



**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. 06/11

Date to Members: 11/02/11

Member's Deadline: 17/02/11 (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 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:

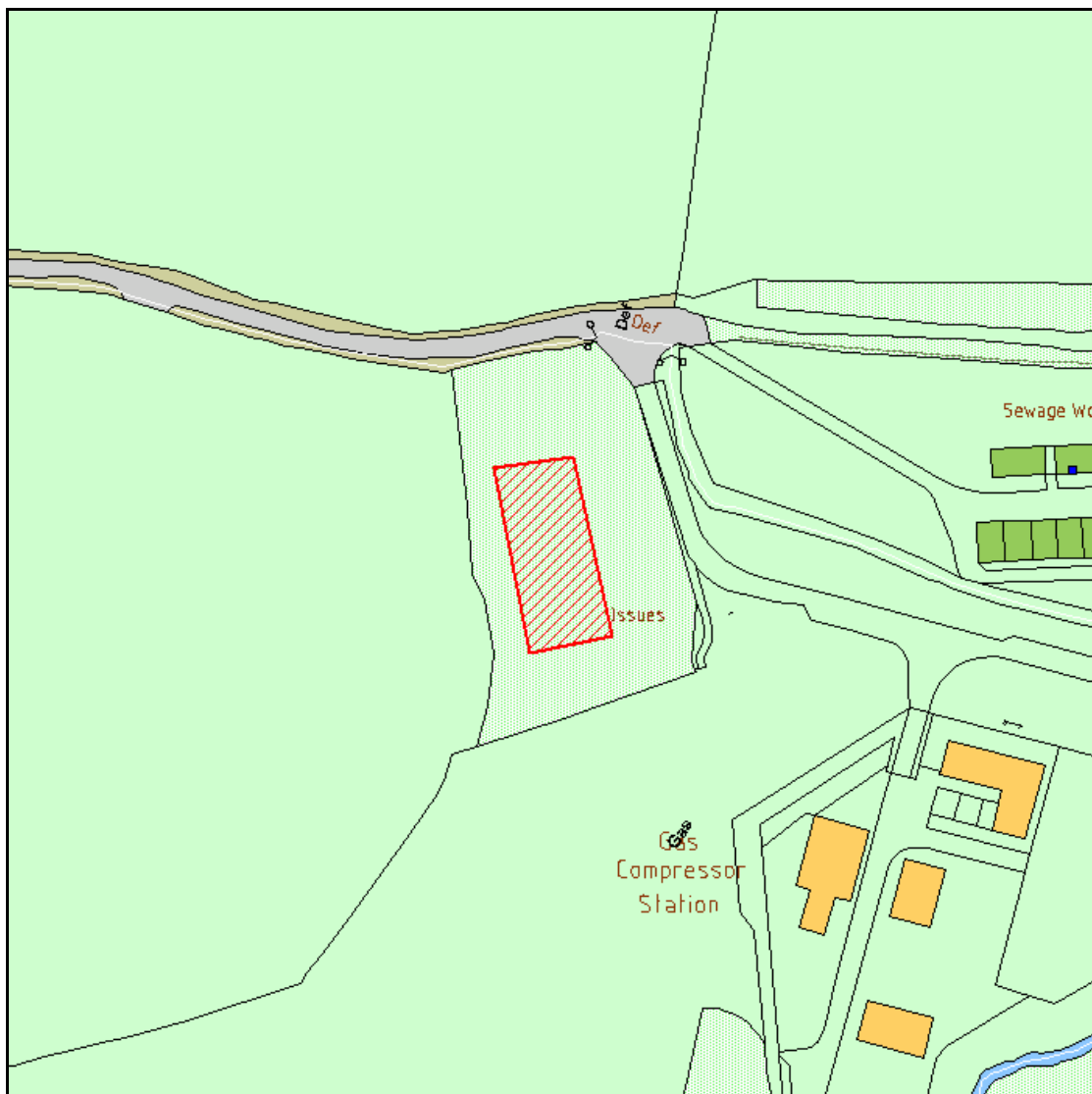
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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, where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail your request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

CIRCULATED SCHEDULE – 11 FEBRUARY 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/2686/F	Approve with Conditions	Land At The End Of Redford Lane Pucklechurch Bristol South Gloucestershire BS16 9NS	Boyd Valley	Pucklechurch Parish Council
2	PK10/3558/F	Approve with Conditions	1 Market Place Marshfield Chippenham South Gloucestershire SN14 8NP	Boyd Valley	Marshfield Parish Council
3	PK10/3566/F	Approve with Conditions	53 Siston Common Siston Bristol South Gloucestershire BS15 4PA	Siston	Siston Parish Council
4	PK11/0004/F	Approve with Conditions	1 Middle Road Kingswood Bristol South Gloucestershire BS15 4XD	Rodway	None
5	PK11/0103/F	Approve with Conditions	22 Charnhill Vale Mangotsfield Bristol South Gloucestershire BS16 9JT	Rodway	None
6	PT10/3258/EXT	Approve with Conditions	Land At Watleys End Road Winterbourne Bristol South Gloucestershire BS36 1PQ	Winterbourne	Winterbourne Parish Council
7	PT11/0125/O	Approve with Conditions	Trevone Oaklands Drive Almondsbury Bristol South Gloucestershire BS32 4AB	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 06/11 – 14 FEBRUARY 2011

App No.:	PK10/2686/F	Applicant:	Mr And Mrs Hooper
Site:	Land At The End Of Redford Lane Pucklechurch Bristol South Gloucestershire	Date Reg:	8th November 2010
Proposal:	Construction of riding surface 20 x 40 metres.	Parish:	Pucklechurch Parish Council
Map Ref:	371101 175731	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	3rd January 2011



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 100023410, 2008. **N.T.S.** **PK10/2686/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This planning application has been referred to the Council's Circulated Schedule as objections have been received from the Parish Council regarding the proposed development.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the construction of a horse riding area measuring 20m x 40m.
- 1.2 The application site relates to land sited within the open countryside and is washed over by the Green Belt. The land subject of this planning application has an authorised planning use for the keeping of horses through the granting of planning permission (PK08/1277/F)

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belt

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L1 Landscape

GB1 Green Belt

E10 Horse related development

EP9 Development within the Vicinity of Safety Hazards

South Gloucestershire Core Strategy Submission Draft December 2010

CS1 High Quality Design

- 2.3 Supplementary Planning Guidance

Development in the Green Belt Adopted June 2007

SG Landscape Character Assessment as adopted Aug 2005.

Character Area 10, Pucklechurch Ridge & Boyd Valley.

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/1277/F Change of use of land from agricultural to land for the keeping of horses. Erection of 3 no. stables with feed store, hay barn and storage area
Approved July 2008

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
 - Parish Council strongly objects to this application

- The landowners is non compliant with the previous planning permission and conditions attached to PK08/2686/F. The Planning Officer has addressed this in detail under paragraph 5.9 of this report

4.2 Other Consultees

Transportation officer

No objection-this is addressed in detail under paragraph 5.5.

Drainage Engineer

No objection in principle to this application subject to an informative relating to connections to watercourses.

Landscape Officer

No objection-this is addressed in detail under paragraphs 5.3-5.4.

National Grid

Has advised that applicant must contact them prior to starting works. This is addressed under paragraph 5.8.

Other Representations

4.3 Local Residents

No response received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 supports the principle of essential facilities for outdoor sport and recreation and for other uses which preserve the openness of the Green Belt. The policy also supports the change of use of land subject it would not have a materially greater impact than the present authorised use on the openness of the Green Belt.

- 5.2 Policy L1 seeks to ensure development conserves and enhances the character, distinctiveness, quality and amenity of landscapes. In addition Policy E10 that relates to horse related development seeks to ensure development will not have unacceptable environmental effects.

5.3 Landscape Character

The site is located within a relatively well vegetated area, is comparatively level and some excavation for the riding surface appears to have already been carried out. The site is well integrated into the landscape and it is unlikely it will have any significant visual impacts. It is not proposed to erect any fencing around the riding surface and no lighting is proposed.

- 5.4 It is considered there is no landscape character, visual amenity or openness objection to the proposal in the context of Policies L1, GB1 and E10 of the adopted local plan. It is not considered necessary to impose any landscape conditions in event of consent being granted although it is recommended that a

condition be imposed requiring that any lighting for the riding surface should require approval.

5.5 Transportation Issues

No objection is raised on transportation grounds, subject the use of the proposed riding area is restricted for personal use for the applicant and the family as it is considered that the traffic impact associated with the proposed riding area would be minimal. This site is already restricted in terms of its usage and number of horses that can be kept under planning permission PK08/1277/F.

5.6 Drainage

The Councils' Drainage Engineer has raised no objection in principle to this application subject to an informative being attached with regards connections to watercourses

5.7 Public Right Of Way

A public right of way runs along the northern and eastern boundary of the application site, the proposed riding area however by reason of its siting will not encroach upon it. The applicant must ensure that during construction of the riding area no encroachment shall take place on the PROW.

5.8 Safety Hazard

The proposed riding surface area will be sited over gas apparatus. National Grid has confirmed the applicant must contact them prior to the commencement of works so an Engineer can visit the site and consider the proposed works and safety and integrity of National Grids Gas Plant.

5.9 Other Issues

The Parish Council have raised objections on the grounds that a number of the planning conditions attached to planning permission PK08/1277/F for the change of use of land for the keeping of horses have not been complied with. The Parish has not indicated which conditions have not been complied with. There is only one pre-commencement condition attached to PK08/1277/F and that relates to landscaping and this has been discharged by the Planning Officer and implemented. The Planning Officer will write to the Parish and seek clarification on what conditions have not been complied with and in the event a breach of planning condition has occurred this will be referred to the Council's Enforcement Team to investigate. Notwithstanding this, the Council is still in a position to determine this current application before the Council.

6. CONCLUSION

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

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

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

- a) The proposal has been designed to positively enhance the character and appearance of the area, taking account of siting, design and materials. The proposal will preserve the landscape character of the area and also the visual amenities and openness of the Green Belt-Policies L1, GB1 and E10
- b) The proposal by reason of its scale will not prejudice highway safety-Policies E10 and T12

7. RECOMMENDATION

7.1 That planning permission be granted subject to the following planning conditions.

Contact Officer: Tracey Price
Tel. No. 01454 863424

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).

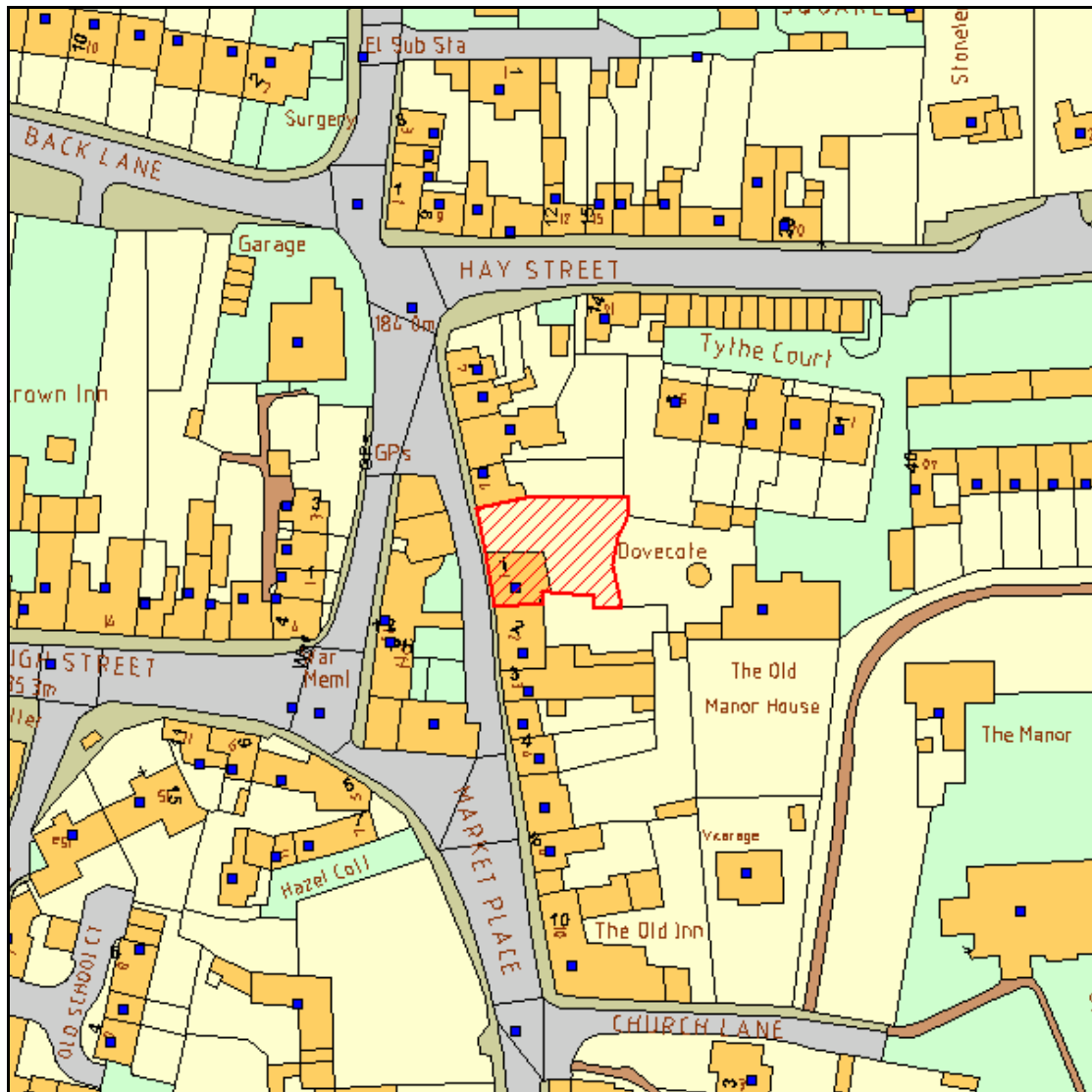
2. Details of any proposed lighting i.e. number, external details and levels of illumination associated with the approved riding area shall be submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with those approved details.

Reason

To protect the character and appearance of the area and to accord with Policies L1, GB1 and E10 and of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 06/11 – 11 FEBRUARY 2011

App No.:	PK10/3558/F	Applicant:	Ms Josephine Alderson
Site:	1 Market Place Marshfield Chippenham South Gloucestershire SN14 8NP	Date Reg:	24th December 2010
Proposal:	Erection of first floor and single storey link extension to existing detached garage to facilitate the conversion of garage to self contained annexe ancillary to main dwelling.	Parish:	Marshfield Parish Council
Map Ref:	378119 173735	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	16th February 2011



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 100023410, 2008. **N.T.S.** **PK10/3558/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The Parish Council's objection is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of a single detached garage to living accommodation, an extension to form a first floor over part of it and the erection of a glazed link to connect the garage to the host dwelling. The property lies within the Marshfield Conservation Area, and the Cotswolds AONB, in a narrow lane, with a courtyard to the side (north) of the dwelling. The garage stands in this courtyard, with a wall to the rear of it, connecting it to the host dwelling and blocking views into the rear garden.
- 1.2 The garage would be lost through this proposal, but there is currently parking available within the courtyard and this would be maintained. The stated purpose of the conversion and extension of the garage is to create an annex to the house.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS5 Heritage
PPG13 Transportation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Extensions to dwellings
L2 Cotswolds AONB
L12 Conservation Areas
T8 Parking standards
T12 Highway Safety

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

CS1 High Quality Design
CS9 Heritage

2.3 Supplementary Planning Guidance

Marshfield Conservation Area Guidance Note

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/2942/F Rear dormer and erection of first floor and single storey rear extensions Approved
- 3.2 PK06/2065/F Detached single garage Approved

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council

Object on the grounds of over development including the reduction of parking together with the loss of views in a conservation area.

4.2 Other Consultees [including internal consultees of the Council] Conservation Officer

The application proposes to increase the height of the detached garage from single storey to 1½ storeys and connect it to the main accommodation via a link structure. The building will then be used as ancillary accommodation. The garage is a modern building, built to a traditional form and appearance. It is currently linked to a rear extension of the main house via a boundary wall. There is a tradition of small stone outbuildings of the form and scale proposed in Marshfield, and the alterations to the building will not be out of character. The link will be cleverly concealed behind the existing stone boundary wall, which will need to be heightened slightly.

Subject to detailed design, the proposals will maintain the character and appearance of the conservation area. I therefore recommend approval, subject to the following conditions.

1. Prior to the commencement of development a representative sample of natural stone facing wall of no less than one metre square, showing the stone, coursing and mortar, shall be erected on site and approved in writing by the local planning authority. The development shall be completed in accordance with the approved panel, which shall be retained on site for consistency.
2. Prior to the commencement of development design details, including materials and finishes, of the following items shall be submitted and approved in writing by the local planning authority:
 - a. all new windows and doors
 - b. conservation rooflights
 - c. eaves, verges and ridges

The details shall be accompanied by elevation and section drawings of a minimum scale of 1:5.

Reason: In order that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L12 of the Adopted South Gloucestershire Local Plan.

Sustainable Transportation

The applicant is seeking to provide an extension to the existing garage in order to create an annexe ancillary to the main building. As an annexe to the main building, the proposed new building is likely to be occupied by a dependent member of the family. This situation is unlikely to give rise to significantly more traffic movements to and from this site.

In relation to parking, I am satisfied that even with the loss of the garage space at this location, there would still remain sufficient space on site for parking of two vehicles on the site and as such this complies with the Council's parking standards.

In view of the above therefore, I do not proposed to raise any highway objections to this proposal but I would suggest that a planning condition is imposed so that the new building would remain annexe and ancillary to the main building.

- 4.3 Local Residents
No replies received

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 proposal on existing levels of residential amenity and the design implications, taking into account that the site lies within a Conservation Area in the Cotswolds AONB. Given that there would be an internal parking space lost through the proposal, highways implications are also examined.

5.2 Residential Amenity

It is considered that the impact on residential amenity for this proposal is limited to the proposed first floor extension. The proposed glazed link would run along the line of the existing rear wall of the courtyard and involve only movement between the house and annex, which would also occur in the open if it were not proposed. The use of the garage for residential purposes ancillary to the house on site could take place as it is within the residential curtilage, without the need for planning permission.

This leaves the first floor extension, which would raise the front portion of the garage above its existing single storey height. A single window is proposed for this level and this would serve the proposed bedroom. It would face to the rear, overlooking the rear garden for the site. As this extended building is proposed to be an annex within the existing residential curtilage, it is considered that overlooking the garden would not compromise the residential amenity of the overall site. A condition appears below to ensure that the annex is used as such and is not severed from the host dwelling. As regards the impact on the adjoining property, it is noted that the extension would only be at the front part of the garage, which is close to the adjoining property. The window would therefore be recessed in relation to the rear garden of the adjoining house by 2.9 metres and this is considered to be sufficient to safeguard the existing level of residential amenity in the rear garden of the adjoining property. The proposal is therefore considered to accord with the relevant part of policy H4 of the adopted Local Plan.

5.3 Conservation Area/ Design/ Visual Amenity

The full conservation comments appear at 4.2 above. The proposal is considered to be of an appropriate scale to make it subservient to the main

dwelling to which it would be linked by a glazed passageway. There is evidence of local buildings of such a scale within the Conservation Area and therefore the proposal is considered to be in keeping with the Conservation Area. The glazed link would be hidden and would have only a minor impact on the Conservation Area. Overall, the proposal is considered to represent good design and an enhancement of the Conservation Area, according with policy L12 of the adopted Local Plan and policy CS9 of the draft Core Strategy.

5.4 Transportation

The full highway comments appear at 4.2 above. The proposal would involve the loss of one parking space on the site, namely in the garage. However it is considered that two off street parking spaces would still be available in the courtyard area and this would meet the Council's maximum parking standards and the minimum requirement for this location. It is anticipated that the annex, required below to be used as such, would not generate its own traffic to a significant degree. The proposal is therefore considered to accord with policies T8 and T12 of the adopted Local Plan.

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 proposal would create well designed annex accommodation ancillary to the house on site enhancing the Conservation Area without compromising residential amenity or unreasonably reducing the off street parking capacity of the site, to accord with policies D1, L2, L12, H4, T8 and T12 of the adopted 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. Prior to the commencement of development a representative sample of natural stone facing wall of no less than one metre square, showing the stone, coursing and mortar, shall be erected on site and approved in writing by the local planning authority. The development shall be completed in accordance with the approved panel, which shall be retained on site for consistency.

Reason: In order that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L12 of the Adopted South Gloucestershire Local Plan.

3. Prior to the commencement of development design details, including materials and finishes, of the following items shall be submitted to and approved in writing by the local planning authority:
 - a. all new windows and doors
 - b. conservation rooflights
 - c. eaves, verges and ridges

The details shall be accompanied by elevation and section drawings of a minimum scale of 1:5.

Reason: In order that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPS5 and policy L12 of the Adopted South Gloucestershire Local Plan.

4. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1, Market Place, Marshfield.

Reason

In the interests allowing the site to maintain a sufficient level of parking in order to maintain highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application relates to a site located on the north-eastern edge of Siston Common. The site, which is 0.11ha in area, comprises most of the side garden of no. 53, which is an end of terrace dwelling house of traditional design. Although lying within the Existing Urban Area, as defined in the South Gloucestershire Local Plan (Adopted) 6th January 2006, the location is semi-rural in character. Open fields lie to the rear (east) of the site, beyond which is the Avon Ring Road and associated Cycle Path. To the south-east, the site is bounded by the Dramway Footpath. A private access drive off Siston Common Road, to the west of the application site, currently serves nos. 47b, 49, 51 and 53 Siston Common. No. 53 is one of several properties that front onto Siston Common Road.
- 1.2 The proposal involves the development of land within the curtilage of 53 Siston Common and comprises the erection of three new residential dwellings (1 x 4 bed and 2 x 3 bed). Associated amenity space, parking facilities and communal landscaping are also included within the development proposals. A previous application PK08/3051/F for a very similar scheme, which also proposed the conversion of no.53 into 2no self-contained, two-bedroom dwelling houses; was approved (see para. 3.5 below). The current proposal retains no.53 as a separate dwelling and rationalises the proposed parking arrangements accordingly.
- 1.3 Planning permission for one dwelling on this site was previously granted (see paras. 3.1 & 3.2 below) and footings have in part been implemented, so the building could in theory still be completed.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPG13 - Transport

2.2 Development Plans

Joint Replacement Structure Plan

- Policy 1 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution
- Policy 54 - Car Parking Provision

South Gloucestershire Core Strategy Submission Draft (Dec. 2010)

- CS1 - High Quality Design

CS5 - Location of Development
CS9 - Environmental Resources & Built Heritage
CS15 - Distribution of Housing
CS16 - Housing Density
CS17 - Housing Diversity

South Gloucestershire Local Plan (Adopted) 6th January 2006

D1	Design
L1	Landscape Protection and Enhancement
L5	Open areas
L17 & L18	The Water Environment
EP1	Environmental Pollution
EP2	Flood Risk and Development
EP7	Unstable Land
H2	Residential Development within the existing Urban Area
H4	Development within Existing Residential Curtilages
H6	Affordable Housing
LC2	Provision of Education Facilities
T7	Cycle Parking Provision
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
LC4	Proposals for Educational and Community Facilities Within the Existing Urban Area.
LC12	Recreational Routes

Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) adopted 23rd August 2007

South Gloucestershire Landscape Assessment: Character Area 12, Westerleigh Vale and Oldland Ridge.

Local List SPD Adopted Feb 2008

3. RELEVANT PLANNING HISTORY

There have been numerous applications relating to this site and the adjoining sites. The applications most relevant to this proposal are listed as follows:-

- 3.1 P94/4184 - Erection of 1no. detached dwelling.
Approved 26th July 1994
- 3.2 P99/4018 - Erection of 1no. dwelling (Renewal of planning permission P94/4184)
Approved 22nd Feb. 1999 and part implemented.
- 3.3 PK05/0792/O - Residential development on 0.92ha. of land (Outline) with siting and means of access to be determined. All other matters to be reserved.
Refused 3rd Aug. 2007. A subsequent appeal was dismissed 10th June 2008.
- 3.4 PK08/2502/F - Erection of a terrace of 3no. dwelling houses with access and associated works. Subdivision of 53 Siston Common into 2no. self contained dwelling houses with associated works.
Withdrawn 21st Oct. 2008

- 3.5 PK08/3051/F - Erection of a terrace of 3no. dwelling houses with access and associated works. Subdivision of 53 Siston Common into 2no. self contained dwelling houses with associated works. (Resubmission of PK08/2502/F)
Approved 9 Feb 2009

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No response

- 4.2 Other Consultees (Including internal consultees of the Council)

The Open Spaces Society
No response

The Ramblers
No response

PROW
No objection subject to standard informative.

The Coal Authority
No objection subject to standard informative.

Sustainable Transport
The scheme is similar to that previously approved under PK08/3051/F. No objection subject to conditions relating to prior provision of visibility splay and car parking.

Landscape
No objection subject to conditions to protect landscape character.

Environmental Protection
No objection

Other Representations

- 4.3 Local Residents
1no. Letter of objection was received. The concerns raised are summarised as follows:
- The proposal would create a means of access to the field behind, which is also owned by the applicants who would want to develop it as well.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The site is within the Existing Urban Area as defined in the South Gloucestershire Local Plan (Adopted) 6th January 2006. Government advice contained in PPS3 – 'Housing' supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development

in and around existing centres and close to public transport nodes. It is acknowledged that there is a need for new housing in South Gloucestershire and that there is currently a shortfall in allocated housing sites being brought forward within the required Local Plan timescales. In the determination of this application officers acknowledge that this is a material consideration that must be afforded considerable weight

- 5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 2, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres.
- 5.3 The site lies within an existing residential curtilage. The proposal therefore falls to be determined under Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. Development within existing residential curtilages, including extensions to existing dwellings and new dwellings, will only be permitted where they:
- A. Respect the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area; and
 - B. Would not prejudice the amenities of nearby occupiers; and
 - C. Would not prejudice highway safety or the retention of an acceptable level of parking provision, and an acceptable level of parking provision is provided for any new separately occupied dwelling; and
 - D. Would not prejudice the retention of adequate private amenity space, and adequate private amenity space is provided for any new separately occupied dwelling.
- 5.4 The supporting text to Policy H4 at para. 8.176 states that Policy H2 sets out the circumstances where new dwellings, including those within the curtilage of existing dwellings, might be acceptable within the urban area. Policy H2 is therefore also relevant and permits the residential development proposed, subject to the following criteria:
- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
 - B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
 - C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
 - D. Provision for education, leisure, recreation and other community facilities within the vicinity, is adequate to meet the needs arising from the proposals.

- 5.5 The established use of the application site is residential curtilage. A revised version of PPS3 was issued on 9th June 2010 to take account of 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 developed land and the removal of the national indicative density target of 30 dwellings per hectare. An amendment to para. 41 of PPS3 explains that brownfield land is the priority for development but also now says that *'there is no presumption that previously developed land is necessarily suitable for housing, nor that all of the curtilage should be developed.'* Officers consider that this site is a case in hand where only limited development is appropriate; this matter will be discussed at more length in the following paragraphs. Officers are however satisfied that existing policies within the Local Plan i.e. policies D1, H2, H4 and L5 already provide a robust policy framework that require proposals to be assessed for their impact upon the character of the area and that proposals make efficient use of land. Policy H4 permits development within existing residential curtilages subject to criteria similar to H2. Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to secure good quality designs as does Policy CS1 of The South Gloucestershire Core Strategy Submission Draft Dec 2010; Policy L5 relates to loss of open space.
- 5.6 The acceptance in principle of a very similar scheme to that now proposed on this site, was previously established with the grant of planning permission PK08/3051/F . Whilst there may be no in-principle objection to the proposed residential development, this would be subject to the criteria contained in Local Plan policies, which are discussed below.
- 5.7 Density
Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 encourages the highest density that can be achieved within the various local considerations that need to be taken into account. The proposal, equates to 27.3 units per hectare, which officers consider accords with the requirements of PPS3 and is considered to be an appropriate density for this semi-rural location.
- 5.8 PPS3 (para.50) states that *"The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment."*
- 5.9 The proposal is considered to make efficient use of the land in what is not only the Urban Area but also a sensitive location, close to Siston Common. In this respect the proposal accords with government guidelines and in terms of its density alone, the development is considered to be acceptable. Given the characteristics of the location it is unlikely that a higher density scheme would be appropriate on this site (see landscape section below).

5.10 Scale and Design

- Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 only permits new development where good standards of site planning and design are achieved. Criterion A of Policy D1 requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.11 A much more traditional design approach has been adopted for the current and previously approved scheme, which is considered to overcome the officer concerns relating to inappropriate modern design and discordant siting of the houses, as proposed in an earlier application (PK08/2502/F) that was refused.
- 5.12 The 3no. new houses would be arranged as a small terrace, which would continue the building line along Siston Common. The proposed layout ensures that adequate sized gaps between the individual blocks of buildings within the settlement are maintained, and this accords with the established grain of development and semi-rural character of the location. The larger gap between the proposed terrace and the existing cottages to the south-east, emphasises and respects the importance of the Dramway footpath.
- 5.13 The individual terrace would be very similar in terms of scale and form, to those within the existing street scene. Both the eaves and ridge height would be similar to the neighbouring properties, as would the simple pitched roof and gable-ended form. The proposed terrace would not therefore stand out as a dominant or discordant element within the street scene.
- 5.14 The houses would have a traditional appearance and would be constructed of materials to match those used in the neighbouring older properties. Pennant Sandstone would be used for the front elevation and clay coloured roof tiles to match no.53. In order to reduce the visual impact of the parked cars, most of the parking spaces would be located to the rear of the terrace, with 3no. spaces covered by an open timber framed parking shelter with a tiled pitched roof. This would be of particular benefit to the elevated views from the Bristol/Bath cycle path located to the rear of the site and the public footpaths, which cross the open fields also to the rear. The existing boundary treatment and garage buildings at the back of the site are unsightly and the proposed development would significantly enhance the visual amenity of this part of the site.
- 5.15 The properties would have south facing living spaces and incorporate a number of other energy efficient features.
- 5.16 Having regard to all of the above, officers consider that, subject to conditions to secure the prior submission and approval of samples/details of the facing materials to be used, the proposed scale and design of the scheme is acceptable and accords with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 and Policy CS1 of The South Gloucestershire Core Strategy Submission Draft Dec 2010.

- 5.17 Residential Amenity
Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 each contain a criterion that states that, developments should not prejudice the amenities of nearby occupiers.
- 5.18 Adequate private amenity space would be retained for no.53 and provided for future occupiers of the proposed dwellings; the nearby Common would also provide an attractive source of recreation. The proposed terrace has been sited sufficiently distant from the neighbouring properties i.e. no.53 and no.55 as to not have an overbearing impact for the occupiers of these dwellings. Adequate bin storage would be available within the site and a hard-standing area, adjacent to the roadway, would be available for bins on collection day.
- 5.19 It has been noted that there are both ground and first floor windows in the facing side elevations of nos.53 and 55. Adequate screening at ground floor level would be provided by the proposed fencing and existing high hedgerow that grows adjacent to the Dramway footpath. The only proposed first floor windows for the side elevations of the new terrace would serve bathrooms and these can be obscurely glazed. There would therefore be no significant loss of privacy due to overlooking or inter-visibility, to result from the scheme.
- 5.20 The site would be well enclosed by the high boundary treatments and high hedgerows that grow to the front and eastern side of the site. Whilst cars would be introduced into the rear of the site, this is a similar arrangement to that which currently occurs to the rear of nos. 47b, 49, 53 and 55, and given the distance of the parking spaces and driveway from the neighbouring properties, the level of disturbance would not be so great as to justify refusal of planning permission on this matter alone.
- 5.21 Whilst there may be some disturbance for local residents during the construction phase, this would be on a temporary basis only and could to some extent be mitigated for by the imposition of a condition to control the hours of working on the site.
- 5.22 On balance therefore the scheme would not result in a significant adverse impact on residential amenities and accords with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.23 Transportation
Policy T8 states the maximum parking standards for residential dwellings. Policy T12 states that development should provide adequate and safe access, capable of accommodating the motorised traffic generated by the proposal.
- 5.24 It is proposed to create a new vehicular access into the site from Siston Common Road. The highway is a quiet cul-de-sac and carries very little traffic. The submitted plans show visibility splays of 2.4m by 25m from the access and this is considered to be acceptable given the nature of the road. A separate footpath from Siston Common would also be provided between no.53 and the new houses, thus allowing direct pedestrian and cycle access to the rear gardens and negating the need to extend the existing footpath along the front of the site.

- 5.25 The proposed on-site car parking provision comprises 6 no. spaces, which would be in accordance with the Council's adopted maximum parking standards and is considered to be acceptable for this development. There are therefore no highway objections to the proposal. The proposal therefore accords with Policies T8, T12, H4 and H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.26 Landscape
Policy L1 seeks to conserve and enhance the character, distinctiveness, quality and amenity of the landscape. Policy L5 relates to the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality.
- 5.27 The key issue for discussion here is whether or not the proposal would adversely affect the landscape character, which in this location derives from the open appearance of the Common and spaces between the dwellings.
- 5.28 Officers consider that the proposed development would follow the architectural styles and massing of the existing buildings within the locality, as well as retaining sufficient space between the buildings to maintain local character. The open areas between the buildings also includes the Dramway Footpath and thereby respects the setting of this historic landscape feature. Interest has also been created and character retained by placing the gardens against the road frontage, thereby ensuring that the hedgerow and grass verge remains to the frontage.
- 5.29 Although some of the existing Thorn hedge would be lost to provide the visibility splay for the access, a replacement is proposed. The extent of removal, cutting back and trimming of the hedgerow would need to be agreed before the commencement of work on the site and this matter can be secured by condition. In order to maintain an adequate level of screening, all of the remaining hedge would be retained at a minimum height and width of 2m. Due to the retention of the boundary hedge and enhanced planting next to the Dramway, officers are satisfied that the amenity value of the recreational route will be maintained.
- 5.30 Other matters to be secured by condition would be; the nature of the front garden boundary demarcation whilst the new section of hedge establishes itself; maintenance of the existing and proposed hedgerow at a minimum height and width of 2m; submission of a plan to show existing and proposed ground levels; details of the proposed method of protection of the retained hedgerow during construction; submission of a full landscape plan to show both hard and soft landscaping; and details of the new entrance gate to be submitted and approved.
- 5.31 Subject to these conditions, there are no landscape objections and the scheme therefore is in accordance with Policies L1 and L5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.32 The Proposal & Common Land Issues

The scheme creates an access to the site through an existing garden, creating an access onto Siston Common road next to the Dramway Footpath. In connection with a previous application PK05/0792/O, which proposed a similar access arrangement into the field behind no.53, there was much debate as to whether or not the grass verge next to the roadway, across which the proposed access runs, is in fact Common Land or not. After protracted investigations, the Council's Senior Legal Officer, having checked the Commons Register, confirmed that the verge is not Common Land but adopted highway.

5.33 Environmental and Drainage Issues

Any increase in noise levels or anti-social behaviour as well as vermin infestation, would be the subject of normal environmental health controls. There are therefore no objections on environmental grounds. In terms of drainage, the Council's Drainage Engineer has raised no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme, to include Sustainable Drainage Systems (SUDS) and, given the presence of old mine workings in the area, a mining report, for approval before development could commence.

5.34 Ecology

The site is an existing garden and does not lie within an SNCI. Subject to appropriate informatives relating to protected species, the scheme accords with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.35 Affordable Housing

The proposal is for 3no. houses only, which is below the Council's threshold (15) for affordable housing provision.

5.36 Education Service

The proposal is for 3no. houses only, which is below the Council's threshold (5) for contributions to Education Services.

5.37 Community Services

The proposal is for 3no. houses only, which is below the Council's threshold (10) for contributions to Community Services.

5.38 Other Matters

A single storey building located opposite the site, on Siston Common, was a former Gin House and as such has conservation interest. The building is not however afforded any statutory protection and since it is separated from the application site by Siston Common Road it would not be adversely affected by the proposal. Officers consider that the setting of the building would not be adversely affected. There are therefore no objections on conservation grounds.

5.39 Concern has been expressed about the proposed access possibly increasing the likelihood of development on the open field to the rear of no.53. Any such proposal would however be the subject of a separate application and it should

be noted that previous efforts to gain planning permission to build on the field have failed.

6. CONCLUSION

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

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

1. Consideration has been given to the impact of the proposed development on the character of the surrounding area, which would in this case not be affected, in accordance with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 2. The proposal would not prejudice the amenities of neighbouring property, in accordance with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 3. An acceptable level of off-street parking would be provided in accordance with Policies H2, H4 and T8 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 4. Adequate amenity space would be provided to serve the development, in accordance with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 5. The design of the scheme would be in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.
 6. There would be no adverse landscape implications to result from the scheme, in accordance with Policies L1 and L5 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 7. An appropriate scheme of drainage to include SUDS would be secured by condition in accordance with Policies EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 8. The ecology of the area would not be adversely affected in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 9. The scheme would not adversely affect The Dramway Footpath in accordance with Policy LC12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 10. The scheme would not adversely affect the setting of the nearby Locally Listed Building in accordance with PPS5 and the adopted Local List SPD.
- 6.2 The recommendation to approve planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) 6th 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.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E and G), or any minor operations as specified in Part 2 (Class A, B), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the development in the interests of visual amenity and to protect the semi-rural character of the area and the residential amenity of the neighbouring occupiers and to accord with Policies D1/L1/H2/H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of The South Gloucestershire Core Strategy Submission Draft Dec 2010.

3. Prior to the commencement of the development hereby approved 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 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), 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.

5. The off-street car parking and turning facilities, shown on the Proposed Site Plan No. CA/0974/03 hereby approved shall be provided before the first occupation of the dwellings so approved, and thereafter retained as such and used only in conjunction with the occupation of the buildings' purpose.

Reason

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

6. The hours of working on the site for the period of construction of the development hereby approved, shall be restricted to 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of the development hereby approved a Coal Mining Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the development can be safely implemented having regard to past coal mining in the area and to identify the possible presence of shafts, adits, drainage levels and culverts, in accordance with Policies EP2 and EP7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. For the new dwellings hereby approved, no windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor side elevations.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the first use or occupation of the dwellings hereby permitted, and at all times thereafter, the proposed first floor bathroom windows on the side elevations shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. No development shall take place until details/samples of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to protect the visual amenity and character of this semi-rural location in accordance with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of The South Gloucestershire Core Strategy Submission Draft Dec 2010.

11. Prior to the commencement of the development hereby authorised, details of the location of any construction compound to be provided on the site shall be submitted to and agreed in writing with the Local Planning Authority and the works shall subsequently be carried out in accordance with the agreed details.

Reason

To safeguard the amenities of the locality, and to accord with Policy H2 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panels shall be kept on site for reference until the stonework is complete.

Reason

To ensure a satisfactory standard of external appearance and to protect the visual amenity and character of this semi-rural location in accordance with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.

13. None of the buildings hereby approved shall be occupied until the means of vehicular access has been constructed in accordance with the approved plans. The visibility splays shall be in accordance with those shown on the approved Proposed Site Plan no. CA/0974/03. Thereafter the visibility splay shall be maintained as such and there shall be no obstructions to visibility (constructions or planting) within the splayed areas at any time.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in accordance with BS 5837:2005 during the course of the development; proposed planting (and times of planting); boundary treatments (both permanent and temporary) and areas of hardsurfacing

shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the visual amenity and character of this semi-rural location in accordance with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the first planting and seeding seasons following the first occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason

To protect the visual amenity and character of this semi-rural location in accordance with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.

16. Prior to the commencement of the development hereby approved, a plan showing the existing and proposed ground levels to illustrate the relationship between the ground levels and the hedgerows to be retained, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in full accordance with the details so approved.

Reason

To protect the visual amenity and character of this semi-rural location in accordance with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.

17. Prior to the commencement of the development hereby approved, the extent of removal, cutting back and trimming of the existing hedgerow shall be agreed on site with the Council's Landscape Officer.

Reason

To protect the visual amenity and character of this semi-rural location in accordance with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.

18. The replacement hedgerows to the front and south-eastern side of the site are to be allowed to grow to a minimum height and width of 2 metres. Thereafter all of the hedgerow (retained and proposed) on the front and south-eastern side of the site shall be kept trimmed and maintained at a minimum height and width of 2 metres. No other works to these hedgerows other than trimming shall be carried out without the prior written approval of the Local Planning Authority.

Reason

To protect the visual amenity and character of this semi-rural location in accordance with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.

19. Prior to the commencement of the development hereby approved, full details of the proposed entrance gate from the site to Siston Common, shall be submitted to and approved in writing by the Local Planning Authority, thereafter the development shall proceed in full accordance with the details so approved.

Reason

To protect the visual amenity and character of this semi-rural location in accordance with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.

20. The approved boundary treatments shall be completed before any of the buildings are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason

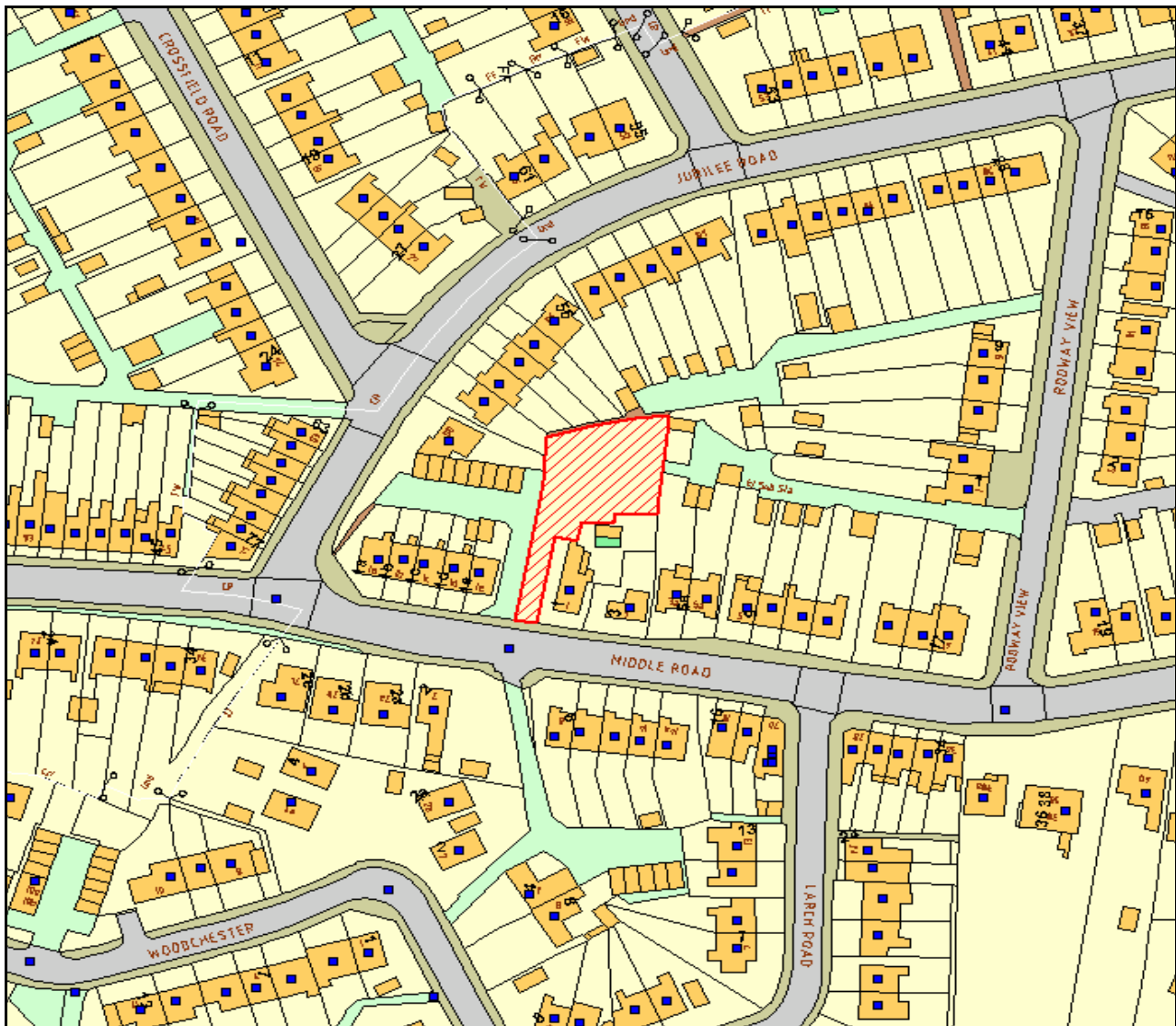
To protect the residential amenity and to accord with Policies H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

21. No cutting back, trimming or hedge removal shall take place in the bird nesting season (March to August) unless a check for nesting birds has been carried out to the written satisfaction of the Council's Ecologist.

To ensure that protected species are not adversely affected in accordance with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 06/11 – 11 FEBRUARY 2011

App No.:	PK11/0004/F	Applicant:	Mr P Castles
Site:	1 Middle Road Kingswood Bristol South Gloucestershire BS15 4XD	Date Reg:	4th January 2011
Proposal:	Erection of two 2 no. bedroom single storey dwellings with access and associated works (Re-submission of PK10/2053/F)	Parish:	None
Map Ref:	365409 175311	Ward:	Rodway
Application Category:	Minor	Target Date:	25th February 2011



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N.T.S.

PK11/0004/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This planning application has been referred in light of objections received from a local resident regarding the proposed development.

1. THE PROPOSAL

1.1 This planning application seeks planning permission for the erection of two single storey detached dwellings with access and associated works.

1.2 The application site relates to residential domestic curtilage within the established residential area of Kingswood.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable development
PPS3 Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
T12 Parking Standards
H2 Residential development within Existing Urban Areas
H4 Development within Existing Residential Curtilages
L1 Landscape Protection and Enhancement
EP1 Environmental Pollution

South Gloucestershire Core Strategy Submission Draft December 2010

CS1 High Quality design

2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PK01/0994/F Erection of two storey side and single storey rear Extension
Approved June 2001
- 3.2 PK01/3261/F Erection of single storey side/rear extension
Approved December 2001
- 3.3 PK07/2694/O Erection of one dwelling (outline) with layout and means of Access
Refused October 2007 on highway, design and residential amenity
Dismissed at appeal February 2008

- 3.4 PK08/1124/O Erection of one dwelling (outline) with layout and means of access
Outline Approval June 2008
- 3.5 PK10/2053/F Erection of 2 dwellings with access and associated works
Refused on highway and residential amenity grounds
October 2010

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Not covered

4.2 Other Consultees

Drainage

No objection in principle. Addressed in detail under paragraphs 5.22

Tree Officer

No objection. Addressed in detailed under paragraph 5.20 and 5.21

Environmental Services

No objection subject to imposition of planning conditions/informative relating to construction works on site.

Transportation Issues

No objection. Addressed in detail under paragraphs 5.17-5.19

4.3 Local Residents

One letter has been received from a local resident raising the following planning objection regarding the proposed development which has been summarised by the Planning Officer as follows:

-Loss of cedar tree, which is healthy

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies H2 and H4 of the South Gloucestershire Local Plan allows for residential development within existing urban areas and existing residential domestic curtilages subject to a number of criteria being satisfied.

- 5.2 Material to this application is an appeal decision in 2007. Outline application (PK07/2694/O) sought permission for a two storey detached dwelling that was refused by the Council on the grounds of not being in keeping with the character of the area but was dismissed by the Planning Inspector.

- 5.3 Whilst it is acknowledged that PPS3 no longer classes domestic garden land as previously developed land this does not preclude the principle of residential development. As this site is within the established urban area of Kingswod, Policies

H2 and H4 accept the principle of residential development subject to a number of criteria being satisfied in particular landscape character.

5.4 Layout & Design

The application site relates to a domestic curtilage sited to the rear of no.1 Middle Road. At the time of the previous application (PK07/2694/O) a planning objection was raised on the grounds the proposed development would fail to respect the pattern and character of residential development within the immediate surrounding area, due to its layout i.e. tandem development and lack of frontage.

5.5 The Planning Inspector however made the following assessment:

The appeal site represents a central open area within a block of development set at varying angles and orientations, and this results in garages, gardens and access lanes surrounding the site. It has limited visibility from public accessible areas and, therefore a two storey dwelling would not represent an incongruous feature here. As a consequence of the mix of development types and orientations locally, and in light of similar backland development to the rear of no's 2 to 8 Middle Road, I do not consider that this proposal would be detrimental to the character of the area and I consider that it complies with Policy D and H of the Local Plan.

5.6 Notwithstanding the recent changes to PPS3, it is considered in light of the previous Inspectors decision the introduction of residential development in this location would not have a harmful impact on the character of the area.

5.7 This area is generally characterised by two storey properties of varying styles i.e. Victorian terraces and 1970's style properties. There are three gable frontage bungalows on the other side of the road from the application site. It is considered the introduction of two single storey dwellings by reason of their scale, design and materials are acceptable.

5.8 Residential Amenity

At the time of the previous application (PK07/2694/O) for a two storey detached dwelling, a planning objection was raised by the Council on the grounds that the proposed development was considered 'tandem' development i.e one house behind another and this arrangement if allowed would have an adverse impact on the existing amenities of neighbouring properties and gardens by introducing vehicular movements into a previously peaceful environment, which if allowed would introduce unacceptable levels of noise and disturbance to the detriment of residential amenity.

5.9 The Planning Inspector however made the following assessment:

While the introduction of a dwelling to the rear of an established road frontage can result in additional noise and disturbance beyond that associated with normal garden use, I consider that the existing garages and access lanes in this area already establish a pattern of use that would not be material changed by this proposal.

5.10 Also at that time concerns were raised by local residents regarding issues of loss of privacy by reason of the proposed siting of the dwelling. The Planning Officer however was of the opinion that given the separation distance between nearby properties and

the proposed dwelling, that the proposal would not have an adverse impact on existing levels of privacy and therefore no objection was raised. The Planning Inspector was also of the view that given the separation and the oblique relationship between the elevations of the properties that this would be sufficient to ensure that there is no significant harm to the living conditions of occupiers of the Jubilee Road properties or The Lilacs.

- 5.11 It is was therefore considered at that time a two storey dwelling in this location would not have an adverse impact on the existing amenities of neighbouring occupiers in terms of loss of privacy/overbearing impact or noise and disturbance.
- 5.12 This current application differs from the previous outline application, as full planning permission is sought for 2 single storey detached dwellings. Although they are sited closer to the rear garden boundaries of those properties along Jubilee Road, it is considered as they are single storey and will be set back an overall distance of 15.0m at the nearest point from the rear elevations of no. 64 and 62, they would not have an unacceptable impact on the living conditions of those nearby occupiers in terms of loss of privacy and overbearing impact. Close-boarded fence measuring 1.80m in height is proposed along the boundaries of the application site. It is also considered that an increase in units would not have a harmful impact in terms of noise and distance as a result of noise associated with the proposed development.
- 5.13 It is considered as the proposed units are single storey and given their siting they will not have an adverse impact on the existing amenities of no. 1 and 3 Middle Road which are situated in front of the proposed dwellings. Satisfactory levels of garden space will be retained for no. 1 Middle Road (although the land has already been sold).
- 5.14 A recent application (PK10/2053/F) for a similar proposal on this site was refused on the following grounds:
- In terms of the developments impact on the future occupiers of the proposal, unsatisfactory levels of private amenity space is proposed. Although front gardens are proposed for both units, these are deemed unsuitable due to their location and will be subject to noise from cars entering and leaving the site. Although rear gardens are proposed they are considered shallow and substantially enclosed i.e. side elevation of proposed dwelling and existing garage. It should also be noted that the rear gardens are north facing.
- 5.15 This revised application has sought to address the above by re-siting the position of both dwellings by pulling them forward resulting in deeper gardens. It is considered as satisfactory level of private amenity space can be provided this has overcome the above planning objection.
- 5.16 A knock on effect on having larger useable private rear gardens is the fact the dwellings have been brought closer to the proposed 3 car parking spaces and in particular some space alongside no. 1 will have to be kept clear to enable cars to reverse back into so they can leave the site in forward gear. Whilst it is accepted there will be car movements particularly in front of the bedroom relating to unit 1 as result of cars relating to plot 2 and 1 Middle Road, it is considered that on balance it would not have such a harmful impact so as to warrant refusal of the planning application.

5.17 Transportation issue

Vehicular access to the new dwellings is proposed alongside no. 1 Middle Road. There have been previous planning applications on this site in the past. The first was PK07/2694/O, which sought to erect a new dwelling on the site. Due to issues on access, parking and turning this proposal was refused and the decision appealed and later dismissed by the Inspector. Outline planning permission was subsequently granted to erect a four-bed detached dwelling (PK08/1124/O).

5.18 A recent application (PK10/2053/F) for 2 dwellings on this site was refused on the following grounds:

This current proposal seeks to erect two no. two-bed single storey dwellings on the same area of land. As mentioned above, issues have previously been raised with regard to turning within the site. It is considered that the proposed parking and manoeuvring area within the site is too restrictive and drivers are likely to impinge on neighbouring amenity. No evidence has been submitted with this proposal to prove otherwise.

In light of the above and without satisfactory evidence being submitted to the contrary, this proposal in its current form is recommended for refusal on the grounds the proposed development does not provide satisfactory turning within the site to enable vehicles particularly service and delivery vehicles to enter and leave the site in forward gear.

5.19 This current application has been revised and now proposes satisfactory turning area and on site car parking for the existing dwelling of 1 Middle Road i.e 2 car parking spaces and 1 space each for the proposed dwellings. It is therefore considered this revised scheme has addressed the previous planning objection.

5.20 Landscaping Issues

Objections have been raised by a neighbouring occupier regarding the removal of a cedar tree, which they consider enhances the environment and indeed is considered to be healthy as indicated the submitted tree report. The proposed removal of this tree has been fully assessed by the Council's Tree Officer who has made the following comments. A comprehensive report has been produced by Wessex Tree Consultancy in respect of the cedar tree and the implications of both the proposed development and the extant outline planning permission for a single dwelling (PK08/1124/O). Whilst the tree is currently in good condition and is a significant feature in the rear garden of the property, it has the potential to increase substantially in stature and size in the future. Its relatively constrained location in close proximity to a row of garages to the west of the boundary will impair the tree's ability to achieve its full potential, subsequently leading to increased frequency of intensive management to maintain it within the confines of the site. For this reason the Landscape Officer concurs with the findings of the Arboricultural Report and does not consider that a Tree Preservation Order would in this situation be appropriate given the increasing potential for the future development of the tree to be compromised through consistent demands for remedial tree surgery.

5.21 There are a number of other trees on the site. The site plan (Drawing No. T318/1) indicates that in addition to the cedar tree a silver birch, two fruit trees and a conifer are to be removed and a sycamore, buddleia and laurel are to be retained. There is no

arboricultural assessment of those trees to be retained and concerns are raised that the proximity of the proposed dwellings and the installation of drainage service runs will render the practicable retention of these trees unlikely. Although the Tree Officer has advised he is unable to fully assess the impact of the works proposed on those trees to be retained, it is considered as those trees in question aren't worthy of a Tree Preservation Order, then the Council is unable to raise an objection, in the event the trees are removed.

5.22 Drainage

No objection is raised in principle regarding the proposed development. Had planning permission been granted a condition would have been imposed requiring the submission and approval of full drainage details including SUDS.

6. CONCLUSION

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

- a) The proposed development has been designed to positively enhance the character and appearance of the site and area taking account of materials, design, siting, height and scale of development. Policy D1.
- b) The proposed development has fully taken account of neighbouring residential amenities and thorough careful design and siting, the proposals will not materially harm the amenities of neighbouring properties by reason of overbearing impact or loss of privacy-Policy H2.
- c) The proposal offers on site car parking provision and turning facilities- Policies T8 and T12.
- d) The proposal is supported by a Tree Protection Plan which justifies the removal of the existing cedar tree -L1.
- e) Drainage details are to be submitted to and approved by the Local Planning Authority to ensure satisfactory surface water drainage of the site and minimise the risk of flooding-Policy L17.

7. RECOMMENDATION

7.1 Planning permission be granted subject to the following planning conditions.

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason

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

2. Prior to the commencement of development 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.

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

Reason

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

4. 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 (EP2) of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E) or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

Due to the constraints of the site in terms of size any future proposed extensions to the dwellings or outbuildings would require the further consideration of the Local Planning Authority particularly in terms of impact on garden, car parking and tuning

areas and existing residential amenities and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The area in front of the parking space alongside unit 1 shall be marked as 'keep free' no parking at any time, prior to the first occupation of the dwellings and shall be retained thereafter at all times.

Reason

To ensure vehicles can satisfactorily manoeuvre with the site and leave in forward gear and in the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. One parking space to be allocated for each new dwelling and two car parking spaces for the existing dwelling (1 Middle Road).

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.

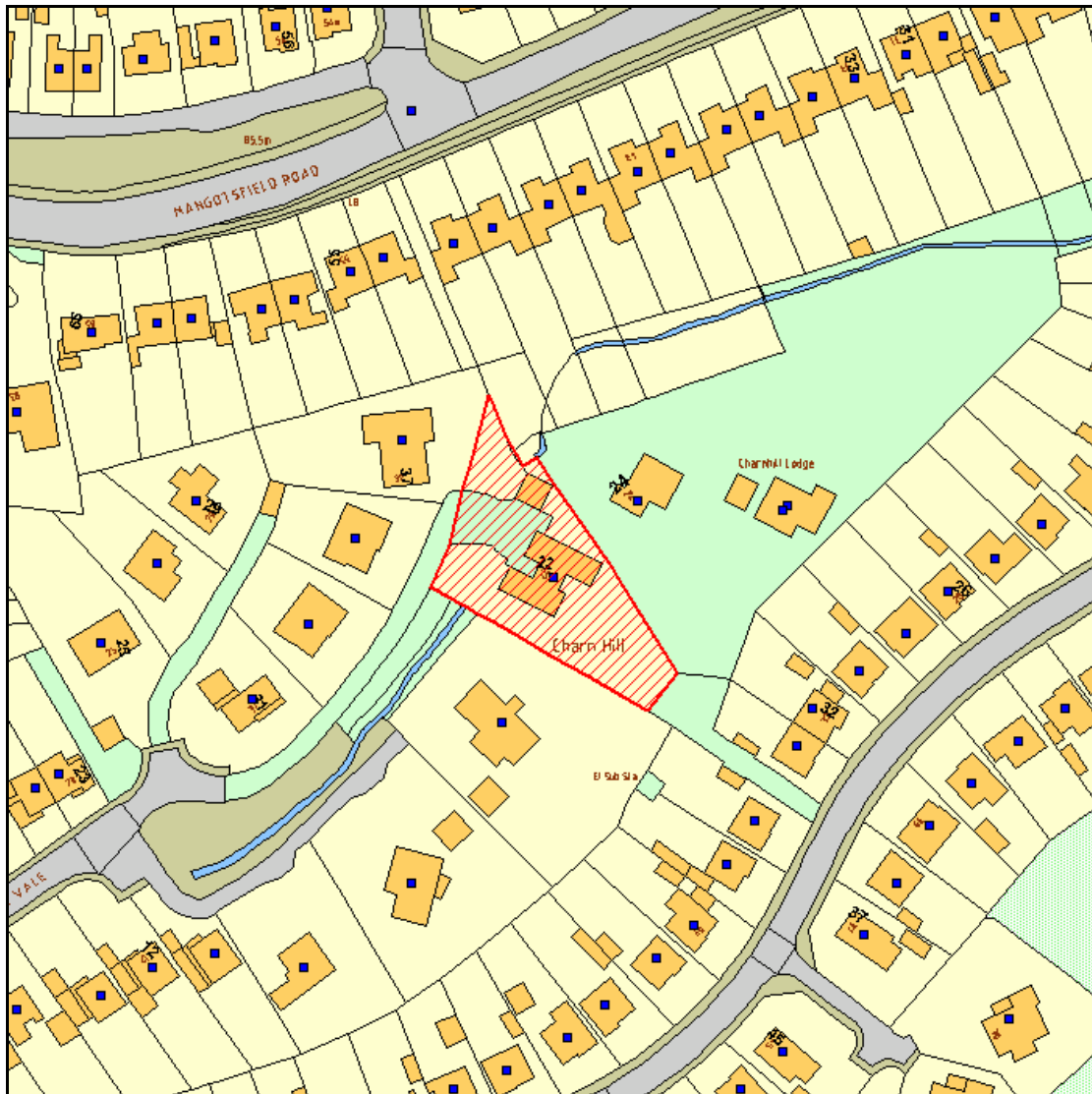
8. The first 10.0 metres of the approved access road leading from Middle Road serving the proposed development shall have a permeable bound surface and kept satisfactorily thereafter.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 06/11 – 11 FEBRUARY 2011

App No.:	PK11/0103/F	Applicant:	Mr G Cave
Site:	22 Charnhill Vale Mangotsfield Bristol South Gloucestershire BS16 9JT	Date Reg:	17th January 2011
Proposal:	Erection of detached double garage and storeroom.(Resubmission of PK10/0618/F)	Parish:	None
Map Ref:	365931 175825	Ward:	Rodway
Application Category:	Householder	Target Date:	10th March 2011



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 100023410, 2008. **N.T.S.** **PK11/0103/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following an objection being received from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a detached double garage and storeroom. The garage would measure 7.1 metres wide by 6.4 metres in depth and achieve an overall height to ridge of 5 metres. The proposed storeroom would measure 2.8 metres wide, 4.1 metres in depth and have an overall height of 2.6 metres.
- 1.2 This storeroom would connect the garage to an existing building currently used as a fitness room. This particular use is considered to be ancillary to the enjoyment of the property and allowed under its general permitted development rights. As such it does not need planning permission.
- 1.3 The application site is a single storey detached modern property located within the residential area of Mangotsfield.
- 1.4 This is a resubmission of application number PK10/0618/F. The applicant was requested to provide and submit an arboricultural report due to the close proximity of a mature Poplar Tree covered by a group Tree Preservation Order SG/TR 135 dated 12th November 1969.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Design in New Development
- H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- T8 Parking Standards
- T12 Transportational Development Control

South Gloucestershire Core Strategy, Submission Draft December 2010

- CS1 High Quality Design

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

3. RELEVANT PLANNING HISTORY

- 3.1 P95/4045 To fell No. 1 Sycamore Tree, minor crown lift (10%), deadwood no. 1 Oak Tree

	Approved	20 th March 1995
3.2	PK08/2439/TRE	Works to fell No. 1 Oak Tree and No. 1 Conifer Tree and reduce No. 1 Leylandii by 50%. Trees covered by TPO SG/TR 135
	Approved	20 th October 2008
3.3	PK10/0618/F	Erection of detached double garage and storeroom
	Withdrawn	21 st April 2010
3.4	P99/4623	Alterations and extension to form residential care home
	Withdrawn	25 th November 1999
3.5	K633	Extension to existing double garage to provide elderly persons dwelling unit
	Refused	17 th April 1975
3.6	PK08/3135/TRE	Works to pollard to previous reduction point No. 1 Poplar Tree covered by TPO SG/TR 135 dated 12 th November 1969.
	Approved	20 th January 2009

4. **CONSULTATION RESPONSES**

4.1 Parish Council
The area is un-parished

4.2 Other Consultees

Tree Officer

No objections subject to the conditions in the decision notice

Other Representations

4.3 Local Residents

A local resident raised an objection to the previous application and has raised objections to this application, summarised below:

- could the angle of the roof be made shallower to lower the overall roof line so not to affect view
- could a restriction be imposed to ensure the garage is for domestic purposes only
- the proposed 1.8 metre high wall is out of keeping with the open plan aspect of the surrounding properties

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policies D1 and H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met. Policies T8 and T12 advise of maximum parking standards.

5.2 Design and Visual Amenity

The application site is a large detached single storey dwellinghouse situated within a large garden and accessed via a private road. The property is of natural white stone to the front, painted render to the sides and rear and has an unusual split level roof design. It benefits from a large parking area to the front. A single storey detached flat roofed double garage is situated to the north, at right angles to the main dwellinghouse. This is currently used as a fitness room and retains a single garage door.

The proposal is for a hipped roof double garage and a flat roofed storeroom to be situated alongside and connected to the existing garage/fitness room. The proposed garage will be finished in render and natural stone to match the host dwellinghouse. Its hipped roof concrete tiles will also match those of the existing dwellinghouse. The storeroom will have a flat roof and will be finished in render to match the existing garage/fitness room. The design of this structure will assist the successful integration of the extension with the existing garage/fitness room and with the application site in general. The garage is quite large but the addition is considered appropriate given the scale of the main dwelling and the mix of housing styles and sizes in the vicinity.

The proposal would be to the front of the main dwelling house, however, given the location of the property at the end of a private road and given the fact that there is no strong pattern of development within this area of Charnhill Vale, it is considered that the development would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The proposed garage will be situated approximately 9 metres from No. 37 Charnhill Vale, its closest neighbour to the west and will be at the very end of the rear garden of No. 51 Mangostfield Road to the north. No. 37 Charnhill Vale is slightly raised above the application site and angled away from it. Given the distance from this neighbouring property it is considered that the pitch of the proposed roof is of an acceptable design and will not affect the visual amenity of No. 37 Charnhill Vale. Furthermore, given the distance between the application site and its nearest neighbours it is considered that there will be no issues of overshadowing or overbearing on these properties.

It is proposed that the north elevation of the garage would have two windows and the storeroom would have a rear door. These openings would face the rear garden of No. 51 Mangotsfield Road. However, a standard 2 metre high boundary could be erected here under household permitted development rights. By virtue of the above, it is considered that an objection on the grounds of overlooking could not be supported. There are no issues of inter-visibility or loss of privacy to consider. Furthermore, there are no concerns relating to loss of daylight/sunlight and sufficient garden space will remain to serve the

property. The impact on residential amenity is subsequently deemed acceptable.

5.4 Tree Officer

The proposed structure could potentially affect the roots of a nearby Poplar Tree situated in an adjacent garden. An earlier application was withdrawn to allow an arboricultural report to be written. This report indicates that a cellweb tree roof protection system will be used as the preferred foundation method which will not affect the roots of the Poplar Tree. If the recommendation contained within the arboricultural report and the method statement are adhered to there should be little if any impact on the health and well being of the existing Poplar Tree. Consequently there are not objections to the works, subject to the conditions found in the decision notice.

5.5 Transport

Policies T8 and T12 are concerned with maximum parking standards. The proposed double garage is to be located on an area of cleared garden and thereby does not change the current level of parking provision found to the front of the property. It is considered that a suitable amount of parking exists to serve the property.

5.6 Other matters

The applicant proposes a 1.8 metre high brick screen wall on the boundary between No. 22 Charnhill Vale and No. 37 Charnhill Vale. This is not included in the application as it falls under household permitted development rights. It is true the materials used for the wall could be more in keeping with the existing dwarf wall and the existing dwellinghouse. However, other properties in the immediate area have a mixture of materials in their design. Any issue of encroaching onto neighbouring land is a civil matter and cannot be addressed in this report.

A concern has been expressed that the development may be used for commercial purposes. Provided the use is ancillary to the enjoyment of the host residential dwelling this does not require any additional planning controls. However, any use over and above domestic use would be unauthorised and subject to enforcement action.

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 double garage and storeroom is considered to be in-keeping with the overall character of the dwelling and surrounding area in terms of its scale, design and the materials used. Furthermore, the existing level of residential amenity afforded to neighbouring properties is protected. As such the proposal accords with Policies D1, H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

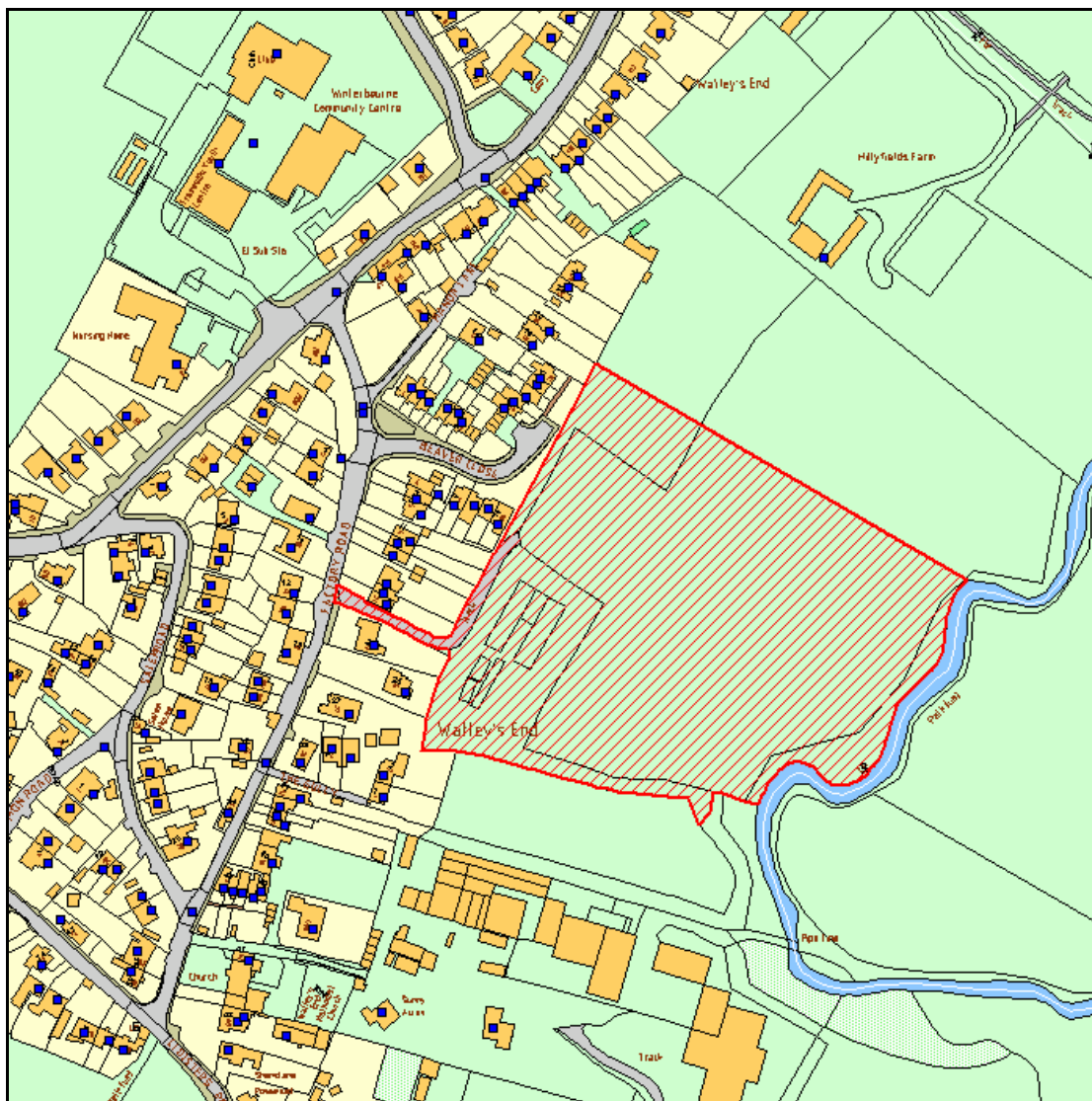
2. All works should be in accordance with the arboricultural report and method statements supplied with the application

All hard and soft landscape works shall be carried out in accordance with the approved details. 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.

CIRCULATED SCHEDULE NO. 06/11 – 14 FEBRUARY 2011

App No.: PT10/3258/EXT
Site: Land At Watleys End Road Winterbourne
 Bristol South Gloucestershire BS36 1PQ
Proposal: Consent to extend time limit
 implementation for PT05/1349/F Change
 of use of land from agricultural to equine
 use and erection of stable block.
Map Ref: 365317 181263
Application Minor
Category:

Applicant: Mr Harry Wood
Date Reg: 29th November
 2010
Parish: Winterbourne Parish
 Council
Ward: Winterbourne
Target
Date: 20th January 2011



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PT10/3258/EXT

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks consent to extend the time of the planning permission PT05/1349/F. This permission granted consent for the change of use of land from agricultural to equine use and the erection of a stable block.
- 1.2 The application site is approximately 2.6ha of agricultural land within the Green Belt, outside of any settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
- PPG2: Green Belts
- PPS7: Sustainable Development in Rural Areas
- PPG17: Sport and Recreation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1: Achieving Good Quality Design in New Development
- L1: Landscape Protection and Enhancement
- L9: Species Protection
- L16: Protecting the Best Agricultural Land
- LC5: Sport and Recreation outside settlement boundaries.
- E10: Horse Related Development

2.3 Emerging Development Plans

South Gloucestershire Core Strategy (Submission Publication Draft) March 2007

- CS1: High Quality Design
- CS9: Environmental Resources and Built Heritage
- CS34: Rural Areas

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/1349/F Change of use of land from agricultural to equine use and erection of stable block.
Approved 24.11.2005.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Objection: The Committee is of the opinion that the original application has expired. The original consent was given in October 2005 and therefore the applicants should reapply.

The Parish Council previous objection relates to the loss of agricultural land.

4.2 Highway's Authority

No objection.

4.3 Environment Agency

No objection, subject to informatives.

4.4 Drainage

No objection.

4.5 Local Residents

None.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks an extension of time for the implementation of an existing planning permission (PT05/1349/F). This procedure was introduced under Town and Country Planning (General Development Procedure) (Amendment No. 3) Order 2009 and allows applicants to apply to their Local Planning Authority for a new planning permission to replace an existing permission which is in danger of lapsing. This enables the applicant to obtain a longer period in which to begin the development.

5.2 National Government guidance outlines that LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission.

5.3 This report shall review each of material considerations that were identified under the previous planning application against national planning policies and emerging development plan policies that have been published since the grant of planning permission for PT05/1349/F on the 24th November 2005. The report shall then assess whether these changes have materially affected the decision made on the previous application, and whether it is appropriate to grant a further planning permission to allow the time limit to be extended for a further three years.

5.4 Principle of Development

The principle of development was accepted as a part of the previous application. Since the determination of the previous application PPS7 and South Gloucestershire Core Strategy (Pre-Submission Publication Draft) has been published. It is considered that the principle of the development would be compliant with these documents

5.5 Green Belt

It was established under the previous application that the proposed development would constitute an appropriate form of development within the Green Belt. This was because the development was considered to be an 'essential facility for outdoor sport and recreation'. Furthermore it was concluded that the development would not harm openness. Officers are satisfied that there have been no material changes of circumstance and thus the development remains acceptable in Green Belt terms.

5.6 Design

Careful consideration of the design of the proposal was made during the previous application and it was considered that the proposal would not adversely affect the character and appearance of the site and the surrounding area. Given that there have been no material changes in the immediate vicinity of the site, the proposal is still considered to fully accord with policies D1, L1 and H2 of the South Gloucestershire Local Plan.

5.7 Residential Amenity

During the previous application it was concluded that there was sufficient distance between the development and the neighbouring properties to prevent any loss of privacy or overbearing impact. Given that there have been no material changes in the immediate vicinity of the site, the proposal is still considered to maintain residential amenity and would fully accord with policy H2 of the South Gloucestershire Local Plan.

5.8 Transportation

The access, parking and turning arrangement were fully considered under the previous application and were concluded to be acceptable. The Highways Authority have reviewed this and have confirmed that this remains the case. On this basis, Officers are satisfied that the development would not have any unacceptable transportation effects.

5.9 Horse Welfare

Under the previous application it was concluded that the accommodation had proper regard to the safety and comfort of horses. Since this conclusion there has been no material changes to guidance with regard to accommodation for horses. Therefore, Officers are satisfied that the development remains acceptable in terms of horse welfare.

5.10 Loss of Agricultural Land

It is noted that the Parish Council have reiterated their previous objection on the ground of the loss of agricultural land. Notwithstanding this, the land subject to this application falls within category three of best agricultural land. This is the middle ranking with the best land being 1 and 2. On this basis it is considered that the proposed development would not result in the loss of the best agricultural land. Furthermore it should be noted that if the proposed use ceases then the land could revert to an agricultural use without the need for planning permission.

5.11 Environment

There have been no material changes to the environmental effects of the proposed development. Furthermore, Officers remain satisfied that a condition to require a full wildlife survey would prevent any adverse harm to protected species. On this basis, it is considered that due to the small-scale nature of the proposal the development would not result in detrimental harm to the environment in this location.

5.12 Schedule of Conditions

The original planning permission included 15 conditions. These have been reviewed to consider whether they are still appropriate. It should be noted that:

- Conditions 4 & 13 (landscape) and 10 & 15 (waste) have been amalgamated to improve the clarity of the consent.
- The wording of the conditions and reasons has been amended to be more precise and to reflect current policy.
- The conditions have been re-ordered so that the pre-commencement conditions are listed first.

6. CONCLUSION

6.1 The material considerations that were identified under the original planning application have been reviewed against the national planning policies and emerging development plan policies that have been published since the grant of planning permission on the 4th May 2007. Furthermore the proposal has been assessed to ensure that no further material consideration have also arisen in this period.

6.2 The recommendation to grant permission to extend the time limit of the original planning application has therefore 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 On this basis, planning permission is granted for the following reason(s): -

The proposed development has been fully assessed. It is considered that the principle of the equestrian development would be an appropriate form of development within the countryside and Green Belt. Furthermore the development is considered to be acceptable in terms design, highway safety, landscape, horse welfare, and ecology. The proposed development would therefore accord with PPS1, PPG2, PPS7 and policies D1, L1, L9, L16, LC5, and E10 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Prior to the application of the roofing and external facing materials, details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

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

3. No development shall take place until details of any floodlighting and external illuminations, including measures to control light spillage, are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy E10 of the South Gloucestershire Local Plan (adopted) January 2006.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority measures in respect of:

(i) The identification, through site survey, of protected wildlife species and/or their habitat at present (as designated under the Wildlife and Countryside Act 1981 (as amended) and the Badger Act 1992).

(ii) The protection, as required, of wildlife species, and/or their habitat referred to under (i) above and as identified through the site survey.

The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.

Reason

To protect the wildlife and the ecological interests of the site, and to accord with policies L1 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

5. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall then be implemented in accordance with the approved details and during the first planting season following the first use of the site. For the avoidance of any doubt, the scheme shall include details of all existing trees and hedgerows on the land and details of any to be retained, proposed planting, together with measures for their

protection during the course of the development; boundary treatments and areas of hard surfacing.

Reason

To protect the character and appearance of the area and to accord with Policy RP1 of L1 of the South Gloucestershire Local Plan (adopted) January 2006.

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

Reason

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

7. Prior to the first use of the site, full details of the manure storage and disposal shall be submitted to and agreed in writing by the council. The development shall then be carried out in accordance with the approved details.

Reason

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy RP1 of the adopted Northavon Rural Areas Local Plan; and Policy E9 of the South Gloucestershire Local Plan Revised Deposit Draft (Incorporating Proposed Modifications)

8. Prior to the first use of the site hereby approved the first 8 metres of the access lane (from Factory Road) to be constructed using materials which will give it a bound surface. This surface shall then be retained in perpetuity.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the first use of the site hereby approved, the dilapidated former agricultural buildings (as shown on Drawing No. 50601/01/102 Rev A dated 18 November 2005) shall be demolished and removed from the site

Reason

To protect the character and openness of the Green Belt and to accord with policies GB1, L1 and E10 of the South Gloucestershire Local Plan (adopted) January.

10. No doors or gates shall be hung so as to open over or across the public highway/footway.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. At no time shall the stables for the associated land be used for livery, riding school or other business purposes whatsoever.

Reason

To protect the amenities of the occupiers of the nearby dwellings, in the interests of highway safety and to accord with policies E10 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

12. The number of horses kept on the site shall not exceed three.

Reason

In the interests of the welfare of horses and highway safety, and to accord with the guidance of the British Horse Society and policies E10 and T12 of the South Gloucestershire Local Plan (adopted) January.

13. No jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land without the prior written approval of the Local Planning Authority.

Reason

To protect the character and openness of the Green Belt and to accord with policies GB1, L1 and E10 of the South Gloucestershire Local Plan (adopted) January.

CIRCULATED SCHEDULE NO. 06/11 – 11 FEBRUARY 2011

App No.:	PT11/0125/O	Applicant:	Mrs C Miller
Site:	Trevone Oaklands Drive Almondsbury Bristol South Gloucestershire	Date Reg:	18th January 2011
Proposal:	Erection of 1 no. dwelling (outline) with access and layout to be determined. All other matters reserved.	Parish:	Almondsbury Parish Council
Map Ref:	360493 183755	Ward:	Almondsbury
Application Category:	Minor	Target Date:	15th March 2011



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 100023410, 2008. **N.T.S.** **PT11/0125/O**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Council's Circulated Schedule due to six letters of objection received from local residents.

1. THE PROPOSAL

- 1.1 This outline application relates to the erection of 1 no. dwelling with access and layout to be determined on land at Trevone, Oaklands Drive, Almondsbury. In order to facilitate the development the existing attached garage and rear outbuildings are to be demolished to provide access to the rear garden.
- 1.2 The application site is irregular in shape with the existing dwelling of Trevone forming a recognised road frontage with the rest of the properties of Oaklands Drive. The rear garden area is also significantly larger than the other dwellings of Oaklands Drive and is surrounded by other rear gardens. The site has an area measuring just under 0.2 hectares. Vehicular access is to be taken off Oaklands Drive which is a cul-de-sac off Gloucester Road (A38). The site lies within the settlement boundary of Almondsbury and is also in the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
GB1	Development within the Green Belt
H2	Proposals for Residential Development within the Existing Urban Area and Defined Settlement Boundaries
H4	Development Within Existing Residential Curtilages, Including Extensions and New Dwellings
H6	Affordable Housing
T12	Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy Proposed Changes Version (December 2010)

CS1	High Quality Design
CS5	Location of Development
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

Development in the Green Belt (Adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 P96/2826 Erection of detached dwelling and garage.
Refused 3 February 1997 on the grounds of backland development.

4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council
No response received.

- 4.2 Internal Consultees of the Council]
Tree Officer
No objections in principle subject to a tree protection plan.

Drainage
No objection in principle.

- 4.3 Local Residents
5 letters have been received objecting to the proposal on the following grounds:-
- a) overlooking;
 - b) loss of privacy;
 - c) noise pollution;
 - d) loss of outlook;
 - e) previous application for dwelling was refused in 1997;
 - f) highway/pedestrian safety;
 - g) loss of privacy to occupiers of Trevone;
 - h) backland development;
 - i) dustbins/recycling;
 - j) tandem development;
 - k) contrary to current planning policy;
 - l) increased housing density;
 - m) set a precedent;
 - n) spoil character of area.

- 4.4 Sustainable Transport
No objection.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Background
This outline application seeks planning permission for the erection of one two storey detached dwelling within the rear garden of the property of 'Trevone', a dormer bungalow. The application site is located within a cul-de-sac, accessed off Gloucester Road (A38) and is opposite an ambulance station. It has a large rear garden, which is screened along its boundaries by semi-mature trees. Layout and access are to be determined as part of the application with appearance, landscaping and scale reserved for future consideration. The

submitted plans show the removal of an attached garage/outbuildings that currently runs along the side (western) boundary to create a 4.6m wide access road. A parking/turning area for the existing property is to be provided within the front garden. The proposed dwelling is centrally located but sited so that its front elevation faces in a south-westerly direction. The main issues to consider in the assessment of this application are the principle of development, design/visual amenity, residential amenity and transportation.

5.2 Principle of Development

As can be seen from the planning history, a previous outline application for a detached dwelling was refused in 1997 on the grounds that it constituted backland development without a proper road frontage, which would be detrimental to the amenities of the occupiers of the proposed dwelling. That application was determined in accordance with the Adopted Rural Areas Local Plan and the Northavon Local Plan (Deposit Draft). The definition of infilling in the Adopted Rural Areas Local Plan was ‘ **filling a small gap in an otherwise built up frontage, with no more than two dwellings**’. Both these plans have been superseded since the determination of that application and housing policy has changed with the emergence of PPS3. Emphasis was changed to encourage the efficient use of land within existing settlement boundaries. The site lies within the settlement boundary of Almondsbury in a residential area and is also within the Green Belt. Dealing firstly with Green Belt issues, advice contained within PPG2 and GB1 of the Local plan allows for limited infilling within the boundaries of settlements ‘washed-over’ by the Green Belt provided it does not significantly impinge upon the openness of the Green Belt. This advice is also carried forward in the emerging Core Strategy policies CS5 and CS34. The supporting text to adopted policy GB1 of the Local Plan defines infilling as “**acceptable ‘infilling’ is unlikely to be more than the filling of small gaps within built development, where it does not significantly impinge upon the openness of the Green Belt**”.

5.3 The application site is located to the rear of the property of Trevone and is wholly surrounded by residential development by properties of Over Lane and Oaklands Drive. Under Green Belt policy the proposal is considered to constitute infilling as it is within built development and no impact upon the openness of the Green Belt would result as the site is enveloped by existing residential development, would not be visible within the street scene and would be regarded within the context of a residential area. As such the proposal is acceptable in Green Belt terms.

5.4 With regard to housing policy, advice contained within PPS3 and policies H2 and H4 of the adopted Local Plan allows for new residential development within settlement boundaries and the curtilages of dwellings, subject to certain criteria, and as such the proposed development would be acceptable in principle.

5.5 PPS3 requires housing schemes to make the most effective use of sites by achieving the maximum density compatible with the site’s accessibility, environmental constraints and the character of its surroundings. This is reflected in Policy H2 of the Local Plan where all housing developments are expected to achieve a minimum density of 30 dwellings per hectare. However, this advice has now been superseded. In June 2010 the Coalition Government

issued a Ministerial Statement entitled '*New Powers for Local Authorities to Stop 'Garden Grabbing'*'. This statement made the following changes to PPS3 : Housing.

- 1) The definition of 'previously developed land' has been amended to exclude private residential gardens;
 - 2) The national indicative minimum density target of 30 dwellings per hectare for new housing development has been removed.
- 5.6 These changes have been introduced to reflect the concerns regarding over-development of neighbourhoods, loss of green space and the impact upon local character. PPS3 is a material consideration in relation to planning applications for housing development and as such these amendments are material to the determination of this application.
- 5.7 Policies H2 and H4 of the South Gloucestershire Local Plan allow for residential development on sites that are within the defined settlement boundaries or urban areas, without reference to whether or not such land is brownfield or previously developed land. Furthermore, policy CS17 of the emerging Core Strategy also allows for house building on gardens provided it would not adversely affect the character of the area. As such, it is not considered that the change to the definition of 'previously developed land' would make a significant difference to the approach that the Council take in considering applications for residential development, and thus the proposed development is regarded as acceptable in principle.
- 5.8 Nevertheless the Ministerial Statement has raised some important points regarding the design and density of new residential development. Firstly the statement reiterated the need to ensure that residential development does not result in the over-development of neighbourhoods, the loss of green space, and does not adversely detract from the local character of the area. These matters can be reasonably assessed on the basis of existing policies (D1, H2, and H4) of the South Gloucestershire Local Plan.
- 5.9 The second point relates to the requirement in PPS3 for all new residential developments to achieve the national indicative density target of 30 dwellings per hectare. This policy objective was reflected in Policy H2(b) of the South Gloucestershire Local Plan which stated that the maximum density compatible with the sites location should be achieved, but with an expectation that it will achieve a minimum density of 30 dwellings per hectare. The Ministerial Statement has removed the requirement for new residential development to achieve the national indicative minimum density, and thus very limited weight should be given to Policy H2(b).
- 5.10 The remaining advice in PPS3 states "*Good design is fundamental to using land efficiently...*" (Para. 48) and "*Careful attention to design is particularly important when chosen local strategy involves intensification of the existing urban fabric. However when well designed and built in the right location, it can enhance the character and quality of an area*" (Para. 49). "*Density is a measure of the number of dwellings that can be accommodated on a site or in an area. The density of existing development should not dictate that of new housing by*

stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.” (Para. 50)

5.11 The size of the site (including the existing dwelling) is just under 0.2 hectares. The housing density of the site results in 10 dwellings per hectare. It is recognised that in density terms this is low. However, the character of the area demonstrates spacious plots and any greater number of dwellings would appear cramped and out of keeping with the site's context. Although the need to achieve an efficient use of land is still an important material consideration, this need should be carefully balanced against the requirement to consider the character of the area and whether the proposal is good quality design. Policy D1 of the South Gloucestershire Local Plan recognises this, and density is one of the design factors that this policy requires to be assessed.

5.12 Having regard to the spacious nature of the surrounding development it is considered that any greater number of dwellings would have an adverse impact within the street scene. The proposed development would be entirely screened by surrounding development.

5.13 Design/Visual Amenity

Although the application has been submitted in outline with only access and layout to be determined, advice contained within Circular 11/95 states that the appearance of a proposed development and its relationship to its surroundings are material considerations. The submitted Design and Access Statement and plans suggest a two-storey dwelling having a footprint/layout of approximately 114m², with a ridge height no greater than 8 m from existing ground level. It illustrates a dwelling with a maximum depth of 7.4m and a width of 18.4m, which includes an attached double garage. A dwelling any higher than two stories would not be appropriate in this location, especially as the existing dwelling is a dormer bungalow. A characteristic of the properties to the north of Oaklands Drive is that they are all bespoke, ranging from small scale bungalows to large two storey dwellings. In the immediate vicinity of the site all dwellings are detached and benefit from good-sized rear gardens. Semi-detached properties are located to the end of the cul-de-sac and to the south of Oaklands Drive. A wide variation of house types and designs is a characteristic of the area. Another noticeable feature is the low stonewalls enclosing the site frontages with significant screen planting. The site as a whole (including the existing dwelling) has an area of just under 0.2 hectares. As a consequence the site area falls under the threshold for affordable housing. The illustrative plans indicate that the existing property would have a garden depth of some 22m with a minimum width of 11m. The proposed dwelling would have a rear garden with a depth of 14m and a width ranging from 22m to 33m. The level of private amenity space for both properties is therefore more than adequate.

5.14 Residential Amenity

The submitted plans show that the size of the plot is commensurate with the character of the area and that ample private amenity space for both properties will be provided. In addition, the size of the plot and proposed layout ensures that the development will have no overbearing impact or result in loss of light to

surrounding dwellings. Furthermore, the distance between surrounding development complies with intervisibility standards ensuring that no material overlooking or loss of privacy will result. This is also aided by the degree of existing planting along the rear boundary, which is to be maintained as part of the development. In terms of increased noise and disturbance, the proposal is for one dwelling only. Although it is recognised that the proposed access runs directly adjacent to the side wall of the existing dwelling and runs adjacent to the neighbouring property boundary, the level of vehicular movement associated with one dwelling is considered to be low. Furthermore, the garage/outbuilding of the adjacent property known as The Bungalow lies between this property and the site boundary. As such, any impact upon residential amenity will be negligible. It is also important to bear in mind that existing ambient noise levels are quite high, due to the proximity of the M5 motorway and the A38.

5.15 Transportation

Having taken some measurements on-site the Transportation Officer is satisfied that the existing access is wide enough to facilitate 2-way vehicle movements. Although visibility from the access is potentially acceptable, I did note that some of lower branches of a tree to the east of the access may need to be cut back but this can be covered by condition. The proposed dwelling is located some distance from the public highway and may not entirely accord with building regulations with regards its distance from bin collection point and firetender access, but it is not envisaged that this will have highway safety implications. Adequate parking and turning facilities have been provided for both the existing and proposed dwelling. The level of additional traffic generated by this dwelling is not considered significant within the context of the local road network. No transportation objection is therefore raised subject to appropriate conditions.

5.16 Trees

The garden contains a number of ornamental conifers that will need to be removed to accommodate the proposed development, these offer little visual amenity to the area and should not be considered as a constraint to the development.

5.17 On the north east boundary of the site there is a belt of semi mature trees mainly beech, birch and ash. These trees offer visual amenity to the area which will increase as the trees mature. These trees are shown to be retained, as well as an existing hedge line running along the northern boundary of the site. A condition will be imposed requiring that these trees are to remain.

5.18 The proposed position of the development appears to be clear of the root protection of the retained trees. If protective fencing was erected in accordance with BS5837:2005 it will ensure there is no soil compaction or accidental ground contamination during the development. This should be erected prior to the commencement of any works and maintained in position for the duration of the works. The Council's Tree Officer has therefore raised no objections in principle to this application but to ensure the health and longevity of the trees proposed for retention, a tree protection plan will be required, in accordance with BS5837:2005.

5.19 Drainage

No objection has been raised by the Council's Drainage Engineer subject to a drainage condition requiring the incorporation of SUDS.

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 outline 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 proposed dwelling is located within the defined settlement boundary of Almondsbury, washed over by the Green Belt where infilling is acceptable in principle. The proposal will have no adverse impact upon the openness of the Green Belt and the size of the plot and layout ensures no loss to surrounding residential amenity. As such the proposal would therefore accord with Planning Policies GB1, H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal is acceptable in highway safety terms. As such the proposal is considered to be compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 Outline planning permission be granted subject to the following conditions:-

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

1. Approval of the details of the scale, appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. For the avoidance of doubt the ridge height of the dwelling shall be no greater than 8 metres from existing ground level.

Reason

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

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

Reason

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

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

Reason

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

4. The existing trees indicated on approved drawing 10-1354-002 shall be retained and a tree protection plan in accordance with BS5837:2005 shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the commencement of development.

Reason

To protect the character and appearance of the area to accord with Policies H2, H4, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason

In the interests of the long term health of the tree(s), and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. 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 L17, L18, EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To minimise disturbance to occupiers of neighbouring dwellings and to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the first occupation of the dwelling hereby permitted an area measured at the point of access 2m from the near side carriageway to the extremities of the site frontage shall be cleared of obstruction to a height of 1m above the carriageway. This visibility splay shall thereafter be maintained free of obstruction.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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