



**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. 36/11**

**Date to Members: 16/09/11**

**Member's Deadline: 22/09/11 (5pm)**

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

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

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

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

## **NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS**

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

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

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

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

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

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

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

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

- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail your request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

# CIRCULATED SCHEDULE – 16 SEPTEMBER 2011

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
1	<b>PK11/1527/F</b>	Approve with Conditions	Shortwood Lodge Golf Club Carsons Road Mangotsfield South Gloucestershire BS16 9LW	Siston	Siston Parish Council
2	<b>PK11/2143/F</b>	Approve with Conditions	Leaholme Sheepfair Lane Marshfield Chippenham South Gloucestershire SN14 8NA	Boyd Valley	Marshfield Parish Council
3	<b>PK11/2243/F</b>	Approve with Conditions	Varnisters Farm Siston Lane Siston South Gloucestershire BS30 5LX	Siston	Siston Parish Council
4	<b>PT11/2149/CLP</b>	Approve with Conditions	696 Southmead Road Filton South Gloucestershire	Filton	Filton Town Council
5	<b>PT11/2462/F</b>	Approve with Conditions	84 Bradley Road Patchway South Gloucestershire	Patchway	Patchway Town Council
6	<b>PT11/2683/F</b>	Approve with Conditions	6 Buckingham Drive Stoke Gifford South Gloucestershire BS34 8LN	Stoke Gifford	Stoke Gifford Parish Council



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

This application has been forwarded to the Council's circulated schedule of applications as a representation has been received raising views contrary to the Officer recommendation.

### **1. THE PROPOSAL**

1.1 It is proposed to erect a new Greens Building at Shortwood Lodge Golf Club, Carsons Road, Mangotsfield. The ground floor of the building would be used for the secure storage of green keeping equipment and would also provide a workshop; recreational canteen facilities, w.c.'s and an office would be provided for the three Green Keepers on a mezzanine floor. The building would replace temporary facilities i.e. a caravan and 2no. metal containers that are currently in use to the rear of the clubhouse, the original Greens Building having been lost in the sale of adjoining farmland.

This application is a resubmission of PK06/2710/F which was approved in 2006 but has since lapsed.

1.2 A storage compound for sand and gravel etc. would be located to the front of the proposed building and this, along with the proposed building, would be enclosed by a 2m high security fence. Car parking (3 spaces) would be provided adjacent to the compound for the three Green Keepers. The existing driveway would provide vehicular access.

1.3 The site lies within the open countryside within the designated Green Belt to the east of the Avon Ring Road

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS7	Sustainable Development in Rural Areas
PPG13	Transport
PPG17	Sport and Recreation

#### **2.2 Development Plans**

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

D1	Design
L1	Landscape Protection and Enhancement
L17 & L18	The Water Environment
EP1	Environmental Pollution
GB1	Green Belts
T8	Parking Standards
T12	Transportation Development Control Policy for New Development.
LC5	Proposals for Outdoor Sports and Recreation Outside Existing Urban Areas and Defined Settlement Boundaries.

South Gloucestershire Core Strategy -Submission Draft (December 2010)  
CS1 High Quality Design  
CS5 Location of Development

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist – August 2007  
Development in the Green Belt SPD (June 2007)

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK03/2524/F Change of use of land for the stationing of a static caravan used for security purposes only. (Retrospective).  
Refused 10.02.2004
- 3.2 PK06/2710/F Erection of new Greens building for golf club with part mezzanine floor. Construction of 3 car parking spaces. Removal of existing caravan and containers.  
Approved 25.06.2007

**4. CONSULTATION RESPONSES**

- 4.1 Siston Parish Council  
No Objection but would suggest that the site would benefit from substantial new planting.
- 4.2 Other Consultees [including internal consultees of the Council]  
Public Rights of Way Officer – No objection. Standard informative recommended  
Sustainable transport – No objection  
Environmental Protection – No objection  
Drainage engineer – No objection, subject to SuDS condition

**Other Representations**

- 4.3 Local Residents  
One letter of objection received from the occupiers of Owl Barn, raising the following concerns:  
The description of the proposal is confusing; discrepancies in the drawings submitted; the description of development is vague; location and size of the building are inappropriate; the building is much larger than needed; plant and customer cars will use the car park at the same time; impact in terms of traffic movements; brochure of a gate submitted but no details of a gate shown in the application; poor drainage on the site which could result in surface water and foul waste issues; mix of pedestrians and plant is an accident waiting to happen; the building should be relocated behind the club house.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application also lies in the Green Belt. Policy GB1 of the South Gloucestershire Local Plan and PPG2 seek to ensure that development is appropriate and does not impact on the openness or visual amenity of the Green Belt. Policy LC5 can accept proposals for outdoor sports facilities including golf facilities, located outside the urban area subject to issues of traffic generation, parking and highway safety, residential amenity, landscape, environmental and transportation impacts and external lighting.

The South Gloucestershire Core Strategy Pre-Submission Publication Draft was issued March 2010 and the consultation period expired on 06.08.2010. The Council's response to the representations received was considered at the Council's Cabinet meeting on 13 December 2010 and at the Full Council meeting on 15 December 2010 and the proposed changes to the Core Strategy agreed by Full Council have now been published. The South Gloucestershire Core Strategy Submission Draft was then published December 2010. The South Gloucestershire Core Strategy Development Plan Document was submitted to the Secretary of State on 31 March 2011 for Examination. Whilst this document is a material consideration in the determination of planning applications, it will be afforded less weight than the adopted Development Plan at this stage.

Consent was given in 2007 under reference PK06/2710/F for an identical scheme. This consent has lapsed for just over one year and although not an extant consent, as this is a recent consent and the proposal is very similar to the previous consent, it will carry some substantive weight in determination of this application.

### 5.2 Scale and Design

The proposed building would have a semi-rural, utilitarian appearance, being constructed of metal profile sheeting. The building is considered to be appropriate in scale and massing for its purpose. The proposal in design terms is identical to the previously approved scheme PK06/2710/F. There has been very little change in Development Plan policy related to design and visual appearance since the 2007 approval. The design and materials would be of good quality in keeping with the character of the existing site and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

### 5.3 Landscape and Green Belt Issues

The building would be located to the side of the existing driveway on a piece of rough ground to the south-west of the existing car park. The Council's Landscape architect considered the site to be well integrated into the landscape by reason of topography and existing vegetation when commenting on the 2007 scheme and as such is unlikely to compromise the visual amenity of the Green Belt. The building would have replaced 2 no. temporary containers

and a caravan which, were located to the rear of the clubhouse, and have now been removed; the removal of these intrusive elements and the erection of the proposed building is considered to represent a landscape enhancement.

#### 5.4 Green Belt

Policy GB1 of the SGLP in accordance with Government advice contained in PPG2 identifies limited categories of development for which permission can be given. Development that falls outside the limited categories as specified in policy GB1, will be considered inappropriate development and there is a general presumption against inappropriate development within the Green Belt. The limited categories of appropriate development for the construction of new buildings are:

- 1) Development for agriculture or forestry purposes;
- 2) Essential facilities for outdoor sports and recreation and for other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it;
- 3) Cemeteries;
- 4) Limited extensions, alterations or replacement of existing dwellings provided that it does not result in disproportionate additions over and above the size of the original building;
- 5) Limited infilling within the boundaries of settlements as defined in the SGLP

The proposal is considered to fall within limited category of development 2 as indicated above and as such the proposal is considered to represent appropriate development.

The proposed building would be screened by existing vegetation, which would be enhanced by additional planting. Subject to a condition to secure the protection of the existing vegetation during the construction phase, there are no landscape objections.

#### 5.5 Impact on Residential Amenity

There are no residential amenities in the immediate vicinity of the building that would be adversely affected.

#### Transportation Issues

The existing access and driveway would be utilised. The proposed building replaces an existing facility on the site and the proposed 3 car parking spaces are adequate for the number of employees who would use the building. The Council's Highway Officer has confirmed that subject to a condition to restrict the use of the building to that intended, there are no highway objections.

#### Drainage and Environmental Issues

The Council's Environmental Health Officer raises no objection to the proposal. The scheme incorporates a new septic tank, which will be located to the south-west of the new building. Percolation tests have been carried out to the satisfaction of the Council's Drainage Engineer. Any consent to discharge falls under the auspices of the Environment Agency and is not therefore considered to be a planning issue.



## 5.6 Other issues

Concern has been raised by a local resident that the plans are inaccurate. It is considered that the submission is of sufficient standard of accuracy and quality for it to be determined.

## 6. CONCLUSION

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

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

- a) Due to its scale and position in relation to the adjacent dwellings, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy LC5 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed building has been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.
- c) The proposal is to represent appropriate development. The proposal would have no significant impact on the openness and visual amenity of the adjacent Green Belt. The development therefore accords to Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposal would provide sufficient off street parking and turning within the site and the layout and relationship with pedestrians and vehicles is acceptable. The development therefore accords to Policy LC5, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- e) The proposal would provide adequate facilities for disposal of surface water and containment and disposal of foul waste. The development therefore accords to Policy L17, L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

## 7. RECOMMENDATION

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

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

## **CONDITIONS**

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

Reason

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

2. The plastisol coated metal profile sheeting to be used in the construction of the walls and roof of the building hereby approved shall be coloured BS4800 12 B 27 Olive Green.

To ensure a satisfactory standard of external appearance and to accord with Policies D1, GB1, L1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To protect the character and appearance of the area to accord with Policies D1, GB1, L1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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 to accord with Policies D1, GB1, L1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

6. The use of the building hereby approved shall be restricted to the storage of greens equipment and associated workshop, and recreational/canteen facilities for the golf club employees only.

Reason:

In the interests of the amenities of nearby occupiers, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Within 30 days of the first use of the building hereby approved, the existing caravan and 2no. metal containers shall be permanently removed from the site unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the character and appearance of the area to accord with Policies D1/L1/GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

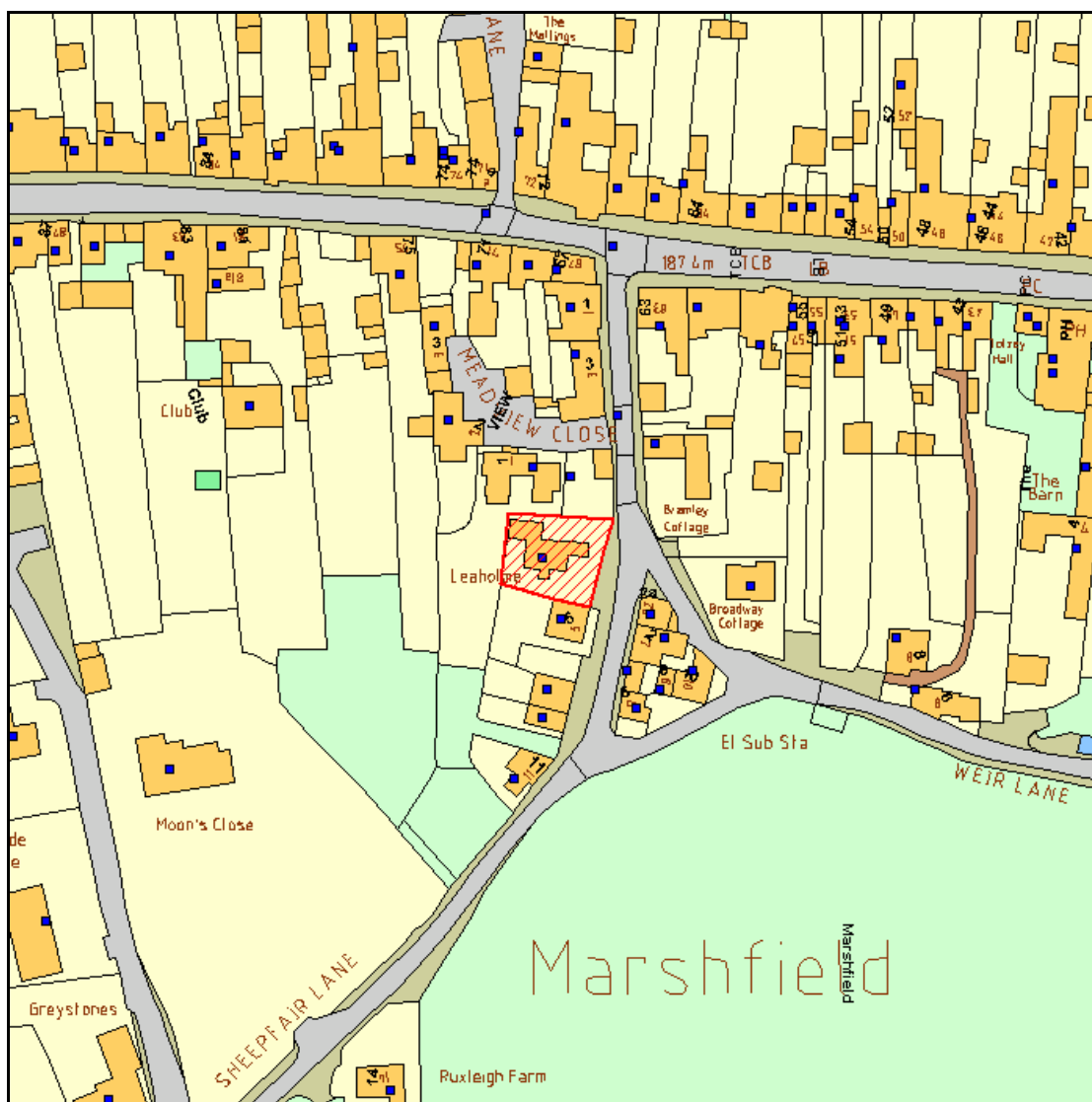
Reason

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

## CIRCULATED SCHEDULE NO. 36/11 – 16 SEPTEMBER 2011

**App No.:** PK11/2143/F  
**Site:** Leaholme Sheepfair Lane Marshfield  
 Chippenham South Gloucestershire  
**Proposal:** Erection of single storey detached  
 garden room in front of property  
**Map Ref:** 377833 173671  
**Application Category:** Householder

**Applicant:** Mr R Parry  
**Date Reg:** 7th July 2011  
**Parish:** Marshfield Parish  
 Council  
**Ward:** Boyd Valley  
**Target Date:** 29th August 2011



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100023410, 2008.

**N.T.S.**

**PK11/2143/F**

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

This application has been referred to the Circulated Schedule following the receipt of an objection from a local resident; the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to 'Leaholme', a modern detached dwelling located to the western side of Sheepfair Lane. The historic maps reveal it replaced an earlier building, which formed the end of the terrace to the south. It is now set behind a high stone boundary wall and therefore the garden is not visible to the public realm. Surrounding 'Leaholme' are historic buildings, and those directly to the south and southeast are listed. Sheepfair Lane is characterised by its narrow width and strong sense of enclosure. The buildings are predominantly simply designed cottages in the local vernacular. Small pockets of green space and planting provide a soft element and more rural and informal character than the High Street. The site lies within the Established Settlement Boundary, Marshfield Conservation Area and Cotswolds AONB as defined by the South Gloucestershire Local Plan (Adopted) 6th Jan 2006. The location is residential in character.
- 1.2 It is proposed to erect a single-storey garden room, to be incorporated within the front boundary wall facing Sheepfair Lane. It is also proposed to raise the front wall by 0.6m to improve privacy and safety.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1 - Delivering Sustainable Development  
PPS5 - Planning for the Historic Environment  
Planning (Listed Buildings and Conservation Areas) Act 1990.  
PPS5 - Historic Environment Planning Practice Guide March 2010.  
Planning (Listed Buildings and Conservation Areas) Act 1990

#### **2.2 Development Plans**

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

D1 - Design  
L1 - Landscape Protection and Enhancement  
L2 - Cotswolds AONB  
L12 - Conservation Areas  
H4 - Development within Residential Curtilages  
T8 - Parking Standards  
T12 - Transportation Development Control Policy for New Development

##### **South Gloucestershire Core Strategy Submission Draft (Dec. 2010)**

CS1 - High Quality Design  
CS9 - Managing the Environment and Heritage

- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Check List SPD (Adopted) 23 Aug 2007.

### 3. RELEVANT PLANNING HISTORY

- 3.1 N6374 - Erection of single-storey front extension to form bedroom/study and single-storey side extension to conservatory. Erection of Car Port.  
Approved 27 March 1980
- 3.2 PK02/0520/F - Erection of two-storey side extension to provide garage, utility and kitchen with bedroom and bathrooms above. Erection of single-storey extension on South elevation to form new bay window.  
Approved 5 June 2002.

### 4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council  
No objections.
- 4.2 Other Consultees [including internal consultees of the Council]

Archaeology  
No comment

#### Conservation Officer

The first issue that must be resolved before the application is determined, is whether the stone boundary wall off which the outbuilding is proposed to be built, is curtilage listed or not. The red line boundary appears to show the wall is owned by Leeholme however it will be necessary to establish whether this wall is curtilage listed as if it is the works would require listed building consent. For this it will be necessary to know whether the wall has ever been in the ownership of number 5 Sheepfair Lane, and if so, what date this was split.

The proposal is for a modest detached garden building, to be built off the existing garden wall to Sheepfair Lane. In principle this appears acceptable however in order that the development is appropriate to the character and appearance of the conservation area and respects the setting of the listed buildings, some amendments should be made, officers recommend the following:

- Where outbuildings are built directly in to or off boundary walls, which is traditionally seen, the buildings tend to be ancillary outbuildings, or a simple design. Officers recommend a more traditional roof design, with simpler, closed eaves, as opposed to the over-sailing eaves proposed.
- The existing wall is level in height and has a cock and hen coping detail. The application proposes to rake the wall either side of the garden building. Traditionally raked walls tend to be finished with coping stones, not cock-and-hen, however this may go against the more rustic character of Sheepfair Lane. The coping treatment would need to be resolved, and

officers suggest against raking as this will be difficult to achieve with the existing coping detail.

- There is existing tree planting along the inside of the boundary wall. The position of the outbuilding would appear to require this to be removed. The tree planting contributes to the character and appearance of the lane and officers recommend this is retained and the outbuilding located further southwards. The wall between number 5 and the outbuilding could perhaps be built up in the area between.

## **Other Representations**

### **4.3 Local Residents**

1no. response was received from the occupant of neighbouring 'Garden Cottage'. The concerns raised are summarised as follows:

- The true boundary for Leaholme is the stone wall not the grass verge to the front.
- As a consequence the roof of the proposed outbuilding would overhang the boundary.
- The proposed Silver Birch would be planted on land not owned by the applicant.
- There are no dimensions on the drawings.
- No objection in principle but object to the height of the roof.
- Suggest removal of pd rights.
- All development should be within the boundaries of the property only.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policies D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and CS1 of the South Gloucestershire Core Strategy Submission Draft Dec. 2010 seek to secure good quality designs in new development. Policy L12 seeks to preserve or enhance the character or appearance of Conservation Areas and likewise Policy L2 seeks to preserve or enhance the natural beauty of the Cotswolds AONB.

### **5.2 Conservation and Design Issues**

Following the concerns raised by the Council's Conservation Officer, amended plans have been submitted showing the roof overhang reduced and cock and hen copings introduced to what is now a wall of uniform height. The 'Garden Room' would have a foot-print measuring approximately 3.8m by 2.7m with a maximum height to the roof ridge of 3.5m sloping steeply down to the eaves at 2.2m. As part of the design process of this development, care has been taken over the use of materials, traditional detailing and proportions to ensure that the scheme respects and enhances the character and appearance of the Conservation Area. The 'Garden Room' would be constructed of natural Cotswold Stone with a slate roof, which are materials commonly found within the Conservation Area.

- 5.3 The building would not be excessive in scale and is located to take advantage of orientation towards the sun and as such, there is little scope to site the

- building elsewhere within the plot. The addition of a small outbuilding is acceptable and the design and detailing respects the local character and distinctiveness of the locality.
- 5.4 The proposal would adequately preserve the street scene, and character and setting of the Conservation Area. The proposal therefore accords with Policies H4(A) and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policy CS1 of the South Gloucestershire Core Strategy Submission Draft (Dec. 2010) and L12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.5 Impact Upon Residential Amenity  
The proposal is modest in scale and would not result in any overbearing impact or additional overlooking of neighbouring property. There are no windows proposed for the side elevations. Adequate amenity space would be retained to serve the property.
- 5.6 Concerns have been raised about land ownership. Whilst these are civil matters not controlled by the Planning Act, the applicant has submitted a copy of the Land Registry Certificate that clearly indicates that the wall and verge to the front of 'Leaholme' is within the applicant's ownership. There would therefore be no encroachment onto or over neighbouring land. Furthermore the wall is not curtilage listed. The drawings are all to the scale of 1:100, hence the lack of need for dimensions on them. The presence of a small 'Garden Room' would not in officer's opinion justify the removal of permitted development rights from the house. Any future applications for extensions or outbuildings would be determined on their individual merits. There would therefore be no significant adverse impact on residential amenity. The proposal therefore accords with Policy H4(B) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.7 Highway Issues  
The existing parking and access facilities would not be affected. There are therefore no highway objections to the proposal, which accords with Policies H4(C), T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.8 Landscape Issues  
The proposal would necessitate the removal of a multi-stemmed Bay Tree located within the garden of 'Leaholme'. Whilst the Bay has some amenity value it is questionable whether or not it is a tree in the true sense but more of a bush, which would not require consent to remove. The applicant submits that as a bush, the Bay does not meet the thresholds relating to section 211 notices set out in 9.3 of the Tree Preservation Notices – a Guide to the Law and Good Practice. Given that it is proposed to plant a Silver Birch within the verge to the front of the site, the Council's Tree Officer raises no objection to the loss of the Bay.
- 5.9 The boundary wall is a significant feature but is currently only 0.7m high on the garden side, with a considerable drop to the front, down to the verge below. This is considered to be a safety hazard, particularly for the applicant's small grandchildren. To improve safety, it is proposed to raise the wall by 0.6m with



Cock and Hen coping above. Officers consider that this extra height could be easily incorporated within the wall without compromising the street scene or character of the Conservation Area.

- 5.10 Being located within the village and surrounded by existing buildings, the proposal would not adversely affect the wider visual amenity of the landscape or compromise the natural beauty of the Cotswolds AONB. Subject to a condition to secure compensatory planting, the proposal is considered to be in accordance with Policies L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

## **6. CONCLUSION**

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

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

1. Consideration has been given to the proposal's scale and design and is considered to accord with Policies D1 and H4(A) of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2011.
2. The scheme is not considered to adversely affect residential amenity in terms of overlooking, loss of privacy, overbearing impact or loss of amenity space and therefore accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
3. The proposal would have no adverse highway implications in accordance with Policy H4(C), T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
4. The proposal would not adversely affect any features of the landscape and accords with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
5. The proposal would preserve the character and appearance of the Conservation Area in accordance with Policy L12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
6. The natural beauty of the Cotswolds AONB would not be compromised in accordance with Policy L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

## **7. RECOMMENDATION**

- 7.1 That planning permission be GRANTED subject to the conditions listed on the Decision Notice.

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

### **CONDITIONS**

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

Reason

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

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

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development full details comprising plans at a scale of 1:20 of the eaves overhang shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of the development hereby approved, details of tree planting to compensate for the loss of the Bay Tree shall be submitted to and approved in writing by the Local Planning Authority. The planting so approved shall be carried out prior to the first use of the development hereby approved or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and landscape in general to accord with Policies L12 and L1 respectively of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 36/11 – 16 SEPTEMBER 2011

<b>App No.:</b>	PK11/2243/F	<b>Applicant:</b>	Mr J Curtis
<b>Site:</b>	Varnisters Farm Siston Lane Siston I South Gloucestershire	<b>Date Reg:</b>	20th July 2011
<b>Proposal:</b>	Conversion of existing building to facilitate change of use from Class B1 to tourist accommodation (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	368204 173878	<b>Ward:</b>	Siston
<b>Application Category:</b>	Minor	<b>Target Date:</b>	9th September 2011



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 100023410, 2008. **N.T.S.** **PK11/2243/F**

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

This application appears on the Circulated Schedule following the receipt of an objection from Siston Parish Council, which is contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This is a full planning application for the conversion of a vacant former farm building to a three-bedroom holiday let. The building was part of the farm complex at Varnisters Farm.
- 1.2 The building, which is utilitarian in construction and appearance, is set within an open yard, located between residential properties to the west, north and south, and adjacent to an open field to the east. The site benefits from an existing access from Siston Lane into the yard area. A PROW PSN/32A/10 runs to the north of the open field and along the access track to terminate at Siston Lane. The site lies within open countryside and Green Belt land to the east of Webbs Heath and Siston Lane.
- 1.3 The building has previously been used under planning permission P97/4702 by Bath Ales as a Micro Brewery, but this use ceased some years ago when Bath Ales re-located to larger premises in Warmley. The planning permission was subject to a number of conditions that amongst other matters, prevented outside storage on the site, limited the hours of use and restricted the use to a micro-brewery only. In 2006 the premises was the subject of a planning application for conversion into a dwelling (PK06/1986/F). The application was refused and an appeal subsequently dismissed for the reasons listed in para. 3.7 below.
- 1.4 Following the appeal decision; in an attempt to make the building more marketable, planning permission PK07/1153/F was obtained for the change of use of the Micro-Brewery to general B1 use. However, despite this permission and continued marketing of the premises, no business use has been found and the premises remain vacant.
- 1.5 Following pre-application discussions with the Council, the current application has been submitted for a holiday let, which although a quasi-residential use, is considered to be a business use that, as a tourist facility, would make a positive contribution to the rural economy and provide some limited employment opportunities.
- 1.6 The existing layout/configuration of the site would not be altered, although approximately 80% of the existing commercial yard would be given over to agricultural use. The accommodation would be provided within the existing foot-print of the commercial building. The character and form of the building would be preserved and enhanced. The existing access would be retained. The application is supported by the following:
  - Design and Access Statement
  - A Marketing Report by Hootons Commercial Ltd..
  - A Structural Survey by Lamberts Building Surveyors Ltd.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

PPS1 - Delivering Sustainable Development

PPG2 - Green Belts

PPS7 - Sustainable Development in Rural Areas

PPG13 - Transport

Ministerial Statement by the Rt. Hon. Greg Clark 23 March 2011

Draft National Planning Policy Framework (DNPPF) July 2011

### 2.2 Development Plans

#### Joint Replacement Structure Plan (saved policies)

Policy 2 - Location of Development

Policy 16 - Green Belt

Policy 17 - Landscape Areas, AONB

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

Policy CS1 - Design

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

D1 - Design

GB1 - Development within the Green Belt

L1 - Landscape Protection and Enhancement

L9 - Species Protection

L17 & L18 - The Water Environment

EP1 - Environmental Pollution

EP2 - Flood Risk and Development

T8 - Parking Standards

T12 - Transportation Development Control Policy for New Development

H10 - Conversion and Re-use of Rural Buildings for Residential Purposes

E7 - Conversion and re-use of Rural Buildings

E11 - Tourism

LC12 - Recreational Routes

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) Adopted 23<sup>rd</sup> Aug 2007

Development in the Green Belt (SPD) Adopted June 2007

## **3. RELEVANT PLANNING HISTORY**

3.1 P94/4094 - Conversion of farm building to 2 dwellings and garages.  
Refused 9 May 1994

3.2 P97/4702 - Change of use of farm building to micro-brewery.  
Approved 12 Feb 1998

3.3 PK02/0019/F - Erection of storage area for casks of ale.  
Withdrawn 3 July 2003

- 3.4 PK04/0208/F - Erection of two bungalows.  
Refused 20 Feb 2004
- 3.5 PK04/3549/F - Conversion and extension of microbrewery building to form a dwelling.  
Refused 1 Dec 2004.
- 3.6 PK04/4122/F - Conversion and extension of microbrewery building to form a dwelling.  
Refused 4 March 2005
- 3.7 PK06/1986/F - Conversion and Extension of existing Micro Brewery building to form a dwelling. (Re-submission of PK04/4122/F).  
Refused 16 Aug 2006.  
Appeal APP/P0119/A/06/2026498/NWF dismissed on the following grounds:
- *Inappropriate development in the Green Belt, by reason of greater impact of the proposed residential curtilage on the openness of the Green Belt than the authorised use, together with enhanced massing and permanence of the building. No very special circumstances.*
  - *All attempts to find an alternative business re-use not adequately addressed.*
- 3.8 PK07/1153/F - Change of use of Micro Brewery (Class B2) to Business Use (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).  
Approved 25 May 2007.

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

- 4.1 Siston Parish Council  
Object : this would be an overdevelopment of a Green Belt area.

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

Open Spaces Society  
No response

The Ramblers Association  
No response

Police Community Safety Officer  
No response

Archaeology Officer  
No comments to make.

Sustainable Transport  
The traffic generation associated with the original (B1) use allowed for 25 vehicles to be parked within the curtilage of the site. It is proposed that the new

development would necessitate no more than 2 vehicles parking within the curtilage of the site and adequate turning facilities have been provided. The existing site access has adequate visibility for the proposed tourist accommodation. There are therefore no traffic or transportation objections.

#### PROW

The development may affect the nearest recorded public footpath, reference **PSN32A**, which runs concurrent with the access road to the site.

There is no objection in principle to this application subject to the following standard limitations which should be copied to the applicant, with particular reference to points 1g) and 3):

**1 )** No change to the surface of the right of way can be approved without consultation with the Council. The developer should be aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed; such interference may well constitute a criminal offence. In particular, the developer must ensure that:

a) There is no diminution in the width of the right of way available for use by members of the public.

b) No building materials are stored on the right of way.

c) No damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way.

d) Vehicle movements are arranged so as not to unreasonably interfere with the public's use of the way.

e) No additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature.

f) No wildlife fencing or other ecological protection features associated with wildlife mitigation measures are placed across the right of way or allowed to interfere with the right of way.

g) The safety of members of the public using the right of way is ensured at all times.

**2)** Any variation to the above will require the prior consent of the Public Rights of Way department. If the development will permanently affect the right of way, then the developer must apply for a diversion of the route under the TCPA 1990 as part of the planning application. No development should take place over the route of the path prior to the confirmation of a TCPA path diversion order.

**3)** If the development will temporarily affect the right of way then the developer must apply for a temporary closure of the route (preferably providing a suitable alternative route). South Gloucestershire Council will take such action as may be necessary, including direct enforcement action and prosecution, to ensure

that members of the public are not inconvenienced in their use of the way both during and after development work has taken place.

4) Please note however that the Definitive Map is a minimum record of public rights of way and does not preclude the possibility that public rights of way exist which have not been recorded, and of which we are not aware. There is also a possibility that higher rights than those recorded may exist over routes shown as public footpaths and bridleways.

### **Other Representations**

4.3 Local Residents  
No responses received.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

In the first instance the proposal must be considered in the light of the latest policies relating to development within the Green Belt. Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, best reflects the guidance contained in the latest version of PPG2 – ‘Green Belts’. The change of use of existing buildings within the Green Belt is not inappropriate provided that :

1. It would not have a materially greater impact than the present authorised use on the openness of the Green Belt and would not conflict with the purpose of including land in it;
2. The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and
3. The form, bulk and general design of the buildings, are in keeping with their surroundings.

5.2 Policy E7 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 sets the criteria against which proposals for the conversion of existing traditional buildings in the countryside, to alternative uses, are determined. The criteria attached to this policy are very similar to those of Policy GB1. The supporting text to policy E7 states that re-using existing vacant buildings can help reduce vandalism, dereliction and the demand for new buildings in the countryside. The Council’s first priority will be to see such buildings re-used for purposes, which make a positive contribution to the rural economy i.e. for agricultural, industrial, commercial or tourism purposes. The proposed conversion of the building to a holiday let would make a positive contribution to the tourist industry of the area. The building is well situated in relation to Bath and Bristol and has footpath access to the adjacent countryside and Cotswolds AONB. Since the use would be a quasi-residential use, officers consider that the criteria attached to Policy H10 are also relevant in this case. These policies list criteria, which must be met if planning permission is to be granted and these are discussed below. Furthermore Policy E11 permits proposals for new tourist accommodation subject to the following criteria:



- A. Development would not have unacceptable environmental effects; and
- B. The proposals would not prejudice the amenities of neighbouring residential occupiers; and
- C. The proposal would not give rise to unacceptable levels of traffic on unsuitable local roads and access and parking arrangements would not prejudice highway safety; and

In addition

The conversion of existing rural buildings for holiday accommodation will only be permitted where it can be demonstrated that a business use, including other tourism related activity, cannot be achieved. In such cases the Council will impose conditions restricting occupancy.

- 5.3 Other material considerations in the determination of this application are the planning history of the site, most notably the appeal decision relating to application PK06/1986/F, the Ministerial Statement by the Rt. Hon. Greg Clark 23 March 2011 and the Draft National Planning Policy Framework (DNPPF) July 2011. The latter document, although not yet adopted sends a very clear message in terms of the Government's aims and objectives in reforming the planning system, stating at para.63 that:

*'In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.'*

This followed the Ministerial Statement in which the Minister of State for Decentralisation (Greg Clark MP) stated:

*'The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national policy'*

- 5.4 The following is an analysis of the various criteria concerned regarding the proposal:

5.5 Green Belt Issues

The site is located in the Bristol/Bath Green Belt where Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and PPG2, apply a general presumption against development that would be harmful to Green Belt objectives. PPG2 states that the most important attribute of Green Belts is their openness. Inappropriate development within the Green Belt would by definition be harmful to the Green Belt. Very special circumstances are required to justify the harm by reason of inappropriateness.

- 5.6 Policy GB1 permits the change of use of land or buildings within the green Belt only where the following criteria are met:

**1. It would not have a materially greater impact than the present authorised use on the openness of the Green Belt and would not conflict with the purpose of including land in it;**

In the appeal against refusal of PK06/1986/F, the Inspector considered that the proposal for conversion of the Micro-Brewery building to a dwelling would be harmful to the openness of the Green Belt. The Inspector opined that the proposed residential curtilage would have a planned, cultivated and domesticated character and appearance. Furthermore the Inspector considered that the garden could typically accommodate a range of physical features, such as items of hard landscaping, play equipment, clothes drying facilities and garden furniture in addition to the boundary walls proposed.

- 5.7 The Inspector acknowledged that the proposal to return part of the yard to the paddock would have some beneficial effect on the openness of the Green Belt but concluded that, having regard to the existing conditions controlling the use of the Micro-Brewery yard, the benefit would be limited. The Inspector concluded that even with the imposition of conditions to control extensions, alterations and buildings within the curtilage, as well as the storage of a touring caravan; this would not prevent the proposed residential curtilage from having a materially greater impact than the authorised use i.e. Micro-Brewery, on the openness of the Green Belt.
- 5.8 The Inspector felt that this finding, was reinforced by the enhanced massing and permanence of the building afforded by the proposed stone cladding, which would increase its volume by about 11cu.m. The Inspector also considered that the formality and permanence associated with the residential curtilage would result in encroachment into the countryside in conflict with the purpose of including land in the Green belt. The proposal therefore, in the Inspector's opinion, represented inappropriate development in the Green Belt.
- 5.9 Officers must now consider what changes have taken place since the appeal decision in January 2007, that would overcome the Green Belt objection by reason of inappropriateness.
- 5.10 In the first instance the proposal differs from that refused under PK06/1986/F, in that the proposed use now relates to a holiday let as opposed to a dwelling house. Whilst these uses both fall within the C3 use class, the holiday let use would, most likely, only be occupied on a seasonal basis. This means that the associated curtilage is less likely to have the formality and permanence more associated with a continuously occupied dwelling house. Furthermore, in the current application the size of the curtilage area associated with the holiday let has been significantly reduced from that of the previously refused dwelling house. The resulting situation is that approximately 80% of the existing commercial yard, between the proposed curtilage and the PROW on the northern boundary, would now be given over to agricultural use, thus restoring openness to this land in accordance with the purpose of including land within the Green Belt.

- 5.11 In addition, planning permission PK07/1153/F was granted in 2007 for the general B1 use of the building, which supersedes the earlier permission P97/4702, which restricted the use of the building to Micro-Brewery use only. In his deliberations the Inspector made reference to the conditions attached to P97/4702 controlling the use of the yard.
- 5.12 In P97/4702 condition 8 prevented the storage or stacking of raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other items. Condition 10 related to control of facilities for the storage of oils, fuels or chemicals associated with the Micro-Brewery use. In PK07/1153/F, relating to the general B1 use, only condition 5 prevented the outside storage of materials/goods/waste or plant within the yard.
- 5.13 Officers consider that it would be inconceivable that any of the above materials, apart from perhaps some domestic waste, would be associated with the proposed holiday let use. With the reduced size of the proposed curtilage, there would be little scope for the introduction of the items identified by the Inspector, such as play equipment, clothes drying facilities and garden furniture. Much of the proposed holiday let curtilage would be taken over by the proposed access, parking and turning facilities, which would be very similar to the authorised use of the yard, only on a much less intense scale. In this case therefore officers do not consider that it could be reasonably argued that the scheme would result in encroachment into the countryside or that it would have a materially greater impact on the openness of the Green Belt than the current authorised use.
- 5.14 Moving to the issue of increased massing and permanence of the building, which the inspector raised as a contributory factor, though not the sole reason for the inappropriateness. It should be noted that under planning permission PK07/1153/F the building could now be used for general industrial (B1) use and given its solid physical state, it would seem unlikely that the building would be anything other than permanent in this location. It is now proposed to only part-clad (the eastern and western end elevations) the building in stone, with the remaining elevations being rendered. In the earlier refused application for the dwelling, the whole building was to be clad in stone. The overall form of the building would for most part be retained, the only outward alteration being the former garage roof, which would be increased in height to eliminate an awkward pitch. The overall increase in volume would again be a modest 11cu.m.
- 5.15 Officers consider that the modest increase in the volume of the building must be balanced against the visual improvements to the building that would result from the proposed works. The existing building is utilitarian in appearance and does not exhibit any historical or obviously rural character. As such the building is somewhat anomalous in its context as a 'rural' building. The proposed holiday-let would, on the other hand, take on the appearance of a rural barn conversion, that would be far more in-keeping with the rural location and surrounding buildings.
- 5.16 There are many other examples of holiday lets within the open countryside and Green Belt. Most of these would be converted buildings incorporating modest curtilages such as now proposed at Varnisters Farm. Officers are satisfied that

with appropriate conditions to remove permitted development rights, control occupancy of the building, prevent storage of caravans or containers within the curtilage and to secure appropriate landscaping, that the proposal would, on balance, not be inappropriate development in the Green Belt and as such would accord with Policy GB(1) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.17 **2. The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and**

5.18 In the previous appeal, the Inspector at para. 7 of his Decision Letter, noted the ‘...substantial and sound condition of the building’. The applicant has commissioned a structural survey of the building, which was carried out by an appropriately qualified building surveyor, who concluded that:

*‘The existing building is substantial and sound and does not suffer from any structural defects. The existing blockwork walls are plumb and free from defect and can be utilised in any refurbishment works involving future alterations.’*

Officers are therefore satisfied that criterion 2 of Policy GB1 is met.

5.19 **3. The form, bulk and general design of the buildings, are in keeping with their surroundings.**

5.20 Although utilitarian in appearance, the building was originally a farm building. As previously stated, the overall form and bulk of the building would for most part be retained. The slight modifications to the roof would improve the aesthetics of the building, as would the proposed works to convert the building. The proposed natural stone cladding and render external finish, reclaimed double roman tiles for the roof and naturally finished joinery would all enhance the appearance of the building. The form, bulk and design is therefore considered to be in-keeping with the surroundings.

Alternative Uses

5.21 As required by Policy E11 and H10(A), alternative uses for the building have been explored. A Marketing Report, carried out by a local Commercial Estate Agent, has been submitted in support of the application. A similar exercise was carried out for the refused application PK06/1986/F. In his appeal Decision Letter the Inspector considered that, at that time, the appellant had not adequately addressed the stringent requirements under criterion A of Policy H10. In reaching this conclusion, the Inspector noted the period of marketing i.e. 1 year; the lack of detail within the report and that the then existing use was limited by condition to a Micro-Brewery only.

5.22 Since then planning permission PK07/1153/F was granted in 2007 for the general B1 use of the building, which supersedes the earlier permission P97/4702, which restricted the use of the building to Micro-Brewery use only. In officer’s opinion this makes alternative business use of the building a much more attractive proposition. Nevertheless, despite being vacant for 4 years and marketed robustly for a 2 year period, there has been no serious interest in re-using the premises for commercial purposes. Officers are therefore satisfied

that the applicant has carried out all reasonable endeavours to secure an alternative business use for the building.

5.23 The proposed use of the building as a holiday let, would however make a positive contribution to the rural economy and utilise an otherwise long redundant building. The proposal would provide a much-valued source of additional employment for the applicant and additional workers, that will be required at the site e.g. cleaners/maintenance workers. Officers consider that this would accord with the Governments clear objectives in promoting sustainable economic growth and jobs.

5.24 Transportation Issues

Traffic generation would be small in comparison to the original Micro-Brewery use. The traffic generated is also likely to be seasonal and comprise of private cars only. The existing access arrangements would be utilised and there would be adequate parking and turning provision within the building's curtilage. There are no highway objections. The proposal therefore accords with Policies T8, T12, and E11 (C) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.25 Landscape Issues

The building would be retained with little change to its form, bulk or mass. The amenity and parking areas would be provided in a small part of what is the existing yard, which in turn would be significantly reduced in size. Subject to a condition to secure the prior submission and approval of a full landscape scheme, officers are satisfied that the proposal would not adversely affect the visual amenity of the Green Belt or landscape in general and would accord with Policies L1, D1 and GB1.

5.26 Impact Upon Residential Amenity

Although well related to a number of residential dwellings, these properties are a reasonable distance from the building. The proposed holiday let use is likely to have significantly less impact on neighbouring residential amenity, both in terms of noise or disturbance from the traffic generated; furthermore the general outlook for neighbouring occupiers would be improved by the cessation of industrial uses; the return of much of the yard to agricultural use and the improved aesthetics of the building. Whilst there would inevitably be some disturbance for neighbouring occupiers during the conversion phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of working. The proposal therefore accords with Policy E11(B) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.27 Environmental Issues

Officers raise no objection in principle, subject to a condition to ascertain the previous uses of the building with respect to any previous contamination of the walls and floors. If any contamination is found, appropriate mitigation measures should be submitted to the council for approval, prior to the commencement of development. The proposed use would have significantly less impact on the environment than the existing authorised B1 uses. The proposal therefore

accords with Policies E11(A) and EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.28 Drainage Issues

It is proposed to dispose of foul waste to the mains sewer and surface water to soakaways. No in-principle objections have been raised on drainage grounds. Appropriate conditions would however secure the prior submission and approval of a SUDS drainage scheme in accordance with Policies L17 & L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.29 Public Rights of Way

The nearest PROW PSN32A, runs concurrent with the access to the site but given the reduction in traffic generation, the impact on the PROW is likely to be less than the existing authorised B1 uses. Officers have raised no objection in-principle to the proposal and an appropriate informative would be added to any decision notice, should approval be granted. The proposal is therefore considered to accord with Policy LC12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.30 Ecology Issues

There is a possibility that birds may be nesting or bats roosting within the building. Whilst these species are protected by other legislation, an appropriate informative should be added to any permission granted, in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

**6. CONCLUSION**

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

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

a) The proposed use would not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords with Policies E11(B) and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

b) It has been assessed that the proposed conversion has been designed to respect and maintain the massing, scale, proportions, materials vernacular and overall design and character of the rural location. The development therefore accords to Policies GB1, E7 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

c) The proposal would provide adequate visibility at the access onto Siston Lane and adequate off street parking within the site. The proposal would not give rise to unacceptable levels of traffic generation. The proposal is therefore considered to be acceptable in highway safety terms in accord with Policies

E11(C), T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

d) The proposal is considered to be of a good quality design and layout, which integrates well with the rural context and landscape. The proposal would not result in material harm to the visual amenity of the Green Belt. The proposal therefore accords with Policies L1, H10 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

e) Consideration has been given to the proposal's impact on protected species in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

f) The scheme demonstrates a good standard of sustainability in accordance with the requirements of Policy D1 of the South Gloucestershire Local Plan (Adopted)

g) Consideration has been given to the environmental and drainage aspects of the proposal in accordance with the requirements of Policies L17 & L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

h) The building is considered to be structurally sound and capable of conversion in accordance with Policies E7(A) and H10(B) of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006.

i) Alternative business uses for the building have been adequately considered in accordance with Policies E11 and H10(A) of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006.

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

## **7. RECOMMENDATION**

7.1 That planning permission be GRANTED subject to the conditions listed on the Decision Notice.

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

## **CONDITIONS**

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

Reason

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

2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified

in Part 1 (Classes A, B, D, E, F, and G ) or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the development and to protect the openness and visual amenity of the Green Belt and landscape in general and to accord with Policies GB1, D1, L1, H10(D) and E7(C) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The hours of working on site during the period of construction/conversion shall be restricted to 07.30 to 18.00 Mondays to Fridays, and 08.00 to 13.00 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 neighbouring properties and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

5. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason

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

6. Prior to the commencement of the development hereby approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the building and site shall each be submitted to and approved, in writing, by the Local Planning Authority (LPA):

- 1) A preliminary risk assessment which has identified:
  - a) all previous uses



- b) potential contaminants associated with those uses
- c) a conceptual model of the site indicating sources, pathways and receptors
- d) potential unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the LPA. The scheme shall be implemented as approved.

#### Reason

To protect future occupiers of the building in accordance with Policy EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

#### Reason

To protect future occupiers of the building in accordance with Policy EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. There shall be no storage of containers or caravans on the site at any time, be that temporary or otherwise.

#### Reason

To ensure the satisfactory appearance of the development and to protect the openness and visual amenity of the Green Belt and landscape in general and to accord with Policies GB1, D1, L1, H10(D) and E7(C) of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure the satisfactory appearance of the development and to protect the visual amenity of the Green Belt and landscape in general and to accord with Policies GB1, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure the satisfactory appearance of the development and to protect the visual amenity of the Green Belt and location in general and to accord with Policies GB1, D1, H10(D) and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. A sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure the satisfactory appearance of the development and to protect the visual amenity of the Green Belt and location in general and to accord with Policies GB1, D1, H10(D) and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Prior to the commencement of the development hereby approved, samples/details of the proposed roofing tiles shall be submitted to and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the details so approved.

Reason

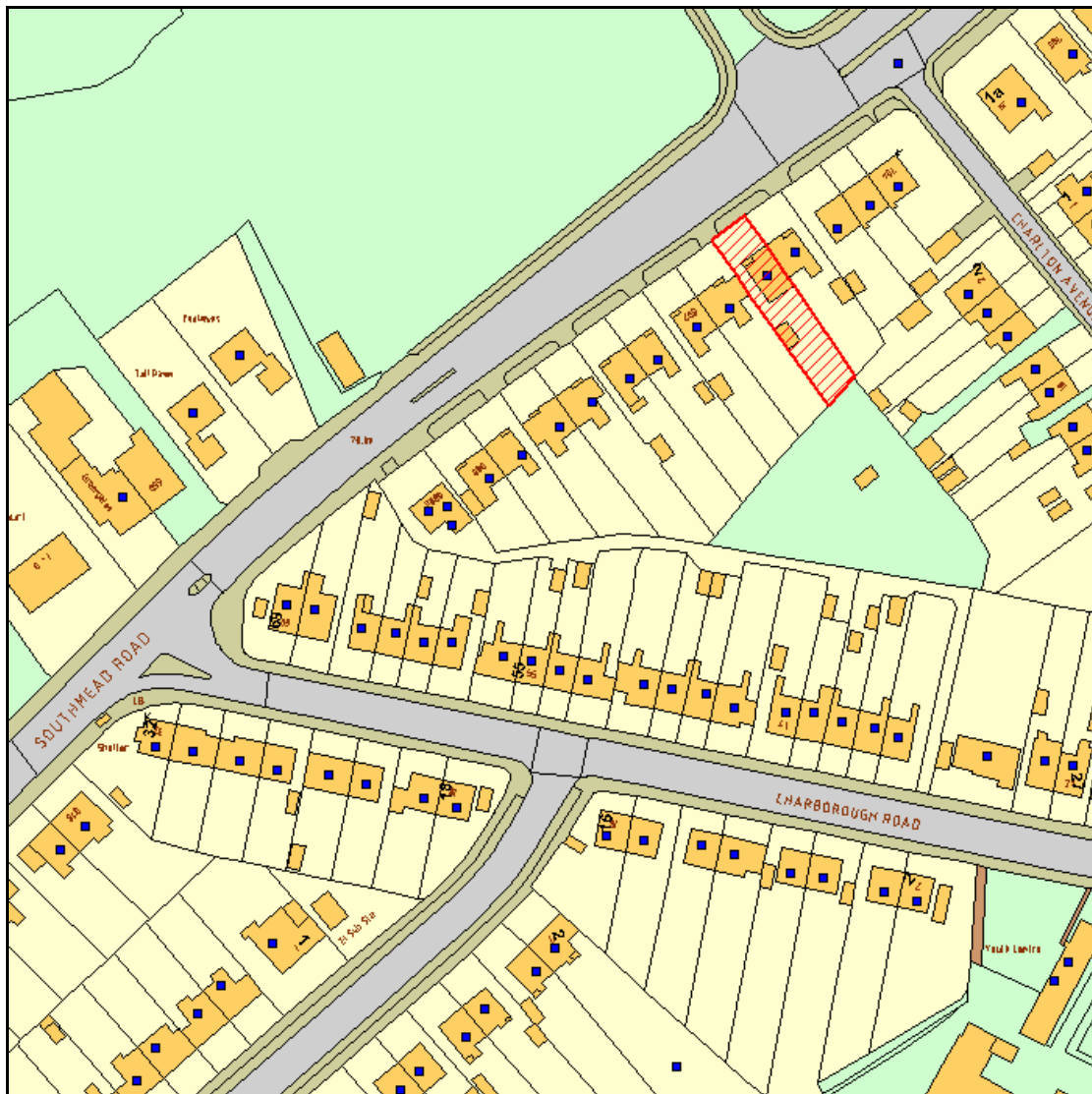
To ensure the satisfactory appearance of the development and to protect the visual amenity of the Green Belt and location in general and to accord with Policies GB1, D1, H10(D) and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. The holiday unit hereby approved shall be occupied by the same person(s) for no more than 42 days in any 12 month period.

To ensure that the unit remains as tourist accommodation in the interests of the rural economy and to accord with Policy E7 and E11 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

## CIRCULATED SCHEDULE NO. 36/11 – 16 SEPTEMBER 2011

<b>App No.:</b>	PT11/2149/CLP	<b>Applicant:</b>	Mr P Karki
<b>Site:</b>	696 Southmead Road Filton Bristol South Gloucestershire BS34 7QT	<b>Date Reg:</b>	8th July 2011
<b>Proposal:</b>	Application for certificate of lawfulness for the proposed alterations to roof and installation of rear dormer to facilitate loft conversion.	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	359828 178860	<b>Ward:</b>	Filton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	30th August 2011



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100023410, 2008. **N.T.S.** **PT11/2149/CLP**

## **INTRODUCTION**

This application for a Certificate of Lawfulness appears on the Circulated Schedule in line with the arrangements for delegated powers.

### **1 DESCRIPTION OF DEVELOPMENT**

- 1.1 The application seeks a Certificate of Lawfulness of Proposed Development (CLOPUD) to establish the lawfulness of a proposed loft extension at 696 Southmead Drive. The property is outside of any conservation area.
- 1.2 The proposed loft extension is shown in Drawing number 10020.02i as creating a gable roof form to the side of the house set back 0.2m from the gutter line and a flat roofed dormer being attached to that new gable end and spread over the existing 'L' shaped rear half of the house.
- 1.3 The evidence submitted attempts to demonstrate that the proposal constitutes permitted development by virtue of the Town and Country Planning (General Permitted Development )(Amendment) Order 2008 and as such would be lawful. Accordingly the test is one of evidence rather than a balancing of planning merits against the Development Plan policy. The evidence test is on balance of probability.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
The Town and Country Planning (General Permitted Development) Order 1995

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

- 3.1 Non relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
No objection

#### **Other Representations**

- 4.2 Local Residents  
No comments received

### **5 SUMMARY OF EVIDENCE IN SUPPORT**

- 5.1 The submission has plans drawn to scale and annotation covering certain areas of the proposal.
- 5.2 The house, in its 'L' shape form appears to have been erected in one operation and its permitted development rights are in tact.

## **6 SUMMARY OF CONTRARY EVIDENCE**

There is no contrary evidence.

## **7. EVALUATION of EVIDENCE**

- 7.1 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 in relation to demonstrating the lawfulness of what is proposed. The evidence put forward here is the precise scaled drawings which shows that the extension would not exceed the highest part of the roof, not extend towards the highway, not create a volume of more than 50 cubic metres, not include a balcony or chimney, flue or vent. The proposal would be finished in render to match the existing house and the windows in the side elevation are shown to be 1.7m high to opening lights and obscure glazed. The extension of the roof falls within the allowances of Class B, Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) Order 2008.
- 7.2 Balconies are not permitted under Part B however the Technical Guidance document associated with The Town and Country Planning (General Permitted Development) (Amendment) Order 2008 states that a balcony is defined as a platform with a rail, balustrade or parapet projecting outside an upper storey of a building. A 'Juliet' balcony, where there is no platform and therefore no external access would normally be permitted development.
- 7.3 Therefore on the balance of probability the evidence indicates that the roof extension shown on plan 10020.02i fall within the remit of permitted development rights that apply within the curtilage of a dwellinghouse under Class B.

## **7. RECOMMENDATION**

- 7.1 That the Certificate of Lawfulness for Proposed Development is granted because it appears that the proposed roof extension is located in its entirety on land that lawfully forms part of the curtilage of the dwelling house and on the balance of probability the permitted development rights under Class B, Part 1 of the Town and Country Planning (General Permitted development)(Amendment) Order 2008 permit the roof extension proposed at the location and in the form shown on drawing 10020.02i.

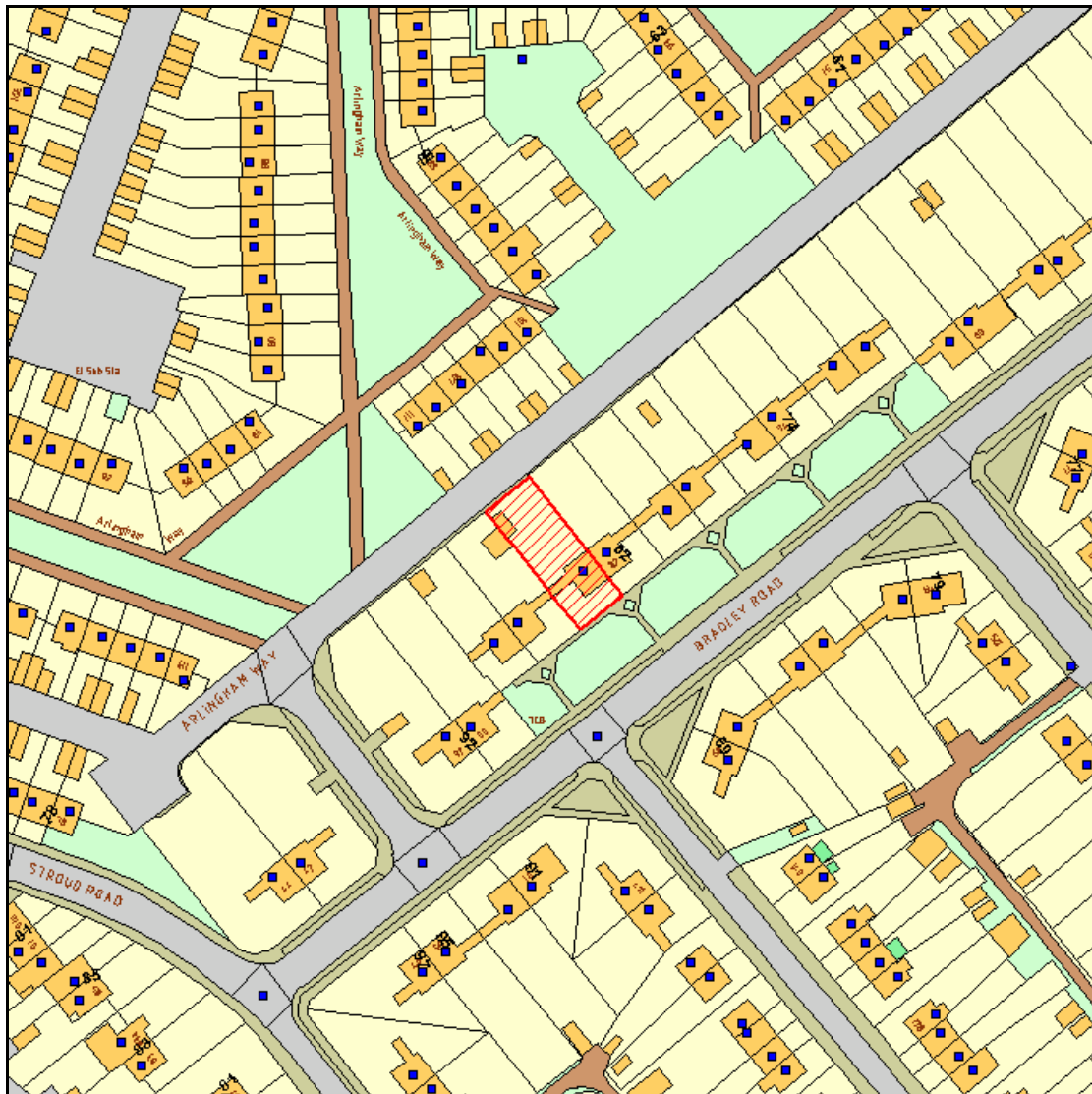
**Contact Officer: Karen Hayes**  
**Tel. No. 01454 863472**

Evidence has been submitted to demonstrate that the proposed roof extension is located in its entirety on land that lawfully forms part of the curtilage of the dwelling house and on the balance of probability the permitted development rights under Class B, Part 1 of the Town and Country Planning (General Permitted development)(Amendment) Order 2008 permit the roof extension proposed at the location and in the form shown on drawing 10020.02i.

# ITEM 5

## CIRCULATED SCHEDULE NO. 36/11 – 16 SEPTEMBER 2011

<b>App No.:</b>	PT11/2462/F	<b>Applicant:</b>	Mr Tom Coleman
<b>Site:</b>	84 Bradley Road Patchway Bristol South Gloucestershire BS34 5HR	<b>Date Reg:</b>	3rd August 2011
<b>Proposal:</b>	Erection of two storey side and single storey front and rear extensions to provide additional living accommodation. Erection of detached double garage.	<b>Parish:</b>	Patchway Town Council
<b>Map Ref:</b>	359541 181955	<b>Ward:</b>	Patchway
<b>Application Category:</b>	Householder	<b>Target Date:</b>	26th September 2011



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100023410, 2008.

**N.T.S.**

**PT11/2462/F**

## **REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule in view of the comments that have been raised by the neighbouring resident.

### **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of a two-storey side extension, single-storey front and rear extensions and a detached double garage.
- 1.2 The application relates to a semi-detached two-storey dwelling on the north side of Bradley Road, Patchway.
- 1.3 Amended plans form part of this application that allows a reduction in the size of the proposed side extension and the detached garage.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1: Delivering Sustainable Development  
PPG13: Transport

#### 2.2 Development Plans

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

D1: Achieving Good Quality Design in New Development

H4: Development within Existing Residential Curtilages

T8: Parking Standards

T12: Transportation Development Control Policy for New Development

##### South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1: High Quality Design

CS17: Housing Diversity

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

#### 4.1 Patchway Town Council

No comments received

#### 4.2 Other Consultees

Technical Services (Drainage): no objection in principle

Highways DC: no objection

## **Other Representations**

### **4.3 Summary of Local Residents Comments**

One letter of objection expressing the following concerns:

- If replicated by others, it would change the road's spacious nature;
- It should adopt a subservient appearance (so not imbalanced);
- It will extend to the boundary making the dwellings appear a terrace;
- It will remove the front to rear access for that property;
- It will overshadow the neighbouring front garden and limit light to their magnolia tree;
- Proximity of foundations might prevent neighbour from doing likewise;
- Access for maintenance would be via the neighbouring property;
- Rear dressing room window is close to the boundary/ will overlook the neighbouring property;
- The garage doors are not shown and might present a hazard to passing traffic;
- It will be difficult to manoeuvre a vehicle into/ out of the garage;
- Exit from the garage might be dangerous due to limited visibility.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Planning policy H4 is permissive of residential development within existing residential curtilages subject to considerations of design, residential amenity and highway safety.

### **5.2 Design/ Visual Amenity**

The application relates to a semi-detached dwelling on the north side of Bradley Road. Properties along this stretch of the highway are set back from the road behind a grass verge and stand apart from one another by virtue of single-storey ancillary link buildings that act to join to the pairs of semi-detached dwellings. These characteristics generate a spacious feel to these properties.

5.3 The application can be considered in two parts; the first seeks permission for a two-storey side and single-storey front and rear extensions. As submitted, the side extension would have measured 5.2m in width, providing a lounge with an en-suite bedroom and dressing room above. It would have built flush with the profile of the dwelling pulling the extended building across to the boundary. However, this element of the scheme was considered to be unacceptable given that it would near double the size of the dwelling and would have a detrimental appearance on the spacious character of the street scene. Therefore, amended plans would now allow a smaller two-storey side extension of 3.7m in width that would retain 1.4m to the side boundary.

5.4 The front extension would comprise a bay window to match the existing with a new porch and lean-to roof above (running the full width of the property); the rear addition would comprise a cloakroom and utility of 3.15m in depth and the full width of the enlarged dwelling.



- 5.5 In response, it is not considered that the principle of a side extension can be reasonably resisted (given the spacious character of development) and thus this amended scheme would help better retain an element of spacing around the building. Further, despite Officer requests to the contrary, it is not considered that permission can be reasonably withheld having regard to the profile of the proposal (i.e. not subservient) given the extension to 88 Bradley Road that also does not adopt a subservient appearance (PT05/3447/F). For these reasons, on balance, this part of the proposal is considered to be acceptable.
- 5.6 The proposed detached garage would be sited at the end of the rear garden (that adjoins Arlingham Way behind) and would replace a single-garage. This has also been subject to change with its size reduced to allow a double garage (in lieu of the triple garage initially proposed) and on this basis, is considered acceptable in design/ visual amenity terms.
- 5.7 Residential Amenity  
The attached property is devoid of any side extension although benefits from a rear conservatory adjacent to the shared boundary. This sits to the far side of a 2m high (approx.) block boundary wall. Given that the rear addition would be limited to a little over 3m in depth and would be devoid of side facing windows, it is not considered that any significant adverse impact in residential amenity would be caused. This is having regard also to the reduced size of the rear garage that would now be sited away from this shared boundary.
- 5.8 86 Bradley Road mirrors the host dwelling albeit with single-storey extensions to the rear of its attached outbuildings; these sit adjacent to the boundary with the roof tops visible above a further 2m high (approx.) block boundary wall that all runs along this side. Side facing windows would appear to replicate those of the host dwelling serving a bathroom, WC, stairs and hallway.
- 5.9 The amended plans help address some of the concerns raised in respect of the impact on this dwelling thus with no side facing windows proposed it is not considered that any significant adverse impact in residential amenity would be caused. In this regard, the new first floor rear windows would now be further from the boundary and would only allow oblique views into this adjoining garden not uncommon within a residential area. Further, the new garage has been reduced in size and would replace an existing structure (albeit smaller) in this position.
- 5.10 All other neighbouring dwellings are positioned at an appreciable distance from the site of the proposal thus it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.11 Highway Safety  
The proposed garage would replace an existing garage in a similar position whilst the Councils Highways Officer has raised no objection to this application having regard to its proximity to the highway. Therefore, there is no transportation objection to this application.

## 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 design, scale and massing of the proposal would be in general keeping with the character of the host dwelling and the surrounding area and would accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (Development within Existing Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
  2. The proposal would not cause any significant adverse impact in residential amenity and would accord with Planning Policy H4 (Development within Existing Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
  3. The proposal is considered to be acceptable in highway safety terms and would accord with Planning Policies T8 (Parking Standards) and 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 development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

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

Reason

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

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

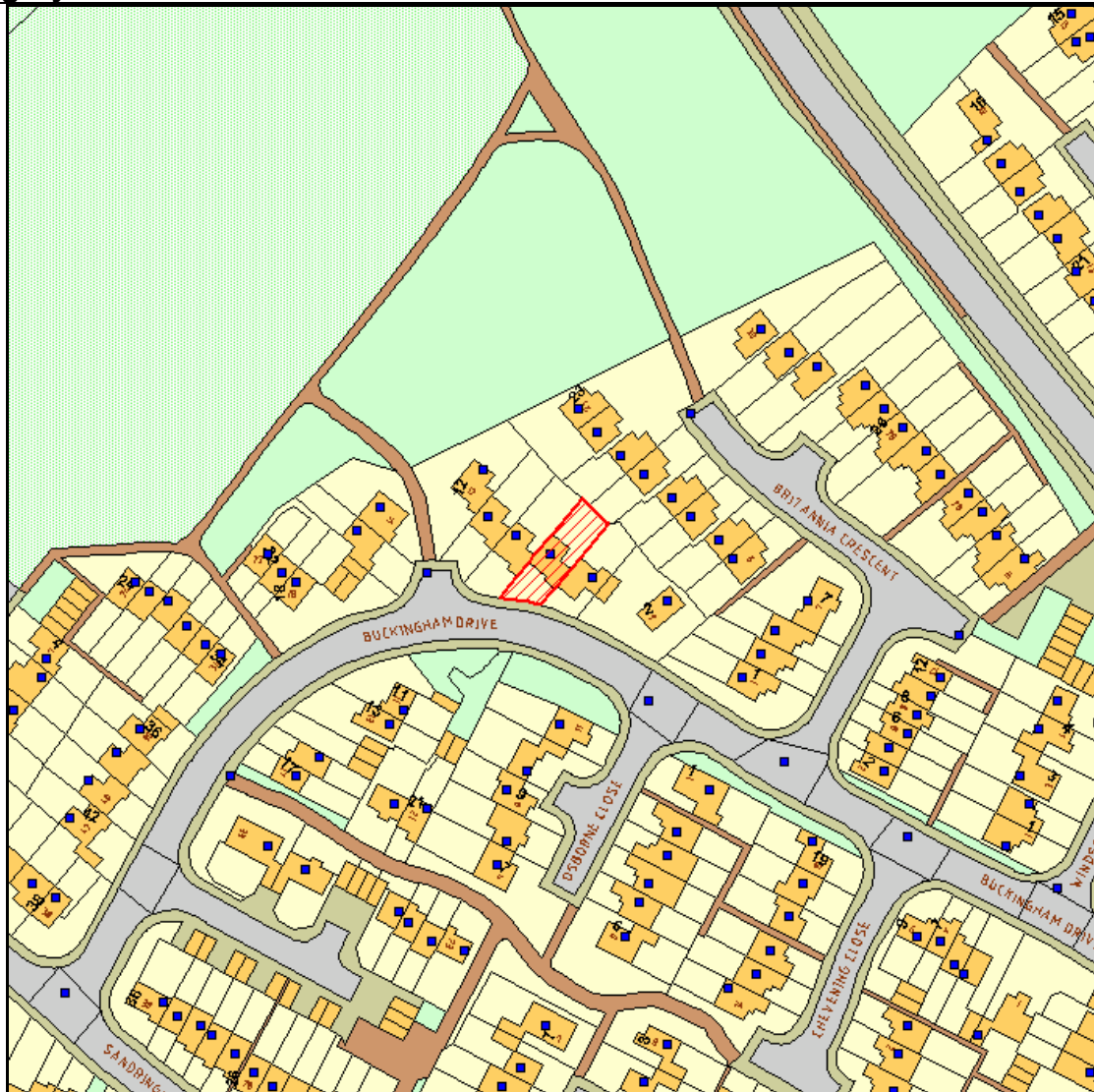
Reason

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

## CIRCULATED SCHEDULE NO. 36/11 – 16 SEPTEMBER 2011

**App No.:** PT11/2683/F  
**Site:** 6 Buckingham Drive Stoke Gifford  
Bristol South Gloucestershire BS34  
8LN  
**Proposal:** Erection of single storey side and rear  
extension to facilitate the conversion of  
existing garage to form home office,  
WC and utility area. (Amendment to  
previously approved scheme  
PT10/2975/F).  
**Map Ref:** 361921 180044  
**Application** Householder  
**Category:**

**Applicant:** Mr John Banfield  
**Date Reg:** 24th August 2011  
**Parish:** Stoke Gifford  
Parish Council  
**Ward:** Stoke Gifford  
**Target** 18th October 2011  
**Date:**



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100023410, 2008. **N.T.S.** **PT11/2683/F**

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

This application has been referred to the Circulated Schedule due to a letter of objection received contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This application relates to the erection of a single storey side and rear extension to facilitate the conversion of existing garage to form home office, WC and utility area. The application is a resubmission of PT10/2975/F and increases the depth of the approved extension by 2.4m to the rear and increases the approved ridge height by 0.5m from 4.1m to 4.6m.
- 1.2 The property is a 'link detached' dwelling located within the established urban area of Stoke Gifford. The proposal consists of an extension to the attached 'link' garage between properties no's 4 and 6 Buckingham Drive. Vehicular access is to the front of the site, off Buckingham Drive.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1 Delivering Sustainable Development  
PPG13 Transport

#### 2.2 Development Plans

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

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

##### Emerging Development Plan

##### Core Strategy Submission Draft

CS1 High Quality Design

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

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

- 3.1 PT10/2975/F Erection of single storey side and rear extension to facilitate conversion of existing garage to home office, WC and utility area.  
Approved 23 December 2010.

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
No response received.

4.2 Other Consultees  
Sustainable Transport

Although this proposal seeks to convert the garage to living accommodation, sufficient parking will remain to the front of the property.

**Other Representations**

4.3 Local Residents

1 letter has been received objecting to the proposal on the following grounds:-

- a) these are linked detached properties;
- b) loss of light;
- c) loss of view;
- d) any extension must not be attached to our wall;
- e) height of pitched roof.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Residential Amenity  
Overbearing Analysis

The extension would add to the existing mass of the attached garage between the side elevation of the host property and no. 4 Buckingham Drive with only a 2.4m rear extension beyond the rear building line. The proposal therefore would not be overbearing on the residential amenity of neighbouring occupiers due to its limited depth.

Privacy Analysis

Due to the limited depth of the rear extension at 2.4m and its single storey height, there would be no overlooking or loss of privacy and no material loss of view as a result of the proposal.

Highway Safety Analysis

Parking in the internal garage would be lost as a result of the proposal however sufficient parking will remain to the front of the dwelling and therefore no objection is raised on transport grounds.

5.3 Design / Visual Amenity

The proposal is modest in scale and fits with the character of the existing property. The link-detached nature of Buckingham Parade is still maintained

with a clear gap existing between the host property and the adjoining dwelling of 4 Buckingham Parade. The height of the pitched roof at 4.6m is not considered unduly high and will not detract from the appearance of the property. The chosen construction materials, which match the palette of materials displayed in the existing building, ensures that this is an appropriate addition to the dwelling and street -scene. The changes to the fenestration including roof lights to the rear means there is no harm caused to the visual amenity.

#### 5.4 Other Matters

Concern was raised by a local resident stating that any extension would not be permitted to be attached unless it was a shared wall. This matter is outside the remit of planning control and is a civil matter. In procedural terms, Certificate B has been completed and Notice served on the occupiers of the adjoining dwelling. If planning permission is granted, informatives will be placed on any decision notice stating that this does not grant permission to carry out works on land that is not within the ownership of the applicant.

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

1) The proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

2) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

Reason

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

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

Reason

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