



**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. 51/13

Date to Members: 20/12/13

Member's Deadline: 02/01/14 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Dates and Deadlines for Circulated Schedule
Christmas & New Year Period 2013

Schedule Number	Date to Members 9am on	Members Deadline
51/13	Friday 20 Dec 2013	5pm Thursday 02 Jan 2014
01/14	Friday 03 Jan 2014	5pm Thursday 09 Jan 2014

Above are details of the schedules that will be affected by date changes due to the Bank Holidays at Christmas & New Year 2013.

All other deadline dates remain as usual.

CIRCULATED SCHEDULE – 20 DECEMBER 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/2676/F	Approve with Conditions	The Works Hawkesbury Upton Badminton South Gloucestershire GL9 1AU	Cotswold Edge	Hawkesbury Parish Council
2	PK13/3464/RV	Refusal	The Stables Sandpits Lane Hawkesbury Upton Badminton South Gloucestershire GL9 1BD	Cotswold Edge	Hawkesbury Parish Council
3	PK13/3804/F	Approve with Conditions	48 West Street Oldland Common South Gloucestershire BS30 9QS	Oldland	Bitton Parish Council
4	PK13/3970/F	Approve with Conditions	63 Stanhope Road Longwell Green South Gloucestershire BS30 9AJ	Longwell Green	Hanham Abbots Parish Council
5	PK13/4029/F	Approve with Conditions	17 Wiltshire Avenue Yate South Gloucestershire BS37 7UF	Yate North	Yate Town
6	PK13/4043/CLE	Approve	Chilcott House New Pit Lane Bitton South Gloucestershire BS30 6NT	Bitton	Bitton Parish Council
7	PK13/4069/F	Approve with Conditions	44 Victoria Road Hanham South Gloucestershire BS15 3QH	Hanham	Hanham Parish Council
8	PK13/4150/CLP	Approve with Conditions	41 Middle Road Kingswood South Gloucestershire	Rodway	None
9	PK13/4185/AD	Approve with Conditions	Woodstock Roundabout A4174/ Tower Lane Warmley South Gloucestershire BS30 8DS	Parkwall	Oldland Parish Council
10	PK13/4186/AD	Approve	Marsham Way Roundabout Marsham Way / Aldemoor Way Longwell Green South Gloucestershire BS30 7BX	Longwell Green	Oldland Parish Council
11	PT13/0393/LB	Approve with Conditions	Frenchay Hospital Frenchay Park Road Frenchay South Gloucestershire BS16 1LE	Frenchay And Stoke Park	Winterbourne Parish Council
12	PT13/4183/ADV	Approve	Patchway Brook Roundabout Bradley Stoke Way / Pear Tree Road Bradley Stoke South Gloucestershire BS32 0BQ	Bradley Stoke North	Bradley Stoke Town Council
13	PT13/4184/ADV	Approve	MOD Roundabout Filton Road / Great Stoke Way Filton South Gloucestershire BS34 8TJ	Frenchay And Stoke Park	Stoke Gifford Parish Council
14	PT13/4188/F	Approve with Conditions	74 Branksome Drive Filton South Gloucestershire BS34 7EF	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PK13/2676/F	Applicant:	Mr Brian Fletcher
Site:	The Works Hawkesbury Upton Badminton South Gloucestershire GL9 1AU	Date Reg:	2nd August 2013
Proposal:	Demolition of industrial building to facilitate the erection of 3 no. dwellings with access and associated works.	Parish:	Hawkesbury Parish Council
Map Ref:	377870 186977	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	24th September 2013



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 100023410, 2008. **N.T.S.** **PK13/2676/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 three dwellings, facilitated by the demolition of a barn on a backland site located off the High Street and accessed between two buildings fronting that street. The site lies within the Hawkesbury Upton Conservation Area.
The narrow access also serves some garages associated with dwellings fronting the High Street and two bungalows located to the south of the site. The previous use of the building on the site was for Industrial Roofing Products, B8 a storage and distribution use in practice, at least between the years of 1992 and 2004, when the firm relocated, in the building and the portacabin which is also sited there. Both the building and the portacabin would be demolished and removed, the former as part of a Conservation Area application that has been submitted to accompany this application.
- 1.2 The site lies within the village development boundary of Hawkesbury Upton. It is overlooked to some degree by dwellings fronting the High Street, the rear of two storey dwellings in Highfields and the bungalows to the rear of the site. These constraints have led to the siting of the proposed dwellings in a similar location to the existing building, as two semi-detached units, with the third, detached, in the rear southwestern corner of the site. Both new buildings would be hard up against the site boundary, with small walled gardens located between them. Parking at two spaces per dwelling and one for visitor parking, is proposed to be open, in close proximity to the dwellings and blocks the existing pedestrian access to the rear of the site, but maintains the access to the garages.
- 1.3 Also part of this proposal is the re-siting of an electricity sub-station from the southwestern to the northwestern corner of the site. It should be noted, however that moving the substation does not require planning permission in its own right.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
D1 Design
L1 Landscap3e
L2 Cotswolds AONB
L12 Conservation Areas
EP6 Contaminated land
- South Gloucestershire Local Plan Core Strategy (adopted December 2013)
CS1 High Quality Design

CS3 Green Infrastructure
CS5 Location of development
CS9 Heritage Assets

- 2.3 Supplementary Planning Guidance
Hawkesbury Upton Conservation Area guidance note
Residential Parking Standards (adopted 2013)
Environmental Protection Technical Advice Note 2: Electromagnetic Radiation

3. **RELEVANT PLANNING HISTORY**

- 3.1 P87/1570 Demolish existing garages and extend workshop of 128 square metres Approved
- 3.2 P87/1645/L Listed Building Consent for the above
- 3.3 P98/2000 Siting of portacabin (retrospective) Refused
- 3.4 Change of use of land from industrial to residential. Erection of 4 one bedroomed apartments Withdrawn
- 3.5 PK07/1081/CA Demolition of industrial buildings Withdrawn
- 3.6 PK07/3076/CA Demolition of industrial buildings Refused

4. **CONSULTATION RESPONSES**

- 4.1 Hawkesbury Upton Parish Council
Generally support the proposal, although would wish to see the site access made safer if possible. The aluminium windows frames are not in keeping with the Conservation Area and walls that are visible from the High Street should be natural stone. Would prefer to see a more natural surface than the bitumen driveway.
- 4.2 Other Consultees
Conservation
No objection to the revised drawings, subject to the inclusion of conditions regarding sample panels for stone, boundary walling and render, further detailed drawings as specified below and samples of tiles, cladding and block paving.
- Transportation
No objection, subject to the inclusion of condition covering provision of parking and turning in a bound surface.
- Archaeology
There is potential on site for archaeology and a condition is recommended for a watching brief.

Technical Services

No objection, subject to the inclusion of a condition requiring a drainage plan.

Environmental Protection

No objection, subject to the inclusion of a condition covering contamination remediation of the site.

Landscape

No objection to the amended plans.

Tree Officer

The requested arboricultural report is considered to be satisfactory and should ensure the safe retention of the tree in the adjoining garden

Other Representations

4.3 Local Residents

5 letters of objection were received, citing the following concerns:

- Support the re-location of the sub-station and undergrounding of the overhead power lines
- Concerns over location of re-sited sub-station – EMF hazard within 5 metres of Richmond House
- Support design of the buildings
- The application boundary is incorrect, leading to issues over ownership and inadequate space for access
- Lack of adequate turning space on site
- Potential overlooking from proposed first floor bedrooms
- The garden of Elizabethan Cottage may have its light reduced due to the increased height to eaves of the building replacing the barn
- What disruption of water and electricity services is envisaged?
- Strain on mains sewerage services
- Potential flooding from the site
- Impact of the development on surrounding trees
- Setting buildings so close to the boundary line could set a precedent elsewhere in the village
- The bathroom window of unit 3 (already shown as obscure-glazed) should be non-opening
- There is no maintenance access for the buildings on the site boundary
- Overbearing impact on gardens
- Some floor plans are missing from the Council's website
- Where would oil storage tanks be located on site? There is no gas supply available
- Inadequate bin storage area to cater for the existing and proposed dwellings – 6 in all
- All north-facing bedroom windows in units 1 and 2 should be obscure-glazed to prevent line of sight to shower room at rear of Richmond House. Also an issue during construction
- Increase in traffic past a rear garden
- The relocated sub-station could lead to a noise nuisance

- Request a condition preventing access to the site at nights during construction
- Wheel-washing should be required to prevent dust during the construction process

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. As noted above, the site stands within the village development boundary and in relation to the requirements of the NPPF and Core Strategy policy CS5, a relatively sustainable location. Although currently not in use, when the site was last used, it had the potential to generate a number of traffic movements commensurate with its use. Therefore, although it is acknowledged that the site access is substandard, the proposal has to be judged against the potential re-establishment of the authorised use of the site. Due to the surrounding built form, there is no opportunity to improve this access.

5.2 Conservation

In response to the original conservation comments, revisions were made to the proposal. The submitted statement of significance sets out in detail the history of the site and the main barn located within it. The statement also sets out in broad terms the historic interest of Hawkesbury Upton. It informs that the large stone barn was built between 1844 and 1878, and was retained in that use up until the later half of the twentieth century when it was used as an engineering works and garage. The building is now in an advanced state of disrepair and suffering from significant structural failings. All of the other buildings on the site are more modern and not of historic interest. In general the heritage assessment of the site is agreed, although there are reservations over the conclusion that nothing of any significance survives. It is considered that the barn is of significance to the Hawkesbury Upton conservation area in terms of what it contributes to an understanding of the history, development and functions of the village, and its appearance with regard to the use of traditional materials and building form. These aspects should be maintained through the development proposal.

The NPPF requires that development conserves heritage assets in a manner appropriate to their significance. Paragraph 178 of the Practice Guide recommends that '*The main issue to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting.*' The form, layout and design of the development is considered to maintain the (formerly) agricultural character of the site and reflects the massing and profile of the former barn and former use of the site. The reconstituted stone for the elevations of the new buildings, as originally proposed was considered to be a key aspect of the development. This has been replaced with natural stone on the revised drawings and this is considered appropriate to the Conservation Area. A condition is recommended below requiring a sample panel in respect of the proposed buildings and walls.

A further condition requires the re-use of the existing stone on the site in the new development in order to preserve the character of buildings on the site and the Conservation Area as a whole. For similar reasons, a more sympathetic 'softer' alternative to tarmac was suggested for the drive and parking areas, resulting in a tarmac access drive leading to manoeuvring areas demarcated in block paving. Details of the block paving has been required in the condition recommended below.

Contemporary, yet high quality, materials are proposed for the windows. This will allow the building to be read as a contemporary redevelopment, yet based on an understanding of the historic context and significance of the conservation area. Subject to compliance with the relevant conditions recommended below it is considered that this proposal would enhance the Conservation Area and accords with policy.

5.3 Transportation

Details of traffic generation as well as tracking diagrams were requested and received in order to clarify manoeuvring within the site, including achieving the retention of access for the existing garages. The revised plans show that all surfacing materials would be of bound material as mentioned above, either tarmac or block paving, which is considered to maintain highway safety as vehicles would not drag loose material onto the High Street when exiting the site. In regard to traffic generation, it is accepted that the previous use of the site, which could be brought into use again without the need for planning permission, generated more traffic than the proposed development would. Therefore the proposal is considered to represent an improvement over the potential traffic generation under the authorised use. The site's access is substandard in terms of the available level of visibility, but it is considered that a reduction in use would represent an improvement.

With regard to manoeuvring, the tracking diagrams are considered to indicate that the requisite vehicles can exit the site in forward gear and this comes about through the provision of an adequate level of parking for the three dwellings, at two spaces each, plus a visitor's parking space. This level of provision accords with the recently adopted Residential Parking Standards.

5.4 Sub-station

Sub-stations are not specifically covered in planning legislation, other than the Town and Country Planning (General Permitted Development) Order of 1995 (as amended) providing for, under Class G of Part 17, such a building under 29 cubic metres would not require planning permission. No policies in the adopted Local Plan or emerging Core Strategy relate to them. The only advice that is provided by the Council is Technical Advice Note for Environmental Protection listed at 2.3 above. Current science has not proven any health effects from Electro-Magnetic Fields or Electro-Magnetic Radiation. The Advice Note gives very informal advice that at a distance of 5 metres, radiation from most sub-stations becomes insignificant. In this instance, the sub-station, which does not require planning permission, is shown on the boundary of the nearest dwellings, Richmond House and Bromley.

Whether the location of the sub-station can be regarded as a material consideration requires examination. As part of this scheme, the existing sub-station would be demolished. It cannot be replaced in the same location due to the dwelling that has been proposed. In planning terms, therefore, the outcome of this proposal would be limited to the removal of the existing substation. In terms of the impact on residential amenity, in common with telecommunications applications, the principle has been established that the presence of such an installation can in some circumstances cause sufficient concern to neighbouring occupiers as to lead to an adverse impact on the residential amenity of the property. The crucial difference is that in those cases, the installation is the subject of the planning application. In this case, the replacement sub-station is not the subject of the application. It is however considered to be a material consideration, in that the approval of planning permission is highly likely to result in the sub-station being re-located on this site, most likely in the position indicated on the plans, under permitted development rights. The weight that should be afforded this material consideration is considered to be limited by the fact that the permitted development rights under which sub-stations can be sited do not refer to distance from dwellings. On the basis of currently available medical evidence, the Council can only advise on separation distances between sub-stations and houses. Taking these factors into account, it is considered that the material consideration of the effect of siting the sub-station closer to Bromley and Richmond House should not outweigh policy or the recommendation below.

5.5 Ground contamination

As the existing sub-station, along with the previous use of the site, could have left the site contaminated, conditions have been appended below to ensure that decontamination of the site is carried out prior to its first residential use.

5.6 Residential Amenity

Policy CS1 and the provisions of the NPPF require that new development has regard for residential amenity for surrounding occupiers. A number of issues have been raised in this regard through the consultation process, reported above. In general terms, the proposal would replace the existing dilapidated barn with a building of a similar mass on a broadly similar footprint, although moved to the site's western boundary. Also involved is the erection of a further dwelling, hard up against the rear corner of the site. These proposals run a risk of compromising existing levels of residential amenity for surrounding occupiers in terms of loss of privacy and overbearing impact, these will be examined in turn, along with the conditions created for future occupiers.

Overlooking

The proposed development is all two storey. The site has substantial boundary treatments on each site and a low chainlink fence along the rear boundary, dividing it from the bungalows to the rear. Under these conditions, it is considered that the key views into and out of the site are achieved from first floor windows only. It is noted that the only first floor window in Unit 3 facing out of the site on the boundary, serving a bathroom has now been removed from the amended plans. This room is instead served by an arrowslit window on the western boundary, again obscure glazed.

This window, if it opened outwards, would overhang outside the site and therefore a condition has been agreed with the agent that these windows will be obscure glazed and non-opening, as shown on the revised plans. The rooflights shown to serve that dwelling would be high level and not provide a view out. With regard to the two semi-detached units proposed, again the window shown at the boundary has been indicated as non-opening. It would serve a landing, a non-habitable room and therefore there is not considered to be any reasonable requirement for it to be obscure glazed. Regarding the request for the north-facing bedroom windows to be obscure glazed, the distance to the rear elevations of Richmond House and Cottage are 17 metres. This separation distance is considered to be adequate to maintain residential amenity in the context of the village. Obscure glazing these windows is considered to remove any outlook for habitable rooms in the proposed semis. It is therefore considered that the proposal would not lead to undue overlooking and loss of privacy and would accord with policy CS1 and the NPPF in this regard.

Overbearing Impact

The impact in general terms, as described above, would be largely similar to the current situation, with the exception of the semis moving towards the site boundary at first floor level and Unit 3, to the rear, is an entirely new building. The impact of these proposals would therefore be felt along the western boundary and the rear boundary, with particular regard to the adjoining gardens. Therefore the impact on Elizabethan cottage, to the east, is considered to be broadly similar to the current situation. The increased eaves height is considered to be de minimis in terms of overbearing impact. In other directions, the development has been located where it would be at the greatest possible distance from the built form of the surrounding houses and as a result it is considered that the impact on existing levels of residential amenity would not be sufficiently compromised to warrant a refusal reason in this regard.

Future Occupiers

The proposed layout indicates small, enclosed garden areas, clustered together between the three dwellings. The dwellings themselves would be of a modest size, each offering two bedrooms and therefore limited in the accommodation that they offer to small families. As such, it is considered that the amenity space provided would be adequate to meet the needs of future occupiers. The first floor separation distance between the front and rear dwellings would be 11 metres and the habitable rooms at first floor level have been located in order to avoid undue overbearing impact or intervisibility between them. As such it is considered that the proposed development would provide adequate living conditions for future occupiers.

Other Residential Amenity issues

The consultation process has raised a number of other issues, namely, increase in traffic past a rear garden, noise from the relocated substation, a requested condition preventing access to the site at nights during construction and a further condition governing wheel-washing to prevent dust during the construction process.

In regard to the traffic issue, it has been established above that the proposal would result in a reduction in traffic movements. Substations these days are designed to be as quiet as possible and any noise emitted which could cause a nuisance would be a matter for action under Environmental Protection legislation. The requested working hours condition has been recommended below due to the close proximity of surrounding housing, while a wheel washing condition is considered unnecessary on a site of this very limited size.

5.7 Landscape

In summary, the site is located in the centre of Hawksbury Upton, accessed from and behind the houses of the High Street. The site is accessed from the High Street, along a 5m gap between buildings. The existing building is visible from the High Street. The site is overlooked by Richmond Cottage and Richmond House on the north. Garaging with access across the site and gardens form the eastern boundary. A number of gardens adjoin the site on the south and western side. Trees in an adjoining garden overhang the site on the western boundary. The scheme proposes building the houses up against the western boundary with largely blank facades to prevent overlooking of neighbouring properties. Unit 3 also lies along the southern boundary of the site, again with a near blank façade.

The housing would be visible as a glimpsed view from the High Street together with the tarmac driveway and some of the car parking. The location of house 3 on the western boundary of the site will affect the existing trees in the adjoining garden of no. 32 Highfields and this is examined in the following section. These trees are only some 2m from the site boundary and already overhang the property boundary and therefore the proposed building. This proximity will lead to damage to the roots from foundation digging and damage to the crowns from construction works. Cutting back the crowns to the boundary will damage the shape of the trees. The trees have not reached their mature height yet but are a significant feature of the garden in which they grow.

The visual appearance of the access and parking is considered to have been marginally improved by the use of a mix of paving types such as block paving and tarmac. The change to natural stone is appropriate and the overall impact on the landscape is considered to accord with policy.

5.8 Tree Issues

The proximity of the trees in the garden of 32 Highfields to proposed plot 3 has been identified as a concern. BS5837:2012 "Trees in relation to design, demolition and construction – Recommendations" provides the guidelines for the protection of trees and their roots affected by development. The Root Protection Area should be a construction exclusion zone. As it has been demonstrated that there is no alternative to works within the RPA an Arboricultural Impact Appraisal and Method Statement has been provided to indicate the measures that will be used to avoid damage to the tree both below and above ground. A condition appears below requiring compliance with this through the construction phase.

5.9 Drainage and flooding issues

The proposal has been assessed by the Technical Services section and it is considered that the site has the capacity to be served by a SUDS-compliant drainage scheme which has been required by the relevant condition recommended below.

5.10 Other Issues

The consultation process has raised a number of issues that have not been analysed above. The point about the exactitude of the application boundary, leading to issues over ownership and inadequate space for access, led to the amended plans being adjusted to illustrate what is on record with Land Registry and referenced the Title Deed AV 214999 with the permission of the current land owners. An informative on the planning permission will make clear that permission is only approved for the landowner and that access over any other land will have to be agreed with the relevant third party. This issue is a matter for civil law and not the determination of this planning application.

With regard to the disruption of water and electricity services that would be envisaged, that is not a matter that is relevant to the determination of this planning application, as it would be part of the construction process. The point about setting buildings so close to the boundary line could set a precedent elsewhere in the village is not considered to be the case, as each development is assessed on its own merits and the location of the proposed development is largely determined in this instance by the parameters set by the site size. This also links to the point raised that there is no maintenance access for the buildings on the site boundary. To remedy this, permission would have to be sought from adjoining landowners which it within their rights to refuse. This limitation is considered to be self-evident to potential buyers, however.

It was also pointed out that some floor plans were missing from the Council's website. These were not identified, however, and it is considered that sufficient floor plans were provided to allow for a full assessment of the development proposal. The issue over the location of future oil storage tanks would again be one for future purchasers and the developers, should they opt for such a method of heating the dwellings. This is outside the scope of the planning system, other than that in most cases such tanks would require planning permission and relevant proposals could be assessed at such a juncture. With regard to the identified inadequate bin storage area to cater for the existing and proposed dwellings, the site only needs to make provision for its own impact and the area identified is considered to be adequate to achieve that.

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 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 recommended 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).

2. The glazing inserted in walls on the southern and western elevations of the site shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy CS1 the South Gloucestershire Core Strategy (Adopted).

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

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy CS1 the South Gloucestershire Core Strategy (Adopted).

4. A) Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably qualified person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.

B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks.

Thereafter the development shall proceed in accordance with any agreed mitigation measures.

C) Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.

ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.

iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.

iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.

v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy EP2 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 0800 to 1800 and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted).

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

Reason

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

9. The existing stone of the building on site shall be re-used wherever practicable in the construction of the face surfaces of the new dwellings.

Reason

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

10. Prior to the commencement of development a representative sample panel of natural stone facing walling of at least one metre square, showing the stone, coursing and mortar, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site for consistency.

Reason

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

11. Prior to the commencement of development a representative sample panel of natural stone boundary walling of at least one metre square, showing the stone, coursing, mortar and coping, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site for consistency.

Reason

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

12. Prior to the commencement of development a representative sample panel of facing render of at least one metre square, showing the texture and finish shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site for consistency.

Reason

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

13. Prior to the commencement of development the detailed design of the following items, including materials and finishes, shall be submitted and approved in writing by the local planning authority. The works shall be at a scale of 1:5 including sections:

All new windows (including cill and head details)

All new doors

Eaves, ridges and verges (including rainwater goods)

Rooflights (metal conservation type)

All new vents and flues

The development shall be completed strictly in accordance with the approved details.

Reason

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

14. Prior to the commencement of development representative sample of the following items shall be submitted and approved in writing by the local planning authority:

clay roofing tile

timber cladding

block paving

The development shall be completed strictly in accordance with the approved details.

Reason

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

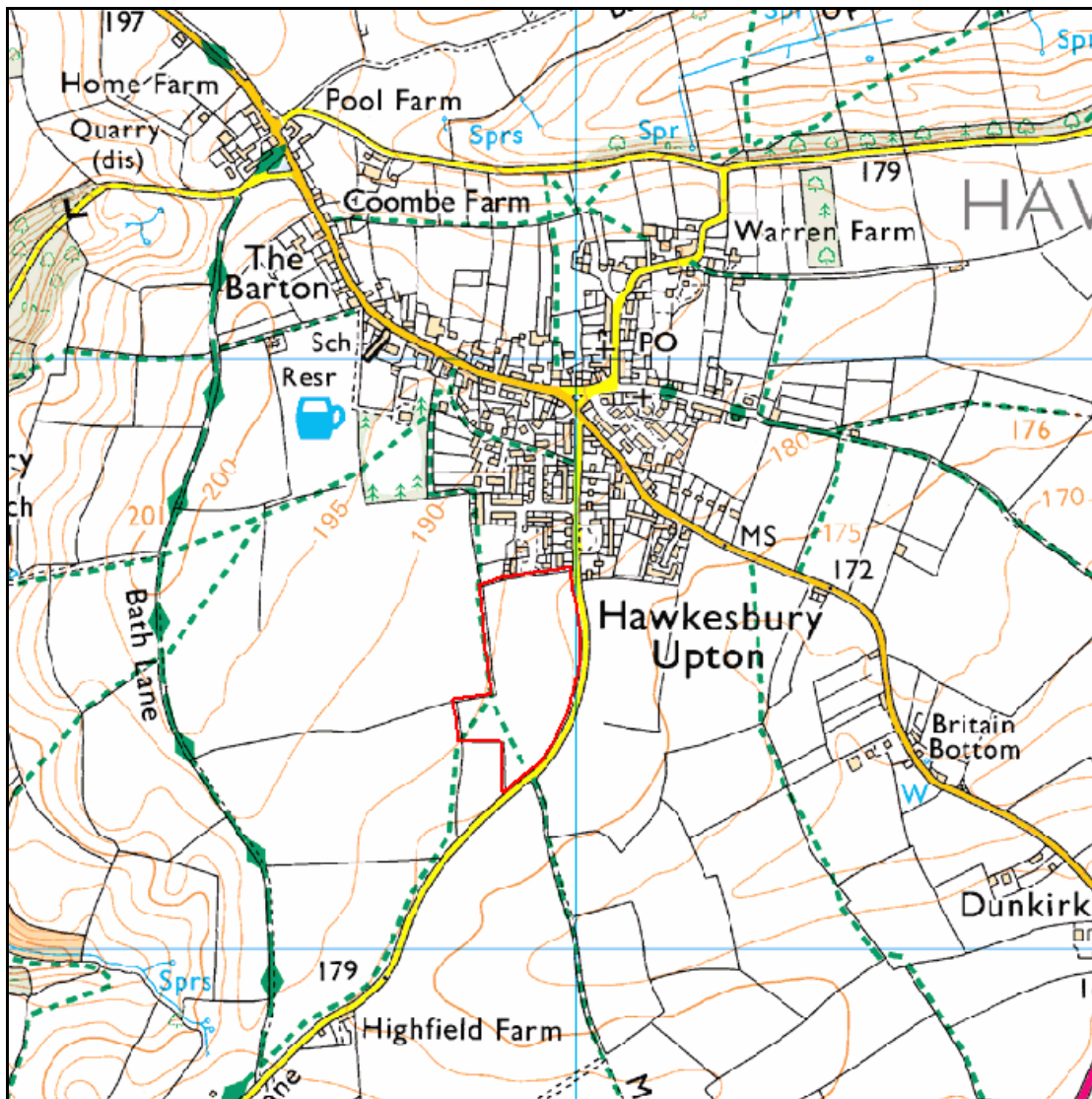
15. The development shall be undertaken in full compliance with sections 8 and 9 of the approved arboricultural report and the tree protection plan.

Reason

To protect nearby trees within the Conservation Area and to maintain and enhance the character and appearance of the Conservation Area, to accord with Policies L1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PK13/3464/RVC	Applicant:	Mrs Louise Williams
Site:	The Stables Sandpits Lane Hawkesbury Upton Badminton South Gloucestershire GL9 1BD	Date Reg:	4th October 2013
Proposal:	Variation of condition 2 of PK12/1031/F dated 22 June 2012 to allow livery to be carried out on site.	Parish:	Hawkesbury Parish Council
Map Ref:	377890 186636	Ward:	Cotswold Edge
Application Category:	Major	Target Date:	31st December 2013



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 100023410, 2008. **N.T.S.** **PK13/3464/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of letters of support from local residents, these being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to 5ha (12.36 Acres) of relatively open pasture land, located to the west of Sandpits Lane and south of the village of Hawkesbury Upton. The land lies in open countryside within The Cotswolds AONB. There is a vehicular access into the site from Sandpits Lane. Two PROW, LHA102 and LHA103, cross the field to the south.
- 1.2 Planning permission PK12/1031/F was granted to change the use of the field from agricultural use to the recreational keeping of horses and the erection of 2 stable blocks in the south-western part of the field, next to Sandpits Lane. Vehicular access to the stables is directly from Sandpits Lane. The stable blocks provide 7no. stalls with associated tack room and barn. The scheme has been implemented but the stables have been operating as part livery in breach of condition 2 of the permission, hence the current application to vary condition 2 of the original planning permission.
- 1.3 Condition 2 attached to planning permission PK12/1031/F reads as follows:

'At no time shall the land and buildings, the subject of this permission, be used for livery, riding school or other business purposes whatsoever.'

Reason 1

'To protect the character and appearance of the area and natural beauty of the Cotswolds AONB and to accord with Policies L1 and L2 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.'

Reason 2

'In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.'

- 1.4 It is proposed to vary condition 2 of PK12/1031/F in order to allow the site to be used as a livery yard.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework (NPPF) March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006 – Saved Policies

L1	-	Landscape Protection and Enhancement
L2	-	Cotswolds Area of Outstanding Natural Beauty (AONB)
L9	-	Species Protection
EP2	-	Flood Risk and Development

- E10 - Horse related development
 - T12 - Transportation
 - LC5 - Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary
 - LC12 - Recreational Routes
- 2.3 South Gloucestershire Local Plan Core Strategy (Adopted Dec. 2013)
- CS1 - High Quality Design
 - CS8 - Improving Accessibility
 - CS34 - Rural Areas
- 2.4 Supplementary Planning Guidance
- The South Gloucestershire Design Checklist (SPD) – Adopted August 2007
 SG Landscape Character Assessment.
 Character Area LCA 1, Badminton Plateau .

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK12/1031/F - Change of use of land from agricultural to land for the keeping of horses. Erection of 2no. stable blocks.
 Approved 22nd June 2012

4. **CONSULTATION RESPONSES**

- 4.1 Hawkesbury Parish Council
 The Parish Council would like to see the condition upheld, they do not want this condition removed to allow livery to be carried out on site.

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

Environmental Protection
 No adverse comments

Landscape Officer
 No objection

Highway Drainage
 No comment

Wessex Water
 No response

Avon Wildlife Trust
 No response

British Horse Society
 No response

PROW

Concern that more horses would be kept on the site resulting in further sub-division.

Open Spaces Society

No response

The Ramblers Association

No response

Highways Drainage

No response

Sustainable Transport

Objection

Other Representations

4.3 Local Residents

26no. letters/e.mails of support were received. The comments made in support of the application are summarised as follows:

- There is a high demand for livery in this area.
- The yard is tidy and well managed.
- The operation is low-key.
- Traffic to/from the yard is typically by foot or bicycle.
- There has been no additional traffic.
- Since the stables have been built there is a clearer view up and down the lane with the added bonus of the gateway providing an additional passing place.
- Parking is well managed.
- The livery is an asset to the local community.
- The stables compliment the view.
- No increase in traffic.
- The yard is immaculate.
- There is more than enough parking on-site, even at full capacity (7 horses).
- The potential for long reversing manoeuvres has always existed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF has recently superseded various PPS's and PPG's. The NPPF carries a general presumption in favour of sustainable development. Para.2 of the NPPF makes it clear that applications for planning permission must be determined in accordance with the development plan and this includes the Local Plan. Para 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that conflicts with an up-to-date development plan should be refused unless material considerations indicate otherwise.

At para. 211 the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.

- 5.2 In this case the relevant Local Plan is The South Gloucestershire Local Plan, which was adopted Jan 6th 2006. The Council considers that the Local Plan policies referred to in this report provide a robust and adequately up to date basis for the determination of the application.
- 5.3 The South Gloucestershire Local Plan Core Strategy has now been adopted. The policies therein now carry significant weight and in this regard Policy CS8 is considered most relevant.
- 5.4 Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met. Criterion C requires development to not have unacceptable environmental or transportation effects.
- 5.5 Furthermore Policy E10 of the South Gloucestershire Local Plan reinforces the view that '*proposals for horse related development such as stables .. will be permitted outside the urban boundaries of settlements*', subject to the following criteria being met:
- A. Development would not have unacceptable environmental effects; and
 - B. Development would not prejudice the amenities of neighbouring residential occupiers; and
 - C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
 - D. Safe and convenient access to bridleways and riding ways is available to riders; and
 - E. There are no existing suitable underused buildings available and capable of conversion; and
 - F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

The analysis of the proposal in relation to these criteria is considered below.

5.6 Applicant's Justification

On the application form (para. 6), the applicant has offered the following justification for the proposed variation in the wording of condition 2:

'We would like condition 2 to be changed to allow Livery, as it has become apparent that there is a need for this service in the area. We have been approached many times by local people wanting facilities for their horses. Indeed we currently have a lady who was asked by South Glos. Council to look for local amenity rather than build her own stable block. Due to demand, we already have 3 liveries alongside our own horses which has had no impact on either the character or appearance of the AONB or Highway Safety – indeed

we have had many comments of local support about the appearance and management of the yard.'

Analysis

- 5.7 In assessing the proposal, officers must consider why condition 2 was imposed in the first place and whether or not there is now adequate justification to vary the wording of the condition as requested.
- 5.8 Officers are also mindful of the six tests listed in Circular 11/95 that must be satisfied for a negative condition to be imposed. The sixth test is that the condition should be reasonable in all other aspects.
- 5.9 Two reasons were given for the imposition of Condition 2, the first related to the impact of the scheme on the character and appearance of the area and natural beauty of the Cotswolds AONB. The second reason related to highway safety and in particular the amount of traffic generated from the scheme.

5.12 Landscape Issues

- In landscape terms a number of other conditions were imposed to ensure that the approved use and erection of the stables would have minimum impact on the landscape and AONB. Condition 3 restricts the number of horses to be kept on the site to no more than 7 and this would not change if the site were used as a livery yard. Similarly Condition 4 would continue to control the erection of jumps and any further sub-division of the land. Condition 5 would continue to restrict the storage of horse boxes etc. on the land. Condition 7 sought to secure an acceptable external lighting scheme. Condition 8 secured additional screen planting. Condition 11 controlled the external finish to the stables and Condition 12 controlled the position of any fences and gates to be erected. Condition 13 secured a pasture management plan and Condition 14 prevented the use of white tape to sub-divide the fields.
- 5.13 If the site were to be used as a livery yard the only difference, to the authorised use, that would impact on the character of the landscape and AONB is likely to be the intensification of use in terms of visits to the site by the various owners of the horses and associated parking of vehicles on the site.
- 5.14 Since the original scheme has been implemented officers now have the advantage of being able to see the finished article and to assess first hand the impact of the buildings and use of the land on the landscape and AONB. It is acknowledged that the stables are attractive and the site is well managed. This observation is confirmed by local residents. Even with an existing degree of livery use the character of the landscape and AONB has not been compromised. Given the other conditions listed in para. 5.12 officers consider that even if the site were used entirely for livery use, this would be acceptable in landscape terms.
- 5.15 Subject therefore to the variation of Condition 2 as proposed and to all of the relevant previous conditions being imposed, there are no landscape objections to the proposed Livery use, that officers consider would meet the criteria listed under Policies L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.16 Highway Issues

The requirement of Criterion C of Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 is that new development should not create or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety. Furthermore, since the original permission was granted the South Gloucestershire Local Plan Core Strategy has now been adopted and Criterion 1 of Core Strategy Policy CS8 states that:

‘New development proposals which generate significant demand for travel will be more favourably considered the nearer they are located to existing and proposed public transport infrastructure and existing facilities and services. Developments which are car dependant or promote unsustainable travel behaviour will not be supported.

5.17 Under the original submission for PK12/1031/F, the applicant stated that the land and stables were to be used for the recreational keeping of the applicant’s horses only and not for livery use. As such it was considered that traffic generation would be no different, the fields having been previously used for grazing of horses. Since the applicant lived in the village it was estimated that traffic to the site would be limited to a maximum of 2 vehicles at any one time.

5.18 The condition to prevent, amongst other things, livery use was specifically placed against the development due to:

- the isolation of the site from Hawkesbury Upton;
- the insufficient narrow carriageway (Sandpits Lane) serving the development site, resulting in potential long reversing manoeuvres when traffic comes into conflict, there being no passing bays within the lane;
- conflicts with vulnerable highway users and
- the limited allocation of parking space on the site.

5.19 The current submission to vary Condition 2 would result in increased traffic generation to and from the site along Sandpits Lane and as such is not considered to overcome the aforementioned constraints; as such the proposal would be contrary to Policies T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted December 2013).

6. CONCLUSION

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

6.2 Although the proposal is considered to be acceptable in landscape terms, this would be outweighed by the adverse transportation impacts outlined in paras. 5.16 – 5.19 above.

6.3 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 to vary the wording of Condition 2 of PK12/1031/F be refused for the reason stated on the Decision Notice.

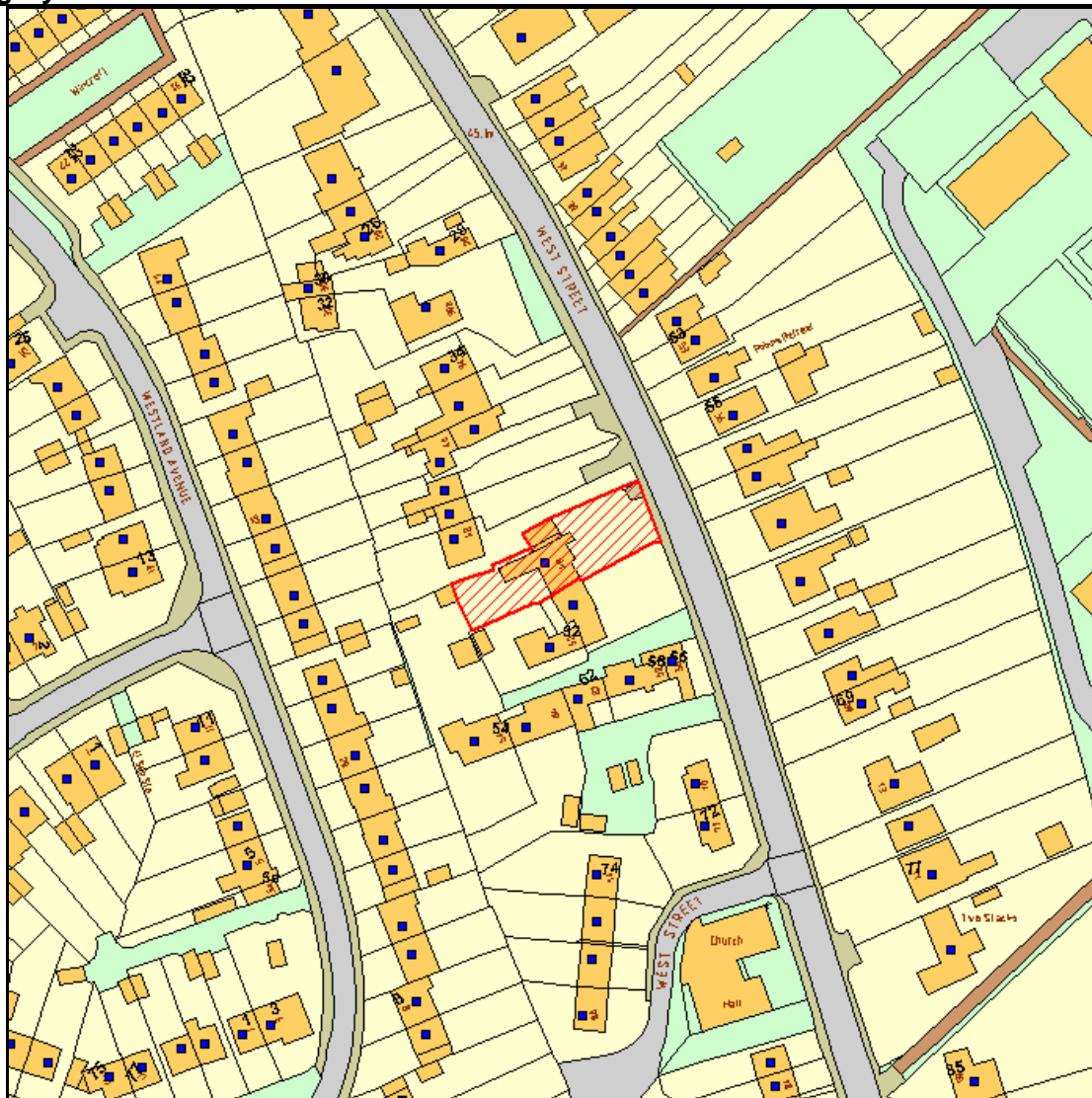
Contact Officer: Roger Hemming
Tel. No. 01454 863537

REASONS FOR REFUSAL

1. The site lies in an isolated position outside the village of Hawkesbury Upton and can only be accessed via Sandpits Lane, a narrow single track rural lane with no passing bays. The variation of the wording of Condition 2 as proposed, to allow Livery use, would result in an intensification of use of the site and associated increase in vehicular traffic to and from the site, which would result in potential long reversing manoeuvres and conflicts with vulnerable highway users all to the detriment of sustainability and highway safety, contrary to Policy CS8 of The South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy T12 of The South Gloucestershire Local Plan (Adopted 6th Jan 2006) respectively.

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PK13/3804/F	Applicant:	Mr S Levett
Site:	48 West Street Oldland Common Bristol South Gloucestershire BS30 9QS	Date Reg:	17th October 2013
Proposal:	Erection of first floor rear extension and two storey front extension to provide additional living accommodation. Erection of detached garage.	Parish:	Bitton Parish Council
Map Ref:	367188 171604	Ward:	Oldland Common
Application Category:	Householder	Target Date:	9th December 2013



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 100023410, 2008. **N.T.S.** **PK13/3804/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination to take into account the comments of the Parish Council.

Members may recall the application from Circulated Schedule 48/13 (29 November); however, following circulation no decision was issued. This is because it became apparent that certain elements of the development that had been included in the application description could be undertaken without planning permission and are therefore outside of the assessment of the planning application and beyond the control of the Local Planning Authority.

To take the above into account, the description of development has been amended *from* 'erection of first floor rear extension and two storey front and side extension to provide additional living accommodation; erection of detached garage' *to* 'erection of first floor rear extension and two storey front extension to provide additional living accommodation; erection of detached garage'. The change in description is necessary as the conversion of the existing garage is not development and therefore not subject to planning control. As the garage is an existing structure, it cannot be defined as a side extension. The reference to a side extension has therefore been removed from the description of development and cannot be assessed as part of this planning application.

Following the amendment to the description, the application was sent out for a 7 day period of public re-consultation, which included the Parish Council. The application is now referred to the Circulated Schedule following the expiry of this consultation period in the interests of transparent decision making and in accordance with the Council's adopted scheme of delegation. It should be noted that although the description has been amended, there is no change to the proposed works.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a first floor rear extension, the erection of a two-storey front extension, and the erection of a detached garage at the front of the property.
- 1.2 The application site is an attached cottage on West Street in Oldland Common. The site is located within the existing urban area and is not covered by any statutory or non-statutory designations.
- 1.3 This application is the resubmission of PK13/2626/F which was withdrawn to enable some design improvements. The proposed scheme takes into account the required amendments resulting from discussions arising as part of the former application.
- 1.4 Although the submitted plans include the conversion of the garage into living accommodation (to the effect of creating an annexe), the conversion of the garage does not require planning permission as it is not defined as development. Therefore, notwithstanding the submitted plans, the conversion of the garage cannot be assessed as part of this application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS5 Location of Development

CS8 Improving Accessibility

CS16 Housing Density

CS17 Housing Diversity

South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies

T12 Transportation

H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

(a) South Gloucestershire Design Checklist (Adopted) August 2007

(b) Residential Parking Standard (Approved for Development Management Purposes) March 2013

3. RELEVANT PLANNING HISTORY

3.1 PK13/2626/F - Withdrawn- 24/09/2013

Erection of first floor rear extension and two storey front extension to provide additional living accommodation. Erection of detached garage.

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Comments in relation to the original consultation, received 29 October:

‘Councillors have no objection in principle to this application but ask that a condition be applied to any permission granted requiring the annexe to remain ancillary to the main dwelling. However, strong concern is felt with regard to the potential for overlooking and loss of privacy for the adjacent property at 46 West Street, whose full width is not apparent from the plans as they do not show an existing extension. This is particularly a concern in respect of the rear windows on what would become the residential annexe. Obscured glass would not overcome this problem for opening windows. Also, the window on the first floor of the rear extension would require obscured glass and to be non-opening.’

Comments in relation to the amended description, received 10 December:

‘Councillors noted that the report by the Case Officer did not address the opening of windows onto the driveway owned and used by the occupants of 46 West Street but were pleased that obscured glass had been agreed. Councillors understand that the application has been amended to reflect the

fact that some aspects are covered by permitted development rights. However, they feel that the issues noted above remain pertinent and in need of attention.'

4.2 Drainage
No comment

4.3 Transport
No objection

Other Representations

4.4 Local Residents
No public comments have been received to either the initial consultation or the subsequent re-consultation following the amendment to the description of development.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for a number of extensions to a cottage in Oldland Common.

5.2 Principle of Development
Extensions and alterations to existing residential properties are broadly supported by policy H4 of the Local Plan, which is a saved policy. This policy requires an assessment of design, amenity, and transport. This application will therefore be determined according to the assessment set out below. Additional design policy is contained within policy CS1 of the Core Strategy.

5.3 Design
To accord with policy H4 the design of the proposed extension should respect the character and appearance of the existing dwelling. The application site is an attached cottage, probably once a terrace of smaller cottages that have since been amalgamated.

5.4 The existing building has a white painted render finish, tiled roof, and casement windows. Although the ridgeline is consistent, there is a variation in the depth of the roof slope and eaves heights along the cottage. The building is located directly on the boundary with the adjacent property to the north, which wraps (slightly) around the rear of the side element of the cottage. Nos.50 and 52 are also in close proximity to the application site resulting in dense, but varied, cluster of buildings.

5.5 The proposed extension respects this organic and evolving nature of the built form. The overall appearance retains the 'cottage' character of the building and integrates into the existing built form. The design is considered to be appropriate and respond to the character of the existing dwelling and the local distinctiveness of the locality.

5.6 A detached garage is proposed at the front of the dwelling. This is low in nature and is located to the side of an otherwise open area. Being low in nature, the garage building has a low mass.

As the size of the building is limited and the overall height low, the garage is considered to be acceptable in terms of site layout, siting and appearance.

5.7 Landscaping

The impact on visual amenity caused by the front location of the proposed garage needs to be mitigated by some planting. Some planting has been indicated on the submitted plans. This will be secured by a condition requiring the submission of further details to ensure that the garage is screened from the public highway.

5.8 Amenity

As the buildings are fairly tight knit in this location a thorough assessment of residential amenity should be undertaken.

5.9 A new window is to be inserted in the north (side) elevation. This window would have been permitted development should it have been obscure glazed and any opening part be located 1.7 metres above floor level. It is not proposed to obscure glaze this window (despite serving a bathroom) and the window has opening parts lower than 1.7 metres above floor level.

5.10 This window will overlook the front gardens of the properties to the north of the application site. As these are the front gardens this window will not materially increase overlooking or lead to a prejudicial loss of privacy as the area that the window surveys would be visible from the public realm. In addition to this, the window serves a bathroom rather than a habitable room and therefore has a minimal impact on residential amenity.

5.11 Turning to the rear first floor extension, only two windows are proposed. One is located within the en-suite and would not impact on amenity. The other is located on the far end of the building. This serves the bedroom. This window is triangular in nature with proposed obscure glazing in the northern side to protect amenity and a buttress wall along the southern corner to protect privacy in the other direction. These measures are considered appropriate and will be secured by condition.

5.12 A further condition will be attached to prevent any further windows in order to protect residential amenity.

5.13 Transport

Transportation impacts of the proposed development are assessed in terms of adequate car parking. Parking levels are established in the Residential Parking SPD.

5.14 To accord with the SPD, a minimum of three parking spaces should be provided. The front garden is currently mostly laid to gravel and there is sufficient space to park three vehicles comfortably. The erection of the detached garage will not diminish the levels of parking available to the extent that the development would not longer accord with the residential parking standard. Should sufficient car parking be provided, the development will not impact on highway safety.

5.15 Annexe

Although not explicitly stated in the description of development, the proposal is paramount to the creation of a self-contained annexe. The side extension will have its own access (although there is a ground floor linking door to the main house), a kitchen/living room/dining room, and two bedrooms and a bathroom at first floor.

5.16 The proposed development has been assessed as an extension to the existing dwelling and not as an independent unit of accommodation; this would require further scrutiny and is unlikely to be acceptable due to parking and private amenity space requirement for a separate dwelling.

5.17 As that is the case, a condition will be attached that prevents the annexe being used for any other purpose than ancillary accommodation to the main dwelling.

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 extensions and the erection of the detached garage have been assessed against policies T12, and H4 of the Local Plan and policy CS1 of the Core Strategy and other material considerations listed in section two of this report. The design is considered to respond the existing character and appearance of the dwelling and the locality; when read in conjunction with the conditions imposed the development does not prejudice residential amenity; and, the proposal will not present a decrease in the level of highway safety in the vicinity. A condition will be attached ensuring the side extension is only used as annexe in conjunction with the main dwellinghouse.

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

7. RECOMMENDATION

7.1 It is recommended that planning permission be GRANTED subject to the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a scheme of landscaping along the front and north boundary of the front garden, to 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 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The glazing on the first floor window in the rear elevation of the rear extension hereby permitted shall at all times be of obscured glass to a level 3 standard or above, as shown on drawing 460-P3, received by the Council 14 October 2013.

Reason

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

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the rear or side elevations of the property.

Reason

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

5. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 48 West Street and at no point may be used as an independent unit of residential accommodation.

Reason

The development has been permitted on the particular circumstances of the case and the development would be unsuitable for use as a separate residential dwelling because a further assessment of residential amenity, transportation, and highway safety would be required.

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.: PK13/3970/F
Site: 63 Stanhope Road Longwell Green Bristol
 South Gloucestershire BS30 9AJ

Applicant: Mr Elfyn Haycock
Date Reg: 7th November 2013

Proposal: Installation of front dormers to facilitate loft conversion.

Parish: Hanham Abbots
 Parish Council
Ward: Longwell Green
Target Date: 31st December 2013

Map Ref: 365731 170712

Application Category: Householder

Ward:
Target Date:



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 100023410, 2008. **N.T.S.** **PK13/3970/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the installation of 2 no. dormer windows aft the front elevation of No. 63 Stanhope Road, Longwell Green to form additional living accommodation. The application site is a semi-detached dwelling situated within the established residential area of Longwell Green.
- 1.2 During the course of the application, revised plans were requested and received to improve the design of the dormers by replacing the flat roof element with a mono-pitched roof. The revised proposals were sent out for re-consultation.

2. POLICY CONTEXT

2.1 National Guidance

NPPF National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

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

T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

CS1 High Quality Design

CS8 Improving Accessibility

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

Residential Parking Standards (Adopted December 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 P97/4653 Erection of conservatory. Approved 26.01.98
- 3.2 K3909/1 Single storey side extension. Approved 05.04.91
- 3.2 K3909 Erection of single storey side extension. Approved 11.05.82

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

No objection

4.2 Highway Drainage Engineer

No comment

- 4.3 Highway Officer
No objection

Other Representations

- 4.4 Local Residents

A resident has comments on this application and raises the following issues:

- the neighbour has applied planning permission 12 years ago, it was advised that dormer windows had to be situated on the rear aspect to preserve the 'line' of the front of the houses for appearance purposes
- The two houses with front dormers were approved because they were a pair of semi-detached houses and they looked balanced, and the windows looked down on an open road junction, not other houses. so, have the criteria changed since then?

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

The application stands to be tested against the above policies. Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy CS1 of the adopted Core Strategy requires all new development to be well designed and along with other criteria, respect and enhance the character, distinctiveness and amenity of both the site and locality. It is considered that the proposal accords with the principle of development and this is discussed below.

- 5.2 Design and Visual Amenity

The existing dwelling is a two-storey semi-detached property and is situated at a corner plot near junction of Stanhope Road and Windsor Road. The proposed dormers to the front elevation would provide two additional bedrooms with a shower room.

Officers acknowledge that resident's concerns regarding the design of the dormer and the impact upon the appearance of the street scene. It is noted that planning permission, K6141, was granted in 1989 for a front and rear dormer at 40 Stanhope Road. During the course of that planning application, the Council acknowledged that the adjoining semi-detached dwelling no. 38 Stanhope Road has a similar dormer extension on the front elevation and that was carried out before the change in the planning legislation under the Town and Country Planning General Development Order 1988. The Council therefore considered that it would be difficult to uphold the refusal of permission of K6141.

Since the grant of the above planning permission K6141, there are a number of changes in planning policy terms - National Planning Policy Framework was published in March 2012, South Gloucestershire Local Plan adopted in 2006, and the Core Strategy was recently adopted.

During the course of this application, the originally proposed flat roof feature has been replaced with a small pitched roof which helps to better integrate the design and complement the existing house. Matching roof tiles would be used and matching colour hanging tiles would be used for the dormer cheeks. Additionally, it is considered the proposed dormer is an appropriate scale and would be subservient to the scale of the existing roof.

Whilst officers acknowledge that the proposal would have an impact upon the street scene, it is considered that, on balance, the proposal would not cause a detrimental impact upon the character of the locality, given that there are a number of dormers in the area,

The proposal thereby accords with Policy CS1 of the adopted South Gloucestershire Core Strategy and Policy H4 of the South Gloucestershire Local Plan.

5.3 Residential Amenity

Given the reasonable distance between the proposed dormer windows and the neighbouring properties, it is considered that the potential impact on the residential amenity of neighbours is acceptable.

Given the above it is considered that the proposal accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.4 Highway issues

The proposed development will increase the bedrooms within the dwelling from two to four. The Council's new residential parking standards state that a minimum of two spaces would be required for a four-bed dwelling. From the plans submitted, it shows that there is a garage with parking in front located to the rear of the site. This level of parking conforms with the Council parking standards. On that basis, there is no transportation objection to the proposed development.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be granted subject to the conditions written on the decision notice.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

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

Reason

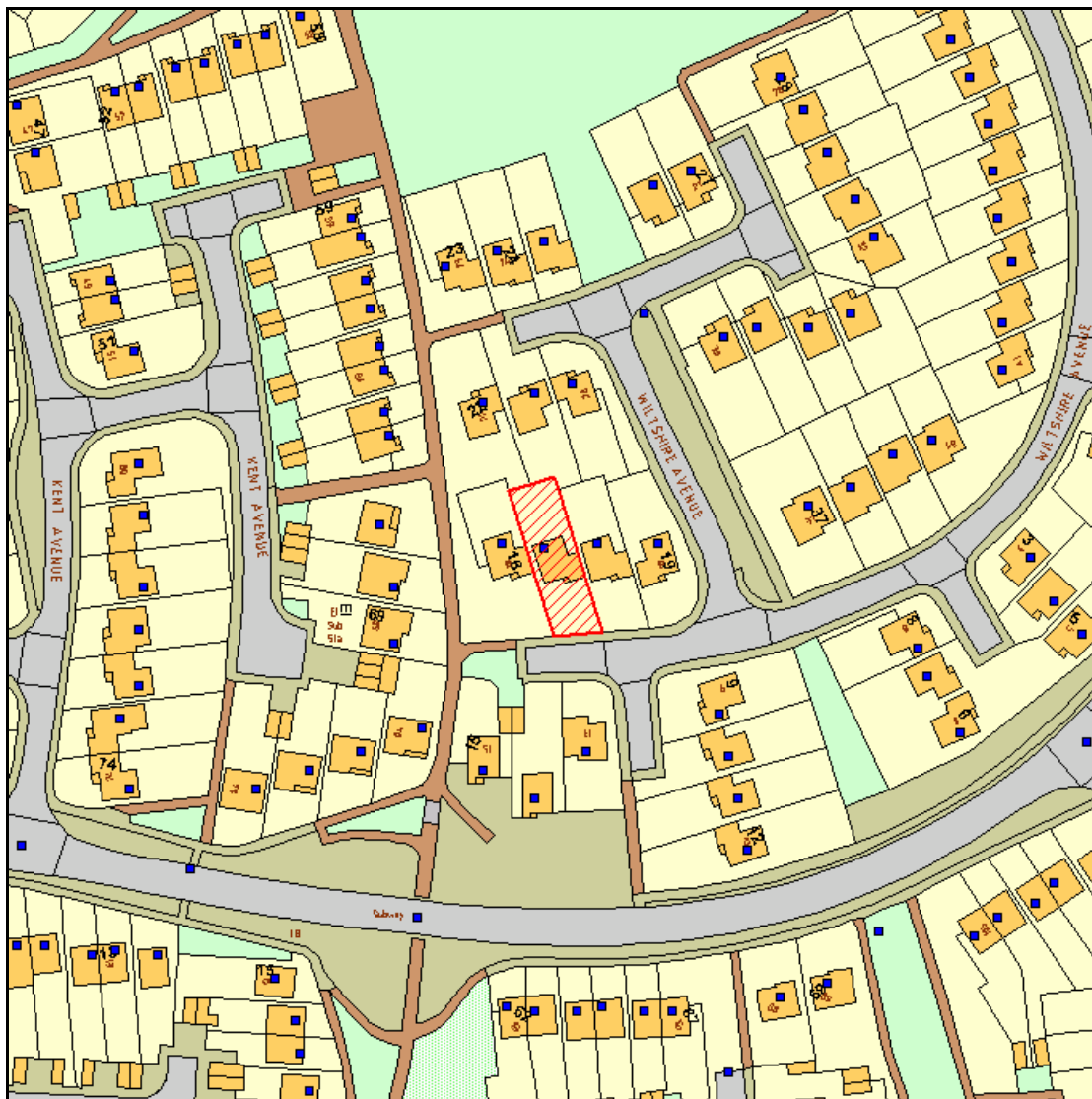
To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted December 2013) and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 51/30 – 20 DECEMBER 2013

App No.:	PK13/4029/F	Applicant:	Mr P Wigginton
Site:	17 Wiltshire Avenue Yate South Gloucestershire BS37 7UF	Date Reg:	5th November 2013

Proposal:	Erection of first floor side extension to form additional living accommodation.	Parish:	Yate Town Council
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Map Ref:	372016 183341	Ward:	Yate North
Application Category:	Householder	Target Date:	26th December 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of one letter of objection from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a first floor side extension at 17 Wiltshire Avenue, Yate. The proposed extension would extend a maximum of 9.8 metres in depth with a width of 2.8 metres and an overall height to ridge of 7.3 metres.
- 1.2 The property is a two storey detached dwelling and is located within a residential area of Yate

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006, Saved policies
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Residential Parking Standards (approved for development management purposes March 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 P85/1747 Erection of single storey extension at side to form enlarged kitchen
Approved June 1985
- 3.2 P93/1385 Erection of first floor side extension over existing garage to provide bedroom
Approved April 1993

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objections
- 4.2 Sustainable Transport
No objections

Other Representations

4.3 Local Residents

One letter of objection has been received from a neighbouring resident raising the following concerns:

- Not consulted on the application
- External plans show side elevations window which is not shown on the floor plans.
- Window would infringe on personal privacy as it would be directly opposite a bathroom window.
- Extension is very close and would result in the bathroom being very dark.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions 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 extension would be located to the side of the property above an existing single storey side extension. The extension is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The extension is considered to be of a reasonable scale and it is considered that the proposal is of modest size in comparison to the bulk of the main dwelling. Whilst the extension has an eaves and ridge height to match the main roof, there are several similar designed extensions within Wiltshire Avenue, as such this aspect of the design is considered acceptable. The extension incorporates materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

The first floor rear elevation window is small in scale given the lower eaves height and whilst this design is not ideal, it is located to the rear of the property and would not be particularly visible from the public realm. Overall, it is considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The proposed first floor extension would be located on the boundary with No. 18 Wiltshire Avenue. This neighbouring property is set slightly forward of the application site and as such the proposed first floor extension would project approximately 4.5 metres beyond the main rear elevation of No. 18. This neighbouring dwelling is located approximately 1 metre away from the application site and has patio doors and a first floor bedroom window adjacent to the site. No. 18 also has a side elevation bathroom window that faces the application property.

Given the orientation of the properties with north facing rear gardens, and the fact that the proposal would have an eaves and ridge height to match the main house, it is not considered that the proposal would result in any significant additional overshadowing. Furthermore, whilst a projection of 4.5 metres is not insignificant, given that there is a 1 metre gap between the dwellings in combination with the fact that No. 18 is at a slightly higher level and the plots are a reasonable size, it is not considered that the proposal would result in overbearing to such a degree to warrant the refusal of the application. Concern has been raised that due to the close proximity if the extension, the proposal would result in loss of light to the neighbouring properties bathroom. Whilst it is accepted that there will be some degree of loss of light to the neighbouring property, given that the side elevation window serves a bathroom which is a non habitable room, it is not considered that a refusal reason based on overshadowing could be justified at appeal.

The proposed first floor extension would include the addition of two new first floor windows, one on the front and one on the rear, both of which would serve bedrooms. Given the location of these windows, it is not considered that the proposal would result in any significant increase in overlooking over and above the existing first floor windows. Furthermore, it is considered that there are no issues of inter-visibility. Whilst concern has been raised from a neighbouring resident that the plans show a side elevation window, this window is the existing window in the western elevation. No windows are proposed in the eastern side elevation of the proposed extension.

Sufficient garden space remains to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Parking and Highway Safety

The proposed development will increase the size of the dwelling however the property will remain a 4 bedroom dwelling. No detail has been submitted on the available vehicular parking within the site boundary. However, as this is a first floor extension and there is no increase in bedrooms, it is assumed that the vehicular access and parking will remain as existing. On that basis, there are no objections to the proposal with regard to highway safety and parking.

5.5 Other Issues

Concern has been raised that a neighbouring property was not consulted, it should be noted that consultation cards were sent to all adjoining properties from the Council on 26th November 2013.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be approved subject to the conditions outlined below.

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865428

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. 51/13 – 20 DECEMBER 2013

App No.:	PK13/4043/CLE	Applicant:	Mr P Walker
Site:	Chilcott House New Pit Lane Bitton Bristol South Gloucestershire BS30 6NT	Date Reg:	12th November 2013
Proposal:	Certificate of lawfulness for the use of existing outbuilding as ancillary domestic accommodation	Parish:	Bitton Parish Council
Map Ref:	368578 170869	Ward:	Bitton
Application Category:	Minor	Target Date:	3rd January 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been forwarded to the Council's Circulated Schedule for Member consideration in accordance with the adopted scheme of delegation as the application is for a Certificate of Lawfulness

1. THE PROPOSAL

- 1.1 This application seeks a Certificate of Lawfulness for the existing use of an outbuilding as ancillary domestic accommodation associated with the dwelling known as Chilcott House, New Pit Lane, Bitton. The test to be applied to this application for a Certificate of Lawful Use is that the applicant has to prove on the balance of probability, that the use of the building as described, has occurred for a period of 4 years consecutively, prior to the receipt of the application on the 1st November 2013.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning Act 1990: Section 191
Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97: Enforcing Planning Control.

2.2 Development Plans

The application is for a Certificate of Lawfulness and as the land use merits are not under consideration, the policy context is not directly relevant.

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|--|
| 3.1 | PK05/0003/F | Erection of extension to detached garage and games room to form self-contained two storey ancillary granny annexe. |
| | Refusal | 10.2.05 |
| 3.2 | P98/4492 | Erection of boundary wall/fence |
| | Approved | 26.8.98 |
| 3.3 | K4576/1 | Erection of extension to existing garage |
| | Approved | 1.11.93 |
| 3.4 | K4576 | Two-storey rear extension |
| | Approved | 18.7.84 |

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Councillors do not feel in a position to comment on this application. However, they felt that the plans do not provide sufficient information to understand the applications purpose.

Other Representations

- 4.2 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks a Certificate of Lawfulness in respect of the outbuilding to the south of Chilcot House

- 5.2 The onus of proof is firmly on the applicant and the relevant test of the evidence on such matters is “on the balance of probability”. For a certificate to be issued, the building within the red edged application site plan, must have been continuously used for the purposes described for a 4 year period prior to 1st November 2013 i.e. the date of receipt of the application. Advice contained in Circular 10/97 states that a certificate should not be refused because an applicant has failed to discharge the stricter criminal burden of proof, i.e. “beyond reasonable doubt.” Furthermore, the applicant’s own evidence need not be corroborated by independent evidence in order to be accepted. If the Council has no evidence of their own, or from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous. The planning merits of the use are not relevant to the consideration of the purely legal issues, which are involved in determining an application. Any contradictory evidence, which makes the applicant’s version of events less than probable, should be taken into account

5.3 Hierarchy of evidence

When assessing the evidence supplied in support of a Certificate of Lawful Use application, different types of evidence are given different weight. Generally speaking the weight to be attached to such evidence in order of worth is as follows:

1. Personal appearance, under oath or affirmation, by an independent witness whose evidence can be tested in cross-examination and re-examination, especially if able to link historic events to some personal event that he/she would be likely to recall.
2. Other personal appearance under oath or affirmation.
3. Verifiable photographic evidence
4. Contemporary documentary evidence, especially if prepared for some other purpose
5. Sworn written statements (witness statements or affidavits), which are clear as to the precise nature and extent of the use or activity at a particular time.
6. Unsworn letters as 5 above
7. Written statements, whether sworn or not, which are not clear as to the precise nature, extent and timing of the use/activity in question

5.4 **SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION**

The applicant has provided a South Gloucestershire Building Regulation Completion Certificate signed and dated 8.6.07 for the building under consideration. The structure was erected under permitted development rights afforded to the main dwellinghouse. This document holds significant weight in support of the application.

5.5 **SUMMARY OF CONFLICTING EVIDENCE**

The evidence provided is accepted as true unless contradictory evidence indicates otherwise.

No conflicting evidence has been provided to date.

6. **CONCLUSION**

6.1 In the overall assessment, on the basis that the documentary evidence holds significant weight, on the balance of probabilities and apportioning the correct weight to the different forms of evidence and with no contractor evidence having been received, it would appear that the outbuilding highlighted in red submitted with the application has been used as ancillary domestic accommodation for a period of four years or more.

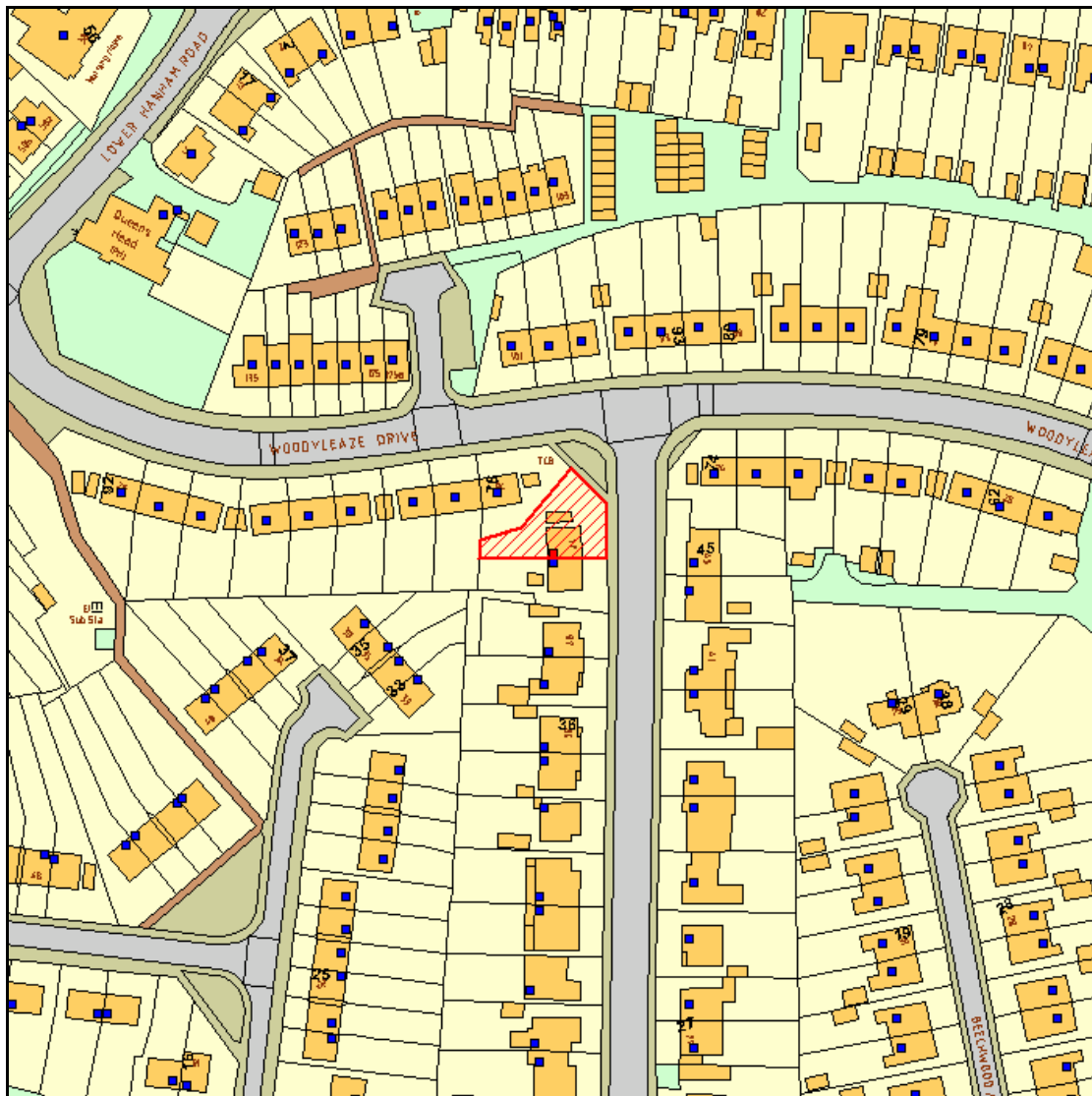
7. **RECOMMENDATION**

7.1 That the Council issue the Certificate of Lawfulness with a description as stated above.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PK13/4069/F	Applicant:	Ms J Griffiths
Site:	44 Victoria Road Hanham Bristol South Gloucestershire BS15 3QH	Date Reg:	15th November 2013
Proposal:	Erection of two storey side extension to provide garage and annexe ancillary to the main dwelling.	Parish:	Hanham Parish Council
Map Ref:	364469 172526	Ward:	Hanham
Application Category:	Householder	Target Date:	7th January 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination to take into account the comments made by the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for side extension at a property in Hanham. The extension would have two-storeys and would provide a garage, utility, and shower room on the ground floor and a self-contained flat on the first floor.
- 1.2 Amendments to the planning application have been sought to integrate the self-contained flat into the main house to make an annexe. Following these amendments the application has been sent out for re-consultation.
- 1.3 The site is located within the existing urban area of the east Bristol fringe. It is not covered by any further statutory or non-statutory designations.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013
CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility

South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies
T12 Transportation
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history on this site.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
'No objection in principle however the following comment was made; the plans would indicate that this would create another semi-detached house rather than an actual extension with two front doors, two staircases and only one access from the existing property to the new build. The description on the application was misleading.'

N.B. It should be noted that the design has been amended since this comment was received. The Parish Council has been re-consulted but at time of writing no response has been received and the re-consultation period has expired.

- 4.2 Drainage
No comment

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for a two-storey side extension that would form ancillary additional living accommodation.

- 5.2 Principle of Development
Development within existing residential curtilages is supported, in principle, by saved policy H4 of the Local Plan, subject to an assessment of design, amenity and transport. Further design considerations should be made using policy CS1 of the Core Strategy. Therefore, the proposed development is acceptable subject to the considerations set out below.

- 5.3 Design
The design of the proposed development is simple in nature. It is set back from the front elevation and therefore has a lower ridge height. It will be finished in a render to match that of the existing building. The fenestration is uncomplicated and reflects the fenestration of the main house. The development consists of a garage at ground floor level and a self contained flat (accessed from the main house) at first floor level.

- 5.4 The extension will integrate with the existing property and the locality as it has been designed to take into account the siting and layout of the urban form and the materials of the locality. As such, it is considered to respect the character and appearance of the main dwelling.

- 5.5 Design amendments have been made to the proposal that have removed the independent doorway and second staircase from the extension so that the development reads more as an extension than as an independent annexe. These amendments have overcome the concerns of the Parish Council and the description is considered to reflect the development.

- 5.6 Amenity
Development should not prejudice the residential amenity of the locality or the application site. The plot is much wider at the front than at the rear, with the boundary with the adjacent property creating a broadly triangular in shape plot. This means that the proposed extension would be in quite close proximity to the site boundary. The windows in the first floor of the rear elevation are to be obscure glazed to protect residential amenity of the neighbouring site.

5.7 Located on the north elevation of the existing house, the proposed extension will not have an overbearing impact or lead to the prejudicial loss of sunlight to neighbouring occupiers. The side elevation of the extension would not extend beyond the rear wall of the property to the west keeping an acceptable distance between buildings and preserving the amenities of the locality.

5.8 Transport

An assessment of the transport impacts of the development should be undertaken. In this instance the main assessment is whether the development provides adequate off-street parking. The proposal would result in a four-bedroom dwelling as the self-contained flat should be assessed as ancillary accommodation to the main dwelling. A four-bedroom house would require two parking spaces to accord with the Residential Parking Standard.

5.9 A garage is included as part of the proposed development with an internal measurement of 2.4 metres by 4.9 metres. This does not meet the minimum internal size standard of a garage as defined by the parking standard (which is set at 3 metres by 6 metres) and therefore cannot be counted as contributing towards parking provision.

5.10 However, it is indicated on the plan that two parking spaces can be provided within the front curtilage of the dwelling. These two spaces would provide sufficient off-street parking to accord with the residential parking standard and on that basis there is no transport objection to the proposal.

6. CONCLUSION

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

6.2 The proposed extension has been assessed against policies H4 and T12 of the Local Plan. It is considered that the design is in keeping with the character and appearance of the existing dwelling and that there will be no prejudicial impact on residential amenity. It is also considered that adequate off-street parking can be provided on site.

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

7. RECOMMENDATION

7.1 It is recommended that planning permission be GRANTED subject to the conditions listed on the decision notice.

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. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the rear 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.

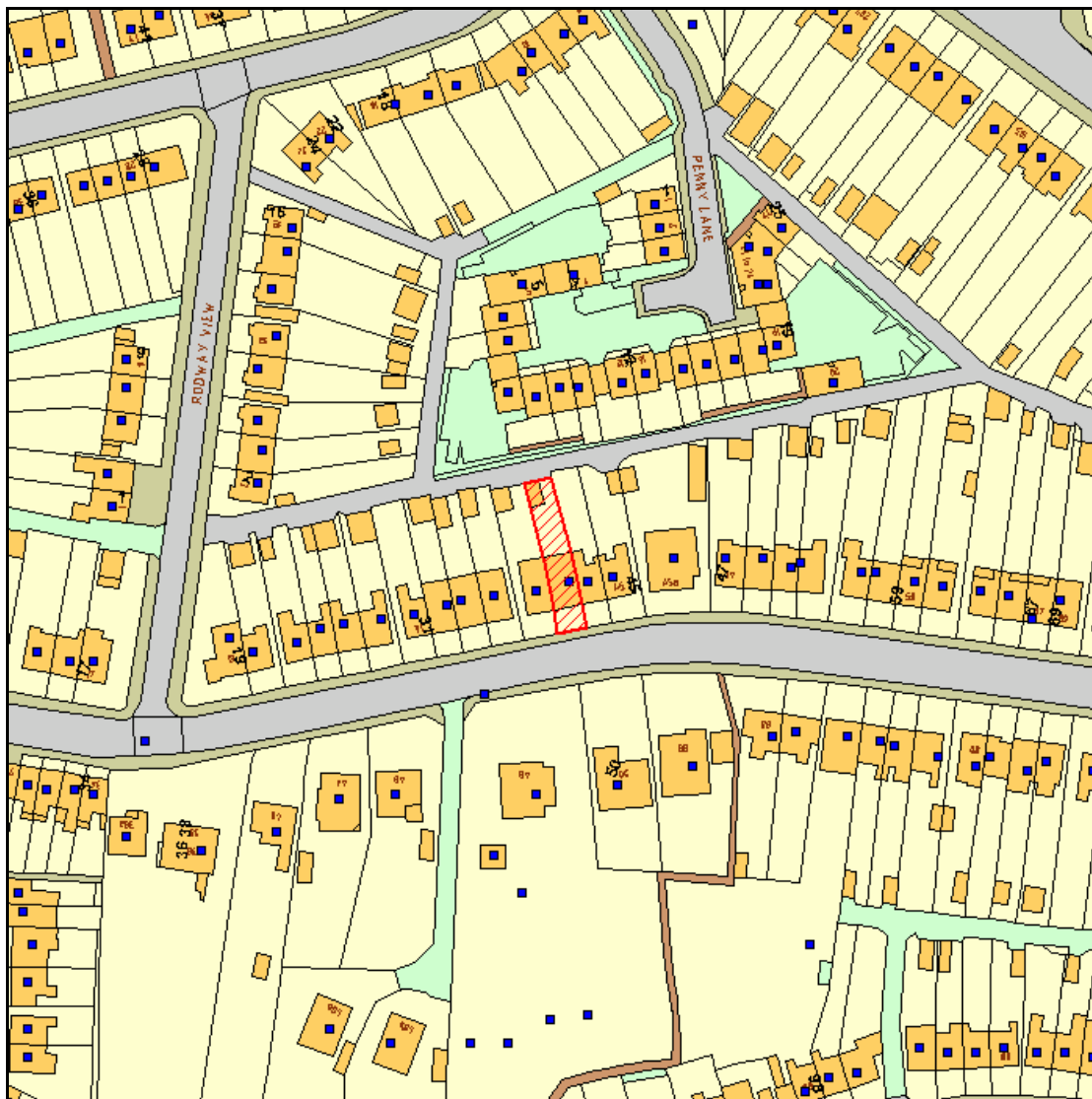
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PK13/4150/CLP	Applicant:	Mr And Mrs R Stiby
Site:	41 Middle Road Kingswood Bristol South Gloucestershire BS15 4XH	Date Reg:	14th November 2013
Proposal:	Application for Certificate of Lawfulness for the proposed erection of rear dormer to provide additional living accommodation	Parish:	None
Map Ref:	365585 175318	Ward:	Rodway
Application Category:	Minor	Target Date:	6th January 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because it comprises a Certificate of Lawfulness.

1. THE PROPOSAL

- 1.1 This application seeks a Certificate of Lawfulness for the proposed erection of a rear dormer to provide additional living accommodation.
- 1.2 The application site comprises a two-storey terrace property situated on the northern side of Middle Road within the established residential area of Kingswood.

2. POLICY CONTEXT

- 2.1 National Guidance
The Town and Country Planning (Development Management Procedure) Order 2010
The Town and Country Planning (General Permitted Development) Order 1995 (as amended)

3. RELEVANT PLANNING HISTORY

- 3.1 K5077, single storey extension, approval, 23/05/86.

4. CONSULTATION RESPONSES

- 4.1 No Parish Council
- 4.2 Drainage Officer
No comment

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The applicant is seeking a Certificate to state that the proposed development is lawful. It is not a planning application where the relative merits of the scheme are assessed against policy; it is an evidential test of whether it would be lawful to proceed with the proposal. The key evidential test in this case is whether the proposal falls within the permitted development rights afforded to householders.
- 5.2 On the balance of probability the permitted development rights are in tact for the property. The main evidence submitted in support of the proposal by the applicant is plan no.1 and a supporting statement no.6-12-12.

5.3 The proposal relates to the erection of a rear dormer to provide additional living accommodation. Therefore, the main issue is whether the proposal falls within the criteria of Schedule 2, Part 1 (Development within the Curtilage of a Dwellinghouse), Class B (The enlargement of a dwellinghouse consisting of an addition or alteration to the roof).

5.4 Class B allows for dormer style additions to the roof of a dwellinghouse provided that the following criteria are met:

The dormer must not exceed the height of the highest part of the existing roof of the dwelling;

The elevation plan submitted demonstrates that the proposed dormer window will not exceed the height of the highest part of the existing roof of the dwelling.

The dormer must not extend beyond the plan of an existing roof slope which forms the principal elevation of the dwelling and fronts a highway;

The dormer window is located on the rear elevation of the dwelling and will not extend beyond the roof slope of the principal elevation.

The cubic volume of the dormer must not exceed the cubic content for the original roof space by more than 40 cubic metres;

The proposal exceeds the cubic content of the original roof space by approximately 14 cubic metres. The application dwelling benefits from a rear lean-to single storey extension. It is not considered that the cumulative increase in roof space volume would exceed 40 cubic metres.

The dormer window must not consist of or include a veranda, balcony or raised platform; or the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

The proposal does not include any of the above.

The site must not be on article 1(5) land.

The site is not on article 1(5) land.

5.5 Class B contains the following conditions the proposal must adhere to:

The materials used in any external work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The supporting details submitted states that the materials used will match the appearance of the existing dwellinghouse.

Other than in the case of a hip to gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof;

The lowest part of the proposal is more than 20cm from the eaves of the original roof.

Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be:

- 1) **Obscure glazed, and**
- 2) **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.**

No windows are proposed in the side elevation of the dormer.

7. RECOMMENDATION

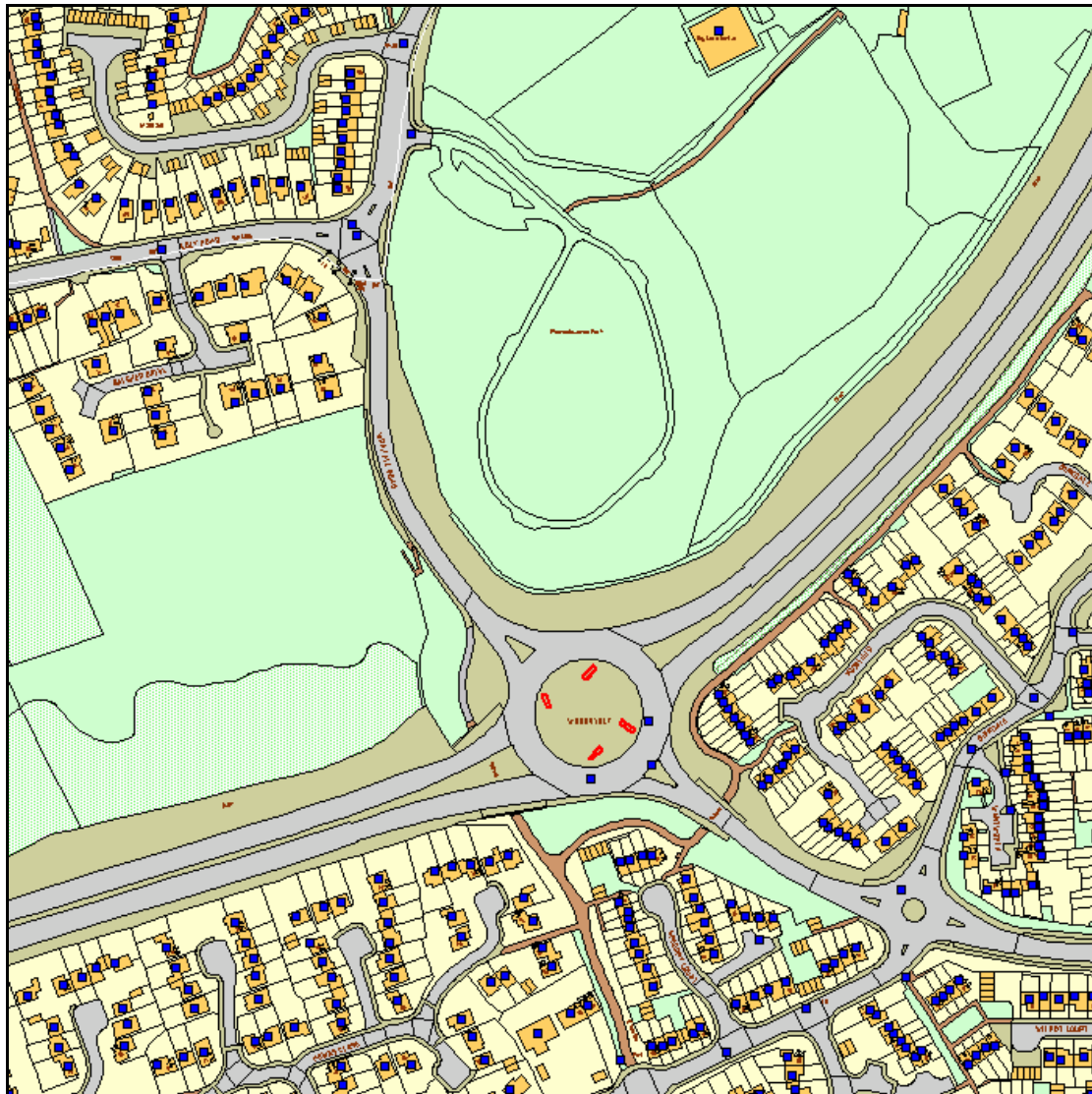
- 7.1 That a Certificate of Proposed Lawful Development is GRANTED for the following reason:

Evidence has been submitted to demonstrate that on the balance of probability the proposal falls within permitted development within the curtilage of a dwellinghouse under Part 1, Class B of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PK13/4185/ADV	Applicant:	Bommel UK Ltd
Site:	Woodstock Roundabout A4174 / Tower Lane Warmley South Gloucestershire BS30 8DS	Date Reg:	15th November 2013
Proposal:	Display of 4no. non-illuminated post mounted signs on roundabout.	Parish:	Oldland Parish Council
Map Ref:	366294 172752	Ward:	Parkwall
Application Category:	Minor	Target Date:	7th January 2014



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 100023410, 2008. **N.T.S.** **PK13/4185/ADV**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because an objection has been received from the Parish Council and a member of the public.

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of 4no. non-illuminated post signs.
- 1.2 The application site comprises the Woodstock A4174/Tower Lane roundabout. The site is located within the defined warmly settlement boundary.
- 1.3 The proposed signs measure approximately 1 metre in width and 0.5 metres in height. The signs proposed are positioned at a height of approximately 0.3 metres from the ground. The signs comprise an aluminium face fixed to steel posts. The signs comprise a white background with advertisement space for sponsors with a blue frame at the bottom containing the Council's corporate logo and the text "in partnership with South Gloucestershire Council in white".
- 1.4 The proposed signs are part of South Gloucestershire Council's roundabout sponsorship scheme which will generate a valuable income stream for the council.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
The Town and Country Planning (Control of Advertisement) Regulations 2007
The Town and Country Planning Act 1990 Section 220

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history relating to the application roundabout. However, the following applications for similar signage on roundabouts in the South Gloucestershire area have been granted advertisement consent:
- 3.2

Aztec West Roundabout	PT13/2722/ADV	Granted
Cribbs Causeway Roundabout	PT13/2835/ADV	Granted
Deanery Road Roundabout	PK13/2724/ADV	Granted
Marsham Way Roundabout	PK13/2667/ADV	Granted

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
The Parish Council wishes to object to the application as it believes the signage creates an unnecessary distraction to motorists and creates a potential traffic hazard.

- 4.2 Transportation DC Officer
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a member of the public. The member of the public objects for reasons relating to highway safety and non compliance with standards contained in td1607.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The Town and Country Planning (Control of Advertisement) Regulations 2007 and Section 220 of the Town and Country Planning Act relevant to the proposal indicate that the main issue for Local Planning Authorities to consider is the impact of signs on the amenity and public safety and taking into account the cumulative impacts. Advice contained in the National Planning Policy Framework relating to advertisements is also a material consideration when considering the proposal.
- 5.2 Amenity
The signs appear to be well built and are not unattractive in terms of appearance. The relatively low height of the signs and the fact that they will primarily be viewed against a backdrop of soft vegetation growing in the centre of the roundabout will reduce their visual impact. The principal appearance of the signs will change depending on the sponsors message, for which separate consent will be required. Accordingly, the Local Planning Authority will be able to control any future change to the appearance of the signs.
- 5.3 There are three existing signs on the roundabout, and if permission is granted, a condition is recommended to ensure that they are removed before the proposed signs are displayed to ensure there is not an adverse cumulative impact.
- 5.4 The area is primarily characterised by the ring road and vegetation growing on the boundaries. It is not considered that the scale, form, siting and appearance of the signs will appear adversely out of keeping in this context.
- 5.5 Public Safety
The proposed signs are set back from the edge of the roundabout and are sited so that they face traffic approaching the roundabout from the connecting roads. Accordingly, the signs will not be sited where they will be adversely distracting to motorists who are navigating the roundabout. Weight is also given to the fact that the Highway Authority have raised no objections to the scheme and the fact that a number of similar signs have been granted on roundabouts in the South Gloucestershire Area.

5.6 It is noted that an objection has been raised in relation to non-compliance to standards contained within TD 16/07 of the Design Manual for Roads and Bridges (DMRB). DMRB is specifically designed for Trunk roads of which there is only a very small section of the A46 in within South Gloucestershire is Trunked as such reference to this guidance is not appropriate in this location. Guidance contained within Manual for Streets (Mfs) and Manual for Streets 2 (Mfs2) is the appropriate guidance applicable to the remaining highway network. This guidance is not as restrictive as DMRB, in that it allows flexibility and interpretation by being descriptive in its advice rather than rigid as is the advice within DMRB. Within this guidance it states that "In general, occasional obstacles to visibility that are not large enough to fully obscure a whole vehicle or a pedestrian. Including a child or wheel chair user, will not have a significant impact on road safety." The site currently has similar advertising signs that would be replaced in the event this application was to be approved. The proposed signs are slightly smaller than that currently on the roundabout and therefore represent a lower impact than currently exists.

7. RECOMMENDATION

7.1 Advertisement Consent is GRANTED subject to the following condition.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. Prior to the display of the signs hereby approved the existing 3no. advertisement signs on the roundabout shall be permanently removed.

Reason

To ensure that the signs do not appear adversely cluttered in the interests of the visual amenity of the area and to accord with guidance contained in the Town and Country Planning (Control of Advertisement) Regulations 2007.

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PK13/4186/ADV	Applicant:	Bommel UK Ltd
Site:	Marsham Way Roundabout Marsham Way / Aldemoor Way Longwell Green South Gloucestershire BS30 7BX	Date Reg:	15th November 2013
Proposal:	Display of 4no. non-illuminated post mounted signs on roundabout.	Parish:	Oldland Parish Council
Map Ref:	365697 172070	Ward:	Longwell Green
Application Category:	Minor	Target Date:	7th January 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following a comment by the Parish Council and a local resident.

1. THE PROPOSAL

1.1 The applicant seeks advertisement consent for the display of 4no. non-illuminated post-mounted signs to be located on the Marsham Way Roundabout.

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

T12 Transport Development Control

South Gloucestershire Local Plan Core Strategy incorporating Inspectors Draft (October 2012) and Further (March 2013) Main Modifications

CS1 High Quality Design

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

3.1 No previous relevant advertising applications

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
The Parish Council wishes to object to the application as it believes the signage creates an unnecessary distraction to motorists and creates a potential traffic hazard.

4.2 Other Consultees

Sustainable Transport
No objection in principle

Other Representations

4.3 Local Residents
One letter has been received by a local resident who provided an extract quoting the Town and Country Planning (Control of Advertisement) (England) Regulations 2007 and an abstract from the 3rd International Conference on

Driver Distraction and Inattention on rural roads in Sweden. In addition the following points were raised:

- Height and dimensions of the proposed signs appear to conflict with requirements of TD1607

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

As stated in the NPPF, the government attaches great importance to the design of the built environment, citing good design as the 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. The proposal is deemed to accord with the principle of development and this is discussed in more detail below.

5.2 Sustainable Transport

The Council's Highway Engineer has noted the objection raised in relation to non-compliance to standards contained within TD 16/07 of the Design Manual for Roads and Bridges (DMRB).

DMRB is specifically designed for Trunk roads. There is only a very small section of the A46 within South Gloucestershire which is Trunked and as such reference to this guidance is not appropriate in this location.

5.3 Guidance contained within Manual for Streets (Mfs) and Manual for Streets 2 (Mfs2) is the appropriate guidance applicable to the remaining highway network. (This guidance is not as restrictive as DMRB in that it allows flexibility and interpretation by being descriptive in its advice rather than rigid as is the advice within DMRB). Within this guidance it states that *"In general, occasional obstacles to visibility that are not large enough to fully obscure a whole vehicle or a pedestrian. Including a child or wheel chair user, will not have a significant impact on road safety."*

5.4 In the case of this roundabout it is characterised by relatively low speeds and a significantly lower accidents record than would normally be expected at a 4 arm roundabout. The site currently has 4 similar advertising signs that would be replaced in the event this application was to be approved. The proposed signs are slightly smaller than that currently on the roundabout and therefore represent a lower impact than currently exists.

5.5 Assessment

The site is a roundabout one of a series along the A4174 ring road. Similar signs can be seen on other roundabouts along this highway.

The proposal comprises 4 no. non-illuminated signs to be positioned around the perimeter of the Marsham Way roundabout. The signs would measure 1 metre in width and 50 centimetres in height and 30 centimetres from the ground. They would have an aluminium face and steel posts. Residential properties in the immediate area are separated from the site by some distance or by mature planting.

5.6 The non-illuminated signs would have a white background with blue edging with the words '*Working with the South Gloucestershire Community*' and the South Gloucestershire Council logo positioned at the bottom of the blue border. This is considered acceptable. However, no details of the wording / sponsor have been provided.

5.7 It is noted that this application is one of a series of applications and part of the South Gloucestershire Council's sponsorship scheme. A number of similar applications have already been approved by the Local Planning Authority, some of which have passed through the Circulated Schedule procedure following concerns expressed by the Parish.

5.8 Public Safety

This application is seeking permission for 4no. advertising signs on the Marsham Way roundabout. The proposed signs are considered not to 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. There are no highway objections and the response to a local objection has been dealt with in more detail in section 5.2 above.

5.9 Cumulative Impact

The signs would relate to proposed sponsorship advertisements. They would be of a discrete size, would replace 4no. existing advertising signs and as such would not dominate the roundabout. Given that other similar signs have been placed on other roundabouts along the A4174, the number of signs is considered acceptable and not to result in any harmful cumulative impact.

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.

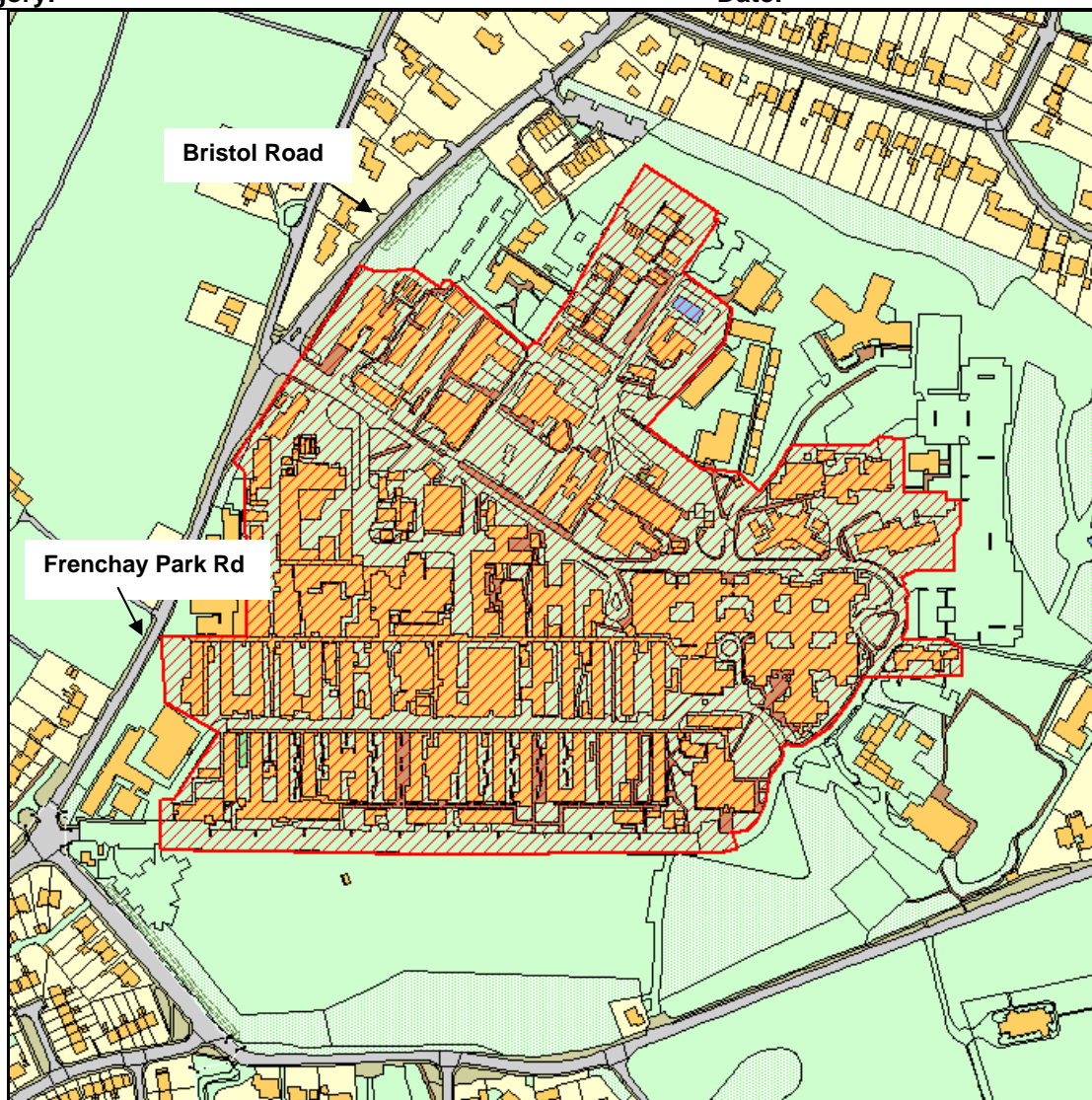
7. RECOMMENDATION

7.1 That advertisement consent is **GRANTED**

Contact Officer: **Anne Joseph**
Tel. No. **01454 863788**

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PT13/0393/LB	Applicant:	North Bristol NHS Trust
Site:	Frenchay Hospital Frenchay Park Road Frenchay South Gloucestershire BS16 1LE	Date Reg:	11th February 2013
Proposal:	Proposed demolition of selected pre-1948 hospital buildings that excludes the water tower, the West Lodge and the former sanatorium building immediately to the north of Frenchay Park House.	Parish:	Winterbourne Parish Council
Map Ref:	363383 177635	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	4th April 2013



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule due to a number of objections to the proposed scheme being received from local residents.

1. THE PROPOSAL

- 1.1 This listed building application seeks consent to demolish a number of curtilage listed structures associated with the hospital use of the site.
- 1.2 The Frenchay Hospital site contains two statutory grade II listed buildings – Frenchay Park House (also known as The Sisters House) and the adjacent Coach House and stables. The buildings that are therefore subject of this application are deemed to be listed by virtue of their pre- 1948 date; the single ownership of the site; and their historic and physical association with the grade II listed buildings.
- 1.3 As submitted, the list of curtilage listed buildings to be demolished only excluded the West Lodge which houses the Frenchay Village Museum. The consequence of the initial scope of demolition would result in the comprehensive loss of buildings that are representative of the first phases of the hospital's expansion, which can be considered an important part of the history of Frenchay. Therefore on the grounds of considered cumulative loss of local historic character and significance, the list of buildings to be retained has been extended to include the Observation pavilion directly to the north of the stable block and the prominent and landmark 1940s water tower.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)
CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies)
L12 Listed Buildings

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/0002/O - Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved. Resolution to approve granted 10th December 2013.

4. **CONSULTATION RESPONSES**

4.1 Winterboure Parish Council

“No objection, although these buildings are not listed”.

For the avoidance of doubt, as noted in paragraph 1.2, the buildings subject to this application are curtilage listed by virtue of being pre-1948 structures within the curtilage of a listed building. These buildings under the Planning (Listed Buildings and Conservation Areas) Act 1990 are afforded the same statutory protection as the principal listed buildings.

4.2 Other Consultees

English Heritage

In a response dated 26th March, the following summarised points were made:

- The principle of redevelopment is not a concern for English Heritage
- (As initially submitted) there are other buildings and structures of local interest within the site that have not been considered for retention/reuse;
- Some of these buildings can be considered intrinsically distinctive to the history and evolution of the site;
- There should be a commitment to, where possible, retaining and re-using heritage assets whether they are designated or not.

Other Representations

4.3 Local Residents

6no. consultation responses were received from local residents which made the following relevant (to this listed building application) and summarised comments:

- There is an objection to the proposed scheme until assurance is given to located residents that the buildings will be demolished by accredited contractors who will remove the asbestos in an appropriate manner;
- A number of the existing buildings should be retained and refurbished;
- The hospital site has played an important part of the history of Frenchay for nearly 100 years and the concern is all trace of the former Sanatorium and Hospital will be swept away through the demolition of all hospital buildings on site;
- Although architectural and historical significance clearly have primacy in identifying buildings, local historical and social associations, links with past events and community memories should also be important in defining a building’s significance, yet the Heritage Audit dismisses these considerations as being ‘exclusively local rather than national or even regional’.
- The existing buildings should be appreciated for its local historical significance to Frenchay and the wider community, and so it is not just the listed buildings and the curtilage listed lodge that should be retained;
- These original hospital buildings predate the NHS and could offer community opportunities;

- The Heritage Audit recognises the water tower as a significant landmark seen from Bristol Road, but yet its retention is discounted on the grounds that it makes ‘no contribution at all’.
- The exclusion of Frenchay Park House and stable block from the previous masterplans (pre-application consultation stages) is not acceptable;
- A sample of the WWII buildings should be retained, although it is noted that that they are not built to a high standard;
- The early 1930s buildings such as the Observation Pavillion next to the stables appear solid structures and should be retained and found new roles;

5. ANALYSIS OF PROPOSAL

- 5.1 As submitted, the proposed scheme sought the demolition of all pre-1948 hospital structures apart from the former lodge to the west of Lime Tree Avenue. The justification for the extent of demolition was based on the findings of a submitted Heritage Audit Assessment.
- 5.2 Within this document the significance of each of the relevant pre-1948 buildings was assessed against a list of criteria which included architectural/aesthetic merits; historical/social interest and visual appearance and contribution. The report concluded that none of the relevant buildings on the site were worthy of retention on heritage grounds. In particular although the water tower was noted as being of ‘medium’ heritage, the Heritage Audit concluded that because the water tower was not within or visible from the conservation area, and because of its condition, it does not warrant retention.
- 5.3 This findings of the report and thus the extent of demolition set out within the application were not considered acceptable. As identified within a number of local residents’ responses, any wholesale demolition of all pre-1948 hospital buildings would result in the complete loss of any evidence of this important phase of the site’s history. It was therefore considered that along with the water tower, the retention of at least one of the original sanatorium buildings should be considered, as these 1930s structures are of significance in that they illustrate the first non-residential use of the site, and its beginnings as a hospital facility. In considering which buildings to retain, it was considered that the Observation pavilion directly to the north of Frenchay Park House is particularly well preserved and of aesthetic value. It was also a building identified for retention within the local resident responses, along with the water tower.
- 5.4 Along with helping retain a memory of the former hospital use of the site, the retention of any existing structures should also contribute to creating a unique and distinctive development.
- 5.5 Following negotiations with the applicant, as set out within both the addendum to the Heritage Audit and the addendum to the Design and Access Statement, the proposals within this application have been amended to now retain the water tower and the sanatorium building to the north of Frenchay Park House.

- 5.6 Retention of a number of the Nissen huts was also explored, with a view that they could be relocated for associated use with the allotments. However due to their asbestos construction this would not be feasible. The retention of the former army barracks was also explored, but due to their simple construction, no viable uses could be found. Their repetitive form will however be interpreted within the new development to help retain some of the existing character of this area of the site and through consideration of the layout, it is hoped that the along with the existing forms, the site's existing human topography can also be retained if only in part.
- 5.7 It is considered that with the amendment to retain the water tower and the sanatorium buildings to the north of Frenchay Park House, the application can now be considered to accord with the guidance set out in the NPPF, as by retaining buildings of local rather than just the narrow focus of national significance, the proposed scheme can be considered to comply with the government's revised approach to heritage which promotes a more holistic and community led approach towards the historic environment that recognises that the country's built heritage is not limited strictly to statutory designated assets.
- 5.8 There is therefore no objection to the amended demolition proposals from the Council's Conservation Officer.
- 5.9 The demolition works will see the loss of many of the war time buildings, it is essential that these are recorded fully prior to demolition and so a condition secure this requirement is to be applied.
- 5.10 With regard to the other issues raised by local residents which are not considered to be addressed above:
- i. Asbestos removal – this will be addressed via a contamination condition attached to the associated planning application; and
 - ii. Frenchay Park House exclusion from proposals – the listed building application and associated planning application both now includes the principal listed structures with the S106 to be tied to the planning application contained an obligation for the scheme of repair to all listed and curtilage listed structures being retained, which included boundary walls

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant listed building consent 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 Listed Building consent is to be GRANTED subject to the following conditions.

Contact Officer: Robert Nicholson
Tel. No. 01454 863536

CONDITIONS

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

Reason

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

2. Prior to the commencement of any demolition works to the buildings subject to this application, a programme of recording of the interior and exterior of all the relevant curtilage listed buildings shall be submitted to and approved by the Local Planning Authority. The programme of recording shall accord with the guidance for recording historic buildings set out within the English Heritage publication entitled 'Understanding Historic Buildings: A Guide to Good Recording Practices (2006)'. The approved programme shall then be implemented in all respects and the completed building record shall be submitted to the Local Planning Authority for written approval.

Reason

In the interests of ensuring the appearance, scale, form, materials and overall aesthetic and architectural contribution the pre-1948 curtilage listed hospital buildings made to the character and appearance of the Frenchay Hospital site is recorded for future generations and to enable any redevelopment proposals to be read in historic context. All in accordance with policy L12 of the SGLP (Adopted 2006), policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted 2013) and the provisions of the National Planning Policy Framework (March 2012).

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PT13/4183/ADV	Applicant:	Bommel UK Ltd
Site:	Patchway Brook Roundabout Bradley Stoke Way / Pear Tree Road Bradley Stoke South Gloucestershire BS32 0BQ	Date Reg:	15th November 2013
Proposal:	Display of 5no. non-illuminated post mounted signs on roundabout.	Parish:	Bradley Stoke Town Council
Map Ref:	361370 182852	Ward:	Bradley Stoke North
Application Category:	Minor	Target Date:	7th January 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination as comments of objection have been received. These are contrary to the Officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of five non-illuminated signs at Patchway Brook Roundabout. This roundabout is located on the junction of Bradley Stoke Way, Pear Tree Road, Bowsland Way, and Brook Way.
- 1.2 The proposed signs consist of an area available for sponsorship surrounded by a blue border incorporating a community message and the Council's logo.
- 1.3 The proposed signage is part of a programme of roundabout signage currently being rolled out across the district.

2. POLICY CONTEXT

2.1 National Guidance

- i. National Planning Policy Framework March 2012
- ii. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013

- CS1 High Quality Design
- CS8 Improving Accessibility

South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies

- T12 Transportation

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2737/ADV Appeal Split-Decision
Display of non-illuminated safety message signs with various company names and logos. A total of 36 signs spread over 9 roundabouts.
- 3.2 PT01/3097/ADV Approved 31/01/2002
Display of non-illuminated safety message signs with various company names and logos.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection

- 4.2 Sustainable Transport
No objection

Other Representations

4.3 Local Residents

Two letters of objection from the same person have been received. These object on the following grounds:-

- Signs distract drivers and cause accidents
- Appendix B of the Advert Regulations state that adverts at locations where drivers need to take more care should be given particular consideration
- The 3rd International Conference on Driver Distraction and Inattention has found that advertising signs do distract drivers' attention and that road safety is compromised
- Proposed sign conflicts with td1607 with regard to visibility.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks advertisement consent for the display of five non-illuminated signs on a roundabout in Bradley Stoke.

5.2 Principle of Development

Guidance within the National Planning Policy Framework states that advertisements should only be controlled in the interests of amenity, public safety and cumulative impact. Design and design quality is assessed in terms of visual amenity and cumulative impact using policy CS1 of the Core Strategy. Public safety is assessed using saved policy T12 of the Local Plan to ensure that the signage is not detrimental to highway safety or presents a traffic hazard.

5.3 Design and Amenity

Five very simple signs are proposed which consist of a sign plate with a blue border, community message in white lettering, and a small version of the Council's logo; the central area is left blank available for the sponsor's message. The sign plate is post mounted, with the posts set behind the sign face.

5.4 The signs measure 1m wide by 0.5m high, set 0.3m above the surface. Excluding the border, the area available for the sponsor's message measures 0.97m wide by 0.43m high.

5.5 Combining the small size of the signage and the simple design of the physical sign, the proposed signage would not be detrimental to the visual amenity of the area.

5.6 Cumulative Impact

When there is a multitude of signage in a location, the cumulative impact should be assessed. In the proximity of the roundabout there are a number of different land uses and signage. However, the approach to the roundabout is uncluttered. Directional signage is clear and unobstructed. The proposed signage will not have a detrimental cumulative effect on the character of the area.

5.7 Public Safety

This site has been subjected to a number of applications in the past, as seen above. In 2006 the application was refused on the basis of highway safety. When this was considered at appeal the Inspector did not find that highway safety would be prejudicially compromised by the proposed, small and easily seen, advertisements.

5.8 The applicant has engaged in pre-application advice with the transportation development control team. The location and design of the signs are not a hazard to safe and free flow of traffic. As such, there is no objection to the proposed signage on highways grounds. The roundabout is subject to low speeds and has a lower accident record than what is considered normal for a five-arm roundabout.

5.9 Furthermore it is considered by the specialist Officers that a refusal on highways grounds would not be sustainable at appeal as the signs are not considered to be detrimental to highway safety, as set out above.

5.10 Objection comments have been received citing TD16/07 of the Design Manual for Roads and Bridges (DMRB). DMRB is specifically designed for Trunk roads. Only a very small section of the A46 in South Gloucestershire is Trunked. As such reference to this guidance is not appropriate.

5.11 The appropriate guidance is the Manual for Streets and Manual for Streets 2 which covers the non-trunked highway network. This guidance is not as restrictive as DMRB, in that it allows flexibility and interpretation.

5.12 Within the Manual for Streets, it is stated that some obstacles to visibility that are not large enough to fully obscure a whole vehicle or a pedestrian (including a child or wheel chair user), will not have a significant impact on road safety. Such obstacles are therefore permissible.

6. RECOMMENDATION

6.1 It is recommended that this application be APPROVED.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PT13/4184/ADV	Applicant:	Bommel UK Ltd
Site:	MOD Roundabout Filton Road / Great Stoke Way Filton South Gloucestershire BS34 8TJ	Date Reg:	15th November 2013
Proposal:	Display of 5no. non-illuminated post mounted signs on roundabout.	Parish:	Stoke Gifford Parish Council
Map Ref:	361490 178893	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	7th January 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as a representation has been received, which is contrary to the Officer recommendation for approval.

1. THE PROPOSAL

- 1.1 The application seeks advertisement consent for the display of five non-illuminated post-mounted signs on the MOD roundabout, Filton.
- 1.2 The roundabout is signal-controlled leading to Abbey Wood retail park, Abbey Wood MOD administrative centre, Filton Road (A4174), Station Road (A4174), and Great Stoke Way.
- 1.3 The proposed signage is part of a programme of roundabout signage currently being rolled out across the district.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013

- CS1 High Quality Design
- CS8 Improving Accessibility

South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies

- T12 Transportation

3. RELEVANT PLANNING HISTORY

- 3.1 PT01/3092/ADV - Display of non-illuminated safety message signs with various company names and logos. Approved 31st January 2002

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No objection

- 4.2 Sustainable Transport
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received. The comments are summarised as follows:

- Signs distract drivers and cause accidents
- Appendix B of the Advert Regulations states that adverts at locations where drivers need to take more care should be given particular consideration.
- Reference September 4-6, 2013, Lindholmen Science Park, Sweden – Abstract. The overall results of the empirical studies show that advertising signs do affect driver attention to the extent that road safety is compromised.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements that will clearly have an appreciable impact on a building or their surroundings should be subject to the Local Planning Authorities detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

5.2 Public Safety

The scale of the proposed signage is in line with the reduced size agreed within the first round of applications received earlier in the year. A reduction in the size of the signs was considered to reduce potential distraction to motorists. These reduced scale signs have already been approved in a number of locations throughout South Gloucestershire.

5.3 Traffic wise this is probably one of the busiest roundabouts within the South Gloucestershire administrative area. Within the last 3 years there have been four recorded personal injury accidents on this roundabout, which is significantly lower than what is predicted nationally. The roundabout is fairly complicated in terms of the movements that are occurring. However, the approaches and the circulatory carriageway around the roundabout are signalised, and as such traffic is both controlled and subject to relatively low speeds. Taking this into account the Council's Transportation Development Control Officers consider that the signage as proposed would not prejudice highway or public safety and as such do not raise any objection.

5.4 It should also be noted that similar signage was approved on the roundabout in 2002 (PT01/3092/ADV). Given that these signs are similar in scale there is materially very little difference between the two applications.

5.5 Visual Amenity

The application proposes 5no. non-illuminated post-mounted signs, which have a dimension of 0.5m by 1m and a maximum height from ground level of 0.8m. The application site consists of a large roundabout which is laid to grass with central trees. The roundabout has existing directional signs.

5.6 Due to the small scale and simple design of the proposed signs it is considered that the proposal would not have a detrimental impact on the visual amenity of the roundabout, the planting or the surrounding area.

In accordance with guidance contained within the NPPF there are no objections on grounds of visual amenity, as the signs would not have an appreciable impact on the surroundings.

5.7 Cumulative Impact

The immediate locality is characterised by office and retail development and as such there are numerous directional and welcome signs in the local area. The proposal has been considered cumulatively within the locality and it is considered that the signs would not have a cumulatively detrimental impact on visual amenity. The number of proposed signs in addition to the existing directional signs and those associated with the local land uses would not detract from visual amenity.

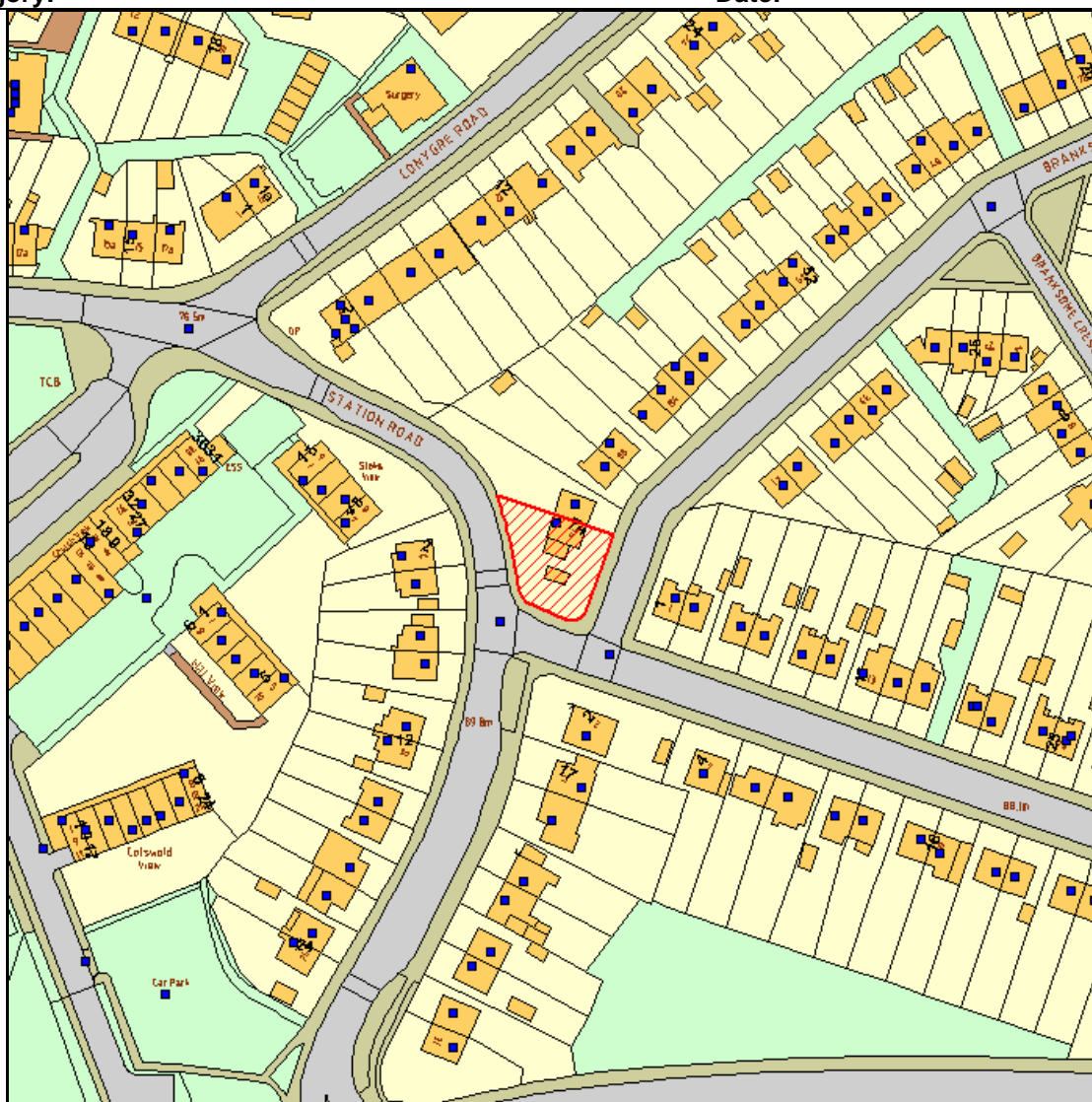
6. **RECOMMENDATION**

6.1 That the application is APPROVED.

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 51/13 – 20 DECEMBER 2013

App No.:	PT13/4188/F	Applicant:	Prestige Property Development
Site:	74 Branksome Drive Filton South Gloucestershire BS34 7EF	Date Reg:	15th November 2013
Proposal:	Erection of two storey side extension to form 1 no. one bedroom flat, 1 no. two bedroom flat and 1 no. 2 bedroom house with new access and associated works. (Resubmission of PT13/2507/F).	Parish:	Filton Town Council
Map Ref:	360481 179194	Ward:	Filton
Application Category:	Minor	Target Date:	7th January 2014



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 100023410, 2008. **N.T.S.** **PT13/4188/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination as comments of objection have been received. These are contrary to the Officer recommendation for approval. It is a resubmission of an earlier application, PT13/2507/F, which was determined by the DC West Committee on 24 October 2013.

1. THE PROPOSAL

1.1 This application seeks planning permission to erect a two-storey side extension at a semi-detached property in Filton. This extension would contain 1no. two-bedroom house, 1no. two-bedroom flat, and 1no. one-bedroom flat.

1.2 This application is a resubmission following the refusal of planning application PT13/2507/F. This application was refused for the following reason:

The proposed development represents a cramped form of development which is out of character with the area and the street scene and would be detrimental to visual amenity. The proposed development is contrary to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

1.3 A number of revisions are proposed to the development. These can be summarised as:

- reduction in the number of proposed units;
- reduction in the width of the proposed extension;
- reduction in the number of parking spaces; and,
- introduction of accommodation more suited to families.

1.4 The site is a corner plot at the junction of Station Road, Wade Road, and Branksome Drive. The site has a wide street frontage, but limited depth as it is constrained by Station Road to the rear.

1.5 Within the front of the curtilage, five off-street parking spaces will be provided. This provides two parking spaces for no.74 and then one parking space per new unit.

1.6 The site is located within the existing urban area of North Bristol but is not covered by any further statutory or non-statutory land designations.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

- CS1 High Quality Design
- CS5 Location of Development
- CS8 Improving Accessibility

CS9 Managing the Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity

South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies

L5 Open Areas
T7 Cycle Parking
T12 Transportation
H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/2507/F - Refused - 05/11/2013
Erection of two storey side extension to form 3 no. one bedroom flats and 1 no. two bedroom flat with new access and associated works
- 3.2 N8121 - Approved with Conditions - 01/07/1982
Erection of garage to replace existing timber garage

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
'No Objection to re-submission, but would request that the 'new build' is visually compatible with adjacent properties'
- 4.2 Drainage
SUDS condition requested
- 4.3 Environmental Protection
Construction site operation condition requested
- 4.4 Transportation
No objection; applicant should be advised to contact Street Care to obtain necessary permissions for extended dropped kerbs

Other Representations

- 4.5 Local Residents
11 letters of objection have been received to this application. The reasons for objection can be summarised as follows:
 - A building in this location would be an eyesore
 - A two- or three-bedroom house would be more appropriate
 - Although consulted on the previous application, there was no notification of the resubmission
 - Area suffers from high levels of renting, particularly by students

- Branksome Drive is used as a rat-run and subject to higher than expected levels of traffic
- Bringing new vehicles into the area as a result of the development will reduce highway safety
- Changing one of the units into a house will make no significant difference to the problems of parking congestion
- Concern that no.74 will be converted into flats in the future
- Development does not provide adequate off-street parking
- Development does not provide family accommodation in a neighbourhood which is predominantly occupied by families
- Development is garden grabbing
- Development is over-intensive
- Development may set a precedence for allowing other houses in the area to be converted into flats
- Development will lead to an increase in pollution
- Development will lead to higher levels of noise and disturbance
- Development will result in a terrace of houses which is not in keeping with the character of the area
- Development will result in overlooking leading to a prejudicial loss of privacy
- Development would be a block of flats acting as a glorified HMO
- Development would create parking difficulties for existing residents
- Development would exacerbate existing parking issues
- Development would have a negative impact on the community feel of the area
- Development would have detrimental impact on the current open nature of the site
- Development would reduce the amount of on-street parking
- Families will not want to purchase the type of accommodation that is being proposed
- House is not currently occupied
- More cars parked on the road would create more targets for theft and vandalism
- Number of potential cars does not match number of parking spaces provided
- Occupancy has not been reduced, however fewer parking spaces are proposed
- Parking situation in the area is already dangerous
- Parking spaces are too close to the junction and increase the risk of an accident
- Plants, trees, shrubs on the site are used by birds, hedgehogs and other wildlife
- Previous application was refused on the intensity of buildings on the site, not the intensity of the number of people. This application does not reduce the intensity of building on the site
- Proposal should be considered as redevelopment of the site rather than an extension to the existing dwelling
- Proposed design is out of character with the neighbourhood
- Proposed extension is out of scale with the existing property
- Proposed extension is too large

- Removal of trees has been damaging to the landscape
- Resubmission is not much different to the original submission
- Resubmission is worse than original application as parking spaces have been reduced without reducing occupancy (measured in total number of bedrooms)
- Resultant terrace is overbearing in comparison to the adjacent/nearby buildings
- Size of extension in resubmission is not reduced significantly and therefore previous refusal has not been overcome
- The 20mph speed limit is not adhered to
- The flats in the recently converted no.62 Branksome Drive are often unoccupied suggesting that there is no market for this type of development
- The proposed development amounts to overdevelopment of the site
- There has been no pre- or post-application engagement by the applicant with the community/local residents
- There has been the loss of trees in association with the proposed development
- There is an oversaturation of HMOs in the area
- Traffic movements will have a negative impact on residential amenity
- Users of the junction 'cut the corner' making the junction faster than the physical road layout may dictate
- Wildlife habitats will be damaged by the development

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for a side extension to an existing semi-detached dwelling to create a number of residential units.

5.2 Principle of Development

Since application PT13/2507/F was refused, the Council has adopted the Core Strategy which has replaced a number of planning policies. As such, the policies listed in this report will differ to those listed previously.

5.3 However, the principle of development has not changed. Policy CS5 directs development towards the existing built up areas, such as the north fringe of Bristol. Furthermore, policy CS17 supports a diverse portfolio of house types including subdivision to form flats and building on gardens where it would not adversely affect the character of the area. Policy H4 of the Local Plan is a saved policy and this would also support development within existing residential curtilages. Design considerations are made in relation to policy CS1 of the Core Strategy which has replaced policy D1 of the Local Plan.

5.4 Therefore, the proposed development is acceptable in principle subject to the considerations set out below.

5.5 Housing Density

Policy CS16 of the Core Strategy requires development to make the most efficient use of land. Under this policy, proposals for new development should be informed by the character of the area and improve the mix of housing types in the locality.

- 5.6 The application site is located within the existing urban area and in close proximity to shops (particularly those on the A38 Gloucester Road and the nearby Shield Retail Park), services (including libraries and medical centres), and public transport routes. As such, the site is a suitable location for increased housing density.
- 5.7 Development is proposed on a corner plot to extend the existing property to the side. This would create a small terrace of properties. Along Branksome Drive there is a mix of semi-detached and terraced properties. Construction of a terrace would create make efficient use of the land and a suitable density of development. The increase in density would not be out of character with the density of the surrounding area.
- 5.8 The introduction of flats and a two-bedroom dwelling is not out of character with the types of accommodation located nearby and would contribute to a more varied mix within the locality.
- 5.9 Environment, Ecology and Pollution
Development should not have an unacceptable impact on the environment or lead to greater levels of pollution. Although the development will result in the loss of some of the garden this is not considered to have a wider impact on the environment.
- 5.10 The site is currently part of a residential garden. On the case officer's site visit, the land had been cleared apart from the boundary hedge and a small amount of shrubbery behind the existing house. As the majority of the garden has been cleared, there is little scope for protected species on the site.
- 5.11 None of the trees on the site (some of which have already been removed) were protected and therefore the LPA has no control over their removal.
- 5.12 Transport and Parking
Development must provide safe access and egress and adequate off-street parking to be considered acceptable. This is tested against policy T12 of the Local Plan and policies CS8 and CS17 of the Core Strategy.
- 5.13 Five parking spaces are proposed. This would provide two parking spaces for no.74 and one parking space for each of the new units. The one-bed flat requires one parking space. Although a 2-bed house or flat would normally require 1.5 parking spaces per property (amounting to three spaces, one per each unit and one shared in this instance) as the site is in a sustainable location it is not considered necessary to require the provision of the shared space. The level of parking proposed is considered to provide adequate off-street parking to meet the needs arising from the development and to accord with the Council's parking standard.
- 5.14 Concern has been raised that the proposed access is detrimental to highway safety. The proposal has been assessed by the Council's transport planners who raise no objection.

It should be noted that as Branksome Drive is not a classified road, the proposed parking could be provided without the need for planning permission.

- 5.15 It is claimed that the development would lead to a decrease in highway safety. This is due to additional on-street parking and the proximity to the junction. It is also stated that Branksome Drive is used as a rat run and that motorists do not adhere to the 20mph speed limit.
- 5.16 In response to this, it is not within the remit of the Planning Authority to control where individual people park in relation to the proximity to a junction. The routes that motorists choose to take is not within the control of the Planning Authority, nor is the speed at which motorists travel.
- 5.17 Design
A good standard of site planning and design must be achieved for the development to accord with policy CS1, CS16, and H4, particularly how the development integrates into the existing built form.
- 5.18 In terms of appearance, the proposal mimics the appearance of the existing semi-detached houses. Bay windows are proposed on the front elevation with a hipped roof over. The ridge will be extended over the extension and the shape and profile of the roof will match that on the existing dwelling. The first floor is to be rendered with the ground floor to be brick. This matches the general appearance of the surrounding area.
- 5.19 The development will result in a short terrace of houses. Terraced housing is a normal and expected form of building in an urban area. Creating a terrace is not in itself bad design. The resulting built form is not out of scale with the surrounding development and as there are other terraces nearby, is not out of character with the locality.
- 5.20 Overall a good standard of site planning and design has been reached and the proposal is considered to be in keeping with the character and appearance of the existing house and surrounding area. However, the two-bedroom house on the corner has limited space to extend without impacting on the layout of the development. Furthermore, no.74 is also limited in the scope for extensions as it has become a mid-terraced house with relatively small gardens. Any future extensions to these properties should be fully assessed and therefore permitted development rights will be restricted.
- 5.21 To ensure that the finished build reaches an acceptable standard of overall appearance, a condition will be attached requiring the submission of samples to the planning authority for approval.
- 5.22 Although the development will result in the loss of an 'open area' the open area was in fact part of the residential garden and therefore enabled no public access. The householder could at any point have screened the garden from public view. It is not therefore considered that policy L5 would apply in this instance.

5.23 Landscaping

As part of the proposed development, landscaping has been incorporated. At the front, the parking areas will be landscaped by planting areas and a small lawn area to the south of the site. Along the boundary of the site the existing hedge will be retained whilst the individual gardens will be demarked by 1.8 metre timber panelled fences. A number of trees are also proposed to soften the building and integrate it into the surroundings.

5.24 A condition will be attached that requires the development to be carried out in accordance with the landscaping proposals. This secures the provision of trees along the site boundaries which will provide high level screening and introduce new landscaping to the locality.

5.25 Residential Amenity

Residential amenity should not be prejudiced as a result of development. Amenity should be considered in terms of the impact on existing amenity and the amenity levels offered to the proposed properties. Surrounded on three sides by roads there is only limited scope for the proposal to have a prejudicial impact on residential amenity.

5.26 Policy H4 protects residential amenity and policy CS16 requires the provision of adequate levels of amenity space. The size and type of accommodation proposed and the location of the site, combined with the potential occupiers are all used to establish what would be considered adequate in terms of amenity space.

5.27 It is unrealistic to expect provision of private amenity space for the first floor flat. Both the ground floor flat and proposed dwelling are provided with gardens and no.74 retains adequate amenity space. The provision to the proposed units is considered acceptable. The garden for the house, although smaller than the general provision in the area is still considered adequate and similar in size to those of no. 41 Branksome Drive and no.2 Conygre Road.

5.28 No specific amenity space is provided for the first floor flat. This is a two-bedroom flats and it is therefore considered unlikely to provide family accommodation, instead providing accommodation to a couple, sharers or a single occupier.

5.29 Within approximately 300m of the site is Filton playing fields. This provides the occupiers of the flat with reasonable access to public open space and opportunities for sport and recreation. It is therefore considered that the proposed flat and the existing and proposed houses will have adequate amenity space and will benefit from an acceptable general standard of amenity.

5.30 In terms of the amenity of the area, there is a minimum of 17 metres between the rear elevation of the proposed flats and the front boundary of the properties to the rear. This would realistically equate to a minimum of 20 metres between the proposal and the nearest windows. Station Road runs within this buffer. Overall, this distance considered to be an acceptable in terms of protecting existing levels of residential amenity.

From this distance privacy would be maintained and the development cannot be considered to be overbearing or oppressive. It is not considered that the development would increase noise and disturbance. Noise between units is subject to consideration as part of building regulations.

5.31 Overall, it is not considered that the development would have a prejudicial impact on residential amenity and the overall levels of amenity in the vicinity will be retained.

5.32 Drainage

Conditions will be imposed requiring submission of details for sustainable drainage systems and permeable paving.

5.33 Further Subdivision and Changes to a HMO

Concern has been raised that this development would set a precedence for further subdivision of houses and that the area already suffers from a high proportion of HMOs (House in Multiple Occupation).

5.34 Sub-division of no.74 into more than one residential unit would require a full planning application be submitted to the Local Planning Authority as this could not be undertaken as any form of permitted development. Whilst a planning application would be required, policy CS16 allows for the subdivision of properties provided that it would not have a cumulative adverse impact on the locality. Therefore an application would be required and each would be determined on the merits of that application at the time of assessment.

5.35 However, following the changes to the Town and Country (General Permitted Development) Order 1995 in May of this year, the change of use from Class C3 (Dwellinghouses) to Class C4 (Houses in Multiple Occupation) of the Town and Country Planning (Use Classes) Order 1987 (as amended) is permitted by Class I of Part 3 of the GPDO.

5.36 It would therefore be possible for no.74 to be used as a HMO without the express permission of the Local Planning Authority or the need to apply for planning permission.

5.37 In the consideration of the previous application, PT13/2507/F, Members concluded that the change of no.74 to a HMO would have an adverse impact on the locality, particularly with regard to transportation, parking and residential amenity. It is therefore the view of the Local Planning Authority that such a change would need to be assessed on its planning merit. A condition will be attached that restricts permitted development rights for a change of use to Class C4 without the prior written permission of the Local Planning Authority.

5.38 Other Matters

Comments have been received that have not been fully addressed above. This section will respond to the points made.

- 5.39 The application is for two flats and a dwelling and must be assessed on its own merits; it is not therefore possible to consider a stand alone dwelling or any other alternative. It cannot be considered that this development would set a precedence as every application must be assessed on its merit. Further to this, the proposal does not propose to create a house in multiple occupation (HMO) and a restriction preventing the subsequent conversion has been stipulated.
- 5.40 The consultation and advertisement of this application was undertaken in accordance with the Council's adopted statement of community involvement.
- 5.41 Existing levels of renting is not a material planning consideration; however, it is part of planning policy to provide a varied range of housing to suite a wide demographic.
- 5.42 Whether the existing house or whether nearby flats are occupied is not a planning consideration.
- 5.43 It is not considered that the flats will have a negative impact on the character of the area of the area as a being family and community orientated. It is not considered that the development would increase theft and vandalism in the area.
- 5.44 Although pre-application community engagement is advisable on a controversial proposal, it is not a requirement and therefore cannot form a material planning consideration.

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 the above policies. The site is considered a suitable and sustainable location for residential development and higher density housing. The proposal makes the most efficient use of land. The design of the development is in keeping with the character and appearance of the locality. The development will not have a prejudicial impact on residential amenity and adequate off-street parking is provided.
- 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. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

3. Prior to the commencement of development drainage detail, including surface water run off proposals incorporating Sustainable Drainage Systems (SUDS), within the development shall be submitted for approval in writing to the Local Planning Authority. For the avoidance of doubt this shall include the parking areas. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

4. The off-street parking facilities (for all vehicles, including cycles) 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 Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the Residential Parking Standard (Adopted) December 2013.

5. The hours of working on site during the period of construction shall be restricted to Monday - Friday 0730-1800, Saturday 0800-1300 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 locality and nearby residences during construction works to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 3 (Class I) shall take place at any of the units included within the application site without the prior written consent of the Local Planning Authority. For the avoidance of doubt this includes no.74 Branksome Drive, Flat 1, Flat 2, and Unit 3.

Reason

To ensure that satisfactory arrangements can be made for the transportational needs, including the provision of adequate off-street parking, and to protect the residential amenity of the neighbouring occupiers and local vicinity and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS1 and CS17 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

7. All hard and soft landscape works, including the annotated tree planting, shall be carried out in accordance with drawing 2475/4D, received by the Council 12 November 2013. The works shall be carried out prior to the first occupation of the development hereby permitted.

Reason

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

8. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development at no.74 Branksome Drive or Unit 3 (as described on plan 2475/4D) as specified in Part 1 (Classes A and B), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the named properties and neighbouring occupiers, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.