

**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. 31/11

Date to Members: 12/08/11

Member's Deadline: 18/08/11 (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.

Dates and Deadlines for Circulated Schedule
During August Bank Holiday Period 2011

Schedule Number	Date to Members 9am on	Members Deadline 5pm on
33/11	Thurs 25 August 2011	Thurs 01 Sept 2011

Above are details of the schedule that will be affected by date changes due to August Bank Holiday.

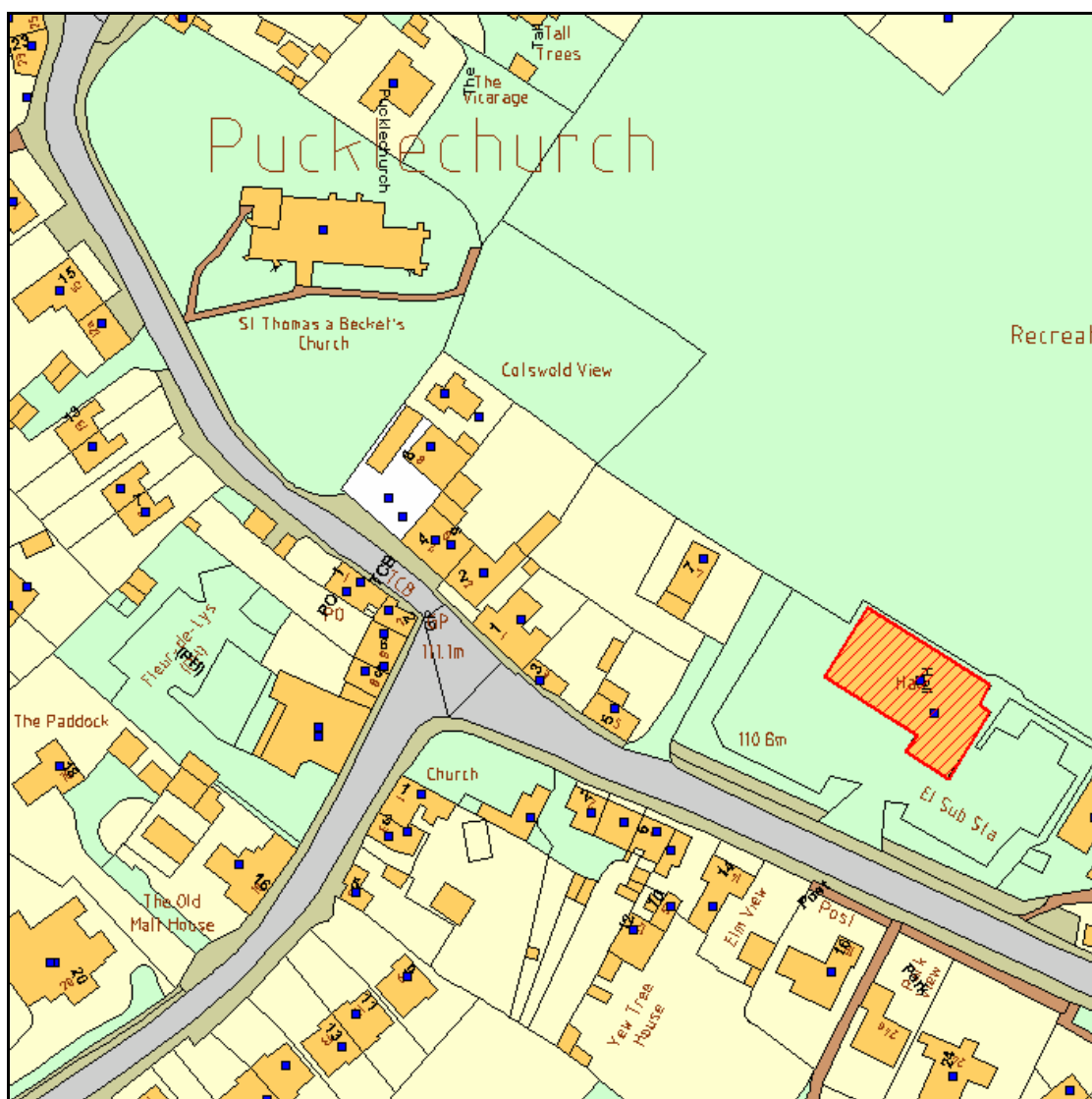
All other schedules during this period will be published as normal on Fridays.

CIRCULATED SCHEDULE – 12 AUGUST 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/1778/AD	Approve with Conditions	Pucklechurch Community Centre Abson Road Pucklechurch Bristol South Gloucestershire BS16 9RH	Boyd Valley	Pucklechurch Parish Council
2	PK11/2116/F	Approve with Conditions	12 Farm Close Emersons Green Bristol South Gloucestershire BS16 7BU	Emersons	Mangotsfield Rural Parish Council
3	PK11/2177/F	Approve with Conditions	26 Redfield Hill Oldland Common Bristol South Gloucestershire BS30 9TQ	Oldland	Bitton Parish Council
4	PK11/2257/F	Approve with Conditions	6 Brunel Close Warmley Bristol South Gloucestershire BS30 5BB	Siston	Siston Parish Council
5	PT11/1760/RVC	Approve with Conditions	New Siblands School Easton Hill Road Thornbury Bristol South Gloucestershire BS35 2JU	Thornbury North	Thornbury Town Council
6	PT11/1830/F	Approve with Conditions	Land At Beechmount Duck Street Tytherington Wotton Under Edge South Gloucestershire GL12	Ladden Brook	Tytherington Parish Council
7	PT11/1938/CLP	Approve with Conditions	Spring Barn Eastwood Park Falfield South Gloucestershire	Charfield	Falfield Parish Council
8	PT11/1985/CLP	Approve with Conditions	194 Badminton Road Coalpit Heath Bristol South Gloucestershire BS36 2ST	Westerleigh	Westerleigh Parish Council
9	PT11/2168/CLP	Refusal	Avening Cottage Kington Lane Thornbury Bristol South Gloucestershire BS35 1NJ	Severn	Oldbury-on- Severn Parish Council

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PK11/1778/ADV	Applicant:	Mr David Holder
Site:	Pucklechurch Community Centre Abson Road Pucklechurch Bristol South Gloucestershire	Date Reg:	6th July 2011
Proposal:	Display of 1no. non illuminated Community art signs (1 no. being retrospective)	Parish:	Pucklechurch Parish Council
Map Ref:	369966 176449	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	24th August 2011



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100023410, 2008.

N.T.S.

PK11/1778/ADV

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a result of objections from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks permission for the erection of 1 no. non-illuminated community Art sign. This application is retrospective. The sign measures approximately 2.4 metres in height by 4.2 metres in wide and 0.02 metres in depth.
- 1.2 The application site relates to a large modern community centre situated within the conservation area of Pucklechurch. The art signs will be located on the southern elevation of the building, currently used as a Community Centre for the village.
- 1.3 Although the plan originally received by the Council indicates a further proposed sign, it has subsequently been confirmed by the applicant that only the existing sign shall be considered within this application.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG19	Outdoor Advertisement Consent

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L13	Conservation Areas

South Gloucestershire Core Strategy, Submission Draft December 2010

CS1	High Quality Design
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2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 N752/1
Approved Erection of village hall
 14th August 1975
- 3.2 N752/2
Approved Erection of timber building to provide changing rooms
 25th November 1976
- 3.3 N752/3
Approved Erection of social centre with changing rooms,
 badminton hall and skittle alley
 28th July 1977

3.4	N752/4 Approved	Erection of sports and social centre (amended plans) 4 th May 1978
3.5	N752/6 Approved	Erection of sports and social centre (amended plans) 26 th April 1979
3.6	P84/1641 Approved	Extension to hall for equipment store 27 th June 1984
3.7	P86/2805 Approved	Erection of extension to hall area to provide stage storage area, workshop area and new activity room 21 st January 1987
3.8	P86/2826/L Approved	Minor works od demolition to existing community centre to facilitate the making of an opening in end wall for stage proscenium 21 st January 1987
3.9	PK01/3138/F Approved	Erection of 6m high pole for CCTV camera 11 th January 2002
4.0	PK08/0500/TRE Approved	Works to various trees 14 th March 2008
4.1	PK09/5423/TCA Approved	Works to various trees 5 th November 2009
4.2	PK10/3459/TCA Approved	Works to various trees 13 th January 2011
4.3	PK01/0913/ADV Approved	Display of 1 no. non-illuminated sign 8 th June 2001

4. **CONSULTATION RESPONSES**

4.1 Pucklechurch Parish Council
No objections

4.2 Other Consultees [including internal consultees of the Council]
Sustainable Transport
No objections

4.3 Local Residents
Two letters of objection have been received from local residents. The comments are as follows:

- This painting takes up at least 20% of the wall and it's an eyesore and I understand they wish to erect another one of equal size next to the one already present. I understand you have been told that there was a public meeting to discuss this matter I can assure you this did not take place. I would also like to point out that Pucklechurch is a conservation area. The

painting was originally erected for the 30th anniversary of the village hall and now they wish to keep it there indefinitely.

- Is this retrospective for the sign that is currently on the wall?
- The applicant states they own the land and building where the adverts are to be placed. They do not own the land or the building, they are leased.
- The sign is totally out of character in a conservation area. It utterly ruins the character of the centre of the village which dates back to the 1700s.
- The size of the sign is disproportionate to area of the wall, 10.3% in fact. If the second photograph is allowed that that will only exacerbate the problem by using over 20% or 1/5 of the area.
- Visual Appearance - What is the sign advertising? Users of the village hall? If it is, it isn't advertising all users and to my knowledge no user groups were asked to participate or asked for their endorsement of the sign.
- Other points - The sign is now inappropriate as it was originally erected in September 2010 to celebrate 30th anniversary of the village hall. At that point it was my understanding (as it was for all the people I have spoken to about the sign) it would only be up for a couple of months and then taken down and re erected on a wall inside the village hall. I had no issue with this at all.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

As outlined in PPG 19, the display of outdoor advertisements can only be controlled in the interests of amenity and public safety. Accordingly the display of advertisements will be assessed with regard to their effect on the appearance of the building and visual amenity in the immediate neighbourhood. The proposal should not prejudice public safety.

5.2 Visual Amenity

The application site relates to a large modern brown brick building with pitched roof set back from and situated slightly above road level on a main highway in Pucklechurch. A car park and large tarmac-ed area separates the building from the main highway and residential properties situated on the opposite side of Abson Road. The application site is accessed via a double gateway and mainly screened from the main road by mature planting. The 1 no. community art sign is positioned on the southern elevation of the building.

Careful consideration is given to the amount and size of the advertisements/signs which should not be detrimental to the appearance of the building to which they relate or to the character of the locality in general. Furthermore, the cumulative effect of the proposal should not be detrimental to the visual amenity of the area.

Although the sign is acknowledged to be quite substantial in size, given the overall mass of the host building it is not considered to be disproportionate or detrimental to the appearance of this main building. Furthermore, the positioning of the sign on a large, modern building and set back somewhat from the main road, is not deemed to have a negative impact on the character of the locality.

5.3 Public Safety

The non-illuminated sign is considered to be of an appropriate height situated on the wall of the building and 2.1 metres above the ground. It is considered to be of a sufficient distance away from the main road not to be distracting or confusing to passing vehicles or pedestrians. No objection has been raised by the Sustainable Transport team and it is not considered that the sign would be detrimental to highway or public safety.

5.4 Other matters

Some of the points raised by the local residents such as the public meeting, the longevity of the sign and content/users are outside the remit of planning and therefore cannot be considered in this report.

5.5 Given the location of the community centre, set back off the main road the proposed sign is considered not to be overly confusing to motorists or pedestrians. Furthermore, the impact on the residential properties across the road from the proposal will be negligible due to their distance from the application site. In this way the proposal accords with PPG19.

6. CONCLUSION

6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

7. RECOMMENDATION

7.1 That advertisement consent is **GRANTED**.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PK11/2116/F	Applicant:	Mr Street
Site:	12 Farm Close Emersons Green Bristol South Gloucestershire BS16 7BU	Date Reg:	5th July 2011
Proposal:	Erection of first floor side extension to provide additional living accommodation	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366913 176668	Ward:	Emersons Green
Application Category:	Householder	Target Date:	25th August 2011



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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 first floor side extension to provide additional living accommodation. The extension would measure approximately 5.2 metres deep, 4.2 metres wide and 7 metres high
- 1.2 The application site relates to a two storey detached modern dwellinghouse situated in the cul-de-sac of Farm Close. This site is within the established residential area of Emersons Green.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Design in New Development

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

South Gloucestershire Core Strategy, 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 PK06/2990/F Erection of single storey side extension to form additional living accommodation
Approved 15th December 2006
- 3.2 PK07/3312/F Erection of single storey side extension to provide additional living accommodation
Approved 21st December 2007

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
- 4.2 Local Residents

A letter of objection has been received from a local resident and states:

- would like reassurance that reasonable curfews will be adhered to whilst work is taking place
- that the planned front window will be frosted (as we feel, if it is not, this would most definitely be an invasion of our privacy and it would look directly into our master bedroom, kitchen window and garden).

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy D1 of the Local Plan requires all new development to be well designed and along with other criteria, respect and enhance the character, distinctiveness and amenity of both the site and locality.

5.2 Design and Visual Amenity

The host property is a large detached dwellinghouse situated within a modern estate. It benefits from an existing single storey extension and the proposal would be above this current structure.

The roof of the proposed extension would be pitched to match that of the main dwelling house, however, its height would be slightly lower and in this way the proposed roof level would be suitably subservient to the primary property. The proposed first floor extension would have windows in its east and west elevations and two roof lights to serve this additional first floor room. Windows at this level would be of a comparable size to those found in the rear elevation of the property. On the ground floor existing double doors to the rear would be altered to tri-fold doors opening out onto the rear garden. Good quality materials would be used to match those of the existing dwellinghouse. As such the erection of a first floor side extension accords with Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006.

5.3 Residential Amenity

The proposed first floor extension would be above an existing single storey extension to the south elevation of the main dwellinghouse. Currently the application site is separated from neighbours at No. 10 Farm Close along its south-west boundary by a 2 metre high fence, and to the east and north by a 1.5 metre high fence.

It is recognised that the proposed first floor extension would be quite close to its nearest neighbours at No. 10 Farm Close at a distance of approximately 9 metres. However, the proposal will have obscure glazing in this west facing window. Furthermore, a condition will ensure this window is permanently fixed and non-opening. In this way it is considered that there will be no inter-visibility or loss of privacy. In addition there are no concerns relating to loss of daylight/sunlight and garden space will be unaffected. The impact on residential amenity is subsequently deemed acceptable. In this way it is deemed that the proposal accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.4 Other matters

Concern has been expressed that reasonable curfews should be adhered to whilst the development is taking place. A condition will be placed on the decision notice to limit the hours of working on the site.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions written on 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. The glazing on the west elevation shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

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

3. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday and 8:00am to 13:00 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of [specify nearby buildings] and to accord with Policy (H4) of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PK11/2177/F	Applicant:	Mr M Bridge
Site:	26 Redfield Hill Oldland Common Bristol South Gloucestershire BS30 9TQ	Date Reg:	11th July 2011
Proposal:	Erection of single storey rear and side extension to form additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	367832 171557	Ward:	Oldland Common
Application Category:	Householder	Target Date:	1st September 2011



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 100023410, 2008. **N.T.S.** **PK11/2177/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of one letter of objection from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a single storey extension to the rear of the existing dwelling. The proposed extension would wrap around the rear and side of the existing two-storey rear projection. The purpose of the extension is to provide an enlarged kitchen and breakfast room. The existing kitchen will then be converted to form a downstairs utility and shower room.
- 1.2 The application site relates to a two-storey end of terrace property.
- 1.3 The plans also show the addition of a dormer window in the rear roof slope and two roof lights in the front roof slope to facilitate a loft conversion. These works however are being carried out under permitted development rights and are not for consideration as part of this planning application.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development
PPG2 Green Belts
- 2.2 Development Plans

South Gloucestershire Core Strategy – Submission Draft Dec 2010
CS1 Design

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings
GB1 Development in the Green Belt
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – Adopted SPD
Development in the Green Belt – Adopted South Gloucestershire SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objection

4.2 Local Residents

One letter of objection has been received from a local resident. A summary of the points of concern raised is as follows:

- The end of the extension will be close to or possibly even over the sewer
- Want to ensure that suitable measures are taken to ensure no additional pressure is placed on the sewer system
- Questions over the party wall and whether the extension would encroach onto the neighbouring property
- Concerns over the ability to maintain the side wall of the extension without disturbing the boundary fence
- Request additional soundproofing in the existing kitchen

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy 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. The site also lies in the Green Belt. Policy GB1 of the adopted Local Plan seeks to ensure that extensions to dwellings in the Green Belt do not impact on the openness of the Green Belt and do not represent disproportionate additions.

5.2 Green Belt

The application site lies in the Bristol/Bath Green Belt. Policy GB1 of the South Gloucestershire Local Plan (Adopted) seeks to ensure that extensions to existing dwellings do not represent disproportionate additions to the volume of the original dwelling house and that the openness of the Green Belt is maintained. The South Gloucestershire Adopted Supplementary Planning Guidance on Green Belts, sets out what the Council considers may represent a disproportionate addition.

5.3 The existing two-storey rear projection is an original feature that is present on all of the neighbouring dwellings. It has been calculated that the proposed extension represents a volume increase of approximately 20%. It is not therefore considered that the extension represents a disproportionate addition over and above the volume of the original dwelling. In addition to the above, given that the proposed extension is single storey only and is tucked up adjacent to the existing dwelling, the proposal will maintain the openness of the green belt.

5.4 Design/ Visual Amenity

The proposed single storey rear extension meets an appropriate standard in design that reflects the character of the main dwelling house and surrounding properties. The extension is modest in scale compared to that of the main dwelling and therefore will be suitably subservient to it. Matching face materials to be used in the construction of the extension will further help its successful integration. Several other rear extensions exist on neighbouring dwellings in the vicinity of the site. The design and visual impact of the single storey rear extension is therefore considered to be entirely appropriate.

- 5.5 It is therefore considered that the design of the rear extension is entirely appropriate for its location and demonstrates a good standard of design. The impact upon the street scene and character of the area is therefore considered to be entirely acceptable.
- 5.6 Residential Amenity
The proposed extension will have a depth of 3 metres where it runs adjacent to the boundary fence with the attached dwelling No. 38. However, there is an existing single storey lean too extension in place that will need to be demolished. This existing single storey lean too has a depth of 1.4 metres. As a result of this, the proposed extension will actually only project 1.6 metres further into the rear garden than the existing built form. Given this limited increase and the fact that the dwellings are served by large and long residential curtilages, it is not considered that the proposed extension would have any detrimental impact upon existing levels of residential amenity.
- 5.7 It is noted that the neighbour has raised concerns over the party wall act and possible encroachment. The Council does not hold details of land ownership and the party wall act is a separate civil issue that will need to be resolved separately outside of this planning application. Notwithstanding this, in formatives will be attached to any consent granted to remind the applicant that the granting of planning permission does not give rights to access or work on land not within their control and also drawing their attention to the requirements of the Party Wall Act.
- 5.8 It is also noted that the neighbour has raised the issue of soundproofing in the existing house and asked whether there is any possibility for this to be improved. This application is considering the proposed extension only and unrelated works to the existing dwelling cannot be secured through this planning application.
- 5.9 It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.
- 5.10 Drainage
A private sewer runs along the rear of the site. If upon commencement of construction the sewer is found to be at risk, it is possible to divert the private sewer to divert any future maintenance issues. An informative will be added to any consent granted to this effect.

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 single storey rear extension represents an appropriate standard of design that reflects the character of the original dwelling and the surrounding street scene. The use of appropriate materials further encourages its successful integration.

The proposed extension does not represent a disproportionate addition over and above the volume of the existing dwellinghouse and the openness of the Green Belt will be maintained.

Given the limited additional depth of the extension compared to the existing situation, the existing levels of residential amenity afforded to neighbouring properties will be protected.

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PK11/2257/F	Applicant:	Mr And Mrs P Orchard
Site:	6 Brunel Close Warmley Bristol South Gloucestershire BS30 5BB	Date Reg:	20th July 2011
Proposal:	Erection of first floor side extension to provide additional living accommodation.	Parish:	Siston Parish Council
Map Ref:	367516 173070	Ward:	Siston
Application Category:	Householder	Target Date:	9th September 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a first floor side extension to a two storey brick and tile detached house, with an integral side double garage. The extension is proposed for above the garage and would be set back slightly from the front building line of the property, with the roof also set down slightly.
- 1.2 The dwelling backs onto a play area and stands in a cul-de-sac of similar properties with varying designs, but similar materials. The neighbouring property, No. 7, has a bedroom window which looks out almost directly, at first floor level, at the existing garage roof. This roof would be increased in height slightly as a result of the application, but the extension would project no further than the existing double garage does. The proposal would create a new master bedroom (the property's fifth) together with an en-suite and dressing area to the rear. The only windows proposed would be a front facing dormer to serve the bedroom and rear facing windows to serve the dressing area and en-suite.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 House Extensions

South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 None since the estate was constructed.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No reply received
- 4.2 Other Consultees [including internal consultees of the Council]
None
- 4.3 Local Residents
One letter and one observation have been received, citing the following concerns:

- Change in roofline height facing the windows on the left hand side of No. 5 Brunel Close, a study and bedroom over, causing overshadowing
- Overlooking (intervisibility) – the proposed window will look into habitable room windows of No. 5
- Loss of privacy due to the encroachment into the space between houses
- The extended house would be out of keeping with the close and would be the largest house in the close
- A tree in the adjoining garden would be deprived of some of the light it currently receives and may be damaged in the building process
- This would set a precedent for others in the close
- In the Autumn/Winter months, leaves drop to the rear of the site, when people in the extension would be able to view the houses behind. Obscure glazing has been suggested as a solution.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Residential Amenity

As noted above, the nearest off-site room to the extension is a bedroom in No.5, 11 metres distant, with a front facing window which currently has a direct view of the side of this property and specifically its side garage wall and roof above that. The apex of the garage roof stands 6 metres above ground level and the proposal would raise this roof level to 7.7 metres, close to that of the house, at 8 metres. The impact of this proposal is considered to be broadly neutral on this bedroom window, given the separation distance and as such it is considered that the proposal would not harm existing levels of residential amenity in the locality and accord with policy H4 in this respect. Regarding the point raised about the ground floor window in the same property, this would be unaffected as it already looks at the side of the garage on site. The proposed window positions, front and back, would mimic those of the host dwelling and are also not considered to create any impact on residential amenity. Any view from the proposed dormer window of No.5 Brunel Close (and vice versa) would be peripheral and is not considered to harm residential amenity. With regard to the issue of the encroachment of this proposal into the space between the properties, this encroachment would respect the acceptable separation distance when the close was designed of 11 metres from habitable room window to flank wall and the impact would amount to an increase in roof height of 1.7 metres at first floor level only. It is not considered that any loss of privacy would result. With regard to the proposed windows at the rear of the extension, these would be in line with existing bedroom windows of the house on site and therefore there is not considered (at a distance to the nearest house to the rear of over 30 metres) to be any need to append a condition requiring that the new windows should be obscure glazed, although the occupiers may decide to undertake this measure in any event. It is considered that the proposal accords with policy H4 of the adopted Local Plan.

5.3 Design/ Visual Amenity

The design of the close is considered to allow for variations in the design of individual dwellings, as there is no regularity in evidence. The scale of the extended house is considered to complement local distinctiveness as would the matching materials, as declared on the application form. The existing tiles from the garage would be re-used in the extension, which accords with policy D1 in terms of recycling and conservation of resources. The use of hanging tiles is considered to aid the appearance of the extension as a separate element and help to break up the mass of the building. The proposed hanging tiles have been conditioned below to be approved prior to implementation to ensure a good match with the existing tiles. The proposed windows follow the existing solid to void ratio and are lined up to conform to existing storey heights and ground floor positions. While the horizontal emphasis of the dwelling would be increased under this proposal, the extension would read as such, due to its subservience to the host dwelling. The dwelling may be one of the largest in the close, but, subject to good design practice, there is no reason why it should not be extended further and since every case is treated on its merits, this would not be taken as a precedent, particularly in the site's context where there is little regularity in the street scene and therefore varied scope for extensions. The overall effect is considered to be well designed and accord with policy D1 of the adopted Local Plan.

5.4 Other Issues

The proximity of the extension to the nearby tree is not considered to be an issue which would warrant refusal of the application. It has been claimed that the specimen would have the amount of light it receives diminished, affecting its health. However, it is considered that the tree would benefit from adequate light to secure its continued health, even if it was to be in shadow for longer as a result of the extension. The proposal is for a first floor extension and therefore the building works are not considered to have any physical impact on the tree. If it lies on adjoining land, in order to implement the permission the applicants would have to seek permission from the landowner in order to avoid trespassing. An informative on the recommended decision notice makes this clear.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed development would provide enlarged family accommodation without compromising existing levels of visual and residential amenity, according with policies H4 and D1 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission is approved.

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).

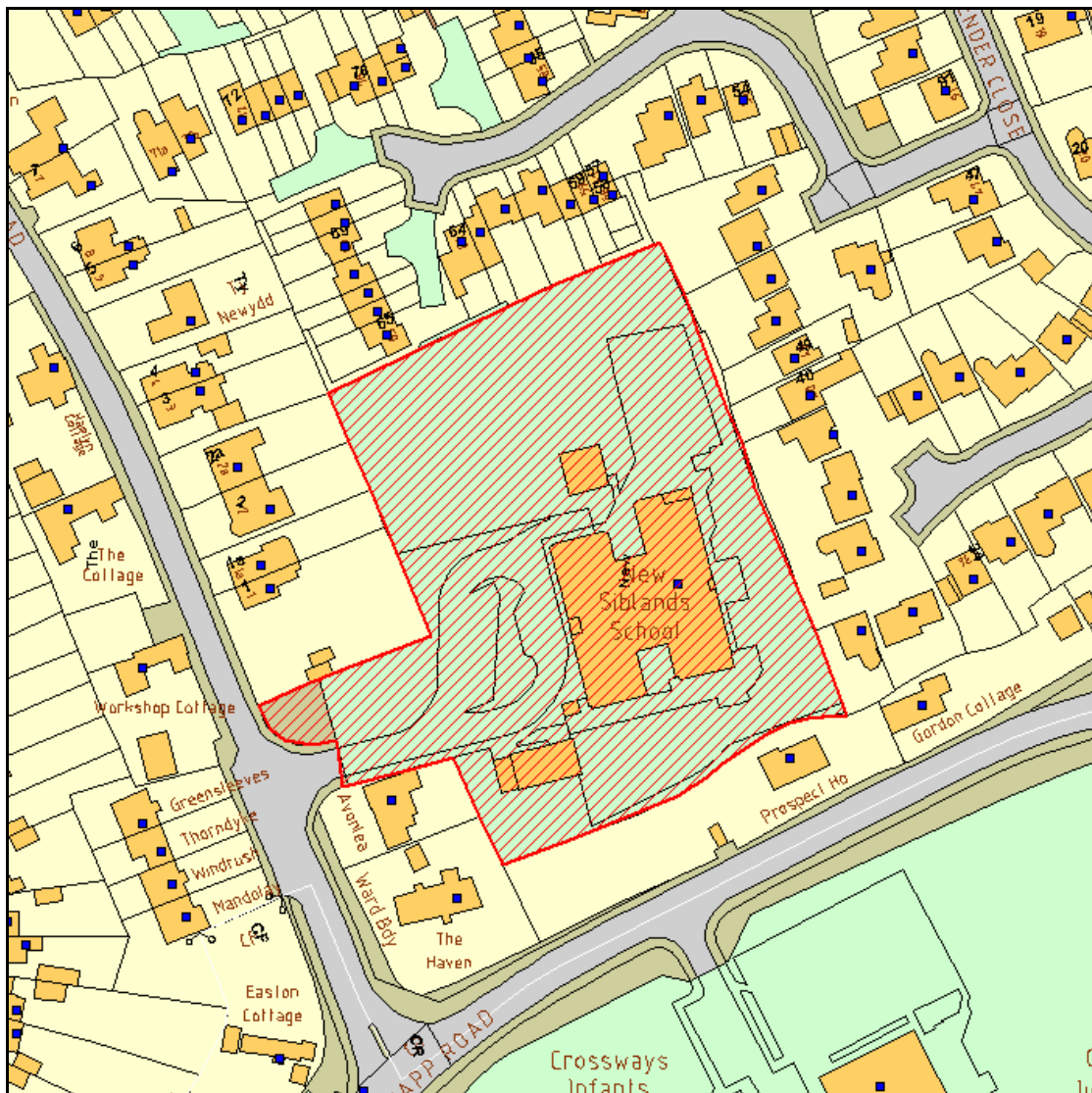
2. Prior to the commencement of development details/samples of the hanging tiles proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PT11/1760/RVC	Applicant:	Mr R Wiggins
Site:	New Siblands School Easton Hill Road Thornbury South Gloucestershire	Date Reg:	20th June 2011
Proposal:	Variation of condition 2 attached to planning permission PT09/6032/R3F to change Metal Profiled Roof colour from RAL 7005 to RAL 7037. (Retrospective.)	Parish:	Thornbury Town Council
Map Ref:	364775 190318	Ward:	Thornbury North
Application Category:	Major	Target Date:	14th September 2011



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 100023410, 2008. **N.T.S.** **PT11/1760/RVC**

INTRODUCTION

This application appears on the Circulated Schedule in view of the letter of objection that has been received.

1. THE PROPOSAL

- 1.1 The application seeks the variation of condition 2 attached to permission PT09/6032/R3F that allowed two-storey and single-storey extensions to an existing school. This current application would allow a different roof colour with condition 2 reading as follows:

'The materials used in the development hereby approved shall accord with the submitted details. These comprise:

*White/ Blue Render to the Proposed Elevations
Western Red Cedar Timber Cladding
Ibstock Himley Golden Russett (Base Brick)
Metal Curtain Walling and Windows; colour RAL 7015
Metal Profiled Roof; colour RAL 7005*

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

- 1.2 The application relates to the New Siblands School on the east side of Easton Hill Road, Thornbury. The application site is within the Thornbury settlement boundary.
- 1.3 At the time of the Officer site visit, building works appeared substantially complete with the roof already in place. Therefore, this is a retrospective application.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Core Strategy (Proposed Changes Version) December 2010

CS1: High Quality Design
CS32: Thornbury

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
L1: Landscape Enhancement and Protection
LC4: Proposals for Educational and Community Facilities

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

3. RELEVANT PLANNING HISTORY

- 3.1 N2889: proposed erection of special school with external teaching play areas, caretaker's dwelling and garage; construction of new pedestrian and vehicular access (outline). No Objection: 29 September 1976
- 3.2 N2889/AP: Erection of special school with external teaching and play areas. No Objection: 14 February 1977
- 3.3 N2889/AP1: Erection of caretaker's bungalow. No Objection: 22 March 1977
- 3.4 N2889/AP2: Erection of caretaker's bungalow. No Objection: 12 October 1983
- 3.5 PT00/1687/R3F: Conversion of caretaker's bungalow to life skills teaching unit. Deemed Consent: 31 July 2000
- 3.6 PT00/2960/R3F: Extensions to library and classroom. Deemed Consent: 27 February 2001
- 3.7 PT01/0656/F: Erection of Elliot classroom and covered way. Permitted: 4 June 2001
- 3.8 PT07/2722/R3F: Erection of Elliot classroom block (temporary consent for three years). Deemed Consent: 19 October 2007
- 3.9 PT09/075/SCR: Screening Opinion issued in respect of current planning application. Decision: Environmental Impact Assessment not required: 8 January 2010
- 3.10 PT09/6032/R3F: Erection of two storey and single storey building and refurbishments of existing school; extension of existing bungalow; landscaping and associated works. Deemed Consent: 16 March 2010
- 3.11 PT11/0149/NMA: Non-material amendment to PT09/6032/R3F to revise design of external screens to west and north elevations. No objection: 15 February 2011
- 3.12 PT11/0877/NMA: Non-material amendment to PT09/6032/R3F to revise design of external screens to first floor on north elevation. No objection: 11 May 2011

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection

4.2 Other Consultees
Landscape Officer: no comment

4.3 Summary of Local Residents Comments:
One letter received expressing the following concerns:

- o The colour/ finish reflects bright sunlight into an adjoining property at a distance of only 8m;
- o If the colour is considered to be light absorbing to obviate problems for residents it has not been successful.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Planning policy D1 advises that development will only be permitted where good standards of site planning and design are achieved. In this regard, detailing, colour and materials should respect and enhance the character, distinctiveness and amenity of both the site and the locality.

5.2 Policy LC4 relates to proposals for educational and community facilities within the existing urban areas and the defined settlement boundaries. In this instance, the principle of development has already been established by the grant of PT09/6032/R3F with only the revised roof colour under consideration. Therefore, relevant to the application, development should not have an unacceptable effect on residential amenity or have an unacceptable environmental or transportation effect.

5.3 The Proposal
The application relates to New Siblands School on the east side of Easton Hill Road, Thornbury that is currently being extended further to the grant of PT09/6032/R3F. This application seeks a variation to condition 2 attached to this permission to allow a different roof colour with RAL 7037 (grey) in lieu of RAL 7005 (also grey but slightly darker). It is noted that this is a retrospective application.

5.4 In response, the difference in colour is slight and arguably not readily apparent. On this basis, it is considered that there can be no sustainable objection this application on design/ visual amenity grounds.

5.5 Residential Amenity
As acknowledged at the time of the initial planning application, the school occupies a confined site adjoined by residential properties on all sides that generally back onto the school overlooking the site from their rear elevations. Nevertheless, given the subtle change proposed, it is considered that any objection on residential amenity grounds is unlikely to prove sustainable.

5.6 Highway Safety
It is not considered that this current proposal would have any implications having regard to issues of highway safety with the only the roof colour subject to alteration.

5.7 Outstanding Issues

Given that this application in effect supersedes the previous permission, it is considered appropriate to add all of those conditions that were attached to PT09/6032/R3F which remain applicable (i.e. which have not been discharged).

6. CONCLUSION

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

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

6.3 The recommendation to grant permission is for the following reasons:

1. The proposed change in roof colour would allow a subtle change to the appearance of the completed development that would remain in general keeping with the character of the area. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and LC4 (Proposals for Education and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The development proposed would not have a significant adverse impact on residential amenity. The proposal is therefore considered to accord with Planning Policy LC4 (Proposals for Education and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposal would not impact upon on issues of highway safety thus the proposal would accord with Planning Policy T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is **GRANTED** subject to the following conditions:

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

1. The materials used in the development hereby approved shall accord with the submitted details. These comprise:

White/ Blue Render to the Proposed Elevations
Western Red Cedar Timber Cladding
Ibstock Himley Golden Russet (Base Brick)
Metal Curtain Walling and Windows; colour RAL 7015
Metal Profiled Roof; colour RAL 7037

Reason

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

2. Notwithstanding the submitted details, prior to the commencement of development details of any floodlighting and external illuminations, including measures to control light spillage and times of illumination, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of doubt, the outdoor play areas shall not be externally illuminated.

Reason

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

3. 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 planning policy L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Within six months of the first occupation of the development hereby approved, a School Travel Plan shall be firstly submitted to the Local Planning Authority for approval and subsequently implemented. The agreed Travel Plan shall include contact details for the appointed person responsible for its implementation.

Reason

To encourage means of transportation other than the private car, and to accord with Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Notwithstanding the submitted plans, within six months of the first occupation of the development hereby approved, details of the new front entrance gates shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the gates have been designed in consultation with local residents and school pupils. Development shall accord with these approved details with the gates thereafter subsequently erected and retained. Any replacement gates thereafter shall be firstly approved in writing by the Local Planning Authority.

Reason

In the interest of visual and residential amenity and to allow for community participation; all to accord with Planning Policies D1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The development hereby approved shall be constructed to a BREEAM standard of "good". A formal assessment following construction shall be undertaken by a licensed BREEAM assessor and a copy of the assessors report and the certificate shall be submitted to the Local Planning Authority prior to the use of the building.

Reason

To ensure the development minimises the use of energy and natural resources in accordance with PPS1, Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

7. No new windows shall be inserted at any time in the east elevation of the sports hall hereby approved.

Reason

In the interests of residential amenity and to accord with Planning Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The proposed Astroturf Play Area and Hard Play Area shall not be used outside of the hours of 09.00am - 18.00pm on Mondays- Fridays.

Reason

In the interest of residential amenity and to accord with Planning Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. 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.

Reason

To protect the character and appearance of the area and in the interest of visual amenity, all to accord with Planning Policies D1, L1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. All retained trees shall be protected in accordance with the details provided as part of the submitted tree protection plan.

Reason

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

11. The proposed hydrotherapy pool shown on the plans hereby approved does not form part of this application and would require the benefit of a further planning application.

Reason

In the interests of visual and residential amenity and to accord with Planning Policies D1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

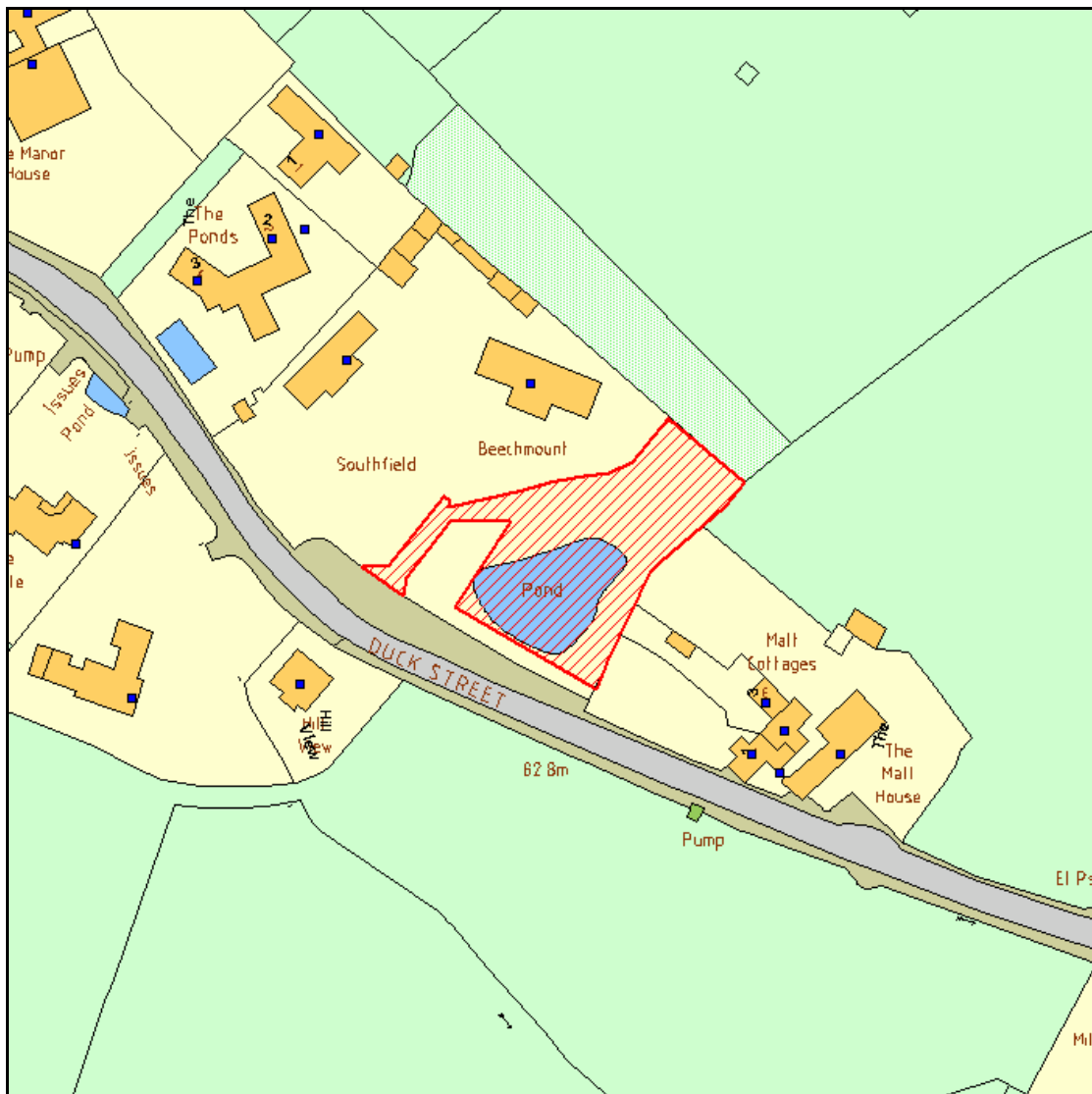
12. For the avoidance of doubt, the originally proposed rear pedestrian access is not approved.

Reason

In the interest of residential amenity and to accord with Planning Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PT11/1830/F	Applicant:	Mr C Winkworth
Site:	Land At Beechmount Duck Street Tytherington Wotton Under Edge South Gloucestershire	Date Reg:	15th June 2011
Proposal:	Erection of 2 no. detached dwellings and 1 no. garage with landscaping and associated works. Creation of new vehicular access.	Parish:	Tytherington Parish Council
Map Ref:	367089 188242	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	3rd August 2011



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 100023410, 2008. **N.T.S.** **PT11/1830/F**

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as there is an objection to the proposed development whilst the officer recommendation is to approve the proposed development.

1. THE PROPOSAL

- 1.1 The site consists of part of the domestic garden associated with Beechmount. Access is currently from Duck Street, via a long driveway through the grounds.
- 1.2 The application seeks planning consent for the erection of two large detached dwellings and associated development. It is also proposed to alter the existing access to the site although this will continue to be from Duck Street.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS5 Planning for the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

GB1 Development within the Green Belt
D1 Achieving Good Quality Design in New Development
H2 Proposals for Residential Development, Including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permissions for Residential Development, within the Existing Urban Areas and Defined Settlement Boundaries
H4 Development within Existing Residential Curtilages Including Extensions and New Dwellings
L12 Conservation Areas
L9 Species Protection
L1 Landscape Protection and Enhancement
EP2 Flood Risk and Development
T12 Transportation Development Control for New Development
T8 Parking Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted SPD)
Development in the Green Belt (Adopted SPD)
Affordable Housing (Adopted SPD)

2.4 South Gloucestershire Core Strategy (Pre-Submission Publication Draft)

CS1 High Quality Design
CS5 Location of Development
CS9 Environmental Resources and Built Heritage
CS18 Affordable Housing

2.5 Other Material Considerations
Draft National Planning Policy Framework

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/1252/F Demolition of existing wall and polytunnel to facilitate the erection of 2 no. detached dwellings and 2 no. detached garages with associated works. Construction of new access. Refused (12th August 2009)
- 3.2 PT09/1253/CA Demolition of existing wall and polytunnel. Approved (14th August 2009)
- 3.3 PT10/2716/F Erection of 3 no. detached dwellings and garages with access and associated works. Refused (24th November 2010)

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council
No comments received
- 4.2 Sustainable Transport
No Objection subject to a condition securing the agree visibility splays
- 4.3 Conservation Officer
No Objection
- 4.4 Landscape Officer
No Objection
- 4.5 Drainage Engineer
No Objection
- 4.3 Local Residents
One letter has been received. The comments are made in objection and are summarised as follows;

The development will result in the loss of residential amenity for the occupants or nearby residential dwellings as a result of noise and loss of privacy.

The proposed development will result in a negative impact upon highway safety

The development will be out of character with the rural location and there is no need for additional housing in Tytherington Village.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the construction of two new dwellings within the curtilage of Beechmount, and for alterations to the access onto Duck Street. The development will involve the removal of an existing wall and polytunnel. This demolition is subject to a separate Conservation Area approval under PT09/1253/CA. This application is a resubmission of the previously refused applications that also detailed the residential development on this site. This submission has addressed the previous refusal reasons and is assessed as follows.
- 5.2 Principle of Development
The site is located within the Tytherington Village Settlement Boundary. The site is located in the area of Tytherington which falls beyond the green Belt. As such Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 are relevant to this planning application. The policies indicate that the proposed development is acceptable subject to the following considerations.
- 5.3 Density
The site measures approximately 0.193 hectares and would generate a housing density of approximately 10 dwellings per hectare. This falls well below the minimum expected density of 30 dwellings per hectare as set out in Policy H2 of the South Gloucestershire Local Plan.
- 5.4 As a result of the 'Garden Grabbing Debate', PPS3 has been amended such that the emphasis on achieving the highest density of housing in new residential development has been reduced in favour of ensuring that (whilst continuing to make the most efficient use of land) development would respect the character of the site and its context. Although Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006, advocates a minimum density of 30 dwellings per hectare, this specific requirement has become superseded by the revisions to PPS3. Accordingly, in addressing housing density it is appropriate to consider the characteristics of the site in order to inform the most appropriate density. For the reasons set out below, it is considered that the proposed development of two dwellings on this site would be the most efficient use of the site given the Conservation Area character constraints and the characteristics of the highway at this location.
- 5.4 The proposed development is therefore consistent with the broad principles of Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS3.
- 5.5 Affordable Housing Provision
The site measures 0.193 hectares and is located in the rural area as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and as such does not trigger a requirement for affordable housing at this time. As such the development site (as it is in excess of 0.2 hectares) would trigger a requirement to provide for Affordable Housing as set out in Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006. The emerging South

Gloucestershire Core Strategy (Proposed Changes Version) December 2010 sets the same trigger in respect of site area.

- 5.6 In this instance, officers have considered the implications for increasing the density of the development on this site such that the numbers of dwellings (i.e. 5 dwellings) would trigger a requirement for affordable units under Policy H6 of the South Gloucestershire Plan (Adopted) January 2006 (again the same trigger is set as part of Policy CS18 of the emerging South Gloucestershire Core Strategy). This would clearly increase the density of the site. For the reasons set out below, officers consider that the development of two dwellings is the most efficient use of the site and as such an increase in the numbers of dwellings should not be requested. Accordingly, it is considered that the proposed development does not trigger a requirement for affordable housing in this instance.
- 5.7 Notwithstanding the above, it is noted that the existing curtilage associated with Beechmount is very large and it would technically be possible to provide further residential development land within the ownership of the applicant. In the event that a further planning application is submitted for residential development within the area of land currently making up the curtilage of Beechmount officers will consider such an application on the basis of the whole site. That is, the site subject to this application combined with any further development proposal. This is very likely to increase the combined site area in excess of 0.2 hectares and as such will then trigger the requirement for affordable to be provided as part of that development. The onus will be for the later submission to achieve a level of affordable housing equivalent to the level required across the combined site. This approach is set out in the adopted Affordable Housing Supplementary Planning Document (SPD), and is effective irrespective of future ownership and subdivision of the site. An informative will be added to the decision to this effect notice in the event of approval of this application.
- 5.8 Design, Landscape and Conservation Area Considerations
The site is located within the Tytherington Conservation Area. The proposed development is positioned in the South and Eastern part of the site and at the edge of the settlement limits of Tytherington which also forms the boundary of this part of the Conservation Area. Views from the fields to the East of the site are currently made up of strong tree screening (within existing domestic gardens and private paddock land) with glimpses of development associated with Malt Cottage and The Malt House.
- 5.9 The revised proposal has been the subject of lengthy pre-application discussion. The design, position, and scale of the development is considered to be acceptable. In this instance it is considered that the provision of two dwellings within the site would be appropriate in respect of the character of the site and the surrounding conservation area. This is because the immediate locality is generally characterised by larger buildings in large plots. A high density development consisting of buildings more tightly grouped together would most likely have a detrimental impact upon the Tytherington Conservation Area. The design of the buildings is based on the local village Victorian vernacular, whilst the design demonstrates that the feeling of enclosure along the roadside will be maintained with a stone wall, and planting.

Accordingly, it is considered that the development is consistent with Policy D1, H2 and L12 of the South Gloucestershire Local Plan and PPS5.

- 5.10 Notwithstanding the above, it is considered appropriate that planting is reinstated where required within the site. This can be controlled by way of appropriately worded condition. Similarly, the final detailing and finishing of the dwellings will need to be agreed and this is the subject of an appropriately worded condition.
- 5.11 Transportation
The existing access to the site provides a shared arrangement for Beechmount and the adjacent dwelling. The proposed access would separate this arrangement so that the adjacent dwelling is accessed separately (using the access as existing) whilst Beechmount and the proposed dwellings would be accessed from a new access positioned to the Southeast.
- 5.12 It is acknowledged that the highway alignment in this location is such that visibility from the existing access is limited. The submission shows that it is possible to provide sufficient visibility at the proposed access for a maximum of three dwellings (existing together with the proposed dwellings). In this instance, it is considered that the proposed density is appropriate given the highway constraints. It is considered that the proposed development would provide sufficient off street parking and turning facilities for domestic vehicles (and small commercial delivery vehicles). A bin store is to be provided at the access to the site which would remove the need to provide refuse vehicle access. This is considered acceptable. Subject to a condition that would secure the provision of a minimum visibility splay at the proposed access, it is considered that the proposed development is acceptable in highway safety terms.
- 5.13 Residential Amenity
Objections have been received in respect of the impact of the development in terms of noise levels and the privacy of the occupants of the adjacent development.
- 5.14 The proposed dwellings would be positioned approximately 10 metres and 5 metres from the Eastern boundary of the site. This separation is considered acceptable in residential amenity terms. Similarly, the separation between plot 1 of the proposed development and the nearest dwelling to the South is approximately 35 metres and at an oblique angle and is separated by a bank of landscaping. Again this separation is considered acceptable in residential amenity terms.
- 5.15 The proposed development is domestic in nature and it is not anticipated that such development would generate unacceptable levels of noise as a family home. In the event that anti-social levels of noise are generated by the occupants of individual dwellings, then this would be a matter for resolution under the appropriate Environmental Health legislation; and is not a matter for consideration under this planning application. Nonetheless, it is inevitable that higher levels of noise would be experienced during the construction of this development should it be approved. In this instance, should approval be

granted, it is appropriate to apply a suitably worded condition restricting working hours to reasonable times of the day.

5.11 Subject to the use of the suggested condition, it is considered that the proposed development is acceptable in residential amenity terms.

5.12 Use of Energy and Sustainability

Should this development be approved it would be necessary to apply Building Control Legislation to the construction of it. This would provide sufficient methods for energy preservation for this scale of development.

6. CONCLUSION

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

6.2 It is concluded that the proposed the development would provide high quality design that is consistent with the character and visual amenity of the site and the Tytherington Conservation Area to which it relates. The proposed development is therefore consistent with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6.3 It is concluded that the proposed development would not have a detrimental impact upon the residential amenity and privacy of the occupants of the nearby dwellings. The proposed development is therefore consistent with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006

6.4 It is concluded that the proposed development would provide sufficient means of safe access from the site onto Duck Street and that there would be sufficient off street parking and turning facilities provided. The proposed development would not have a detrimental impact upon highway safety and is consistent with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006

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

7. RECOMMENDATION

7.1 That Planning Permission is granted subject to the following conditions;

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

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

Reason

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

2. The buildings hereby approved shall not be occupied until the vehicular access and associated visibility splays have been constructed in accordance with the approved plans. There shall be no obstruction to visibility exceeding 1 metre in height within the splayed areas. The development shall thereafter be retained as such.

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

3. Notwithstanding previously submitted details, and prior to commencement of development, the detailed design, including materials and finishes, of the following items shall be submitted and approved in writing by the local planning authority:

- a. All new windows (including head, cill and head details and reveals)
- b. all new doors
- c. all new vents and flues
- d. eaves, verges and ridges
- e. rainwater goods
- f. chimneys (including materials and coping details).
- g. Garage doors
- h. Porch
- i. dormers

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

In the interests of the character and visual amenity of Tytherington Conservation Area and to accord with Policy D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006

4. No work shall commence until a representative sample of natural clay pantile for use as the roofing material has been submitted and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the agreed details.

In the interests of the character and visual amenity of Tytherington Conservation Area and to accord with Policy D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006

5. Notwithstanding previously submitted details no works shall commence until a sample panel of new facing natural stonework for the building elevations, of at least one metre square, showing the stone, coursing and pointing has been erected on site and

approved in writing by the local planning authority. The development shall be carried out strictly in accordance with the approved panel, which shall be retained on site until completion of the development.

In the interests of the character and visual amenity of Tytherington Conservation Area and to accord with Policy D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006

6. Notwithstanding previously submitted details no works shall commence until a sample panel of roughcast render for the building elevations, of at least one metre square, showing the render texture and finish has been erected on site and approved in writing by the local planning authority. The development shall be carried out strictly in accordance with the approved panel, which shall be retained on site until completion of the development.

In the interests of the character and visual amenity of Tytherington Conservation Area and to accord with Policy D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006

7. Notwithstanding previously submitted details no works shall commence until a sample panel of natural stone boundary walling, of at least one metre square, showing the stone, coursing and pointing has been erected on site and approved in writing by the local planning authority. The development shall be carried out strictly in accordance with the approved panel, which shall be retained on site until completion of the development

In the interests of the character and visual amenity of Tytherington Conservation Area and to accord with Policy D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006

8. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details means of enclosure and hard surfacing materials; Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme. For the avoidance of doubt the information shall include proposed planting within the area of land in the ownership of Beechmount (applicant) immediately to the Southwest of the development fronting onto Duck Street. Thereafter the development shall proceed in accordance with the agreed details and shall be retained as such. Any plants which become diseased, or die or a lost for any other reason within five years of the completion of the development shall be replaced in the next available planting season.

In the interests of the character and visual amenity of Tytherington Conservation Area and to accord with Policy D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006

9. Prior to the commencement of the development, all measures for the protection of trees to be retained on the site during the construction works shall be submitted to an

approved in writing by the Local Planning Authority. Thereafter the works shall continue in accordance with the agreed details.

In the interests of the health of the existing trees to be retained and the character and visual amenity of Tytherington Conservation Area and to accord with Policy D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006

10. The hours of working on site during the period of construction shall be restricted to 08:00 until 18:00 Monday to Friday and 08:30 until 13:00 on Saturday; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of adjoining residential properties and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PT11/1938/CLP	Applicant:	Mr A May
Site:	Spring Barn Eastwood Park Falfield South Gloucestershire GL12 8DA	Date Reg:	5th July 2011
Proposal:	Application for the Certificate of Lawfulness for the proposed erection of 2 no. dormer windows.	Parish:	Falfield Parish Council
Map Ref:	367467 192047	Ward:	Charfield
Application Category:	Minor	Target Date:	24th August 2011



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 100023410, 2008. **N.T.S.** **PT11/1938/CLP**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks a certificate of lawfulness for the proposed formation of two dormer windows.
- 1.2 The application relates to Spring Barn at Eastwood Park, Falfield. The application site is positioned beyond any settlement boundary within the open countryside. The building is curtilage listed.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 P99/2602: Conversion of barn to form one dwelling (amendments to previous design). Permitted: 23 January 2000
- 3.2 P99/2603/L: Conversion of barn to form one dwelling. Permitted: 23 January 2000
- 3.3 PT09/0431/F: Erection of two-storey side extension to provide additional living accommodation; installation of dormer window in south elevation. Refused: 22 April 2009
- 3.4 PT10/1239/F: Erection of first floor rear extension and installation of louvered dormer window to the side to provide additional living accommodation. Refused: 12 November 2008
- 3.5 PT10/2256/CLE: Application for a Certificate of Lawfulness for the existing use as a residential dwelling and for the continued use of land for residential purposes. Permitted: 20 October 2010
- 3.6 PT10/3249/CLE: Application for Certificate of Lawfulness for an existing ancillary domestic garden shed (Use Class C3). Permitted: 5 January 2011
- 3.7 PT10/3350/CLE: The existing use of the stationing of a shipping container and lorry body for ancillary domestic storage (Use Class C3) but excluding the lean-to attached to the side of the lorry body. Permitted: 20 January 2011
- 3.8 PT11/0475/CLE: Application for a Certificate of Lawfulness for the building works to form a dwelling. Permitted: 31 March 2011

4. CONSULTATION RESPONSES

4.1 Falfield Parish Council
No comments received

4.2 Other Consultees
Listed Building Officer: Listed Building Consent required
Highways DC: no comment

4.3 Summary of Local Residents Comments

One letter received expressing the following concerns:

- It would look directly into the neighbouring first floor bedroom, landing and bathroom areas and would take away privacy from the kitchen, utility and eating areas;
- It would overlook the neighbours courtyard;
- The proposal is out of keeping with the character/ style of the property;
- It contravenes planning laws given that the property is curtilage listed;
- This type of extension is more appropriate to an urban setting.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application relates to a converted barn that provides accommodation on two levels. The application comprises a Certificate of Lawfulness that if approved, would help facilitate the formation of two dormer windows. The larger of the two dormers would be on the rear elevation and serve an existing ensuite and bedroom. The smaller window would be on the south east elevation of the property and serve an existing bathroom.

5.2 Principle of Development

It must be ascertained whether the works would exceed those parameters set by the General Permitted Development Order, Part 1, Class B (The enlargement of a dwelling house consisting of an addition or alteration to its roof) by reason of their size, scale and position. Classes A (Development within the curtilage of a dwelling house) and C (Any other alteration to the roof of a dwelling house) are also relevant.

5.3 General Permitted Development Order Class A

Class B allows the enlargement of a dwelling house consisting of an addition or alteration to its roof subject to those criteria considered below:

5.4 No part of dwelling house, should, as a result of the works, exceed the height of the highest part of the existing roof. In this instance, the top of the dormer windows would be level with the ridgeline of the dwelling. On this basis, the proposals satisfy this criterion.

5.5 No part of the dwelling house should, as a result of the works, extend beyond the roof plane of any existing roof slope that forms the principal elevation of the dwelling and fronts a highway. The dormer windows would be on the rear/ side roof slopes facing away from the highway. As such, the proposals satisfy this criterion.

- 5.6 The cubic content of the resulting roof space should not exceed the cubic content of the original roof space by more than 50 cubic metres. In this instance, the proposals would measure some 18 cubic metres thus there is no objection to the proposals on this basis.
- 5.7 The proposal would require planning permission if it includes a veranda, balcony or raised platform or if it includes the installation, alteration or replacement of a chimney, flue/ soil or vent pipe. This is not the case in this instance.
- 5.8 Planning permission is also required if the dwelling house is on article 1(5) land. Article 1(5) land comprises a National Park/ Area of Outstanding Natural Beauty/ Conservation Area/ an area specified by the Secretary of State and the Minister of Agriculture, Fisheries and Food for the purposes of section 41(3) of the Wildlife and Countryside Act 1981/ the Broads/ A World Heritage Site. This is not the case in this instance.
- 5.9 To comprise permitted development, the proposals should also be built from materials of a similar appearance to those of the dwelling whilst any window on a side elevation should be obscure glazed with any opening above 1.7m above floor level. This would be applicable to the smaller bathroom window. The agent's letter confirms that this would be the case.
- 5.10 General Permitted Development Order Classes A and C
Further, the technical guidance that accompanies permitted development for householders which was issued by Central Government in August 2010 makes it clear that *'In order to be permitted development, a proposal must meet all of the limitations and conditions under the Classes relevant to the proposal. It is therefore essential that any proposed household development is considered in the context of the permitted development rules as a whole in order to determine whether it benefits from permitted development rights and therefore does not require an application for planning permission'*.
- 5.11 In view of the above, the proposal should also be assessed having regard to Class A (The enlargement, improvement or other alteration of a dwelling house) and Class C (Any other alteration to the roof of a dwelling house). It is not considered that the proposal would conflict with these further requirements.
- 5.12 Outstanding Issues
Because the application is for a Certificate of Lawfulness the policy context is not directly relevant and therefore the planning merits are not under consideration. Accordingly, the comments from the neighbouring resident cannot be addressed as part of this application.
- 5.13 The barn forms part of the converted Home Farm complex that lies within the bounds of the Eastwood Park Estate. The buildings have previously been identified by the Council as curtilage listed although at appeal, the Inspector argued that there was no proof that the building had been in the same ownership or had a functional relationship with the main house. Therefore,

combined with the separation by virtue of the access road and woodland he concluded that the building failed the tests and thus was not curtilage listed.

- 5.14 Notwithstanding the above, comments from the Councils Listed Building Officer advise that the Council can demonstrate that at the time of listing the Home Farm complex served the estate and was in the same ownership. Therefore, the Council considers this building to be curtilage listed thus an application for listed building consent should be submitted for these works. It is not considered that this can prevent the grant of this certificate if appropriate because this is assessed under separate legislation.

6. RECOMMENDATION

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

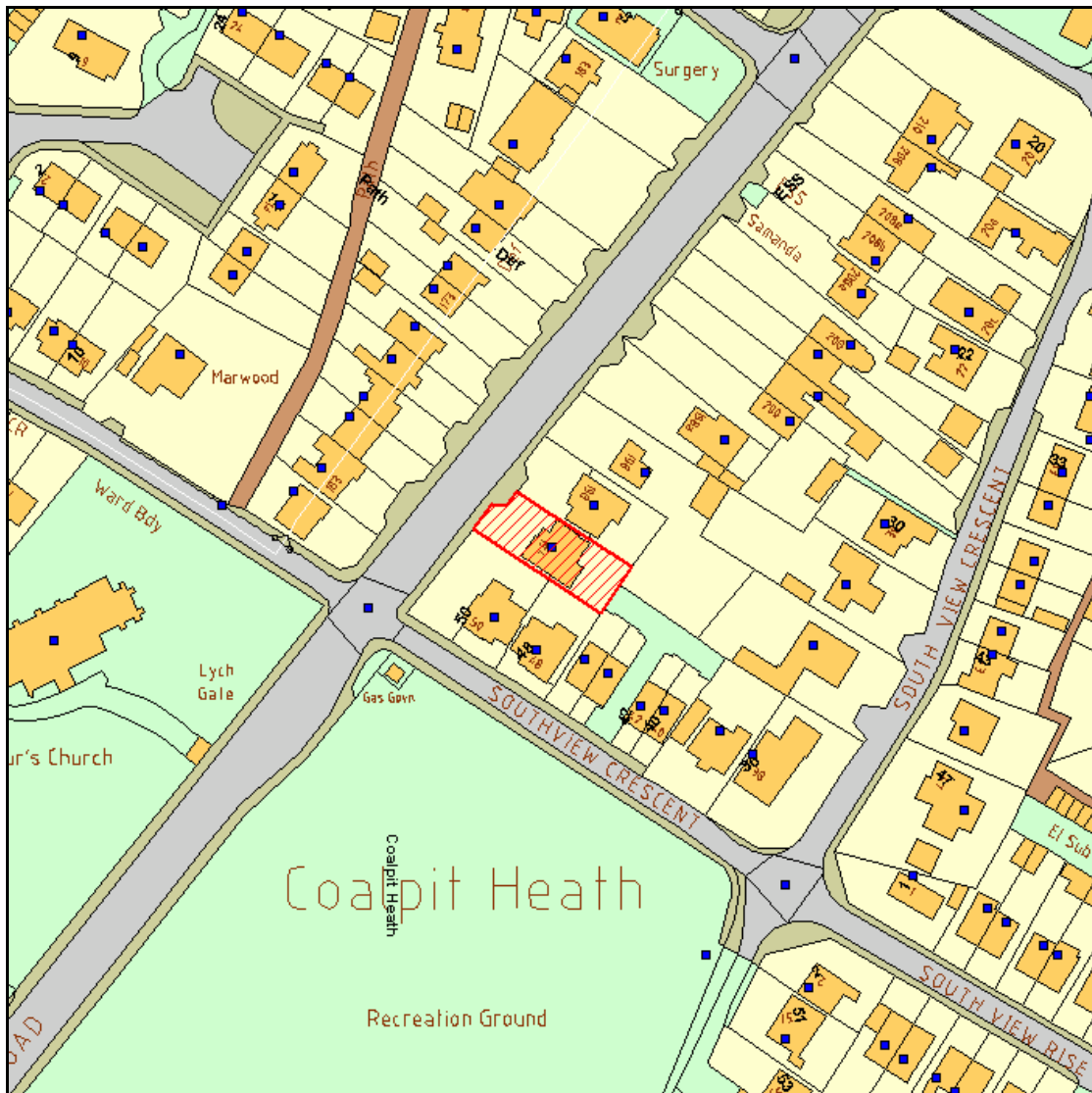
Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PT11/1985/CLP	Applicant:	Mr Chris Bracey
Site:	194 Badminton Road Coalpit Heath South Gloucestershire BS36 2ST	Date Reg:	27th June 2011
Proposal:	Application for the Certificate of Lawfulness for the proposed construction of an outdoor swimming pool.	Parish:	Westerleigh Parish Council
Map Ref:	367477 180779	Ward:	Westerleigh
Application Category:	Householder	Target Date:	19th August 2011



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 100023410, 2008. **N.T.S.** **PT11/1985/CLP**

INTRODUCTION

This application appears before members, as it is an application for a Certificate of Lawfulness for a Proposed Development.

1. THE PROPOSAL

1.1 The applicant is seeking a formal decision as to whether a proposal to construct an outdoor swimming pool within the residential curtilage of 194 Badminton Road, Coalpit Heath is lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

1.2 The proposed outdoor swimming pool would be 3.7 m wide and 7.4 m in length. Included in the measured area is the blockwork that is being used to construct the pool area.

The site lies within the defined settlement boundary of Coalpit Heath.

2. POLICY CONTEXT

2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24
Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class E. (referred to in this report as GPDO 2008)

3. RELEVANT PLANNING HISTORY

3.1 No relevant history.

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council
No objection.

4.2 Local Residents
No response.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Site plan, existing and proposed plans. Received 24th June 2011.

6. EVALUATION

The application for a Certificate of Lawfulness is purely an evidential test. The test of evidence to be applied is whether the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence. As has been set out already the case made here is that the proposed outdoor swimming pool falls within Class E, Part 1, Schedule 2 of the GPDO 2008

and is therefore 'permitted development' and thus the development does not require an application for full planning permission. Accordingly, if this case is made successfully there is no consideration of planning merit nor an opportunity for planning conditions. The development is simply lawful or not lawful according to the evidence.

The key issue here is the operation of the permitted development rights, namely Part 1, Class E which allows householders "The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure". There is no evidence that permitted development rights have been removed in this instance and there is no dispute as to the extent of the residential curtilage put forward. Accordingly, it is accepted that the permitted development rights apply to this site which is in use as a single dwelling house. The remaining issues are whether the proposed development falls within the remit. The limitations on the operation of Class E in respect of single storey outbuildings are as follows:

- Extensions (including previous extensions) and other buildings must not exceed 50% of the total area of land around the original house. The submitted plans demonstrate this.
- No part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse. The submitted plans demonstrate this.
- The height of the building would not exceed – 4 metres in the case of a building with a dual-pitched roof, 2.5 metres in the case of a building within 2 metres of the boundary of the dwellinghouse or 3 metres in any other case. The submitted plans demonstrate this.
- The height of the eaves must not exceed 2.5 metres. The submitted plans demonstrate this.
- The building must not have more than one storey. The submitted plans demonstrate this.
- The building would not include the construction or provision of a veranda, balcony or raised platform. The submitted plans demonstrate this.
- The proposed development does not relate to a dwelling or microwave antenna, or the capacity of a container. The submitted plans demonstrate this.
- The proposed development is not on land within the curtilage of a listed building. This is not the case.
- The proposed development is not of any land which is within a World Heritage Site, a National Park, an Area of Outstanding National Beauty or the Broads.

Accordingly, on the balance of probability the evidence points to the proposed development falling within Schedule 2, Part 1, Class E, of the GPDO 2008.

7. RECOMMENDATION

- 7.1 That a Certificate of Lawfulness of Proposed Use be granted as it has been shown on the balance of probability that the proposed outdoor swimming pool would fall within Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. Therefore the proposal does not require planning permission.

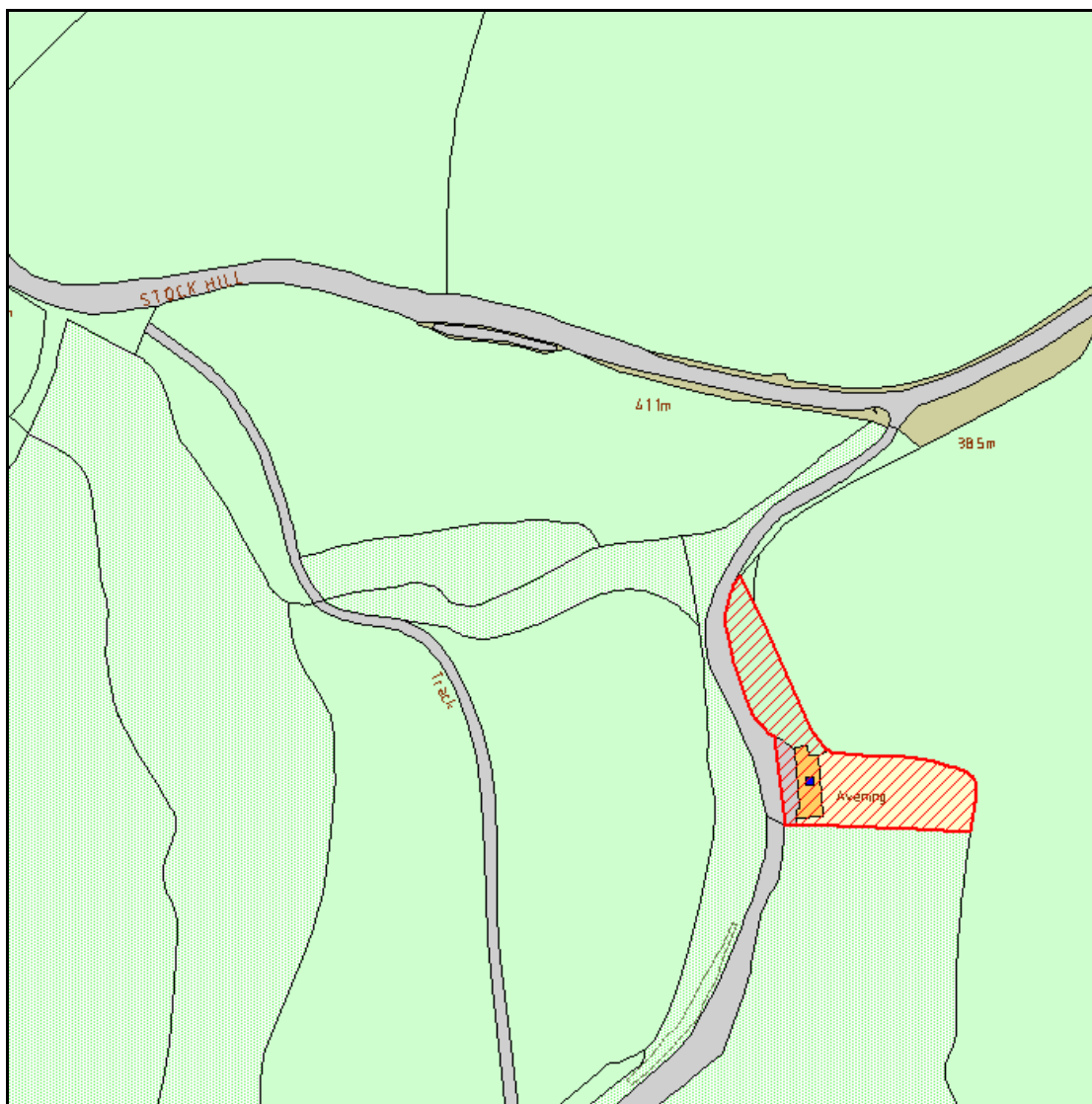
Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

CIRCULATED SCHEDULE NO. 31/11 – 12 AUGUST 2011

App No.:	PT11/2168/CLP	Applicant:	Mr Nicholas Hoskins
Site:	Avening Cottage Kington Lane Thornbury Bristol South Gloucestershire	Date Reg:	11th July 2011
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a two storey rear extension to provide additional living accommodation. Replace existing flat roof of garage with pitched roof.	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	361383 190286	Ward:	Severn
Application Category:	Minor	Target Date:	30th August 2011



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 100023410, 2008. **N.T.S.** **PT11/2168/CLP**

INTRODUCTION

The application appears on the Circulated Schedule because it is a Certificate of Lawfulness for a proposed development.

1. THE PROPOSAL

- 1.1 The application comprises a Certificate of Lawfulness in respect of the proposed erection of a two-storey rear extension and the replacement of a flat roof above the garage with a pitched roof.
- 1.2 The application relates to a two-storey detached dwelling, which occupies an isolated position accessed via the south side of Stock Hill, Thornbury. The property fronts a narrow lane forming part of The Jubilee Way recreational route and lies beyond any settlement boundary within the open Green Belt.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 SG1196: Alterations and extensions to existing cottage to provide bathroom, two additional bedrooms & additional kitchen area. Permitted.
- 3.2 PT03/1976/F: Ground and first floor extension. Permitted: 18 September 2003
- 3.3 PT08/2951/F: Erection of single-storey rear extension and two-storey front extension to form additional living accommodation. Withdrawn: 2 December 2008
- 3.4 PT09/0617/F: Single-storey front extension and first floor side extension to form additional living accommodation. Permitted: 26 May 2009
- 3.5 PT09/1144/CLP: Application for a Certificate of Lawfulness for the proposed erection of a rear single-storey and rear first-floor extension. Permitted: 7 Aug 2009
- 3.6 PT10/0780/F: Erection of balcony to first floor rear elevation. Permitted: 28 May 2010

4. CONSULTATION RESPONSES

- 4.1 Oldbury-on-Severn Parish Council
No comments received
- 4.2 Other Consultees
PROW: no comment

4.3 Summary of Local Residents Comments:

One letter received raising a strong objection and expressing the following concerns:

- The property has already been extended to well beyond the permitted levels;
- It will extend the footprint even further and well in excess of that normally recognised by the Planning Authorities;
- It is not in keeping with the surrounding area;
- It is obtrusive and wholly incompatible with the environment;
- The property would lose its original character completely.

4.4 The applicant has responded to these concerns:

- This area of the property has not been previously extended;
- The pictures submitted do not show the property as it existed in 1948;
- The application is not for planning permission. If the certificate fails for any reason the application will be amended accordingly;
- The design has been carefully considered and the roof design reflects that of St. Arild's House;
- The plans are not 'obstructive' as the proposal would fill a corner.

5. **ANALYSIS OF PROPOSAL**

5.1 Site/ Proposal

The application relates to two-storey detached dwelling located on the outskirts of Thornbury beyond any settlement boundary within the Green Belt. The granting of this certificate would allow the erection of a two-storey rear extension and a pitched roof above the attached garage.

5.2 Principle of Development

It must be ascertained whether the works would exceed those parameters set by the General Permitted Development Order, Part 1, Class A (Development within the Curtilage of a Dwelling House) by means of their size, positioning and scale. Classes B (The enlargement of a dwelling house consisting of an addition or alteration to its roof) and C (Any other alteration to the roof of a dwelling house) are also relevant.

5.3 General Permitted Development Order Class A

Class A restricts development to the enlargement, improvement or other alteration of a dwelling house subject to those criteria considered below:

5.4 The total ground area covered by the buildings within the curtilage of the host dwelling should not exceed 50% of the total area of the curtilage (excluding the ground area of the original house). In this instance, the host dwelling benefits from a large residential curtilage thus the proposal would satisfy this criterion.

5.5 The height of that part of the dwelling, enlarged, improved or altered should not exceed the highest part of the existing dwelling. However, the proposed two-storey extension would match the height of the existing dwelling whilst the roof above the single-storey garage would be lower. It is therefore considered that the proposal would satisfy this criterion.

- 5.6 Similarly, the eaves should not exceed that of the existing, which is again not the case in this instance.
- 5.7 The proposal should not extend beyond a wall that fronts a highway and which forms the principal elevation or a side elevation of the original house. In this instance, the two-storey extension would be at the rear and so would not front the highway whilst the new garage roof would build above this existing attached structure. Accordingly, the proposal is considered to be compliant with this criterion.
- 5.8 It is further advised that where the enlarged part of the dwelling would be single-storey, it should not exceed 4m in height. However, the height of the altered garage (as measured from the proposed front elevation) would exceed 4m. Accordingly, there is an objection to this part of the scheme on this basis.
- 5.9 Where the enlarged part of the dwelling has more than one storey, it should not extend beyond the rear wall of the original dwelling house by more than 3m or be within 7m of any boundary of the curtilage of the dwelling opposite the rear wall of the house. In this instance, the proposal would be 3m in depth whilst the property benefits from a lengthy rear garden. Accordingly, there is no objection to the application on this basis.
- 5.10 Where the height of the eaves is in excess of 3m, the dwelling should not be within 2m of the site boundary. In this instance, the eaves height of the two-storey extension would be 4.5m and the block plan shows that this would be 1.5m from the boundary. As such, there is an objection to the proposal on this basis.
- 5.11 Finally, where the enlarged part of the dwelling extends beyond a wall forming a side elevation of the original dwelling, it should not exceed 4m in height, have more than one storey or have a width greater than half the original dwelling. In this instance, the two-storey extension would build directly behind the original two-storey cottage and thus this element of the scheme is compliant. The new garage roof would extend beyond the side wall of the original house and in so doing although it is debatable as to whether it would have a width greater than half the width of the original dwelling given the well documented (as part of previous planning applications) problems in trying to establish what stood in 1948 although as previously noted, this element of the proposal is shown to exceed 4m in height resulting in a further objection to the proposal.
- 5.12 General Permitted Development Order Classes B and C
Further, the technical guidance that accompanies permitted development for householders which was issued by Central Government in August 2010 makes it clear that *'In order to be permitted development, a proposal must meet all of the limitations and conditions under the Classes relevant to the proposal. It is therefore essential that any proposed household development is considered in the context of the permitted development rules as a whole in order to determine whether it benefits from permitted development rights and therefore does not require an application for planning permission'*.

- 5.13 In view of the above, the proposal should also be assessed having regard to Class B (The enlargement of a dwelling house consisting of an addition or alteration to its roof) and Class C (Any other alteration to the roof of a dwelling house).
- 5.14 Accordingly, relevant to this application, criterion (c) of Class B1 advises that the cubic content of the resulting roof space should not exceed the cubic content of the original roof space by more than 50 cubic metres. In this instance, given that the 'original' dwelling relates to that which existed on July 1st 1948 (the precise details of which remain unclear), it would appear that the roof space of the extended dwelling would exceed this threshold given the size of the resultant property. There is a further objection to the application on this basis.

6. RECOMMENDATION

- 6.1 That a Certificate of Proposed Lawful Development is **REFUSED** for the following reasons:

Contact Officer: Peter Burridge
Tel. No. 01454 865262

REASONS FOR REFUSAL

1. The proposed two-storey rear extension and pitched roof above the garage as set out on the block plan (received in July 5th 2011) and drg no. 1A (Proposed Rear Extension received on July 5th 2011) would not satisfy the requirements for house extensions as set out Schedule 2, Part 1, Classes A and B of the Town & Country Planning (General Permitted Development) Order 2008.