



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF ENVIRONMENT AND COMMUNITY SERVICES**

CIRCULATED SCHEDULE NO. 18/13

Date to Members: 03/05/13

Member's Deadline: 09/05/13 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Please do not leave it to the last minute
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Management Technical Support Team. If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

Dates and Deadlines for Circulated Schedule
May Bank Holiday Period 2013

Schedule Number	Date to Members 9am on	Members Deadline 4.30pm on
18/13	Friday 03 May 2013	Friday 10 May 2013
21/13	Friday 24 May 2013	Friday 31 May 2013

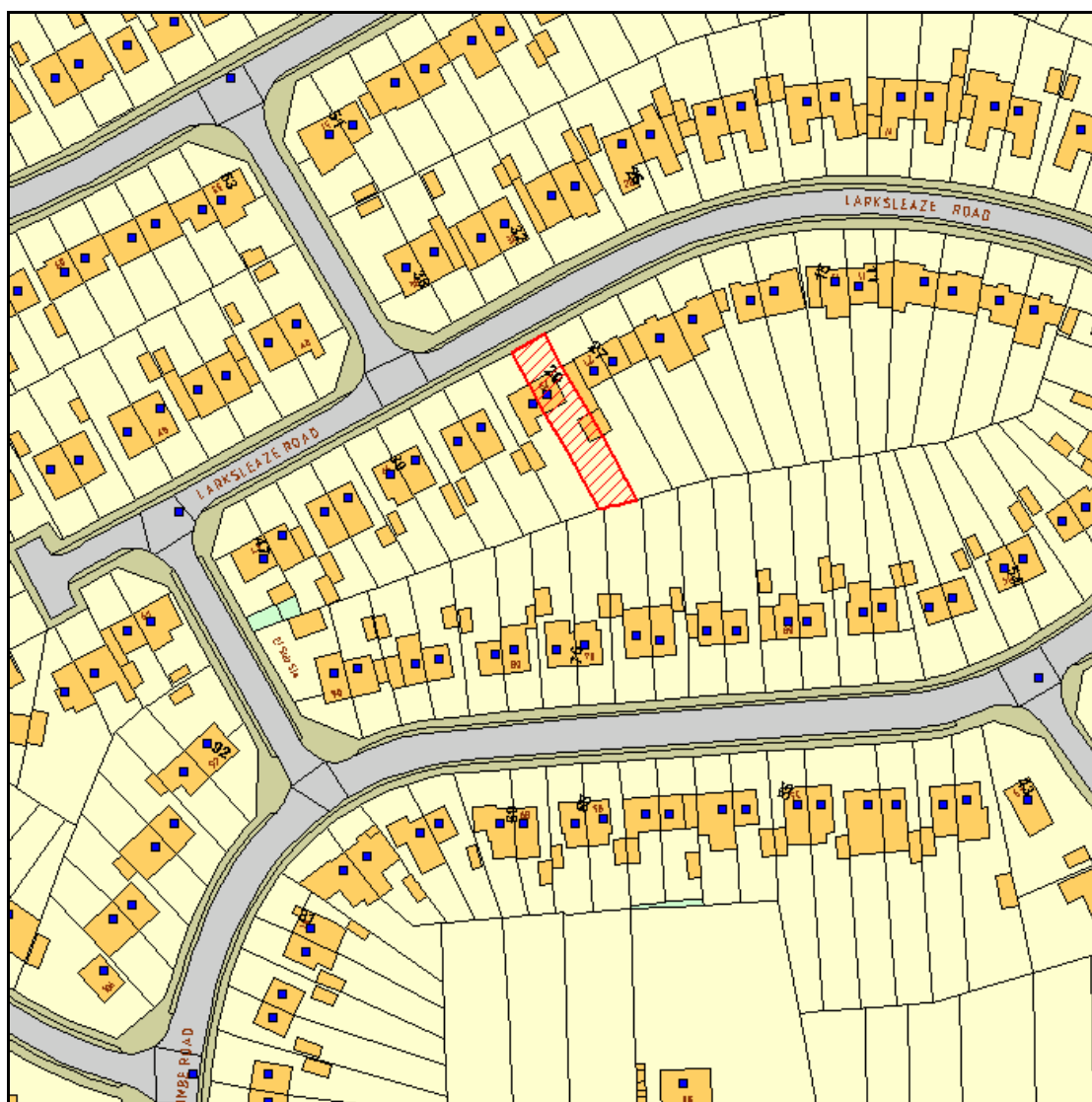
Above are details of the schedules that will be affected by date changes due to the two Bank Holidays during May 2013
All other deadline dates remain as usual.

CIRCULATED SCHEDULE – 3 MAY 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/0283/F	Approve with Conditions	29 Larksleaze Road Longwell Green South Gloucestershire BS30 9BH	Longwell Green	Hanham Abbots Parish Council
2	PK13/0946/R3F	Deemed Consent	Christchurch C Of E Primary School Memorial Road Hanham South Gloucestershire	Hanham	Hanham Abbots Parish Council
3	PK13/1025/RV	Approve with Conditions	Prompt Transport Ltd The Transport Yard Southway Drive Warmley South Gloucestershire	Oldland	Bitton Parish Council
4	PT13/0505/F	Approve with Conditions	The Bothy Home Farm Eastwood Park Falfield Wotton Under Edge South Gloucestershire GL12 8DA	Charfield	Falfield Parish Council
5	PT13/0887/F	Approve with Conditions	1 Montague Close Stoke Gifford South Gloucestershire BS34 8UZ	Stoke Gifford	Stoke Gifford Parish Council
6	PT13/0889/F	Approve with Conditions	St Peters Church Church Road Frampton Cotterell South Gloucestershire BS36 2AB	Frampton Cotterell	Frampton Cotterell Parish
7	PT13/0931/F	Refusal	Grove Farm Besom Lane Westerleigh South Gloucestershire BS37 8RW	Westerleigh	Dodington Parish Council
8	PT13/0933/LB	Refusal	Grove Farm Besom Lane Westerleigh South Gloucestershire BS37 8RW	Westerleigh	Dodington Parish Council

CIRCULATED SCHEDULE NO. 18/13 – 3 MAY 2013

App No.:	PK13/0283/F	Applicant:	Mrs Jane Saunders
Site:	29 Larksleaze Road Longwell Green Bristol South Gloucestershire BS30 9BH	Date Reg:	11th February 2013
Proposal:	Erection of two storey side and single storey rear extensions to form additional living accommodation.	Parish:	Hanham Abbots Parish Council
Map Ref:	365496 170842	Ward:	Longwell Green
Application Category:	Householder	Target Date:	5th April 2013



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 100023410, 2008. **N.T.S.** **PK13/0283/F**

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application has been forwarded to the Council's Circulated Schedule of applications as representation has been received from neighbouring residents raising views contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application site is situated in a central location within the modern residential estate of Longwell Green. The site is bounded by residential development on three sides with vehicular access onto Larksleaze Road to the north. The site comprises a modern chalet style two storey semi detached dwelling with front lean to porch and side lean to single storey garage.

The application site is situated within the urban area as defined in the adopted Local Plan.

- 1.2 The application proposes erection of two storey side and single storey rear extensions to form additional living accommodation.

The proposal has been amended following discussions with Officers. The originally designed rectangular footprint and lean to roof have been replaced by an I shaped footprint where the length of the extension on the east boundary is now reduced.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.

CS1 High Quality Design

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

No objection

4.2 Other Consultees [including internal consultees of the Council]

Drainage Engineer – No objection. Standard informative required for building on or near to Wessex Water sewer. Wessex Water must be contacted prior to commencement of development.

Wessex Water – The development may be located close to or over a Wessex water public sewer. Wessex Water must be contacted and

Separate approval given from them prior to commencement of development.

Other Representations

4.3 Local Residents

One letter of objection submitted in relation to the originally submitted drawings from the occupiers of 31 Larksleaze Road raising the following concerns:

- concerns over the length and height of the proposed extension
- it looks to be over 50% longer than the existing extensions on this side of the street
- The extension would have a sloping roof rather than the flat roof style of the other rear extensions in the street
- Loss of light to rear window due to size and shape of the extension

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework was published in March 2012. The document replaces most PPG/PPS guidance providing a more simplified and up to date advice in determination of planning applications. The NPPF indicates that where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

It is considered that the relevant policies of the adopted Development Plan do not materially depart from the NPPF. As such full weight can be afforded to the Development Plan policies in this case.

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

The South Gloucestershire Core Strategy (CS) was submitted for Examination in March 2011. The Examination was initially suspended by the CS Inspector to allow for the submission of Post Submission Changes. Hearing sessions were subsequently held in June and July 2012 and the CS Inspector published his Preliminary Findings and Draft Main Modifications in September 2012. The Inspector's initial conclusion is that the Core Strategy is capable of being made 'Sound' subject to a number of Proposed Main Modifications (PMM). The PMM have been subject to a further hearing session that was held on 7 March 2013. The CS has reached an advanced stage of preparation. However, there are unresolved objections to the housing requirements, including the means of addressing the shortfall in the delivery of housing that accrued during the Local Plan period. At this stage the Core Strategy therefore remains unadopted, but is likely to be adopted in the near future once housing matters are resolved. This document is therefore a material consideration in the determination of planning applications, and the Core Strategy policies, which are not subject to Inspector modification, will now carry considerable weight at this stage.

In determination of this application there are no significant differences between the relevant adopted Development Plan policies and the Core Strategy.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a suburban residential context. The dwelling the subject of this application is a two storey chalet style semi detached dwelling. The proposed rear extension would be well screened from public vantage points being located to the rear of the site with no rear access available to the rear garden. The design has been amended following discussions with Officers as explained in par.1.2 above. The revised I shaped footprint is straightforward in terms of design and form. The side extension would follow the same ridge height as the existing dwelling and would extend the existing flat roofed dormer along the building. The design and materials for the two extensions would be of good quality in keeping with the character of the existing dwelling 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 Residential amenity

Adequate rear amenity space to the property would be retained following the erection of the proposed rear extension. The proposed rear extension would be modest in scale. The rear extension has been amended to provide an I shaped footprint. The neighbour at no.31 originally objected on the basis of loss of residential amenity, specifically to a rear living room window which is inset from the existing overhanging eaves and set between the existing boundary fence and their flat roofed kitchen extension. After visiting the neighbour's house, it is clear that this positioning of the rear window creates an enclosure to the window and light into the living space is limited. Officers had concerns that the originally submitted application which proposed a rear extension measuring 4.7m rear projection, 3.3m to its highest point and 2.4m to eaves would result in significant bulk and presence of development on the east

boundary and would materially enclose the outside space adjacent to the living roof window of no.31 resulting in a material loss of internal light.

The applicant agreed to amend the design of the extension. The revised drawings now show an I shaped extension with rear projection along the east boundary of 2.7m with overall height of 3.3m and height to eaves of 2.6m. The revised extension would no have a significantly reduced presence on the east boundary and the east elevation would be modest in scale.

The neighbour to the west, no.27 is situated at a higher ground level with a single store side garage only on the boundary with no.29.

The two storey side extension would not project beyond the existing front and rear elevations of no.29. No.27 to the west is situated in line with no.29 with no side windows facing towards the application site. A single garage would be situated between the proposed side extension and no.29. Due to the position of the proposed extensions in relation to the neighbouring dwellings, the revised design of the rear extension and its modest scale, the proposal would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development.

5.4 Other issues

The proposal would be built over or close to an existing public sewer. The sewer is controlled by Wessex Water, who has legislative controls to ensure development near to or over existing sewers is built to avoid any detrimental impact on the sewer. Additionally, Building Regulations would control the technical construction of buildings and ensure that building on or close to a sewer would not impact on the sewer itself. Therefore the matter of building over a storm sewer would be most effectively controlled by legislation outside the planning system (Wessex Water controls and Building Regulations). On this basis, no significant weight has been attached to this issue as a material planning consideration and this matter is considered not to outweigh the planning merits of the scheme as explained in the report above. An informative would be attached to the decision notice to bring the matter to the applicant's attention and advise that the contact Wessex Water for approval prior to commencement of any development.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The 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 31 of the Town and Country Planning (Development Management Procedure) Order 2010 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 H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed extensions have 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 H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

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).

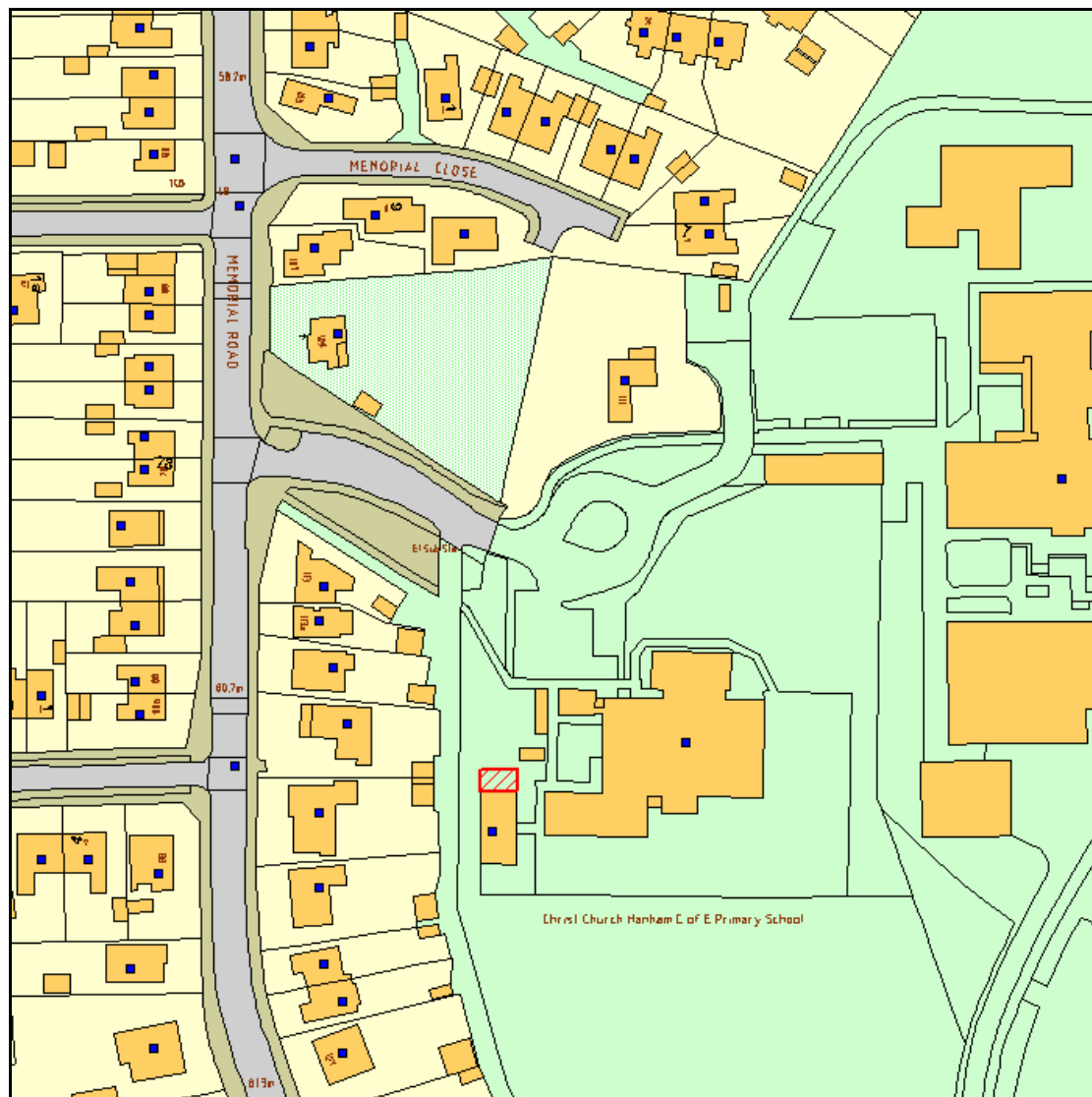
2. The materials to be used in the construction of the external walling and roofing of the extensions hereby permitted shall match those used in the existing dwelling.

Reason

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

CIRCULATED SCHEDULE NO. 18/13 – 3 MAY 2013

App No.:	PK13/0946/R3F	Applicant:	South Gloucestershire Council
Site:	Christchurch C Of E Primary School Memorial Road Hanham Bristol South Gloucestershire	Date Reg:	21st March 2013
Proposal:	Erection of single storey side extension to existing Elliott classroom to provide W C accommodation. Installation of access ramp.	Parish:	Hanham Abbots Parish Council
Map Ref:	363932 171661	Ward:	Hanham
Application Category:	Minor	Target Date:	13th May 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as a matter of process because it is an application made by the Council.

1. THE PROPOSAL

- 1.1 This application seeks consent to erect a single storey side extension to the existing Elliot classrooms and an access ramp at Christchurch C of E Primary School in Hanham.
- 1.2 Planning consent was granted for the replacement of the Elliot block under PK02/1562/R3F. It is now necessary to refurbish and increase the size of this building to provide, toilet facilities, cloakrooms, storage, and an accessible ramp.
- 1.3 This development will assist in meeting the urgent need for additional school places in South Gloucestershire.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 Education and Community Facilities

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012
CS1 High Quality Design
CS23 Community Infrastructure and Cultural Activity
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK02/1562/R3F Deemed Consent 01/07/2002
Erection of Elliott classroom block
- 3.2 Planning history for the school site is available to view online but not relevant to this development.

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
The Parish Council supports this application

Other Representations

- 4.2 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks consent to extend an existing Elliot classroom building to facilitate the refurbishment of the building and to erect a disabled access ramp.
- 5.2 Principle of Development
Policy LC4 of the Local Plan supports the expansion and improvement of education facilities within the existing urban area and boundaries of settlements. This is subject to an assessment of accessibility, amenity, and transportation/ environmental impact. Policy D1 sets the design standard for the district to which all development must comply. Therefore the development is acceptable in principle subject to the analysis set out below.
- 5.3 Accessibility and Transport
Located on an existing school site, the development is in an accessible location. Cycling facilities exist on site and the school is accessible on foot. The proposal is to extend the existing Elliot buildings to provide toilets and ancillary accommodation; the development does not result in a material increase in the number of classrooms.
- 5.4 As there is no material increase in classrooms there is no highways objection. However, it is noted that the development is part of a wider programme to increase the provision of school places. A transport plan is not necessary on this occasion, but should further development occur on this site an updated transport plan will be required.
- 5.5 More school places may result in additional on-street parking. However this is likely to occur only a drop-off and pick-up times of day. In addition, a high school is also located on the site. Therefore it is likely that a number of joint trips will occur. As a result it is not considered that the development would give rise to unacceptable levels of on street parking.
- 5.6 Amenity
Development should not prejudice residential amenity. The use of the site as a school and the existing building as classrooms is well established. It is not considered that extending the building to provide toilet facilities, storage and other accommodation, or the installation of an access ramp, will have any impact on residential amenity.
- 5.7 Environment
The development will not have an unacceptable environmental impact. The site is not located within a sensitive area or one covered by protection or designated status.

5.8 Design

The extension will match the existing Elliot building in materials and appearance. The extension is proportionate to the size of the existing building; it is small in scale and has a low mass. By extending an existing building a good site layout has been achieved.

5.9 It is therefore considered that the proposed development accords with the design principles of policy D1 of the Local Plan.

6. **CONCLUSION**

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

6.2 The proposed extension has been assessed against policies D1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006. The site is highly accessible by foot and bicycle; the development will not impact on residential amenity; there will be no unacceptable transport or environmental impacts or an increase in on street parking; and an acceptable standard of design has been achieved. Therefore the proposed development is considered to accord with the above-mentioned policies.

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

7. **RECOMMENDATION**

7.1 The recommendation is to GRANT permission subject to the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

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

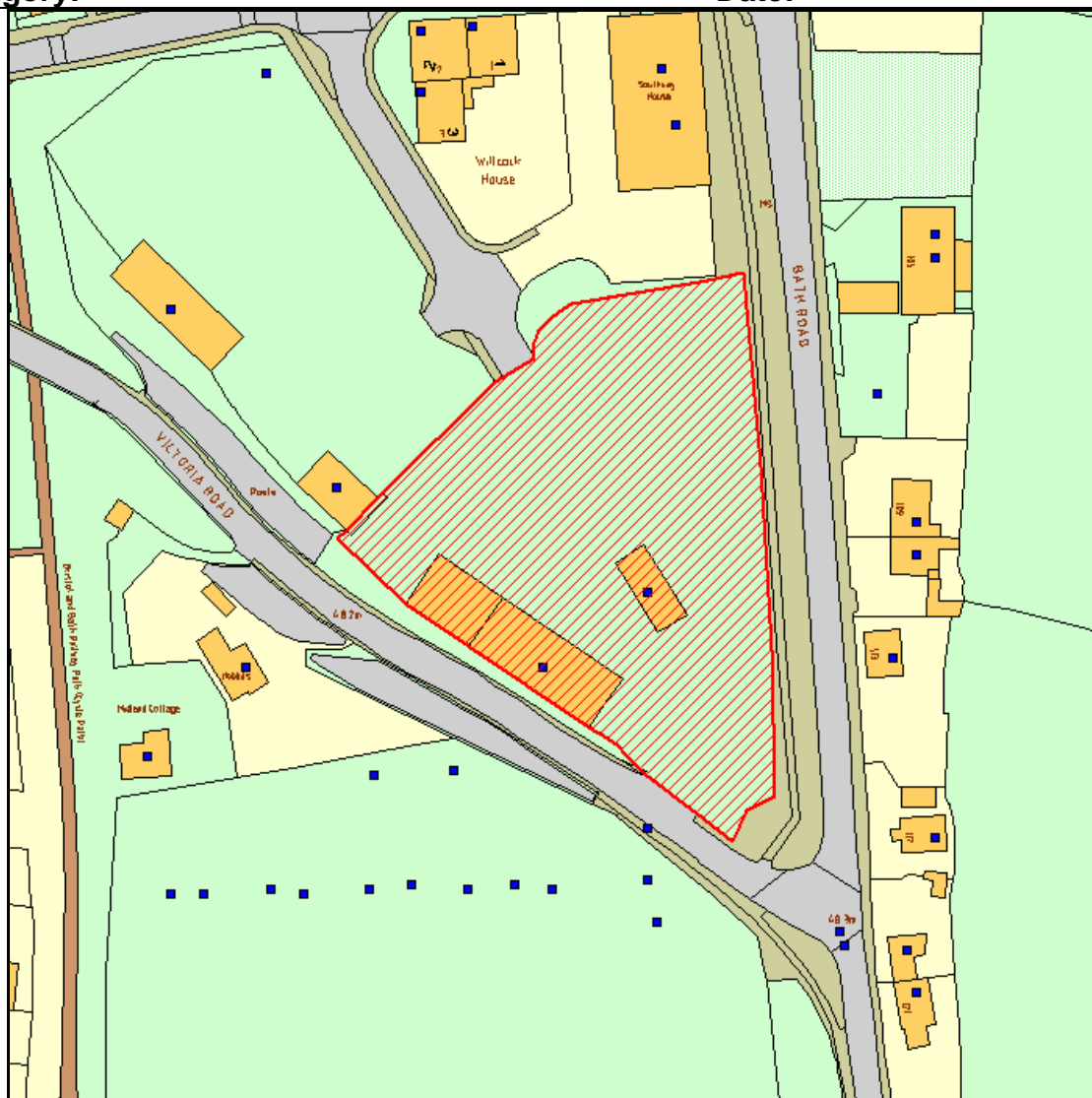
Reason

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

CIRCULATED SCHEDULE NO. 18/13 – 3 MAY 2013

App No.: PK13/1025/RVC
Site: Prompt Transport Ltd The Transport Yard Southway Drive Warmley South Gloucestershire
Proposal: Variation of condition no. 4 of PK08/3164/F to amend opening hours within the new yard (annotated on Plan A) to 0600 to 1900 Mondays to Fridays, 0600 to 1100 on Saturday and no working shall take place on Sundays and Bank Holidays.No restrictions on working hours in the old Yard (as annotated on Plan A). (Resubmission of PK12/0873/RVC and PK12/1927/RVC). 367881 172292
Map Ref:
Application Category: Minor

Applicant: Mr Williams
Date Reg: 28th March 2013
Parish: Bitton Parish Council
Ward: Oldland Common
Target Date: 21st May 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections have been received, contrary to the officer recommendation.

1. THE PROPOSAL

1.1 This application seeks to vary condition 4 attached to planning permission PK08/3164/F to amend the hours of working within the new yard (annotated on Plan A) to 0600 to 1900 Mondays to Fridays, 0600 to 1100 Saturdays. No working Sundays or Bank Holidays. No restrictions on working hours in the old Yard (as annotated on the relevant plan submitted with the application). Plan A refers to two parts of the site, one being the area bordering Bath Road (the old yard) and the other comprising the rest of the yard which borders Victoria Road and the rest of the industrial estate to the west (new yard). The information submitted with the application states that the times proposed would allow for the offices to open at 0600, with the vehicles normally driven off the site at 0645.

1.2 Condition 4 states: The hours of working at the premises shall be restricted to 0800 to 1800 Mondays to Fridays, 0900 to 1400 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. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

The reason given for the condition states: To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

1.3 The site lies within a safeguarded employment area as identified on the proposals map with the adopted Local Plan. It is part of an industrial estate. The site is triangular, with the access derived from the north, which is the shortest side of the site. The other two sides are bounded by Victoria Road (a no-through road) and Bath Road. To the latter boundary is a mature hedgerow and boundary fence. To Victoria Road, the hedgerow was cut back and laid and a wire mesh fence erected, which runs along the back of the building which has since been extended (see 3.5 below). The hedgerow has substantially re-grown. The road here is elevated to a height above both the site and the houses on the opposite side of the road. The nearest dwellings on Bath Road are between 30 and 80 metres of the application site, with the old yard and Bath Road itself intervening. On the other side of Victoria Road, work has commenced to build a small housing estate.

1.4 A Breach of Condition Notice has been served in respect of the condition now applied to be varied.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

E3 Employment Development

EP1 Environmental Pollution

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.

CS12 Safeguarded areas for economic development

3. RELEVANT PLANNING HISTORY

- 3.1 P96/4494 Change of use from storage and distribution (B8) to transport depot (sui generis) Approved Jan 1998
- 3.2 PK06/0745/F Erection of distribution depot with office accommodation Approved 2006
- 3.3 PK08/3164/F Erection of two wings to building to create storage space, loading bay and first floor office accommodation Approved April 2008
NB This application was within the new yard as defined on Plan A
- 3.4 PK11/1247/RVC Application to vary conditions 4, 5 and 6 to vary hours of working and retain access onto Victoria Road Withdrawn
- 3.5 PK12/0873/RVC Vary condition 4 as proposed in this application Withdrawn
- 3.6 PK12/1100/F Erection of two bay storage extension to existing offices Approved 2012
- 3.7 PK12/1927/RVC Vary condition 4 as proposed in this application Withdrawn to allow for the implementation of PK12/1100/F, complete with sound insulation measures

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Object for the following reasons:

- The whole site should be seen as one area, as there is no delineation on the site and conditions must apply to the whole site
- While residents are used to low level traffic noise from Bath Road, the change in operating hours would result in sleep disturbance due to timing and unpredictability of noise events, which they have experienced through non-compliance with the existing condition
- Noise data will only be at ground level and not apply to first floor level
- The new houses under construction will also be affected

4.2 Other Consultees [including internal consultees of the Council] Sustainable Transportation

While an extension in hours of operation has the potential to increase traffic, in this case would be outside the highway network peak hour and as such, it raises no significant highway issues. The site entrance would not change and

the vehicular access remains in the same location as existing, via Southway Drive. No objection is raised.

Environmental Protection

Previous Environmental protection objections have now been addressed by the construction of a barrier in the form of a solid structure along the Victoria Road boundary fence. The height of the building sufficiently attenuates noise from the 'new' Yard.

Compared to previous monitoring when noise from the Prompt Transport 'new' yard was the dominant noise, when further monitoring was carried out after the construction of the barrier the predominant noise was from traffic noise on Bath Road and from Bird song. There is no objection to the proposed change in hours.

Public Rights of Way

No comment

Technical Services

No comment

Archaeology

No historic environment issues

Other Representations

4.3 Local Residents

4 letters of objection have been received, citing the following concerns:

- Sleep has been disturbed by vehicle movements at 0330 on 12 April 2013
- The new housing under construction will also be affected by noise from the yard
- The installation of sound deadening material within the loading bay will have no impact at all on noise from the yard
- The applicants' contractual commitments should have been drawn up within the scope of the existing conditions and should not be taken as a valid reason to change the condition now
- Inconsistencies between details in support of this application and the previous one
- The noise reduction measures are unspecific and the applicants do not have a record of complying with previous conditions
- The site should not be divided as noise could be generated on any part of the site and pinpointing whether it is generated in the part which is controlled or not is impossible
- Inconsistencies in terminology: new/ old/ top and bottom yard
- A noise report commissioned by Prompt and carried out on two dates for the previous application is considered to be representative or accurate in comparison with local experience
- Objections are supported by national planning criteria

- The noise readings from the site were measured outside the current permitted operating hours and would therefore not be representative of the noise, should the hours be extended
- The noise report claims that one of the most significant noise sources was other industrial sites, which is not the case and also that bird song affects the receptors, whereas it is considered welcome and acceptable
- Lorry movements in the new yard are claimed in the report to be as noticeable as from Bath Road, which is not the case
- Given the inaccuracies in the noise report, it should not be taken into account in determination this application
- Noise from Bath Road is minimal at night
- The soundproof barrier within the Prompt site next to Bath Road is ineffective
- Some existing noise sources on the site have been omitted from the supporting details

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above in the light of all material considerations. The only issue which requires examination is noise generation from the site, as earlier starts and later finishes are proposed through the variation of condition 4. In transportation terms, the extended hours would have no impact on traffic generation or highway safety. The material considerations in this instance are the industrial use of the site, which is long established and protected for employment, as well as the fact that the old yard, the part of the site nearest to Bath Road, operates at unrestricted hours and that noise can be generated from that part of the site, unhindered, except for the fencing alongside Bath Road, which, as it is made of wire mesh, is considered to be deficient in its acoustic protection. The condition applied to be amended relates only to the new yard, which is the part of the site which is bounded by Victoria Road. An earlier application to change this condition was withdrawn to allow the permission for the extension to the existing building that backs onto Victoria Road to be extended. That design included measures to form an acoustic screen. Noise readings have been taken by Environmental Protection, following the completion of the extension to this building, which now extends along about half of that boundary.

- 5.2 The intention behind imposing the hours of operation condition on the previous planning permission was that it applies to the building that was sought to be extended. However, the condition applies to the red line area of the site on the application (the new yard). In any event, the condition, following Planning Enforcement action, is now intended to be varied and the noise generated in the extra hours of operation, prior to the recent measurements of noise levels, was considered to be likely to have an impact on existing levels of residential amenity, particularly on the dwellings on Victoria Road, on the other side of the embankment on which the road stands. The issue is therefore the degree to which this would affect existing levels of residential amenity. In that regard, the proposed 1100 finish on Saturdays in place of the current 1400 is recognised as being of slight benefit. The main issue is however the earlier proposed starts

at 0600, six days a week and to a lesser extent the later finishes proposed to be at 1900, Monday to Friday, instead of the current 1800.

5.3 Noise and Residential Amenity

There is a direct line of sight to the new yard, from both floors of one of the dwellings in Victoria Road. Noise generated in the new yard would be carried in this direction, previously unhindered by any acoustic barrier, but now blocked partially by the extension to the building on site. It is acknowledged that the old yard does and could still operate around the clock, free of control through planning conditions but noise generated from that portion of the site would have to travel further than from the new yard to reach the properties on Victoria Road. As stated above, noise measurements have been taken by Environmental Protection, during the hours which the relaxation of the condition would cover and this is considered the appropriate time to make such measurements. Victoria Road itself is considered to act as a bund to some extent, in that it is along most of its length higher than the ground on either side – one side being the noise source and the other side the noise receptor. In this context, noise readings taken at ground level on the road were higher than the first floor dwellings on the other side of Victoria Road from the site and this methodology is considered to be appropriate..

5.4 Other Issues

The consultation process has brought up a number of other issues, including the impact that the proposal would have on the new housing development underway on the opposite side of Victoria Road. This was approved in the full knowledge that it would be a short distance away from a safeguarded employment area. It has been demonstrated through the noise readings that the noise generation from the Prompt Transport site should not have an adverse effect on residential amenity through the proposed extension of the operating hours and that principle also applies to any later development in proximity to the site.

The point that the installation of sound deadening material within the loading bay will have no impact at all on noise from the yard and the reported disturbance in mid April do not take into account that the noise reduction measures have already taken place. While it is acknowledged that

The record of non-compliance regarding planning conditions has resulted in Planning Enforcement action on this site, but there is no reason to assume that any future conditions would be disregarded, as they can be enforced against in a similar manner as previously.

Regarding the contractual commitments of Prompt Transport, this is not considered to be a material consideration in the determination of this application because, as pointed out through the consultation process, they would appear to be in breach of the existing planning conditions. However, it is also acknowledged that the planning system should support local business and the recommendation does this.

With regard to the acoustic fence along Bath Road, a brief visual inspection reveals its ineffectiveness in that it does not form a solid barrier and is therefore

not fit for purpose. However, that is not part of this proposal, which would leave noise from the old yard unaffected.

The list of on site noise sources may be incomplete, but the actual noise readings are considered to be comprehensive enough as to provide valid evidence. There is disagreement over how well represented noise generation is by the readings and it is acknowledged that the subjective experience of local residents in terms of experiencing road noise from Bath Road, bird song and noise from the site is also valid. However, the measured noise is considered to represent the more reliable evidence as it is empirical, rather than subjective. The timing of the noise recording is considered to be appropriate as it was carried out in the morning, at the time when noise generation from the site is proposed to be allowed.

With regard to inconsistencies between this application and the previous one, the previous application was withdrawn and this one is appropriately treated on its own merits, which includes evidence such as the noise report. The inconsistency in terms for the parts of the yard have been standardised in this report.

Lastly, the Parish Council has stated that the whole of the site should be seen as one area, as there is no delineation on the site and conditions must apply to the whole site. However, the current restriction applies only to the New Yard and, while it would be possible to extend it to the whole of the site with the applicant's agreement, the description of development makes it clear that the relaxation of the condition is only sought for the New Yard and that they prefer to operate, if necessary, in an unrestricted manner within the Old Yard. However, the applicants have stated that they are willing to accept an additional condition to ensure that the existing noise protection measures alongside Victoria Road are retained and that has been recommended below.

In the determination of this application, a review has been undertaken of the outstanding conditions on the planning permission, in addition to the proposed amendment of condition 4. Given that the development to which PK08/3164/F relates is now complete, there is not considered to be a need to reproduce condition 2, which relates to submission of Sustainable Drainage details; condition 3 for the submission of any floodlighting details prior to commencement, condition 5 which related to the hours of working during construction and condition 9 which required submission and approval of building materials. These have been deleted from the recommended approval of 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 Due to the noise protection measures previously implemented, the changes to the operating hours would not affect current levels of residential amenity and

the proposal accords with policies E3 and EP1 of the adopted South Gloucestershire Local Plan.

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

7. RECOMMENDATION

- 7.1 That planning permission PK08/3164/F is amended to allow the longer opening hours as applied for and that an addition condition is added requiring the retention of the noise mitigation measures already in place following the implementation of planning permission PK12/1100/F.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. The hours of working within the building and external areas of the site at the premises shall be restricted to 0600 to 1900 Mondays to Fridays, 0600 to 1100 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. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The means of vehicular and pedestrian access to the development hereby permitted shall be from Southway Drive only. The access onto the site Victoria Road shall be stopped up permanently prior to the first occupation of the building hereby approved and a landscaping scheme submitted, implemented and thereafter maintained in accordance with details to be submitted for approval.

Reason

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

4. The off-street parking and manoeuvring facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be retained for that purpose. The manoeuvring area shall be maintained free from any obstructions at all times and only be used in connection with the approved use.

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, T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. There shall be no outside storage of plant, machinery, raw materials, packing cases or finished products.

Reason

To protect the manoeuvring area in the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The development hereby permitted shall be carried out as an alternative to the permission granted on 24 April 2006 for Erection of distribution depot with office accommodation at Prompt Transport Services Ltd, Southway Drive, Warmley (Reference PK06/0745/F) but not in addition to it, to the intent that the applicant may carry out one of the developments permitted but not both, nor parts of both developments.

Reason

To prevent an unsatisfactory mix of development and/or over-development of the site in order to maintain existing levels of highway safety, to accord with policy T12 of the adopted South Gloucestershire Local Plan.

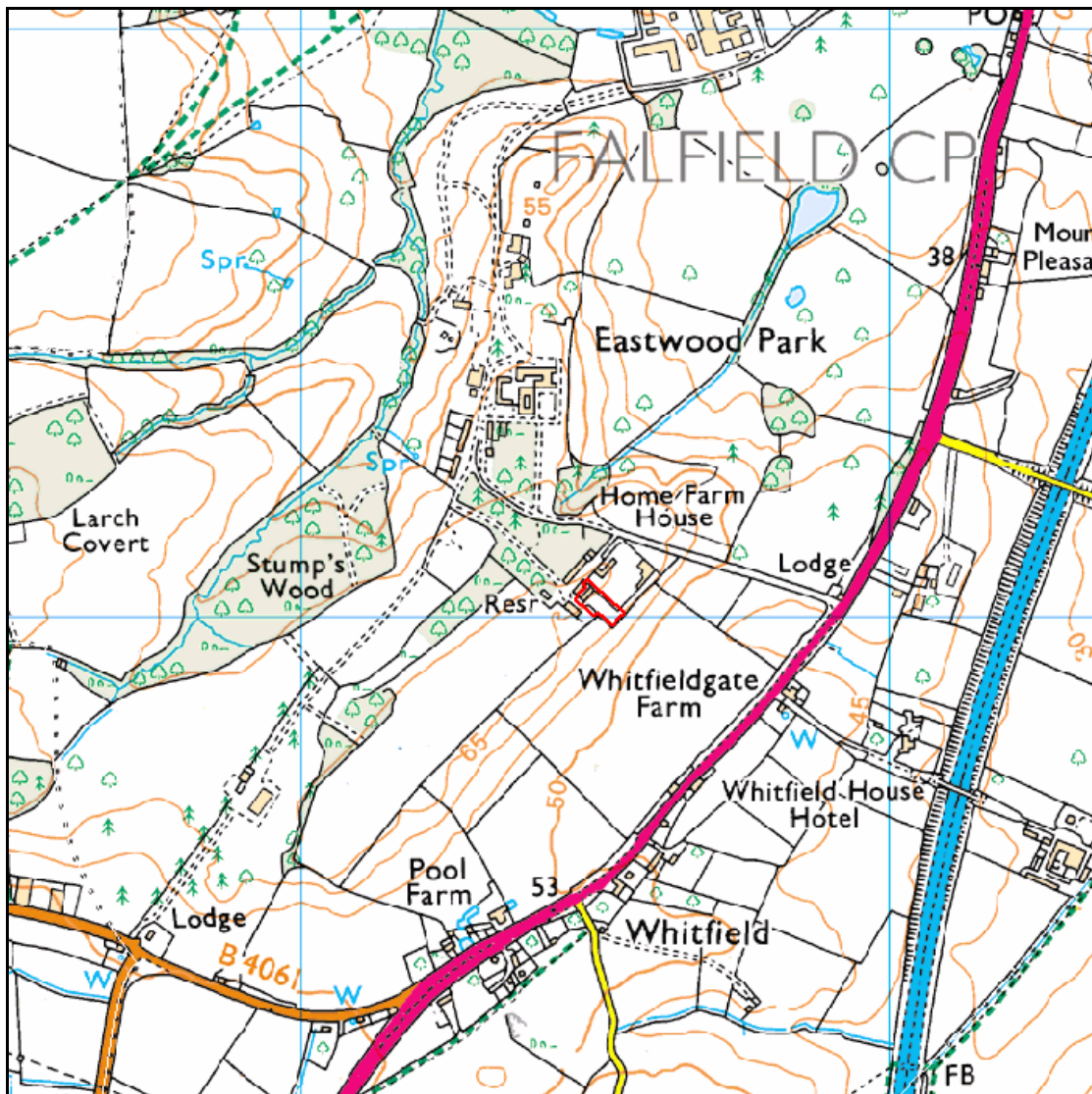
7. The noise mitigation measures implemented as a result of planning permission reference no. PK12/1100/F shall be retained.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/13 – 3 MAY 2013

App No.:	PT13/0505/F	Applicant:	Mr And Mrs Kingston
Site:	The Bothy Home Farm Eastwood Park Falfield Wotton Under Edge	Date Reg:	7th March 2013
Proposal:	Erection of two storey rear extension to form additional living accommodation and balcony. Installation of side dormer window.	Parish:	Falfield Parish Council
Map Ref:	367491 192043	Ward:	Charfield
Application Category:	Householder	Target Date:	1st May 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as comments have been received from a neighbouring occupier.

1. THE PROPOSAL

- 1.1 This application seeks planning consent for a two-storey rear extension, first floor balcony, and side dormer window at The Bothy, Home Farm at Eastwood Park in Falfield.
- 1.2 The Bothy is set within the historic landscape surrounding Eastwood Park and forms part of the historic Home Farm. Home Farm is not considered curtilage listed, however, the impact of the development on the historic park and landscape should still be a material consideration.
- 1.3 Design amendments were sought to the original proposal for a three-storey rear extension. It was considered that the proposed development was excessive, had a detrimental impact on the character and appearance of the building, had a prejudicial impact on residential amenity, and failed to meet the Council's design standard. A design amendment has been submitted which is considered to be more acceptable and forms the basis of this report.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L1 Landscape Protection and Enhancement
L10 Historic Parks and Gardens and Battlefields
T8 Parking Standards
T12 Transportation
H4 Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012

CS1 High Quality Design
CS9 Managing the Environment and Heritage

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standards (Approved for Development Management Purposes) March 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 P98/2110/L Listed Building Consent 08/09/1998
Conversion of outbuildings to provide additional residential accommodation, erection of two-storey extension and rear porch
- 3.2 P98/2109 Approved with Conditions 08/09/1998
Conversion of outbuildings to provide additional residential accommodation, erection of two-storey extension and rear porch
- 3.3 *A wider planning history is available which relates to the Eastwood Park estate, the above represents what is relevant to The Bothy.*

4. **CONSULTATION RESPONSES**

- 4.1 Falfield Parish Council
None received
- 4.2 Drainage
No comment
- 4.3 Conservation Officer
Conservation Officer objected to the initial consultation on the grounds that the proposed three-storey extension was overdevelopment, and the scale, design, and proportions failed to respect the character and appearance of the existing building. Following the receipt of design amendments and a re-consultation the Officer revised their comments to have no objection subject to a condition for materials to match those used on the existing house. The development will not affect the wider setting of the parkland associated with Eastwood Park.

Other Representations

4.4 Local Residents

4.4.1 *Initial Consultation*

One letter of objection was received citing the following reasons:

- Proposed dormer window would create direct views into private rear garden;
- Skylight in southwest roof slope will enable direct views into private rear garden; and,
- Second floor balcony would enable direct views into private rear garden.

4.4.2 *Re-consultation*

One letter was received from the same objector as above, which made the following comments:

- Amended design is a clear improvement;
- Request that dormer window be obscure glazed;
- Request that the balcony have a 1.8m solid privacy screen on the southwest side to prevent overlooking.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks consent for a two-storey rear extension, first-floor balcony, and side dormer window at a property near Eastwood Park.
- 5.2 Principle of Development
Development at existing residential properties is managed through policy H4 of the Local Plan. This policy is supportive of development, and therefore establishes the development as acceptable in principle, subject to an assessment of design, amenity and transport. The expected design standard for the district is set by policy D1 of the Local Plan. Due to the location with the historic landscape associated with Eastwood Park, policy L1 and L10 are also relevant.
- 5.3 Design
The Bothy is substantial and imposing property constructed in the early eighteenth century French style with a hipped roof and 6-pane glazed casement window with a vertical emphasis. It has a rendered finish and contrasting gabled ancillary elements, such as the porch and ground floor side accommodation.
- 5.4 It is proposed to erect a two-storey rear extension where the current rear porch stands and insert a side dormer window into the southwest roof slope. Both elements will have a gabled roof. The rear extension will provide an extended bedroom at first floor level and an additional bedroom in the roof space. Externally, the extension and dormer will be finished to match the existing property. The rear extension will project just shy of three metres from the rear elevation with the first floor balcony projecting a further 0.9 metres beyond. The eaves of the extension will sit at the same height as the existing eaves; however, the ridge will be dropped slightly below that of the host building. The extension therefore integrates into the existing building without overpowering the existing architectural composition.
- 5.5 The proposed extension is in keeping with the character, appearance and overall design of the house and accords with policy D1 and H4 of the Local Plan.
- 5.6 Historic Environment
Policy L10 protects historic parks, gardens and battlefields from harmful development. The Bothy sits within the historic landscape associated with the nearby Eastwood Park. The proposed extension has a good relationship with the group of buildings at Home Farm. It does not have a harmful impact on the wider historical landscape. The proposal accords with policy L10.
- 5.7 Amenity
Development that has a prejudicial impact on residential amenity will not be permitted. Concerns have been raised by the adjacent neighbour that the proposed development would result in overlooking and lead to a loss of privacy to the detriment of residential amenity.

- 5.8 A dormer window will be inserted into the southwest roof slope of the property. This dormer will have clear glazing and serves a bathroom. It is located approximately 22 metres away from the boundary and a number of trees and single storey buildings are between the main property and site boundary.
- 5.9 Due to the distance and existing rooflight on this roof slope, it is not considered that the dormer window will lead to a loss of privacy and therefore it is not necessary to condition the window to be obscure glazed.
- 5.10 It is also suggested that the balcony will result in an unacceptable loss of privacy. The balcony is located on the existing rear elevation, rather than the side, and is set further away from the property boundary. The balcony will not result in a materially different situation or overlooking above that at present. It therefore not considered necessary for the balcony to be subject to a privacy screen.
- 5.11 Transport
The Council has recently introduced a new residential minimum parking standard. This requires a certain number of parking spaces to be provided commensurate with the size (i.e. number of bedrooms) of a property.
- 5.12 The development will result in a four-bedroom property. Two parking spaces would be required to meet the parking standard. The property already provides this level of parking and therefore the development is not required to provide additional spaces.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed two-storey rear extension, balcony, and side dormer window has been assessed against policy D1, L10, T8, T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006. The design of the development is in keeping, in terms of scale, mass, and general appearance with the character and design of the existing property. It will not have a harmful impact on the setting of the historic parkland. Adequate parking is provided and the development will not have a prejudicial impact on residential amenity. Therefore it is considered that the development accords with the above policies.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 The recommendation is to GRANT permission subject to the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

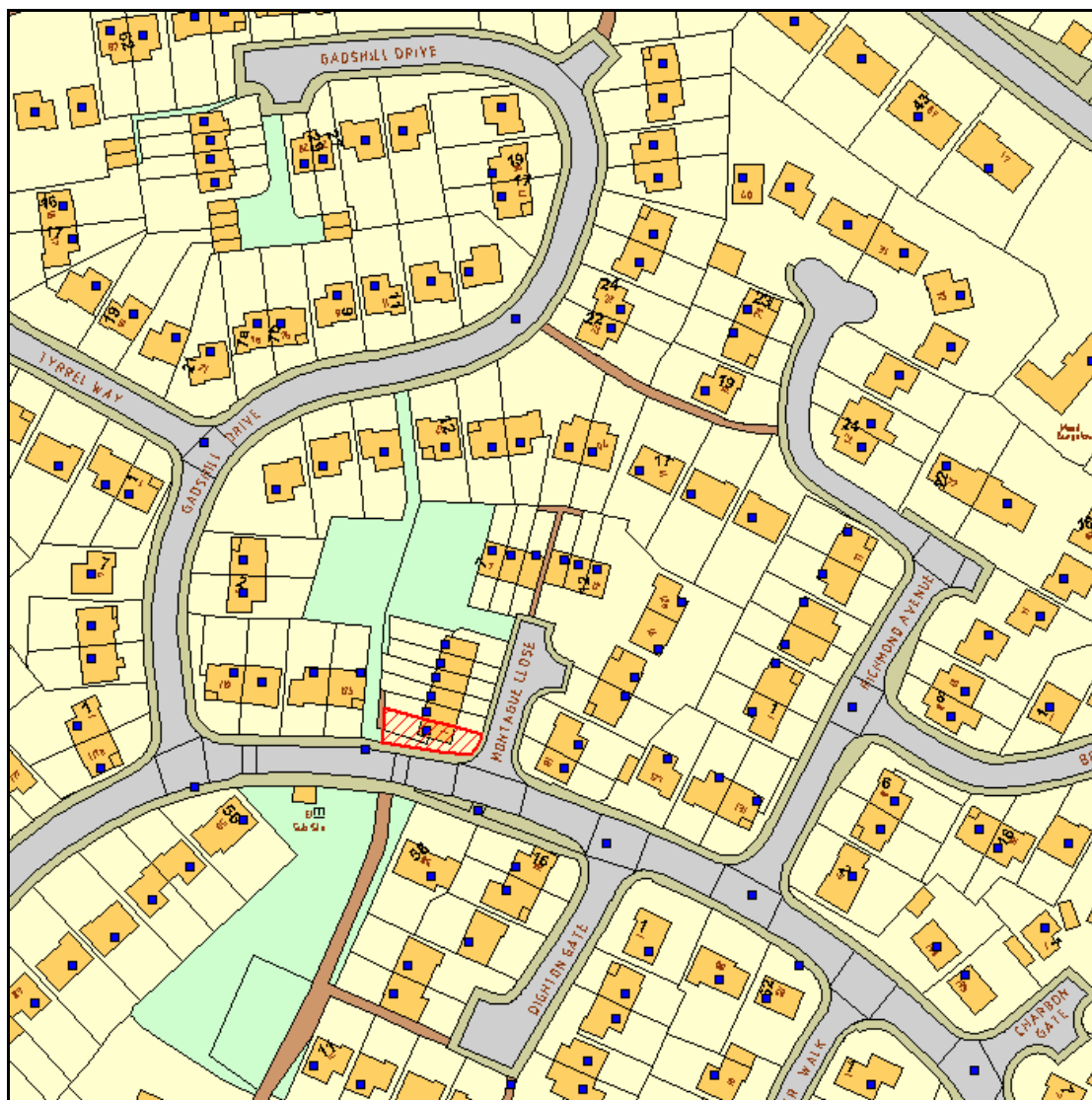
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 18/13 – 3 MAY 2013

App No.:	PT13/0887/F	Applicant:	Mr D Willey
Site:	1 Montague Close Stoke Gifford Bristol South Gloucestershire BS34 8UZ	Date Reg:	22nd March 2013
Proposal:	Erection of single storey side and rear extension to form additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	362384 180402	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	15th May 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule as an objection has been received from the Parish Council, contrary to officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks consent to erect a single storey 'wraparound' extension to the side (south) and rear (west), and a sheltered porch at the front of the property.
- 1.2 The property is an end-terraced house in a row of 6no. houses situated within a residential cul-de-sac in Stoke Gifford.
- 1.3 It is noted that the applicant is a relative of an officer employed within the South Gloucestershire Council Strategic Planning Policy team.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages, including Extensions and New Dwellings

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

The following applications were to develop the land which now incorporates Montague Close.

- 3.1 N2483/AP3: Erection of 665 dwellings and garages; 27 flats and 6 shop units with flats over and construction of estate roads, together with the provision of site for a primary school, community use and open spaces on approximately 37 hectares (in accordance with the revised layout plan received by the Council on 23rd March 1979). Date 12.04.1979. **Approved with conditions.**
- 3.2 N2483/62: Substitution of house types on plots 677-831 and 1081-1097 involving a total of 172 dwellings (in accordance with amended plans received by the Council on 28th February 1983). Date 21.04.1983. **Approved with conditions.**
- 3.3 N2483: Master plan in connection with development of approximately 174 acres of land for residential and ancillary purposes. Date 13.07.1976. **Approved.**

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council
Objection on grounds of overdevelopment.

4.2 Highway Drainage
No comment

Other Representations

4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 The Site
The property is a two storey end-terraced house situated in a cul-de-sac on a housing development built in the 1980s. The property lies at the corner of the cul-de-sac and a circulation road running through the estate. The boundary of the plot abuts the public highway with a buffer area laid to gravel between the highway and the property / walled rear garden. A pathway to access the rear of adjoining properties runs to the rear (west) of the plot.

5.2 Principle of Development
Development within the curtilage of existing dwellings (including extensions) is assessed through policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. The policy is largely supportive of residential extensions subject to tests of design and character, and effect on public and residential amenity. Overall design standards for the district are set out in policy D1.

5.3 Design
Standards of design set out in policy D1 are particularly important where development is prominent in public views. Due to the property's position it is prominent in the street scene along the main circulation road Ratcliffe Drive.

The plot boundary abuts the highway, with a small buffer area between the property and the boundary. This allows a certain amount of privacy to the occupiers and gives an increased feeling of space to users of the highway as they pass the house. The gabled side elevation of the property has a walled outdoor storage area with a lean-to roof. The outer wall of this runs through the plot parallel to the property which forms a privacy screen to the rear garden and defines the buffer area to the public highway. Although the proposal will remove this feature and partially build into the buffer, the height and position of the proposal has retained a suitable feeling of space within the public realm by maintaining some of the buffer alongside and to the east of the extension.

The scale of the extension is considered to be proportionate to the existing building, and it appears subservient to the original house.

The property is constructed of mottled yellow brick with uPVC windows and concrete roof tiles consistent with other properties in the vicinity. The development proposal is to use matching materials; this will be conditioned to ensure a consistent appearance and to protect the street scene.

The front door of the property, and indeed the other houses in the terrace, are covered with a narrow lean-to roof and protected by a privacy wall protruding from the front elevation. This forms a consistent feature along the terrace, which adds visual interest to the street scene. The proposal to add a second privacy wall will not harm the appearance of the front of the property or combination of terraces unduly and is considered to be acceptable.

Taking the above aspects of the development into account it is considered the design of the proposal meets the criteria set out in policy D1.

5.4 Public amenity

As discussed in 5.3 the plot is bounded by the public highway, with a buffer strip allowing a feeling of space alongside the public realm. Although the physical space will be reduced, a buffer area will be maintained. The condition applied to ensure matching materials will ensure a consistent appearance in the interests of visual amenity.

The rear of the property is visible from a pathway leading along the back of the terraces, and above the panel fencing. The extension is well designed and its appearance from these public areas is considered to be acceptable and in accordance with policy H4.

5.5 Residential amenity

The size of the extension is not considered to be excessive in the context of the residential curtilage in which it sits, and retains a suitable amount of outdoor space to the occupiers. The extension will appear closer to 125 Ratcliffe Drive, however it is only single storey and will be largely hidden by the screen wall on the rear boundary of the plot. In addition there are no windows on the facing elevations of no. 125 and therefore it is considered it will not adversely affect privacy to this property. The extension does not contain any north facing windows that could result in instances of over-looking to occupiers of 2 Montague Close.

The proposal introduces a window on the east elevation of the extension which will look directly along the highway, potentially harming privacy to occupiers were this the only source of light. However the roof light and glazed rear doors will allow intrusion of light into the property and ensure a degree of privacy can be maintained.

In conclusion to sections 5.4 and 5.5, the proposal is considered acceptable in terms of policy H4.

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 Given the nature of the existing site it is considered that the proposal would not have a detrimental impact on public amenity or the residential amenity of neighbouring properties. The design of the proposal is informed by and respects the character of the site and locality. The scale, materials and detailing proposed are considered acceptable in the context of the site. Accordingly the proposal is considered acceptable in terms of policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Christopher Roe
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).

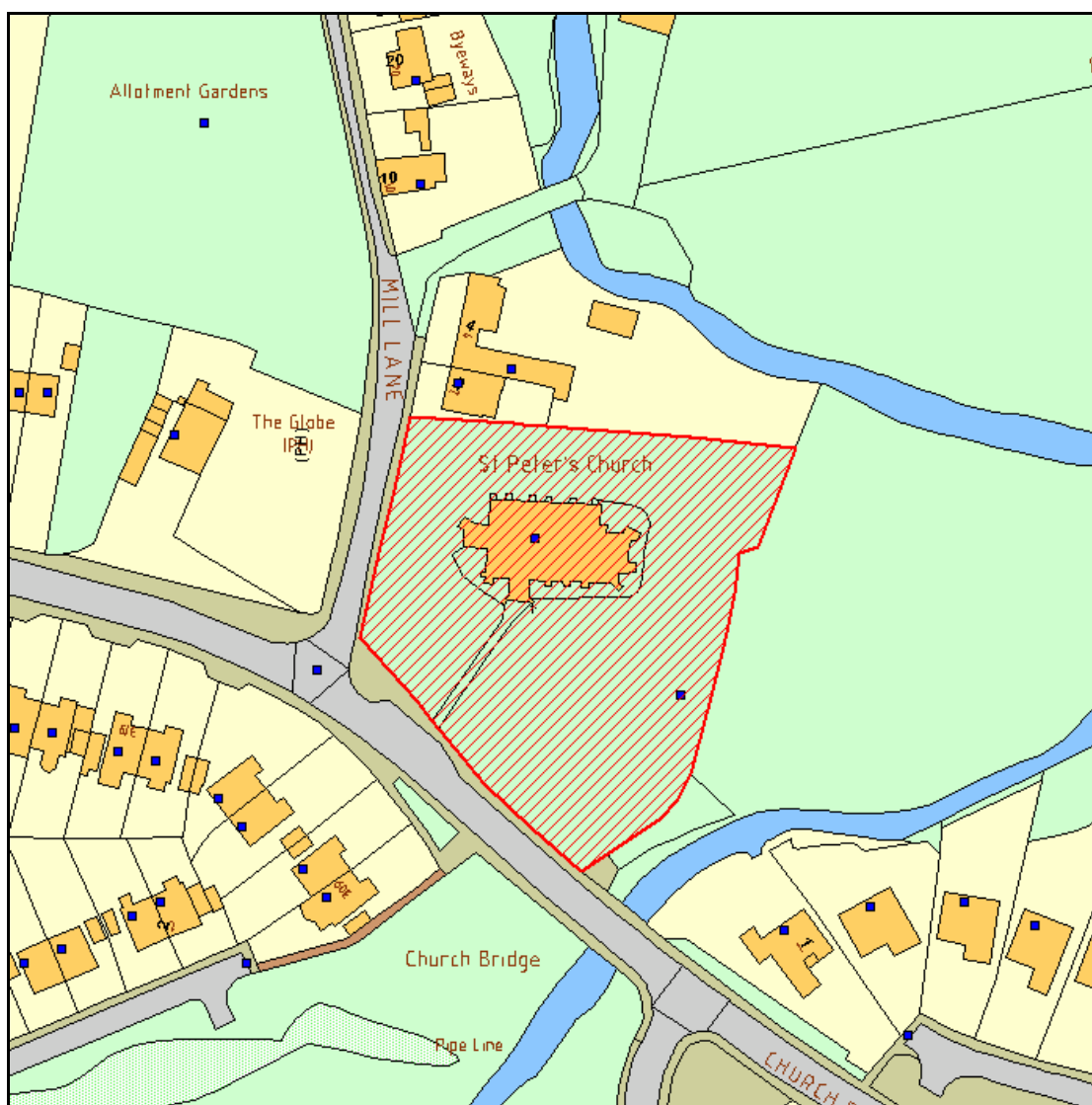
2. The materials to be used in the construction of the external surfaces, windows and doors of the extension hereby permitted shall match those equivalent materials used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 18/13 – 3 MAY 2013

App No.:	PT13/0889/F	Applicant:	St. Peter's Church
Site:	St Peters Church Church Road Frampton Cotterell Bristol South Gloucestershire	Date Reg:	19th March 2013
Proposal:	Erection of replacement shed for the use as a Sunday School for children for temporary use (Retrospective)	Parish:	Frampton Cotterell Parish Council
Map Ref:	366759 182003	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	14th May 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated because the officer recommendation conflicts with the Parish Council and two other objections.

1. THE PROPOSAL

- 1.1 The proposal is for the retention of a shed measuring 4.25m by 3.05m and rising from 2.1m to 2.32m over a shallow pitched roof. The buildings is already in use and finished in a dark stain with double glazed timber windows.
- 1.2 The church is located on a corner site fronting Church Road and with the location of the shed being closest to Mill Lane next to the church tower. The site is located in the Green Belt outside, of the adjacent settlement area and the Church is a Grade II* listed building.
- 1.3 The applicant has submitted a case for very special circumstances as follows:
 1. *No other option is available*
 - a. *The church owns only the land beneath the church itself and the graveyard surrounding it. There is no adjacent church hall or similar building. We have been advised by Mr. Gething that no other site within the churchyard would be more suitable.*
 - b. *The provision of safe heating and lighting would be an order of magnitude more difficult and hazardous at any other site.*
 - c. *The hazards of the graveyard of graves, kerbed graves, depressions and badger setts are large for active children.*
 - d. *There is no available or suitable site within half a mile of the church.*
 2. *The building is small, being a standard garden shed, and is considerably smaller than the houses in the adjacent lane or the agricultural buildings in the adjacent or next but one property.*
 3. *The application is for a temporary structure only. The Parochial Church Council has already passed resolutions to enable working plans to be drawn and the diocese to be approached with the intent to reorder the West End of the church to accommodate the young people to have greater freedom. When this is completed, the wooden shed will be removed from the church and churchyard.*
 4. *The shed does not reduce, either materially or significantly, the openness of the green belt.*
 - a. *The site plan shows that, from the North, the shed does not extend beyond the West end of the church and, from the West, it does not extend beyond the North end of the church.*
 - b. *Attempts have been made already to blend the shed in to the wall of the church by staining to match the colour of the fresh stone. Weathering and lichenification would complete the process. If the application is successful, the appearance of the church will be made to fit in more rapidly with the environment and the listed building by the use of vines or ramblers or similar.*
 - c. *The shed, and the lower part of the church, are largely hidden by mature trees and brush.*
 - d. *The shed replaces a smaller shed and, before that, a large oil tank, seven foot high, with associated pipes and bund. Both these former*

structures blended with the green belt and listed building less well than the building applied for.

5. The shed and provision for a Sunday School are necessary for the continued existence of the structure of the listed church building.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

Section 7 Requiring good design

Section 9 Protecting the Green Belt.

Section 12 Conserving and enhancing the historic environment

Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L13 Listed Buildings.

GB1 Green Belt

LC12 Major Recreational Route.

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.

CS1 High Quality Design

2.3 Supplementary Planning Guidance

Development in the Green Belt

3. RELEVANT PLANNING HISTORY

3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Frampton Cottrell Parish Council

The Council objects on the grounds that this is a listed building in the green belt.

4.2 Other Consultees

English Heritage

This is a fine Grade II* listed buildings that is an important landmark within this part of South Gloucestershire. It's tower is particularly spectacular and is likely to be one of the oldest parts of the church's fabric. English Heritage (EH) is not aware of any previous involvement with the smaller shed that was sited in the same location.

Although EH have no wish to resist the principle of the development they are unable to see any merit in this particular scheme. This proposal detracts from the setting of the church and its architectural and historic qualities. Whilst EH

respect the views of the PCC in its requirement to house a classroom, EH question its siting so close to this part of the church.

EH would wish to see some different options considered for alternative locations for the classroom and would like to be involved in alternative sites. Should permission be granted, there should be a requirement to further discussions to take place in order to find a more permanent and less damaging solution for the church. Recommends that the application is determined under national and local policy guidance and on the basis of South Gloucestershire specialist conservation advice.

Conservation Officer

The proposal is harmful to the setting of the building but may be justified for a three year period whilst a more appropriate scheme is implemented. The details of the response are incorporated within the body of the report.

Other Representations

4.3 Local Residents

Objection : Letters from two households objected to the application in relation to the following matters:

- Small changes to an area can be harmful, this includes this garden shed.
- Looks incongruous and partially blocks an aisle window.
- Sensible to allow it to stand for one or two years until a more permanent and less visually intrusive solution can be found.
- The area beneath the tower could be screened and used for Sunday school.
- Not keen on having lots of noisy children running around the graveyard
- A shed is not a suitable place for Sunday school

Comment: One writer raised concerns, given the Grade II* status of the buildings but later withdrew them as he was assured by the applicant team that this structure is to meet immediate needs and is temporary until a permanent arrangement can be made within the church.

Support: 54 households wrote in support of the application in relation to the following matters:

- Jesus Cabin is needed to encourage children to take part in church life and ultimately to replace the aging church population. The future use and financial support lies within this small inoffensive building.
- The shed replaces a previous shed and prior to that an old oil tank.
- Space should be found for the children
- Use of an area within the church means that the children have to stay quiet and can not express themselves.
- Log cabin is in keeping with the church – mirrors the pitch of the church roof
- Better than the previous shed and better than other close to many parish churches and stately homes.
- Uses attractive materials/unobtrusive colour. Blends well against the stonework.

- Erected in good faith, this is a replacement and a stepping stone to a permanent arrangement within the church which we are fundraising for.
- If children are not encouraged into the church the church will be closed and become derelict.
- Temporary consent will allow the church the 3-5 years they need to plan and develop the inside of St Peter's Church
- The use of the shed for church meetings mean that the church does not need to heat the whole church for a meeting.
- This shed was only erected due to having been misinformed verbally by a South Gloucestershire Employee.
- This reflects the changing needs of the church and a church was never built to simply capture a point in time.
- Not attached to the building nor does it affect nearby graves
- It can not be seen from the main road.
- The impact is not great being away from the
- Greenbelt or the main entrance views.
- The sequential tests of where else to put this room all fail on practical grounds. I am aware that the
- PCC have thought through all the alternatives, and that they either just don't work, or they have even greater impact .

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. This site is located on the edge of Frampton Cotterell, outside of the settlement boundary and within the Green Belt. The NPPF seeks to be proactive in relation to development but also recognises the need to conserve and enhance the historic environment and protect the Green Belt.

5.2 Green Belt

The NPPF maintains that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Whilst there are exceptions to this the proposed shed does not fall into one of the categories of development considered to be appropriate development and as such it is harmful to the Green Belt. The NPPF states that substantial weight is to be given to any harm caused to the Green Belt. Very special circumstances which might outweigh the harm to Green belt will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The agent has set out considerations which he considers to be very special circumstances.

It is claimed that no other site is available, due to having little land, needing to provide heat, light and safe access. It is further claimed that the building is smaller than other buildings nearby and that the building does not project past either west or north elevations of the existing building and that attempts have been made to blend the shed into the wall of the church. Also claimed is that the shed does not reduce, either materially or significantly, the openness of the green belt. It is claimed the shed is largely hidden by mature trees and that this is better than the previous shed and the oil tank before that. Moreover it is claimed that the application is for a temporary structure only whilst work is underway to agree and construct an alternative integrated young peoples area at the west end of the church which will encourage young people to be the future cares of the church.

Of all of these points only the fact that the proposed shed is only for a temporary basis whilst other options are explored for a youth area is considered to have merit as a special circumstance against which the significant harm to the Green Belt can be balanced. As such a temporary consent could be considered for a limited period which would allow for the function served by the shed to be relocated into the existing building, provided that it is not considered so harmful to the other considerations set out below.

5.3 Design and Impact on the Listed Building

The Church of St Peter, Frampton Cotterell is an extremely important, grade II* listed building that occupies a prominent corner plot at the junction of Church Road and Mill Lane. The church comprises a central nave with north and south aisles, an eastern chancel, a projecting porch and chapel to the south elevation and an imposing, three stage tower at its west end with diagonal buttresses and a south-east polygonal stair turret. The first stage of the tower has a west door beneath a moulded arch with a hoodmould that is surmounted by an angel and terminated by regal stops. The tower is described in the list description as being 15th century, although the information submitted with the Heritage Statement ascribes an earlier date of 1315. The remainder of the church was rebuilt in 1858 by John Norton.

The graveyard associated with the church is an irregular pentagon shape, with the church positioned roughly central on an east-west axis. The tower is located at the west end of the building which places it in the part of the graveyard that is very visible from the public realm. Uninterrupted views across the graveyard towards the tower and the west door and window are available from Mill Lane and Church Road and these are important views that contribute to the setting and significance of the listed building. Longer views from the west, beyond the garden of the public house, are of a central imposing tower with the north and south aisles either side creating a degree of symmetry in the elevation.

This application follows an enforcement investigation into the unauthorised nature of the shed which was erected without the benefit of planning permission. Whilst there was a smaller garden shed here previously, this is a new structure and the application must be considered on its merits. The impact of any new structures within the immediate setting of the church must, therefore, be very carefully considered and robustly justified.

The application seeks to obtain temporary permission for the erection of a modern, felt roofed timber shed that has been erected immediately adjacent to the 14th century tower of the church. The shed, a very shallow pent-roofed structure, replaces a smaller garden apex roof shed and has been designed to serve as a meeting room/teaching space/Sunday school for children. Taking the measurements provided by the applicant, the new shed is over 3 times larger (cubic volume) than the small garden shed it has replaced. Consequently, the structure is much more visible and prominent in views towards the church despite it being toned down with the recent application of the brown stain. The larger size of the shed also means that the building occupies a much larger footprint in the junction created by the tower and the northern aisle, increasing its 'presence' at this sensitive location. The roof of the new shed also cuts unceremoniously across the line of the three light window, partially obscuring views of it.

In terms of policy, the Local Plan Policy L13 states that development including alterations or additions affecting a listed building or its setting will not be permitted unless a) the building and its setting would be preserved; b) features of architectural or historic interest would be retained; and c) the character, historic form and structural integrity would be retained.

The NPPF provides additional guidance in respect of development affecting heritage assets in paragraph 132. It states:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm of loss should require clear and convincing justification.”

Annex 2 to the NPPF provides definitions of the two key terms 'setting' and 'significance' that are relevant here. 'Setting' is defined as the “surroundings in which a heritage asset is experienced” whilst 'significance' is defined as “the value of a heritage asset [that] derives not only from a heritage asset’s physical presence, but also from its setting”. Development within the setting of a heritage asset can, therefore, have a direct impact on the significance of that asset.

Whilst the proposal does not affect the physical fabric of the listed building, the shed’s siting, form, detailing and use of materials make it stand out as an alien and discordant addition to the graveyard and the setting of the church. Important views towards the church and tower from both Mill Lane and Church Road are also adversely affected. From these vantage points, the superior architecture, detailing, materials and construction of the historic church and 14th century tower accentuate the substantially inferior appearance, materials and incongruous nature of the shed. It is, therefore, considered to be a wholly inappropriate form of development in a highly sensitive location, and one that is harmful to the significance of this important grade II* listed building.

When assessing impact and the level of harm arising from development, the NPPF defines harm as ‘Substantial’ and ‘Less than Substantial’ although it does not provide precise definitions for these two terms. In this instance, the proposal would not be considered to result in substantial or total loss of significance and as a result, paragraph 134 of the NPPF applies. It states:

“134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

The Church has provided reasoning under Green Belt justification as to the circumstances as to why the shed should be retained for a short period and that the public benefits relate to the needs of the current congregation to encourage the youth to participate in church and to become the next generation of carers for the church. This is accepted in the short term but the Church’s needs still to be balanced against the more broad public benefit of the setting of the church to the wider community and the church therefore needs to resolve their space issues in the medium-long term, as the shed is not an acceptable permanent solution.

A temporary consent would provide the appropriate means of providing time and the ‘breathing space’ for the Church to develop and implement an acceptable, sympathetic scheme. The question as to what period of time would be appropriate now arises. It is considered that, given the harm to the setting of the Grade II* listed building and the harm to the Green Belt which should be given substantial weight, a period of three years is an appropriate length of time. This will give the Church time to assess their accommodation requirements, to investigate alternative solutions and to seek approval through the appropriate consent systems.

5.4 Residential Amenity

The shed is located well within the grounds of the church and is to be used for purposed ancillary to the use of the church. As such it is not considered that the use of the shed would cause harm to the residential amenity, by reason of noise, mass or overlooking of the adjacent occupiers.

5.5 Transportation

There is no implication for parking or access arrangements.

5.6 Other issues

It has been suggested that a scheme of landscaping would help to limit the impact of the shed. It is not considered likely that a scheme of landscaping would satisfactorily ‘hide’ the shed within a three year time frame, nor would it overcome the harm to the setting of the building or the harm to the Green Belt set out above. As such no landscape condition is considered necessary.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

- 1 The proposal detracts from the setting of the Grade II* Church but the harm is outweighed by the short term nature of the development and is secured by an appropriate condition – Policy L13 South Gloucestershire Local Plan (adopted) January 2006; Development in the Green Belt SPD.
- 2 The proposal represents inappropriate development in the Green Belt which is outweighed by the short term nature of the development and is secured by an appropriate condition – Policy GB1 South Gloucestershire Local Plan (adopted) January 2006; Development in the Green Belt SPD.
- 3 The proposals will not harm the residential amenities of neighbouring properties by reason of loss of privacy or natural light - Policies D1 South Gloucestershire Local Plan (adopted) January 2006.

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

7. RECOMMENDATION

7.1 That planning permission is GRANTED subject to the condition below and that planning enforcement are informed of the decision such that the time scale condition can be monitored.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

1. The building hereby permitted shall be removed permanently from the site on or before 31 May 2016.

Reason

The form and appearance of the building is out of character with the surrounding area, is harmful to the setting of the Grade II* listed Church and harmful to the Bristol/Bath Green Belt contrary to Policies D1, GB1 and L13 of the South Gloucestershire Local Plan Adopted January 2006 and paragraphs 87 and 134 of the NPPF, and is permitted for a limited period only because of the special circumstances of the case.

CIRCULATED SCHEDULE NO. 18/13 – 3 MAY 2013

App No.:	PT13/0931/F	Applicant:	Mr R Brine
Site:	Grove Farm Besom Lane Westerleigh Bristol South Gloucestershire	Date Reg:	21st March 2013
Proposal:	Conversion of existing barns to include link extension and associated works to form residential annex	Parish:	Dodington Parish Council
Map Ref:	370492 180168	Ward:	Westerleigh
Application Category:	Householder	Target Date:	14th May 2013



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100023410, 2008.

N.T.S.

PT13/0931/F

REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule in view of the letter of support received from the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the conversion of two barns and for the erection of a linking extension to provide a residential annex.
- 1.2 The application relates to land on the south of Besom Lane, Westerleigh. The application site is located beyond any settlement boundary within the open Green Belt. The buildings are curtilage listed.
- 1.3 There is an accompanying listed building application; PT13/0933/LB.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework (27 March 2012)
The National Planning Policy Framework (Technical Guidance)

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
GB1: Development within the Green Belt
H3: Residential Development in the Countryside
H10: Conversion and Reuse of Rural Buildings for Residential Purposes
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
L1: Landscape Protection and Enhancement
L9: Species Protection
L11: Archaeology
L17/ L18: The Water Environment
EP6: Contaminated Land

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.

CS1: High Quality Design
CS5: Location of Development
CS8: Improving Accessibility
CS17: Housing Diversity
CS34: Rural Areas

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/0933/LB: Internal and external alterations and link extension to existing barns to form residential annex. Decision Pending
- 3.2 PT00/2833/F: Replacement of 3 windows to west elevation and 1 window to north elevation; replacement of 1 window with door to north elevation; internal alterations. Withdrawn: 7 December 2000
- 3.3 PK00/2279/LB: Internal and external alterations. Withdrawn: 7 December 2000
- 3.4 P91/2866: Use of former milking parlour as picture framing workshop. Permitted: 19 June 1991

4. CONSULTATION RESPONSES

- 4.1 Dodington Parish Council
Dodington Parish Council supports planning application PT13/0931/F
- 4.2 Other Consultees
Technical Services (Drainage): no objection in principle
Environmental Services: no objections in principle
Archaeology Officer: condition required
Ecology Officer: insufficient information submitted
Highways DC: objection
Highways (Drainage): objection
Conservation Officer: objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The National Planning Policy Framework carries a presumption in favour of sustainable development and seeks to support economic growth in rural areas through (in part) the conversion of rural buildings. However, Local Planning Authorities should avoid new isolated dwellings in the countryside unless there are special circumstances such as where it would re-use redundant/ disused buildings and lead to an enhancement to the immediate setting.
- 5.2 Policy H10 advises that proposals for the conversion and reuse of existing buildings for residential purposes outside the existing urban areas and the boundaries of settlements will not be permitted unless all reasonable attempts have been made to secure a suitable business reuse or where the scheme forms part of a proposal for a business reuse. The building should also be of permanent construction and capable of conversion without major or complete reconstruction whilst it should be in keeping with its surroundings in terms of its character, form, bulk and overall design. Alterations, extensions or the creation

- of a residential curtilage should not have a harmful effect on the character of the countryside whilst the building should be well related to a settlement/ group of buildings.
- 5.3 Policy H3 advises that proposals for new residential development outside the existing urban areas and the settlement boundaries will not be permitted with the exception of:
- o Affordable housing on rural exception sites; or
 - o Housing for agricultural or forestry workers; or
 - o Replacement dwellings.
- 5.4 Planning policy GB1 allows for the change of use of land or existing buildings where it would not have a materially greater impact than the present use on the authorised use of the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt. The limited extension of existing dwellings is also permissible (with this definition having been extended to encompass 'buildings' provided that this does not result in a disproportionate addition over and above the size of the original building.
- 5.5 The Proposal
Grove Farm is grade II listed. The accompanying Heritage Statement suggests an 18th century date but architectural features within the building indicate an earlier origin and this is borne out by the historic building recording exercise undertaken in 2000 as part of a previous permission.
- The buildings that form part of this application define the eastern side of a small yard and comprise two modest agricultural outbuildings stood in parallel but separated diagonally by approximately 7m. These single-storey structures have been subject to extensive alteration and partial rebuilding in the 20th century and are used for storage and a small home office. The building closest to the road has a double pitch roof with a single door in the southern gable. This gable and most of the west wall have been rebuilt in the 20th century although the east wall is original and retains evidence of former openings and recesses. It has a modern galvanised sheet roof and modern roof structure. The outbuilding to the southwest is long and narrow and has a modern mono-pitch roof. It has three large openings to the yard side, two of which have timber doors and cladding infill, the third has a uPVC framed door set which is likely to be unauthorised. Smaller window openings have been installed to the front and rear of the building in the 20th century. It is possible that the building had a traditional double pitch roof but there is little in the structure to prove this. The two outbuildings are distinct and separate structures separated by a low wall with remnants of a gate that would have provided access to the paddock/ orchard beyond. They are of limited significance individually, but their scale, form, function and appearance contributes to the setting and context of the listed farmhouse.
- 5.7 The application seeks planning permission to convert the two barns into a residential annexe. The proposal would involve replacement of the roof over the southernmost outbuilding, replacement of the roof to the roadside barn and the erection of a substantial single-storey 'link' addition between the two. This

'link' would contain an entrance lobby, bedroom, bathroom and sitting room, with the kitchen and dining being in the roadside barn and a second bedroom in part of the southern barn. All roofs would be replaced with 'Welsh' slate, and openings would be a mix of false doors, glazing behind shutters and fully glazed doors with Juliet balconies. It is noted that there is a considerable difference in floor levels between the two barns and as a result, the 'link' would step down in ridge height, with corresponding internal flights of steps between the rooms. A small-enclosed garden is shown to the south of the roadside barn, with decking and hedges. A further private garden space is also created to the west of the barns onto which the new link rooms would face.

5.8 The description of development refers to a residential annexe. However, given that the level of accommodation contained, and in view of the size of the extension that would be necessitated, it is considered that the proposal would be tantamount to the erection of a new dwelling within the open countryside.

5.9 Planning Policy H3

The proposal does not fall within any of those exceptions where a new dwelling in the open countryside might be permissible having regard to the requirements of planning policy H3. Accordingly, there is an objection to the application on this basis.

5.10 Requirement for a Business Reuse

Planning policy H10 identifies a need to seek a business reuse in the first instance given that these buildings would historically have been located within the farmyard beyond any residential curtilage. No marketing details have been forwarded and thus there is an objection to the application on this basis. In this regard, whilst it is noted that the two buildings might presently be used for ancillary residential purposes, this would appear to be without the benefit of planning permission thus a certificate of lawfulness might be required to establish the use of these two structures.

5.11 Structural Condition

Planning policy H10 requires that buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction. To this extent, no structural survey has been submitted. However, the buildings would appear to be in a reasonable state of repair and thus it is considered that there can be no sustainable objection to the application on this basis.

5.12 Design/ Visual Amenity

The proposal would be reliant on a large link extension that would form near half the floor space of the building. In contrast to the linear design of these two outbuildings, this would build tangentially to bridge the gap. It is noted that the supporting text to planning policy H10 advises that *'the details of any works and extensions to a rural building should be sympathetic to its overall character and setting and respect the scale, massing, form of the original building and materials it was constructed with'*. As such, small, subservient additions to rural buildings might sometimes be justified as part of residential conversions as they can often help provide space for ancillary services that would otherwise harm the character or internal spaces of the building. The proposed extension

would in contrast, form a dominant addition that further, given the different levels of the two building, would appear a contrived link that, based on the elevations submitted would have a pitch of approximately 20 degrees which is far too shallow and alien to the traditional character of the locality. There is an objection to the proposal for these reasons.

5.13 Listed Building Considerations

The proposal would allow a substantial link extension that would form approximately half the floor space of the new annexe and which would significantly detract from the character of these two modest outbuildings allowing what would be akin to a new dwelling (which would benefit from all necessary facilities for independent living accommodation). Comments from the Listed Building Officer also advise *'that the scheme amounts to over development of these small, ancillary outbuildings and that it will have a detrimental impact on the character of the site and the setting of the listed building'*. In this regard, the farmyard is characterised by the small scale and detached nature of the outbuildings, an arrangement that appears to have survived from the late 18th, early 19th century. The scale and separation of these historic buildings also creates a sense of openness to this part of the site, with glimpses out from the courtyard into the wider countryside. As such, they appear ancillary to the farmhouse

5.14 For these reasons, it is considered that the proposal would amount to an over development of the outbuildings and the creation to what would be akin to a second dwelling with what would amount to a separate residential curtilage. This would have a detrimental impact on the character of the site and the setting and significance of the listed building. There is an objection to the application on this basis.

5.15 Impact on the Openness of the Green Belt

The proposal would allow a substantial link building to connect the two existing outbuildings to form what would appear a akin to a new residential dwelling complete with its own residential curtilage. In this regard, planning policy GB1 advises that proposals for the change of use of land or existing buildings planning permission will be given provided that *'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 purposes of including land within it'*. Moreover, planning policy GB1 is permissive of proposals for extensions to dwellings (this definition has been extended to 'buildings' under the National Planning Policy Framework) where these works do not comprise a disproportionate addition over and above the size of the original building. It is considered that the proposal would be contrary to these policy requirements and thus there is an objection to the application on this basis.

5.16 Residential Amenity

The site occupies a remote location with the only adjoining property comprising Grove Farm. In view of the separation distance between the farmhouse and proposal and given the nature of the scheme (residential annexe) there is no objection to the application on this basis.

5.17 Highway Safety

Comments from the Councils Highways Officer advise that the application site is not linked to local settlements through the provision of lit footways/ footpaths whilst access to local schools and shopping facilities is via a public right of way; this is metalled but the lack of lighting makes it inappropriate for winter month school access. Further, given the distance of the application site from employment and shopping opportunities, and the limited cycling opportunities that might be considered to exist, this development would therefore be dependent upon the private motor car as its main means of transportation.

- 5.18 For the reasons outlined, comments from the Councils Highways Officer raise an objection because the development does not provide 'adequate safe, convenient, attractive and secure access and facilities for pedestrians, cyclist, and people with disabilities' as required by planning policy T12 and because it would result in a development that would be car dependent that would promote unsustainable travel behaviour. This therefore forms a further refusal reason.

5.19 Ecology

The site consists of a farm and outbuildings on the south side of Besom Lane between Wapley Bushes Local Nature Reserve and Westerleigh village. The site is not covered by any statutory or non-statutory nature conservation designations. However, it is noted that Wapley Bushes Site of Nature Conservation Interest (SNCI) and Local Nature Reserve (LNR) designated for its broadleaved and ancient woodland and neutral and wet grassland interest lies to the east but will be unaffected by the proposal.

- 5.20 The application does not include any supporting ecological information. On this basis, there is an objection given that there is insufficient information to determine the application. In this regard, farm outbuildings, particularly those in a rural environment, traditionally offer roosting opportunities and nest sites for a range of species of bats and birds. All species of bats are protected under the Wildlife & Countryside Act 1981 (as amended) and Countryside & Rights of Way Act 2000, as well as by European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora ('the Habitats Directive 1992'), which is transposed into British law by the Conservation (Natural Habitats & c) Regulations 2010 ('the Habitat Regulations'). A bat survey is required prior to the determination of this application.

- 5.21 The application also needs to include an assessment of the habitat within the curtilage/ garden of the building; and a strategy to avoid injuring or killing either species if areas are considered to have potential to support hedgehog or slowworm. A survey and mitigation strategy in respect of nesting birds is also required.

5.22 Outstanding Issues

In the event that planning permission is granted, conditions would need to be attached requiring an archaeological watching brief and in respect of ground contamination. Further, whilst it is noted that the Councils Drainage Officer has objected to the application, given that this issue could probably be addressed by condition (in the event that planning permission is granted), it is not considered necessary to attach this as a refusal reason.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to REFUSE permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning Permission is **REFUSED** for the following reasons:

Contact Officer: Peter Burridge
Tel. No. 01454 865262

REASONS FOR REFUSAL

1. By reason of the level of accommodation provided and the large extension proposed, the proposal would be tantamount to the erection of a new dwelling set within its own residential curtilage within the open Green Belt. This would be harmful to the openness of the Green Belt and would not fall within any of the categories of development listed as appropriate within the Green Belt. Accordingly, the proposal would comprise inappropriate development within the Green Belt that would be contrary to Planning Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Development within the Green Belt (Adopted) Supplementary Planning Document.
2. By reason of the level of accommodation provided and the large extension proposed, the proposal would be tantamount to the erection of a new dwelling within the open countryside that would be reliant upon the private motor car as its main means of travel. The proposal is therefore considered to be contrary to Planning Policies H3, L1 and T12 of the South Gloucestershire Local Plan and the South Gloucestershire Design Checklist (Adopted) January 2006.
3. The development proposed, by reason of the size, massing, scale and position of the extension proposed and the resultant appearance of these extended buildings, would fail to respect the character, appearance and setting of these ancillary outbuildings. The proposal is therefore considered to be contrary to Planning Policies D1, H3 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.
4. Grove Farm is a grade II listed building, the character, significance and setting of which it is desirable to preserve. The proposed scheme, by virtue of the form, scale, massing and design of the proposed infill extension, is considered to be an

overdevelopment of the two curtilage listed outbuildings that would harm the character of the site and the setting of the listed building. The proposal is therefore considered to be contrary to Planning Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The application fails to demonstrate that all reasonable attempts have been made to secure a suitable business reuse for the two buildings. The proposal is therefore considered to be contrary to Planning Policy H10 of the South Gloucestershire Local Plan (Adopted) January 2006.
6. The application fails to demonstrate that the proposal would not have an adverse ecological impact with no protected species surveys undertaken and no mitigation measures proposed. The proposal is therefore contrary to Planning Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

CIRCULATED SCHEDULE NO. 18/13 – 3 MAY 2013

App No.:	PT13/0933/LB	Applicant:	Mr R Brine
Site:	Grove Farm Besom Lane Westerleigh Bristol South Gloucestershire	Date Reg:	21st March 2013
Proposal:	Internal and external alterations and link extension to existing barns to form residential annex.	Parish:	Dodington Parish Council
Map Ref:	370492 180168	Ward:	Westerleigh
Application Category:		Target Date:	14th May 2013



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 100023410, 2008. **N.T.S.** **PT13/0933/LB**

REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule in view of the letter of support received from the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks listed building consent for the conversion of two barns and for the erection of a linking extension to provide a residential annex.
- 1.2 The application relates to land on the south of Besom Lane, Westerleigh. The application site is located beyond any settlement boundary within the open Green Belt. The buildings are curtilage listed.
- 1.3 There is an accompanying full planning application; PT13/0931/F.

2. POLICY CONTEXT

- 2.1 National Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy Framework March 2012

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/0931/F: Internal and external alterations and link extension to existing barns to form residential annex. Decision Pending
- 3.2 PT00/2833/F: Replacement of 3 windows to west elevation and 1 window to north elevation; replacement of 1 window with door to north elevation; internal alterations. Withdrawn: 7 December 2000
- 3.3 PK00/2279/LB: Internal and external alterations. Withdrawn: 7 December 2000
- 3.4 P91/2866: Use of former milking parlour as picture framing workshop. Permitted: 19 June 1991

4. CONSULTATION RESPONSES

- 4.1 Dodington Parish Council
Dodington Parish Council supports planning application PT13/0931/F
- 4.2 Other Consultees
Conservation Officer: objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Listed Building Considerations

Grove Farm is grade II listed. The accompanying Heritage Statement suggests an 18th century date but architectural features within the building indicate an earlier origin and this is borne out by the historic building recording exercise undertaken in 2000 as part of a previous permission.

The buildings that form part of this application define the eastern side of a small yard and comprise two modest agricultural outbuildings stood in parallel but separated diagonally by approximately 7m. These single-storey structures have been subject to extensive alteration and partial rebuilding in the 20th century and are used for storage and a small home office. The building closest to the road has a double pitch roof with a single door in the southern gable. This gable and most of the west wall have been rebuilt in the 20th century although the east wall is original and retains evidence of former openings and recesses. It has a modern galvanised sheet roof and modern roof structure. The outbuilding to the southwest is long and narrow and has a modern mono-pitch roof. It has three large openings to the yard side, two of which have timber doors and cladding infill, the third has a uPVC framed door set which is likely to be unauthorised. Smaller window openings have been installed to the front and rear of the building in the 20th century. It is possible that the building had a traditional double pitch roof but there is little in the structure to prove either way. The two outbuildings are distinct and separate structures separated by a low wall with remnants of a gate that would have provided access to the paddock/ orchard beyond. They are of limited significance individually, but their scale, form, function and appearance contributes to the setting and context of the listed farmhouse.

5.3 The application seeks listed building consent to convert the two barns into a residential annexe. The proposal would involve replacement of the roof over the southernmost outbuilding, replacement of the roof to the roadside barn and the erection of a substantial single-storey 'link' addition between the two. This 'link' would contain an entrance lobby, bedroom, bathroom and sitting room, with the kitchen and dining being in the roadside barn and a second bedroom in part of the southern barn. All roofs would be replaced with 'Welsh' slate, and openings would be a mix of false doors, glazing behind shutters and fully glazed doors with Juliet balconies. It is noted that there is a considerable difference in floor levels between the two barns and as a result, the 'link' would step down in ridge height, with corresponding internal flights of steps between the rooms. A small-enclosed garden is shown to the south of the roadside barn, with decking and hedges. A further private garden space is also created to the west of the barns onto which the new link rooms would face.

5.4 The proposal would be reliant on a large link extension that would form near half the floor space of the building. In contrast to the linear design of these two outbuildings, this would build tangentially to bridge the gap. Comments from the Listed Building Officer advise *'that the scheme amounts to over development of these small, ancillary outbuildings and that it will have a detrimental impact on the character of the site and the setting of the listed building'*. In this regard, the farmyard is characterised by the small scale and detached nature of the outbuildings, an arrangement that appears to have survived from the late 18th, early 19th century. The scale and separation of

these historic buildings also creates a sense of openness to this part of the site, with glimpses out from the courtyard into the wider countryside. As such, they appear ancillary to the farmhouse.

- 5.5 Accordingly, there is an objection to this listed building application given that the proposal would amount to an over development of the outbuildings (creating what would be akin to a second dwelling) and this would have a detrimental impact on the character of the site and the setting and significance of the listed building.

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.

7. RECOMMENDATION

- 7.1 Listed Building Consent is **REFUSED** for the following reason:

Contact Officer: Peter Burridge
Tel. No. 01454 865262

REASONS FOR REFUSAL

1. Grove Farm is a grade II listed building, the character, significance and setting of which it is desirable to preserve. The proposed scheme, by virtue of the form, scale, massing and design of the proposed infill extension, is considered to be an overdevelopment of the two curtilage listed outbuildings that would harm the character of the site and the setting of the listed building. The proposal is therefore considered to be contrary to Planning Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006 and section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.