



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

CIRCULATED SCHEDULE NO. 16/13

Date to Members: 19/04/13

Member's Deadline: 25/04/13 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

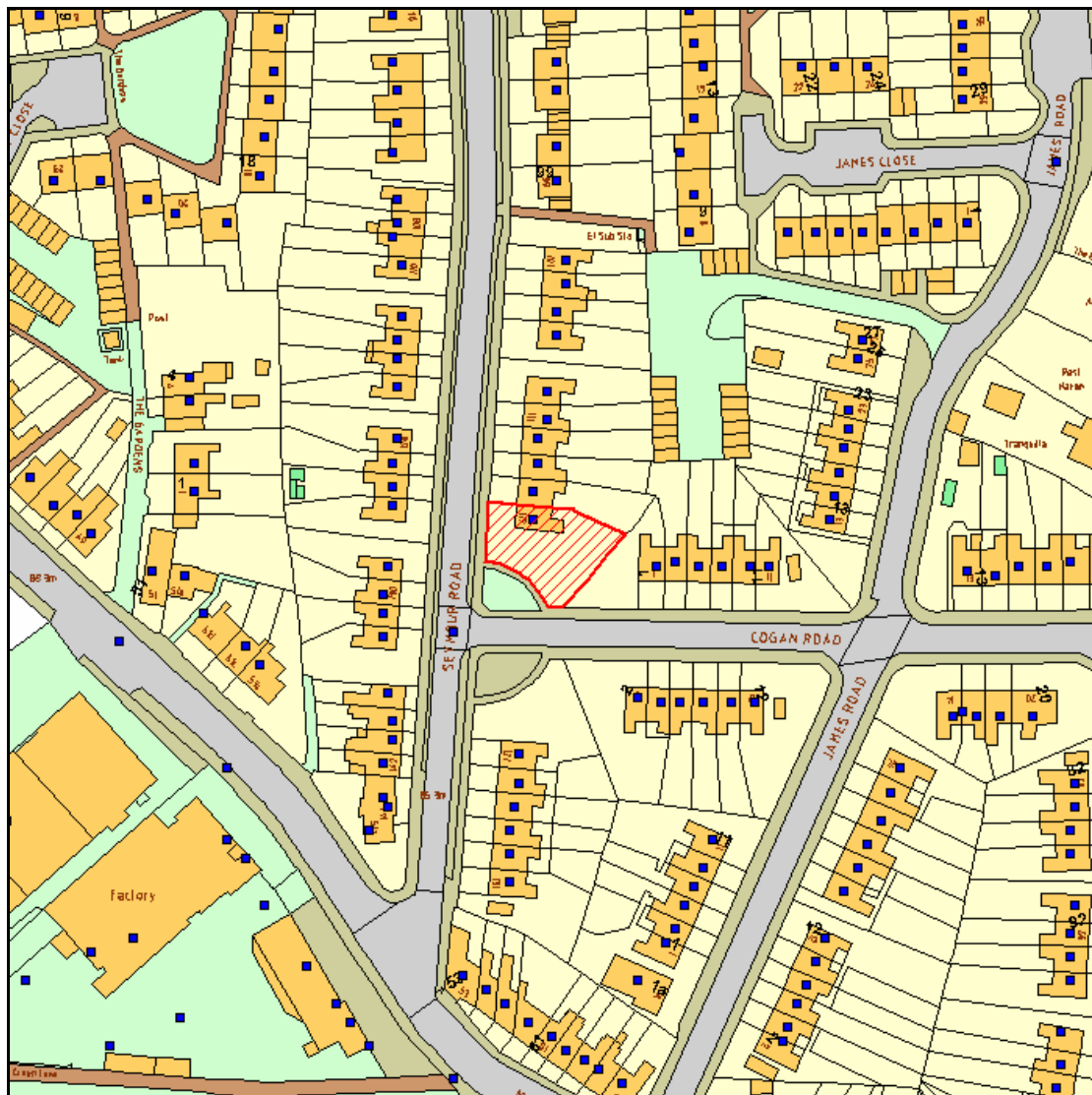
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s)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

CIRCULATED SCHEDULE – 19 APRIL 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK12/3890/F	Approve with Conditions	119 Seymour Road Staple Hill South Gloucestershire BS16 4TB	Staple Hill	None
2	PK13/0261/AD	Approve	Wick Ce Primary School Church Road Wick South Gloucestershire BS30 5PD	Boyd Valley	Wick And Abson Parish Council
3	PK13/0537/CLP	Approve with Conditions	28 Oakleigh Gardens Oldland Common South Gloucestershire BS30 6RH	Bitton	Bitton Parish Council
4	PK13/0760/F	Approve with Conditions	21 Dryleaze Yate South Gloucestershire BS37 7YX	Yate North	Yate Town
5	PK13/0762/F	Approve with Conditions	36 Stockwell Drive Mangotsfield South Gloucestershire BS16 9DW	Rodway	Mangotsfield Rural Parish Council
6	PK13/0786/F	Refusal	3 Church Road Doynton South Gloucestershire BS30 5ST	Boyd Valley	Doynton Parish Council
7	PK13/0815/CLP	Approve	63 Church Road Soundwell South Gloucestershire	Staple Hill	None
8	PK13/0832/F	Approve	The Gables 60 High Street Wickwar Wotton Under Edge South Gloucestershire GL12 8NP	Ladden Brook	Wickwar Parish Council
9	PK13/0900/F	Approve with Conditions	Hainlands Chase Lane Inglestone Common Badminton South Gloucestershire GL9 1BX	Cotswold Edge	Hawkesbury Parish Council
10	PT12/3642/F	Refusal	Pear Tree Farm Pilning Street Pilning South Gloucestershire BS35 4HL	Severn	Olveston Parish Council
11	PT13/0645/F	Approve with Conditions	15 Boverton Road Filton South Gloucestershire BS34 7AH	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PK12/3890/F	Applicant:	Mr A Younde
Site:	119 Seymour Road Staple Hill Bristol South Gloucestershire BS16 4TB	Date Reg:	27th November 2012
Proposal:	Erection of new detached dwelling and associated works	Parish:	None
Map Ref:	365067 175441	Ward:	Staple Hill
Application Category:	Minor	Target Date:	18th January 2013



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PK12/3890/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated in line with procedures as a letter of objection has been received.

1. THE PROPOSAL

- 1.1 This full application is for the erection of a detached house within the urban area of Staple Hill and within the side garden of 119 Seymour Road. The house would front on to Seymour Road and is located at the junction with Cogan Road.
- 1.2 Two parking spaces would be provided for the proposed house and a further two parking spaces would be created for the existing house, all having access from Seymour Road.
- 1.3 The house would be finished in render with brick and tiles to match the existing house on the plot.
- 1.4 This current application has been amended during this application in order to correctly show the roof form, provide additional parking and to better reflect the design of the neighbouring house.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Section 6 Delivering a wide choice of high Quality homes
Section 7 Requiring good design

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development
H4	Development in residential curtilages
H6	Affordable Housing
T7	Cycle Parking
T8	Vehicle Parking
T12	Transportation Development Control Policy
LC2	Education Provision
L1	Landscaping
L5	Open areas within the defined settlement

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

CS1	High Quality Design
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- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Supplementary Planning Document)
Adopted 2007
South Gloucestershire Council Affordable Housing Supplementary Planning
Document (Adopted) September 2008
Residential Parking Standards Supplementary Planning Document -Approved
for Development Management Purposes 27th March 2013

3. RELEVANT PLANNING HISTORY

- 3.1 K3105 Domestic garage Approved 1980

4. CONSULTATION RESPONSES

- 4.1 Parish Council
This is a non-parished area
- 4.2 Other Consultees
- 4.3 Highway Officer
The parking for the proposed two parking spaces for each house is acceptable.
- 4.4 Drainage Engineer
No public surface water sewer is available. Subject to a scheme of suds do
deal with house and drive water being implemented – no objection.

Other Representations

- 4.3 Local Residents
one letter of objection received in respect of the following matters;
- ☐ unhappy with the proposal of a new building because it it will look ugly, grotesque, disgusting and a monstrosity situated there (RIGHT outside my bedroom window)
 - ☐ will cause tremendous parking problems in our street and it will
 - ☐ make hard to park outside our own property.
 - ☐ concerned about the works vehicles making dirt, mud and pollution and clogging up the road so the writer can't get to school in the mornings
 - ☐ Concern about dust caused by works.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
- 5.2 This application is for the erection of a new detached house within the side garden of 119 Seymour Road. Two roads adjoin the site and as such this is not backland development. The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF

taken as a whole. The site is located within the urban area and as such the location is sustainable and the presumption in favour of development stands to be tested further in relation to the policies of the development plan. The Councils development plan includes the saved policies of the Local Plan listed above and the emerging Core Strategy. Whilst the Core Strategy remains at a pre inquiry stage it can only be afforded limited weight and as such the policies in the Local plan prevail unless contradicted by the NPPF.

- 5.3 Policy H2 of the Local Plan permits such development providing that criteria relating to environmental and transportation effects, residential amenity and density considerations and provided that the site would not be subject to unacceptable pollution or place undue strain on public services. In addition to this Policy H4 seeks to ensure that the proposal respects the surrounding character and that adequate private amenity space is provided for any new dwelling.
- 5.4 As such the principle of the residential development is acceptable subject to further consideration under the following headings:
- 5.5 Layout and Design
The house is located on a corner site in line with the building line of the neighbouring terraced houses. Although detached, rather than terraced, the principal elevation would face onto Seymour Road and the chimney, window openings and front gable roof form all reflect the character of the neighbouring terraced houses. The new property would also have eaves at approximately the same level as the adjacent
- 5.7 The properties along Seymour Road vary widely in style and materials and this house is considered to be an acceptable form and design to sit comfortably alongside 119 Seymour Road. There is adequate garden land with each property to facilitate the needs of the houses together with access to the rear or each house for bin storage and overall the proposal does not constitute overdevelopment.
- 5.8 With regard to the landscaping at the site a small tree, not worthy of a TPO is located on the boundary and this can be adequately protected during the buildings works by a condition which can also secure planting of a hedge along the boundary of the site with Cogan Road as proposed.
- 5.9 In light of the above the findings the application complies with policy D1 of the Local Plan.
- 5.10 Privacy and Residential amenity
The property is not considered to cause an overbearing impact on the neighbouring properties due to the location and distances between these dwellings. As such the proposal does not materially detract from the residential amenity of neighbouring dwellings or cause a loss of privacy.
- 5.11 Given the close proximity to the neighbouring houses it is reasonable to restrict working hours to 8am-6pm Monday to Friday and 8am-1pm on Saturdays. Such a condition is recommended and attached below. A description of the

term working is included in the condition. This need not prevent quiet working within the building or other working not restricted by the condition. The standard informative for building works is also proposed.

5.12 Access and Transportation

Access from Seymour Road is acceptable and the parking spaces are sufficient to meet the Council's parking standards. Access to the rear of these properties is available where bin storage and cycle parking can be provided. This should be provided at a level of two cycles per dwelling and this can be secured by an appropriate condition.

5.13 Education and community facilities

Policy LC2 of the Local Plan seeks to secure provision or contributions to ensure that educational facilities are available for the future occupiers of the development proposed. The proposal is not considered to be of sufficient scale to warrant a contribution towards education or other community facilities on this occasion.

5.14 Affordable Housing

In this case, where only one new house is proposed, the site falls under both the site size and dwelling number threshold and as such no affordable housing is required from this site.

5.15 Drainage

Subject to a sustainable urban drainage condition dealing with both driveway water and water collected from the roof of the house there is no drainage objection.

6. CONCLUSION

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

- 1 The proposal is designed to be in keeping with the general character of the area taking into account the design, siting, height and materials of the surrounding area – Policies H4 and D1 South Gloucestershire Local Plan (adopted) January 2006; South Gloucestershire Design Checklist SPD.
- 2 The proposal would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 3 The access and parking facilities are appropriate to the site and accord with policy –T7, T8, T12 South Gloucestershire Local Plan (adopted) January 2006.

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to the conditions set out below.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

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 unless alternatives are submitted to and approved in writing prior to development commencing on site. The development shall then be carried out as agreed.

Reason

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

3. Prior to the commencement of development drainage detail proposals, to deal with surface water from the house and parking areas hereby permitted and required, incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval and agreed in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved details.

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

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy 12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Residential Parking

5. Prior to the commencement of development detailed plans showing the provision of a bin storage location and a cycle parking shed at the rear of the retained and proposed houses, to accommodate at least two bicycles in accordance with the standards set out in Policies T7 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the cycle parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

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

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

Reason

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

7. The hours of working on site during the period of construction shall be restricted to 08.00-18.00 hours Monday to Friday and 08.00-13.00 hours on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PK13/0261/ADV	Applicant:	Mr R Cockle
Site:	Wick Ce Primary School Church Road Wick South Gloucestershire	Date Reg:	14th March 2013
Proposal:	Display of 1no. non-illuminated banner advertisement. (Retrospective)	Parish:	Wick And Abson Parish Council
Map Ref:	369788 172859	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	7th May 2013



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PK13/0261/ADV

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks advert consent for the retrospective display of 1no. banner. The application site relates to Wick Church of England Primary School situated just outside the settlement boundary of Wick.
- 1.2 During the course of the application negotiations secured a reduction in the number of banners proposed for the site. It has been agreed that two of the signs would be relocated within the school grounds and the remaining sign subject of this application would be slightly repositioned.
- 1.3 Given that the number of signs proposed has been reduced the application has not been put out for re-consultation.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|---------------------------------|--|
| 3.1 | P98/4914
Approved | Extension
27.1.99 |
| 3.2 | PK00/1908/F
Approved | Single storey side extension
29.8.00 |
| 3.3 | PK01/1441/R3F
Deemed consent | Erection of single Elliott classroom block
6.8.01 |
| 3.4 | PK05/1491/R3F
Deemed consent | Erection of single storey boiler house extension
28.6.05 |
| 3.5 | PK05/1833/F
Refused | Erection of 1 portakabin and 4 parking spaces
22.7.05 |
| 3.6 | PK05/3289/F
Approved | Playground sunshield
22.12.05 |
| 3.7 | PK10/0326/R3F
Deemed consent | Cycle shed
18.5.10 |
| 3.8 | PK12/1511/F
Consent | Relocation of Existing (2no.) Elliot Classrooms Deemed
9.7.12 |

- 3.9 PK12/2427/R3F Erection of single storey side extension to form additional classrooms
Deemed consent 14.8.12

4. CONSULTATION RESPONSES

- 4.1 Wick and Abson Parish Council
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a local resident. The points made are summarised as:
- posters look terrible on the outside wall
 - proper sign better than a large plastic poster
 - how long will they be on display
 - could some be displayed within school boundary

5. ANALYSIS OF PROPOSAL

- 5.1 As stated in the NPPF, the government attaches great importance to the design of the built environment, citing good design as a key aspect of sustainable development and thereby positively contributing to making places better for people. Developments should function well and add to the overall quality of the area, creating attractive and comfortable places to live, work and visit. It specifically states that poorly placed advertisements can have a negative impact on the appearance of the built environment and should be subject to control in the interests of amenity and public safety, taking account of cumulative impacts.
- 5.2 Visual Amenity
As stated above during the course of the application a reduction in the number of signs attached to the front entrance wall of the school was secured. A total of 2no. large banner signs will be relocated within the school grounds. The remaining banner sign, encouraging visits to the school, will be relocated from its current position on the west wall to a more central position. It is recognised that the banner is quite large, however, it can be regarded as the standard size seen on many other school gates, fences and walls in the area. As this will now be the only banner at this location it is considered that the visual amenity of the area would not be adversely affected by its presence. It is therefore deemed acceptable in terms of its size and location. Concern has been expressed querying the length of time an advert can be displayed. Advertisement consents are valid for a period of 5 years and these details are attached to the decision notice.
- 5.3 Public Safety
The proposed signs do not encroach onto the public highway nor do they obstruct a driver's view. They are considered to be of an appropriate height

and size and consequently, the impact on highway safety is considered acceptable.

5.4 Cumulative Impact

It is noted that the banner would join other smaller signs on and around the school entrance. These are considerably smaller than the banner and currently advertise the school name, speed restrictions within the grounds and a swim club. Given this, the banner is considered to be of a reasonable scale, acceptable within its setting and would not result in a harmful cumulative impact of signage in that location.

6. CONCLUSION

- 6.1 In accordance with Section 220 of the Town & Country Planning Act 1990 and Regulation 3 of the Advertisement Regulations 2007, Local Planning Authorities are required to determine applications in accordance with the Policies of the Development Plan, unless material considerations indicate otherwise.

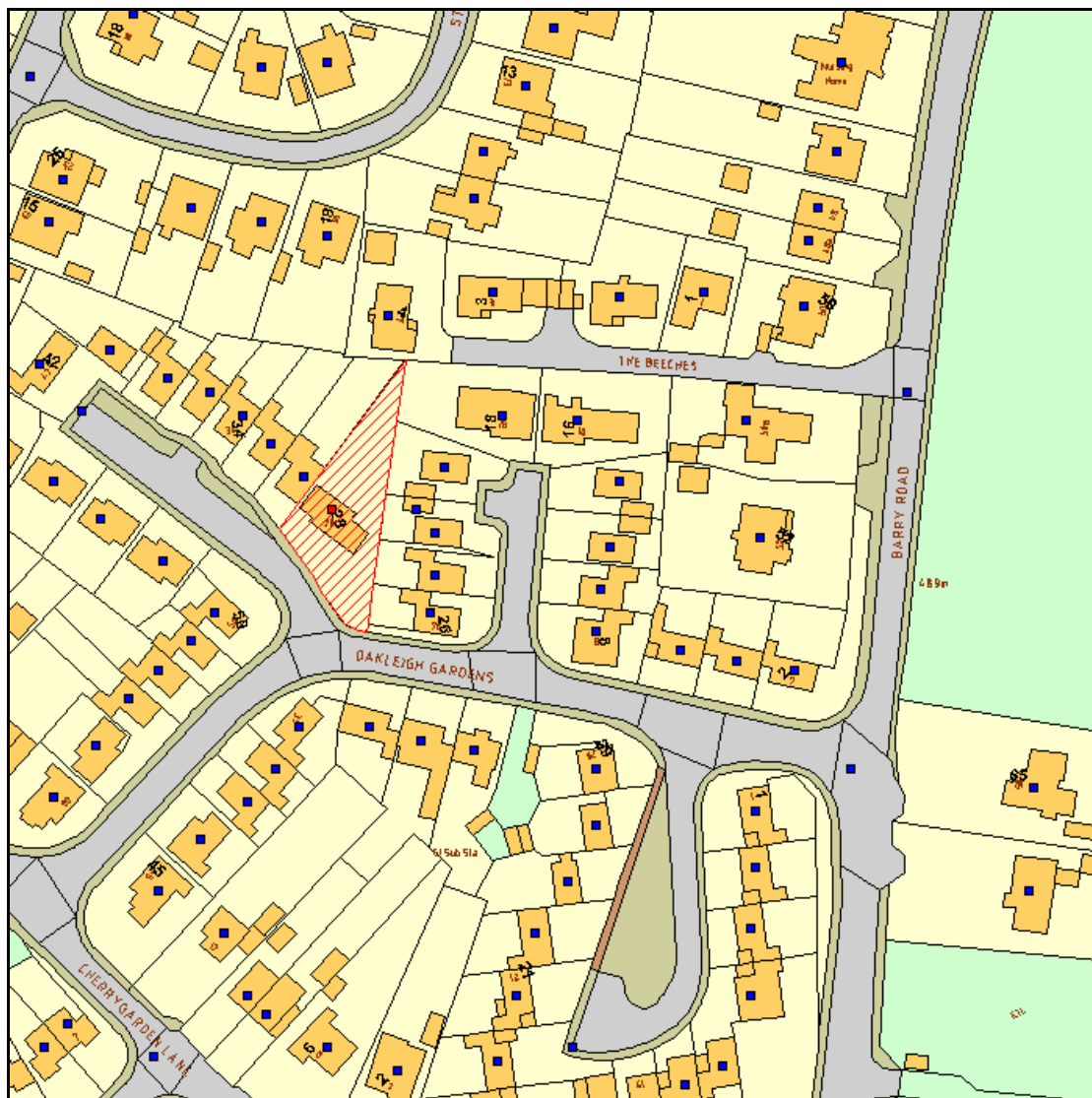
7. RECOMMENDATION

- 7.1 That advertisement consent is **GRANTED**

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PK13/0537/CLP	Applicant:	Mr Simon Hucker
Site:	28 Oakleigh Gardens Oldland Common Bristol South Gloucestershire BS30 6RH	Date Reg:	20th March 2013
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a single storey rear extension.	Parish:	Bitton Parish Council
Map Ref:	367159 170829	Ward:	Bitton
Application Category:	Minor	Target Date:	13th May 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is for a Certificate of Lawfulness, and as such, according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension at 28 Oakleigh Gardens, Oldland Common, Bristol would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. .
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 1995 Article 24 Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class A.

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|---|
| 3.1 | K7264 | Extension to form new garage
Approved September 1992 |
| 3.2 | PK00/1671/F | Erection of rear conservatory
Approved August 2000 |
| 3.3 | PK10/1798/F | Erection of two storey side extension and detached garage
Refused September 2010 |
| 3.4 | PK10/3122/F | Erection of first floor side extension and single rear extension to provide additional living accommodation (Re-Submission of PK10/1798/F)
Refused December 2010 |
| 3.5 | PK11/3736/F | Erection of first floor side extension to form additional living accommodation
Refused January 2012 |

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No comment

Other Representations

- 4.2 Local Residents
No response received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 PLANS
Site location plan, site block plan, existing and proposed elevations - Proposed orangery

6. EVALUATION

- 6.1 Principle of Development
The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for Planning Consent. Accordingly there is no consideration of planning merit, the planning application is based on the facts presented. The submission is not a planning application and thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GDPO 2008.

- 6.2 The proposed development consists of a rear extension. This development would fall under the criteria of *Schedule 2, Part 1, Class A*, of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (The enlargement, improvement or other alteration of a dwellinghouse). This allows for the enlargement, improvement or other alteration of a house, provided it meets the criteria as detailed below:

6.2 Erection of a single storey rear extension

A1 Development is not permitted by Class A if –

- (a) **As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

The proposed conservatory would not exceed 50% of the total area of the curtilage.

- (b) **The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**

The maximum height of the proposal would sit beneath the existing eaves height of the main dwelling house. As such the proposal meets this criterion.

- (c) **The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**

The entire proposal would sit lower than the eaves height of the main dwelling. The height to eaves of the proposed extension would reach 2.7 metres, in comparison, the height to eaves of the main dwelling measure 4.8 metres.

- (d) **The enlarged part of the dwellinghouse would extend beyond a wall which—**

- (i) **fronts a highway, and**
- (ii) **forms either the principal elevation or a side elevation of the original dwellinghouse;**

The proposed extension would be to the rear of the dwelling not on a principle or side elevation and not fronting a highway, as such the proposal accords with this criterion.

- (e) **The enlarged part of the dwellinghouse would have a single storey and—**

- (i) **extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**

- (ii) **exceed 4 metres in height;**

The host dwelling is a detached property. The proposed extension would be single storey and would extend a maximum of 3 metres in depth. Furthermore the proposed extension would have a maximum height of 3 metres.

- (f) **The enlarged part of the dwellinghouse would have more than one storey**

The proposal is single storey.

- (g) **The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;**

The proposal would be located within two metres of a boundary but have a height to eaves of less than 3 metres and therefore meets this criterion.

- (h) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would:
 - (i) exceed 4 metres in height
 - (ii) have more than one storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse; or

The proposal would extend off the rear elevation of the dwelling only.

- (i) It would consist of or include—
 - (i) The construction or provision of a veranda, balcony or raised platform,
 - (ii) The installation, alteration or replacement of a microwave antenna,
 - (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) An alteration to any part of the roof of the dwellinghouse.

The proposal does not include any of the above and consequently meets this criterion.

A2 In the case of a dwellinghouse on article 1(5) land, development is not permitted if:

- (a) It would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebbledash, render, timber, plastic or tiles :
- (b) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) The enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

The site is not located within article 1(5) land and as such the proposal meets this criterion.

Conditions

A3 Development is permitted by Class A subject to the following conditions:

- (a) The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposal would be finished in materials to match those of the existing dwellinghouse.

- (b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

The proposal does not include the installation of any upper floor windows.

- (c) **Where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.**

The proposal is single storey.

7. RECOMMENDATION

- 7.1 That a certificate of Lawfulness for Proposed Development is granted for the following reason:

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PK13/0760/F	Applicant:	Mrs Clare Neale
Site:	21 Dryleaze Yate Bristol South Gloucestershire BS37 7YX	Date Reg:	5th March 2013
Proposal:	Erection of two storey front extension to provide additional living accommodation.	Parish:	Yate Town Council
Map Ref:	371194 184265	Ward:	Yate North
Application Category:	Householder	Target Date:	29th April 2013



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PK13/0760/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a double storey front extension to form additional living accommodation.
- 1.2 The application relates to a detached residential dwelling situated within an established residential area of Yate.
- 1.3 During the course of the application revised proposed drawings were received, which include obscure glazed windows on the west elevation of the proposed extension. An additional block plan was also submitted to include the neighbouring dwellings to the west of the site on Pear Tree Hey.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential Parking Standards Supplementary Planning Document (SPD)
(Approved for Development Management purposes 27th March 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection

4.2 Highway Drainage

No comment.

4.3 PROW

Not likely to affect public right of way. Informative recommended.

Other Representations

4.4 Local Residents

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

- Loss of light to back garden.
- Looking at 'Berlin wall' from back garden.
- Proposal would de-value our house.
- Detrimental effect on the way we live.
- Overlooking/ loss of privacy.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a double storey front extension. Policy H4 of the adopted Local Plan permits this type of development in principle subject to criteria relating to residential amenity, highways and design.

5.2 Residential Amenity

The application site consists of a two-storey detached residential dwelling situated within an established residential area of Yate. The host dwelling is set back from the neighbouring property to the east, and fronts a small open green area separating it from properties to the south. The proposed front extension would not affect the neighbouring property to the rear of the site. To the west of the site is a public footpath, which is lined with mature trees. To the east of the public footpath are the residential dwellings on Pear Tree Hey. For clarity the affect of the proposal on surrounding dwellings is considered in terms of overbearing impact and privacy.

5.3 Overbearing Analysis

The proposal is for a double storey front extension, which has a depth of 5.8 metres, a width of 5.4 metres, and a maximum height of 7.6 metres. The extension would run parallel to the public footpath with a gable end facing southwards meeting the existing detached garage. Although large in scale it is considered that the proposal would not have an overbearing impact on surrounding dwellings. The detached nature of the dwelling and its position in relation to the surrounding properties ensures that it does not appear imposing on the street scene. Adequate space remains between the proposed extension and the curtilage of number 22 Dryleaze and as such it is considered that it would not have an overbearing impact to the detriment of their residential amenity. The proposal would result in an additional bulk adjacent to the public footway, which would be partially visible from the properties on Pear Tree Hey. Although having some visual impact it is considered that this would not be

significant in terms of overbearing impact. There are a number of existing protected mature trees running along the side of the footpath between Dryleaze and Pear Tree Hey, which already provide some screening between the two developments.

- 5.4 In terms of loss of light the dwelling is south facing and as such the proposal would not significantly affect midday sunlight to neighbouring properties. The proposed extension would provide some shadowing to the east during the early mornings when the sun is very low, however this is not considered to significantly impact the existing situation given the location of the mature protected trees. Therefore, given the south facing position of the dwelling, it is considered that the proposal would only create shadows during a limited period of the day, which is not considered detrimental to the residential amenity of surrounding properties.

5.5 Privacy

The detached nature of the site means that an adequate distance remains between the site and the nearby residential dwellings. This combined with the staggered position of the dwellings in the locality mean that there is little opportunity for a direct line of vision between the host dwelling and its neighbour's windows. The existing west elevation of the dwelling does not have any habitable windows and it is considered necessary to retain this. The original proposed drawings did not have obscure glazing on this elevation, however this was revised and the amended plans received 5th April 2013 show obscure glazing on all windows on the west elevation with window opening restrictors. The obscure glazing in addition to the existing screening provided by the trees ensures that there would not be a loss of privacy to the residents on Pear Tree Hey. This will be retained through the use of a condition attached to the decision notice. Subject to this condition the proposal is considered acceptable in terms of policy H4 of the adopted Local Plan.

5.6 Highways

The existing parking provision on site consists of a double garage and hardstanding/ driveway. The proposal would result in the loss of some of the hardstanding area to the front of the dwelling and would increase the number of bedrooms from four bedrooms to five bedrooms. The residential parking standards SPD, which has been adopted for development management purposes, states that a minimum of 3 parking spaces must be available to serve a 5+ bedroom dwelling. Garages can only count for half of these. Whilst some of the hardstanding area would be lost it is considered that there would be adequate space to accommodate 3 cars within the curtilage of the dwelling. This is therefore considered acceptable in terms of policy H4 of the adopted Local Plan.

- 5.7 The proposal is not adjacent to the highway and as such does not raise any concerns in terms of highway safety. The proposal is not considered to affect the adjacent public right of way, however, building materials associated with the proposal must not at any time be storey on the PROW, there must be no diminution in the width of the right of way, and the safety of the public must be ensured at all times. This information is attached to the decision notice.

5.8 Design

The application site consists of a two storey detached residential dwelling constructed with buff brick and a pitched tiled roof. The dwelling has a gable end feature at the front with a front porch, a bay window and design detailing around the windows. The locality is characterised by detached residential dwellings of a similar style and design. Dwellings are offset and have some variation in size. As such the locality does not have a distinct linear character.

5.9 The application proposes a large double storey extension at the front of the house creating an L-shape. The existing porch would be removed and a replacement porch would be located on the side of the extension. This would move the principal elevation from south facing to east facing. The gable end feature at the front would be retained meeting the existing detached garage. The materials used would match the existing dwelling and design detailing has been replicated on the proposed extension. The west elevation of the proposed extension has been visually broken up with windows and as such does not create a blank imposing wall.

5.10 Although large in scale it is considered that the proposal respects the proportions of the site and the local area. It is considered that the dwelling, by virtue of its position, would not appear dominant or incongruous in the street scene and would not have a detrimental impact on the character of it. As such the proposal is considered acceptable in terms of policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.11 The revised drawing submitted result in one of the bedrooms having an obscure glazed, non-opening window. The addition of a rooflight has been included in order to let more light in. Although undesirable it is considered that sufficient light would enter the room to ensure an acceptable standard of living.

5.12 Other Matters

Concerns raised by local residents relating to residential amenity and privacy have been addressed in this report. Matters relating to the value of the properties in the locality are not a planning consideration and as such have not been given any weight in determining this application.

6. CONCLUSION

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

6.2 It is considered that the proposal, by virtue of its location, would not have an overbearing impact on surrounding dwellings. Whilst some loss of light may occur as a result of the proposal this would only be during a limited period of the day and as such is not considered to be detrimental to the residential amenity of neighbouring properties. Subject to a condition relating to obscure glazing it is considered that the proposal would not prejudice mutual privacy.

Adequate parking would remain to serve the site and the proposal would not prejudice highway safety. Accordingly the proposal is considered acceptable in terms of policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

- 6.3 The design of the proposal, although large in scale, would not have a detrimental impact on the character and distinctiveness of the site or the locality. The materials and design detailing proposed reflect the character of the existing dwelling. As such the overall design of the proposal is considered acceptable in terms of policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.4 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

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

Reason

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

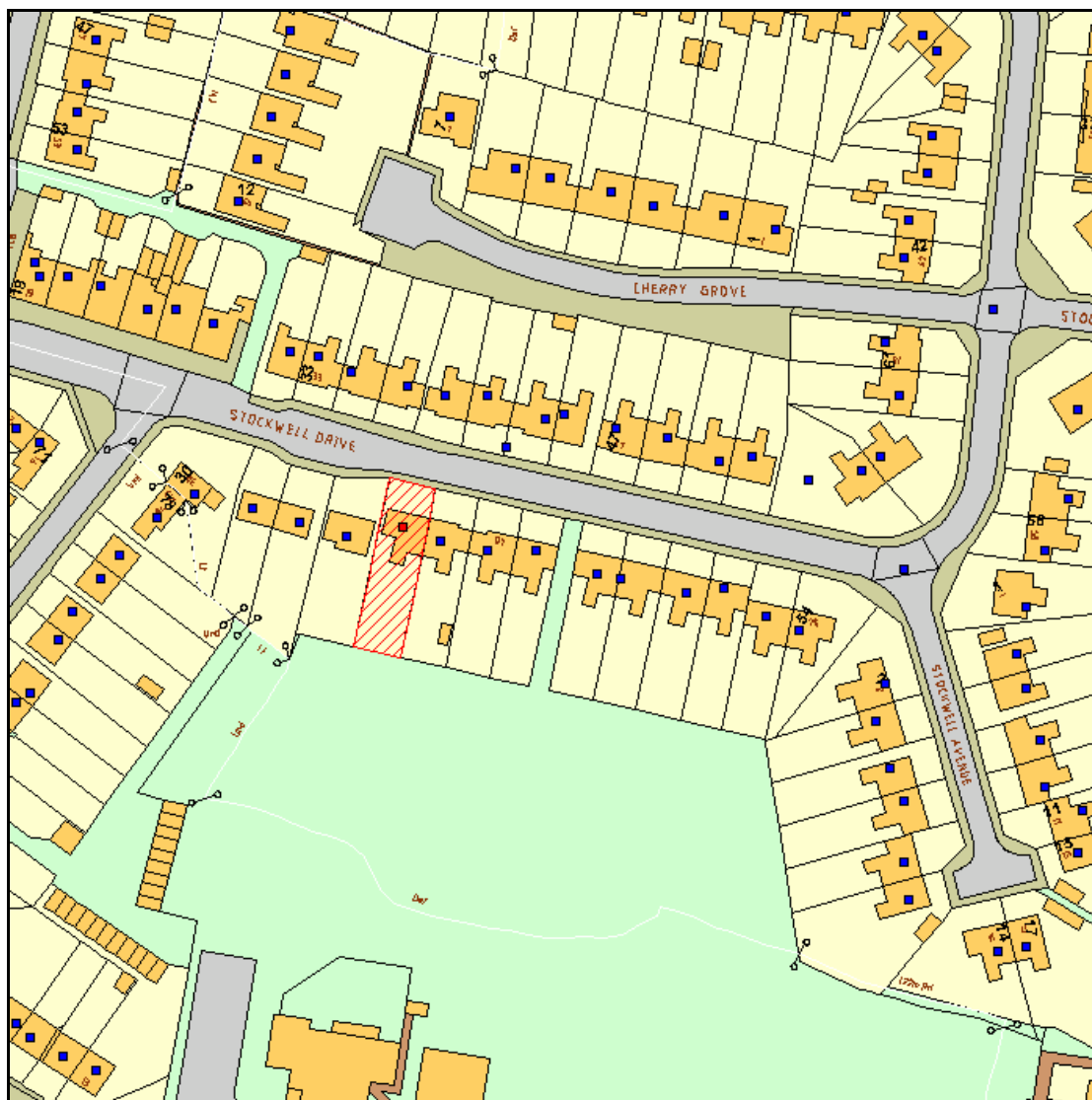
3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor windows on the west (side) elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room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

Reason

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

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PK13/0762/F	Applicant:	Mr Ian Smith
Site:	36 Stockwell Drive Mangotsfield Bristol South Gloucestershire BS16 9DW	Date Reg:	12th March 2013
Proposal:	Erection of two storey side and single storey rear extension to provide additional living accommodation.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366162 176884	Ward:	Rodway
Application Category:	Householder	Target Date:	2nd May 2013



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PK13/0762/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule due to objections received by a member of the public contrary to the officer's recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning consent for a two-storey side extension and single storey rear extension at a 1950s semi-detached property in Mangotsfield.
- 1.2 The side extension will replace the existing single-storey attached garage. To the rear, the original kitchen already projects 2.9 metres from the rear elevation. The proposed extension will 'fill in' the rest of the rear elevation to create a single storey element of consistent depth.
- 1.3 A design amendment was sought to set back the side extension from the front elevation to prevent the proposed extensions unbalancing the proportions of the pair of semi-detached houses. An amendment has been received and accepted.

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
T8 Parking Standards
H4 Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
 - (a) South Gloucestershire Design Checklist (Adopted) August 2007
 - (b) Residential Parking Standards (Approved for Development Management Purposes) April 2013

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history for this site.

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council
No objection

4.2 Drainage
No comment

Other Representations

4.3 Local Residents

One letter of objection has been received from the adjacent neighbour. Objections have been raised on the following grounds:

- The proposed extension is very close to the boundary and will overshadow the house;
- The adjacent property is setback further from the road than the application site and the development will therefore be overbearing.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks consent for a two-storey side extension and a single-storey rear extension at a semi-detached house in Mangotsfield.

5.2 Principle of Development

Development at existing dwellings is managed through policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. This policy is generally supportive of development subject to an assessment of design, amenity and transport.

5.3 Therefore, the development is acceptable in principle subject to the assessment set out below.

5.4 Design

The proposed development consists of two elements – the two-storey side extension, and the single-storey rear extension. The front elevation of the side extension is split, with the ground floor sitting flush with the existing front elevation and the first floor set back. The set back results in a lower ridge height over the extension. This creates a subservient appearance to the extension that does not disrupt the balance and composition of the pair of houses.

5.5 At the rear, a single storey lean-to extension is proposed. The use of a lean-to breaks up the rear elevation, which prevents it appearing overly wide. A clean and clutter-free appearance has been achieved.

5.6 The materials match those used in the existing house. The proposed extension is of a suitable scale and mass and is in proportion to the existing property. Overall, the design of the proposed development is in keeping with the character and appearance of the existing house, the street scene, and vicinity.

5.7 Amenity

Residential amenity should be considered in terms of the amenity of the existing property and the amenities of nearby occupiers.

5.8 The proposed development will not have an adverse affect on the amenity of the existing property. Adequate private garden space is retained at the property. The garage and its capacity to provide ancillary storage will be lost, but there is sufficient space for alternative provision within the curtilage of the property.

5.9 Comments received from the adjacent neighbour raise concerns over the impact the proposed development would have on nearby occupiers. The proposed extension will be in close proximity to the curtilage boundary. The two-storey element has a depth of 3.8 metres. It contains no windows to principal rooms. The extension will be approximately 2 metres away from the side elevation of the adjacent property, no.34. The side elevation of no.34 contains a number of small windows and a door. These are not principal windows or windows to principal rooms. Due to the orientation of the site, the first floor window of no.34 is still likely to benefit from early morning light. The development is not considered to have a prejudicial impact on the side elevation of the adjacent property.

5.10 The application site sits forward of the front elevation of no.34. The front of the proposed extension will sit approximately flush with the front of the porch on the neighbouring property. Due to the open aspect at the front of these properties it is not considered that the proposed extension will be overbearing. The general open nature will be retained and the degree to which the extension will impact on the street scene is limited and not to the extent that it would be harmful.

5.11 It is not considered that the development would have a prejudicial impact on residential amenity. A condition will be attached ensuring that the proposed side window will be obscure glazed and prevent further openings in this elevation to protect the privacy of the adjacent neighbour.

5.12 Transport

The proposed development will create a four-bedroom property. Off-street parking must be provided at a level that is commensurate with the size of the property. The *Residential Parking Standards* SPD sets a minimum provision of 2 parking spaces for a house of this size.

5.13 Although the garage will be lost as a result of this development, there is sufficient space within the front curtilage of the property to provide two off-street parking spaces.

5.14 The proposed development is in accordance with the parking standard required by the Local Authority.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed development has been assessed against policies D1, T8 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006. The design is in keeping with the character and appearance of the existing house, the street scene and surrounding area. Suitable materials have been selected and the development is of an appropriate size, massing and scale. It is not considered that the development will have an impact on the levels of residential amenity in the area and adequate parking has been provided. As a result, the proposed development is in accordance with the abovementioned 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 to GRANT permission subject to the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason
To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed ground floor window on the northwest side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed. No

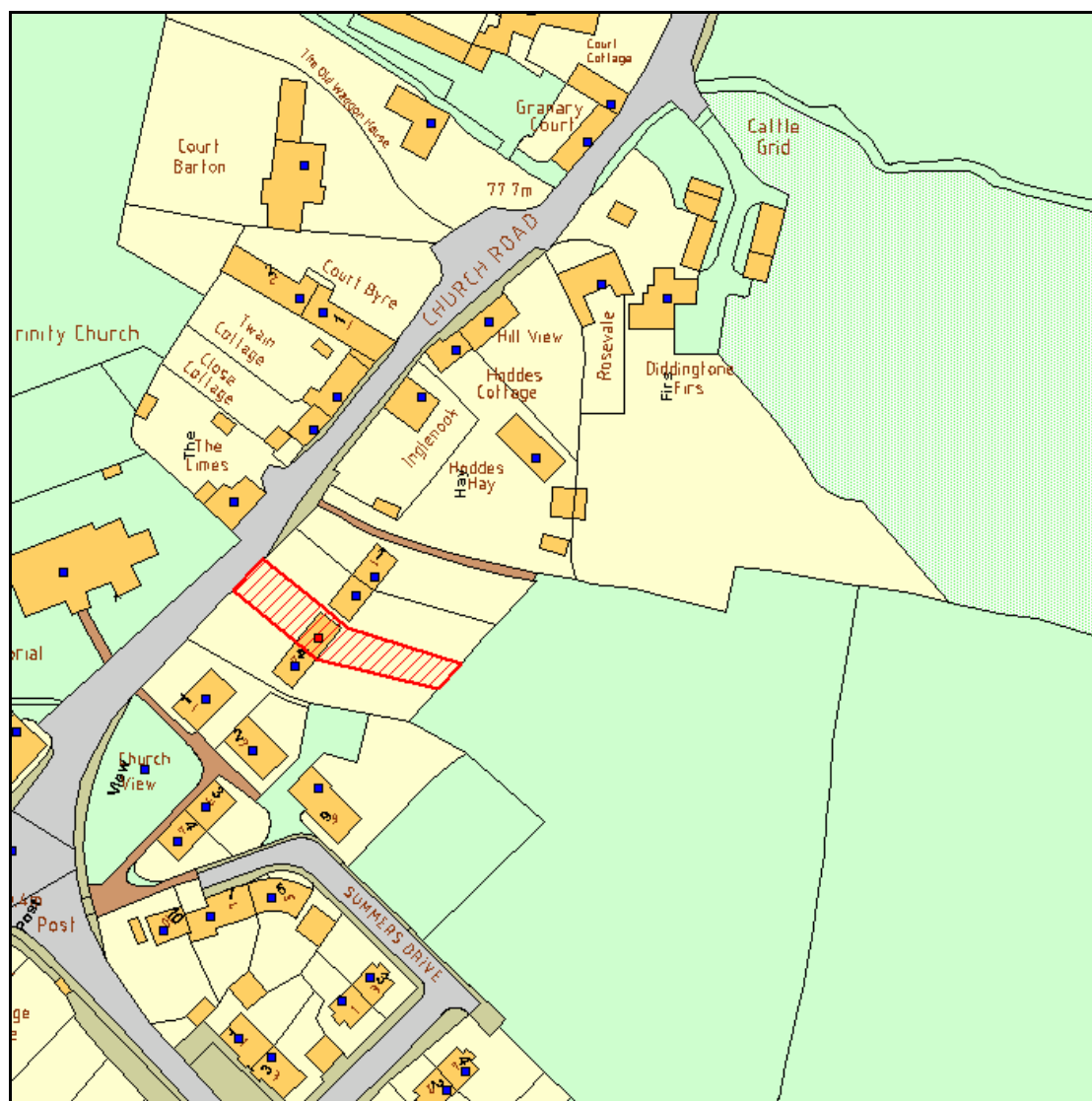
windows other than those shown on the plans hereby approved shall be inserted at any time in the northwest side elevation of the property.

Reason

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

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PK13/0786/F	Applicant:	Mrs A Hayes
Site:	3 Church Road Doynton Bristol South Gloucestershire BS30 5ST	Date Reg:	7th March 2013
Proposal:	Creation of new vehicular access onto Church Road and erection of entrance gate 1.4m to highest point.	Parish:	Doynton Parish Council
Map Ref:	372105 174098	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	1st May 2013



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PK13/0786/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Support has been received for this application, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the creation of a new vehicular access from Church Road into no. 3 and the erection of a 1.4 metre tall gate in the breach that would be created in the boundary wall. The wall is older than the dwelling, one metre tall and constructed of stone, with brick detailing. There is a small tree behind the part of the wall which would be removed. The site is in the Green Belt and within the Doynton Conservation Area, in the centre of the village.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
GB1 Green Belt
L12 Conservation Areas
T8 Parking standards
T12 Highway Safety
- South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design
CS9 Heritage Assets
- 2.3 Supplementary Planning Guidance
Doynton Conservation Area guidance note
Parking standards (adopted April 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Doynton Parish Council
Support the proposal on the following grounds:

1. The section of Church Road in front of the semi detached residences, Nos 1 to 4 Church Road is very narrow and is often made even narrower by parked cars in front of these houses. The provision of some off-street parking in this location would no doubt reduce the number of cars on the street and this would improve both road safety and the appearance of the village. This is supported by the Parish Plan carried out in 2010 concern in which many residents expressed concern regarding parking in the village.
2. The comments of the Transportation Department on this application are relevant but seem to ignore the safety risks caused by the current street parking. We feel that minor modifications could be made to the opening to allow for clear vision for vehicles leaving the proposed parking area and thereby safety would be improved by the application as compared to the present situation. The Council also feels that the situation where a driver has to get out and close the gate is no worse than the current position where cars are parked on the narrow part of the road, however perhaps the best solution would be for the development to be made without a gate.
3. We are very much aware of the Doynton Conservation Area and the attributes which it protects because an appraisal of this CA was initiated by this Council and is currently at the public consultation stage. During the community discussions many of the residents have expressed concern at the detrimental impact of parked vehicles on the appearance of the village. We strongly feel that the negative impact of a narrow opening in the retaining stone wall would be far outweighed by the positive benefit of reducing parking near our historic church in the centre of the village.

4.2 Conservation Officer

The proposal would harm the Conservation Area. Recommend refusal.

4.3 Highway Drainage

No objection subject to the front paving being permeable.

4.4 Transportation

Refuse on highway safety grounds due to insufficient visibility.

4.5 Tree Officer

No objection

Other Representations

4.6 Local Residents

No replies received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The Green Belt location is immaterial in this instance as the proposal does not represent inappropriate development in the Green Belt. The main issues to be resolved are therefore the impact of the proposal on the character of the Conservation Area and highway safety. The removal of the tree is also analysed below. Subject to the following detailed analysis, therefore, the proposal is acceptable in principle.

5.2 Conservation Area

The Doynton Conservation Area SPD identifies the important contribution the existing stone boundary walls make to the distinctive character and significance of the conservation area. This is also acknowledged within the submitted Design and Access statement and the response to the Council's Design Checklist.

The application site is a modern semi-detached residential property that addresses Church Road although it is set back into the plot with an extensive front garden. No's 1 – 4 Church Road are modern examples of public sector housing, but the front boundary wall appears to pre-date their construction and is considered to be likely to have been a field boundary wall with the site historically being part of a field pattern. It can also be noted that the importance of the boundary wall was given significant regard when the houses were developed in the 1950s, as it was considered more important to retain a key characteristic of village than provide front vehicular access to this run of houses. The proposed scheme seeks to reverse this approach in respect of one of them. In consideration of the justification for this scheme, it appears that although the importance of the stone boundary walls is recognised within the Design and Access Statement, the argument being put forward is that with sections of the front boundary for No's 1 & 2 Church Road already removed to provide vehicular access, there is a precedent set. However, in this instance a greater regard to the character of the frontage will be given in terms of provision of landscaping. It is considered however, that the lost sections of boundary wall at No's 1 and 2 Church Road and their front curtilages now heavily dominated by parking has had a negative impact on the character and appearance of the conservation area. It does not appear that these accesses benefit from planning permission, although through the passage of time, it appears that they would now be deemed lawful.

Moreover, although consent was granted in 2007 to widen the access to No.1 Church Road, it was only by 600mm. The Conservation Officer's comments are also of relevance, as in their consideration of the proposal it was stated that *'the nibbling away and removal of sections of wall thus can cumulatively have a detrimental impact. I thus am rather reluctant to object this but consider if some planting by way of appropriate tree and shrub planting could be provided to the front of the property / parking area this would help to mitigate the impact of the loss of part of the wall and also help to soften the impact of parked cars to front of dwelling'*. The Conservation Officer's conclusion at that time was

clearly a pragmatic decision where approval was only supported on the basis of securing what was considered a degree of visual mitigation for the existing situation. This proposal would lead to further erosion of the current situation, however, and deserves to be determined on its own merits and the cumulative impact that it would cause.

The design and appearance of No.3 Church Road and its adjoining and adjacent neighbours is considered to be at odds with the vernacular of their surroundings. The only element of local distinction they possess is the front boundary wall, which along with the existing levels of planting, makes a positive contribution to the character of the street scene and in the case of the planting, also helps provide some screening of the neighbouring properties. It is considered that the proposed scheme would achieve neither, as it would ultimately see the further erosion of one of the conservation area's key features which would be harmful to the sense of local distinctiveness and consequently significance. The consequence of the proposed scheme would also see a front curtilage dominated by a turning head, which, despite a reasonable attempt to soften through planting, would also neither preserve nor enhance the conservation area. It is acknowledged that on street parking also has a detrimental impact on the Conservation Area, but it is considered that of the two options, the current situation causes less harm to the Conservation Area than the proposed development would. The proposal would make no difference to the level of parking on and in front of the site as the parking of a vehicle on site would preclude on street parking in front of it, unless it would be a vehicle in the same ownership. If that were to be the case, this proposal could potentially lead to an increase in parking in the locality, through effectively increasing the number of parking spaces.

Although it is now sought to replicate the situation at No's 1 & 2 Church Road, but in planning terms it is not considered that a precedent for off-street parking provision for these properties has been established and so the presence of the existing arrangements at No's 1&2 Church Road are not considered material in the assessment of this scheme in anything other than in terms of cumulative impact. This proposal would fail to preserve or enhance the character and appearance of the Doynton Conservation Area and it is considered that the proposed development is contrary to Policy L12 of the adopted Local Plan, the provisions of the NPPF and the Doynton Conservation Area SPD. This forms one of the refusal reasons recommended below.

5.3 Transportation

The main highways concern is the lack of visibility for drivers leaving the site and joining the public highway. While it is recognised that parking occurs at present on street along a relatively narrow stretch of Church Street, the existing boundary wall is located immediately at the side of the carriageway, up to height of approximately 1.3 metres. This proposal would create a vehicular access by widening the existing pedestrian access to 2.8 metres, leaving the residual wall at the existing height, affecting driver visibility of the public highway. There is no footway along this stretch of road and therefore pedestrians have to walk on the carriageway. The nose of an exiting vehicle would be in the middle of the road before the driver could be aware of other vehicles, cyclists or pedestrians. In particular, cyclists and pedestrians would

be closer to the proposed access than car drivers and would therefore be at greater risk from emerging vehicles. Without the provision of suitable visibility splays or a reduction in the height of the wall along its length, this risk could not be overcome and as a result the proposal is considered to be unsafe. It is considered that providing the above level of visibility would exacerbate the impact of the proposal identified to the Conservation Area and therefore such a measure has not been sought.

There are further highway safety issues which would be caused by the proposed gate, in that it could give rise to the driver, in the absence of a passenger, having to leave the car and open or close the proposed gate. In addition, the size of the turning area is small and fails to conform to the Council's standards, leaving the possibility that it would not be possible to utilise it and therefore vehicles would either enter or exit the site in reverse gear.

Due to the fundamental issues identified above and the in principle objection on Conservation Area grounds, no amendments have been sought to the proposal, as they would have exacerbated the impact of the development on the Conservation Area.

5.4 Other Issues

With regard to the trees on site which would be lost as part of this proposal, the trees/shrubs proposed for removal are considered to be of a poor quality offering little visual amenity to the village or the Conservation Area.

Replacement tree planting could be required by condition in order to mitigate the loss of the existing vegetation and separate Conservation Area Consent would be required for the felling of any trees as part of this proposal. Subject to the above-mentioned control, it is considered that there is no harm to the Conservation Area or visual amenity generally caused by this aspect of the proposal.

The Parish has raised the possibility that the proposed gate could be deleted from the scheme and this is the case, but if it were to be reduced in height, to under one metre, it would fall outside planning control and therefore would not form part of this proposal. Due to the fundamental impact of the proposal on highway safety and the Conservation Area, neither amendment has been sought.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is refused on highway safety grounds and due to the impact of the proposal on the Conservation Area.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

REASONS FOR REFUSAL

1. The proposal would lead to the creation of a substandard access by reason of inadequate visibility onto the public highway thereby increasing hazards faced by highway users to the detriment of highway safety. Furthermore, the proposed gate at the site entrance would give rise to drivers having to leave their vehicle in order to open or close the gate thereby interfering with safe and free movements of traffic onto the public highway all to detriment of road safety. The proposal is therefore contrary to policy T12 of the adopted South Gloucestershire Local Plan.
2. The proposed development, due to the loss of part of the original boundary wall and the introduction of the dominant factor of a turning head and parked vehicle in the front garden of the site, would neither enhance nor preserve the Conservation Area, contrary to policy L12 of the adopted South Gloucestershire Local Plan, the provisions of the National Planning Policy Framework and the Doynton Conservation Area SPD.

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PK13/0815/CLP	Applicant:	Mr N Thorne
Site:	63 Church Road Soundwell Bristol South Gloucestershire BS16 4RQ	Date Reg:	12th March 2013
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a single storey rear extension.	Parish:	None
Map Ref:	365094 175110	Ward:	Staple Hill
Application Category:	Minor	Target Date:	6th May 2013



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PK13/0815/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is for a Certificate of Lawfulness, and as such, according to the current scheme of delegation, required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The application is seeking a formal decision as to whether the erection of a single storey rear extension to provide additional living accommodation would be lawful. This based on the assertion that the proposal falls within permitted development rights normally offered to householders under the Town and Country Planning (General Permitted development) (Amendment) (No. 2) (England) Order 2008.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24
Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class A.

3. RELEVANT PLANNING HISTORY

- 3.1 PK12/0865/CLP -Application for Certificate of Lawfulness for the proposed installation of side and rear dormer. – Approved 18th May 2012

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
No response

- 4.2 Drainage
No comment

Other Representations

- 4.3 Local Residents
No response

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Location plan, Existing elevations, proposed ground floor plans, elevations 20A01 and Block plan, all received on 8th March 2013.

6. EVALUTION

The application for Certificate of Lawfulness is purely an evidential test and is a formal way to establishing whether or not the proposed development can be implemented lawfully without the need for planning consent. Accordingly there is no consideration of planning merit, the decision is based on the facts presented. The submission is not a planning application and thus the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the General Permitted Development Order 2008. The site is in use as a dwellinghouse, and there is no evidence to indicate that the permitted development rights have been removed. Schedule 2, Part 1, Class A, of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 allows for the enlargement, improvement or other alterations of a dwellinghouse.

A1 Development is not permitted by class A if –

- (a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).**

The submitted site location plan shows that the host property benefits from a large curtilage and the proposed development, together with the existing dwelling would not exceed 50% of the total area of the curtilage

- (b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse.**

The submitted plans demonstrate that the rear extension would not exceed the height of the roof apex of the existing dwellinghouse.

- (c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.**

The submitted plan demonstrated that the eaves heights of the extension would not exceed that of the existing dwellinghouse.

- (d) the enlarged part of the dwellinghouse would extend beyond a wall which-**
(i) fronts a highway, and
(ii) froms either the principle elevation or a side elevation of the original dwellinghouse;

The proposed extension would not extend beyond a wall, which fronts a highway, forms the principal elevation or a side elevation of the original dwellinghouse.

- (e) the enlarged part of the dwellinghouse would have a single storey and-**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height ;**

The enlarged part of the dwellinhouse would have a single storey. The property a semi-detached and the proposed extension will not extend beyond the rear wall by more than 3 metres.

- (f) the enlarged part of the dwellinghouse would have more than one storey and-**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;**

The extension would not have more than one storey.

- (h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-**
- (i) exceed 4 metres in height**
 - (ii) have more than one storey, or**
 - (iii) have a width greater than half the width of the original dwellinghouse.**

The submitted plans show the proposal does not extend beyond the side elevation.

- (i) it would consist of or include-**
- (i) the contstruction or provision oa a veranda, balcony or raised platform,**
 - (ii) the intallation, alteration or replacement of a microwave antenna,**
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and pipe, or**
 - (iv) an alteration to any part of the rood of the dwellinghouse.**

The extension would not comprise and of the above

Conditions

- (a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the existing dwellinghouse;**

The materials to be used in the development will match those of the existing dwellinghouse.

7. RECOMMENDATION

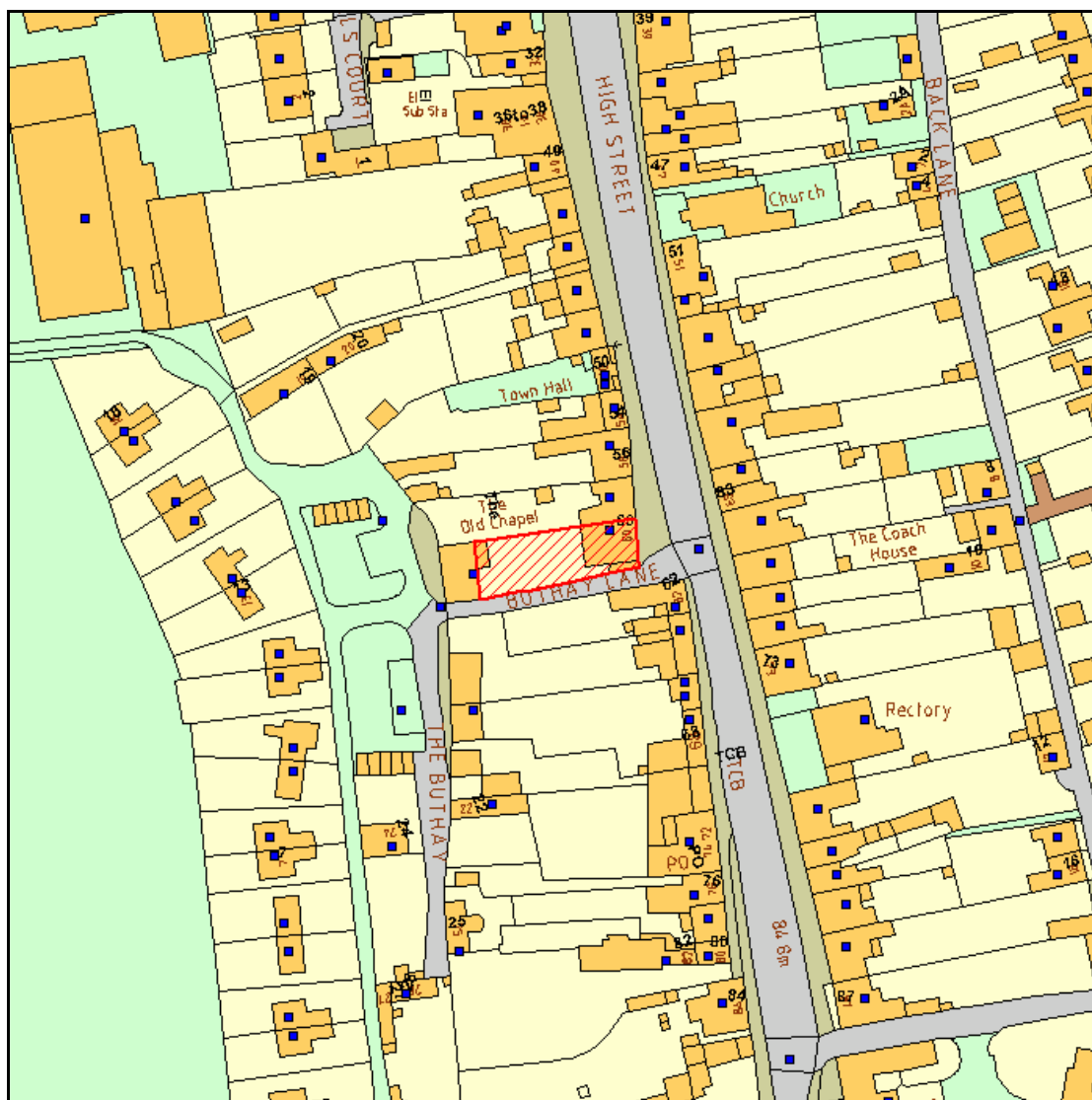
- 7.1 That a Certificate of Lawfulness for Proposed Development is granted for the following reason:

Evidence has been provided to demonstrate that on the balance of probability the development meets the criteria set out in Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and is therefore permitted development

Contact Officer: Melissa Hayesman
Tel. No. 01454 864769

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PK13/0832/F	Applicant:	Mr S Wells
Site:	The Gables 60 High Street Wickwar Wotton Under Edge South Gloucestershire	Date Reg:	12th March 2013
Proposal:	Erection of replacement front porch. (Retrospective).	Parish:	Wickwar Parish Council
Map Ref:	372407 188403	Ward:	Ladden Brook
Application Category:	Householder	Target Date:	3rd May 2013



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PK13/0832/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of an objection from Wickwar Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks retrospective planning permission for the erection of a replacement front porch following a vehicular accident causing damage to the original porch at the Gables, 60 High Street, Wickwar.
- 1.2 The application site is situated along the high street of the Wickwar village. The site comprises a traditional two storey end-terraced dwelling finishing with render and clay tiles. The property is a locally listed building and is also situated within the Wickwar Conservation Area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

L1 Landscape Protection and Enhancement

L12 Conservation Area

L15 Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality

T8 Parking Standards

T12 Transportation Development Control Policy for New Development

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

South Gloucestershire Local Plan Core Strategy incorporating Inspector

Preliminary Findings and Draft Main Modifications September 2012

CS1 High Quality Design

2.3 Supplementary Planning Guidance

Design Checklist

Residential Parking Standards Approved March 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P90/2473/C Removal of render, re-pointing stone work.
Approved 17.10.90
- 3.2 P84/2376 Alterations to existing dwelling and erection of two storey rear extension to provide kitchen and w.c. with bedroom and bathroom over.
Approved 24.10.84

- 3.3 PK04/0528/F Erection of single storey side and rear extension to form cloakroom and utility room.
Approved 31.03.04

4. CONSULTATION RESPONSES

- 4.1 Wickwar Parish Council
Objection: The replacement porch is not in keeping with the area and does not resemble the porch demolished.
- 4.2 Other Consultees [including internal consultees of the Council]
Archaeology Officer: No comment
Highway Drainage: No comment
Conservation Officer: No objection

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

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.

The Core Strategy 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.

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the principle of development within residential curtilages providing it is within keeping with the character of the area and subject to considerations of design, residential amenity and highway safety. Policy D1 permits development where good standards of design are achieved. This is reflected in Policy CS1 of the South Gloucestershire Core Strategy Incorporating Post Submission Changes. Policy L12 requires development proposals therein to preserve or enhance the character and appearance of the Conservation Area.

5.2 Design

The applicant seeks retrospective planning permission to retain the existing open plan style porch, as the original porch was damaged by a vehicle.

Policy D1 of the Local Plan requires all new development to be well designed. The dwelling is situated along the high street of Wickwar village, and the area is characterised by a group of traditional dwellings and buildings. The dwelling the subject of this application is a two storey end-terraced dwelling, which is also a locally listed building. The site is also located within the Wickwar Conservation Area. The original porch was open style with a curved roof above, and it has been removed after the vehicle accident. The replacement porch is also open style, and it is a simple timber framed with tiled roof. The new porch is not larger or higher than the original porch.

Whilst officers acknowledge that the design of the porch, which has a gable roof instead of curved roof, has been changed from its original appearance, it is not considered that the new porch has a harmful impact on the wider character or appearance of the conservation area to warrant a refusal of this application.

5.3 Residential Amenity

It is considered the proposed porch by reason of its scale, design and siting would not prejudice to the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development.

5.4 Transportation Issues

The proposed porch by reason of its siting would not impact on existing on site car parking or the existing driveway. As such the proposal would have no detrimental impact in relation to 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.

- 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 Policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) It has been assessed that the proposed porch is of a simple design and finished with traditional materials, that would not cause significant harm to the character and appearance of the host dwelling and the Wickwar Conservation Area. The development therefore accords to Policies D1, L12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.
- 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 Consent is GRANTED.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

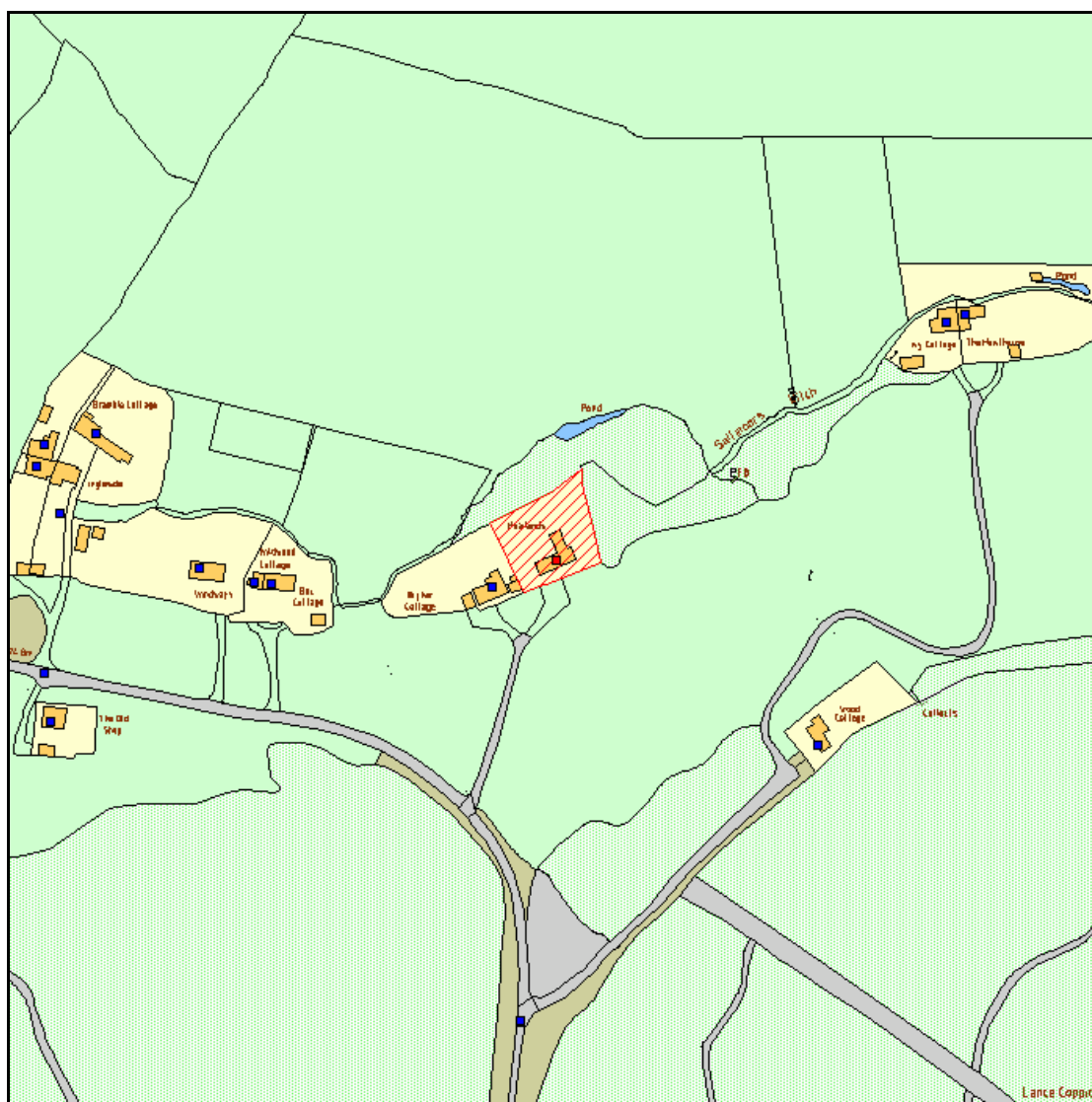
CIRCULATED SCHEDULE NO. 016/13 – 19 APRIL 2013

App No.: PK13/0900/F
Site: Hainlands Chase Lane Inglestone
Common Badminton South
Gloucestershire
Proposal: Demolition of existing outbuildings and
erection of detached building to form
garage and store with associated
works.
Map Ref: 375277 188575
Application Householder
Category:

Applicant: Mr And Mrs G Holt
Date Reg: 18th March 2013

Parish: Hawkesbury
Parish Council

Ward: Cotswold Edge
Target Date: 9th May 2013



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PK13/0900/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections have been received, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of an outbuilding to function as a garage, cycle store and storage room. The building would stand to the rear of a Bradstone and tile two storey house at the front of its curtilage. It would replace a two roomed store building and garden shed in a similar location. The footprint of the existing building is very similar to the two storage rooms proposed, while the double garage would stand to the front of that in place of the small shed, coming closer to the dwelling. The site is accessed by a joint access track and stands on Inglestone Common, in the open countryside.
- 1.2 The existing outbuilding is constructed of render and wood, with a felted roof. The proposed 5 metre by 6 metre garage and the buildings attached to it would use a mixture of facing stone and render, under a concrete interlocking tiles roof.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within residential curtilages
- South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|----------|--|----------|
| 3.1 | P92/1347 | Two storey rear extension | Refused |
| 3.2 | P91/2111 | Use of domestic cartilage for parking commercial vehicle | Refused |
| 3.3 | P91/1761 | Front porch | Approved |

4. CONSULTATION RESPONSES

4.1 Hawkesbury Parish Council

Object on the basis that the new buildings could be used residentially, the large window could overlook the neighbouring property and the photos provided do not show the existing stores.

4.2 Archaeology

No comment

Other Representations

4.3 Local Residents

One letter of objection was received, citing the following concerns:

- The proposed storeroom window would be within 2 metres of the site boundary and could lead to overlooking
- The current building has an open side and when occupied it is easy to see if they are there or not and hence maintain privacy. Changing this would rule out that option
- Lack of drainage details
- The edge detail of the roof is atypical of the area
- A lower roof pitch would block less of the view from the adjacent property

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. In this case the main material consideration is that the existing buildings could be left in place with similar effect, other than the proposed double garage. The issues to be resolved are the impact of the proposal on existing levels of residential amenity and its design/ visual impact.

5.2 Residential Amenity

The only dwelling which could be directly affected by this proposal is Bryher Cottage which shares the access drive to the site and stands to the west of the site. This dwelling is detached and shares a common front building line with the house on site. In between the two dwellings are outbuildings within the curtilage of Bryher Cottage and these would already block the view of most of the proposed garage. Given this factor and the separation distance it is considered that the garage would not cause any undue impact on the adjacent property's existing level of residential amenity.

The impact of replacing the existing buildings to form what is effectively an extension to the garage is considered to have no impact, for the reason given in the previous paragraph. The consultation process raised an issue with regard to overlooking from a proposed side window. This would be at ground floor level and any views, albeit from an outbuilding, would be curtailed by a

boundary treatment to the maximum height of 2 metres between the properties. Up to this height, such a treatment would not require planning permission and is commonly used to divide rear gardens to enhance privacy. This also applies to the neighbour's knowledge of whether the occupiers are in their outbuilding or not, which, although physically possible at present could also be construed as compromising privacy.

5.3 Design/ Visual Amenity

The proposed building would have three parts, the largest being the proposed double garage, with a narrower store section leading to an almost square store room. There would be minor differences to the eaves height to give a loosely integrated whole. The cycle store would be differentiated with a cedar shingle roof facing the site's garden, but otherwise the roofs are proposed to be tiled. The walls would be a mixture of stone, render and wavey-edged boarding over a uniform blue brick plinth. This variation of materials is considered to replicate the existing two-part outbuilding which would be demolished to facilitate this scheme. This is considered to be an appropriate design approach to buildings that will be read as outbuildings, of a smaller scale than the host dwelling. The consultation process raised the point that the edge detail of the roof is not typical of the area, but that is considered to be a minor issue, given the scale of the proposal and the design appearing to attempt to replicate the existing situation of semi-permanent outbuildings. While the floor to eaves windows for the cycle store seem unnecessarily large for a building with such a purpose, it is considered that this design feature, in a rebated section of wall, would not warrant a refusal reason in design terms. It is considered that the proposal accords with Local Plan policy D1.

5.4 Other issues

The consultation process has raised some issues not addressed above. The Parish have claimed that the proposed building could be used for residential purposes. The same is true of the existing outbuildings, as long as, in either case, the use is ancillary to the dwelling on site. To that extent, the proposal would not change the existing situation. If the building were to be used as a separate dwelling, that would require planning permission in its own right and is not part of this proposal, which should be assessed on its own merits.

Drainage details are not required for this proposal, but it is considered probable that the site, given its size, can deal with water onto the proposed roof through soakaways. Given that the building would be set back from the boundary, overhanging rainwater goods would not appear to present a likely problem in this instance.

With regard to the neighbour's views, there is no right to a view in planning terms. No overbearing impact from the proposed roof has been identified.

Finally, the Parish has identified that the photos that accompany the application do not show the existing buildings, but the site visit verified their existence and, given the lack of specific designations for the site, such photos are not considered to be vital to making the assessment in terms of policy D1.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed development is of a suitable subservient scale to the host dwelling. The design is satisfactory and the replacement outbuildings would represent a slight enhancement of the site in terms of visual amenity, without having any harmful impact on existing levels of residential amenity for the adjoining property. The proposal accords with policies D1 and H4 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is approved, subject to the conditions below.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PT12/3642/F	Applicant:	Mr P Pullin
Site:	Pear Tree Farm Pilning Street Pilning South Gloucestershire	Date Reg:	11th March 2013
Proposal:	Conversion of agricultural barn and the erection of a single storey side extension to form 1no. residential dwelling.	Parish:	Olveston Parish Council
Map Ref:	358244 185861	Ward:	Severn
Application Category:	Minor	Target Date:	2nd May 2013



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PT12/3642/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to a number of public comments received in support of the scheme. These are contrary to the Officer's recommendation for refusal.

1. THE PROPOSAL

- 1.1 This application seeks consent to convert an agricultural barn into one single-storey, two-bedroom, residential dwelling to provide accessible living accommodation for the disabled applicant.
- 1.2 The barn is located within the group of farm buildings at Pear Tree Farm in Pilning. The farm is outside of the settlement boundary for Pilning and therefore classed as within the open countryside. The site is in the green belt and the coastal zone; it is also located within Flood Zone 3.
- 1.3 The proposed development comprises the conversion and extension of a mostly stone built barn to a single-storey dwelling to provide disabled living accommodation.
- 1.4 In order to achieve adequate levels of accommodation, a significant increase to the footprint of the barn, and major alterations to the buildings character and appearance are proposed. The barn is currently used for storage and provides a potential habitat for protected species.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Policy Framework, Technical Guidance March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L1 Landscape

L3 Coastal Zone

L9 Species Protection

L11 Archaeology

L17 The Water Environment

L18 SUDS

EP2 Flood Risk

GB1 Development within the Green Belt

T7 Cycle Parking

T8 Parking Standards

T12 Transportation

H3 Residential Development in the Countryside

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

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

CS1 High Quality Design
CS5 Location of Development
CS9 Managing the Environment and Heritage
CS17 Housing Diversity
CS34 Rural Areas

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Development in the Green Belt (Adopted) June 2007
- (c) Residential Parking Standards (Approved for Development Management Purposes) March 2013

3. **RELEVANT PLANNING HISTORY**

3.1 There is no planning history on this site.

4. **CONSULTATION RESPONSES**

4.1 Olveston Parish Council

No objection

4.2 Ecology

Objection: Insufficient information to be able to determine the application – it does not satisfactorily demonstrate that it would not fail the ‘favourable status’ tests of Regulation 53/56 under the Habitat Regulations 2010.

4.3 Transport

No objection

4.4 Environment Agency

Objection: The submitted Flood Risk Assessment does not fully consider the risks posed on the site as it does not confirm the existing finished floor level or whether it can be raised. Nor does it clarify what flood resilience measures would be incorporated. The LPA needs to satisfy itself that the Sequential Test has been adequately completed.

4.5 Landscape Officer

None received

4.6 Archaeology and Historic Environment Officer

Objection: Design and layout would have adverse impact on the character of the existing agricultural building and unlikely to pass tests of H10 and D1.

No objection on archaeological implications, subject to the imposition of an archaeological watching brief during all ground disturbances.

4.7 Building Control

No objection: The structural survey submitted is sufficient.

Other Representations

4.8 Local Residents

Nine letters from members of the public have been received supporting this application. In addition, a letter from the applicant's doctor has been seen by the case officer (although it contains sensitive information so it is not a public document), further supporting this application. The reasons for support can be summarised as follows:

- The applicant needs single-storey disabled accessible living accommodation;
- The existing farmhouse is not suitable for the health needs of the applicant;
- The applicant needs to be able to oversee his farm and therefore requires suitable accommodation;
- The proposed development is in keeping with and enhances the area;
- The development will not adversely affect the character of the area or the building;
- The applicant's poor health should be taken into consideration;
- There is good reasoning behind the application;
- The application would keep the family together and within the local community;
- There are no major issues affecting the site;
- The application would enable a hardworking family to remain in their home;
- The application provides accommodation that meets the needs of a disabled person, which cannot be met by the existing accommodation;
- The building no longer has a practical agricultural use;
- A residential use of the building is a practical and sensible re-use of the structure; and,
- The development would help to meet housing need.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks consent to convert an agricultural building into a residential dwelling to provide single-storey disabled friendly living accommodation. The site is not within a settlement boundary, and is therefore in the open countryside. The site is also located within the green belt and flood zone 3.

5.2 Principle of Development

The application proposes to establish a residential dwelling. The site is located within the open countryside. Policy H3 of the Local Plan sets out the limited circumstances where new dwellings in the open countryside would be acceptable. Policy H3 has a predisposition against new dwellings in the open countryside unless for the specific exceptions outlined by the policy.

- 5.3 It is proposed to create the dwelling by converting an existing rural farm building. Policy H10 manages the conversion of rural buildings to residential purposes. This policy only permits the conversion when all the criteria of the policy have been matched. Subject to these criteria being met, the development would be acceptable in principle.
- 5.4 Located in the green belt, development must comply with policy GB1. However, when assessing 'buildings' rather than existing dwellings, the provisions of chapter 9 of the NPPF is more relevant. The extension of an existing building is permissible, provided that the extension is not disproportionate. Disproportionate extensions are harmful to and inappropriate within the green belt.
- 5.5 Flooding poses a serious risk on the Severn Levels. Policy L3 has an in principle objection to development within the coastal zone unless it requires a coastal location. With regard to flood risk, the proposed development must comply with policy EP2 and pass the necessary tests to be deemed acceptable.
- 5.6 Conversion of Rural Buildings
The conversion of rural buildings to a residential use is managed through policy H10 of the Local Plan. Business use of the building is primarily sought over a residential use. The Local Planning Authority expects evidence to be submitted 'clearly demonstrating that every reasonable attempt to secure a suitable business re-use has been made and has failed' (SGLP paragraph 8.217).
- 5.7 Section 2 of the Design and Access Statement identifies that the applicants do not wish to establish a business use in close proximity to the existing farmhouse. It does not, however, provide any details of attempts made to secure a business use. It can therefore only be concluded that no attempts to establish a business use for the site have been made. As a result, the proposed development is contrary to criteria A of policy H10.
- 5.8 Buildings must not require major or complete reconstruction to be considered appropriate for residential conversion. A structural report by CCE has been submitted with this application. This report concluded that the building is capable of conversion. The Council's Building Control team has verified the report.
- 5.9 However, the wording of policy H10 states that buildings must be 'capable of conversion without major or complete reconstruction'. A substantial extension to the building is required to provide sufficient levels of living accommodation. This extension would result in a 105% increase to the overall size of the building.
- 5.10 An increase of this size must be considered operational development and constitutes major building works. These works are deemed necessary to facilitate the conversion of the building. The conversion of the building is therefore not possible without 'major or complete reconstruction' and the proposed development fails criteria B of policy H10.

- 5.11 Residential Development in the Countryside
The proposed development has failed the test of policy H10 and cannot be considered as a residential conversion of a rural building. It should therefore be assessed as a residential dwelling in the open countryside using policy H3 of the Local Plan.
- 5.12 New residential development in the open countryside will only be permitted through policy H3 for (i) affordable housing on rural exception sites, (ii) housing for agricultural and forestry workers, and (iii) replacement dwellings.
- 5.13 The proposed dwelling does not fall into any of the exception categories set out in policy H3 and listed above. The proposed development is therefore unacceptable and contrary to policy H3 of the Local Plan.
- 5.14 Green Belt
Located within the Bristol and Bath Green Belt, the development must comply with the purposes of the designation of the land. Policy GB1 of the Local Plan prevents inappropriate development that is harmful to the openness of the land. The NPPF specifically addresses alterations and extensions to buildings (whereas policy GB1 focuses on existing dwellings) within the green belt.
- 5.15 Paragraph 89 of the NPPF states that new buildings within the green belt are inappropriate. However, as an exception to this, the NPPF does allow for 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.
- 5.16 A substantial extension is proposed to the existing building. This will increase the volume of the building by 105% over and above the volume of the original building. This extension represents a disproportionate addition to the existing building. It is harmful to the openness of the land and an inappropriate form of development.
- 5.17 No case for very special circumstances has been submitted. Comments have been received inferring that weight should be given to the personal circumstances of the applicant. The health and accommodation requirements of the applicant have not been put forward as a very special circumstance. Even if a case had been made on these grounds, personal circumstances are very unlikely to be considered a very special circumstance. As a result, they cannot be given weight in determining this application.
- 5.18 The proposed development must be assessed solely on its compliance with policy. The proposed development is contrary to the provisions of the NPPF and policy GB1 of the Local Plan.
- 5.19 Flood Risk
The application site is located within Flood Zone 3(a) and is therefore at risk of flooding. An appropriate assessment of the flood risk posed is essential to be able to determine this application.
- 5.20 Paragraph 104 of the NPPF, which has been cited by the applicant, states that applications for minor development and change of use should not be subjected

to the sequential and exception tests. For the avoidance of doubt, the definition of minor development in relation to flood risk is taken from footnote 10 of the Technical Guidance to the National Planning Policy Framework, March 2012.

- 5.21 Due to the significant amount of operational development (in the form of the extension to the building) required to enable satisfactory conversion of the barn, the Local Planning Authority do not accept that this application is a change of use or minor development. The proposed dwelling is likely to have an impact on flood risk and therefore it is pertinent to undertake the sequential and exception tests.

5.22 *Sequential Test*

The aim of the sequential test is to steer new development to areas with the lowest probability of flooding. Permission should not be granted for development where there are more appropriate reasonably available sites elsewhere in the District. It has not been proved that it is necessary to develop this site over alternative sites in lower risk flood zones.

- 5.23 Using the sequential test as described in the NPPF Technical Guidance, 'more vulnerable' uses should only be permitted in Flood Zone 3(a) when the exception test is passed. A residential dwelling would be categorised as a 'more vulnerable' use. Therefore the exception test is required.

5.24 *Exception Test*

To pass the exception test it must be demonstrated that the (i) development provides community benefits that outweigh the flood risk, and (ii) the development is safe for its lifetime and will not increase the risk of flooding elsewhere.

- 5.25 The proposed development consists of the creation of a dwellinghouse. It offers no community benefit. Therefore, the development fails the exception test. Having failed the exception test the development is considered to be inappropriate within the Flood Zone.

- 5.26 The proposed development has failed to satisfy both the sequential and exception tests; in addition it is contrary to policy L3 and EP2 of the Local Plan. Further to this, the submitted Flood Risk Assessment has not adequately indicated the finished floor levels of the development. As a result it fails to adequately assess the potential impact of flooding.

5.27 Design

All development must achieve a good standard of site planning and design and accord with policy D1 of the Local Plan. When considering the conversion of a rural building, the design elements of policy H10 must also be met. This requires the development to be in keeping with the character of the existing building and surroundings.

- 5.28 As existing, the building consists of a stone-built gable-ended pitched-roof barn, with two doorways on the front elevation, two further window openings in the southwest elevation, and one small opening on the rear elevation. A modern blockwork lean-to extension is located on the northwest elevation. This

- extension has a wide doorway to the front, a doorway at the rear and window of modern proportions to the side. Overall the building has a low mass, is small in scale, and has a utilitarian agricultural appearance and character to it.
- 5.29 The proposed development significantly alters the appearance of the building. As a result of the development the agricultural character of the building is completely lost. The proposed building resembles more the appearance of a suburban bungalow than a converted barn. As a result the design approach and the quality of design is considered poor and below the standard set by policy.
- 5.30 Assessing the design as a conversion of a rural building, it fails (in terms of the resulting character, form, bulk and appearance), to be in keeping with the agricultural nature of the existing building or rural character of the vicinity. The fenestration proposed in no way resembles the fenestration and character of the existing building. Overall the design of the proposed dwelling is unsympathetic to the existing building and fails to meet the design standard set by policy D1 and H10 of the Local Plan.
- 5.31 Ecology
An ecological survey was submitted as part of this application. A number of birds using the building were identified in this survey. No signs of use of the buildings by bats have been recorded. However, it was noted that the building provided lots of opportunities for roosting bats.
- 5.32 It was concluded that the barn offered a medium potential for roosting bats and recommended that further survey work be undertaken to confirm whether or not bats use the structure. No further survey work was undertaken.
- 5.33 Bats are a protected species, and as a result a licence is required under the Habitat Regulations 2010 for the development to be lawful. It cannot be confirmed whether or not bats use the building as a roost without dawn and dusk emergence surveys.
- 5.34 The application cannot therefore demonstrate that it would not fail the 'favourable status' test of Regulation 53/56 of the Habitat Regulations 2010. The application cannot then be approved until it can be demonstrated that this test is passed. The application therefore fails to accord with policy L9 of the Local Plan.
- 5.35 Landscape
Located in the open countryside and the flat Severn Levels, the development has the potential to have a significant influence on the landscape.
- 5.36 The proposed development is located as part of an existing farm complex and it is well set back from the road. Because the development integrates with an existing group of buildings, it is not considered by the case officer that the building would create an incongruous feature within the wider landscape. Notwithstanding the above, the design of the conversion does not respect or enhance the rural landscape character of the site. A smaller building on the site would be more appropriate.

5.37 Transport

A two-bedroom dwelling is proposed. To comply with the Authority's parking standard a minimum of one parking space is required. Although the parking arrangements have not been indicated, there is sufficient space on site to accommodate the necessary levels of parking.

5.38 There will be no impact on the local highway network as a result of this development and the development is considered to be safe. The development is in accordance with policies T8 and T12 of the Local Plan.

5.39 Archaeology

The Severn Levels has the strong potential to contain high quality archaeology. Applications within the Levels that involve significant ground disturbance would usually require an archaeological evaluation prior to determination. However, as the proposed development is modest in scale on this occasion an archaeological watching brief is considered to suffice and will accord with policy L11 of the Local Plan.

5.40 Amenity

The immediate area surrounding the barn already has the appearance of a residential curtilage associated with the existing farmhouse. The site boundaries are fairly well defined by existing hedgerows and rhines. It is not considered that the creation of a residential curtilage would have a detrimental impact on amenity.

5.41 Sufficient amenity space would be retained for the existing farmhouse; adequate parking can be provided; the development will not cause a loss of privacy. As such, it is not considered that the development would have a detrimental impact on the existing levels of amenity enjoyed in the vicinity or on the character of the surrounding countryside.

5.42 Public Comments

This application has received support from the local population. Many of the comments received support the application as it is argued that it assists the personal circumstances of the applicant.

5.43 The good standing of the family or their hardworking nature is not something that can be considered in determining this application as it is not a planning consideration. This application must be assessed on its own planning merit.

5.44 Although the development would create an additional dwelling, the impact on the overall strategic supply of housing is considered de minimis.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 It is recommended to **REFUSE** planning consent for the reasons listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

REASONS FOR REFUSAL

1. It has not been adequately demonstrated that all reasonable attempts to secure a suitable business use of the building have been made and have failed. The proposal is therefore contrary to Policy H10 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The extent of operational development required to facilitate the conversion of the building to a residential dwelling signifies that the building is not capable of conversion without major or complete reconstruction. The proposal is therefore contrary to Policy H10 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Development in the Green Belt SPD (Adopted) June 2007.
3. The site is located outside of any settlement boundary as defined on the Proposals Map and is therefore considered to be in the open countryside. The proposal does not fall within the limited categories of residential development considered appropriate within the open countryside and if permitted would create an isolated new home in the countryside. The proposal is therefore contrary to the provisions of the National Planning Policy Framework and Policy H3 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development considered appropriate within the Green Belt. The proposed extension is disproportionate in size to the original building and results in a harmful and inappropriate development. In addition, the applicant has not submitted a case for very special circumstances such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of the National Planning Policy Framework, Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Development in the Green Belt SPD (Adopted) June 2007.
5. The site is located within Flood Zone 3 as defined by the Environment Agency. Due to the extent of operational development required to facilitate the conversion of the building to a residential dwelling, the Local Planning Authority contend that the proposed development cannot be assessed as a change of use and should therefore

be subject to the sequential and exception tests, as set out in the National Planning Policy Framework. The proposed development is classed as being 'more vulnerable' to flooding. Alternative sites are available within the district for residential development and the development would result in no community benefit. The submitted Flood Risk Assessment does not adequately demonstrate that the development will not be subject to flooding and that the development would be safe in the event of a flood. The proposal fails the sequential and exception tests and is therefore contrary to the National Planning Policy Framework, the Technical Guidance to the National Planning Policy Framework, and Policy L3 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. It is considered that the proposed extension to the existing agricultural barn, and the resulting built form of the converted building, by reason of its size, massing, scale and proportions, fenestration, layout, design, and external appearance would be out of keeping with the traditional character of the existing building, nearby buildings, and the surroundings and, if allowed, would have a detrimental impact on the visual amenity of the locality. The proposal is therefore contrary to the National Planning Policy Framework and Policy D1 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.
7. Insufficient information has been submitted with this application to be able to confirm whether or not the building is being used as a roost by bats. The application cannot satisfactorily demonstrate that it would not fail the tests of Regulation 53/56 of the Habitat Regulations 2010. The proposal is therefore contrary to Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 16/13 – 19 APRIL 2013

App No.:	PT13/0645/F	Applicant:	Mr K Eddolls
Site:	15 Boverton Road Filton Bristol South Gloucestershire BS34 7AH	Date Reg:	27th February 2013
Proposal:	Erection of single storey side and rear extension to provide additional living accommodation	Parish:	Filton Town Council
Map Ref:	360544 179481	Ward:	Filton
Application Category:	Householder	Target Date:	23rd April 2013



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100023410, 2008.

N.T.S.

PT13/0645/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 seeks full planning permission for the erection of a single storey rear extension to form additional living accommodation.
- 1.2 The application site comprises of a two-storey terraced property within the residential area of Filton.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving a Good Standard of Design in New Development
H4: Residential Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No objection
- 4.2 Community Spaces
No comment

Drainage
No objection – Will need to get permission from Wessex Waters to build over a public sewer.

Wessex Waters

No objection but will need permission to build over a public sewer.

Other Representations

4.3 Local Residents

One letter of objection was received raising the following concerns.

- The existing plan and elevations drawings do not reflect the property as of approximately the middle of February 2013, if not before. Works have been carried out to the garage to install a tiled roof since February 2013.
- Trees in neighboring properties are very close to the proposed development and are likely require felling as a result of root damage and proximity of the proposed development. The loss of trees will detract from the enjoyment of neighboring properties.
- The size of the proposed development is overbearing for the types of houses and gardens in the area.
- It will reduce light levels in adjacent properties and gardens, which will detract from the value and enjoyment of neighboring properties.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Council Local Plan (Adopted) 2006 in principle supports extensions to existing residential properties. This policy advises that the proposal 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.

5.2 Design/ Visual Amenity

The application site is located on Boverton Road in Filton the area is characterised by semi-detached and terraced properties. The proposal is to erect a single storey rear extension to the east elevation of the property. The single storey extension will have a natural render finish to match the existing property, the roof tiles will be concrete tiles, which will have a similar appearance as to the existing the windows and doors will be white upvc also to match the existing property. The proposal is considered to be of an appropriate design and is in keeping with the character of the area. As such it is considered that the design of the proposal accords with the criteria of policy D1.

5.3 Residential Amenity

The extension would measure 3.9 metres in depth, 8.1 metres in length, 2.2 metres to the eaves and 3.8 metres at the highest point. Given the scale and the location of the proposed extension it is not considered that there will be any significant loss of amenity to neighbouring occupiers.

An objection has been received stating that the proposed extension will have an overbearing impact and cause loss of light to the neighbouring dwelling and rear garden of the dwelling to the south. The gardens are east facing, therefore any loss of sunlight will be minimal. The proposed development is in accord with local plan policy. Due to the extension only being single storey it is unlikely that the proposed development will affect the level of light to the neighbouring property and garden.

5.4 Transportation

The proposal would not result in any material change to the parking provision at the site nor would have any impact upon highway safety and as such would be in accordance with policy H4 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.5 Other Matters

Concerns have been raised that the plans submitted do not reflect the property as of approximately the middle of February 2013. The works to the garage, which have been carried out, appear to be done under permitted development, and they reflect the property as it is now.

A holly tree is situated in the adjacent property garden. The tree is not visually prominent and as such is considered to have a low amenity value. Any direct impact on the trees is unlikely, and would have no significant impact on the character and appearance of the locality.

The neighbouring occupier raised concern that a holly tree is approximately 2 metres from the proposed extension, which is within falling distance to the rear extension in the future. The trees and bushes are a distance of up to 2 metres away from the development. It is unlikely that the proposal would result in significant safety concerns in relation to trees adjacent to the site.

6. CONCLUSION

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

The proposed single storey rear extension has been assessed against policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006. The development has achieved an acceptable standard of design through the use of appropriate materials, good massing and general layout. There will be no prejudicial impact on residential amenity. Therefore the development is in accordance with the abovementioned policies.

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

7. RECOMMENDATION

7.1 Planning permission is approved subject to the conditions in the decision notice.

7.2

Contact Officer: Melissa Hayesman
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

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.