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 extension would provide extended family accommodation, without having any detrimental impact on existing levels of residential amenity. The proposal would enhance the street scene and represent good design. The proposal would accord with policies D1 and H4 of the adopted South Gloucestershire Local Plan.

6.3 The recommendation to approve 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 is approved, subject to the conditions shown below.

**Contact Officer: Chris Gosling**  
**Tel. No. 01454 863787**

**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 windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevation of the property.

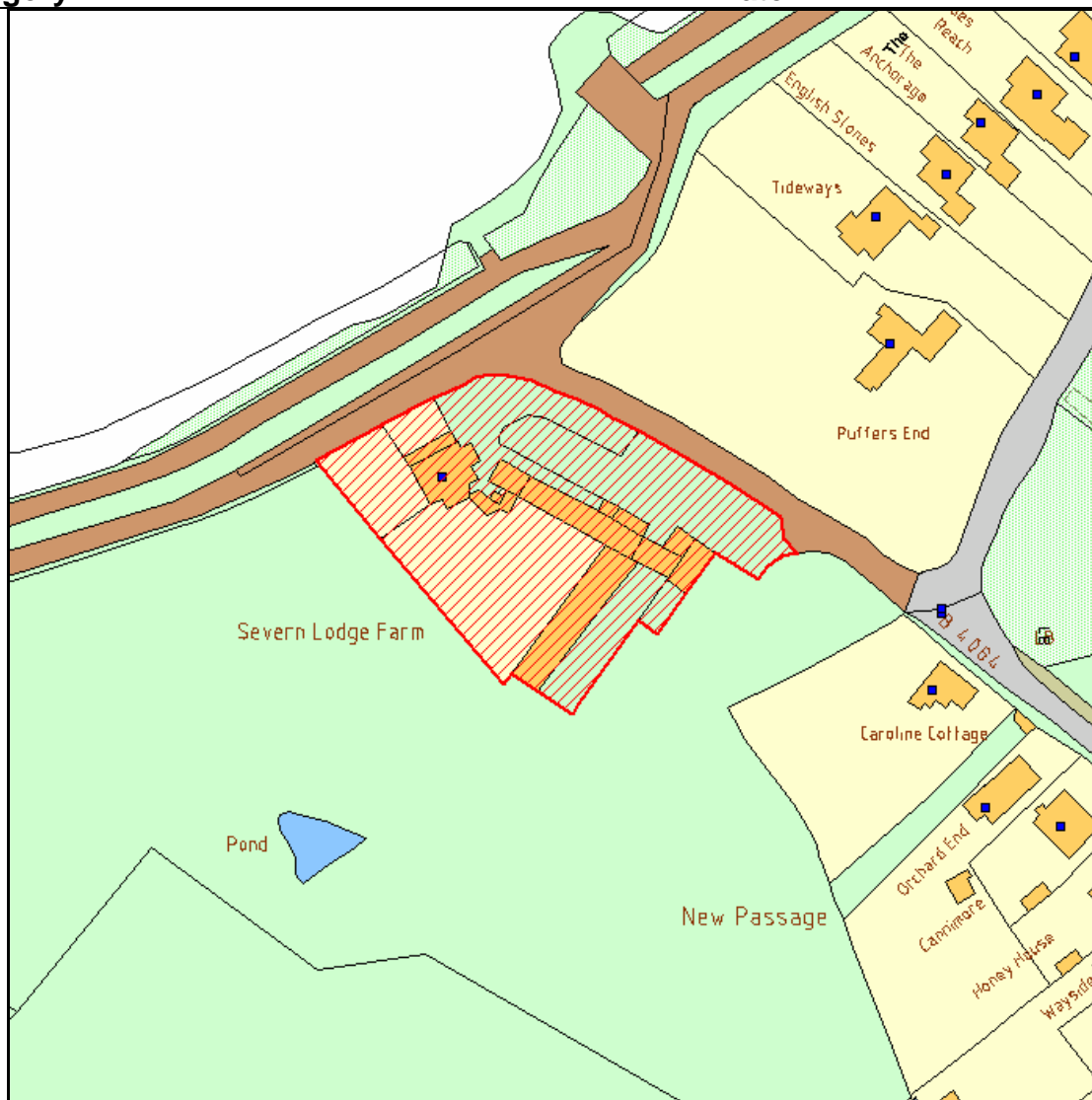
Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011**

<b>App No.:</b>	PT11/2950/F	<b>Applicant:</b>	Mr And Mrs N Davies
<b>Site:</b>	Severn Lodge Farm New Passage Pilning South Gloucestershire	<b>Date Reg:</b>	1st November 2011
<b>Proposal:</b>	Erection of two storey extension and alterations to roofline to facilitate the conversion of existing outbuildings to form 4no. dwellings with associated works. Repair and renovation of outbuildings to form stables/tack room and games rooms/storage ancillary to main residence.	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	354278 186328	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd December 2011



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 100023410, 2008. **N.T.S.** **PT11/2950/F**

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

This application appears on the Circulated Schedule because correspondence has been received from a neighbouring occupier contrary to the Officers recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a two-storey extension and alterations to the roofline to facilitate the conversion of an existing outbuilding to form 4no. dwellings with associated works. Permission is also sought for the repair and renovation of outbuildings to form stables/tack room and games rooms/storage ancillary to the main residence.
- 1.2 The application site comprises a range of agricultural outbuildings associated with the grade II listed building Severn Lodge Farm, which is located to the northwest of the B4064. The site is within the open Green Belt and outside the defined settlement boundary. The site is located adjacent to the Binn Wall, which provides protection from flooding; the site is in Flood Zone 3. A public right of way extends to the north of the site.
- 1.3 The application relates to outbuildings to the southeast of the house. This includes one long two storey range of stone barns with heated bay at the west end, and a long single storey brick range of byres running south, perpendicular to this, and built off the earlier high stone garden wall. The stone barns date from around the late eighteenth/early nineteenth century and the brick building much later. The range of buildings running in a northwest/southeast alignment are nineteenth century buildings approximately two-storeys in height and constructed in local stone with brick dressings and a clay pantile roof. The second group of buildings attached to the first and orientated north to south are constructed from brick with a corrugated iron roof. The condition of the stone barn is parlous. The roof is missing over large sections of the building, which has resulted in significant water ingress. This has caused destabilisation and delamination of the stonework and loss of internal first floors. The loss of floors and roof has resulted in outward spread of the walls (the internal walls not being tied to those outside). The brick barns are in a relatively sound condition in comparison although the garden wall off which they are built is of poor quality stonework and the roof is only corrugated metal. The corrugated barn is of a very temporary nature and the walls are not tied in to each other.
- 1.4 A listed building application has been submitted in conjunction with this application (PT11/2951/LB).

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS4 Planning for Sustainable Economic Growth  
PPS5 Planning for the Historic Environment  
PPS7 Sustainable Development in Rural Areas

PPS25 Flood Risk and Development  
PPG2 Green Belts  
PPG13 Transportation

- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving a Good Standard of Design in New Development  
GB1 Development in the Green Belt  
EP1 Environmental Pollution  
EP2 Flood Risk and Development  
EP6 Contaminated Land  
H6 Affordable Housing  
H10 Conversion and Re-use of Rural Buildings for Residential Purposes  
L1 Landscape Protection and Enhancement  
L9 Species Protection  
L13 Listed Buildings  
T7 Cycle Parking  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development  
E7 Conversion and Re-Use of Rural Buildings  
E11 Tourism

South Gloucestershire Core Strategy -Submission Draft Proposed Changes  
(December 2010)

CS1 High Quality Design  
CS9 Managing the Environment and Heritage  
CS16 Housing Density  
CS17 Housing Diversity  
CS18 Affordable Housing  
CS34 Rural Areas

- 2.3 Supplementary Planning Guidance  
The South Gloucestershire design Checklist SPD (adopted)  
The South Gloucestershire Development in the Green Belt SPD (adopted)

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

- 3.1 P88/1387/L, demolition of defective wooden balcony, approval, 30/03/88.
- 3.2 P93/2367, use of land for storage of precast concrete deck units for use in connection with the construction of the second severn crossing; construction of roadways; formation of bunds to provide screening; erection of fencing, approval, 10/11/93.
- 3.5 P96/2590/L, demolition of hay barn, approval, 11/11/96.
- 3.6 PT99/0437/LBD, demolition of lean-to outbuilding, approval, 24/01/00.
- 3.7 PT10/0495/LB, works to re-roof main building to incorporate installation of 3 no. mansard dormer windows to the front elevation and 1 no. mansard dormer to the rear elevation. Replacement of first floor rear window, re-rendering all elevations. External decoration, 13/05/10, approval.

#### 4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council  
The Parish Council is pleased to support this application. The Council will be happy to see a sympathetic development of the existing structures using original materials.
- 4.2 Transportation DC Officer  
No objection
- 4.3 Listed Building Officer  
A greater level of information is needed in order to assess the impact of the proposed development. I also recommend redesigning and revising the scheme as discussed above. It is therefore, suggested that the application is withdrawn in order that further discussions can take place. If not withdrawn I would have to recommend refusal. As the stone barn is in such a parlous condition, it is recommended that a scaffold is erected in order to provide temporary support.
- 4.4 Ecological Officer  
No objection in principle subject to conditions
- 4.5 Public Rights of Way Officer  
It does not appear that the proposal will effect the nearest public right of way, the Severn Way, so I have no comment to make.
- 4.6 Housing Enabling Officer  
No objection
- 4.7 Natural England  
No objection in principle, however refer applicants to Natural England Standing Advice on protected species and encourage the applicants to incorporate nest boxes
- 4.8 Environment Agency  
Objection
- 4.9 Environmental Protection Officer  
The previous use of the building's for agricultural purposes may have given rise to contamination. An environmental consultant's desk study/opinion should be sought regarding the potential for contamination. Details of how the conversion will mitigate any potential risks should also be clarified. This information is required prior to commenting.
- 4.10 Building Control Officer  
The buildings can be converted without major or complete reconstruction

## **Other Representations**

### 4.3 Local Residents

One letter of support has been received from a neighbouring occupier. The occupier states, "As an immediate neighbour, I fully support the proposed application. In my opinion the proposed restoration of the listed buildings, whilst enhancing the immediate area, will also preserve the character and heritage of the buildings; returning them to dwellings would ensure their longevity".

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The proposal is for the conversion of agricultural outbuildings to form separate residential properties. Policies GB1 and H10 of the South Gloucestershire Local Plan (adopted) January 2006 allow for the principle of the development. The main issues to consider are the whether all reasonable attempts have been made to secure a suitable business use (policy H10 of the Local Plan); the buildings are of permanent construction and capable of being converted without major or complete reconstruction (policies GB1 and H10 of the Local Plan); the buildings are in-keeping with their surroundings in terms of appearance and form (policies D1, GB1 and H10 of the Local Plan); the development would not have a harmful effect on the character of the countryside or the amenities of the area (policies GB1 and H10 of the Local Plan); the buildings are well related to an existing settlement (policy H10 of the Local Plan); issues relating to flooding (PPS25 and EP2 of the Local Plan); and transportation effects (policies T8 and T12 of the Local Plan).

### 5.2 Impact on Openness of Green Belt

Policy GB1 of the Local Plan only allows for the change of use of land and buildings if it would not have a materially greater impact on the openness of the Green Belt. The proposal primarily retains the scale and footprint of the original buildings, and the majority of the development comprises repairs and cosmetic changes to the building. A structural report has been submitted with the application indicating that whilst some re-building is required, the buildings are considered to be save-able if action is taken in the near future. The Council's Building Control Officer has inspected the buildings and concurs with the findings in the structural report. Therefore, it is considered that the buildings are capable of conversion without major or complete rebuilding. A corrugated clad barn on the southeastern side of the building is not included in the structural report and the temporary nature of this part of the building is such that it is not considered capable of conversion. It has been considered as a two-storey extension, which will result in a floor area increase of approximately 30% over the original floor area of the building. As such, given the above, it is considered that the proposal will not have a significant adverse impact on the openness of the Green Belt.

The red line plan submitted encompasses the buildings and a gravel driveway to the front of the buildings. The proposal will not therefore, encroach significantly into the open countryside and will not therefore, have a significantly adversely more harmful impact on the character and openness of the Green Belt.

### 5.3 Flood Risk Considerations

The Flood Risk Assessment submitted with the application identifies that the buildings are within Flood Zone 3a. The proposal is to change the use of the buildings to residential, which is classified in PPS25 as a use that is more vulnerable. Therefore, according to the compatibility matrix in PPS25, the proposal is required to pass the sequential and exception tests. In order to pass the sequential test, a proposal is required to demonstrate that there are no reasonably available sites in areas that have a lower probability of flooding, as according to PPS25, the overall aim of the Local Planning Authority is to locate new development into areas that have the lowest risk of flooding (Flood Zone 1). In order to pass the exception test, a proposal is required to demonstrate that it will provide wider sustainability benefits to the community that outweigh the defined risk from flooding. The applicant has not provided any supporting information in terms of sequential and exception tests and in the submitted Flood Risk Assessment, they state that the proposal is exempt from the exception and sequential tests because it comprises a change of use. However, it is clear that a significant amount of operational development is required in order to make the buildings habitable given their dilapidated condition, and the proposal is not solely a change of use. In addition, the PPS25 practice guide paragraph 4.41 states that *“It is important that where there is a proposal to create additional dwellings then it will need to be considered as a new development according to the increased vulnerability that would be created as a result. It would be reasonable for an LPA to require an applicant to assess alternative sites through application of the sequential test”*. Given that the proposal for four dwellings in Flood Zone 3 will result in a significant increase in vulnerability, it is considered necessary that the sequential and exception tests are carried out in this instance to accord with PPS25. The Environment Agency has objected to the development proposed on the basis that the flood risk assessment is insufficient to ensure that the proposed use is safe in the location. The Environment Agency considers that more vulnerable residential development will be unsafe in this location and that any Flood Risk Assessment will struggle to pass section (C) of the exception test. Nevertheless, the Environment Agency has set out the following details of what it would expect the Flood Risk Assessment to include:

- An assessment of the flood risk from the local rhyne system through consultation with the Lower Severn Drainage Board. A local rhyne does discharge at this location and could pose to be another source of flooding during a tide lock situation.
- An assessment of the current information from this area including the Avonmouth / Severnside Flood Risk Study and the Avonmouth / Severnside Strategic Flood Risk Assessment Level 2 (March 2011). These studies show the site is within the Breach Hazard band width zone. This margin zone is considered to be an area at significant risk of flooding from the estuary. The modelling carried out at this location, with defences in place, has shown that depths of flooding in the region between 1.5m to 2m above existing ground levels could occur.

- Provide further detail on flood protection measures. The FRA indicates a wall around the property, will this be rebuilt as a purpose build flood defence?
- Consideration that while the area lies within a flood warning area, no warning can be given for a breach event, and therefore any development must be designed with this in mind.
- Consideration of any impact to access to the flood defences.
- Consideration of the management of surface water. The FRA states that as there is no significant development the surface water management will remain unchanged. However, PPS25 requires FRA's to consider the flood risk to the development over its lifetime, and without assessing the current and future surface water risk we are not able to confirm that surface water will not pose a flood risk to the properties in the future. We would also recommend, following the guidance of PPS25 that the improvement in the management of surface water is assessed and any opportunity's to incorporate sustainable drainage techniques are recognised and implemented.

#### 5.4 Use Considerations

According to the applicant, the main range of buildings could possibly have been considered for office use, but the location of the site with its poor vehicular access and lack of public transport would make such a use unsustainable. The Council's Transportation Officer states that the proposed residential use will likely generate less vehicular movements than a commercial use, but has stated that a commercial use could potentially be accommodated on the local road network. Whilst it is noted that the site is relatively constrained by its location and any use is required to be financially viable given the extent of the refurbishment of the buildings required, it is considered that it has not been sufficiently demonstrated that a commercial use is unviable, especially as the Council's Transportation Officer has not objected to a potential commercial use. Policy H10 of the South Gloucestershire Local Plan (adopted) January 2006 requires that all reasonable attempts are made to secure a suitable business use and a period of marketing is normally deemed reasonable. This is because the Council's first priority is to see buildings re-used for purposes which make a positive contribution to the rural economy, i.e. for agricultural, industrial, commercial or tourism purposes. Whilst PPS4 states that residential conversions of rural buildings may be more appropriate in some locations and for some types of building, in this instance, given the location of the site within Flood Zone 3, it is considered that a use that is 'less vulnerable' in terms of flood risk, i.e. a commercial use is preferable and further evidence is required to demonstrate that all reasonable attempts have been made to secure a suitable alternative use for the buildings.

#### 5.5 Appearance/Form and the Impact on the Character of the Area

The proposal is to convert the stone barn range to three dwellings, form a new four bed dwelling on the site of the corrugated barn, and convert the red brick range of outbuildings to stabling, games room and storage. These curtilage

listed buildings relate to the grade II listed Severn Lodge Farmhouse located to the west. The condition of the stone barn is parlous. The roof is missing over large sections of the building, which has resulted in significant water ingress. This has caused destabilisation and delamination of the stonework and loss of internal first floors. The loss of floors and roof has resulted in outward spread of the walls (the internal walls not being tied to those outside). The brick barns are in a relatively sound condition in comparison although the garden wall off which they are built is of poor quality stonework and the roof is only corrugated metal. The corrugated barn is of a very temporary nature and the walls are not tied in to each other.

- 5.6 The Listed Building Officer has inspected the buildings and considers that finding a suitable use is essential to enabling its repair and conservation. Whilst the officer considers that a residential use could be acceptable in principle, there are concerns about the intensity and level of the proposed residential use, as cumulatively this level of conversion and alteration could have a harmful impact on the character and setting of the listed buildings. The Officers consider that an insufficient level of detail has been submitted with the application in order for the Local Planning Authority to properly assess the impact on the curtilage listed buildings. Therefore, for the two-storey stone barn a detailed schedule and specification of work is required regarding the detailed approach to stabilisation and repairs, and the phasing of the work. It is also essential that the location of historic fabric such as, roof trusses, niches, wainscoting, flag floors, beams and first floor structures etc, should be included in the application and to show that these historic features are retained and incorporated sympathetically into the conversion. The detailed design of new windows and doors should also form part of the application. The existing left hand garage door opening, which has been unsympathetically opened up from two former smaller openings in the past, should be reinstated as original with two brick arched heads rather than one large lintel. In addition, the right hand cart entry should be reduced to its original width, not going beyond the arch springing point. The large open cart entry in the end gable of the barn should be respected and not filled in with masonry and other minor alterations relating to the proposed residential use such as vents and flues are required to be shown so that the impact of the change of use on the character of the buildings can be fully understood. There are also a number of inconsistencies in the plans and application. An internal wall is not shown on the survey plan and this should be retained in its current position and not demolished and relocated; the door and partition at first floor of the heated bay are not shown and the fireplaces are not positioned accurately; the end gable of the barn is not solid masonry as shown but is open with large doors; the flood risk assessment recommends the use of lime plaster as this will dry more easily in the event of flooding, however, the application proposes dry lining, which is not an acceptable wholesale wall treatment throughout the buildings. With regards to the red brick outbuilding, the design of windows and doors is required to be provided; the roofing materials are unclear, as the application form proposes clay pantiles only, however, the design and access statement refers to the roof of the building as being natural slate due to the low pitch; the design and access statement refers to the alteration to the eaves height, however, the drawings do not appear to show any change; details of the weather-proofing to the abutment with the wall should be provided.



5.7 As stated previously, it is not considered that the corrugated clad barn is capable of conversion due to its temporary nature, and it will result in a building of significantly different character and appearance than the existing structure. There are no details with regards to the cladding at first floor level of the building and the form and appearance of the building is not particularly in-keeping with the character of the site due to its relatively domestic appearance and it will not preserve the setting of the listed buildings. Repairing this part of the existing building for storage is considered a more sympathetic treatment.

5.8 The application site does not encroach significantly into the surrounding open countryside, therefore, it is considered that the proposal will not have a significantly greater impact on the character of the landscape than the existing situation. The buildings front onto a thin strip of grass and there are concerns that the lack of allocated garden areas could lead to domestic clutter spilling out into the front yard and lead to pressure for fencing. Whilst the use of the buildings for residential purposes is considered unacceptable in this instance due to the flooding issues, in the context of the impact on the landscape and character and setting of the listed buildings, use as holiday accommodation rather than for as a permanent residence is considered more appropriate.

5.9 Residential Amenity

The application site is relatively isolated. The neighbouring properties Puffers End and Caroline Cottage are located at a distance of approximately 40 metres from the site. This level of separation is considered to be sufficient to ensure that the neighbouring occupiers will not be significantly adversely impacted in terms of loss of natural light or privacy. The host dwelling is located within close proximity to the west of the buildings. The proposal will not be significantly more harmful than the existing situation in terms of loss of natural light or outlook given that the proposal will not be significantly larger in size.

The South Gloucestershire Council's Design Checklist SPD (adopted) includes key questions to assist the local Planning Authority to determine whether a proposal achieves good design quality; the checklist includes questions regarding whether there is provision for private open space and or communal open space of sufficient size to meet the needs of the future occupiers, as well as whether the building or space will work well for its intended users. With regards to the proposal, several ground and first floor windows in the rear elevation of the proposed dwellings overlook the garden area and pedestrian access way directly to the rear, which are to be retained for use by the applicants. This is not considered to be a good relationship as it could potentially allow for views into the proposed dwellings to the detriment of the occupiers privacy. There are also concerns that no private amenity space has been allocated for the dwellings. Given that the proposal includes sizeable three and four bed dwellings, it is considered that some private amenity space should be provided for the dwellings given the remoteness of the site. It is also considered that the accommodation will be relatively dark, especially during the winter given that few openings are located in the rear southern elevation; it is noted that it is not possible to insert windows in the rear elevation given the historic context of the building and that this would introduce further overlooking issues, however, when considered cumulatively with the other issues such as

lack of amenity space and overlooking, it is considered that the proposal will not provide a good standard of living accommodation for future occupiers.

5.10 Transportation

It is expected that a commercial use will likely generate more vehicular movements than the proposed residential use particularly in the peak hours given the remoteness of the site. Whilst the number of movements associated with a commercial use could be accommodated on the adjacent network the proposed residential use would have a lesser impact and as such, there is no transportation objection.

5.11 Ecology

The application includes a baseline biodiversity assessment (primarily) for bats and nested birds dated September 2011. The survey found no sign of use of any of the buildings by bats. The derelict/semi-derelict nature of the buildings, as well as the corrugated iron roofing used to cover many of the outbuildings, means that they are unlikely to offer the sort of stable conditions for roosting either during the active summer or winter hibernation months. A number of unoccupied swallow nests were recorded within the former agricultural section of the two-storey building and if permission is granted a condition is recommended to ensure that new swallow nest boxes are provided to off-set those being lost.

5.12 Affordable Housing

The applicant has submitted an amended site location plan with an area of approximately 0.19 hectares. Policy H6 of the South Gloucestershire Local Plan (adopted) advises that the threshold for affordable housing is five or more dwellings or 0.2 hectares in settlements in rural areas. Based on the number of units and the size of the site, it is considered that there is no requirement for affordable housing.

5.13 Further Matters

The Council's Environmental Protection Officer has requested that further details are required in order to properly assess the potential for contamination given the previous agricultural use of the buildings. The Officer has stated that the information is required before they are able to comment on the proposal. As such, given that there are already additional refusal reasons, it is not considered expedient to request this information from the applicant and it will form an additional refusal reason.

## 6. CONCLUSION

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

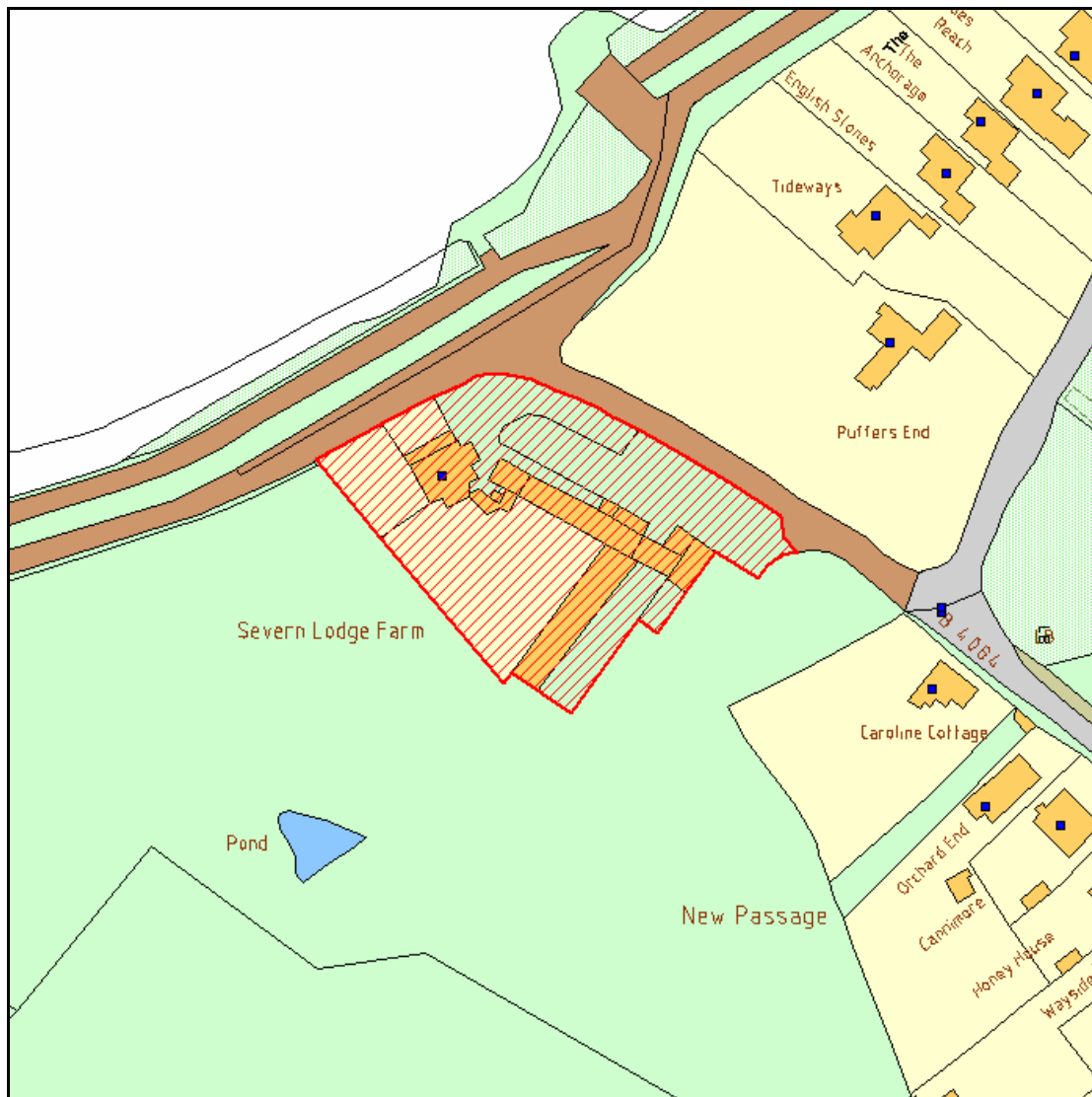
**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

### **REASONS FOR REFUSAL**

1. Insufficient information has been submitted to properly assess the impact on the character and setting of the listed buildings. The proposal is therefore, contrary to guidance contained in PPS5 and policy L13 of the South Gloucestershire Local Plan (adopted) January 2006.
2. The site is located in Flood Zone 3 and the proposed development is classified as being 'more vulnerable' to flooding in PPS25. No information has been submitted to demonstrate that there are no other reasonably available sites in Flood Zones 1 or 2 to accommodate the proposed development. In addition no exceptional circumstances have been provided in the Flood Risk Assessment to outweigh the risks from flooding; and the Flood Risk Assessment has not adequately demonstrated that the development will be safe in terms of the risks from flooding. The proposed development is therefore, contrary to the aims of PPS25 and Policy EP2 of the South Gloucestershire Local Plan (adopted) January 2006.
3. Insufficient information has been submitted in order to assess the potential for contamination, as well as how any potential risks of contamination will be mitigated against in the conversion given the previous use of the buildings for agricultural purposes. The proposal is therefore, contrary to policies EP1 and EP6 of the South Gloucestershire Local Plan (adopted) January 2006.
4. Insufficient evidence has been submitted to demonstrate that all reasonable attempts have been made to secure a suitable business reuse for the buildings. The proposal is therefore, contrary to policy H10 of the South Gloucestershire Local Plan (adopted) January 2006.
5. Issues such as lack of amenity space, poor light levels and potential overlooking combine such that the proposal does not achieve a high enough standard of design, which will provide a high standard of living accommodation for future occupiers. The proposal is contrary to policies D1 and H10 of the South Gloucestershire Local Plan (adopted) January 2006; and the South Gloucestershire Design Checklist SPD (adopted).

## CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011

<b>App No.:</b>	PT11/2951/LB	<b>Applicant:</b>	Mr And Mrs N Davies
<b>Site:</b>	Severn Lodge Farm New Passage Pilning South Gloucestershire	<b>Date Reg:</b>	1st November 2011
<b>Proposal:</b>	Erection of two storey extension and internal and external alterations to facilitate the conversion of existing outbuildings to form 4no. dwellings with associated works. Internal and external repairs and alterations of outbuildings to form stables/tack room and games rooms/storage ancillary to main residence.	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	354278 186328	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd December 2011



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

This application appears on the Circulated Schedule because correspondence has been received contrary to the Officers recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks listed building consent for the erection of a two-storey extension and internal and external alterations to facilitate the conversion of existing outbuildings to form 4no. dwellings with associated works. Consent is also sought for internal and external repairs and alterations of outbuildings to form stables/tack room and games rooms/storage ancillary to the main residence.
- 1.2 The application site comprises a range of agricultural outbuildings associated with the grade II listed building Severn Lodge Farm, which is located to the northwest of the B4064.
- 1.3 The application relates to the outbuildings to the south east of the house. This includes one long two storey range of stone barns with heated bay at the west end, and a long single storey brick range of byres running south, perpendicular to this, and built off the earlier high stone garden wall. The stone barns date from around the late eighteenth/early nineteenth century (with probable later alterations) and the brick building much later. Extending from the eastern gable of the stone barn are the remnants of a further outbuilding. This is of a somewhat makeshift nature, and probably an amalgamation of a series of smaller buildings, erected quickly to serve a temporary or new purpose. The ground floor walls are a combination of stone, brick and corrugated clad timber and at first floor the construction is predominantly timber with corrugated cladding. The roof spans from the stone barn to provide a covered way, with roof storage.
- 1.4 The condition of the stone barns is parlous. The roof is missing over large sections of the building, which has resulted in significant water ingress. This has caused destabilisation and delamination of the stonework and loss of internal first floors. The loss of floors and roof has resulted in outward spread of the walls (the internal walls not being tied in to those outside). The brick barns are in a relatively sound condition in comparison although the garden wall off which they are built is of poor quality stonework and the roof is only corrugated metal. The corrugated barn is of a very temporary nature and the walls are not tied in to each other.
- 1.5 The buildings are of architectural and historic value and as a group provide insight in to how the use of the site evolved over time. It is important that any development serves to preserve the architectural and historic character of the buildings, and their contribution to the wider site and setting of the listed farmhouse.
- 1.6 Planning application no. PT11/2950/F has been submitted in conjunction with this application.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPS5 Planning for the Historic Environment

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P88/1387/L, demolition of defective wooden balcony, approval, 30/03/88.
- 3.2 P93/2367, use of land for storage of precast concrete deck units for use in connection with the construction of the second severn crossing; construction of roadways; formation of bunds to provide screening; erection of fencing, approval, 10/11/93.
- 3.5 P96/2590/L, demolition of hay barn, approval, 11/11/96.
- 3.6 PT99/0437/LBD, demolition of lean-to outbuilding, approval, 24/01/00.
- 3.7 PT10/0495/LB, works to re-roof main building to incorporate installation of 3 no. mansard dormer windows to the front elevation and 1 no. mansard dormer to the rear elevation. Replacement of first floor rear window, re-rendering all elevations. External decoration, 13/05/10, approval.

## **4. CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council  
The Parish Council is pleased to support this application. The Council will be happy to see a sympathetic development of the existing structures using original materials.
- 4.2 Listed Building Officer  
A greater level of information is needed in order to assess the impact of the proposed development. I also recommend redesigning and revising the scheme as discussed above. It is therefore, suggested that the application is withdrawn in order that further discussions can take place. If not withdrawn I would have to recommend refusal. As the stone barn is in such a parlous condition, it is recommended that a scaffold is erected in order to provide temporary support.
- 4.3 Archaeological Officer  
No historic environment comments on these proposals.

### **Other Representations**

- 4.3 Local Residents  
One letter of support has been received from a neighbouring occupier. The occupier states, "As an immediate neighbour, I fully support the proposed application. In my opinion the proposed restoration of the listed buildings, whilst

enhancing the immediate area, will also preserve the character and heritage of the buildings; returning them to dwellings would ensure their longevity”.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The only issue that can be considered in this application is the impact of the works on the historic significance and character and setting of the listed buildings.

### 5.2 Consideration of Proposal

The Listed Building Officer has inspected the buildings and considers that finding a suitable use is essential to enabling its repair and conservation. Whilst the officer considers that a residential use could be acceptable in principle, there are concerns about the intensity and level of the proposed residential use, as cumulatively this level of conversion and alteration could have a harmful impact on the character and setting of the listed buildings. The Officers consider that an insufficient level of detail has been submitted with the application in order for the Local Planning Authority to properly assess the impact on the curtilage listed buildings. Therefore, for the two-storey stone barn a detailed schedule and specification of work is required regarding the detailed approach to stabilisation and repairs, and the phasing of the work. It is also essential that the location of historic fabric such as, roof trusses, niches, wainscoting, flag floors, beams and first floor structures etc, be included in the application and to show that these historic features are retained and incorporated sympathetically into the conversion. The detailed design of new windows and doors should also form part of the application. The existing left hand garage door opening, which has been unsympathetically opened up from two former smaller openings in the past, should be reinstated as original with two brick arched heads rather than one large lintel. In addition, the right hand cart entry should be reduced to its original width, not going beyond the arch springing point. The large open cart entry in the end gable of the barn should be respected and not filled in with masonry and other minor alterations relating to the proposed residential use such as vents and flues are required to be shown so that the impact of the change of use on the character of the buildings can be fully understood. There are also a number of inconsistencies in the plans and application. An internal wall is not shown on the survey plan and this should be retained in its current position and not demolished and relocated; the door and partition at first floor of the heated bay are not shown and the fireplaces are not positioned accurately; the end gable of the barn is not solid masonry as shown but is open with large doors; the flood risk assessment recommends the use of lime plaster as this will dry more easily in the event of flooding, however, the application proposes dry lining, which is not an acceptable wholesale wall treatment throughout the buildings. With regards to the red brick outbuilding, the design of windows and doors is required to be provided; the roofing materials are unclear, as the application form proposes clay pantiles only, however, the design and access statement refers to the roof of the building as being natural slate due to the low pitch; the design and access statement refers to the alteration to the eaves height, however, the drawings do not appear to show any change; details of the weather-proofing to the abutment with the wall should be provided.

- 5.3 It is not considered that the corrugated clad barn is capable of conversion due to its temporary nature, and it will result in a building of significantly different character and appearance than the existing structure. There are no details with regards to the cladding at first floor level of the building and the form and appearance of the building is not particularly in-keeping with the character of the site due to its relatively domestic appearance and it will not preserve the setting of the listed buildings. Repairing this part of the existing building for storage is considered a more sympathetic treatment.
- 5.4 Given the above, it is considered that a greater level of information is needed in order to assess the impact of the proposed works. It is also recommended that the scheme is amended and redesigned taking into account the comments made by the Listed Building Officer. Given that there are other planning issues with the scheme it is not considered expedient to request amended plans. The proposal is therefore, recommended for refusal.

## **6. CONCLUSION**

- 6.1 The recommendation to refuse Listed Building Consent has been made having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in PPS5 (Planning for the Historic Environment).

## **7. RECOMMENDATION**

- 7.1 Listed Building Consent is REFUSED for the following reason.

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

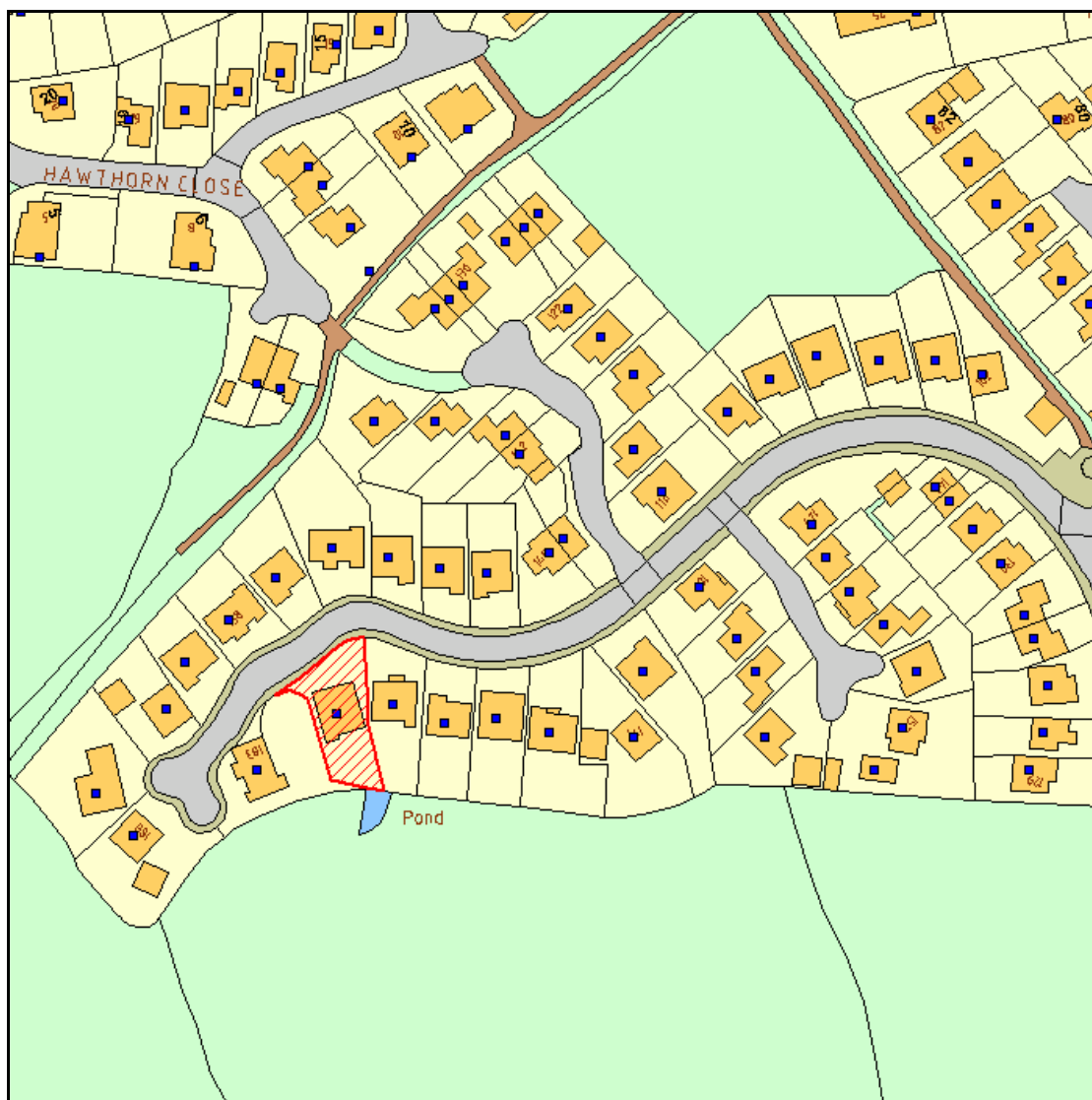
## **REASON FOR REFUSAL**

1. Insufficient information has been submitted to properly assess the impact on the character and setting of the listed buildings. The proposal is therefore, contrary to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance contained in PPS5.



CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011

<b>App No.:</b>	PT11/3255/F	<b>Applicant:</b>	Mr And Mrs P And S Lay And Minchin
<b>Site:</b>	181 Woodlands Road Charfield Wotton Under Edge South Gloucestershire GL12 8LA	<b>Date Reg:</b>	17th October 2011
<b>Proposal:</b>	Erection of first floor side extension over existing garage and erection of single storey rear extension to provide additional living accommodation.	<b>Parish:</b>	Charfield Parish Council
<b>Map Ref:</b>	372203 191715	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th December 2011



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**REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is submitted on the circulated schedule as a result of comments from neighbouring household.

**1. THE PROPOSAL**

- 1.1 This full application relates to the erection of a first floor side extension to form two additional bedrooms at first floor. Also considered in this application is a single storey rear extension located on the rear of the existing dining area.
- 1.2 This detached house is located within the settlement area of Charfield. The proposal would be finished in materials to match the house.

**2. POLICY CONTEXT****2.1 National Guidance**

PPS1 Delivering Sustainable Development  
Draft National Planning Policy Framework

**2.2 Development Plans**

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

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

T12 Transportation Development Control Policy for New  
Development

South Gloucestershire Core Strategy Pre-submission Publication Draft (March 2010)

CS1 High Quality Design

**2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted)

**3. RELEVANT PLANNING HISTORY**

None

**4. CONSULTATION RESPONSES****4.1 Charfield Parish Council**

No objection

**Other Representations****4.2 Local Residents**

Letter from one concerned resident regarding the application. The following issued were raised;

Query what permitted development means as annotated in the application form.

The existing side view is incorrect as it contains windows which are not shown. Potential objection due to loss of privacy if windows are proposed in the side elevation.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

In assessing applications for residential extensions, planning policies D1 and H4 of the adopted local plan are particularly relevant. Policy D1 is a general design policy and cites that development will only be permitted where good standards of site planning and design are achieved. In particular, proposals will be required to demonstrate that siting, overall massing, form, scale, height, detailing, colour and materials respect and enhance the amenity, character and distinctiveness of both the site and the locality. Policy H4 specifically relates to residential development, including extensions, and considers issues such as design, residential amenity and highway safety.

5.2 It is considered that the application accords with the above policy criteria as the ground and first floor proposal is located to the east of the neighbouring house and the proposal will not be overbearing on that property. No windows are shown in the side elevation and a condition is recommended to ensure that windows do not get inserted at the time of development or at a later date. This will protect the privacy of the neighbouring house by preventing overlooking from first floor level.

5.3 The set back at first floor makes the extension subservient to the original house and the form of the extension works are in keeping with the form of the dwellinghouse.

5.3 The parking arrangements remain fundamentally unchanged and this raises no transportation objection.

5.4 As such the proposal is in accordance with policies T12, D1 and H4 of the Local Plan.

### **5.6 Other issues**

It was noted at the officer's site visit that the boundary fence appeared to have been relocated. It is understood that this is only to keep cows, which graze in the field, out of the applicants garden whilst works to the garden enclosure is being carried out. The planning officer was advised that this is not intended as a change of use and the applicant is aware that a planning application to change this area to residential curtilage would be required if the area were to be used as domestic cartilage rather than agricultural land.

## **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 extension would have no impact on the neighbouring properties and the design is considered to be acceptable in terms of visual and residential amenity. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (Development within Existing Residential Curtilages, Including Extensions and New Dwellings) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal has no detrimental impact 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 planning conditions set out below.

**Contact Officer: Karen Hayes**

**Tel. No. 01454 863472**

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

Reason

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

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

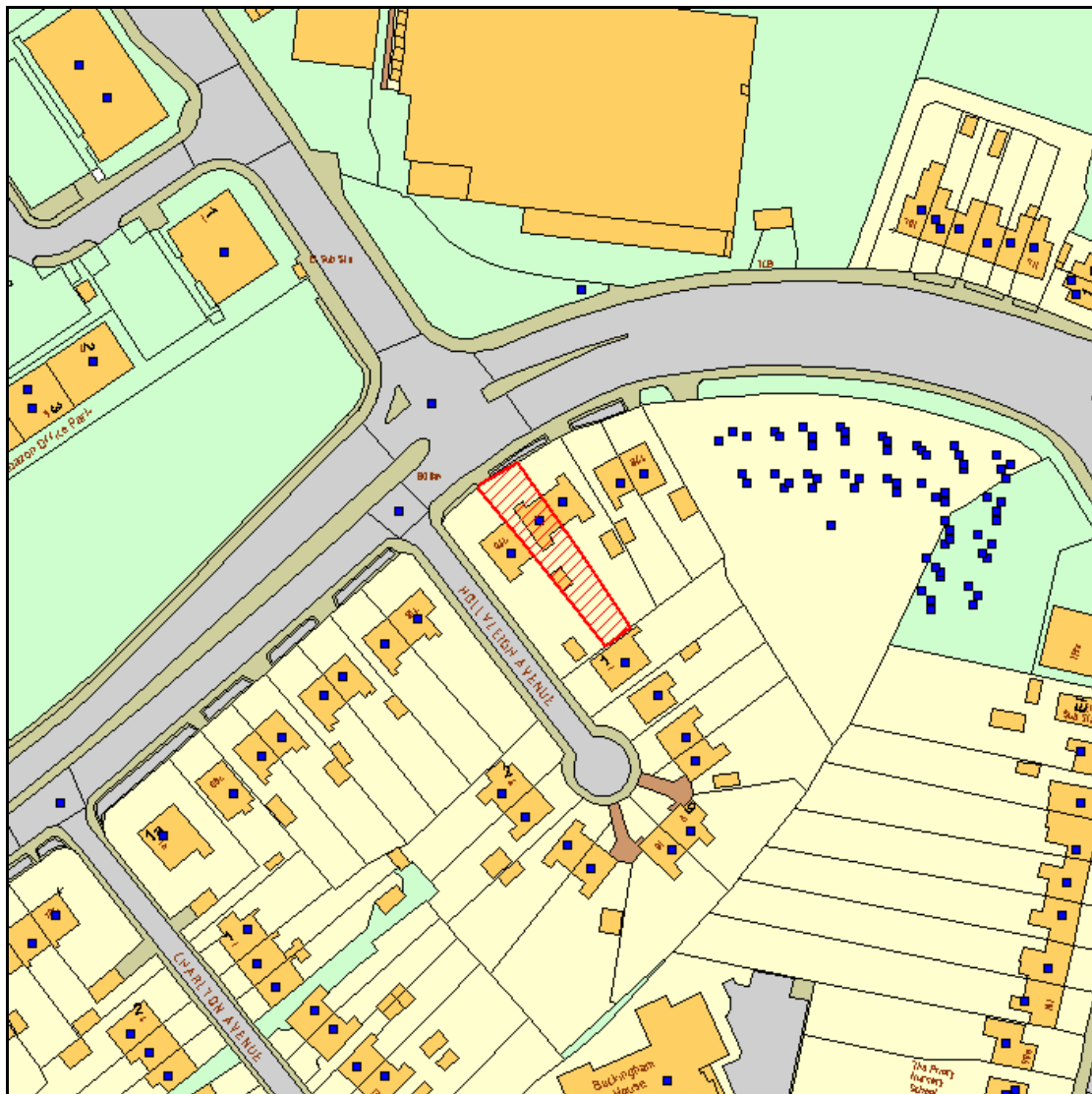
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows shall be inserted at any time in the west facing elevation of this extension [other than those expressly authorised by this permission].

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011

<b>App No.:</b>	PT11/3318/CLP	<b>Applicant:</b>	Mr Burt Garland
<b>Site:</b>	722 Southmead Road Filton Bristol South Gloucestershire BS34 7QT	<b>Date Reg:</b>	20th October 2011
<b>Proposal:</b>	Application for Certificate of Lawfulness for the proposed construction of side and rear dormers to facilitate loft conversion	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	359958 178965	<b>Ward:</b>	Filton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th December 2011



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 100023410, 2008. **N.T.S.** **PT11/3318/CLP**

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

This application has been referred to the Circulated Schedule because it forms a Certificate of Lawfulness and in view of the comments received.

### **1. THE PROPOSAL**

- 1.1 The application seeks a certificate of lawfulness for the construction of side and rear dormer windows to facilitate a loft conversion.
- 1.2 The application relates to a two-storey semi-detached property on the south side of Southmead Road, Filton.
- 1.3 At the time of the officer site visit, works on the dormer windows was well underway.

### **2. POLICY CONTEXT**

- 2.1 Town & Country Planning (General Permitted Development) Order 2008

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
Query whether the application complies with Part 1 Class B of the Town and Country Planning Order, which states *'There are no windows inserted into the wall or roof slope forming the side elevation of the roof extension'*. Unable to comment on whether *'the materials for the exterior work are of similar appearance to those used on the existing house'* or *'whether the window frames are similar in colour and shape to those in the existing house'*
- 4.2 Other Consultees  
Highways DC: no comment

#### **Other Representations**

- 4.3 Summary of Local Residents Comments  
Two letters (one neighbour) received expressing the following concerns:
  - The rear dormer window will compromise the privacy of the neighbouring property;
  - The dormers are out of keeping with the 1930's style of the property;
  - Position of boundary is questioned (the plans state 'approx' boundary- these incorrect plans might be used to substantiate future proposals).

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

- 5.1 The application relates to a semi-detached two-storey dwelling on the south side of Southmead Road opposite Golf Course Lane. The side and rear

dormer windows would facilitate a new attic bedroom with the side dormer allowing creation of the staircase and the rear dormer providing a new ensuite bedroom.

- 5.2 The issue for consideration is whether on the balance of probability the proposals would comprise permitted development having regard to those parameters set by the General Permitted Development Order, Part 1, Class B (The enlargement of a dwelling house consisting of an addition or alteration to its roof) by reason of their size, scale and position. In this regard, it is noted that the permitted development rights in respect of this property are intact and the development would take place within the residential curtilage of the property.
- 5.3 Analysis of Evidence  
Class B allows the enlargement of a dwelling house consisting of an addition or alteration to its roof subject to those criteria considered below:
- 5.4 No part of dwelling house, should, as a result of the works, exceed the height of the highest part of the existing roof. In this instance, the top of both dormer windows would be level with the ridgeline of the dwelling. On this basis, the proposals satisfy this criterion.
- 5.5 No part of the dwelling should, as a result of the works, extend beyond the roof plane of any existing roof slope that forms the principal elevation of the dwelling and fronts a highway. The dormer windows would be on the rear and side roof slopes facing down the host rear garden and towards the neighbouring property respectively. Accordingly, the proposals satisfy this criterion.
- 5.6 The cubic content of the resulting roof space should not exceed the cubic content of the original roof space by more than 50 cubic metres. In this instance, the proposals would measure some 14 cubic metres thus there is no objection to the proposals on this basis.
- 5.7 The proposal would require planning permission if it includes a veranda, balcony or raised platform or if it includes the installation, alteration or replacement of a chimney, flue/ soil or vent pipe. This is not the case in this instance.
- 5.8 Planning permission is also required if the dwelling house is on article 1(5) land. Article 1(5) land comprises a National Park/ Area of Outstanding Natural Beauty/ Conservation Area/ an area specified by the Secretary of State and the Minister of Agriculture, Fisheries and Food for the purposes of section 41(3) of the Wildlife and Countryside Act 1981/ the Broads/ A World Heritage Site. This is not the case in this instance.
- 5.9 To comprise permitted development, the proposals should also be built from materials of a similar appearance to those of the dwelling whilst any window on a side elevation should be obscure glazed with any opening above 1.7m above floor level. This would be applicable to the side stair window. The plans state that this window would be obscure glazed and fixed shut.



5.10 Conflicting Evidence

In response to the comments received, this submission does not comprise a planning application thus the Development Plan and the planning merits of the case are not relevant to the determination of this application; the decision rests upon the information submitted and the provisions of the General permitted Development Order. If, on the balance of probability the information submitted shows that the proposals comprise permitted development, then the Local Planning Authority should grant a Certificate confirming that the development is lawful.

5.11 Concerns regarding the position of the boundary comprise a civil matter and are not considered to impact upon the outcome of this application.

6. **RECOMMENDATION**

6.1 That a Certificate of Proposed Lawful Development is **GRANTED** for the following reason:

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

**REASON**

The proposal would fall within Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011

<b>App No.:</b>	PT11/3475/TRE	<b>Applicant:</b>	Mr C A Halton
<b>Site:</b>	Orchard House Frenchay Hill Frenchay South Gloucestershire	<b>Date Reg:</b>	7th November 2011
<b>Proposal:</b>	Works to reduce 1 no. Eucalyptus tree by 1/3, shorten back the long side branches by 25% and remove sucker at base. Works to reduce height of 1 no. Blue Cedar by 10% and shorten long side by 10%. Trees covered by South Gloucestershire Council Tree Preservation Order 07 (Frenchay Common) dated 11th August 1965.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	364152 177464	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>		<b>Target Date:</b>	29th December 2011



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 100023410, 2008. **N.T.S.** **PT11/3475/TRE**

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

This application appears on the Circulated Schedule because correspondence has been received from a neighbouring occupier contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks consent for works to reduce 1no. Eucalyptus tree by 1/3, shorten back the long side branches by 25% and remove sucker at base. Consent is also sought for works to reduce the height of 1no. Blue Cedar tree by 10% and shorten long side by 10%. The trees are covered by the South Gloucestershire Council Tree Preservation Order 07 (Frenchay Common) dated 11<sup>th</sup> August 1965.
- 1.2 The trees are growing in the garden of Orchard House, which is located on the southern side of the cul-de-sac Frenchay Hill . The site is within the defined Frenchay Conservation Area and settlement boundary.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
The Town and Country Planning Act 1990  
The Town and Country Planning (Trees) Regulations 1999

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

- 3.1 No relevant planning history.

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
No objection subject to the approval of the South Gloucestershire Council Arboriculturalist
- 4.2 Tree Officer  
No objection to the works to the Eucalyptus tree; objection to the works to the Cedar tree; no objection in principle to the works to the Pear tree and Hornbeam tree although formal consent should be obtained prior to commencement

#### **Other Representations**

- 4.3 Local Residents  
One letter of support has been received from a neighbouring occupier. The occupier agrees that the Eucalyptus tree should be reduced in size as many of the branches overhang their property causing damage to the garden and loss of light to the property.

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

- 5.1 Principle of Development

The only issue to consider in this application is the effect on the health and appearance of trees, which make a positive contribution to the character and visual amenity of the Conservation Area.

5.2 Consideration of Proposal

The Council's Tree Officer has inspected the application trees. It is considered that the Eucalyptus tree has been reduced in the past, therefore, the proposed works should be viewed as ongoing management to retain the tree at a smaller size. There is no objection to the proposed works to the Eucalyptus tree.

5.3 The Cedar tree is growing on the boundary of the property offering high visual amenity to the area. It has a compact form and well balanced canopy. It is not considered that the tree is growing in a confined area as stated in the application. A crown reduction destroys the natural shape of the tree and creates the need for ongoing tree works to retain the reduced size. Crown reductions can also be detrimental to the health of the tree; leafing area is removed and numerous wounds/entry points for pathogens are created. It is therefore, considered that there is insufficient reason to reduce the tree and to do so could potentially harm its health and visual amenity.

5.4 Works to reduce a Pear tree and Hornbeam tree have been included in the application by the applicant. These trees are not covered by a Tree Preservation Order and Tree in Conservation Area consent is required prior to the works being carried out on the Pear and Hornbeam trees. The Council's Tree Officer has indicated that the works proposed are likely to be acceptable.

7. **RECOMMENDATION**

7.1 A split decision is issued for the following:

Consent is GRANTED for the proposed works to the Eucalyptus tree and REFUSED for the proposed works to the Blue Cedar tree.

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

**CONDITIONS**

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

In the interests of the long term health of the tree, and to accord with the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999.

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

Reason

In the interests of the long term health of the tree, and to accord with the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999.

**REASONS FOR REFUSAL**

1. The proposed works are considered to be unnecessary and could potentially be detrimental to the health and appearance of a tree, which makes a positive contribution to the character and visual amenity of the area. The proposed works are therefore, contrary to the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999.

**CIRCULATED SCHEDULE NO. 48/11 – 9 DECEMBER 2011**

<b>App No.:</b>	PT11/3553/F	<b>Applicant:</b>	Mr And Mrs Mather
<b>Site:</b>	28 Grange Park Frenchay South Gloucestershire BS16 2SZ	<b>Date Reg:</b>	15th November 2011
<b>Proposal:</b>	Erection of two storey side extension to provide additional living accommodation	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	364271 177898	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Householder	<b>Target Date:</b>	6th January 2012



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

This application appears on the Circulated Schedule as representations were made contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a two storey side extension to provide additional living accommodation.
- 1.2 This is a modern detached dwelling located within the defined settlement boundary of Frenchay and outside the Frenchay Conservation Area.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1                      Delivering Sustainable Development  
PPG13                     Transport  
Draft National Planning Policy Framework

#### 2.2 Development Plans

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

D1                         Achieving Good Quality Design  
H4                         Development within Existing Residential Curtilage  
T12                        Transportation Development Control Policy for New  
Development

##### Emerging Development Plan

##### Core Strategy Proposed Changes Version (December 2010)

CS1                        High Quality Design

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

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

- 3.1 PT00/0260/F - Erection of two storey side extension. Refused.
- 3.2 PT01/0102/F - Erection of two storey side and rear extension. Approved.
- 3.3 PT01/3004/F - Erection of two storey side extension. (Amendment to previous approval to include 4.0m wide doors in side elevation). Approved.

### **4. CONSULTATION RESPONSES**

#### 4.1 Winterbourne Parish Council

Objection - The committee believe that this is an overdevelopment of the site, the proposed extension would unbalance the street scene. The plan requires to be called in to the Site Committee as this is a substantial development.

### **Other Representations**

#### 4.2 Local Residents

Four letters of objection were received by the Council raising the following concerns:

- Adverse impact upon street scene
- Overdevelopment of the site and overbearing
- Out of character with other properties on the road
- Additional bedroom would result in increased car ownership and consequent on street parking
- Will have adverse impact on privacy of neighbours
- The development would exacerbate very serious problem of public safety on nearby junction
- Loss of daylight to neighbouring houses

One letter of support was received from the applicant in response to the concerns raised by local residents and Winterbourne Parish Council.

## 5. **ANALYSIS OF PROPOSAL**

#### 5.1 Principle of Development

Policy H4 of the Local Plan states that *proposals for development within existing residential curtilages*, will be permitted subject to certain criteria. The principle of the development is therefore acceptable subject to the following detailed assessment.

#### 5.2 Residential Amenity

##### Overbearing Analysis

The proposed extension would be approximately 14 m away from the front gardens of no's 2,3,4,5, and 6 Grange Park, and approximately 20 m away from the front windows of these properties. These are considered sufficient distances for there to be no overbearing impact upon those properties. In terms of loss of light, it is not considered that an extension of this size and scale would significantly exacerbate the current situation and lead to an unacceptable loss of light. The proposal is also considered to be a sufficient distance away from and have an acceptable relationship with no. 27 Grange Park in terms of overbearing impact and loss of light.

#### 5.3 Privacy Analysis

As previously mentioned, the proposed extension would be approximately 20 m away from the front windows of no's 2,3,4,5, and 6 Grange Park. The extension would introduce 2no. dormer windows on the front elevation however there are existing windows on the front elevation and in any case 20 m is considered a sufficient distance for there to be no undue loss of privacy. To the rear an



additional rear dormer would be added however there are no habitable windows on the adjacent no. 27 Grange Park that would be adversely impacted upon by the development.

#### 5.4 Amenity Space

Whilst the proposed conservatory does project into the rear garden its modest size means that sufficient garden space will remain to serve occupiers of the property.

#### 5.5 Highway Safety Analysis

As the extension is located at the eastern side of the property it will not impact on the property's parking arrangements, located at the western side of the house. An additional bedroom is being added to the property that could result in a very slight increase in traffic movements, however not to significant degree that would prejudice highway safety.

#### 5.6 Design / Visual Amenity

The host dwelling is a detached property located within a large corner plot on the entrance into Grange Park. The property benefits from a previous permission (PT01/3004/F) for the erection of a two storey side and rear extension. The permission has only been partially implemented, with the two storey side element having been built, but as development of the proposal has commenced the two storey rear addition can be lawfully completed at a later date. The consideration of this proposal therefore takes into account the entirety of the already approved scheme.

5.7 Prior to this scheme an application for a two storey side extension was refused under application PT00/0260/F due to its size and position unbalancing the front elevation of the property to the detriment of the appearance of the property and the streetscene. The side addition subsequently allowed under application PT01/3004/F was narrower and less deep than the refused, set down from ridge height and set back from the front wall of the property. The extension proposed now would result in a wider addition than the previously refused however it would maintain subservience by following the same scale and form as the existing side extension. It is therefore considered that the size of the extension is acceptable and the proposed extension would respect the character of the existing dwelling and streetscene. The chosen construction materials match the palette of materials displayed in the existing building and this is considered acceptable.

#### 5.8 Improvements to Scheme

No improvements considered necessary.

## 6. CONCLUSION

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

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.

- a) The proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

## **7. RECOMMENDATION**

- 7.1 That planning permission is **GRANTED** subject to the conditions attached to the decision notice.

**Contact Officer: William Collins**  
**Tel. No. 01454 863425**

## **CONDITIONS**

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The hours of working on site during the period of construction shall be restricted to Monday to Friday 07.30 - 18.00, Saturday 08.00 - 13.00 and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.