



**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. 19/13

Date to Members: 10/05/13

Member's Deadline: 16/05/13 (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 your 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 – 10 MAY 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/0907/F	Approve with Conditions	51 Oaktree Avenue Pucklechurch South Gloucestershire BS16 9SF	Boyd Valley	Pucklechurch Parish Council
2	PK13/0994/F	Approve with Conditions	23 Ferndale Avenue Longwell Green South Gloucestershire BS30 9XS	Longwell Green	Oldland Parish Council
3	PK13/1009/F	Approve with Conditions	48 Oakleigh Gardens Oldland Common South Gloucestershire BS30 6RH	Bitton	Bitton Parish Council
4	PK13/1039/TCA	No Objection	Badminton Horse Boxes The Street Acton Turville Badminton South Gloucestershire GL9 1HH	Cotswold Edge	Acton Turville Parish Council
5	PK13/1169/TCA	No Objection	Frogmore House Sheepfair Lane Marshfield South Gloucestershire SN14 8NA	Boyd Valley	Marshfield Parish Council
6	PT12/3727/F	Approve with Conditions	40 Wallscourt Road South Filton South Gloucestershire BS34 7NU	Filton	Filton Town Council
7	PT13/0322/F	Approve with Conditions	Land To Rear Of Wyngarth Main Road Easter Compton South Gloucestershire BS35 5RA	Almondsbury	Almondsbury Parish Council
8	PT13/0622/F	Approve with Conditions	Armstrong Hall Complex Chapel Street Thornbury South Gloucestershire BS35 2BJ	Thornbury North	Thornbury Town Council
9	PT13/0814/F	Approve with Conditions	Mayburn Villa Northwick Road Pilning South Gloucestershire BS35 4HA	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
10	PT13/0899/F	Approve with Conditions	5 Longcross Bristol Road Cromhall Wotton Under Edge South Gloucestershire GL12 8AP	Charfield	Cromhall Parish Council
11	PT13/0936/F	Approve with Conditions	9 Lewton Lane Winterbourne South Gloucestershire	Winterbourne	Winterbourne Parish Council
12	PT13/1004/F	Approve with Conditions	7 Greenhill Parade Alveston South Gloucestershire BS35 3LU	Thornbury South And	Alveston Parish Council
13	PT13/1066/RVC	Approve with Conditions	97 Station Road Filton South Gloucestershire BS34 7JT	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 19/13 – 10 MAY 2013

App No.:	PK13/0907/F	Applicant:	Mr T Gillespie
Site:	51 Oaktree Avenue Pucklechurch Bristol South Gloucestershire BS16 9SF	Date Reg:	25th March 2013
Proposal:	Alterations to roofline of detached garage to form first floor and facilitate conversion to residential annexe.	Parish:	Pucklechurch Parish Council
Map Ref:	370021 175815	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	16th May 2013



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PK13/0907/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments received from the Parish Council and from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the conversion of an existing detached garage to form a residential annex, ancillary to the main dwelling.
- 1.2 The application site is a two-storey, detached dwelling situated within the settlement boundary of Pucklechurch. The site is to be found at the far southern edge of the village with open grassed areas to the immediate west and south, and the Bristol/ Bath Green Belt beyond this.
- 1.3 During the course of the application revised plans were requested to reduce the height of the proposed annex. These were received by the Council and also included the proposed dormer windows being moved to the opposite elevation. In addition confirmation of the on site parking provision was also received.

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

3. RELEVANT PLANNING HISTORY

- 3.1 P99/4572 Erection of two storey rear extension
Approved 16.12.99
- 3.2 PK01/3339/F Erection of detached double garage and front porch
Approved 7.1.02

4. CONSULTATION RESPONSES

- 4.1 Wick and Abson Parish Council

First Objection:

Councillors are of the opinion that the proposal amounts to the replacement of a garage with a two-bedroomed property in very close proximity to the original dwelling and may constitute overdevelopment. The block plan supplied does not reflect the correct dimensions or floorplan of the main dwelling since there appears to be a double-storey addition on the Oaktree Avenue side of the house which is not shown. The use of panelling on the vertical faces of the proposed alteration is incongruous with the design of other buildings in proximity to it.

Revised comments following amended plans:

Pucklechurch Parish Council's objection to the to original application applies to the consultation letter, we object on the ground that the proposed two bedroom property is in close proximity to the original dwelling.

4.2 Other Consultees

Highway Drainage

No comment

4.3 Local Residents

One letter of objection has been received from a local resident:

- three upper floor windows would look directly into our back garden
- all trees around site have been cut short, eliminating the privacy they once offered
- vehicle access – the property lacks sufficient off street parking as vehicles park on the village green. loss of garage space will exacerbate the problem

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development is for alterations to the roofline of a detached garage to form a first floor and to facilitate its conversion to create a residential annex. It is therefore necessary to consider: how the proposed development will function as an ancillary addition to the host dwellinghouse or whether it would function as a separate, new dwelling. The proposal would comprise a lounge/dining room/kitchen and WC on the ground floor with 2no. bedrooms and a shower room on the first floor.

If the extension were to function as a separate unit then it is likely that issues impacting on the residential amenity and access of the host dwellinghouse would result. Consequently, if the application is approved a condition would be placed on the decision notice to ensure that the annex can only ever be ancillary to the host dwellinghouse and not used as a separate residential unit. Given the above the application Policy H4 is the most appropriate policy and as such the proposal accords with the principle of development.

5.2 Design and Visual Amenity

The application site comprises a two-storey yellow brick dwellinghouse which has been substantially extended. The dwellinghouse is part of a row of similar

detached properties to the south of Oaktree Avenue and accessed via a small lane. The rear elevation is opposite Oaktree Avenue while the front elevation faces open fields. The garage, subject of this application was given planning permission in 2001 and is to the west of the main dwellinghouse.

The existing garage measures approximately 6 metres wide by 8 metres long with a height to ridge of 4 metres. The proposal would result in the creation of three dormer windows to accommodate two bedrooms and a bathroom in the first floor. Revised plans show the height of the roof would be increased by 1.6 metres, which is slightly lower than originally proposed, and the dormers have been repositioned to west elevation. Double garage doors in the south elevation would be replaced by a door and a window and an additional small window would be created in the north (rear) elevation. It is acknowledged that the proposal would result in quite a high structure at 5.6 metres to ridge, however, it can be seen that the ridge height of the main dwellinghouse varies (due to a number of extensions) achieving a maximum of 7.5 metres. Thus the proposal would remain suitably subservient to the existing dwellinghouse and its footprint would remain unchanged. A comment has mentioned the lack of block plans to the main dwellinghouse. However, Officers consider that sufficient information was submitted to fully assess the proposed residential annex and its impact.

Given the above, the proposed development is considered to be of an acceptable scale and design, appropriate to the host dwelling and character of the area in general. Good quality materials would be used in its construction: the roof will be finished in tiles while the first floor element on the north and south elevations will be finished in boarding along with that surrounding the cheeks of the proposed dormers. A variety of external finishes can be seen in the area including painted boarding. As such the proposal is deemed to accord with policy D1 of the South Gloucestershire Local Plan (Adopted) 2006.

5.3 Residential Amenity

The proposed annex would be to the west of the main dwellinghouse situated at the very furthest point away from neighbours at No. 52 Oaktree Avenue. Given that the proposed dormer windows have been moved from the east elevation to the west elevation it is considered there would be no adverse residential impact on these particular neighbours. In addition, to the west the site is adjacent to the small access road serving these properties with an area of common ground further to the west beyond. Neighbours to the north are positioned approximately 30 metres away across Oaktree Avenue and furthermore, these properties are side on to the application site. Comment has been made regarding changes to trees on the application site. During the site visit, Officers noted that these had been mature conifer trees around the edge of the garden. Such changes do not constitute a planning matter. Sufficient residential amenity space would remain following the development.

Comment from the Parish Council has been noted. As an annex to the main dwellinghouse it is expected that such a proposal would be in close proximity to the host dwellinghouse. A degree of dependency is thereby considered normal. The main issue to consider is that of its independency. As mentioned above the proposal would be for family members who would use the same

driveway and garden facilities. A condition attached to the decision notice would ensure the unit would always be associated with the main dwellinghouse and could not operate as a separate and independent unit. Given the above the impact on the residential amenity is deemed to be acceptable and the proposal accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.4 Sustainable Transport

The parking arrangements show that the driveway measures approximately 5 metres wide by 15.2 metres in length. New residential parking standards require an external parking area of 2.4 metres by 4.8 metres for each vehicle. For a property of this size, a number of 5+ parking spaces would be required. Given the size of the driveway, it is considered that there would be sufficient off-street parking to serve the property. The proposal therefore accords with policy requirements.

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 A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.

(a) Consideration has been given to the impact of the proposed development on the character of the surrounding area, which would in this case not be affected, in accordance with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) 2006.

(b) The proposal would not prejudice the amenities of neighbouring properties in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

(c) An acceptable level of off-street parking would be provided in accordance with Policies H4 and T8 and highway safety is unaffected in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.

(d) Adequate amenity space would be provided to serve the development in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

(e) The design of the scheme would be in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006.

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

7. RECOMMENDATION

- 7.1 That the application be **APPROVED** subject to the conditions attached to the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

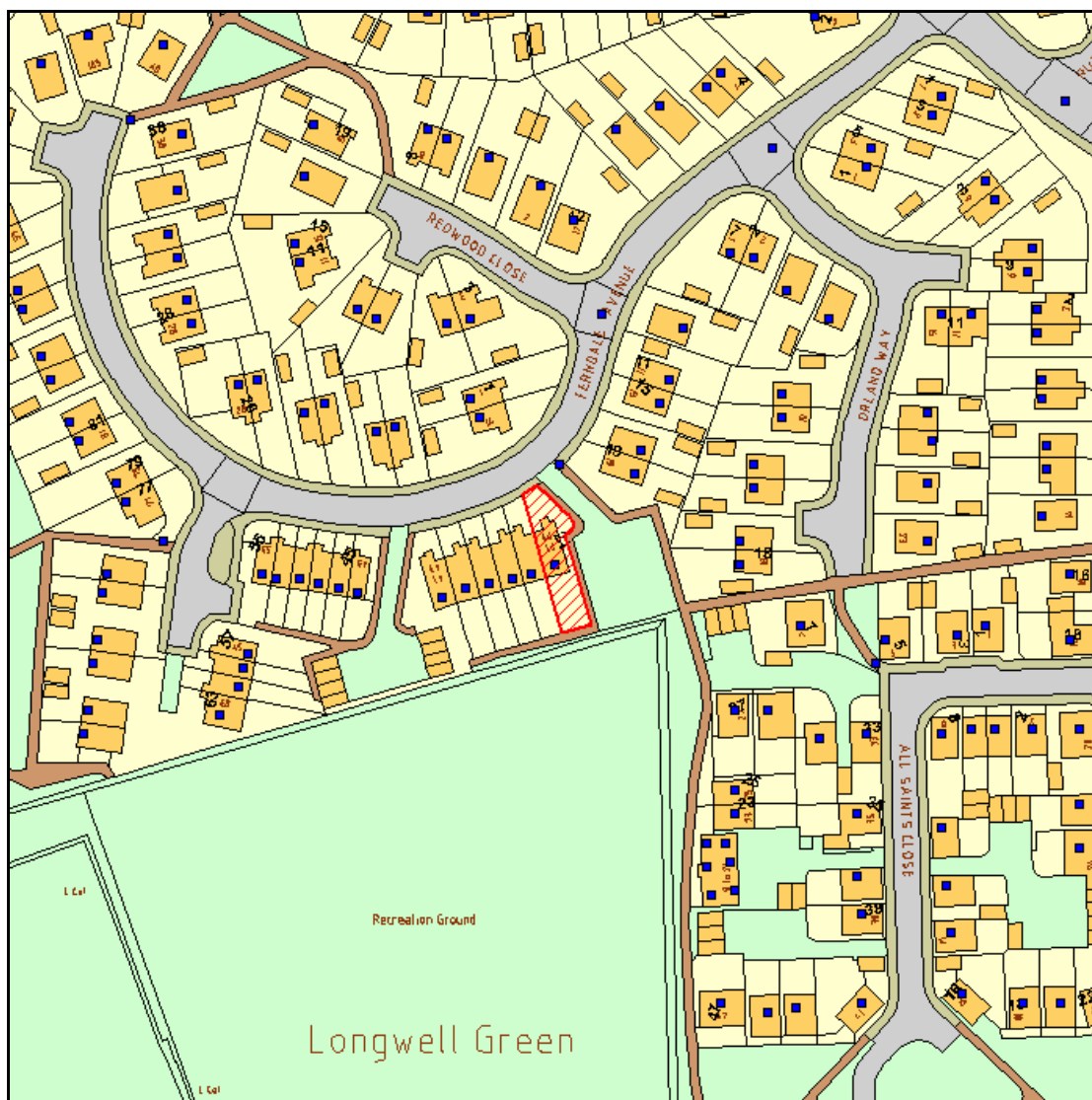
2. The annex hereby permitted shall not be occupied at any other time other than for single family purposes as part of the main residential use of the dwelling known as 51 Oaktree Avenue, Pucklechurch South Gloucestershire BS16 9SF. For the avoidance of doubt this permission does not grant planning permission for the use of the annex as a separated residential unit.

Reason

To allow the Council to consider the impact of subdivision on parking and amenity space and to accord with Policies H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th January 2006

CIRCULATED SCHEDULE NO. 19/13 – 10 MAY 2013

App No.:	PK13/0994/F	Applicant:	Miss Lawless
Site:	23 Ferndale Avenue Longwell Green Bristol South Gloucestershire BS30 9XS	Date Reg:	26th March 2013
Proposal:	Erection of rear conservatory.	Parish:	Oldland Parish Council
Map Ref:	366094 171249	Ward:	Longwell Green
Application Category:	Householder	Target Date:	17th May 2013



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PK13/0994/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of an objection from a neighbouring property.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a rear conservatory at No. 23 Ferndale Avenue. The proposed conservatory would measure 2.4 metres by 2.4 metres and 2.9 metres to its ridge. It would be constructed of brickwork, white pvc panels, with opal polycarbonate roof panels.

2. POLICY CONTEXT

2.1 National Guidance

NPPF National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Design in New Development

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

South Gloucestershire 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 (Adopted 2007)

Residential Parking Standards Approved March 2013

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

No objection

4.2 Other Consultees [including internal consultees of the Council]

Highway Drainage

No objection subject to an informative being attached to the decision notice

4.3 Local Residents

One letter of objection has been received and the local resident objects the proposal and states that there is a bedroom above and any noise or

disturbance resulting from use or rain on the roof of conservatory would have impact on neighbours. This is also a third party wall.

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 significant weight can be afforded to the Development Plan policies in this case.

The South Gloucestershire Core Strategy has reached an advanced stage of preparation and is therefore a material consideration in the determination of planning applications. In determination of this application there are no significant differences between the relevant adopted Development Plan policies and the Core Strategy.

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

This is reflected in Policy CS1 of the South Gloucestershire Core Strategy Incorporating Post Submission Changes.

Given the above it is considered that the proposal accords with the principle of development and is assessed in detail below.

5.2 Design and Visual Amenity

The existing building is a two storey end-terraced residential building and the application site is related to the ground floor flat.

The proposed conservatory would be of a traditional square shape and would measure approximately 2.4 metres deep and 2.4 metres wide and 2.9 metres to its ridge. The conservatory would be constructed with brickwork, which would match the existing brickwork. Officers consider that the proposal would

be subservient to the host building, and would reflect the character and appearance of the host building and the surrounding properties.

Given the above it is considered that the proposed development accords with Policies D1 and H4 of the South Gloucestershire Local Plan I(Adopted) 2006.

5.3 Residential Amenity

The nearest neighbouring properties are No. 21 Ferndale Avenue, which is the flat above the application site, and the No. 25 and 27 Ferndale Avenue, which are residential properties to the west of the application site. One letter of objection has been received and the local resident is concerning the noise and disturbance causing by the proposal.

The application site is surrounded by closed board timber fence, which is approximately 1.8 metres high. The west elevation of the proposed conservatory would be installed with textured glass windows to give the privacy to the neighbouring properties. Other windows would look over the applicant's garden. It is therefore considered that the proposal would not cause significant loss of privacy or inter-visibility to the neighbouring properties. Additionally, the proposed conservatory would have a hipped roof with very low ridgeline, therefore there are no concerns relating to loss of daylight/sunlight and sufficient garden space will remain to serve the property.

Officers acknowledge the resident's concerns regarding the noise and disturbance caused by the proposal. However, given that the proposed conservatory would only be used by householders, officers consider that the noise and disturbance caused by the proposal would not be significant to warrant a refusal of this application and the impact on residential amenity upon the neighbouring properties would be deemed acceptable. As such it is considered that the proposal accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.4 Highway issues

The proposal would not affect the existing parking and turning facilities, and as such the proposal is considered to accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) 2006, and Residential Parking Standards approved March 2013.

5.5 Other issues

The applicant is advised of the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not

in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

- a. Consideration has been given to the quality of the design of the proposed conservatory and the impact of the proposed development on the character of the surrounding area. It is considered that the proposal has achieved good standards on design and would not adversely affect the character and appearance of the locality and in accordance with Policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) 2006.
 - b. The proposal would not prejudice the amenities of neighbouring properties, and in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.
 - c. The proposal would not affect the existing parking and turning facilities, and in accordance with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.
 - d. Adequate amenity space would be provided to serve the development in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be granted subject to the following conditions.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

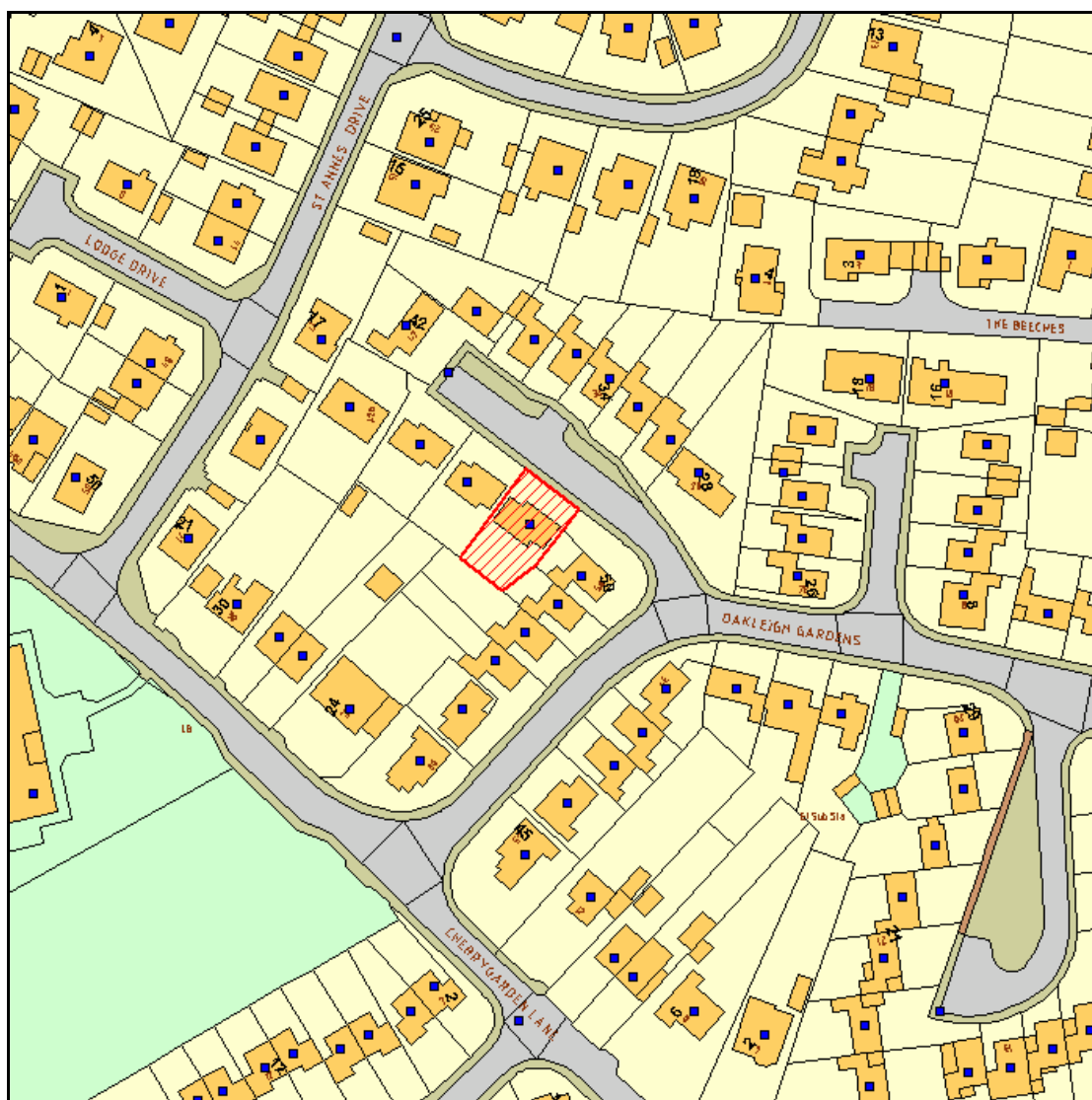
2. The bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Reason

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

CIRCULATED SCHEDULE NO. 19/13 – 10 May 2013

App No.:	PK13/1009/F	Applicant:	Mr G Jenkinson
Site:	48 Oakleigh Gardens Oldland Common Bristol South Gloucestershire BS30 6RH	Date Reg:	3rd April 2013
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	367123 170818	Ward:	Bitton
Application Category:	Householder	Target Date:	23rd May 2013



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PK13/1009/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the circulated schedule as two representations have been made by local residents, which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a single storey rear extension to form additional living accommodation.
- 1.2 The application site consists of a detached residential dwelling located within an established residential area of Oldland Common.
- 1.3 Revised existing and proposed plans were submitted for the application on 4th April 2013. The revised proposed plan was considered to be permitted development and as such is not determined as part of this application. The decision is based on the original submitted proposed plans, received 25th March 2013. A re-consultation period was therefore unnecessary.

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 Achieving Good Quality 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 SPD (Adopted) 2007
Residential Parking Standards SPD (Approved for Development Management purposes 27th March 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objection
- 4.2 Highway Drainage
No comment

4.3 Local Residents

Two letters of objection have been received from local residents. The concerns are summarised as follows:

- Superseded existing plan is incorrect – there has never been a conservatory.
- Revised existing plan incorrect – shows a double door not a picture window.
- Loss of privacy.
- Layout and density.
- Noise and disturbance.
- Overbearing and dominant impact on neighbouring garden.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a single storey rear extension to form additional living accommodation. Policy H4 of the South Gloucestershire Local Plan (Adopted) permits this type of development in principle subject to criteria relating to residential amenity, highways, and design.

5.2 Residential Amenity

The application site consists of a detached two storey residential dwelling situated within an established residential area of Oldland Common. The application site is situated on land approximately 0.7 metres higher than the ground floor and garden of number 46 Oakleigh Gardens. The rear garden of the application site is bordered by four neighbouring properties to the northwest, southeast and south. The proposal is for a single storey rear extension, which has a depth of 4.2 metres, a width of 4.5 metres, and a maximum height of 3 metres. The extension would be located on the northwest side of the rear elevation one metre from the boundary of number 46.

5.4 Given the location of the proposal adjacent to the boundary of number 46, and the difference in height between the two sites it is acknowledged that the rear extension would have some impact on the garden area of number 46 Oakleigh Gardens. However, the southeast side of number 46, which is adjacent to the application site, consists of a single storey attached garage. As such the proposed extension would not be directly adjacent to habitable rooms and windows. In light of this and given that the maximum height of the proposal is 3 metres, it is considered that the proposal would not have detrimental impact on the residential amenity of number 46 in terms of overbearing impact or significant loss of light. The height of the eaves of the proposal meets the maximum height allowed under permitted development. The proposal is located sufficient distance from neighbouring dwellings to the southwest and south to ensure that it would not prejudice the residential amenity of them. A local resident has raised concern that the windows and doors of the proposal would result in an increase in noise and disturbance. Given the density of housing in the locality it is considered that the proposal would not prejudice residential amenity by virtue of increased noise or disturbance.

5.5 In terms of privacy the proposal does not have any windows on the side (northwest) elevation and as such would not overlook number 46. Windows

located on the rear and side (southwest) elevations are situated at least 12 metres from the rear elevations of surrounding dwellings. Although it is acknowledged that this distance is not significant the site has existing boundary treatments, which provide some screening to the rear gardens. As such it is considered that the proposed rear extension would not significantly overlook neighbouring dwellings to the detriment of mutual privacy.

- 5.6 The proposal would result in some loss of private amenity space to serve the existing dwelling. However, it is considered that adequate private amenity space would remain to serve the dwelling.

5.7 Highways

The proposal does not affect the existing parking provision on site and would not result in an increase in bedroom space. As such the proposal raises no concerns in terms of highway safety.

5.8 Design

The application relates to a double storey detached residential dwelling with a pitched tiled roof and is constructed with a render and reconstituted stone finish. The locality is characterised by detached residential dwellings of similar designs. The proposed rear extension would be rendered to match the existing and would have a flat roof with a central glazed lantern. The materials and design detailing have been informed by and respect the character of the site and the locality. The extension would be located in the rear garden of the site and would not be visible within the street scene. In terms of scale, the size and proportions of the extension are considered appropriate in the context of the site and remain subservient to the original dwelling. The scale of the proposal falls just above the size allowed under permitted development with a depth of 4.2 metres.

5.9 Other Matters

Matters have been raised relating to the accuracy of the superseded and revised existing plans and elevations. Concerns relating to the superseded plan are not relevant in this case as this plan is not considered as part of the application. Matters relating to the French doors on the existing rear elevation are not a concern in this case, as this does not affect the design or details of the proposal. The French doors shown on the existing rear elevation would not require planning permission.

- 5.10 Revised proposed plans were submitted with the revised existing plans on 4th April 2013. The revised proposed plans were considered to be permitted development and as such have not been assessed as part of this application. The application is assessed against the proposed plans received as part of the full application on 25th March 2013.

6. CONCLUSION

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

- 6.2 It is considered that the proposed rear extension, by virtue of its scale and location, would not have a detrimental impact on the residential amenity of surrounding dwellings. Given the existing density of the dwellings in the locality and existing boundary treatments it is considered that the proposal would not significantly overlook neighbouring properties to the detriment of mutual privacy. Adequate private amenity space would remain to serve the host dwelling and the proposal does not affect highway safety. As such the proposal is considered acceptable in terms of policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The scale and proportions of the proposal are considered acceptable in the context of the site: remaining subservient to the original dwelling. The design, materials and details proposed have been informed by and respect the character of the site and the locality. Accordingly the proposal is considered acceptable in terms of policies D1 and H4 of the adopted Local Plan.
- 6.4 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application is **APPROVED** subject to the conditions on the decision notice.

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

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

Reason

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

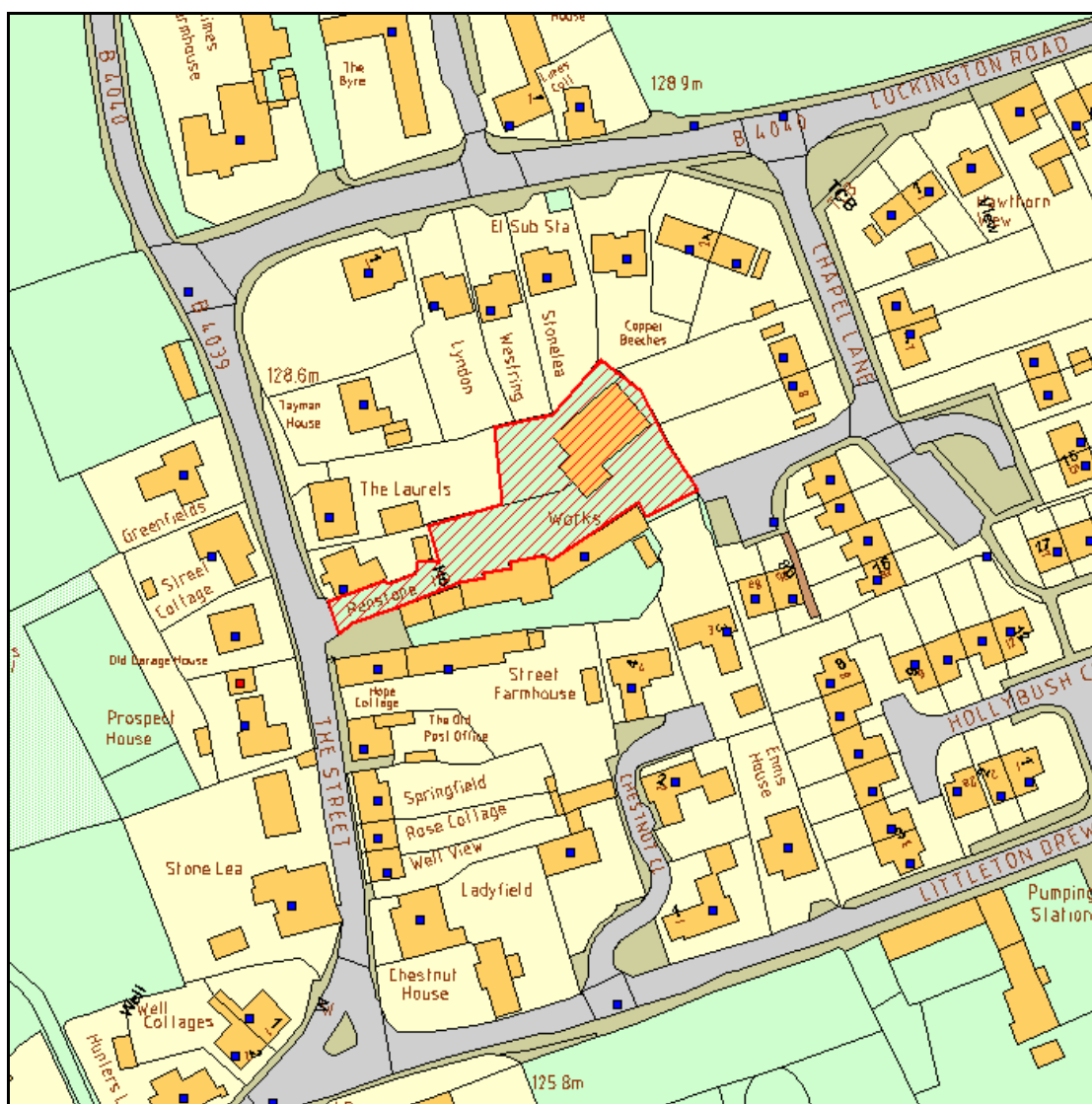
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side (northwest) elevation of the property.

Reason

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

CIRCULATED SCHEDULE NO. 019/13 – 10 MAY 2013

App No.:	PK13/1039/TCA	Applicant:	Sir/Madam
Site:	Badminton Horse Boxes The Street Acton Turville Badminton South Gloucestershire	Date Reg:	11th April 2013
Proposal:	Works to remove conifer hedge situated within the Acton Turville Conservation Area	Parish:	Acton Turville Parish Council
Map Ref:	380923 180890	Ward:	Cotswold Edge
Application Category:		Target Date:	20th May 2013



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PK13/1039/TCA

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objection received from local resident contrary to officer's recommendation. The report appears for information. Due to strict time parameters for this type of application, the application should not be referred to committee as deemed consent will be granted should the decision notice not be issued before the expiry date of 20th May 2013.

1. THE PROPOSAL

- 1.1 Works to remove conifer hedge situated within the Acton Turville Conservation Area.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (Listed Building and Conservation Areas) Act 1990
Town and Country Planning (Trees) Regulations 2012

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Acton Turville Parish Council
No objection
- 4.2 Tree Officer
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received raising the following concerns
- Do not want to be looking out onto their works.
 - Conifers act as a good sound barrier from the works.

A general observation from a member of the public has made the following comments

- Recommend that the hedge be surveyed as there maybe nesting birds inside.
- For works to take place outside of the nesting season.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Under the Planning (Listed Building and Conservation Areas) Act 1990 it is recognised that trees can make a special contribution to the character and appearance of a conservation area. This Act makes special provision for trees in a Conservation Area, which are not the subject of a Tree Preservation Order (TPO). Under Section 211, subject to a range of exceptions, permission is required for proposals to cut down, top or lop a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their control by making a TPO in respect of it. When considering whether trees are worthy of protection in conservation areas, the visual, historic and amenity contribution of the tree should be taken

5.2 The hedge is located to the rear of Badminton Horse Boxes, The Street, within the boundary of the Acton Turville Conservation Area. The proposed works are to remove a conifer hedge.

5.3 The hedge is not visible from the Main Street. It is a non-native species offering little visual amenity and it is not considered to enhance the character of the conservation area. The hedge proposed for removal would not fulfil the criteria for a Tree Preservation Order.

5.4 Further Matters

A neighbour has concerns regarding the outlook they will have onto the works, also that the conifers are currently acting as a good sound barrier from the works. Felling of the hedge in a conservation area is noted and has been taken into consideration when determining the application. However, the Council can only raise an objection to this application by imposing a Tree Preservation Order on the hedge affected.

As explained in paragraph 5.3 above, the hedge the subject of this application has been assessed by the Council's Tree Officer and it has been considered that the hedge does not contribute sufficiently to the visual amenity of the area to warrant the serving of a Tree Preservation Order. In relation to the concern raised regarding nesting birds, an informative on the notification letter draws attention to the specific legislation protecting nesting birds.

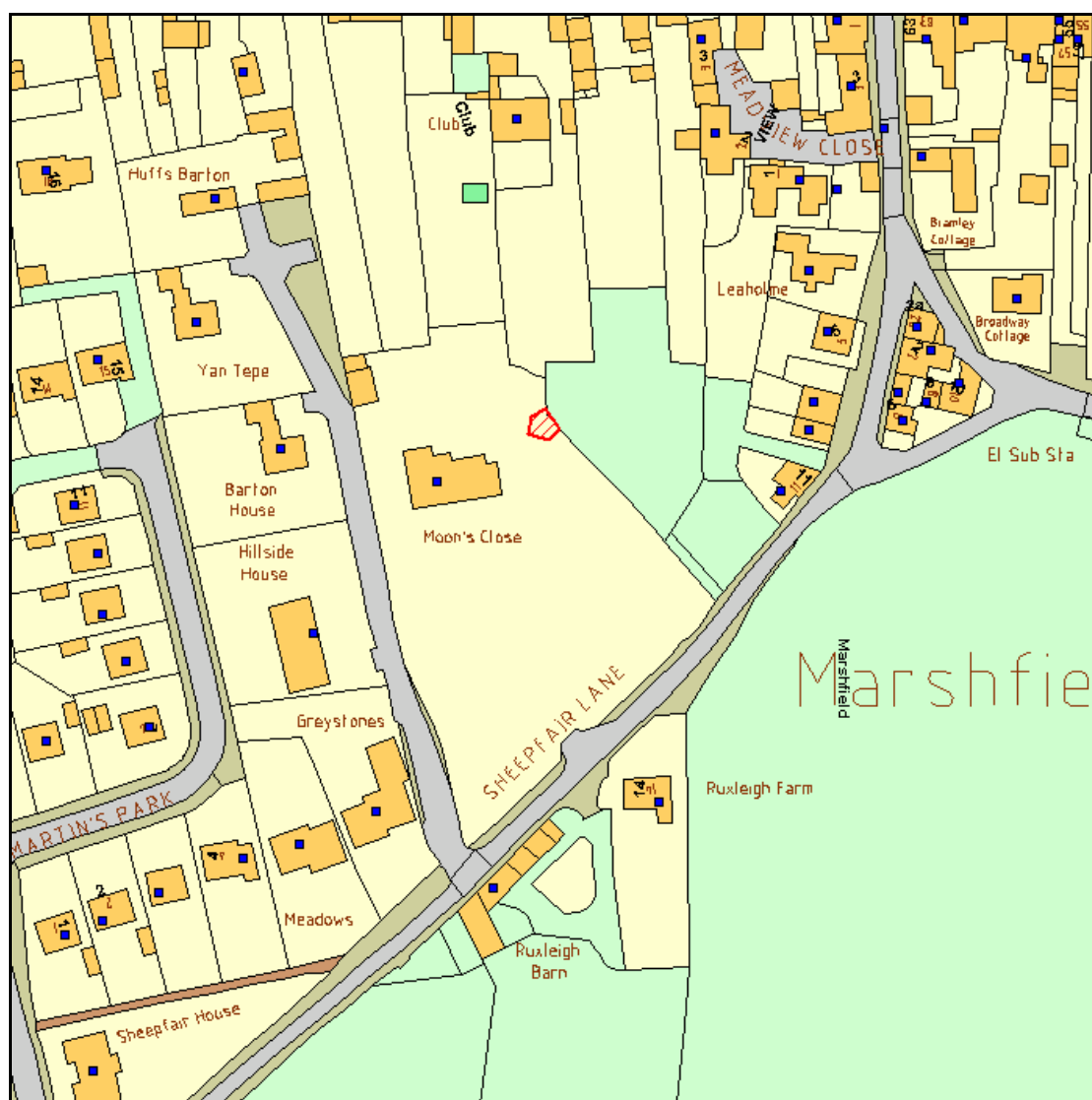
7. RECOMMENDATION

7.1 **No objection** to the works to remove conifer hedge situated within the Acton Turville Conservation Area.

Contact Officer: **Melissa Hayesman**
Tel. No. **01454 864769**

CIRCULATED SCHEDULE NO. 19/13 – 10 May 2013

App No.:	PK13/1169/TCA	Applicant:	Mr Tim Rudge
Site:	Frogmore House Sheepfair Lane Marshfield South Gloucestershire SN14 8NA	Date Reg:	11th April 2013
Proposal:	Works to remove 1 no. Larch tree situated within the Marshfield Conservation Area.	Parish:	Marshfield Parish Council
Map Ref:	377754 173626	Ward:	Boyd Valley
Application Category:		Target Date:	20th May 2013



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PK13/1169/TCA

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been reported to circulated schedule as an objection has been received from a local resident contrary to officer's recommendation. The report appears on the schedule for information. Due to strict time parameters for this type of application, the application should not be referred to committee as deemed consent will be granted should the decision notice not be issued before the expiry date of 20th May 2013.

1. THE PROPOSAL

- 1.1 The application seeks consent to remove 1no. Larch tree within the Marshfield Conservation Area.
- 1.2 The trees are located in the gardens of Frogmore House, Sheepfair Lane, Marshfield, SN14 8NA.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (Listed Building and Conservation Areas) Act 1990
Town and Country Planning (Trees) Regulation 1999
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
Policy L12

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
No objection
- 4.2 Tree Officer
No objection
- 4.3 Local Residents
One objection received on grounds the applicant has removed trees from the site already, and that the reasons for removal of the larch require independent assessment. Also offered recommendations for alternative remedial works.

One comment made advising of the requirements regarding removal or damage of wild birds nests in accordance with Wildlife and Countryside Act 1981, recommending the applicant surveys the larch tree to ensure it contains birds nests. The applicant has responded stating the tree has been surveyed over several days and stated there are no nests within the tree.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Under the Planning (Listed Building and Conservation Areas) Act 1990 it is recognised that trees can make a special contribution to the character and appearance of a conservation area. This act makes special provision for trees in Conservation Areas that are not the subject of a Tree Preservation Order (TPO). Under Section 211, subject to a range of exceptions, planning permission is required for proposals to cut down, top or lop a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their control by making a TPO in respect of it. When considering whether trees are worthy of protection in conservation areas, the visual, historic and amenity contribution of the tree should be taken into account.

5.2 Consideration of Proposal

The application is a request to remove a larch tree from the extensive grounds of the recently constructed Frogmore House. The tree is visible in views towards and beyond the property from the road. It is positioned hard against a dry stone wall on the eastern boundary of the rear garden

5.3 There is major die-back visible within the upper canopy with large branches showing no indication of life.

Lower down within the canopy there are dead branches and a number exhibiting signs of decline. The main stem of the tree exhibits no indication of disease or decay and there were no fungal fruiting bodies visible within the branches. Structurally the tree is a poor specimen with an asymmetric crown growing to the east. The main stem is growing against the dry stone wall which eventually would be damaged by the annual growth of the tree.

It is considered that due to the structural form and poor physiological condition of the tree it would not fulfil the criteria for a Tree Preservation Order. The Council Tree Officer has discussed the matter with the property owner, and the owner has stated he intends to plant a replacement Larch tree to mitigate the loss of the existing tree.

5.4 On inspection there were no obvious signs of disease that could account for the poor condition of the tree, however the tree is in a major state of decline. Due to the poor health and structure of the tree it is not considered that the Larch would fulfil the criteria for a Tree Preservation Order.

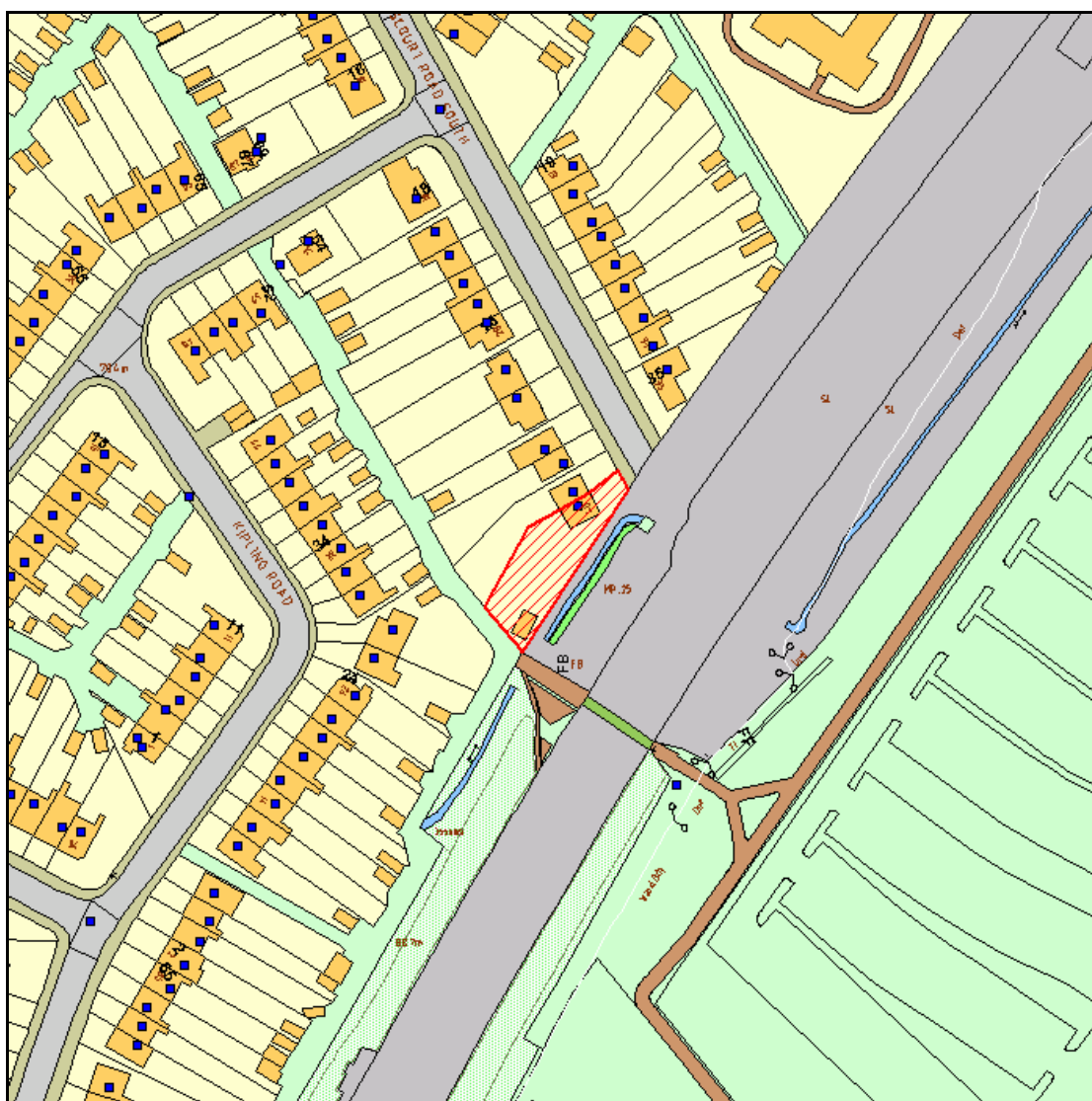
6. RECOMMENDATION

6.1 **No objection** to works to remove 1no. Larch tree in the Marshfield Conservation Area.

Contact Officer: Christopher Roe
Tel. No. 01454 863427

CIRCULATED SCHEDULE NO. 19/13 – 10 May 2013

App No.:	PT12/3727/F	Applicant:	Mr Mark Chapman
Site:	40 Wallscourt Road South Filton Bristol South Gloucestershire BS34 7NU	Date Reg:	20th November 2012
Proposal:	Erection of detached garage with first floor dormer to form gym/storage area. (Amendment to previously approved scheme PT11/1132/F).	Parish:	Filton Town Council
Map Ref:	360813 178259	Ward:	Filton
Application Category:	Householder	Target Date:	15th January 2013



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PT12/3727/F

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application is submitted to the circulated schedule due to objections from a neighbour and from Network Rail.

1. THE PROPOSAL

- 1.1 This householder planning application relates to the erection of a detached garage at the rear end of the garden associated with 40 Wallscourt Road South. The applicant refers to the garage as an annex but shows and describes this to be a garage at ground floor and storage and a gym at first floor. The proposed garage is approximately six metres deep and eight metres wide with a garage door approximately 3.4 metres wide. The proposal is situated at the location of a previous garage and backs onto a thoroughfare at the end of the garden from which access to the old garage was achieved. All vehicular access is however proposed to be via the garden to the front of the house and close boarded fencing would secure the end of the garden from the public footpath. The garage would be finished in render and have rooftiles to match the existing house.
- 1.2 This is an amendment to a recent previous application which is already partially built in accordance with those plans. This scheme differs from the extant application as it raises the height of the roof and facilitates a first floor use.
- 1.3 The site is located in the urban area of Filton.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Section 7 Requiring good design
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development Within Existing Residential Curtilages,
Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New
Development
- South Gloucestershire 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 (Adopted) Aug 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/1132/F Erection of detached garage to rear. Approved

- 3.2 PT05/0977/F Demolition of existing Garage to facilitate erection of new dwelling and alterations to existing access. Refused May 2005.

4. CONSULTATION RESPONSES

4.1 Filton Town Council

No comment received

4.2 Stoke Gifford Parish Council

No comment received

4.3 Public Rights of Way Officer

A Footpath passes the end of the garden but no objection held.

4.4 Network Rail

Object (and noted they were not notified on the last application). They understood the scheme not to be retrospective and made the following comments should the Council be minded to approve the scheme.

- The building be moved at least two metres away to prevent the need for access onto Network Rail land.
- Where trees exist the foundations should take account of root penetration
- Soakaways should not be constructed within 20m of Network Rail land so as to prevent additional or increased flows of surface water onto Network Rail land.
- The developer should contact Network Rail before works begin to ensure that the works will not endanger the safe operation of the railway.
- A trespass proof fence must be installed to prevent access to the railway.
- There must be no encroachment or oversailing of Network Rail land.

4.5 Local Residents

One consultation objection received from a property at the rear in relation to the following matters:

- Not in keeping with the local vicinity and environment.
- Current outlook and light at the writers property will be greatly affected as the proposal is double the height of the garage.

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. There is therefore a presumption in favour of development subject to further consideration in relation to the policies of the local plan.

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

5.3 Design

The proposed garage is finished in a tiled pitched roof reaching 5.5m at its ridge with eaves proposed to be raised from their extant permission at 2.3m to 3m high. The garage is larger than others which are located along the back lane but it's form is acceptable and has no detrimental effect on the public footpath at the rear of the site. This is an acceptable proposal within the curtilage of this large residential garden and the use of the drive way down the east of the garden is also an acceptable route to the garage. This route facilitates secure parking off the busy cul-de-sac frontage.

5.4 Residential amenity

The location of the garage and drive proposal would not be detrimental to the amenity of the neighbouring properties and the private garden area remains capable of serving the house. The raised roof structure to ridge height of 5.5m is not so high that it is considered to affect the residential amenity of the surrounding neighbours, neither is it considered to be harmful to the use of the foot/cycle path at the rear of the garage. In fact the Juliet balcony may offer some natural surveillance over the railway bridge and thus offer additional security to users of the foot/cycle path. There is a distance of 22m between the dormer window in the garage and the rear of the semi-detached house adjoining the applicants house. In terms of privacy a distance of 22m is generally considered sufficient distance between habitable rooms to prevent a loss of private residential amenity. In this case the orientation of the dormer window is generally facing away from that neighbouring property too and as such the application is considered to be in accordance with the development plan and is acceptable in terms of residential amenity to neighbours.

5.5 Transportation

The proposal seeks to close off a vehicular access onto the Footpath at the rear of the site which would make the footpath safer for pedestrians and cyclists. Use of the proposed drive within the back garden facilitates turning off of the tight cul-de-sac to the front of the house and as such the proposal is a positive one in terms of highway safety.

5.6 Drainage

No drainage concern was raised during the last planning application. As such no drainage condition was applied. However Network Rail have raised an objection to this application and are concerned that soakaways must not be used within 20m of their land in order to protect the rail network. The applicant has advised that the drainage on his land is private and no application is needed to be made to Wessex Water to connect into the existing storm drain.

He confirms that the surface water from the garage can be adequately taken to the existing storm drain. It is further advised in respect of drainage that the access road would be constructed as a stone type driveway and as such natural soakage would apply. The drainage proposal negates the need for a soakaway to be provided. This method of drainage is acceptable to the Councils drainage team and can be adequately conditioned in accordance with the applicants email dated 10/04/2013.

5.7 Protection of the railway

It is recognised that the previous scheme did not have comment from Network Rail as they were not notified however in light of their comments the drainage matter is dealt adequately above. In terms of siting officers take the view that the building need not be moved at least two metres away to prevent the need for access onto Network Rail land as the building is further from the boundary than the previous building and the garage is already half built (in accordance with the previous scheme). The building would not cause encroachment or oversailing as even the guttering is 25cm from the boundary at its closest point. There are no significant trees to affect the foundations of the garage and the structure of the building including adequacy of footings will be considered by the building regulations. As such this should have no impact on the railway. An informative can be attached to suggest that the developer contacts Network Rail before works begin again to ensure that the works will not endanger the safe operation of the railway but works have already progressed and Network Rail were made aware of this during conversations with the planning officer. A further informative can be attached to ensure that trespass proof fence be installed to prevent access to the railway but given that there is a fence in place already this is not a requirement 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 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 below, and to all the relevant material considerations set out in the report.
 1. The proposed works due to its limited size and location are considered to be acceptable in terms of visual and residential amenity. The proposals would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (Development within Existing Residential Curtilages, Including Extensions and New Dwellings) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The proposal has a positive impact in highway safety terms. As such the proposal is considered to be compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The proposal, subject to a condition securing the drainage solution proposed, will minimise any impact on the railway network. As such the proposal is considered to be compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the conditions attached to the decision notice.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

1. The proposed garage building shall not be brought into use until such time as drainage as set out in the applicants email dated 10 April 2013 has been provided or until another method of draining the site of surface water has been submitted and agreed in writing by the Local Planning Authority. The proposed approved details shall be implemented and retained as such thereafter.

Reason

To minimise the effect of any flooding which may occur onto the adjacent railway and to comply with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. No windows or extensions to the roof other than those shown on the plans hereby approved shall be inserted at any time in the garage building hereby approved.

Reason

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

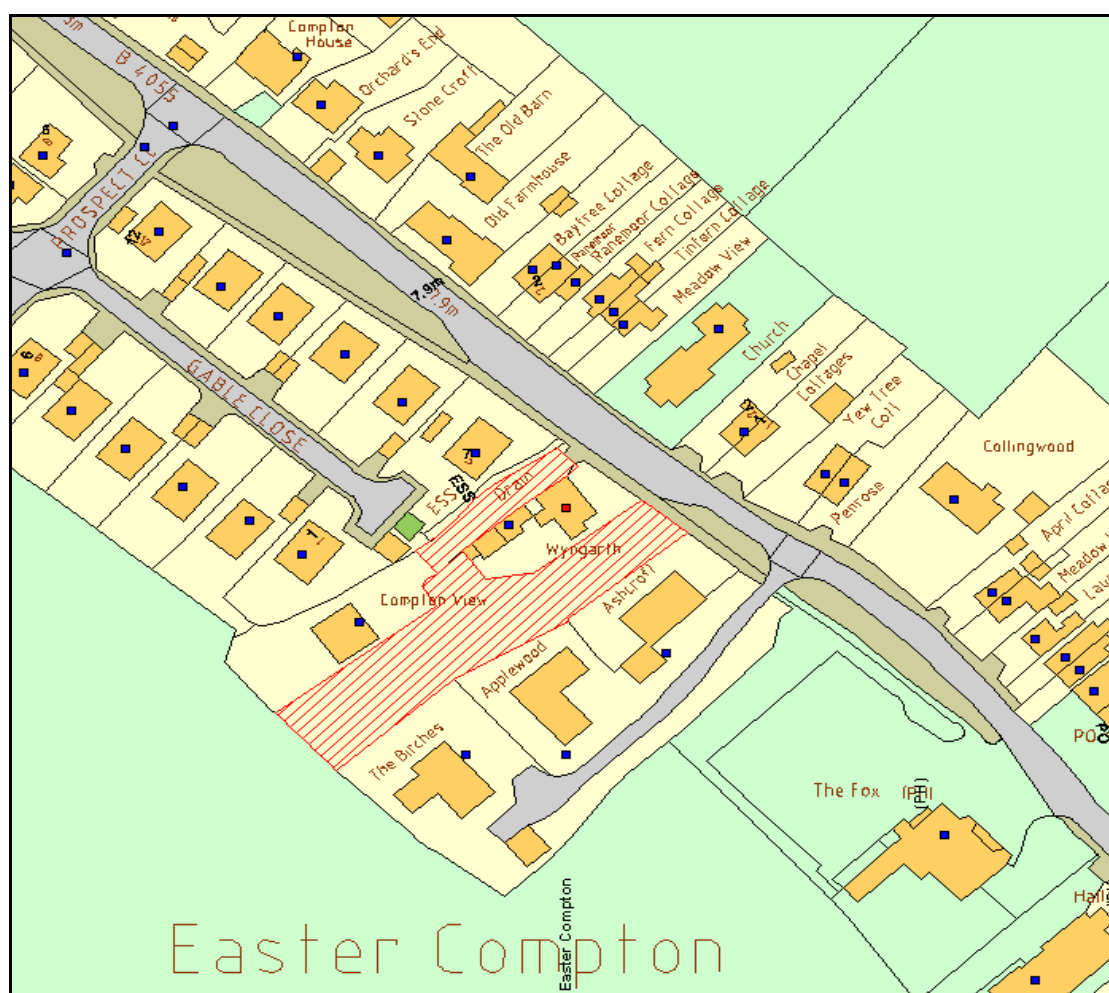
3. The tiles to be used in the development hereby permitted shall match those of the existing house in colour, texture and profile.

Reason

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

CIRCULATED SCHEDULE NO. 19/13 – 10 MAY 2013

App No.:	PT13/0322/F	Applicant:	Land Promotions LtdLand Promotions Limited
Site:	Land To Rear Of Wyngarth Main Road Easter Compton Bristol South Gloucestershire	Date Reg:	1st February 2013
Proposal:	Erection of 3No. detached dwellings and 1No. detached garage with access, parking and associated works. (Re submission of PT12/2878/F)	Parish:	Almondsbury Parish Council
Map Ref:	357114 182525	Ward:	Almondsbury
Application Category:	Minor	Target Date:	28th March 2013



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PT13/0322/F

REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule owing to the letters of objection that have been received from neighbouring occupiers and the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of three detached dwellings. These would form a two-storey property, a chalet style dwelling and a single-storey property.
- 1.2 The application site comprises a relatively narrow but deep plot of former garden land on the south west side of Blackhorse Hill, Easter Compton. The site falls within the Easter Compton settlement boundary that is washed over by the Green Belt. The rear site boundary adjoins the open Green Belt with an open field to the rear of the application site. Access to the site is via an existing driveway that runs to the north side of an existing two-storey dwelling (Wyngarth); the application site encircles this property.
- 1.3 The application forms a resubmission of PT12/2878/F that was refused for the following reasons:
 1. *By reason of its scale, massing and positioning, it is considered that unit 1 would have an overbearing and oppressive impact on the residential amenities of the neighbouring occupiers (at Ashcroft). The proposal is therefore considered to be contrary to Planning Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted).*
 2. *Unit 2 (which adopts a prominent position at the entrance to the application site) would comprise a poor standard of design devoid of character and detailing and would be contrary to Planning Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.*
 3. *By reason of its size and design (that is characterised by an excessively high bulky roof structure), unit 3 would comprise a poor standard of design that would appear detrimental to this sensitive edge of settlement position and which would be detrimental to the residential amenities of the neighbouring occupiers. The proposal is therefore considered to be contrary to Planning Policies D1, H2, H4 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006, the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document and Development in the Green Belt (Adopted) Supplementary Planning Document.*
 4. *The application fails to adequately demonstrate that that the proposal would not have an unacceptable impact on any archaeological remains that could be found on site. The application is therefore considered to be contrary to Planning Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.*
- 1.4 Amended plans form part of this application amending the design of unit 1 at the front of the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (March 2012)
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

L1: Landscape Protection and Enhancement

L9: Species Protection

L18: The Water Environment

GB1: Development within the Green Belt

H2: Proposals for Residential Development

H4: Development Within Existing Residential Curtilages,

T8: Parking Standards

T12: Transportation Development Control Policy for New Development

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

CS1: High Quality Design

CS5: Location of Development

CS16: Housing Density

CS17: Housing Diversity

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

Development in the Green Belt (Adopted)

3. RELEVANT PLANNING HISTORY

3.1 P86/1284: Erection of detached dwelling. (Outline). Refused: 09.08.86 (Compton View)

3.2 P86/1711: Erection of detached bungalow. (Outline). Approved: 02.07.86 (Compton View)

3.3 P87/1161: Erection of a detached bungalow (in accordance with amended plans received by the council on 23rd February 1987 and the applicants letter dated 9th March, 1987). Approved: 01.04.87 (Compton View)

3.4 P87/3072: Erection of detached bungalow and double garage; installation of a calor gas tank. Approved: 28.01.88 (Compton View)

3.5 P87/3087: Conversion of existing outbuilding to form self- contained residential annex for an elderly relative; insertion of dormer window and erection of conservatory and sun lounge. Approved: 27.01.88 (Wyngarth)

- 3.6 P93/2328: Erection of single detached bungalow; construction of new vehicular and pedestrian access (outline). Permitted: 09.02.94 (Compton View)
- 3.7 P95/2210: Erection of detached dwelling. Approved: 03.07.96 (Compton View)
- 3.8 P96/2039/F: Erection of detached double garage with playroom above. Approved: 10.08.96 (Compton View)
- 3.9 PT11/2960/F: Raising of roof and insertion of dormer windows to facilitate conversion of existing single storey domestic office/workshop to form two storey self contained annexe ancillary to main residence. Permitted: 25.05.12 (Compton View)
- 3.10 PT12/2878/F: Erection of 3 detached dwellings and 1 detached garage with access, parking and associated works. Refused: 25 October 2012

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Objection: *'Overdevelopment, highway issues, (increase in traffic and using driveway as access) loss of privacy for existing residents, impact on the area and quality of life of existing residents'*.

4.2 Other Consultees

Highways DC: no objection subject to condition

Technical Services (Drainage): objection – SUDS details required

Ecology Officer: no objection subject to condition

Environmental Services: no objections in principle

Historic Records Officer: no objection subject to condition

Landscape Officer: condition requested

Community Spaces: no comment

Other Representations

4.3 Summary of Local Residents Comments:

6 letters of objection received expressing the following concerns:

Highway Safety:

- o Will prevent access to neighbouring property along drive over which they have right of access;
- o Cars can not pass on the drive if vehicles are parked along one side;
- o There is no allocated parking for Wyngarth;
- o Site meeting requested with Council to discuss access issues;
- o Since the last application, annex accommodation at Wyngarth has been occupied increasing the number of people using the access;
- o There are nearly always cars parked in the lay-by restricting views;
- o Many motorists speed through the village endangering highway safety;

- o Plans show a brick pillar located on the neighbouring property with the new access over part of the neighbouring property;
- o Use of neighbouring land for turning is not permitted;
- o The lay-by is to provide parking for the Methodist chapel opposite;
- o Up to 14 cars might be using this access;
- o The pavement is too narrow for all refuse/ recycling bins;
- o The access can be improved.

Residential Amenity:

- o Will still have an oppressive and overbearing impact on Ashcroft and other neighbouring properties;
- o Unit 1 contains 3 windows facing Ashcroft overlooking a bedroom, dining room and garden of this neighbouring property;
- o Plans do not show permitted neighbouring outbuildings.

Further Issues:

- o The site of plot 1 regularly floods;
- o More than 5 large trees have been cut down without any consultation;
- o There are existing houses in the village which can not be sold;
- o There used to be a large pond on the site of plot 1;
- o No drainage details have been provided;
- o It is a gross overdevelopment of the application site.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The National Planning Policy Framework carries a presumption in favour of sustainable development and speaks of the need to 'boost significantly the supply of housing' (paragraph 47) and to deliver a wide choice of high quality homes and widen opportunities for home ownership and create sustainable, inclusive and mixed communities (paragraph 50). Further, it is advised that *'Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay'*. These considerations should be attributed significant weight in the assessment of this application.

5.2 Planning policies H2 and H4 are permissive of proposals for residential development within the settlement boundaries subject to considerations related to design, residential amenity and highway safety. Therefore, the principle of residential development is considered acceptable.

5.3 The site also falls within the Green Belt. Policy GB1 allows for limited infilling within the boundaries of settlements 'washed-over' by the Green Belt provided this does not significantly impinge upon the openness of the Green Belt. The supporting text advises *'acceptable infilling' is unlikely to be more than the*

filling of small gaps within built development, where it does not significantly impinge upon the openness of the Green Belt . The National Planning Policy Framework echoes this stance.

- 5.4 Policy T12 advises that new development will be permitted (in terms of transportation) subject to a number of criteria. Of particular note, the proposal should provide safe access capable of accommodating the traffic generated and it should not create or unacceptably exacerbate traffic congestion or have an unacceptable effect on highway safety.
- 5.5 Design/ Visual Amenity
As before, the application seeks full planning permission for the erection of three dwellings that would be arranged in a linear formation one behind the other. The three dwellings would be of differing design and accessed via an existing access that serves Wyngarth (a two-storey dwelling fronting the highway and encircled by the application site) and Compton View (alongside the rearmost proposed new dwelling). Refusal reasons in respect of the previous application addressed each property in turn.
- 5.6 The refusal reason related to unit 1 focused on residential amenity concerns; this has resulted in a new design approach that has subsequently been further amended through the receipt of additional plans. Consequently, the Design and Access Statement advises that an 'arts and crafts' style house is proposed; this is understood to primarily allow for a catslide roof to the north side of the dwelling to lessen its impact on the neighbouring property to this side. In so doing, this would allow the introduction of a 4 bedroom two-storey dwelling that would stand alongside Wyngarth fronting the highway and which would benefit from an attached garage immediately behind.
- 5.7 Refusal reason 2 focused only on the design of this single-storey property that was considered to be poor with the proposal devoid of detailing and subsequently character. This submission therefore shows an improved design with the Planning Statement advising '*Unit 2 has been redesigned in order to address officer concerns. The design of the elevation treatment has been improved, with the introduction of features such as stone quoins features around the windows and front door and the addition of a chimney*'. It is considered that these amendments would help to address this associated refusal reason in respect of this two-bedroom single-storey dwelling and would also help to 'tie-in' this dwelling with unit 1; a criticism of the previous application given that the design solutions proposed appeared to bear no resemblance to one another. Accordingly, there is now no design/ visual amenity objection to unit 2.
- 5.8 Refusal reason 3 focused on design, Green Belt and residential amenity issues. In respect of the design of this 4 bedroom chalet style property, the ridge height of the dwelling has been lowered (by approximately 1m) to match that of the existing adjoining property and the dormer design has been amended to provide more sensitively designed dormer windows; these also near replicate that of the neighbouring property. Moreover, the elevations appear better coordinated and more balanced. On this basis, it is considered

that these changes do address the design issues raised by the previous refusal reason with the design solution now considered to be acceptable. It is also noted that the detailing of this dwelling has been improved helping provide some uniformity between these 3 very different dwellings.

5.9 Landscaping

Comments from the Councils Landscape Officer write that the proposed property fronting onto Blackhorse Hill would align with the existing properties and would be of a similar scale. The surrounding area has a leafy character and a small tree should be located within the front garden to soften the visual impact of the development and enhance the street scene. The two other properties would not be highly visible from the surrounding area whilst there is adequate space around the buildings to allow garden planting to mature and soften the appearance of the dwellings.

- 5.10 There is a hedge on the back border. It is important to preserve and enhance this hedge to help define the boundary between the built up area and the open countryside and to help screen views of the development. To help achieve this, additional trees should also be planted along the south western border whilst it is noted that a 1.3m high field fence on the border of the property is proposed and this would help to ensure that the hedge is protected; however it needs to be clarified exactly where this fence would be located; it is considered that this could form the basis of an appropriately worded condition in the event that planning permission is granted. This condition should also require a detailed planting plan showing the location and species of new trees on the back border and in the front garden, to be submitted and approved.

5.11 Impact on the Openness of the Green Belt

The application site is located between existing residential development and falls within the settlement boundary that is washed over by the Green Belt where infill development is considered to be acceptable in principle. The Councils adopted supplementary guidance defines infill development as small in scale and which fits into an existing built up area in a development boundary, normally in between existing buildings in a liner formation. As before, this proposal is considered to broadly accord with this definition thus there is no objection in principle to the application on Green Belt grounds. In so doing, it is noted that the proposals would not conflict with the five purposes of including land within the Green Belt as identified by the National Planning Policy Framework.

- 5.12 Notwithstanding the above, it is noted that planning policy GB1 details that 'any proposals for development within or conspicuous from the Green Belt which would have an adverse impact on the visual amenity of the Green Belt will not be permitted'. To this extent, at the time of the past application, it was considered that the increased massing, size and scale of unit 3 would have an adverse impact on the openness of the Green Belt and would fail to allow a 'soft transition' into the settlement boundary; refusal reason 3 identified this concern as an objection to the application. However, in this instance, the height of the dwelling has been reduced so as to align with the existing neighbouring property at Compton View. It is considered that this addresses

this concern and that on this basis, there could now be no sustainable Green Belt objection.

5.13 Residential Amenity

The first refusal reason focused on the impact of unit 1 on the residential amenities of Ashcroft; a single-storey dwelling the rear elevation of which faces the application site in close proximity of the shared boundary. The design of this dwelling has therefore been changed with the Planning Statement advising:

'The redesign of Unit 1 now provides a 'arts and crafts' style house with a lowered ridge and a cat slide roof and is now almost 1.5m lower than Wyngarth and approximately 2.4m higher than the lower ridge of Ashcroft, and less than 1m higher than the higher ridge of Ashcroft.'

The redesign of the dwelling increases the separation distance to Ashcroft from 7.8m to the closest point (refused scheme) to 9.7m on the revised layout. This added together with alteration to the roof design provides additional openness to that which was refused and furthermore, addresses the officers concerns that the development would create an overbearing and oppressive impact on the residential amenity of the occupiers of Ashcroft.'

5.14 In response, as part of pre-application discussions prior to this second application Officer advice suggested the introduction of a catslide roof to this facing roof slope in an attempt to lessen the impact on this existing neighbouring property. However, the initial plan received instead resulted in what appeared more akin to a mansard roof design whilst the depth of the dwelling increased albeit with the dwelling stepped further away from the boundary. The amended plans have sought to overcome this concern with a full catslide roof now shown whilst it is also noted that that the orientation of this dwelling remains away from this neighbouring property (and Wyngarth) towards the road with the side facing windows serving the stairs, a WC and a with a ground floor secondary dining room window. It is also noted that the rear of Ashcroft is northwest facing thus the new build should not have an impact on sunlight.

5.15 Officer's have considered this proposed relationship between these two dwellings carefully and acknowledge that the proposal would close up the spacing between these dwellings to the rear of Ashcroft with Ashcroft also benefiting from rear bedroom and dining room windows on this elevation. However, on balance, it is considered that this relationship would not now in itself substantiate a refusal reason. However, in the event that planning permission is granted, it would be necessary to attach conditions preventing any new windows to this side elevation, requiring obscure glazing and restricting any further extensions to the property.

5.16 In respect of unit 2, no residential amenity based objection was previously raised given the single-storey nature of this property and the existing boundary treatments that would largely screen views between these dwellings. Accordingly, with these amended details showing a very similar relationship, there is again no residential amenity based objection to the proposal in respect of plot 2.

5.17 Residential amenity concerns were raised in respect of plot 3 and its relationship with The Birches given the orientation of The Birches (i.e. with the rear facing the application site) and in view of the size, massing and scale of the proposal. It is considered that the changes that have been made, that have reduced the massing and scale of this chalet style dwelling would, on balance, address this concern with any associated refusal reason now less likely to prove sustainable.

5.18 Highway Safety

There was no highway safety objection in respect of the last application but it was noted that concern had been raised in relation to adequacy of the access to support the existing and proposed development. In this regard, the access off Blackhorse Hill is offset from the main running lane of the carriageway and accessed through a pinch point of 3.6m before widening out to between 5-6m. However, comments from the Councils Highways Officer advised that an access of 3m would usually be permissible to serve up to five dwellings provided that two vehicles could pass at the entrance to avoid queuing on the highway. In this instance, two vehicles cannot pass at the access but, because the access is set back from the edge of the running carriageway, and because beyond this there enough space for vehicles to pass, this arrangement was considered to be acceptable subject a construction management plan in the event that planning permission is granted.

5.19 In this instance, comments from the Councils Highway Officer advise that this submission is the same in transportation terms and therefore there is no transportation objection subject to the same condition as previously suggested.

5.20 Ecology

There was no ecological based objection to the previous application. In this regard, it was noted that the site is not covered by any statutory/ non-statutory nature conservation designations and was surveyed in 2012 as part of which no slowworms or signs of use by hedgehog were recorded although the mosaic of habitat was considered suitable. Notwithstanding this, the survey recommended a precautionary method of clearance of vegetation to ensure that any animals present were not killed or injured and this would need to form the basis of a suitably worded condition in the event that planning permission is granted.

5.21 The report also indicated that a small pond was (still) present on site. Whilst it was considered unlikely that this would be used by great crested newts (given the distance between the pond and records of the species; the intensive farmland (sub-optimal habitat) adjoining the application site; and lack of connectivity (roads, lanes, degraded farm yard) between other water bodies and the application site) a working methodology for removing the pond was also suggested which again, could form the basis of a suitably worded condition in the event that permission is granted.

5.22 Historic Environment Considerations

The application area lies within the area of the archaeologically sensitive North Avon Levels and there is documentary evidence for a medieval farm within the

site. Other farms are recorded nearby as are collections of Roman Pottery, collectively these indicate high archaeological potential of the site and a pre-determination archaeological assessment was therefore required. At the time of the previous application, a desktop survey was submitted that was considered to be acceptable but the site had also been subject to a trial excavation that uncovered Iron Age and Roman Pottery. In this regard, the Historic Building Officer advised that it is was not possible to assess the full significance of these without a report on the work to date. There was an objection to the last application on this basis.

5.23 In this instance, comments from the Councils Historic Records Officer advise that the submitted archaeological assessment indicates that significant archaeological deposits of the Roman period are present although much of the site construction would avoid the sensitive area; however there would almost certainly be some degree of disturbance. On this basis, whilst no objection has now been raised, in order to mitigate against the potential loss of the archaeological resource a scheme of archaeological work is required. It is considered that this could be appropriately dealt with by condition in the event that permission is granted.

5.24 At the time of the previous application it was noted that the Councils Conservation Officer had viewed the application and advised that there was no objection having regard to the impact of the proposals on the setting of the nearby locally listed and listed buildings subject to the design of unit 1 (opposite the locally listed building) being appropriately controlled by condition in the event that planning permission is granted.

5.25 Affordable Housing

The site measures 0.17 Ha (and this includes the entrance drive). Policy H6 advises that the Council will seek an element of affordable housing (in the case of settlements within rural areas) where the application is for more than 5 dwellings or more than 0.2 Ha. The application falls below this threshold and thus no affordable housing contribution is required. It is worth noting that policy CS18 of the emerging Core Strategy does not alter this threshold in respect of settlements within the rural areas.

5.26 Drainage

There was no associated objection to the last application although the comments received in this instance do raise an objection with SUDS details required. Having discussed this with the Councils Drainage Engineer, and with further investigative tests having been undertaken to demonstrate that the site could be drained to the ditch adjoining the entrance driveway, there is no objection to this application subject to a suitably worded SUDS condition.

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 full planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to GRANT planning permission is for the following reasons:
1. The design, scale and massing of the dwellings proposed is considered to be acceptable and in keeping with the general character of the area. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Proposals for Residential Development) and H4 (Development within Existing Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The proposal is considered to comprise infill development and thus would accord with Planning Policies GB1 (Development within the Green Belt) and H4 (Development within Existing Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
 3. The proposal would not substantiate any sustainable refusal reason in respect of issues of residential amenity and would accord with Planning Policies H2 (Proposals for Residential Development) and H4 (Development within Existing Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
 4. The proposal is considered to be acceptable having regard to issues of highway safety and would accord with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning permission is **GRANTED** subject to the following conditions:

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to safeguard the residential amenities of adjoining occupiers, all to accord with Planning Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the south (side of plots 1 and 3 and rear of plot 2) elevation of the properties hereby approved.

Reason

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

5. Prior to the occupation of unit 1 hereby approved, and at all times thereafter, the proposed side facing landing window shall be glazed with obscure glass (as detailed on the submitted plan) to level 3 standard or above and fixed shut.

Reason

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

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

Reason

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

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

Reason

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

8. Prior to the commencement of development, a construction management plan including details in respect of the hours of delivery, routing of vehicles in/ out of the site and the provision of wheel wash facilities shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall accord with these approved details.

Reason

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

9. Prior to the commencement of development, a works statement ('Precautionary Method of Working') shall be submitted to and approved in writing by the Local Planning Authority relating to the recommendations made in section 6 of the ecological survey submitted as part of this planning application with these details to include a methodology for removal of the pond. All works are to be overseen by a suitably-experienced and/or qualified ecologist (the details of which shall be contained within this report) and carried out strictly in accordance with this approved statement.

Reason

In the interests of species protection and to accord with Planning Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects.

Reason

In the interest of archaeological investigation or recording, and to accord with Planning Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Prior to the commencements of development a corrected rear elevation of plot 1 showing the omitted side first floor window shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure a good quality of design and to accord with Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 19/13 – 10 MAY 2013

App No.:	PT13/0622/F	Applicant:	Mrs J PayneThe Armstrong Hall
Site:	Armstrong Hall Complex Chapel Street Thornbury South Gloucestershire BS35 2BJ	Date Reg:	27th February 2013
Proposal:	Demolition of existing changing rooms and erection of two storey rear extension to form larger changing rooms and 2no. function rooms. (Resubmission of PT12/0984/F).	Parish:	Thornbury Town Council
Map Ref:	363696 189844	Ward:	Thornbury North
Application Category:	Minor	Target Date:	19th April 2013



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N.T.S.

PT13/0622/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application site is situated on the west side of Thornbury town within the commercial centre. The site is bounded by museum and public house to the east, the rear gardens of residential development to the west, care home to the south with vehicular access into the site and with Cossham Hall fronting onto Chapel Street to the north. The site comprises a 1950s/60s constructed public hall/theatre with open courtyard to the front (north) and private car park to the rear (south).

A number of the dwellings fronting onto High Street to the west are Grade II Listed Buildings. Cossham Hall which abuts the front elevation of the building is a locally listed building. The application site is situated within the Thornbury Conservation Area.

- 1.2 The application proposes demolition of existing changing rooms and erection of rear extension to the existing building to provide larger changing rooms and two functions rooms and enlarged auditorium.

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
- L12 Conservation Areas
- L11 Archaeology
- L13 Listed Buildings
- T8 Parking Standards
- T12 Transportation and New Development in Settlement Boundaries
- RT1 Development in Town Centres
- LC4 Community Facilities within Settlement Boundaries

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

- CS1 High Quality Design
- CS8 Improving accessibility
- CS9 Environmental Resources and Built Heritage
- CS14 Town Centres and Retail
- CS32 Thornbury

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007
Thornbury Conservation Area Advice Note – March 2004

3. **RELEVANT PLANNING HISTORY**

- 3.1 N6111/1 Erection of two single storey extensions to existing complex to form entrance hall and toilets together with a new lobby, meeting room and kitchen following demolition of the former granary.
Approved 11.08.1983
- 3.2 PT12/0984/F Erection of two storey rear extension to form changing rooms.
Withdrawn

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council

The Council is unable to comment as it is Sole Trustee for the Armstrong Hall Charitable Trust.

4.2 Other Consultees [including internal consultees of the Council]

Conservation Officer – No objection, subject to conditions The building would be of an appropriate and sufficient aesthetic character and quality which would make a significant and positive contribution to the site's context.

Environmental Protection – No objection. Standard informative related to construction sites should be attached to the decision notice.

Archaeological Officer – The construction of the existing building on site is likely to have caused considerable disturbance to any archaeological deposits. Therefore no objection subject to a watching brief being undertaken during construction.

Sustainable Transport – No objection.

Drainage Engineer – No comment

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 2 Station Close raising the following concerns:

- The scale and massing of the building would increase reducing light and having an overbearing impact particularly as the current building is on higher ground than the neighbours at Station Close.
- Considerable reduction to car parking available

- The 'grand' design of the rear extension would encourage users of the hall to use this entrance as the main access into the building greatly increasing noise and disturbance to the adjacent occupiers.
- Allowing surface water run off into the main sewer is unacceptable.

4 letters of support received from the occupiers of The Wheatsheaf; 90 Knapp Road; 119 Harescombe Yate; The Willows Kington Road Kington raising the following points:

- The existing facilities within the building are in urgent need of improvement, the proposal would significantly improve the facilities provided.

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 LC4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing community facilities within existing settlements, providing there would be no detrimental impact in terms of residential amenity, environmental or transportation effects, the site is highly accessible on foot or by bike and the proposal would not give rise to an unacceptable level of on street parking.

Policy L13 requires for development which affects a listed building or its setting, special regard should be had to the desirability of preserving the building, or its setting, or any features of architectural or historic interest which it possesses. The site is situated within a Conservation Area and policy L12 requires development proposals therein to preserve or enhance the character and appearance of the Conservation Area.

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 Visual impact and heritage matters

The application site is situated in the commercial centre of Thornbury and within Thornbury Conservation Area. The building although set back from Chapel Lane, is visible from views from Chapel Lane when directly in front of the site. However, the extension would be located at the rear of the building which is less visible from public views. The rear of the site is accessible from Tanners Court, a cul de sac serving a small number of dwellings and elderly persons complex. The cul de sac does not allow through traffic and there is little need for pedestrians to use the street unless they are residents. As such the proposed extension which would be located at the rear of the existing building would not be visually prominent.

This proposal is a revised scheme of previously submitted application PT12/0984/F which was withdrawn following advice from officers and concerns raised specifically in relation to the design of the extension.

The application site lies within the Thornbury Conservation Area, within a character area identified as the 'back lane areas', which are regarded as making a critical contribution to the historical setting and perception of the town. In consideration of development proposals in back lane areas, as part of the enhancement strategy for this character area, any new development is required to be of a good quality design without it becoming 'twee' or 'pastiche'.

The proposed scheme seeks to redevelop the rear of the Armstrong Hall complex. The site context is considered not to be one of significant historic value, with the site backing onto a modern cul-de-sac with 1960s/70s housing to the east. The scale and massing of the Armstrong Hall along with existing boundary planting visually encloses any views to the north towards the historic heart of the town. To the west there are glimpses of the rear of buildings that front onto High Street. There are also filtered views of the rear of the Wheatsheaf Public House, but overall within the immediate context there is considered to be very little character and historic interest. Although the site can be considered to be visually contained within a cul-de-sac setting, the proposed redevelopment of the rear should be seen as presenting an opportunity to improve the quality of the environment which in turn would help enhance the setting of the wider conservation area.

The previous withdrawn scheme proposed a barrel roof structure over a simple rectangular footprint. The front elevation of the building also proposed a blank first floor elevation. The previous design was considered rather poorly resolved in that it failed to make the most of the opportunities that the development presented in terms of design and providing an active frontage to the rear of the complex. Also there was concern how the forms being proposed would translate to the rest of the redevelopment proposals, as the long term ambition is to redevelop the Chapel Street frontage and it was suggested that the design approach adopted for the main frontage should be used for the rear so although there would be no views and thus relationship between the rear and front of the hall complex, the building would at least possess some discernible architectural coherency.

This revised proposal has replaced the barrel roof design with a stepped dual pitched roof with large overhanging eaves. Rather than a blank first floor, the internal arrangement has been revised so now the first floor is predominantly glazed. Not only would this present the building with an active frontage that would appear far more accessible and welcoming, it is considered that the contrast between the lightness of the largely glazed first floor and the solidity of the stone faced ground floor would provide a degree of visual interest. With the glazing also returning as it projects beyond the plane of the main elevation along with the additional relief/shadowing provided by the overhanging eaves and the canopy, the main elevation of the building can be considered to feature an appropriate level of refinement.

Overall, the revised design and form of the building is considered to be of acceptable quality, subject to conditions controlling the design and positions of rainwater goods; appearance of profiled roof sheeting; profile of window frames and construction of first floor canopy, along with the quality of the materials themselves – traditional construction for random rubble stone walls and through render of an appropriate colour.

It is considered that the proposal would be of an appropriate and sufficient aesthetic character and quality which would make a significant and positive contribution to the site's context, which in turn would achieve the necessary objective of enhancing the character and appearance of the conservation area and the character, distinctiveness and amenity of the area in general.

The proposal would be situated a good distance from the Listed Buildings fronting onto High Street to the west and the locally listed Cossham Hall at the front of the site. On this basis the proposal would have no significant impact on the setting of these heritage assets.

5.3 Residential amenity

The proposed extension would be situated at the rear of the building in a position adjacent to a terrace of 3 relatively new dwellings located immediately to the west of the site (Station Close). No.3 Station Close the nearest of the 3 dwellings would be located a minimum distance of approximately 2m from the proposed extension. Much of the extension would be situated opposite the blank side gable of no.3. The extension would not project beyond the existing rear elevation of no.3 and as such the proposal would have no significant

impact on the rear gardens or the rear windows of 1-3 Station Close or any dwellings beyond Station Close to the west in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development. The proposed extension would be staggered on its west elevation moving away from no.3 to a point where the main part of the extension would be situated approximately 4.6m from the front elevation of no.3 at a height of 4.9m to eaves and 6.5m to the top of the western monopitched roofslope. This distance is considered to be sufficient for the proposed extension to result in no significant overbearing impact from the front windows of no.3. Nos 1-3 Station Close are situated to the west of the application site. As such it is considered that minimal shadowing/loss of sunlight would be experienced by the occupiers of Station Close and any shadowing would take place only early morning and late/early in the year. The proposal would result in no significant impact on the front windows of no.3 in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development.

The proposal would include provision of windows in the rear elevation and this glazing would include a glazed element facing west. Due to the position of the west facing glazing, the extension itself would screen any possible views to the neighbouring dwellings to the west. A public house is situated to the east and the elderly persons complex to the south would be situated approximately 30m from the rear glazing. On this basis the proposal would result in no significant harm through overlooking or loss of privacy.

Concern has been raised that providing a grand rear elevation would enhance the prominence of the rear of the building and attract users of the hall to access the site from the rear of the site. This increased activity in the rear of the site would result in additional noise and disturbance to the occupiers of dwellings close to the rear of the site. As parking would be more limited following construction of the extension occupying part of the existing car park, the level of vehicular activity at the rear of the site would decrease. Public car parks are located to the north of the site and as such visitors to the hall are more likely to access the hall from the front (north). Any visitors accessing the site from the rear would be likely to use the only available pedestrian path to the front entrance which runs along the east side of the building, away from the dwellings to the west. On this basis it is considered that the proposal would be unlikely to result in additional noise and disturbance to the occupiers of dwellings in the locality of the site.

5.4 Archaeology

The application site lies within an area of burgage plots within the medieval town of Thornbury and significant archaeological structures and deposits are to be expected in the area. However the construction of the current buildings on the site is likely to have caused considerable disturbance to the archaeology. Therefore the appropriate response in this case would be a watching brief condition be imposed in order to mitigate any loss or damage to the archaeological resource.

5.5 Highway matters

The proposed extension would extend into the private car park of the hall at the rear of the site which provides 14 off street parking spaces. The theatre has a capacity of 365 at present so the majority of users would use alternative parking or other means of transport. The site is located within a highly sustainable central location within the town and as such is accessible by other means than the private car and on foot. Additionally, ample public car parking is available at close distance to the site and otherwise, traffic management exists on the streets around the site to prevent on street parking. On this basis, the loss of some off street parking within the site is considered to be acceptable. The proposal would result in no significant increase in people using the site and as such the proposal would result in no significant highway safety issues.

5.6 Other issues

Concern has been raised that the proposed intention to manage surface water into the existing sewage system would be unacceptable. The proposed extension would be built in place of an existing building and hardstanding car park area both of which already drain into the existing main system. As such the proposal is unlikely to result in a material increase in surface water volume into the main system above that which exists at present. No objection has been raised by the Council's Drainage Engineer.

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 compared to the existing building, the location of car parking and the layout of the site, 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 LC4 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 conservation area and the setting of Listed buildings and other heritage assets. The development therefore accords to Policy D1, L12, L13 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

- c) The proposal would be situated in a highly sustainable location and close to existing parking facilities. Therefore although the proposal would result in the loss of some off street parking, the proposal would result in no significant highway safety issues. The development therefore accords to Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposal is unlikely to result in damage and disturbance of archaeological remains subject to undertaking of a watching brief during construction. The development therefore accords to Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

4. Prior to the commencement of development, the detailed design of the following items shall be submitted and approved in writing by the local planning authority:
 - a. All new doors, windows and other fixed glazing (including framing, cill and head details)
 - b. Rooflights;
 - c. Eaves (overhangs) and verges including rainwater goods and position of downpipes;
 - d. Construction and finish of canopy;
 - e. All new vents and flues

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason

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

5. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

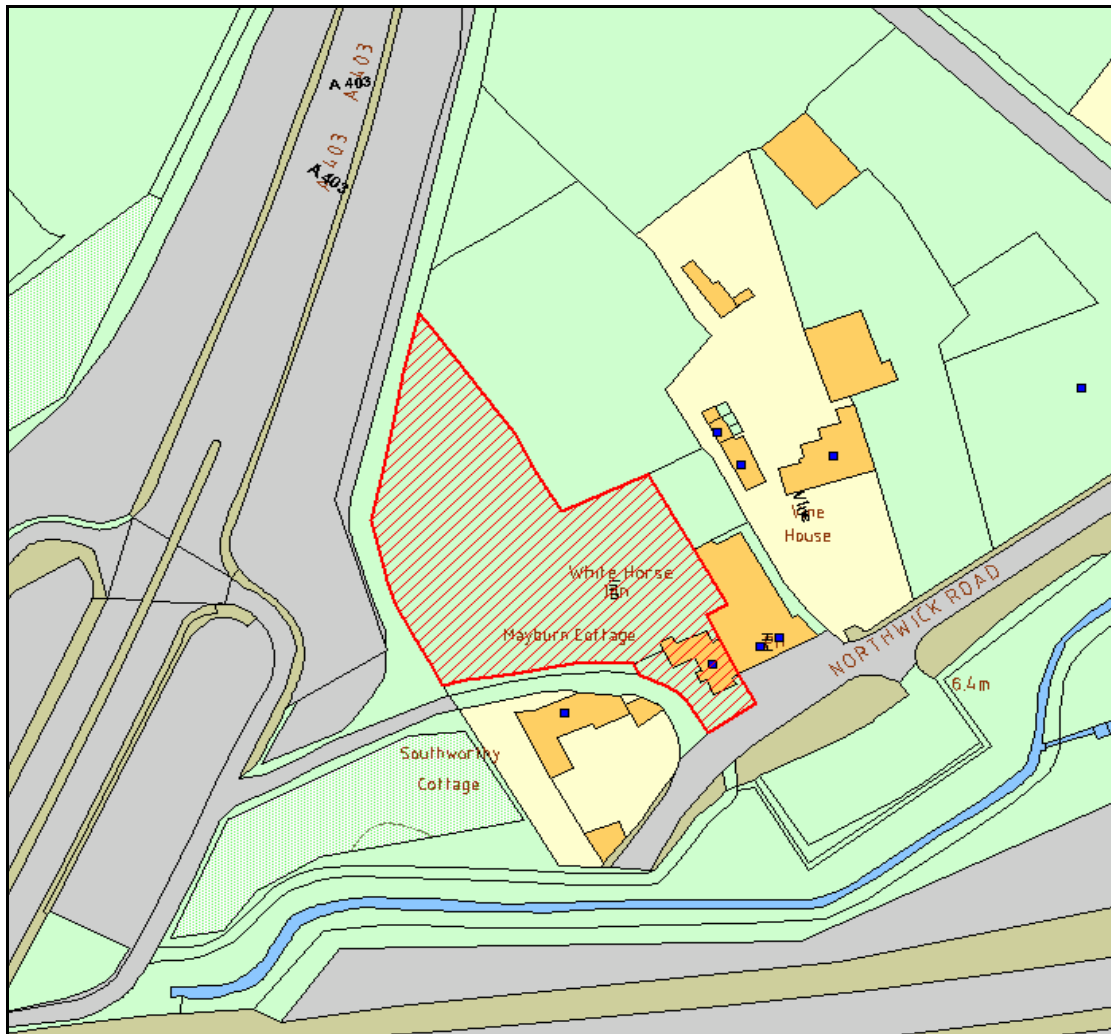
7. No development shall commence until details of colour finishes for the proposed roof sheeting and window frames have been first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 19/13 – 10 May 2013

App No.:	PT13/0814/F	Applicant:	Miss D Phillips
Site:	Mayburn Villa Northwick Road Pilning Bristol South Gloucestershire	Date Reg:	15th March 2013
Proposal:	Replacement pitched roof with a flat roof and Use of roof as roof terrace and installation of privacy screen. Alterations to the rear elevation of the dwelling (Amendments to planning application PT07/0266/F) (Retrospective)	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355770 185877	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	10th May 2013



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PT13/0814/F

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as there are objections received whilst the officer recommendation is for approval.

1. THE PROPOSAL

- 1.1 The site consists of an extended residential dwelling located off Northwick Road. Northwick Road has been truncated by the M4 Motorway and now forms a cul-de-sac giving access to a number of dwellings and properties.
- 1.2 The subject property benefits from planning consent for an extension to the rear of the dwelling (PT07/0266/F). This application seeks retrospective approval in relation to that permission for the provision of an area of flat roof in place of a pitched roof; and for the introduction of a privacy screen on the flat roof to facilitate its use as a roof terrace. This application also shows differences between the original elevational treatments for consideration.

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 Achieving Good Quality Design in New Development
H4 Development within the Curtilage of an Existing Dwelling
GB1 Development in the Green Belt
T12 Transportation Development Control Policy for New Development

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
Development in the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0266/F Erection of single storey rear extension to provide granny annex (Resubmission of PT06/2840/F).

Approved March 2007

- 3.2 PT06/2232/F Erection of Side Conservatory

Approved September 2006

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish/Town Council

The Parish Council of Pilning & Severn Beach strongly object to this retrospective planning application because planning permission should have been sought prior to build.

Had planning permission been applied for the Parish Council would have objected on the grounds of overlooking the neighbor.

4.2 Drainage Engineer

No comment

4.3 Public Rights Of Way Officer

No Objection. The Public Right of Way would not be affected

4.4 Local Residents

One letter of objection is received from the adjoining neighbour. The comments are summarised as follows;

The proposed distance between the roof terrace and a child's bedroom is inadequate and would result in the loss of privacy and impact from noise.

Plants would not be adequate to provide screening and cater for privacy needs.

5. ANALYSIS OF PROPOSAL

5.1 Development under PT07/0266/F is substantially complete and in terms of the position and size of the extension is consistent with the previous approval. However, the development has not proceeded exactly in accordance with the approved plans and as such the proposed development is partly retrospective. This proposal seeks to regularise the provision of an area of flat roof construction that is not approved under PT07/0266/F. The proposal also includes the provision of a privacy screen and barrier, which would facilitate part of the flat roof for use as a roof terrace. The proposal also includes minor changes to approved (under PT07/0266/F) window and door detailing on the rear elevation of the dwelling.

5.2 During the course of this application, officers have actively sought amendments to the initial submission that specifically relate the position and design of the privacy screen and barrier proposed to be positioned on the flat roof. The initial submission proposed a screen positioned approximately 1.8 metres from windows of the adjacent dwelling (The White Horse Inn). The screen was also proposed to be made up of plants. The proposal now details a screen positioned approximately 7 metres from the windows of the adjacent dwelling and details its construction in glass approximately 2.1 metres in height.

5.3 Principle of Development

The development relates to an existing dwelling. As such the application is to be considered under Policy H4 of the South Gloucestershire Local Plan

(adopted) January 2006. The policy indicates that development within the curtilage of existing residential dwellings is acceptable subject to the following considerations.

5.4 Green Belt

In this instance, the application effectively seeks to vary consent already granted under PT07/0266/F. This development is now substantially complete. There is no increase in the overall size, scale and bulk when compared to the previous consent. On this basis, it is considered that the development would not materially impact upon the openness of the Green Belt and is appropriate development within the Green Belt.

5.5 Design

As set out above, there is some variation in the detailing of the windows and doors positioned in the rear elevation of the extended dwelling. The original consent detailed traditional windows and doors. However, this proposal details a more contemporary approach using modern materials and styling. It is considered that this approach is acceptable and is considered to represent good quality design.

5.6 This application seeks to regularise the replacement of a shallow pitched roof over part of the existing dwelling with a flat roof. This approach has effectively enlarged the area of flat roof that was approved under PT07/0266/F. In purely design terms, it is considered that this approach would be an improvement visually as it would improve the appearance of the contrasting roof types which did not sit comfortably together. The proposed screen/barrier would be positioned against the left flank of the first floor element of the original dwelling. This flank forms a visual break with the remainder of the building. The positioning of the screen at this point would sit well with this flank and is considered to be acceptable. Furthermore it is considered that the proposed position of the screen/barrier is a considerable improvement over the initial submission under this application.

5.7 On this basis, it is considered that the design of the proposed development is acceptable.

5.8 Residential Amenity

The effective removal of the pitched roof (from the original consent) has increased the area of flat roof considerably. The relationship of the subject dwelling and the neighbouring dwelling (The White horse Public House) is such that habitable rooms overlook the area of flat roof now created. This has resulted in a potential conflict in that the flat roof would allow occupants at Mayburn Cottage (the subject dwelling) to stand immediately outside the windows of The White Horse in the event that the area of flat roof was used as an extended area of roof terrace. This would result in a harmful impact in the privacy and residential amenity of both the occupants of The White Horse and Mayburn Cottage.

5.9 The applicant intends to use part of the area of flat roof as a roof terrace and this is accessed from rooms on the first floor of the subject dwelling. In order to resolve this relationship, it is proposed to introduce a privacy screen onto the

area of flat roof. The original proposal under this application sought to position a planting screen approximately 1.8 metres from the windows. Officers considered that this distance would result in an oppressive element and there is no guarantee that a screen consisting of plants would be effective as privacy screen. On this basis, the applicant has agreed to position the privacy screen approximately 7 metres from the windows of the adjacent property and to construct the screen in glass. Officers consider that this approach is now acceptable subject to the use of obscure glazing. Obscure glazing can be secured by appropriately worded condition in the event of an approval.

- 5.10 Whilst the position of the screen is considered acceptable, officers consider that it is necessary to prevent the use of the flat roof as a roof terrace where it would be between the screen and the adjacent dwelling. Effectively this would ensure that only the area to the West of the screen can be used as a roof terrace. This can also be secured by way of condition in the event that this application is approved. The applicant has indicated verbally that the screen would have an access gate installed to allow maintenance of the area of roof beyond it. This is considered reasonable and would not undermine the use of a restrictive condition preventing the use of that area as a roof terrace.

5.11 Transportation

Given the nature of the development proposed, it is considered that there would be no material impact upon the safety and amenity of the surrounding highway network.

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 It is concluded that the proposed development is acceptable in design terms. The proposed development is therefore consistent with Policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 6.3 It is concluded that the position and fabrication of the proposed privacy screen is acceptable and subject to the condition restricting the use of the Eastern area of flat roof as a roof terrace will act to fully address the privacy of the occupants of The White Horse Public house and Mayburn Cottage. The proposed development is therefore consistent with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 6.4 It is concluded that the proposed development is appropriate development within the Green Belt. The proposed development is therefore consistent with Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 6.5 It is concluded that the proposed development would have no material impact upon the safety and amenity of the surrounding highway network. The proposed development is therefore consistent with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

- 7.1 That planning permission is Granted subject to the following conditions.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

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

Reason

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

2. At no time shall any part of the flat roof area of the development to the East of the glazed privacy screen (as detailed on the drawings received by the Council on 3rd May 2013) be used as a balcony, roof terrace, roof garden or similar arrangement.

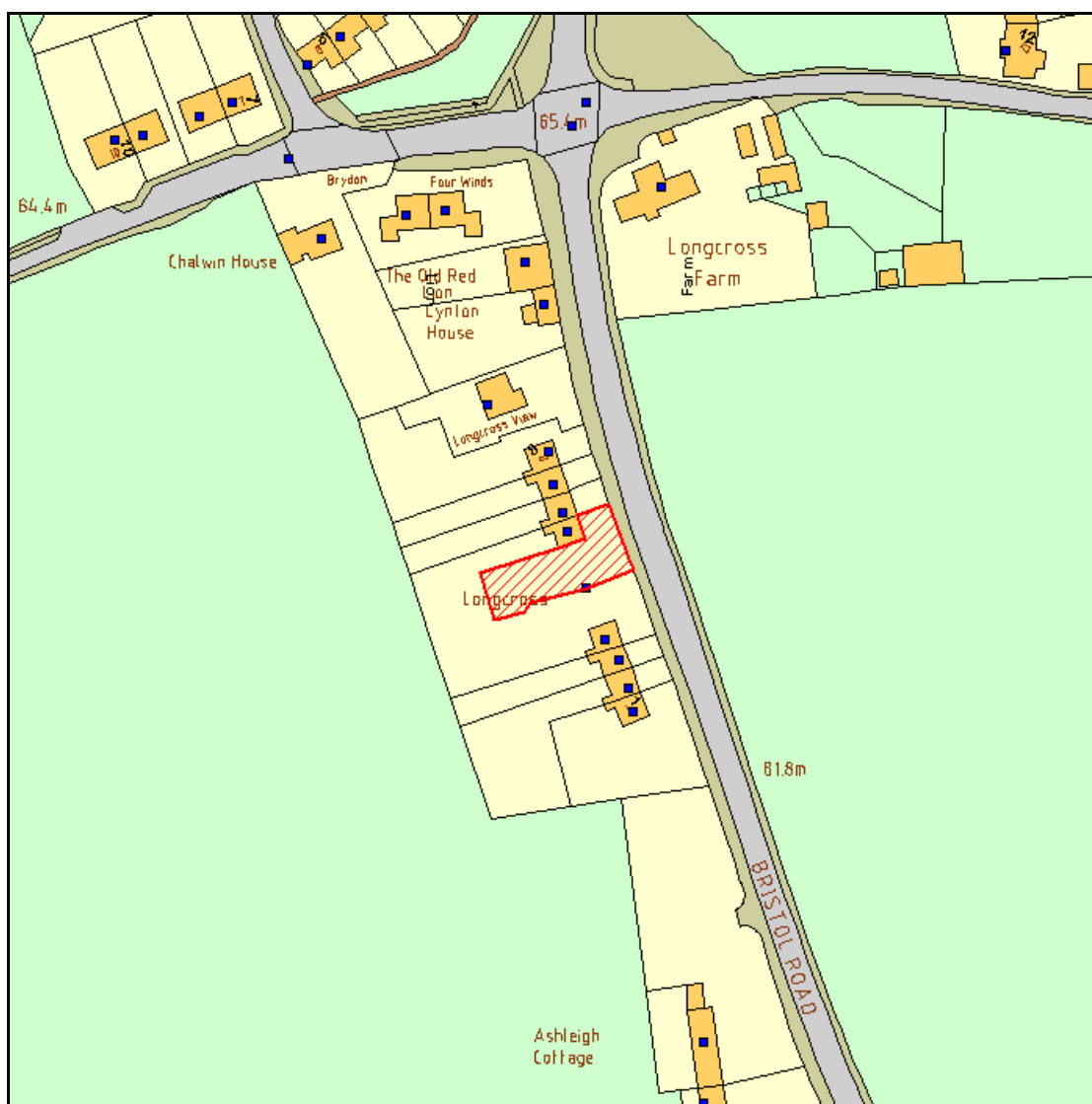
In the interests of the privacy and residential amenity of the occupants of The White Horse Public House and Mayburn Cottage and to accord with Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

3. Prior to the first use of the roof terrace hereby permitted (and referred to in condition 2 of this decision notice), and at all times thereafter, the glazed privacy screen as shown on the drawings received by the Council on 3rd May 2013 shall be glazed with obscure glass to level 3 standard or above.

In the interests of the privacy and residential amenity of the occupants of The White Horse Public House and Mayburn Cottage and to accord with Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 19/13 – 10 MAY 2013

App No.:	PT13/0899/F	Applicant:	Mr Phillip Webb
Site:	5 Longcross Bristol Road Cromhall Wotton Under Edge South Gloucestershire	Date Reg:	18th March 2013
Proposal:	Erection of 1 no. detached dwelling with access, parking and associated works. (Resubmission of PT13/0116/F).	Parish:	Cromhall Parish Council
Map Ref:	369645 190469	Ward:	Charfield
Application Category:	Minor	Target Date:	9th May 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a detached dwellinghouse with access, parking and associated works. The application site relates to a modest end of terrace dwellinghouse situated within the residential boundary of Cromhall.
- 1.2 This application is a resubmission of a refused scheme (PT13/0116/F) for an attached dwellinghouse on the same site. The application was refused for the following reason:
 - By virtue of inadequate off-street parking and unsatisfactory turning and manoeuvring space on site, the proposal would lead to increased standing and manoeuvring of vehicles on the public highway thereby adding to hazards faced by the travelling public. This is contrary to Policy T8, T12 and H4 of South Gloucestershire Local Plan.
- 1.3 It is considered that the applicant has addressed these concerns. This is discussed in the report below.

2. POLICY CONTEXT

- 2.1 National Guidance
NPPF National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Design in New Development
H2 Proposals for Residential Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Parking Standards
T12 Transport Development Control

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012
CS1 High Quality Design
CS17 Housing Diversity
CS34 Rural Areas
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
South Gloucestershire SPD: Residential Parking Standards (Adopted 2013)

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|--------------------------|---|
| 3.1 | P95/1732

Approved | Erection of single detached garage and construction of vehicular access

4.7.95 |
| 3.2 | PT13/0116/F
Refused | Erection of 1no. attached dwelling
5 th March 2013 |

4. CONSULTATION RESPONSES

- 4.1 Cromhall Parish Council
No objection

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

Sustainable Transport

No objection subject to a condition attached to the decision notice.

Drainage

No objection subject to a condition

Coal Authority

No comments

Environmental Protection

No objection subject to an informative attached to the decision notice

Other Representations

- 4.3 Local Residents

One letter of objection has been received by a local resident. The points raised are summarised as:

- the plans appear to show the parking space will be over the boundary without which there would be insufficient turning/parking
- drawing 1 shows a septic tank which is in fact a well
- concerned that no. 6 will have his pathway for rear access moved to very edge of his property making it difficult for putting out bins etc

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

The application stands to be assessed against the above listed policies. The site is within the established settlement area as defined in the South Gloucestershire Local Plan (Adopted) 2006. Policies in the local plan (H2, H4 and D1) require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land. As stated in the NPPF the government attaches great importance to the design of the built environment, citing good design as a key aspect of sustainable

development and thereby positively contributing to making places better for people. Developments should function well and add to the overall quality of the area, creating attractive and comfortable places to live, work and visit. Furthermore they should respond to local character and history and reflect the identity of local surroundings and materials

- 5.2 The South Gloucestershire Core Strategy Development Plan Document was considered by the Inspector appointed to hold the Core Strategy Examination in Public and a refreshed Core Strategy that incorporates Post-Submission Changes was considered by the Council in mid December. Following this decision, the South Gloucestershire Core Strategy (incorporating Post-Submission Changes) December 2011 was taken forward to Examination in Public. The Inspector concluded that the Submission Core Strategy is capable of being made sound provided a number of modifications are made. Following a further period of consultation on the Inspector led changes and passed back to the Inspector. The Inspector issued an interim report in September 2012 of draft modifications and a further day of Examination is scheduled for March 2013. At this stage the Core Strategy therefore remains unadopted. 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.
- 5.3 Policy H2 of the South Gloucestershire Local Plan states residential development will be permitted within existing urban areas and defined settlement boundaries provided that it does not prejudice residential amenity, the maximum density is compatible with the site, the site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination and the provision for education, leisure, recreation and other community facilities is adequate to meet the needs arising from the proposal. Policy H4 of the South Gloucestershire Local Plan is supportive in principle for the erection of infill dwellings within existing curtilages, providing the design is acceptable and that there is not unacceptable impact on residential and visual amenity. Policy D1 requires all new development to be well designed and along with other criteria, respect and enhance the character, distinctiveness and amenity of both the site and locality. Policy T12 identifies factors relating to parking, access and highway safety that must be taken into consideration and Policy T8 advises on minimum parking standards.

It is considered the proposal accords with the principle of development.

5.4 Design and Visual Amenity

The existing 3 bed dwellinghouse is situated adjacent to the main Bristol Road running through Cromhall. It is a modest cottage, part of a terrace of four with a matching terrace of four other cottages situated to the south of the application site. The site is within the existing settlement boundary but has open fields to the west and east. The cottage is of red brick with small single storey extensions to the front/side and to the rear. It benefits from a long, thin rear garden and a gravelled area to the south side. A prominent feature of the row is the single gable dormer windows in the front elevation of each of the four dwellings.

The approach taken by the applicant is to reduce the existing 3no. bed dwelling to a 2no. bed and erect a detached 2 no. bed dwelling alongside to the south. The proposed dwellinghouse would be stepped back from the building line of the existing terrace. It would have a pitched roof with a single gable feature to the front, which mirrors those found along this terrace. The proposed dwelling would be the same width as the other cottages in this terrace, at 6 metres. To accommodate the proposal the front/side single storey extension currently serving the existing dwellinghouse as an entrance and downstairs bathroom, would be removed. The bathroom for the existing property would be moved to the first floor level.

To the rear the proposed dwellinghouse would have a two further windows, one a pitched gable design. At ground floor level a hipped bay window with full-length doors and a further set of full-length doors would also be positioned in this rear elevation.

The proposal would have a very similar sized footprint to the existing dwellinghouse and it is considered the proposal has been sympathetically designed to follow the general theme of the existing terrace. Good quality materials to match those of No. 5 Longcross would be used in the construction. As such the proposal accords with policy.

5.5 Sustainable Transport

Highway Engineers have assessed the application using the relevant policies within the adopted local plan and in addition the Draft Supplementary Planning Document: Residential Parking Standards (Adopted 2013).

‘Car parking and vehicular site access should be well integrated and situated so it supports the street scene and does not compromise walking, cycling, public transport infrastructure and highway safety.’

The SPD goes on to state that *‘inadequate or poorly designed residential parking can add to congestion, hinder bus and emergency services and have a negative impact on quality of life.’*

The new parking standards require 1no. parking space per 2no. bed dwelling. Highway Engineers have assessed the plans as submitted under this application and are satisfied that there would be sufficient space for the parking of 2no. vehicles plus an independent turning area which would thereby allow vehicles to enter and exit the site in forward gear.

It is noted that two submitted plans show different parking arrangements. To be clear the parking arrangement has been considered under drawing 2, not drawing 7. Under this option the parking for each property is kept separate and would thereby not result in two cars being parking outside the existing dwelling No. 5 Longcross, which otherwise would be to the detriment of residential amenity of this property. The parking as shown on drawing 2 will be secured by a condition. Furthermore, as the resulting two properties would be required to share an entrance and manoeuvring area, a condition will remove the permitted development rights for this shared area. This would ensure that no fences, walls, gates or other structures could be erected and guarantee the

space would be for the benefit of both dwellings and not obscured or blocked in any way.

It is acknowledged that the submitted plan shows the edge of the parking space crossing the boundary. Access over another's land is not permitted without permission. Officers consider that there is sufficient manoeuvring for a car not to have to cross the boundary line.

Given the above it is considered that the parking and shared parking area would accord with policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

5.6 Residential Amenity

The proposed dwellinghouse would sit within the side garden of No. 5 Longcross. The closest property to the application site is No. 4 Longcross approximately 12.6 metres away and which is its current mirror image. These properties are separated for the most part by a low chain link fence of approximately 1.2 metres in height and a slightly higher hedge. No. 4 has a landing window, a small bedroom window and a side kitchen window in its north elevation. High level windows serve the bathroom in the single storey extension to the side.

The proposed dwellinghouse would be approximately 7.3 metres away from neighbours at No.4 Longcross. No windows are proposed in this opposing elevation. Given the above and the orientation of the application site to the north of neighbours at No. 4, it is considered that the proposed dwelling would not have an unacceptable impact on the residential amenity of these neighbours.

With regard to neighbours to the north at No.6 Longcross, the two storey structure would be approximately 1.8 metres forward of the rear building line with the single storey bay window beyond this. It is acknowledged that a small corner of the proposed two-storey part (approximately 0.4 m at its maximum) could be regarded as having an overbearing impact on neighbours to the north. However, given the limited degree of additional projection, on balance the situation is considered to be acceptable.

5.7 Affordable Housing/Education/Community Service

The proposal for 1no. dwellinghouse falls below the Council's threshold for affordable housing, education and community service provision.

5.8 Noise, dust, smell and pollution

The site itself is not currently subject to excessive levels of noise, pollution, smell, dust or contamination. An informative relating to hours and methods of work would apply during the period of construction to protect the amenity of local residents.

5.9 Drainage

Drainage engineers have no objection to the proposal providing appropriate permeable paving/tarmac and adequate provision for water run-off is made.

Should the application be approved a condition regarding SUDS details would be attached to the decision notice.

5.10 Other Matters

The neighbour at No. 4 has indicated that a well on his property has been incorrectly identified as a septic tank on the submitted plans. This is acknowledged, however, it would have no impact on the assessment of this planning application.

It has been stated that currently there is a right of way to the rear of the terrace. Concern has therefore been expressed that the proposal would create difficulty for occupiers of No. 6. The submitted plans show an existing footpath and show that a pathway between No. 5 and the new dwelling would remain open. Should this pathway be blocked this would be a civil matter to be investigated outside a planning arena.

6. CONCLUSION

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

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

- (a) Consideration has been given to the impact of the proposed development on the character of the surrounding area, which would in this case not be affected, in accordance with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) 2006.
- (b) The proposal would not prejudice the amenities of neighbouring properties in accordance with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- (c) An acceptable level of off-street parking would be provided in accordance with Policies H2, H4 and T8 and highway safety is unaffected in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.
- (d) Adequate amenity space would be provided to serve the development in accordance with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- (e) The design of the scheme would be in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006.

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

7. RECOMMENDATION

- 7.1 That the application be **APPROVED** subject to the conditions attached to the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. Prior to the occupation of the development hereby approved, an area for the parking and turning/manoeuvring of vehicles for both the existing dwellinghouse No. 5 Longcross and the proposed detached dwelling, shall be provided in accordance with Drawing 2 Revised Layout plans. In addition, prior to occupation, the two parking spaces must be marked out on the site and approved in writing by the Local Planning Authority. The facilities so provided shall be retained thereafter for use by these two dwellings and not for any purpose other than the parking and manoeuvring of vehicles. Furthermore, the area shall be kept clear at all time, free of obstruction or enclosure. For the absence of confusion this includes fences, walls and gates.

Reason

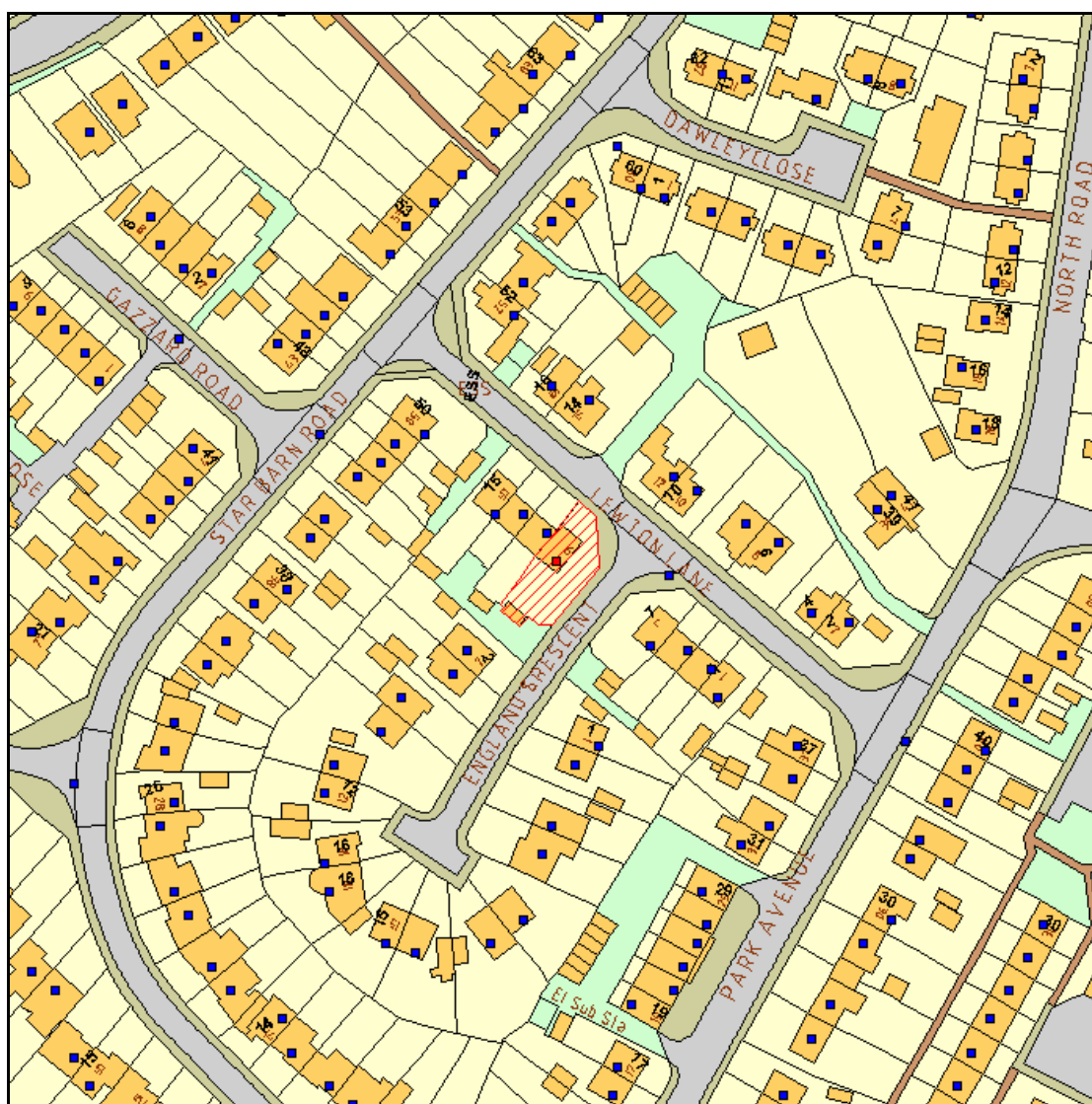
To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.
A detailed development layout showing surface water and SUDS proposals is required as part of this submission. All works shall be implemented in accordance with the approved details.

Reason: To comply with South Gloucestershire Local Plan (Adopted) January 2006 Policies L17, L18, EP1, EP2 and National Planning Policy Framework

CIRCULATED SCHEDULE NO. 19/13 – 10 MAY 2013

App No.:	PT13/0936/F	Applicant:	Mrs J Caswell
Site:	9 Lewton Lane Winterbourne Bristol South Gloucestershire BS36 1NL	Date Reg:	21st March 2013
Proposal:	Erection of two storey side extension to provide additional living accommodation. Erection of detached garage.	Parish:	Winterbourne Parish Council
Map Ref:	365416 181172	Ward:	Winterbourne
Application Category:	Householder	Target Date:	14th May 2013



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PT13/0936/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the circulated schedule as a representation has been made by a local resident, which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a double storey side extension to form additional living accommodation, and the erection of a detached garage.
- 1.2 The application relates to an end of terrace residential dwelling situated on a corner plot, located within an established residential area of Winterbourne.
- 1.3 A revised plan was submitted on 22nd April 2013 to include a door on the proposed detached garage. Revised block plans were submitted on 3rd May 2013 to overcome discrepancies between the submitted site location and block plans. A re-consultation period was not undertaken for either amendments as there were no fundamental changes to the proposal.

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 Achieving Good Quality 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 SPD (Adopted) 2007
Residential Parking Standards SPD (Approved for Development Management purposes 27th March 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council
No objection

4.2 Drainage
No objection in principle, informative recommended relating to public sewer.

4.3 Wessex Water
It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Wessex Water Sewer Protection Team for further advice on this matter.

Other Representations

4.4 Local Residents
One letter of objection has been received from a local resident. The comments are summarised as follows:

- Height of garage and roof.
- Digging of foundations.
- Affect on driveway.
- The boundary line.
- Condition of tarmac whilst works are in progress and afterwards.
- Drain pipes flooding garage and driveway.
- No garage door on proposed plans.
- No consultation letter received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The application seeks permission for the erection of a double storey side extension and detached garage. Policy H4 of the South Gloucestershire Local Plan permits this type of development in principle subject to criteria relating to residential amenity, highways and design.

5.2 Residential Amenity
The application site consists of a double storey end of terrace residential dwelling situated on a corner plot on the junction of Lewton Lane and England's Crescent. The application seeks permission for the erection of a double storey side extension and a detached garage. The extension would have the same height and depth as the existing dwelling, and would have a width of 4 metres.

5.3 The proposed double storey side extension would be located on the southwest side elevation of the dwelling, meeting the angled boundary line of the site. The nearest dwelling to the southwest would be number 7 Lewton Lane, which would be 17 metres from the side elevation of the proposed extension. Neighbouring dwellings to the front are located approximately 15 metres from the front elevation of the dwelling. The locality is an established residential area characterised by a mix of semi-detached and terraced dwellings. Given the distance of the neighbours and the location of the proposal at the end of a

terrace on a corner plot it is considered that the proposed side extension would not prejudice the residential amenity of surrounding properties by virtue of overbearing impact or loss of light.

- 5.4 In terms of privacy the submitted plans propose a habitable window in the side elevation of the extension. The existing side elevation of the dwelling does not have any habitable windows on this elevation. It is considered that this window could result in some loss of privacy to number 7 Lewton Lane. As such it is considered reasonable and necessary to use a condition attached to the decision notice to ensure that this window is obscure glazed with any opening part of the window being above 1.7 metres from floor level. The applicant has been informed of this use of this condition. The room would continue to benefit from a large window to the front elevation, which would provide sufficient light to enter the room. The proposal would not result in a significant loss of privacy to the front or rear elevations.
- 5.5 With regard to the proposed detached garage, the proposal would replace an existing detached garage at the rear of the site. The existing garage has a width of 2.85 metres, a depth of 5 metres and a maximum height of 2.5 metres. The proposed garage would have a width of 5.1 metres, a depth of 5.5 metres, and a maximum height of 4.05 metres with a pitched roof. The garage would be located on the rear northwest boundary of the site, adjacent to the rear garden of number 11 Lewton Lane.
- 5.6 The proposed detached garage would have a greater width and height on the boundary between numbers 9 and 11 Lewton Lane when compared to the existing. However, given the location of it at the rear of the site, it is considered that the proposed garage, with a maximum height of 4.05 metres, would not have an overbearing impact to the detriment of the residential amenity of number 11. The garage would result in some loss of light to the rear garden of number 11 but this is not considered significant and would not significantly exacerbate the existing situation.
- 5.7 In terms of private amenity space the proposal would result in some loss of private amenity space to the side of the dwelling as a result of the side extension, and a small loss of private amenity to the rear of the dwelling as a result of the replacement garage. Although the loss of private amenity space is undesirable it is considered that sufficient garden space would remain to serve a four-bedroom dwelling.
- 5.8 Highways
The application site consists of an end of terrace three-bedroom dwelling, which has an existing detached garage at the rear of the site. The proposed double storey side extension would increase the number of bedrooms in the dwelling from three to four, and a new single detached garage would replace the existing garage. The site does not have any parking to the front of the site. Dwellings in the locality have adequate off street parking and as such on street parking does not appear to be a significant issue.
- 5.9 The South Gloucestershire Residential Parking SPD, which was adopted for development management purposes in March 2013, dictates that a minimum of

two parking spaces must be available to serve a three to four bedroom dwelling. Garages only count towards half of the parking provision. The application site has one detached garage at the rear of the site and an area to the front of the garage, which is not shown as being within the red line. Although the limited parking to serve this site is undesirable it is considered that sufficient parking is available at the rear of the site to serve a four-bedroom dwelling. On street parking is also available in the locality. Accordingly the level of parking provision is considered acceptable in terms of highway safety, and is therefore in accordance with policy H4 of the adopted Local Plan, and the South Gloucestershire Residential Parking SPD.

5.10 Design

The application site consists of an end of terrace double storey residential dwelling with a pitched tiled roof. The dwelling is constructed in a mix of buff brick, render and tiled detailing. The locality is characterised by a mix of semi-detached and terraced residential dwellings with a mix of materials and design details.

5.11 The application seeks permission for the erection of a double storey side extension, which has a depth and height to match the existing dwelling, and a width of 4 metres. Residential extensions should remain subservient to the original dwelling. This is usually achieved by setting the extension back and down in height. In this case the extension has been designed to remain flush with the existing dwelling. In this context, with its location on the end of a terrace this design is considered acceptable. Although large in scale it is considered that the proposal does not unbalance the existing character of the site or the street scene and as such does not appear incongruous in the locality. The side extension would be constructed in materials to match the existing and design detailing has been informed by the existing dwelling. As such the design of the side extension is considered acceptable in terms of policies D1 and H4 of the adopted Local Plan.

5.12 The proposed detached garage replaces an existing detached garage increasing the scale of it with a width of 5.1 metres, a depth of 5.5 metres, and a maximum height of 4.05 metres. The scale and proportions of garage have been informed by and respect the character of the locality and are considered appropriate in the context of site. The garage would be rendered to match the materials used in existing dwelling and locality, and the garage would have a pitched tiled roof. The design of the proposed garage is considered to improve the visual amenity of the site when compared to the existing garage.

5.13 Other Matters

An objection letter from a local resident has raised a number of additional concerns relating to this proposal. Matters relating to building works are not considered a concern in this case. Disturbance from building works associated with the proposal is not considered detrimental to residential amenity. A construction site advisory note is attached to the decision notice. Matters relating to drainpipes and water flooding the garage and driveway are not considered a concern in this case. Surface water run-off from a private access must not discharge across a public footway, or on to the public highway, because it is illegal under Section 163 of the Highways Act 1980. Similarly

highway water must not be allowed to discharge into the property. The applicant must take all necessary drainage measures to prevent this where falls indicate it is likely.

- 5.14 In relation to the garage door, the original submitted plan did not show a door on the front elevation of the garage. This was amended in a revised plan, received 22nd April 2013. In terms of the boundary line, discrepancies between the site location plan and block plans were resolved through the submission of revised block plans, received 3rd May 2013. The Council has no reason to believe that these are incorrect. Boundary disputes are a civil matter and are therefore not given any weight in a planning decision.
- 5.15 In relation to consultation letters, all relevant neighbours have been consulted in accordance with the Council's Statement of Community Involvement.

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 It is considered that the proposed side extension and garage, by virtue of their scale and location, would not have a detrimental impact on the residential amenity of surrounding dwellings in terms of overbearing impact or loss of light. Subject to a condition relating to obscure glazing on the side elevation the proposal does not raise any concerns in terms of inter-visibility. Sufficient private amenity space would remain to serve the host dwelling. Accordingly the proposal is considered acceptable in terms of policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 With regard to parking provision and highway safety, although limited it is considered that adequate parking is available at the rear of the site to serve the increase from three to four bedrooms. The proposal is therefore in accordance with policy H4 of the adopted Local Plan (2006) and guidance contained within the South Gloucestershire Residential Parking SPD (2013)
- 6.4 It is considered that the design of the proposed extension and garage are acceptable in terms of scale and massing, and remain proportionate to the original dwelling and the street scene. The materials and design detailing have been informed by and respect the character of the site and the locality. As such the proposal is in accordance with policies D1 and H4 of the adopted Local Plan.
- 6.5 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application is **APPROVED** subject to the conditions on the decision notice.

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

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

Reason

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

3. Notwithstanding the submitted elevation plans, prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

CIRCULATED SCHEDULE NO. 019/03/ - 10 MAY 2013

App No.:	PT13/1004/F	Applicant:	Ms Emma Cooper
Site:	7 Greenhill Parade Alveston South Gloucestershire BS35 3LU	Date Reg:	2nd April 2013
Proposal:	Change of use of ground floor from shop (Class A1) to coffee shop/restaurant (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)	Parish:	Alveston Parish Council
Map Ref:	363206 188017	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	22nd May 2013



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PT13/1004/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule as comments have been received from members of the public regarding opening hours and drainage, and the Parish Council have objected to the application.

1. THE PROPOSAL

- 1.1 This application seeks consent for the change of use of a shop retail unit in Alveston into a coffee shop/ restaurant. The unit is located within an existing shopping parade, which is not classified as either a primary or secondary shopping frontage.
- 1.2 No operational development is proposed as part of this application – the sole consideration is the change of use of the building.
- 1.3 Although it was not specified on the application form, the applicant has indicated that the unit (which is only about 100m²) would be able to contain around six tables.

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

GB1 Development in the Green Belt

T12 Transportation

RT8 Small Scale Retail Uses

RT11 Retention of Local Shops, Parades, Village Shops & Public Houses

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

CS1 High Quality Design

CS14 Town Centres and Retail

3. RELEVANT PLANNING HISTORY

- 3.1 N8605 Approve with Conditions 05/05/1983
Erection of roof over yard to form storage area
- 3.2 *5 Greenhill Parade*
 - PT00/0229/F Approved 01/02/2001
Change of use of premises from retail to offices (Class A1 to Class B1 as defined by the Town & Country Planning (Use Classes) Order 1987 (Renewal of lapsed consent).
 - P94/1753 Approved 10/08/1994

Change of use of premises from retail to office (class A1 to class B1 as defined in the town and country planning (use classes) order 1987)

- P92/2479 Refused 19/12/1992
Change of use of ground floor premises from retail shop to hot food takeaway (from class A1 to A3 as defined by the town and country planning (use classes) order 1987)

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

Objection: The proposed opening hours are not appropriate for a residential area; there are severe limitations on parking; there would be a detrimental impact on residential amenity.

4.2 Transport

No objection

4.3 Drainage

No comment

4.4 Environmental Protection

No objection, subject to advice on ventilation and disposal of food waste

4.5 Local Residents

One comment by a local resident has been received raising concerns over the proposed opening hours and the poor drainage at the rear.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks consent for a change of use of a shop unit from a retail use to a coffee shop/ restaurant. The site is located in Alveston.

5.2 Principle of Development

The National Planning Policy Framework places sustainable economic development as a core planning principle. Policies from both the Local Plan and Core Strategy promote economic growth. Policy RT8 supports A3 Uses within existing settlements and Urban Areas, whilst policy RT11 protects the vitality and function of local shops and shopping parades.

5.3 The change of use is acceptable in principle, but subject to the analysis set out below.

5.4 Transport and Parking

Located within an existing shopping area, the site has good sustainable transport links. The use of the unit is limited by its size, and therefore the amount of trips to/from the site is also limited.

- 5.5 The Council's highways team has reviewed the proposal. It is considered that sufficient parking is available within the vicinity and that the development would not give rise to unacceptable levels of vehicular traffic or on street parking.
- 5.6 Residential Amenity
Development should not prejudice residential amenity. Although the shopping function in the vicinity is well established, the surrounding area is predominately residential in nature with dwellings located immediately adjacent to and above the site.
- 5.7 The change of use to a coffee shop/ restaurant would not in itself be prejudicial to amenity. However consideration is needed of the opening hours and any noise or smells created as a result of the change as these are issues which have arisen from the public consultation responses.
- 5.8 Initially it was proposed to open the unit until 23:00. This is considered likely to prejudice nearby residential properties. Following a discussion with the agent, it has been agreed that opening times will be limited by condition to 22:00. This is considered to be a reasonable compromise between enabling an evening service and protecting residential amenity.
- 5.9 Environmental protection raise no objection to the development in principle, however, they do wish ventilation and the disposal of food waste to be considered. This application is solely for the change of use of the unit – it does not propose any operational development. However, in order to protect residential amenity it is considered necessary to attach a condition that requires details of ventilation systems to be submitted for approval. Any further flue system for the ventilation of the kitchens or cooking area would require planning consent (as there are no provisions for such in the GPDO). Details will also be requested by condition for the disposal of fatty waste through appropriate grease traps.
- 5.10 Provision of Services
To comply with policy RT8, the change of use should improve the range of services available without harming the vitality or viability of the parade. RT11 resists an over-concentration of non-shop uses within a parade to ensure essential and valuable community services are retained.
- 5.11 The most recent use of the unit was as a kitchen sales showroom. The proposed use as a restaurant/ coffee shop would assist in diversifying the range of services within the shopping precinct and therefore has the potential to increase the vitality and viability of the shopping parade. Out of the seven units within the parade, only no.5 is not an A1 retail use. No other units in vicinity offer an A3 use. Over 70% of the units would remain in an A1 use class should this change be permitted. Therefore, the proposal will not affect the viability or vitality of the parade and will diversify the range of services available to the community.
- 5.12 Design
As no operational development is proposed, there is no requirement to assess design.

5.13 Green Belt

As no operational development is proposed, the proposal will not affect the openness or setting of the green belt.

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 change of use to Class A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) has been assessed against policies D1, GB1, T12, RT8 and RT11 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS14 of the South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012. The proposed change will not result in unacceptable vehicular traffic or on-street parking or affect the vitality and viability of the shopping parade. Furthermore the change will not have a prejudicial impact on residential amenity. As there is no operational development, the proposal is acceptable in terms of the green belt and design.
- 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 It is recommended 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 use hereby permitted shall not be open to customers outside the following times 09:00 to 22:00 Monday to Sunday.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT8 and RT11 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development a scheme for the installation of equipment to control the emission of fumes, smells and noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include details of all fans, filters, plant, flues and ventilation systems. The scheme must be implemented as agreed and maintained and cleaned according to the manufacturer's details henceforth.

Reason

To minimise disturbance to occupiers of nearby buildings and to accord with Policy EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

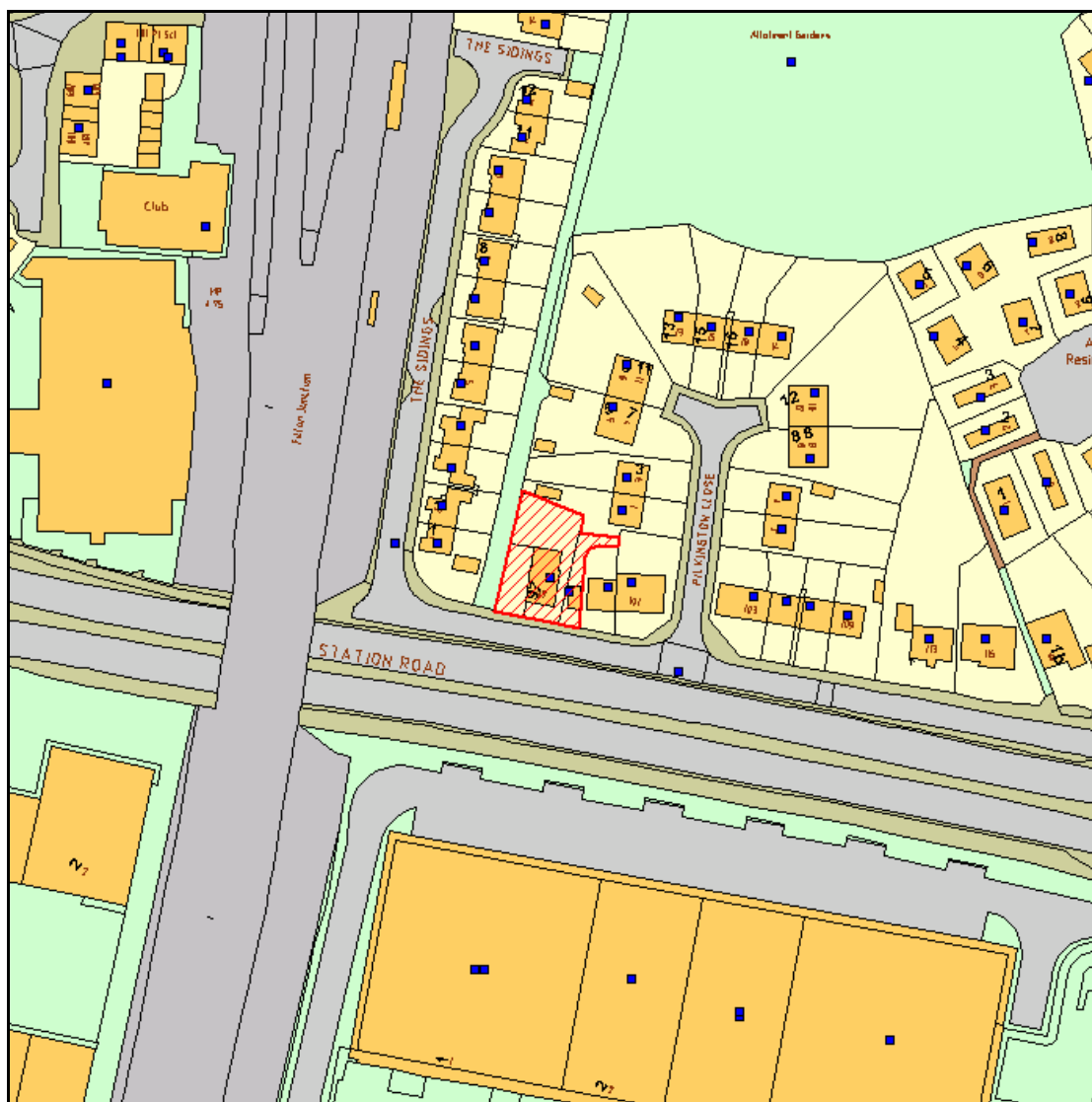
4. Prior to the commencement of development, details regarding the construction of on-site grease traps to prevent the disposal of fats into the foul drainage system must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with and maintained to the approved details.

Reason

To prevent the disposal of fats into the foul drainage system and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO: 19/13 - 10 May 2013

App No.:	PT13/1066/RVC	Applicant:	Abbeywood Tots Ltd
Site:	97 Station Road Filton Bristol South Gloucestershire BS34 7JT	Date Reg:	9th April 2013
Proposal:	Variation of condition 2 attached to planning permission PT12/4017/F to allow hours of operation between 0700 hours and 1800 hours Mondays to Fridays.	Parish:	Filton Town Council
Map Ref:	361196 178903	Ward:	Filton
Application Category:	Minor	Target Date:	31st May 2013



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PT13/1066/RVC

REASON FOR REPORTING THE PROPOSAL ON THE CIRCULATED SCHEDULE

The application has been referred to the Circulated Schedule in accordance with procedure given that one objection has been received that is contrary to the Officer Recommendation.

1. THE PROPOSAL

- 1.1 Recently an application was approved PT12/4017/F for the Change of use of land from residential (Class C3) to day nursery (Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 to facilitate the erection of side conservatory. Alterations to vehicular access (Approved). This appeared on the Circulated Schedule to Members dated 1st March.
- 1.2 The proposal involved the demolition a detached garage to facilitate the erection of a revised Conservatory (there is currently a conservatory along the side elevation of the property). The conservatory would have a depth of 4.8 metres, width of 4.4 metres and height to the apex of the roof of 3.2 metres. It is proposed to provide two additional disabled parking spaces to the front of the building. All other parking arrangements remain the same with an open sided parking area accessed from a side lane located on the opposite side of the building to the development area being unaffected. The structure would provide additional space for the nursery and a disabled w.c. The number of children attending the nursery at anyone time remain at 29 as permitted by P00/1542/F (see Section 3 below). Submitted details indicate that there will be 3 extra staff at the site.
- 1.3 This application seeks to formally rectify an error that was made by the Case Officer at the time that the above application was determined. The following planning application was not revealed when the previous history was viewed on the computer system:

Planning Application PT07/05161/F Erection of first floor rear extension to include 6 no. rooflights. Erection of timber framed canopy on rear elevation. Variation of condition 3 of PT00/1542/F to allow operation from 0700 hours (previously 0730 hours).(Approved)

As a result The Case Officer unaware of that more recent consent incorrectly applied a start time of 0.730 hours to the new consent (as per P96/2615).

- 1.4 The original Circulated Report is attached as Appendix 1.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

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

CS23: Community Buildings and Cultural Activity

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

LC4: Educational and Community Facilities

T8: Parking Standards

T12: Transportation Development Control Policy for New Development

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

3. RELEVANT PLANNING HISTORY

P96/2615 Change of use from residential to day nursery. Erection of single storey rear extension. (Approved with conditions)

PT00/1542/F Retrospective application for side extension. Variation of Condition 4 on planning permission P96/2615 to alter the number of children at anyone time to 29. Alterations to parking arrangements (Approved with conditions)

PT07/05161/F Erection of first floor rear extension to include 6 no. rooflights. Erection of timber framed canopy on rear elevation. Variation of condition 3 of PT00/1542/F to allow operation from 0700 hours (previously 0730 hours).(Approved)

PT12/4017/F Change of use of land from residential (Class C3) to day nursery (Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 to facilitate the erection of side conservatory. Alterations to vehicular access (Approved) .

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No objection
- 4.2 Sustainable Transport
No objection received
- 4.3 Environmental Protection
No objection
- 4.4 Drainage
No objection
- 4.5 Summary of Local Residents Comments

There has been one letter of objection. The grounds of objection can be summarised as follows:

- There are parking problems associated with the site
- A fence has been damaged by visitors to the site

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The only issue to be considered here is the reinstatement of the correct starting time of 07.00 hours in Condition 2 incorrectly altered to 07.30 hours previously on the decision notice associated with PT12/4017/F due to the error explained in Section 1 of the report above.

It is considered that there is no reason why the mistake cannot be rectified. All the other conditions remain as previously set out.

5.2 Other Issues

Concern has been raised regarding parking at the site. The application was previously accepted on the basis that two additional parking spaces were to be provided. This matter has been addressed in detail (see Appendix 1). Concern was raised that a fence has previously been damaged by visitors to the site. This matter has been drawn to the attention of the applicant.

6. CONCLUSION

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

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

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

1. The proposal would not cause any significant adverse impact upon residential amenity would accord with Planning Policy LC4 (Educational and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: **David Stockdale**
Tel. No. **01454 866622**

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 operation shall be between 0700 hours and 1800 hours Mondays to Fridays, with no operation on Saturdays, Sundays and Bank Holidays.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted)

3. Prior to the first use of the new building hereby approved a travel plan for staff and parents shall be submitted to and approved in writing by the Local Planning Authority. The use shall then take place in accordance with the approved details.

Reason:

In the interests of Highway Safety and to accord with Policy T12 and LC4 of the South Gloucestershire Local Plan (Adopted)

4. The two new parking spaces as shown on Drawing No.3 and No.4 (received 21st January) shall be provided prior to the first use of the Conservatory building hereby approved and retained as such thereafter.

Reason:

In the interests of highway safety and to accord with Policy LC4 and T12 of the South Gloucestershire Local Plan (Adopted)

5. Prior to the erection of the Conservatory hereby approved details of undercover cycle parking (for 2 cycle stands) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 3 months of the first use of the building and retained as such thereafter.

Reason:

In the interests of highway safety and to accord with Policy LC4 and T12 of the South Gloucestershire Local Plan (Adopted)

6. Full details of the proposed boundary treatment around the new parking area shall be submitted to and approved in writing by the Council. The scheme shall be implemented in accordance with the approved details and retained as such thereafter.

Reason:

To ensure that visibility into and out of the site is adequate in the interests of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted)

7. The number of children at the site at any one time shall be limited to 29.

Reason:

In the interests of the amenity of the area and highway safety and to accord with Policy LC4 and T12 of the South Gloucestershire Local Plan (Adopted)

PLEASE SEE APPENDIX ON PAGE BELOW

CIRCULATED SCHEDULE NO. 09/13 – 1 MARCH 2013

App No.: PT12/4017/F
Site: 97 Station Road Filton Bristol South
 Gloucestershire BS34 7JT
Proposal: Change of use of land from residential
 (Class C3) to day nursery (Class D1) as
 defined in the Town and Country Planning
 (Use Classes) Order 1987 to facilitate the
 erection of side conservatory. Alterations
 to vehicular access.

Applicant: Abbeywood Tots Ltd
Date Reg: 23rd January 2013

Parish: Filton Town Council

Map Ref: 361196 178903

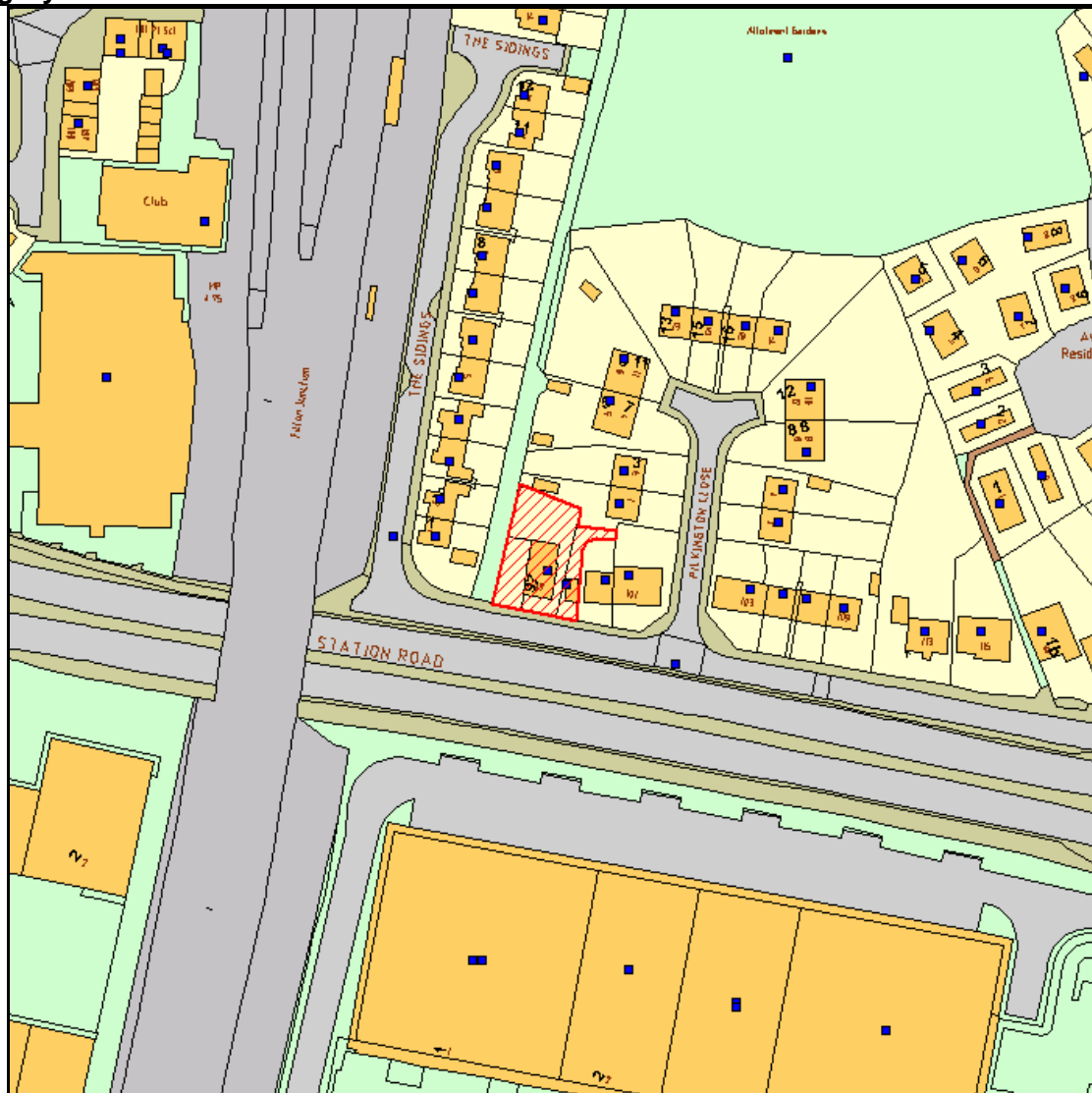
Application Minor

Category:

Ward: Filton

Target 18th March 2013

Date:



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100023410, 2008.

N.T.S.

PT12/4017/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been referred to the Circulated Schedule in accordance with procedure given that two objections have been received which are contrary to the Officer Recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the change of use of an area of land to the side of 97 Station Road from its current residential use to use as a day nursery (to form an addition to the Abbeywood Tots Nursery at No.97). The land under consideration was formerly part of the adjoining property No.99.
- 1.2 The proposal will involve the demolition a detached garage to facilitate the erection of a revised Conservatory (there is currently a conservatory along the side elevation of the property). The conservatory would have a depth of 4.8 metres, width of 4.4 metres and height to the apex of the roof of 3.2 metres. It is proposed to provide two additional disabled parking spaces to the front of the building. All other parking arrangements remain the same with an open sided parking area accessed from a side lane located on the opposite side of the building to the development area being unaffected. The structure would provide additional space for the nursery and a disabled w.c.
- 1.3 The number of children attending the nursery at anyone time will remain at 29 as permitted by P00/1542/F (see Section 3 below). Submitted details indicate that there will be 3 extra staff at the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

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

CS1: High Quality Design

CS23: Community Buildings and Cultural Activity

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

LC4: Educational and Community Facilities

T8: Parking Standards

T12: Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

P96/2615 Change of use from residential to day nursery. Erection of single storey rear extension. (Approved with conditions)

PT00/1542/F Retrospective application for side extension. Variation of Condition 4 on planning permission P96/2615 to alter the number of children at anyone time to 29. Alterations to parking arrangements (Approved with conditions)

4. CONSULTATION RESPONSES

4.1 Filton Town Council
No response received

4.2 Other Consultees

Sustainable Transport

Following a thorough analysis of the planning history relating to the site, it is apparent that the existing building has been subject to repetitive extensions although the accommodation has been restricted by planning condition to 29 children; it is requested that this restriction is retained. Whilst this application does not appear to place a case for further child accommodation, it is suggested in the application form that there may be an increase in staff numbers; full time equivalents are not however given. In this regard, the applicant is requested to confirm the necessity of the extra staff and how they will be accommodated in terms of their transportation needs; i.e. parking accommodation. To address this request, any recommendation for approval shall be subject to planning conditions securing the submission and implementation of a parking strategy to accommodate both parents and staff and further details of covered and secure bicycle parking to be provided on site (FC03).

Finally, it is acknowledged that the development will provide for 2 further parking bays and whilst these are to be dedicated to disabled users, the nursery is advised that these should be allocated on demand and will need to be subject to the implementation of the parking strategy requested above. The implementation of these bays shall also be conditioned (FC04), with the adjacent boundary treatment secured as hoop topped railings as proposed, but with restrictions upon any landscaping or solid replacement; reason, to ensure that adequate pedestrian/driver visibility is retained.

With regards to informatives, the proposed disabled bays will require an extended dropped kerb to be accessed and this will require works within the highway. In this regard, the following text should be included in any recommendation for approval. Highway Agreement - The applicant is advised that the proposals represent the potential for works within the highway which will thus require formal approval before commencing. The applicant is therefore advised to contact South Gloucestershire Council Transportation Services prior to commencing works on site

A further comment has been received in response to the Consultation responses and at the request of the Case Officer.

The proposed nursery extension is recommended to be subject to a condition limiting the number of children cared for on-site. Whilst this limit may be regarded as a means to ameliorate the impact of the extension upon available on-street parking, the nursery also proposes to extend their off-road parking provision by two further spaces; this extended off-street parking provision thus represents a planned reduction in the demand generated by the nursery for on-street parking. However, it is also acknowledged that the development represents a loss of off-street parking to no. 99 Station Road and therefore the increase in 2 off-street spaces is balanced by the loss of parking to the adjacent dwelling and thus the development presents a *status quo*.

Whilst the existing parking on-street may be considered a concern for the convenient use of the street, there does not appear to be any recent accident data and thus a safety concern cannot be easily established. However, we do acknowledge that the track of large vehicles, particularly emergency vehicles, may be conflicted as a result of the existing parking on-street, although the proposed development may be shown not to intensify this situation and remains inert in its impact.

In conclusion, whilst Transport Development Control recognises the difficulties experienced by residents residing along this stretch of Station Road, the nursery application may be shown to have a nil impact upon on-street parking, through its increased off-street provision and child number limit. Therefore, I have no other recourse than to recommend approval subject to conditions limiting the number of children and to secure a 'parking strategy' that will aim to coordinate and control the parking demands of staff and parents alike.

4.3 Environmental Protection
No objection

4.4 Wessex Water
No objection, however the applicant is recommended to contact Wessex water given the close proximity of a public sewer. Building over a public sewer will not be permitted without agreement under Building Regulations. In addition building within the statutory easement width of 3 metres from the pipeline without agreement from Wessex Water would not be permitted.

4.5 Drainage
No objection

Other Representations

4.6 Summary of Local Residents Comments
There have been two letters of objection received. The grounds of objection can be summarised as follows:

- There are existing parking and highway problems
- The proposal (building work) would affect sunlight in the neighbouring garden
- The proposal will result in more children dropping off and collecting and additional noise and disturbance and litter
- The proposal will affect the ability of people to park using the site and using allotments to the rear

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy LC4 of the South Gloucestershire Local Plan cites that proposals for the expansion of community facilities within the existing urban areas and the settlement boundaries will be permitted provided that:

- o Proposals are located on sites that are highly accessible by foot/ bike;
- o It would not unacceptably impact upon residential amenity;
- o It would be unacceptable in environmental/ transportation terms;
- o It would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the area and highway safety.

5.2 Further, policy T12 advises that development will be permitted provided that, in terms of transportation, (considered relevant to this case) it:

- o Provides adequate, safe, convenient and attractive access;
- o Provides safe access capable of accommodating the traffic generated;
- o Would not create, or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety.

5.3 Policy D1 seeks to ensure that proposals achieve a high standard of design.

Subject to consideration of these issues the proposed development is considered acceptable in principle.

5.4 Design

The proposed conservatory building to the side of the property is larger than many such structures and would be visible from the public realm to the front of the building. It should be noted that the building would replace an existing albeit small conservatory and detached garage and the footprint of these structures would exceed the structure proposed. In addition the structure is largely of glass.

It is considered that the design of the proposal is acceptable.

5.5 Residential Amenity

Concern has been raised that the proposed conservatory will result in the loss of light to a property in "The Sidings". It should be noted however that the

Conservatory would be constructed on the opposite side of the property to “The Sidings” to the east such that the only property with the potential to be affected or from which the structure would be visible from would be No.99 Station Road. There would be no impact of the new built form to properties in The Sidings.

With respect to the impact upon No99, it should be noted that the conservatory would be located largely alongside the flank wall of that property projecting marginally out from the rear elevation, by 0.6m but behind a 1.8 metre boundary fence. Given this relationship it is not considered that any significant detrimental impact detriment to the residential impact of those occupiers would occur either by reason of loss of light, outlook, physical impact or loss of privacy.

5.6 Transportation/Highway Safety Issues

Policy LC4 states that new community facilities should not have an adverse impact upon the highway environment with Policy T12 stating that new development should make adequate safe and appropriate provision for the transportation demands that it will create.

Concern has been raised that the proposal will result in additional parking and transportation problems where these already exist.

The application proposes the provision of two additional parking spaces (indicated for disabled use) and the existing parking accessed from the side lane would remain unaffected by the proposal. It should be noted that the proposal will in contrast result in the loss of available parking provision for No.99 Station Road.

Detailed consideration of the proposal has been made by officers (see 4.2 above). It is noted that there is no proposal to increase the number of children who are at the site at anyone time, the number being controlled by a condition. The applicant has indicated an increase of 3 in staff numbers. While the comments of the neighbouring occupier are noted it is not considered on balanced that the proposal would result in any significant additional highway impacts over and above the existing situation. Although two parking spaces are lost it should be noted that two are being provided so the scheme is neutral in this respect.

Subject to conditions to secure a Travel Plan (reflecting the increase in staff numbers), to secure cycle parking and the proposed additional spaces prior to first use of the new conservatory, to secure the boundary treatment along the boundary with No.99 (to ensure visibility into and out of the site) and the condition to secure the number of children at the site at anyone time, the proposed development is considered acceptable in transportation terms. In addition an informative will be attached to the decision notice to advise the applicant to contact the Council with respect to the dropping of the kerb to ensure that the works are completed to the full satisfaction of the Council.

5.7 Drainage

There is no objection raised to the proposed development. An informative will be added to the decision notice to remind the applicant of the close proximity of a public sewer.

5.8 Other Issues

A concern has been raised that the proposed development would result in additional noise and disturbance to neighbouring occupiers as well as an increase in litter.

The site has a lawful planning use as a nursery and as such some resulting noise may result, albeit limited to the times that the nursery is operating. Any significant noise would be controlled through other environmental legislation however it should be noted that there is no proposed increase in the number of children at the site at any time (and this will be a condition attached to the decision notice as has been discussed earlier in this report). With respect to litter it is not considered that this would be significant given that there is no increase in those at the site and it would be hard to prove that any litter outside of the premises boundary was as a result of this site or others using the adjoining street.

On the most recent application PT00/1542/F a condition to restrict the hours of operation to 0730 hours to 1800 hours Monday to Fridays with no operations on Saturdays, Sundays or Bank Holidays was attached. It is appropriate to attach this condition to this application in order to continue to protect the amenity of neighbouring occupiers.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to grant permission is for the following reasons:
 1. The proposed alterations to the existing building are considered to be acceptable and compliant with the provisions of Planning Policy D1 (Achieving Good Quality Design in New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The proposal would not cause any significant adverse impact upon residential amenity would accord with Planning Policy LC4 (Educational and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposal is considered to be acceptable having regard to issues of highway safety and sustainable transport and would accord with Planning Policy T12 and LC4 (Educational and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The proposal is considered to be acceptable in terms of the impact upon drainage and the water environment to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted)

7. RECOMMENDATION

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

Contact Officer: David Stockdale
Tel. No. 01454 866622

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 operation shall be between 0730 hours and 1800 hours Mondays to Fridays, with no operation on Saturdays, Sundays and Bank Holidays.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted)

3. Prior to the first use of the new building hereby approved a travel plan for staff and parents shall be submitted to and approved in writing by the Local Planning Authority. The use shall then take place in accordance with the approved details.

Reason:

In the interests of Highway Safety and to accord with Policy T12 and LC4 of the South Gloucestershire Local Plan (Adopted)

4. The two new parking spaces as shown on Drawing No.3 and No.4 (received 21st January) shall be provided prior to the first use of the Conservatory building hereby approved and retained as such thereafter.

Reason:

In the interests of highway safety and to accord with Policy LC4 and T12 of the South Gloucestershire Local Plan (Adopted)

5. Prior to the erection of the Conservatory hereby approved details of undercover cycle parking (for 2 cycle stands) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 3 months of the first use of the building and retained as such thereafter.

Reason:

In the interests of highway safety and to accord with Policy LC4 and T12 of the South Gloucestershire Local Plan (Adopted)

6. Full details of the proposed boundary treatment around the new parking area shall be submitted to and approved in writing by the Council. The scheme shall be implemented in accordance with the approved details and retained as such thereafter.

Reason:

To ensure that visibility into and out of the site is adequate in the interests of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted)

7. The number of children at the site at any one time shall be limited to 29.

In the interests of the amenity of the area and highway safety and to accord with Policy LC4 and T12 of the South Gloucestershire Local Plan (Adopted)