



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF PLANNING, TRANSPORTATION AND STRATEGIC
ENVIRONMENT**

CIRCULATED SCHEDULE NO. 02/13

Date to Members: 11/01/13

Member's Deadline: 17/01/13 (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 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.

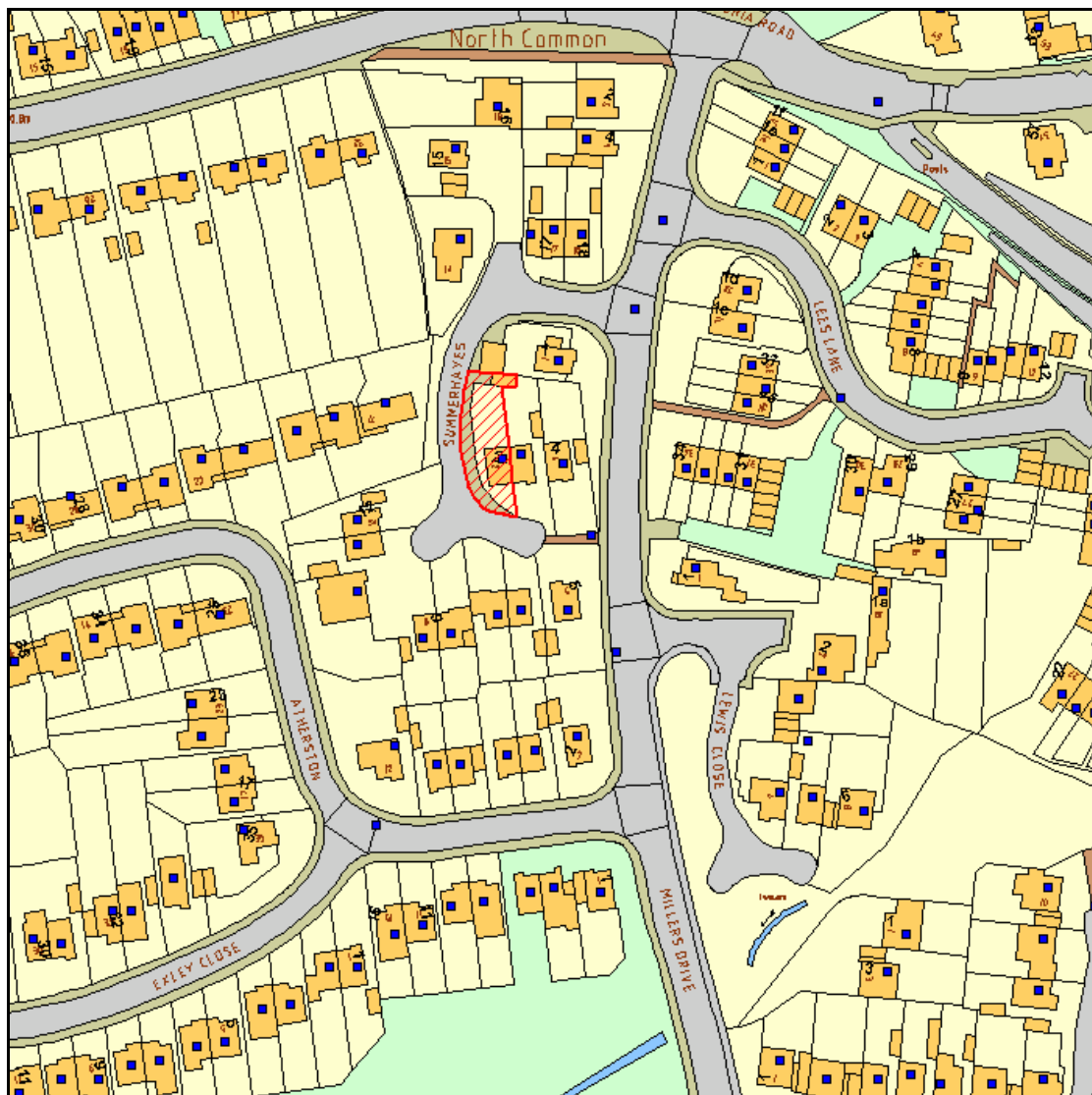
CIRCULATED SCHEDULE – 11 JANUARY 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK12/3673/F	Approve with Conditions	2 Summerhayes North Common South Gloucestershire BS30 8XZ	Oldland	Bitton Parish Council
2	PK12/3892/F	Approve with Conditions	30 Moorland Road Yate South Gloucestershire BS37 4BX	Yate Central	Yate Town
3	PT12/3876/F	Approve with Conditions	9 Camberley Drive Frampton Cotterell South Gloucestershire BS36 2DF	Winterbourne	Winterbourne Parish Council
4	PT12/3908/F	Approve with Conditions	34 Chiltern Park Thornbury South Gloucestershire BS35 2HX	Thornbury South & Alveston	Thornbury Town Council
5	PT12/3946/F	Approve with Conditions	Berwick Lodge Berwick Drive Almondsbury South Gloucestershire BS10 7TD	Almondsbury	Almondsbury Parish Council
6	PT12/3965/F	Split decision See D/N	23 St John Street Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council
7	PT12/3967/CA	Approve with Conditions	23 St John Street Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council

CIRCULATED SCHEDULE NO. 02/13 – 11 JANUARY 2013

App No.: PK12/3673/F
Site: 2 Summerhayes North Common Bristol South Gloucestershire BS30 8XZ
Proposal: Change of use of incidental open space to residential curtilage to facilitate the erection of two storey side and single storey rear extension to provide additional living accommodation. Erection of side extension to garage. Erection of 1.7 metre high boundary wall and fence.
Map Ref: 367596 172322
Application Category: Minor

Applicant: Mrs D Cocking
Date Reg: 19th November 2012
Parish: Bitton Parish Council
Ward: Oldland Common
Target Date: 9th January 2013



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 100023410, 2008. **N.T.S.** **PK12/3673/F**

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application site is situated within the suburb of North Common within a modern residential estate. The site is bounded by residential development to the north and east with the public highway (Summerhayes) abutting the east and south boundaries. The site comprises a modern two storey semi detached dwelling with single flat roofed garage at the rear (north). The application site forms the residential cartilage of no.2 which is enclosed by a 1.8m high wall. The wall is set back from the highway, separated deliberately by a thin open landscaped area (incidental open space) approximately 3m wide.

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

- 1.2 The application proposes:
- 1) Change of use of the incidental open space to residential curtilage and
 - 2) Erection of two storey side and single storey rear extension to provide additional living accommodation.
 - 3) Erection of side extension to rear detached garage.
 - 4) Erection of 1.7 metre high boundary wall and fence.

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
- L5 Open Areas within the Urban Area
- H4 Development within Existing Residential Curtilages
- T8 Parking Standards
- T12 Transportation 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 – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P77/4034 Outline application for the erection of housing on approximately 11.4 hectares. Construction of new spine road. (Previous ID: K670/7)
Approved 08.03.1977
- 3.2 P78/4413 Erection of 314 dwellinghouses on approximately 34.5 acres. Construction of associated roads & footpaths & layout of associated open space. Erection of associated garages & car ports. (Previous ID: K670/10)
Approved 21.12.1978

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Councillors objected to the proposed loss of incidental open space and requested that any fence erected be a minimum of 1 metre from the kerb to retain the street scene and to allow a safety margin to avoid vehicles when necessary as there is no pavement.

4.2 Other Consultees [including internal consultees of the Council]

Sustainable Transport – No objection, subject to conditions. As there is an open area on the other side of the road and on the basis of the cul de sac location serving only 6 houses, there is unlikely to be a conflict between pedestrians and vehicles. The access to the garden store is over the parking area which could create obstruction to vehicle parking. Concern has been raised that building a wall so close to the highway could cause damage and undermine the foundation of the access, but this would be a matter for Building Regulations or Highway legislation.

The application was subsequently amended to increase the size of the parking area in front of the garden store.

Other Representations

4.3 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy L5 seeks to ensure that development does not adversely affect the contribution open areas within the urban area make to the quality, character, amenity and distinctiveness of the locality.

Policy T12 aims to ensure that new development is safe and secure in highway safety terms. Policy T8 aims to ensure sufficient off street parking is provided in accordance with the Council's adopted parking standards. The NPPF provides a new consideration in relation to transportation matters. Par.32 of the NPPF is most relevant to consideration of this application in transportation and public safety terms. Par.32 reads,

'..... decisions should take account of whether:

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *safe and suitable access to the site can be achieved for all people; and*
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'*

The test in determining whether this application is acceptable in transportation and public safety terms is now, whether the impact of the development in transportation terms would be severe.

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 has concluded that the Submission Core Strategy is capable of being made sound provided a number of modifications are made. Officers will now be making the arrangements for 6 weeks consultation to commence from early October on the Inspector led changes prior to any comments received being passed back to the Inspector. It is expected at this stage the Inspector will issue his final report in December allowing the Council to adopt the Plan in early 2013. This document is therefore a material consideration in the determination of planning applications, although at this stage the Core Strategy policies, which are subject to Inspector modification, are likely to carry less weight than the Development Plan 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

The application site is situated within a modern (1970's) residential estate. The site forms a residential plot which is situated on a cul de sac (Summerhayes) off the main highway. The cul de sac serves 6 dwellings and is screened from public views other than for those using the cul de sac itself. No.2 is located on almost the full length of the east side of the cul de sac and as such the site is visually prominent but only from within Summerhayes. The proposed change of use of an thin length of incidental open space to the west of the existing rear garden would result in removal of the existing 1.8m high brick wall and erection of a 1.2m wall with 0.6m fence on top. The new boundary enclosure would be located adjacent to the highway. The result would further enclose part of the entrance road into Summerhayes. This enclosure would extend by 12m along the road which would represent only part of the access road into the cul de sac. A strip of open space, similar but slightly wider than the land the subject of this application, is situated on the opposite side of the road. It is acknowledged that the proposal would further enclose and narrow the access road. However, considering the modest length of the enclosure where it would abut the highway and that an open strip opposite would still remain, also that an existing enclosure exists at present at the same height and only 3m back from the highway, the proposed curtilage extension and erection of fence/wall enclosure would be in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area.

Policy L5 aims to ensure that new development that would impact on existing open areas does not adversely affect the contribution that the open area makes to the character, distinctiveness and amenity of the locality. As indicated above, the area of land is modest in area and is only visible from within the cul de sac. It does not contribute significantly to the character of the wider area. Further, a similar area of land is located on the opposite side of the road, further diminishing the importance of the land as open space. It would be difficult to justify that the loss of this small area of land would adversely impact on the character, distinctiveness and amenity of the locality.

The application also proposes erection of two storey side and single storey rear extensions. The two storey side extension would be situated in part on the

incidental open space land to the side of the dwelling. The design and materials for the extensions would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. The area of land used as open space that would be lost to the side extension would be very small and this small area of open space does not contribute significantly to the character, distinctiveness and amenity of the wider area.

The garden store and parking area would replace an existing flat roofed single garage. The building would be screened by the boundary fence of the adjacent dwelling to the north and the boundary fence of no.2. The proposed garden store and parking area would preserve the character and appearance of the area.

5.3 Residential amenity

The proposed development would be situated a minimum distance of 14m from the nearest dwelling to the west. The garden store would not appear materially larger than the existing garage to which it would replace when viewed from the dwelling to the north (no.1). As such the proposed development would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development.

5.4 Highway safety

Bitton Parish Council raised concern that the change of use and enclosure of the open space at the side of the road could result in conflict between vehicles and pedestrians using the road. The cul de sac serves 6 dwellings only. The cul de sac therefore experiences a low frequency of traffic. A pedestrian path is located in the south east corner of the cul de sac connecting the 6 dwellings to the main road (Millers Drive) and the local bus stop. It is therefore more likely that the occupiers of Summerhays would access the main street via the pedestrian path rather than along the road which does not have a footway. Additionally, an open area running along the west side of the road would be retained. The cul de sac nature of the road would ensure that vehicle speeds are minimised. Considering the probable low vehicle speeds, the low numbers of pedestrians using the road and the availability of open space land to step off the highway in the unlikely event that pedestrians and vehicles meet on the road, the risk created to pedestrians by the proposed fence/wall enclosure would be likely to be minimal. As indicated in par.5.1 above the relevant test to assess whether this application is acceptable in transportation and public safety terms is now, whether the impact of the development in transportation terms would be severe. The unlikely event of a conflict between pedestrians and vehicles on Summerhayes is considered not to represent a severe in transportation and public safety terms.

The proposal would provide two off street parking spaces in front of the proposed garden store. The proposed extension would result in a dwelling with 4 bedrooms. The proposed number of off street parking spaces would meet the Council's adopted parking standard. The highways Officer initially raised a reservation that it would appear from the submitted plan that the proposed

garden store would be accessible only via the parking area. This could result in occasional obstruction of the parking area. The application has been amended to increase the width of the parking area to 5.5m. The length of the parking area would be between 5.5-6m. This parking area is considered to be ample to accommodate 2 cars with space to access the garden store without obstruction to parked vehicles. A condition is recommended to ensure that the parking area is surfaced in a non migratory material in the interest of highway safety.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010 is given below:
- a) Due to its scale and position in relation to the adjacent dwellings, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) It has been assessed that the proposed extensions, wall and garden store have been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.
 - c) The loss of the existing modest strip of incidental open space would not adversely affect the character, appearance, distinctiveness and amenity of the surrounding area. The development therefore accords to Policy L5 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - d) The proposal would provide sufficient off street parking and would result in no material conflict between pedestrians and vehicles using Summerhayes and as such no severe impact in terms of transportation and public safety matters. The development therefore accords to Policy H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

2. The proposed parking and manoeuvring area shown in front of the proposed garden store on the approved site layout plan shall be surface in a non migratory material or other surface to be agreed with the Local Planning Authority and designed to ensure that surface water does not discharge onto the carriageway.

Reason

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

CIRCULATED SCHEDULE NO. 02/13 – 11 JANUARY 2012

App No.:	PK12/3892/F	Applicant:	Heron Way Developments
Site:	30 Moorland Road Yate Bristol South Gloucestershire BS37 4BX	Date Reg:	28th November 2012
Proposal:	Erection of new attached dwelling and associated works	Parish:	Yate Town Council
Map Ref:	370491 182309	Ward:	Yate Central
Application Category:	Minor	Target Date:	22nd January 2013



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100023410, 2008.

N.T.S.

PK12/3892/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule due comments received from a member of the public contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks consent for the erection of one attached two-bedroom dwelling within the settlement of Yate. The dwelling is of a design to match the semi-detached property to which it is attached, with a tiled hipped roof, double-height bay window on the front elevation, rendered walls, and brick detailing.
- 1.2 The application site consists of an area of land adjacent to a pair of semi-detached houses on Moorland Road. The proposed dwelling will be attached to the existing building creating a short terrace.
- 1.3 Design amendments have been sought to the scheme to improve the likelihood of it being considered favourably. It is the revised scheme on which this report is based.

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
- L17 The Water Environment
- L18 The Water Environment
- EP1 Environmental Pollution
- EP2 Flood Risk and Development
- T8 Parking Standards
- T12 Transportation Development Control Policy
- H2 Proposals for Residential Development within the Existing Urban Area
- 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
- CS16 Housing Density
- CS17 Housing Diversity

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No Objection
- 4.2 Sustainable Transport
No Objection – subject to condition ensuring parking areas are provided prior to occupation
- 4.3 Environmental Protection
No Objection – subject to a standard condition on the operation of construction sites
- 4.4 Drainage
No Objection – subject to a condition on (i) SUDS/surface water drainage, (ii) details of the paved parking areas; and a number of informatives.

Other Representations

- 4.5 Local Residents
One letter of objection from an adjacent neighbour has been received. The points raised in this objection can be summarised as follows:
- The street scene is characterised by 1930s semi-detached houses, the proposed development would be out-of-character with the area;
 - If permitted the development would create a terrace of houses;
 - If permitted the development would de-value the existing semi-detached properties;
 - Moorland Road suffers from inadequate parking provision which is exacerbated by the football pitches, the common, tennis courts and bowls club;
 - An additional dwelling would add further pressure on parking facilities to the detriment of residential amenity.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks consent to erect a two-bedroom attached dwelling to the west of an existing pair of semi-detached houses, on land currently used as a side garden and contained within the curtilage of the property.
- 5.2 Principle of Development
Development of this nature is controlled through a number of policies contained within the South Gloucestershire Local Plan (Adopted) January 2006. Policy H4 manages development, including the erection of new dwellings, at existing residential cartilages. This policy is generally supportive of such developments subject to a detailed assessment of design, amenity, highway safety, and parking provision. Weight should also be given to policy H2 which controls housing development within the existing urban area. This policy is also generally supportive of development. The emerging Core Strategy, which

outlines future development in the district, is also supportive of such development. Policy CS16 and CS17 promote the efficient use of land; variety in house type, tenure and size; and, development within existing residential curtilages. Housing development, such as the proposed scheme, is also supported by chapter six of the NPPF. As such, the principal of development has been established to be acceptable subject to a detailed analysis. This analysis should be informed by other policies and material considerations.

- 5.3 To assess whether the proposed development is acceptable, in addition to the above, it must also comply with the following considerations. The design standard for the district is set out in policy D1. All development must adhere to the design principals of this policy. Consideration of highway safety and parking provision should be made with regard to policies T8 and T12. Development is not permitted which is likely to have a harmful effect on the environment; the proposed development should therefore be assessed against the criteria of policy EP1 and EP2.

5.4 Design and Visual Amenity

The proposed design consists of a two-storey addition to the west elevation of the existing semi-detached house. It features a hipped roof and double height bay window. The design attempts to mirror the design of the existing building to create the visual appearance of a terrace. Despite the proposed dwelling being narrower than the existing properties, this effect has been achieved fairly well due to the curve in the street as you approach the site from the main road.

- 5.5 There is a mixed architectural style around the immediate vicinity of the site with a pair of later semi-detached houses (c.1960s) to the west, a number of bungalows opposite, and a couple of small terraces further down the road to the east. The external appearance of the proposed dwelling, or a small terrace at this location, is not incongruous with the street scene or the character and appearance of the area.

- 5.6 An efficient use of space has been achieved with this development, which is well laid out and makes the good use of the size and shape of the plot. The proposed garden for the dwelling does not extend the full length of the existing property. A number of ancillary outbuildings sit along the rear boundary which are to remain in the curtilage of the existing dwelling. The boundary has been drawn using an existing tree as a node point.

- 5.7 By mirroring the design of the existing building, the correct height and massing has been achieved. Matching materials will also help the new development embed into the existing built environment. As such, it is considered that the development complies with the design criteria of policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.8 Effective Use of Land

A core planning principal of the NPPF is to 'encourage the effective use of land'. This includes the re-use of previously developed land and as a result the intensification of housing density through development at residential locations and windfall sites.

- 5.9 The site is has previously been developed as it is located within the curtilage of an existing residential property and as therefore a windfall site. A development density of approximately 50 dwellings per hectare has been achieved. The core planning principal of the NPPF to make the most effective use of land has been achieved and the requirements of policy H2 of the Local Plan have been met.
- 5.10 Amenity
Development must not have a prejudicial impact on amenity. This should consider the potential impact the development would have on the amenity of the existing dwelling, the provision of private amenity space, impact on nearby occupiers, and any overbearing, overlooking or overshadowing.
- 5.11 There will undoubtedly be an impact on the amenity levels currently enjoyed by the property. Development in this location could not be achieved without any affect on the existing dwelling. In assessing amenity the issue is whether, as a consequence of this development, amenity would be reduced to an unacceptable level.
- 5.12 Located in the side and rear garden of the property, one of the principal impacts would be the availability of private amenity space. The existing property will retain a rear garden of approximately 93m² whilst the proposed dwelling would have a rear garden of approximately 58m². Although these are smaller than the gardens of nearby properties, they are not considered to be incommensurate with the size (in terms of the number of bedrooms) of the proposed and existing properties. However, the rear garden of the proposed dwelling is towards the lower end of what is considered acceptable. Permitted development rights will be removed from this property to ensure adequate private amenity space is retained in the future.
- 5.13 There is unlikely to be any overshadowing or overlooking cause by this development. The dwelling will be located on the western elevation of the existing semi and is unlikely to prevent natural sunlight from entering any of the neighbouring properties. Due to the alignment of the rear gardens, little overlooking will be caused.
- 5.14 The existing property therefore remains a fair sized rear garden despite losing the area to the side (this area was underutilised as a circulation space). There will be no loss of outlook for the existing property. As a result of this development, it is not considered that there will be a prejudicial impact on the amenity of nearby occupiers for the reasons set out above. In terms of amenity, the proposed development complies with the requirements of policy H2 and H4 of the Development Plan.
- 5.15 Parking, Access, and Transport
Policy T8 and T12 of the Local Plan set out how parking, access, and other transport issues should be assessed. To be acceptable the development needs to provide a sufficient off-road parking spaces, safe access to and from the properties, and it should not impact on highway safety, or create excessive traffic to the detriment of residential amenity.

- 5.16 Two parking spaces have been provided for each dwelling. This meets the requirements set by Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 and is considered to be acceptable.
- 5.17 The Council's Highways Officer has been consulted on the application and has not raised any objections on the grounds of highways safety.
- 5.18 Moorland Road is a residential area. The proposed development is also residential. Any traffic generated by the proposal will be of a residential nature. There is no objection on grounds of traffic or traffic movements.
- 5.19 Therefore, the proposed development is concluded to accord with both policy T8 and T12 of the Local Plan.
- 5.20 Environment
Policies EP1 and EP2 protect the environment from pollution and flooding, whilst policies L17 and L18 protect water resources and drainage conditions. A residential use is not considered to be a polluting use, however, it has the potential to exaggerate flooding and impact on the water environment.
- 5.21 To prevent any increase in surface water run off or any associated flooding, a sustainable drainage system is required. This will be added as a condition.
- 5.22 It is proposed to gravel the parking areas provided to the front of the properties. This would be considered a permeable surface, however, to ensure that such a surface is constructed a condition requiring a permeable surface will be added.
- 5.23 The site lies within the former Bristol Coalfield. No mineshafts or adits should be filled or grouted in a way that may block underground drainage. A mining report will be required by condition.
- 5.24 Concerns and Objections
A neighbouring resident has raised a number of objections to the proposed scheme. The issues raised regarding the design, the principal of a terrace, and parking provision have been discussed above.
- 5.25 The other concern raised was that, if permitted, the proposed development would de-value the existing semi-detached properties. Planning works to secure what is best for the general public interest. This does not include personal interest or property value; they are not material considerations of the planning system.

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 erection of a two-storey, two-bedroom, attached dwelling has been assessed against policies D1, L17, L18, EP1, EP2, T8, T12, H2 and H4 of

the South Gloucestershire Local Plan (Adopted) January 2006. The design of the proposed dwelling is considered to be in keeping with the character and appearance of the existing property, the street scene, and surrounding area, in terms of the massing, scale, materials and layout. A suitable housing density has been achieved. Adequate parking provision has been provided and the development is not considered to have a detrimental impact on highway safety. When read with the conditions imposed, the development will not have a prejudicial impact on the environment or water environment. Having assessed the proposed development, it has been concluded that it is in accordance with the above-mentioned policies.

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

7. RECOMMENDATION

- 7.1 It is recommended that permission for this development be GRANTED subject to the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

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

Reason

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

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 (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 that satisfactory levels of private amenity space within the development are retained in the interests of residential amenity and to accord with Policy D1 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 north-west elevation of the property.

Reason

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.

5. 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. Development shall be carried out in accordance with the approved details.

Reason

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

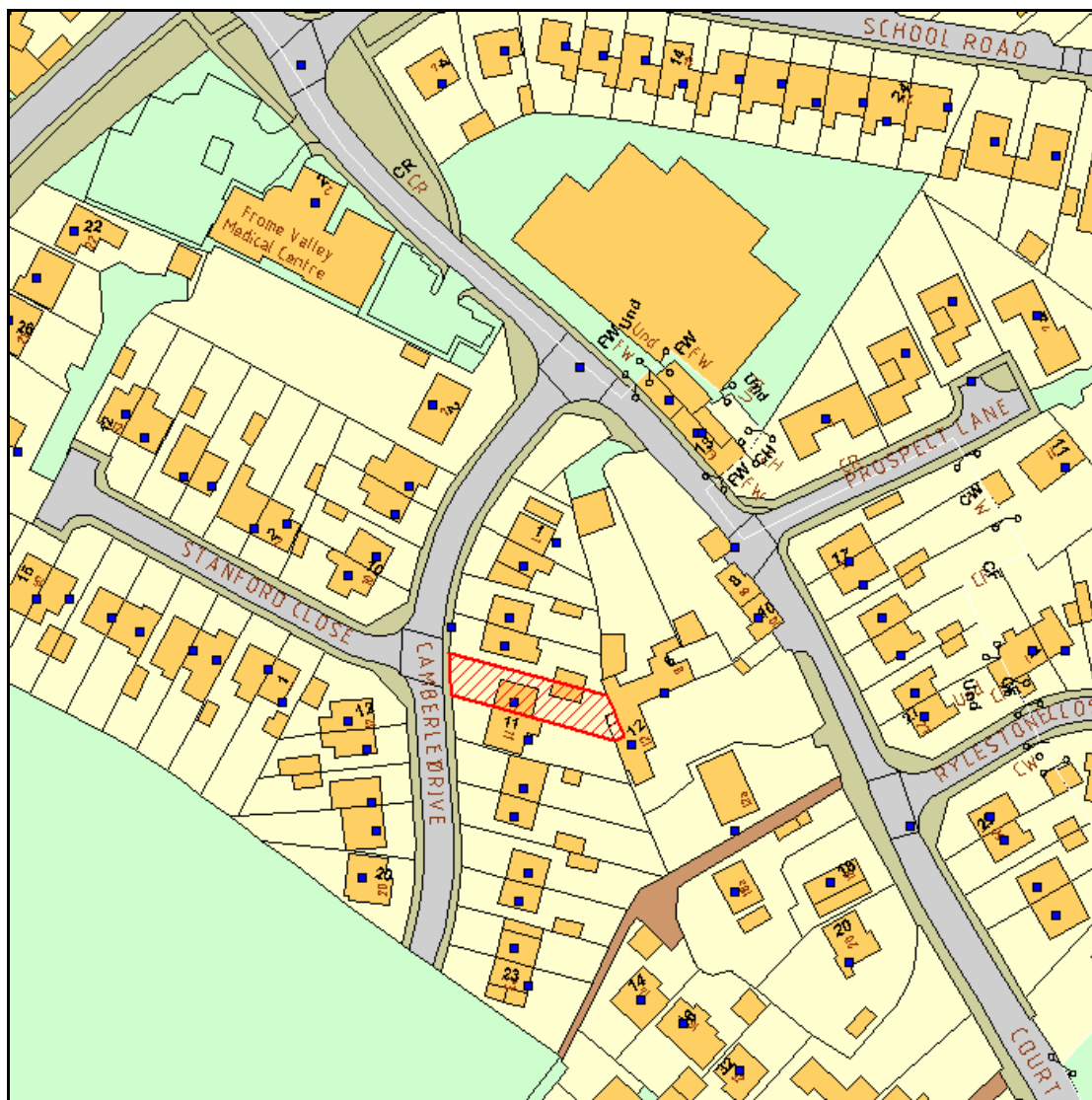
6. Prior to the commencement of development a mining report should be provided for assessment.

Reason

To prevent the filling or grouting of any mineshaft, adit or culvert in a manner that affects underground mine drainage, flooding, or water emergence; to minimise the effect of any flooding which may occur and to comply with Policy L17 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/13 – 11 JANUARY 2013

App No.:	PT12/3876/F	Applicant:	Mr David Bright
Site:	9 Camberley Drive Frampton Cotterell Bristol South Gloucestershire BS36 2DF	Date Reg:	29th November 2012
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	365734 181726	Ward:	Winterbourne
Application Category:	Householder	Target Date:	23rd January 2013



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N.T.S.

PT12/3876/F

INTRODUCTION

This application appears on the Circulated Schedule as a result of a consultation response received, from the Parish Council, contrary to officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection two-storey side extension. The extension would run to the full length of the existing dwelling at ground floor level and would be set back slightly at first floor level. The roofline would also be set down slightly from that of the existing dwelling
- 1.2 The property is a semi detached dwelling situated on a road containing similar style properties and is located within the residential area of Frampton Cotterell.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
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
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection. The proposed extension reaches right up to the boundary line and the garage is being removed.

Drainage

The proposals are in close proximity to a public sewer. The applicant is recommended to discuss the 'building over' or 'building in close proximity' to a public sewer restrictions with Wessex Water.

Wessex Water

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Wessex Water. Building over existing public sewers will not be permitted (without agreement) from Wessex Water under Building Regulations. It is recommended that the applicant contacts Wessex Water Sewer Protection Team for further advice on this matter.

Other Representations

- 4.2 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space. Policies T12 and T8 seek to ensure satisfactory parking provision.

5.2 Design / Visual Amenity

The proposed extension is of an appropriate standard in design and is not out of keeping with the character of the main dwelling house and surrounding properties. A variety of different types of two storey side extensions exist within the immediate area. The extension would be set back slightly when compared to the existing dwelling. The extension is therefore considered to be of an acceptable size and design in comparison to the existing dwelling and the site and surroundings. Materials used will match those of the existing dwelling.

5.3 Residential Amenity

The proposed extension would be within the length and height of the existing dwelling when viewed from the side. It would extend the existing dwelling to the side across the driveway and towards the neighbouring property on the northern elevation to a width of 2.350 metres. Given the relationship between the two adjacent properties, the proposed extension would largely front the neighbouring driveway and the side of the neighbouring dwelling. It is not considered that the scale or positioning could be construed as giving rise to significant or material amenity impacts upon the neighbouring dwelling or its curtilage. It is considered therefore that the proposal would be acceptable in terms of residential amenity. It is not considered that the fact that the proposals extend to the full width of the property in its own right provides a reason for refusal. It is not considered that the proposals would give rise to significant or material amenity impacts due to the size and location of the extension, as discussed above, such as to warrant refusal of the planning application.

5.4 Highways/Parking

In extending the existing property the applicant would wipe out 2 existing off street parking spaces in addition to the obstructing access to the garage, which would be subsequently demolished whilst at the same time extending the

dwelling to form a 5 bed dwelling from a 3 bed dwelling. The applicant would still have parking on site for 2 cars as a result of the development, this currently complies with the councils standards in relation to maximum car parking spaces so no objection on this basis can be raised. However, the site is opposite a junction where it would be detrimental to highway safety to encourage the parking of vehicles at this location, which would occur in the event of this application being approved. This objection can however be overcome via a suitably worded condition that would require the applicant to provide one extra parking space at the front of the property. Therefore, prior to commencement of the proposed development details of the additional car parking space would need to be submitted for approval and subsequent implementation thereafter.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extension is of an acceptable size and standard in design and are not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposals would not materially harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Sufficient parking provisions would remain. As such the proposals accord with Policies D1, H4, T8 and T12 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 planning permission is granted.

Contact Officer: Simon Ford
Tel. No. 01454 863714

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. The glazing on the north elevation shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

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

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north 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.

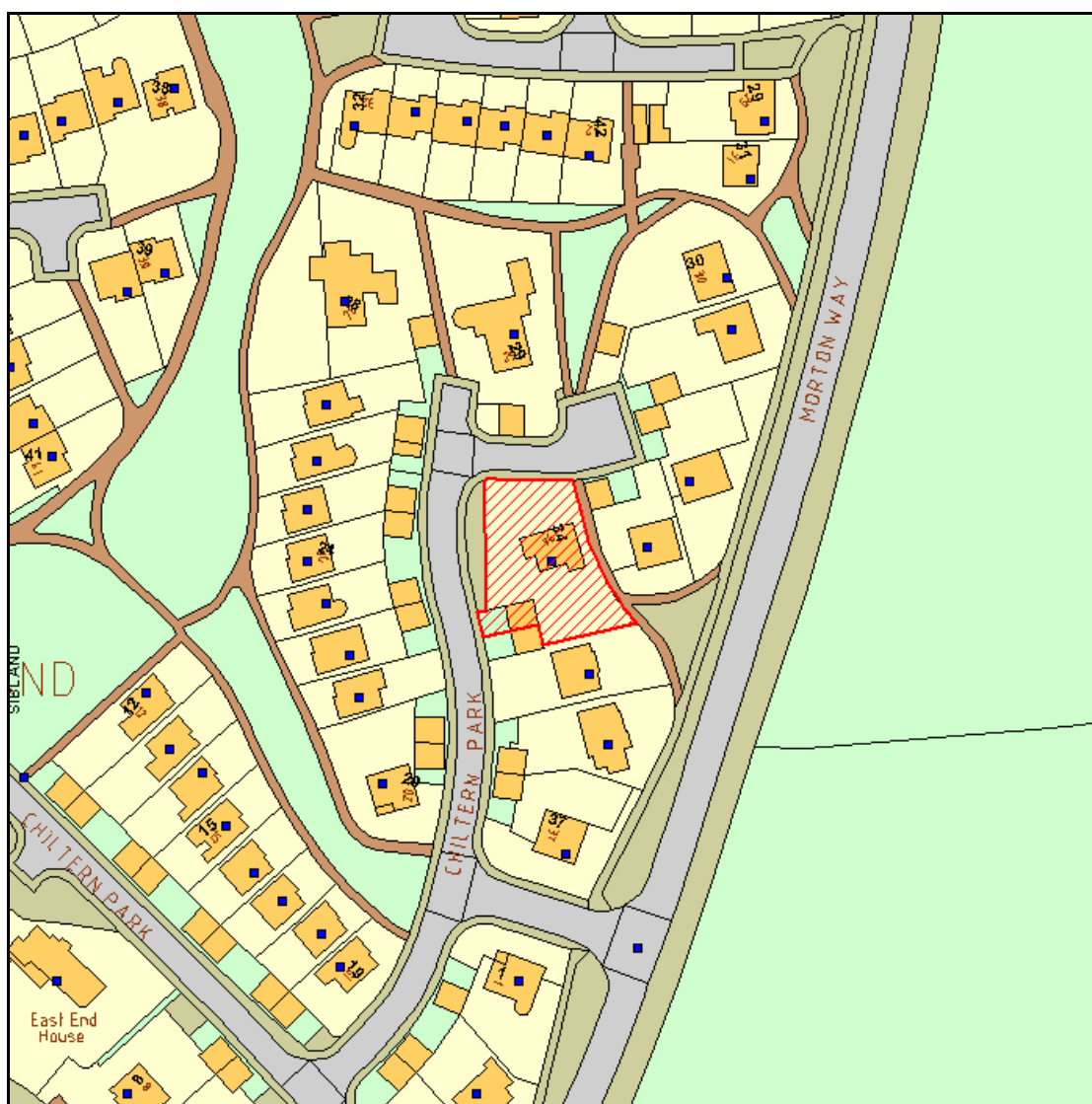
5. Prior to the commencement of development detailed plans showing the provision of an additional car parking space to the front of the property shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the extension; and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 02/13 – 11 JANUARY 2013

App No.:	PT12/3908/F	Applicant:	Mr John Dykes
Site:	34 Chiltern Park Thornbury Bristol South Gloucestershire BS35 2HX	Date Reg:	11th December 2012
Proposal:	Erection of single storey side and rear extension to provide additional living accommodation	Parish:	Thornbury Town Council
Map Ref:	365077 189685	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	5th February 2013



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PT12/3908/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application relates to a two-storey, detached, dwelling house, located at the northern end of Chiltern Park, a cul-de-sac located in a residential area of Thornbury. The dwelling features a single-storey element on the western side elevation. A separate garage is accessed from Chiltern Park. The property lies within a modern residential estate with houses of similar design.
- 1.2 The application seeks full planning permission to erect a single-storey extension to the side/rear of the north-eastern corner of the house, to provide additional living accommodation.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework (NPPF) March 2012.

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design

L1 - Landscape Protection and Enhancement

L5 - Open Areas within the Existing Urban Areas

H4 - Development within Residential Curtilages

T8 - Parking Provision

T12 - Transportation Development Control Policy for New Development.

EP1 - Environmental Protection

L17 & L18 - The Water Environment.

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

The South Gloucestershire Design Check List SPD (Adopted) 23 Aug 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Thornbury Parish Council

No objection.

4.2 Other Consultees [including internal consultees of the Council]

Sustainable Transport

The vehicular parking on site is unaffected by the proposed extension. The level of parking available is considered acceptable for the size of the dwelling. There are no transportation objections.

Other Representations

4.3 Local Residents

1 no. objection was received from a local resident. The concerns raised are summarised as follows:

- The height of the proposed side extension would be overbearing on the adjacent public footpath.
- The extension would create a sub-way situation that may result in vandalism/graffiti due to lack of natural surveillance.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The NPPF has recently superseded various PPS's and PPG's, not least PPS3 – Housing. The NPPF carries a general presumption in favour of sustainable development. Para.2 of the NPPF makes it clear that applications for planning permission must be determined in accordance with the development plan and this includes the Local Plan. Para 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that conflicts with an up-to-date development plan should be refused unless material considerations indicate otherwise. At para. 211 the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.
- 5.2 Para 214 of the NPPF makes it clear that for 12 months from the day of publication, decision takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the NPPF.
- 5.3 In this case the relevant Local Plan is The South Gloucestershire Local Plan, which was adopted Jan 6th 2006. The Council considers that the Local Plan policies referred to in this report provide a robust and adequately up to date basis for the determination of the application.
- 5.4 The South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications – Sept. 2012 has now been through its Examination in Public (EiP) stage; the Inspector has given his preliminary findings and stated that the Core Strategy is sound subject to some modifications. The policies therein, although a material consideration, are not yet adopted and can therefore still only be afforded limited weight.

- 5.5 Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, permits development within residential curtilages, subject to a number of criteria that are discussed below. Policies D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and CS1 of the South Gloucestershire Core Strategy seek to secure good quality designs in new development.
- 5.6 Scale and Design
The proposed single-storey extension would be an 'L' shaped construction with a low angled mono-pitch roof. The proposed extension would in terms of scale and form, integrate adequately within the existing built development. The proposed materials to be used in construction would match those of the existing property. The plot is large enough to adequately accommodate the proposed extension, which would not be readily visible within the street scene.
- 5.7 The scale and design of the proposal are on balance considered appropriate for this property and would adequately respect the massing, scale proportions, materials, overall design and character of the existing property. The proposal therefore accords with Policies H4(A) and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and CS1 of the South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications – Sept 2012.
- 5.8 Impact Upon Residential Amenity
Due to the orientation and siting of neighbouring properties, the only potential concern is the impact of the proposed extension upon the adjacent public footpath and no.33 to the east.
- 5.9 Whilst the eastern side of the proposed extension would be located hard on the site boundary it would not be located directly opposite the side elevation of no.33 and the windows therein. There are high boundary treatments on either side of the dividing footway between these properties, which provide adequate screening. Being single-storey with a mono-pitch roof, the extension would not be overbearing on no.33. No windows are proposed in the eastern side elevation, so the proposed extension would not result in any loss of privacy from overlooking of neighbouring no.33. Furthermore, the rear garden of no.34 is very well enclosed by high walls and hedgerows, some of which are nearly as high as the proposed extension; views to the extension from the north and west are therefore restricted.
- 5.10 Concerns have been raised about the impact of the side elevation of the extension on the adjacent footpath that links Morton Way with the turning head at the northern end of Chiltern Park. This footpath is one of many within the estate and is hardly a major thoroughfare. The section of the footway between nos. 34 and 33 is already flanked by high boundary walls, hedgerows and in part, the garage serving no.33, otherwise the southern section is relatively open plan. The side elevation of the proposed extension would be some 6.47 metres long immediately next to the path and 3.8m high. The extension would in part replace some of the existing high hedge bounding the footway. Whilst this arrangement would to some extent enclose the footpath further, officers are satisfied that the footpath would remain sufficiently open to the east where the adjacent boundary wall to no.33 is only about 1.5m high thus allowing some

surveillance from the windows in the side elevation of no.33. (It is also noted that the government have recently announced that it is considering allowing extensions of this scale to be constructed under permitted development rights).

- 5.11 The objector has also suggested that the extension would encourage vandalism and graffiti in the alleyway. Officers noted during their site visit that despite the presence of many walls in the vicinity and the already enclosed nature of part of the footway in question, there was no evidence whatsoever of graffiti or vandalism. Officers therefore do not consider that the extension is likely to encourage such behaviour.
- 5.12 The proposal would make efficient use of land within the urban area, which accords with government guidelines contained in the NPPF. There would be no significant adverse impact on residential amenity in planning terms. Any disturbance during the building phase would be temporary only; and this could be mitigated for by imposing a condition to control the hours of working. The proposal therefore accords with Policy H4(B) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.13 Highway Issues
Adequate parking and access arrangements would be retained. There are therefore no highway objections to the proposal, which accords with Policies H4(C), T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.14 Environmental Issues
The extension would be the subject of Building Regulation Control. Existing drainage systems would be utilised. The proposal would therefore accord with Policies EP1, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.15 Landscape Issues
The proposal would not affect any significant trees or any landscape features of note within the site. Only part of the boundary hedgerow would be replaced by the extension. The proposal would not result in the loss of significant areas of open space and an adequate amount of amenity space would be retained to serve the property. The proposal is therefore in accordance with Policies L1 and L5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. CONCLUSION

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

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

1. Consideration has been given to the proposal's scale and design and is considered to accord with Policies D1 and H4(A) of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications – Sept 2012
 2. The scheme is not considered to adversely affect residential amenity in terms of overlooking, loss of privacy, overbearing impact or loss of amenity space and therefore accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 3. The proposal would have no adverse highway implications in accordance with Policy H4(C), T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 4. Consideration has been given to the drainage implications of the scheme and its impact upon the environment in accordance with Policies EP1, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 5. The proposal would not adversely affect any features of the landscape and accords with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 6. The proposal would not result in the loss of an open area of significant amenity value and is therefore in accordance with Policy L5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The hours of working on site during the period of construction and demolition shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery

(mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

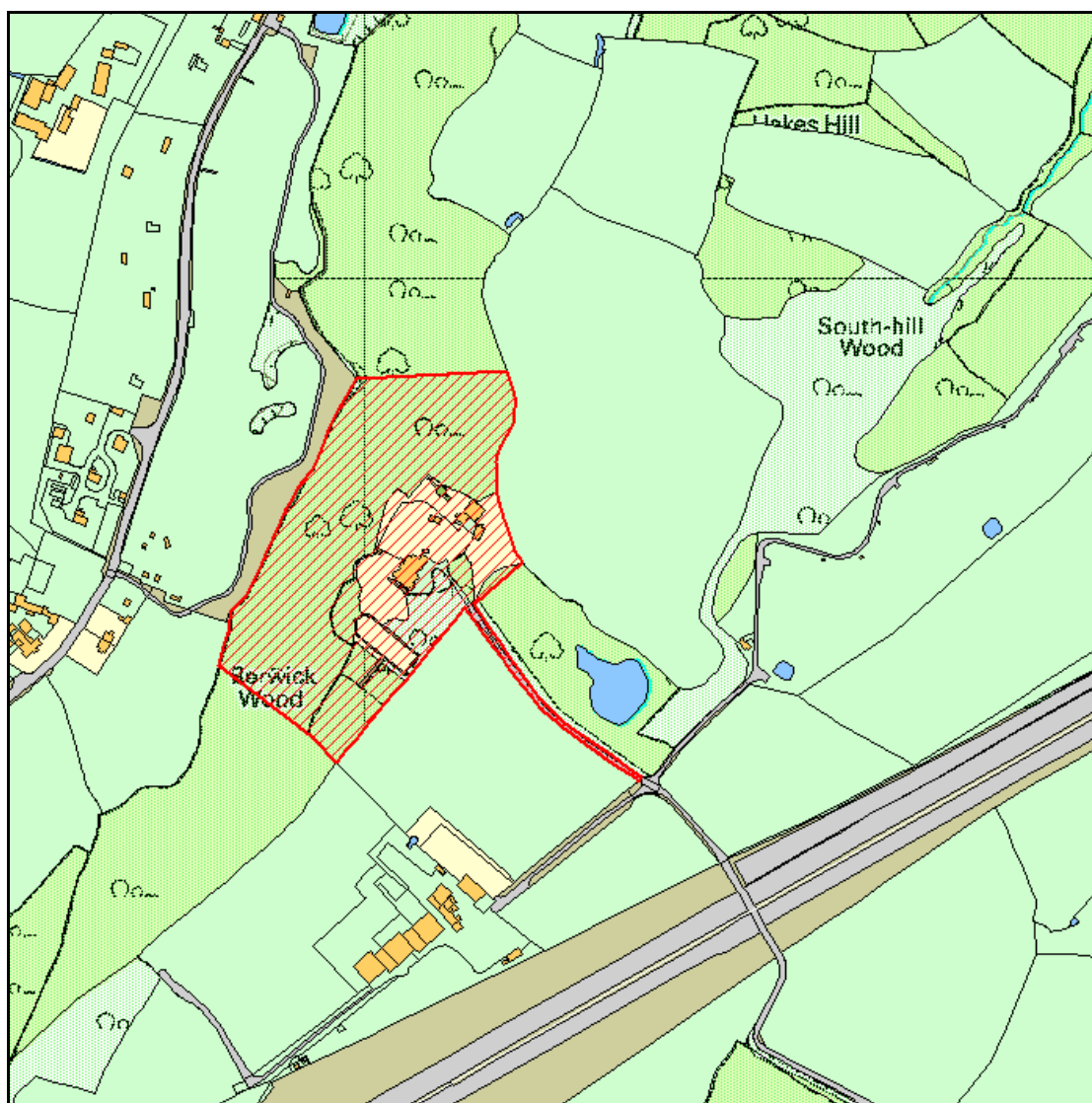
3. No windows shall be inserted at any time in the eastern side elevations of the extension hereby approved.

Reason

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

CIRCULATED SCHEDULE NO. 02/13 – 11 JANUARY 2013

App No.:	PT12/3946/F	Applicant:	Mr And Mrs Arikan
Site:	Berwick Lodge Berwick Drive Almondsbury Bristol South Gloucestershire	Date Reg:	28th November 2012
Proposal:	Change of use from Hotel (Class C1) to mixed use Hotel, Conference Centre and Cookery School and Weddings and Social Functions (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).(Retrospective)	Parish:	Almondsbury Parish Council
Map Ref:	356051 180449	Ward:	Almondsbury
Application Category:	Major	Target Date:	25th February 2013



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PT12/3946/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks a change of use from Hotel (Class C1) to mixed use Hotel, Conference Centre and Cookery School and Weddings and Social Function (sui generis) as defined in the Town and Country planning (Use Classes) Order 1987 (as amended).
- 1.2 The application relates to Berwick Lodge located to the northeast side of the main building of the Berwick Lodge Hotel. The site is located beyond any settlement boundary and within the open Green Belt at the end of Berwick Drive accessed via Station Road, close to Cribbs Causeway just north of the M5 motorway.
- 1.3 The application is retrospective as the change of use has been in effect since 2010. The new operations have been given a sui generis class use to ensure that the usage is limited to those as listed above and that any different/new operations would require planning permission.

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
GB1 Green Belt
T12 Transportation Development Control
(LC3 Proposals for Sports and Leisure Facilities within the Existing Urban Areas and the Defined Settlement Boundaries)

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 N2020: Erection of agricultural workers dwelling (outline). Refused: 11 December 1975
- 3.2 P85/2294: alterations and extension to existing stable block to facilitate change of use to recreation and craft workshops. Permitted: 23 October 1985

- 3.3 P88/3559: Erection of residential building to provide accommodation for 12 children and associated staff. Permitted: 20 April 1989
- 3.4 P91/2140: Change of use of existing outbuilding from ancillary leisure/workshop accommodation to additional residential accommodation (comprising 7 bedrooms and associated bathroom facilities) for persons with learning difficulties; erection of mono-pitched roof in place of existing flat roof over existing extension. Permitted: 11 September 1991
- 3.5 PT04/2677/F: Change of use from residential institution (Class C2 to Hotel Class C; erection of replacement fire escape to southwest elevation. Permitted: 4 October 2004
- 3.6 PT06/1146/RVC: Removal of conditions 2 and 3 attached to PT04/2677/F dated 4 October 2004 to allow functions; construction of passing places on driveway. Permitted: 2 June 2006
- 3.7 PT10/0099/F: Change of use of an existing building (currently unused but with an established C2 use) to allow its use as a conference facility and wedding reception venue
Withdrawn: 10 March 2010

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection
- 4.2 Other Consultees [including internal consultees of the Council]
Sustainable Transport
No objection
- Environmental Protection
No objection
- Public Rights of Way
No objection
- Landscape Officer
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received :
Strongly object to the disturbance from music, especially evening and night times, indeed any noise be it music, fireworks etc, that may cause animal health and welfare issues for example, cattle taking fright causing premature calving, broken limbs etc.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy GB1 is permissive of the change of use of land or existing buildings where:

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

5.2 Policy LC3 is not directly applicable given that it relates to proposals for sport and leisure facilities within the existing urban areas and the defined settlement boundaries. Nevertheless, it is considered that the spirit of this policy might be applied which allows for this type of development provided that:

- Proposal for facilities which are likely to be major travel generators are located on sites that are, or will be, highly accessible by public transport, foot or bicycle; and
- Development would not unacceptably prejudice residential amenities; and
- Development would not have an unacceptable environmental or transportation effect; and
- Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.

5.3 Site History

Planning permission was granted in 2004 (PT04/2677/F) for the change of use of the main building (formerly a residential institution) to provide a hotel. There were a number of conditions attached to this permission that included the following:

2. The number of hotel rooms shall be restricted to 10 and no functions shall be held at the premises without the prior written consent of the Local Planning Authority.

Reason: Access to the site is sub-standard and in the interests of highway safety, and to accord with Policy RP1 of the adopted Northavon Areas Local Plan; and Policy T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).

3. The restaurant hereby permitted shall be used solely for the use of residential guests of the hotel and shall not be open to the general public.

Reason: In the interests of highway safety, and to accord with Policy RP1 of the adopted Northavon Rural Areas Local Plan; and Policy T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).

5.4 The accompanying officer report noted that access to the site is via a long un-adopted road of variable width with a public right of way along it. In comparison

with the then extant use however (C2), it was considered that although the proposal would generate a slightly greater level of traffic, vehicle movements would generally be off-peak. The application was therefore considered to be acceptable subject to those conditions outlined above.

- 5.5 A subsequent planning application in 2006 (PT06/1146/RVC) sought the removal of the above conditions. In order that this might be achieved, one new passing place was proposed along Berwick Lane with improvement works to eight of the thirteen further passing places. A 20 mph speed restriction was also proposed in addition to further road safety signage. On this basis, no objection was raised to the removal of condition 3 but with the works conditioned with the highway safety works to be completed prior to the opening of the hotel and restaurant.

- 5.6 Condition 2 was retained and included on the subsequent decision notice and amended to read:

'The number of hotel rooms shall be restricted to 10 and no functions shall be held at the premises without the prior written consent of the Local Planning Authority.'

Reason: Access to the site is sub-standard and in the interests of highway safety, and to accord with Policy RP1 of the adopted Northavon Areas Local Plan; and Policy T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).

- 5.7 A further condition was also attached to this decision notice:

'The grounds of the hotel shall not be used for outdoor functions, to include weddings, parties and other social gatherings.'

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

In support of this condition, the officer report noted that the use of the hotel's functions would be acceptable, as the scale of the hotel would effectively limit potential traffic generation. Nonetheless, the further uses as conditioned would increase the capacity of the hotel and have impact upon future traffic generation.

- 5.8 The Proposal

The current application relates to all the buildings on the site including the hotel itself and the two-storey buildings, Berwick Mews. The Mews are situated to the north of the main hotel building to the far side of its associated car park and are used as the Conference Centre. Additional and separate car parking is provided to the front and rear of the hotel.

- 5.9 The proposal would allow the change of use of this building to provide a conference facility and wedding venue to be utilised as an extension of the hotel. The proposal is retrospective as this use has been undertaken since

2010. No external changes would be required to accommodate this change of use.
- 5.10 Given the above, there is no objection to the change of use of this building in design/ visual amenity terms.
- 5.11 Impact on the Openness of the Green Belt
Green Belt policy is permissive of the change of use of existing buildings where the development proposed would not have a materially greater impact than the existing authorised use. In this regard, the scheme would not include any extensions to these premises. As such, there is no objection to the proposal on this basis that the existing parking and access arrangements are retained.
- 5.12 Green Belt policy further advises that the building should be of permanent and substantial construction and capable of conversion without major or complete reconstruction. The applicant confirms that the building does not require any external alteration to facilitate the proposed operation and on this basis there is no associated objection to this current proposal.
- 5.13 Finally, the form, bulk and overall design of the building should be in keeping with its surroundings. In this instance, the premises are broadly similar in design terms to that of the main hotel and no external changes are proposed. Accordingly, the scheme as a whole is considered compliant with the requirements of Green Belt policy.
- 5.14 Residential Amenity
The application site sits in a relatively isolated location, remote from any neighbouring dwellings. On this basis, and having regard to the nature of the proposal, it is not considered that any significant adverse impact in residential amenity would be caused. However, a comment received from a local resident has raised the issue of noise/disturbance and in particular has mentioned fireworks. Issues regarding fireworks come under the Fireworks Act 2003 and the Firework Regulations 2004 which state when and where fireworks can be used. These regulations would be enforced by environmental health officers and as such it is considered unnecessary to condition their use under this report.
- 5.15 Highways Safety
The proposal would largely operate in conjunction with the existing hotel for which there is sufficient parking. It is not anticipated that the proposal would result in any significant increase in vehicle movements. On this basis, there is no highway objection to this current proposal. To this extent, having regard to the first criterion of planning policy LC3, the site already provides for an existing hotel and it is not anticipated that the proposal would comprise a major travel generator.
- 5.16 Other matters
Concern has been expressed by local residents regarding the potential harm caused by noise disturbance which might adversely affect the health and welfare of nearby animals. This matter cannot be covered under the remit of a planning report, however, under the Protection of Animals Act 1911 it is an

offence to cause unnecessary suffering to animals and concerns should be expressed to the appropriate bodies, such as the RSPCA or the police.

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 is for the following reasons:
- a) The proposed use would be accommodated within an existing building (that is of permanent construction) and which would not require any further extension. The proposal would therefore not have a materially greater impact on the openness of the Green Belt and thus is considered to accord with Planning Policy GB1 (Development within the Green Belt) of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) The proposal would not cause any significant adverse impact in residential amenity. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality design in New Development) and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.
 - c) The proposal is considered acceptable in highway safety terms; it is therefore considered to accord with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 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.

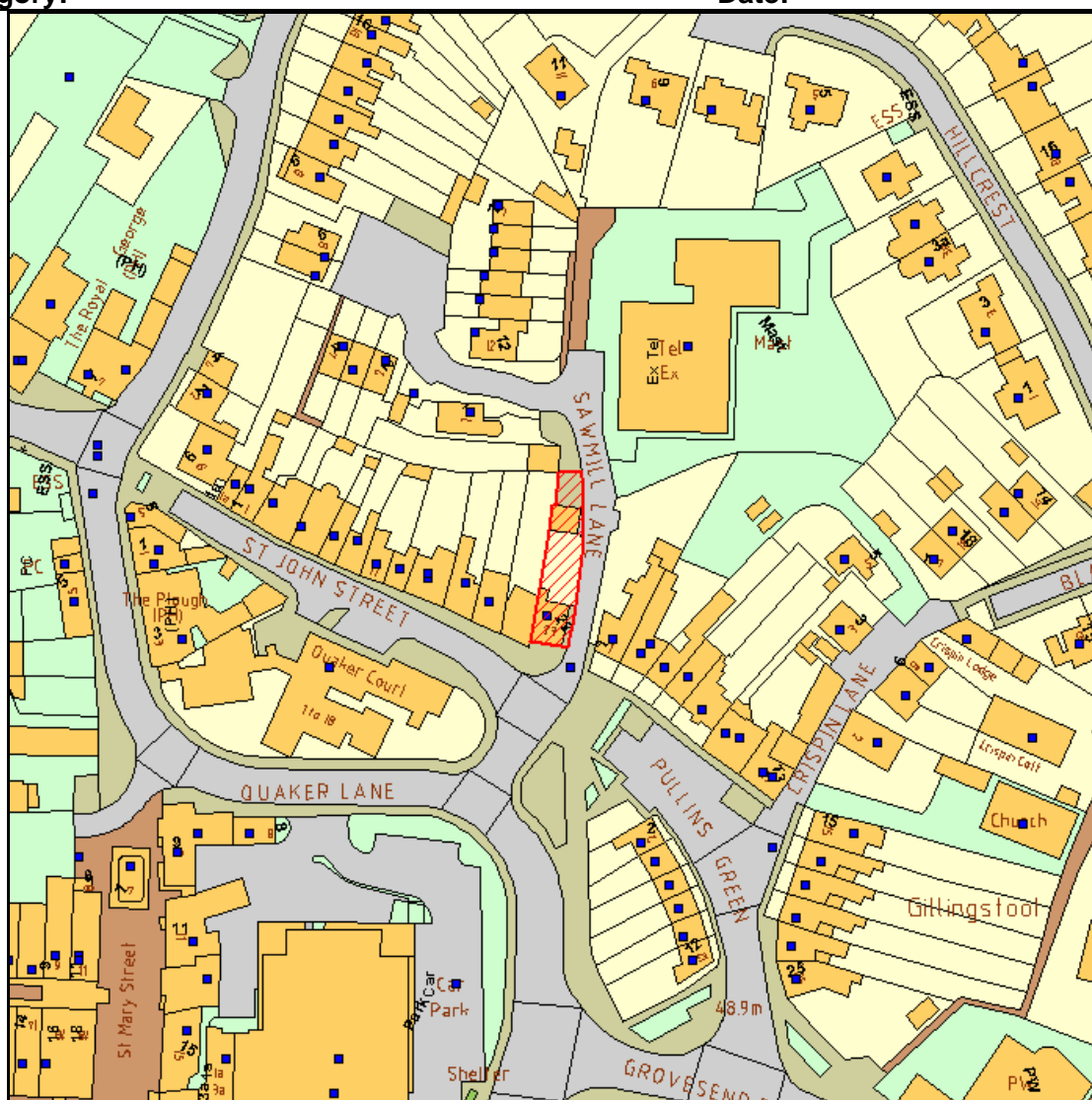
7. RECOMMENDATION

- 7.1 That the retrospective application be **APPROVED**.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CIRCULATED SCHEDULE NO. 02/13 – 11 JANUARY 2013

App No.:	PT12/3965/F	Applicant:	Mrs Helen Rowe
Site:	23 St John Street Thornbury Bristol South Gloucestershire BS35 2AU	Date Reg:	3rd December 2012
Proposal:	Change of Use of retail building (Class A1) to residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include conversion of existing building and remove shop front to form 2 no. flats and associated works. Demolition of rear building to form 1 no. detached dwelling and associated works.	Parish:	Thornbury Town Council
Map Ref:	363836 190121	Ward:	Thornbury North
Application Category:	Minor	Target Date:	23rd January 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because consultation responses have been received from members of the public, which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of a retail building (Class A1 to residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include the conversion of the existing building and the removal of the shopfront to form 2no. flats and associated works. Planning permission is also sought for the demolition of a building in the rear garden and the erection of 1no. detached dwelling with a new access and associated works.
- 1.2 The application site comprises a two-storey terrace property, which fronts St John Street. Sawmill Lane extends directly to the east of the site and serves a number of properties including modern residential development and a telephone exchange. The plot is long and narrow and is approximately 0.03 hectares in area. The site is located within the established residential area of Thornbury and within the Thornbury Conservation Area.
- 1.3 The proposed dwelling measures approximately 9.6 metres in width, 5.4 metres in length, with an apex of 6.1 metres, falling to 3.4 metres at the eaves. The proposal comprises a through-colour render finish (RAL 5012), grey interlocking roof tiles; white uPVC windows; and white uPVC and painted timber door sets. The proposed dwelling comprises a kitchen, lounge, W.C. at ground floor level with two bedrooms both with ensuite above. The existing building to be converted to residential will provide a single bedroom unit at ground floor level and a two bedroom unit at first floor level.
- 1.4 A separate Conservation Area application has been submitted for works in relation to the removal of an existing derelict cottage (PT12/3967/CA).

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H2 Proposals for New Residential Development within Existing Urban Areas and Defined Settlement Boundaries
L12 Conservation Areas
L9 Species Protection
L1 Landscape Protection and Enhancement
L11 Archaeology

T12 Transportation Development Control Policy for New Development
T7 Cycle Parking

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

CS1 High Quality Design

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS32 Thornbury

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/3967/CA, demolition of existing cottage rear of 23 St John Street situated within the Thornbury Conservation Area, undecided.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

No objection

4.2 Environmental Protection

No objection

4.3 Transportation Officer

This application was subject to pre-application discussions where concern was expressed in relation to the accessibility of the parking in relation to the amount of manoeuvring space available. The applicant has, with this application, shown that although limited the manoeuvring space is acceptable, and as such no transportation objection is raised on this application.

4.4 Conservation Officer

No objection to the conversion of no.23 St John Street, nor to the principle of erecting a new small dwelling in the garden to the rear. There is however, an objection to the design, form, and appearance and use of materials of the proposed cottage, which will fail to enhance the appearance of the Conservation Area. The previous two-storey design with hipped roofs (as submitted during pre-application stage) offered a far more satisfactory design and scale of building.

4.5 Ecological Officer

No objection

4.6 Archaeological Officer

No objections subject to condition

Other Representations

4.3 Local Residents

One letter of support has been received from a neighbouring occupier for the following reasons: They are very pleased to see that an empty shop on the street is to be used for residential purposes; pleased to note that the wilderness on Saw Mill Lane is to witness the reinstatement of a small cottage; the design fits in with the character of the area and neatly fits the allocated space; it has no rear windows to overlook existing gardens.

Three letters of objection have been received from neighbouring occupiers. The following is the summary of the reason given for objecting:

- ☐ The area in front of the derelict cottage is part of Sawmill Lane and therefore, belongs to the Highway Authority. The applicant has therefore, incorrectly signed Certificate A;
- ☐ The appearance of the dwelling proposed does not blend in well with the character of the area especially the random stone walls;
- ☐ The removal of the derelict cottage will affect a party boundary wall and the applicant has not recognised this by signing Certificate A in the application form;
- ☐ The proposed dwelling appears too high and the varying levels of nos. 21 and 23 St John Street have not been accounted for;
- ☐ Overlooking issues from rear dormer;
- ☐ No details have been submitted about how the stone boundary walls will be preserved;
- ☐ Guttering and eaves will encroach over the boundary with insufficient room for maintenance;
- ☐ The construction of the building in terms of laying footings and erecting scaffolding will necessitate encroachment onto no.21 St John Street;
- ☐ Potential adverse impact on an existing well located close to the boundary of nos. 21 and 23 St John Street;
- ☐ Inaccuracies in the plans submitted;
- ☐ Lack of information on the drawings to understand its overall height and appearance;
- ☐ Former cottage/house on the site has been abandoned;
- ☐ Proposed house will be within close proximity to the rear of 21 St John Street;
- ☐ Materials proposed are out of keeping with the surrounding properties;

- ☐ Inaccuracies with the information submitted;

4.4 Avoca PLD

A letter of objection has been received from Avoca PLD on behalf of the owner of no.1 Pullins Green. The following is a summary of the reasons given for objecting:

- ☐ The proposal represents the development of a residential garden, the NPPF advises against the development of residential gardens where there will be harm to the local area;
- ☐ The existing cottage has been abandoned, therefore, there should be no weight or planning merit afforded to the previous use;
- ☐ The proposed dwelling will have an overbearing impact on the lane due to its bulk;
- ☐ The proportions of the dwelling are out of keeping with the character of the area;
- ☐ The new dwelling appears cramped within the plot;
- ☐ In sufficient private amenity space is provided;
- ☐ Traffic from the lane and associated noise, headlights and exhaust fumes will have a detrimental affect on future occupiers;
- ☐ The proposal represents tandem development, which Local Plan advises against;
- ☐ The loss of stone walls will have a detrimental affect on the Conservation Area;
- ☐ The design of the new dwelling is out of keeping with the character of the Conservation Area;
- ☐ The lane is narrow and heavily congested and cannot support any more dwellings;
- ☐ The proposal will make access into and out of existing dwellings more difficult;
- ☐ No details have been submitted showing whether the access achieves the necessary visibility splays;
- ☐ The swept path analysis drawing is for a medium car only;
- ☐ The boundary walls may indicate historic importance;

- ☐ Vehicles may block the lane and cause a nuisance to residents during construction;
- ☐ An insufficient level of consultation has been carried out;
- ☐ Demolition of building may involve the loss of a party wall.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The application building to be converted does not form a primary or secondary shopping frontage, therefore, the loss of the retail unit will not effect the viability of Thornbury High Street and there is no conflict with policy RT9 of the South Gloucestershire Local Plan (adopted) January 2006. In addition, although the proposal will result in the loss of a local retail facility, it is considered that there is sufficient alternative provision of shops and facilities to serve the community such that the proposal is not in conflict with policy RT11 of the South Gloucestershire Local Plan (adopted) January 2006.

- 5.2 Whilst the National Planning Policy Framework (NPPF) removes land in built up areas such as private residential gardens from the definition of previously developed land policy H2 of the South Gloucestershire Local Plan (adopted) January 2006 allows for sites within the defined settlement boundaries or urban areas with no reference as to whether the land is brownfield or previously developed land. Accordingly the principle of the development is acceptable. It is noted that the NPPF advises against the development of residential gardens where the development will cause harm to the local area, however, under policies H2, D1 and L12 of the Local Plan, development is required to be assessed for their impact on the character of the area. The site is located in a sustainable location within walking distance to a range of shops and community facilities. The principle of residential development is acceptable by virtue of policy H2 of the South Gloucestershire Local Plan (adopted) January 2006; the main issues to consider are considered to be the form and appearance of the dwelling and the impact on the character and visual amenity of the Conservation Area (policies D1, H2 and L12 of the Local Plan); the environmental effects (policies L1, L9 and H2 of the Local Plan); the transportation effects (policies T12 and H2 of the Local Plan); and the effect on the residential amenity of neighbouring occupiers (policy H2 of the Local Plan).

Whilst the proposed dwelling occupies the site of a former dwelling, the physical condition of the building, which is severely dilapidated, indicates that it has been long since abandoned. Accordingly, the proposal is required to be assessed on its own merits and little weight can be given to the fact that a dwelling previously occupied the site.

5.3 **Appearance/Form and Impact on Conservation Area**

The proposed dwelling comprises a narrow footprint and sits tight to the boundaries of the site and directly fronts onto Sawmill Lane. It is 1.5 stories in height with first floor accommodation built into the roof and facilitated by 3no. vertically proportioned sash style box dormer windows in the front roofslope. Accordingly, the height of the apex of the dual pitched roof and the eaves are

very low at 6.2 metres and 3.4 metres respectively. Other windows in the elevations of the dwelling are vertically proportioned sash style; a bell shaped bay window is located on the northern side elevation of the dwelling. Openings in the rear elevation are restricted to just a dormer style roof light. Access is through a single pedestrian door in the front (eastern) elevation, whilst a secondary access is provided in the side (southern) elevation via French doors. The applicant has specified through colour render (RAL 5012) for the walls; grey interlocking concrete roof tiles; white uPVC framed double glazed windows; white uPVC framed double glazed and painted timber door sets; white uPVC soffit and fascia boards; and black uPVC gutters and down pipes.

- 5.4 When considering the merits of the appearance/form of the proposal, it is necessary to first explain the context of the area. Saw Mill Lane is a cul-de-sac with the access located between a long terrace row of two-storey dwellings, which directly front the street. The Lane is initially characterised by stone boundary walls, which on the eastern side are high and provides a sense of enclosure. The stone boundary wall on the western side, which abuts the application site, is dilapidated and overgrown with vegetation. Further up the lane (north) the character is eroded by modern development including a modern industrial building and associated chain link fencing; this area has a distinctly modern, loose knit character compared to the tight-knit terraces of St John Street. Whilst concerns have been raised on the basis that the proposal will appear cramped and have an overbearing impact on the lane, it is considered that there is an opportunity for a high quality development to re-enforce the sense of enclosure of the lane, improve the visual amenity of the area and provide surveillance to enhance its amenity for users.
- 5.5 The application site is constrained by its small size and siting in relation to neighbouring properties. The design of the dwelling, including the small scale, the long narrow footprint and lack of openings in the rear (west) elevation is clearly influenced by these constraints. However, the dormer windows are overly large for such a small building and dominate its appearance. Given their size they are read more as a full first floor in a small building rather than being subservient dormer windows. Accordingly, there are concerns that the proposed dwelling will appear adversely contrived and will appear out of keeping with the character of the surrounding built form. There are concerns that the materials proposed are not sufficiently high quality given the Conservation Area context. The roof should be covered with natural clay tiles or natural slate, with the windows and doors being constructed in timber and rainwater goods in metal. Sash windows should be vertically sliding, not top hung mock sashes, and attention to detail is required in respect of window reveals, door hoods and other architectural elements to ensure a high quality design. A condition is recommended if permission is granted to ensure that further details are submitted to and agreed with the Local Planning Authority to ensure a high quality standard of appearance.
- 5.6 The conversion of the existing retail unit involves the removal of an existing glazed uPVC framed shop front and fascia panel and the replacement with a ground floor sash window and single pedestrian door with an overlight and a flat hooded porch above. This reflects the character of many properties along St John Street, as does the oversized ground floor front window. The proposal

to convert the building to two flats results in the loss of the shop front; however, it is not of any particular interest. It is noted that the long-term use of the building as a shop does add a degree of variety to the streetscene, but the loss of this use will not have a significant adverse impact on the character and visual amenity of the area and cannot therefore, be resisted. The windows in the building are currently traditional sliding sash windows and there would be an objection to their replacement with uPVC or the use of uPVC in the new door or window construction. Any new doors and windows should be in timber to respect the Conservation Area context and a condition is recommended on this basis if permission is granted.

- 5.7 Objections have been received on the basis that the proposal results in the loss of stone boundary walls, which may have historical importance. However, the majority of the stone boundary walls are to be retained. The existing access is to be widened to facilitate the proposal, however, as the stone walls are not listed, the part removal of the wall is something that could likely be done under permitted development. Notwithstanding this it is not considered that the loss of part of the wall will be adversely harmful to the character or visual amenity of the area.

5.8 Residential Amenity

The proposed new dwelling is located tight to the boundaries of the site, within close proximity to neighbouring properties. Accordingly, careful consideration is required with regards to the affects on neighbouring occupiers.

5.9 Overbearing Impacts (loss of outlook/sunlight)

The rear boundary of the dwelling sits almost directly on the neighbouring flank boundary with a gap of just 0.15 metres (approx) and extends a distance of approximately 9 metres along the boundary. The main impact is on the occupiers of the adjoining property no. 21 St John Street, which is located to the southwest of the application site. The neighbouring dwelling is orientated such that rear windows will directly face towards the proposed dwelling. The rear building line of the neighbouring property is approximately 16 metres from the proposed dwellinghouse and it is considered that this distance is sufficient to ensure that any loss of natural light or outlook will not have an unreasonable affect on the occupiers of the neighbouring property. Although it is noted that the proposal will partially enclose the neighbouring garden, weight is given to the long length of the garden, which will lessen the degree of impact of the proposal such that it will not adversely undermine the viability or amenity of the use of the garden. Weight is also given to the design of the dwelling proposed. The low eaves and ridge heights and restricted openings in the western elevation clearly show that the applicant has attempted to reduce the impact on the residential amenity of neighbours in the design of the dwelling. All other neighbouring dwellings are located at a sufficient distance to not be significantly adversely affected through loss of natural light or outlook.

- 5.10 There will be no significant increase in size to the existing building to be converted; therefore, it is not considered that there will be a materially greater impact on the residential amenity of neighbouring occupiers than the existing situation in terms of loss of natural light or outlook.

5.11 Privacy

No first floor windows are proposed in the rear western or southern side elevations of the dwelling, which faces towards neighbouring gardens notwithstanding a roof light to illuminate the staircase. It is not considered therefore, that the proposal will have a significant adverse effect on the privacy of neighbouring occupiers to the southwest of the site. If permission is granted, a condition is recommended to restrict new openings in the rear (western) and side (southern) elevations and roofslope in the interests of the privacy of neighbouring occupiers. A first floor window is proposed in the side (northern) elevation; therefore, consideration is required with regards to the affects on the neighbouring property no.1 Saw Mill Lane to the northwest. The northern side elevation is approximately 10 metres from the neighbouring garden and any views into the neighbouring property will be at an oblique angle. Accordingly, it is considered that it will not have a significant adverse affect on the privacy of the neighbouring occupiers to the northwest.

5.12 No. 1 Pullins Green is located to the east of the application site and the flank boundary directly fronts onto Saw Mill Lane. First floor windows in the proposed dwelling directly face towards the neighbouring garden with a separation distance of approximately 8 metres to the neighbouring boundary. The siting and orientation of the proposed dwelling in relation to no.1 Pullins Green is such that no significant adverse inter-visibility issues will be introduced; however, the proposal will likely allow for views from the bedroom windows into the northern part of the neighbouring garden. Notwithstanding this, no.1 Pullins Green benefits from a relatively large curtilage, which will lessen the degree of the impacts of any overlooking. Accordingly, views into the more intimate areas of the neighbouring garden will be at more of an oblique angle and will be at reasonable distance. Accordingly, on balance, it is considered that the proposal will not have a significant adverse effect on the privacy of the neighbouring occupiers.

5.13 Whilst tandem development consisting of one dwelling behind another and sharing the same access can sometimes bring about disturbance and privacy issues to occupiers, the application site in this instance comprises a relatively long strip of land and there will be a separation distance of approximately 17 metres between the windows in the building to be converted and the proposed dwelling and 12 metres between the rear windows in the existing building to be converted and the proposed amenity space. These separation distances are sufficient to ensure that no significant overlooking or inter-visibility issues will be introduced. When considering the suitability of the amenity space provided, weight is given to the sustainable location of the site, which is within walking distance to community facilities and shops in the High Street, and within close proximity to a bus stop with links to the wider area. The location of the application site is such that future occupiers will not be isolated. In addition, the small scale of the residential units proposed is such that they will typically aimed towards single persons and first time buyers. Therefore, it is considered that the amenity space proposed for the new dwelling is acceptable and considering its size and relationship with neighbouring properties there is no significant reason why it will not be functional for use. No private amenity space is allocated for the existing retail unit to be converted. However, given the scale of the units, which are clearly not aimed towards large families, and the

sustainable location of the site, on balance, it is considered that this will not have a significant adverse affect on future occupiers. It is not considered that noise, pollution or light pollution from traffic will have a significant adverse affect on the residential amenity of future occupiers to such an extent that the proposed units will not be viable as a place to live.

- 5.14 It is noted that the fact that occupiers of the first floor residential unit will be required to walk past rear bedroom windows of the ground floor flat is not an ideal situation. However, on balance, it is considered that the proposal will provide an acceptable standard of living accommodation for future occupiers.

5.15 Environmental Affects

The proposal will not be located within the Root Protection Area (RPA) of trees that make a significant contribution to the character and visual amenity of the area and will primarily involve the removal of overgrown vegetation.

- 5.16 It is considered that there will not be an adverse impact on wildlife; however, officers recommended providing advice in the form of informative notes if permission is granted to avoid killing or injuring certain species of wildlife in the unlikely event of them being present on site.

5.17 Transportation

Objections have been received on the basis that Saw Mill Lane is narrow in width and is already heavily congested and there are concerns that the proposal will exacerbate the existing situation in terms of the impacts on highway safety and the amenities of the area. When considering the proposal, weight is required to be given to the comments of the Highway Authority. The Highway Authority have raised no objections to the proposal and consider that the manoeuvring space, although limited, is acceptable. The applicants have submitted a swept path analysis drawing for a medium sized car to show that the parking layout will be practical. Given the small scale of the units proposed, it is not considered that the additional associated traffic will materially affect local highway conditions. Weight is also given to the sustainable location of the site which is within close proximity to public transport and shops. Accordingly, there are no objections to the proposal on transportation grounds.

5.18 Archaeological Impacts

The site lies within the Medieval planned town of Thornbury where significant archaeological structures and deposits are likely to be present. The cottage (an undesignated Heritage Asset) to be demolished should be recorded in accordance with this strategy document and the guidelines of English Heritage (2006). If permission is granted, recording should be undertaken to appropriate levels, which it is anticipated will be Level 2, using a modified watching brief condition; any ground disturbance should be monitored using a standard Watching Brief condition. A brief covering both stages will be supplied.

5.19 Further Matters

Objections have been received on the basis that an insufficient level of consultation has been carried out. However, the consultation procedure has been carried out in accordance with the Council's adopted Statement of Community Involvement SPD.

- 5.20 Concern has been raised on the basis that the proposed development will affect the party boundary wall and the construction will result in the development encroaching onto land that is not within the ownership of the applicant. However, the applicant has signed Certificate A to declare that the development will be contained entirely within the land that is in the control of the applicant. Notwithstanding this, the granting of planning permission does not give the applicant the right to enter or to build on land that is not within their ownership. This will require the consent of the relevant landowner and is a civil matter that is separate to the planning process.
- 5.21 Concern has been raised that the plans and details submitted contain errors. However, it is considered that the information submitted is sufficiently accurate to allow the proposals to be assessed.

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

7. RECOMMENDATION

- 7.1 Planning permission is REFUSED for the demolition of the building to the rear of no.23 St John Street to form 1no. detached dwelling with new access and associated works for the following reason:

The proposal by reason of its scale, form, proportions and appearance is contrived and adversely out of keeping with the character of the surrounding built form. The proposal therefore, fails to achieve an acceptable standard of design and will have a detrimental affect on the character of the Conservation Area. The proposal is therefore, contrary to policies D1, H2 and L12 of the South Gloucestershire Local Plan (adopted) January 2006.

- 7.2 Planning permission is GRANTED for the change of use of an existing retail building (Class A1) to residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include the conversion of the building and the removal of the shop front to form 2no. flats and associated works for the following reasons:

The site is located in a sustainable location within an established residential area, which is within close proximity to existing shops and services. The principle of the development is therefore, acceptable under policy H2 of the South Gloucestershire Local Plan (adopted) January 2006.

The application building does not form a primary or secondary shopping frontage; therefore, the loss of the retail unit will not adversely affect the viability or vitality of Thornbury High Street. The application site is located within close proximity to Thornbury High Street where there is sufficient provision of shops to serve the community. Accordingly the proposal is not in conflict with policies RT9, RT10 and RT11 of the South Gloucestershire Local Plan (adopted) January 2006.

On balance, the proposal will provide an adequate standard of living accommodation to future occupiers and will not adversely affect the amenities of surrounding residents. The proposal therefore, accords with policy H2 of the South Gloucestershire Local Plan (adopted) January 2006.

Subject to condition in respect of materials, it is concluded that the proposal achieves a good standard of design in-keeping with the character of the existing built form and which respects the character of the Conservation Area. The proposal therefore, accords with policies D1, H2 and L12 of the South Gloucestershire Local Plan (adopted) January 2006.

The parking, access and turning facilities proposed are concluded to be acceptable and the scale of the development is such that there will not be a significant increase in vehicular traffic the detriment of the amenities of the lane or highway safety. Weight is also given to the fact that the site is highly sustainable being within close proximity to existing shops and facilities. The proposal therefore, accords with policies T12 and H2 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal will not bring about any significant adverse environmental issues and accords with policies L1 and L9 of the South Gloucestershire Local plan (adopted) January 2006.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. The change of use of the existing building from retail (Class A1 to residential (Class C3) to include the conversion of the existing building and removal of shop front to form 2no. flats and associated works 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 including doors and windows proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. (For the avoidance of doubt the new windows shall be vertically sliding and constructed of timber. Development shall be carried out in accordance with the approved details.

Reason

To achieve a satisfactory standard of external appearance and to respect the character and visual amenity of the Conservation Area and to accord with policies D1, H2 and L12 of the South Gloucestershire Local Plan (adopted) January 2006.

3. The off-street parking facilities for all vehicles, including cycles shown on the plan hereby approved for use with the residential units hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

4. The residential units hereby approved shall not be occupied until the storage areas shown on plan no. 324/PL-02 received on 28th November 2012 have been provided.

Reason

In the interests of the amenities of the area and to accord with policies D1, H2 and L12 of the South Gloucestershire Local Plan (adopted) January 2006.

5. The access shall be formed in accordance with the details shown on plan no. 324/PL-02 received on 28th November 2012 prior to the first occupation of the residential units hereby approved.

Reason

In the interests of highway safety and to accord with policies T12 and H2 of the South Gloucestershire Local Plan (adopted) January 2006.

6. 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 the contractor or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

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

7. The proposed render finish shall match the existing building in terms of colour and texture.

Reason

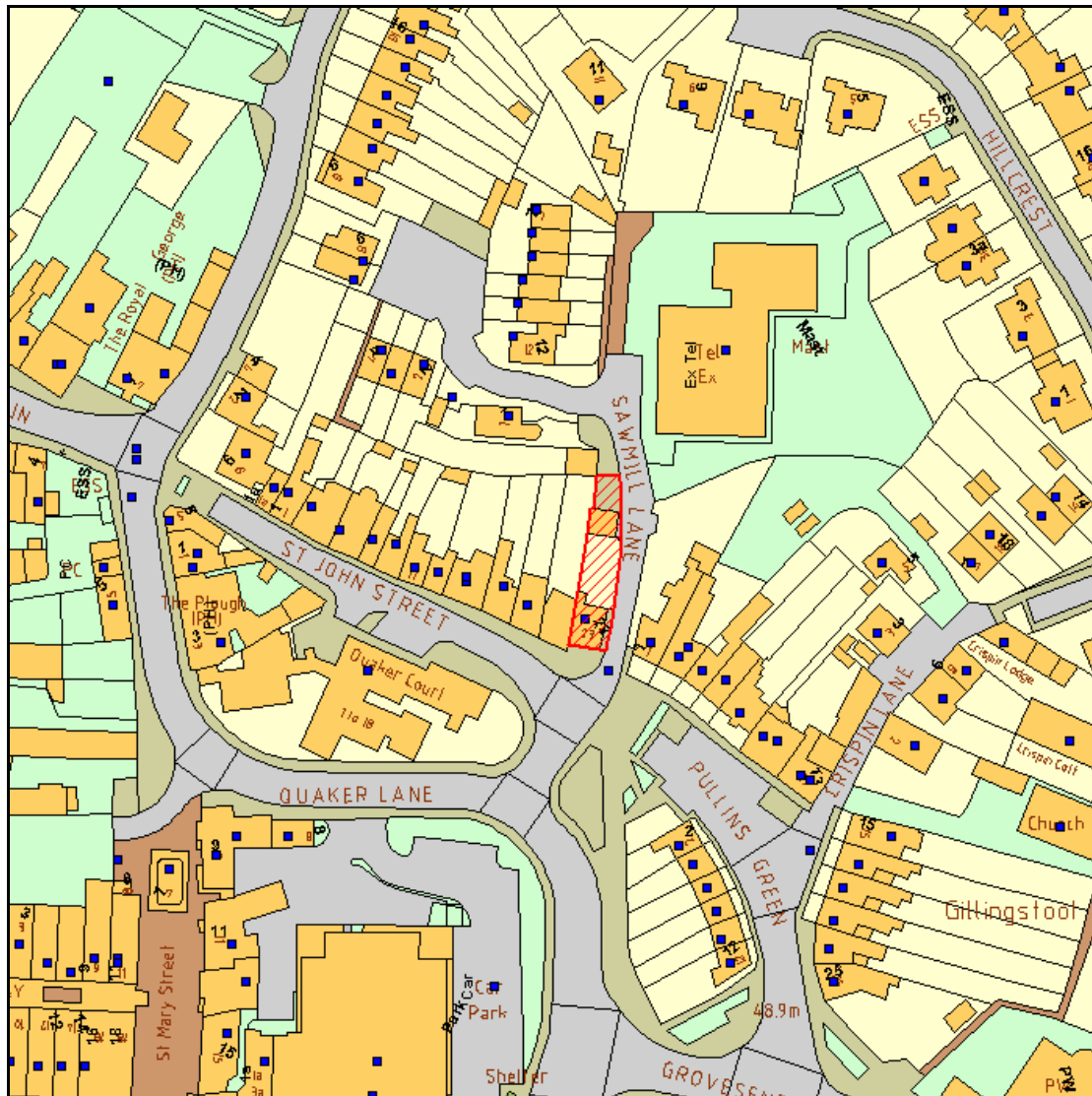
To ensure an adequate standard of external appearance in the interests of the character and visual amenity of the area and to accord with policies D1, H2 and L12 of the South Gloucestershire Local Plan (adopted) January 2006.

REASONS FOR REFUSAL

1. The proposed dwelling by reason of its scale, form, proportions and appearance is contrived and adversely out of keeping with the character of the surrounding built form. The proposal therefore, fails to achieve an acceptable standard of design and will have a detrimental affect on the character of the Conservation Area. The proposal is therefore, contrary to policies D1, H2 and L12 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/13 – 11 JANUARY 2013

App No.:	PT12/3967/CA	Applicant:	Mrs Helen Rowe
Site:	23 St John Street Thornbury Bristol South Gloucestershire BS35 2AU	Date Reg:	3rd December 2012
Proposal:	Demolition of existing Cottage rear of 23 St John Street situated within the Thornbury Conservation Area.	Parish:	Thornbury Town Council
Map Ref:	363836 190121	Ward:	Thornbury North
Application Category:	Minor	Target Date:	23rd January 2013



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 100023410, 2008. **N.T.S.** **PT12/3967/CA**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because consultation responses have been received from members of the public, which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks Conservation Area Consent for the demolition of an existing cottage to the rear of no.23 St John Street within Thornbury Conservation Area.
- 1.2 The application for Conservation Area Consent proposes the demolition of the building to facilitate the erection of a new dwellinghouse proposed under application PT12/3965/F.

2. POLICY CONTEXT

- 2.1 National Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/3965/F, change of use of retail building (ClassA1) to residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include the conversion of existing building and remove shop front to form 2no. flats and associated works. Demolition of rear building to form 1no. detached dwelling with new access and associated works, undecided.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection
- 4.2 Conservation Officer
No objection subject to condition

Other Representations

- 4.3 Local Residents
The following response have been received for the current application and the proposed redevelopment of the site (PT12/3965/F). For clarity responses received for both applications have been listed. The majority of the response relate to the redevelopment of the site and have therefore, been addressed in the planning report under application PT12/3965/F.

One letter of support has been received from a neighbouring occupier for the following reasons: They are very pleased to see that an empty shop on the street is to be used for residential purposes; pleased to note that the wilderness on Saw Mill Lane is to witness the reinstatement of a small cottage; the design

fits in with the character of the area and neatly fits the allocated space; it has no rear windows to overlook existing gardens.

Three letters of objection have been received from neighbouring occupiers. The following is the summary of the reason given for objecting:

- The area in front of the derelict cottage is part of Sawmill Lane and therefore, belongs to the Highway Authority. The applicant has therefore, incorrectly signed Certificate A;
- The appearance of the dwelling proposed does not blend in well with the character of the area especially the random stone walls;
- The removal of the derelict cottage will affect a party boundary wall and the applicant has not recognised this by signing Certificate A in the application form;
- The proposed dwelling appears too high and the varying levels of nos. 21 and 23 St John Street have not been accounted for;
- Overlooking issues from rear dormer;
- No details have been submitted about how the stone boundary walls will be preserved;
- Guttering and eaves will encroach over the boundary with insufficient room for maintenance;
- The construction of the building in terms of laying footings and erecting scaffolding will necessitate encroachment onto no.21 St John Street;
- Potential adverse impact on an existing well located close to the boundary of nos. 21 and 23 St John Street;
- Inaccuracies in the plans submitted;
- Lack of information on the drawings to understand its overall height and appearance;
- Former cottage/house on the site has been abandoned;
- Proposed house will be within close proximity to the rear of 21 St John Street;
- Materials proposed are out of keeping with the surrounding properties;
- Inaccuracies with the information submitted;

4.4 Avoca PLD

A letter of objection has been received from Avoca PLD on behalf of the owner of no.1 Pullins Green. The following is a summary of the reasons given for objecting:

- The proposal represents the development of a residential garden, the NPPF advises against the development of residential gardens where there will be harm to the local area;
- The existing cottage has been abandoned, therefore, there should be no weight or planning merit afforded to the previous use;
- The proposed dwelling will have an overbearing impact on the lane due to its bulk;
- The proportions of the dwelling are out of keeping with the character of the area;
- The new dwelling appears cramped within the plot;
- In sufficient private amenity space is provided;
- Traffic from the lane and associated noise, headlights and exhaust fumes will have a detrimental affect on future occupiers;
- The proposal represents tandem development, which Local Plan advises against;
- The loss of stone walls will have a detrimental affect on the Conservation Area;
- The design of the new dwelling is out of keeping with the character of the Conservation Area;
- The lane is narrow and heavily congested and cannot support any more dwellings;
- The proposal will make access into and out of existing dwellings more difficult;
- No details have been submitted showing whether the access achieves the necessary visibility splays;
- The swept path analysis drawing is for a medium car only;
- The boundary walls may indicate historic importance;
- Vehicles may block the lane and cause a nuisance to residents during construction;

- An insufficient level of consultation has been carried out;
- Demolition of building may involve the loss of a party wall.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

It is necessary to gain Conservation Area consent for the demolition of buildings and structures within a designated Conservation Area that are over 115 cubic metres.

5.2 The purpose of an application for Conservation Area consent is to assess the merit and value of the subject structures in terms of their contribution to a Conservation Area in terms of its visual character and historical context.

5.3 Consideration of Proposal

Whilst officers have no objection to the demolition of the former cottage in terms of the impact on the visual amenity of the Conservation Area, there are concerns with regards to the suitability of the replacement building proposed under application PT12/3965/F. Accordingly, a condition is recommended to ensure that demolition works do not commence until such a time as a contract has been signed for the redevelopment in accordance with a valid planning permission. This is to ensure that the site is not left in a worse state following demolition than it is at present.

5.4 The site lies in the Medieval planned town of Thornbury where significant archaeological structures and deposits are likely to be present. The cottage (an undesignated heritage asset) to be demolished should be recorded the interests of archaeological investigation. Recording should be undertaken to appropriate levels, which it is anticipated will be Level 2 using a modified watching brief condition. A brief will be supplied.

6. CONCLUSION

6.1 The recommendation to grant Conservation Area Consent has been taken having to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. RECOMMENDATION

7.1 Conservation Area Consent is GRANTED subject to the following condition.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. Works for the demolition of the building shall not commence until a valid contract for the redevelopment of the site in accordance with a valid planning permission has been let, or details of temporary treatment of the site have been approved in writing by the Local Planning Authority, such details to include a programme for carrying out such treatment.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Planning (Listed Buildings and Conservation Areas) Act 1990.

3. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any work of demolition, and shall afford the contractor or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to record the building prior to and during demolition. The work is to be carried out in accordance with the attached brief.

Reason

In the interest of archaeological investigation or recording and to accord with Planning (Listed Buildings and Conservation Areas) Act 1990.