



**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. 25/13**

**Date to Members: 21/06/13**

**Member's Deadline: 27/06/13 (5pm)**

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

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

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

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

## **NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS**

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

To refer an application(s) members are asked to email [MemberReferral@southglos.gov.uk](mailto: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](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Management Technical Support Team. If in exceptional circumstances, you are unable to e-mail your request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

# CIRCULATED SCHEDULE – 21 JUNE 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/0806/PA	No Objection	Mounds Court Farm Siston Hill Siston South Gloucestershire BS30 5LU	Siston	Siston Parish Council
2	PK13/1237/F	Approve with Conditions	8 Riding Barn Hill Wick South Gloucestershire BS30 5PA	Boyd Valley	Wick And Abson Parish Council
3	PK13/1252/F	Approve with Conditions	Four Winds Cotswold Lane Old Sodbury South Gloucestershire BS37 6NE	Cotswold Edge	Sodbury Town Council
4	PK13/1361/LB	Approve with Conditions	Catchpot Lane Old Sodbury South Gloucestershire	Cotswold Edge	Sodbury Town Council
5	PK13/1362/F	Approve with Conditions	Catchpot Lane Old Sodbury South Gloucestershire	Cotswold Edge	Sodbury Town Council
6	PK13/1540/F	Approve with Conditions	Berrymead Barn Hall Lane Cold Ashton South Gloucestershire BA1 8AQ	Boyd Valley	Cold Ashton Parish Council
7	PK13/1787/F	Approve with Conditions	The Cleeves North Stoke Lane Upton Cheyney South Gloucestershire BS30 6ND	Bitton	Bitton Parish Council
8	PK13/1883/TCA	No Objection	18 Shortwood Road Pucklechurch South Gloucestershire BS16 9PL	Boyd Valley	Pucklechurch Parish Council
9	PT13/1411/CLE	Approve	9 Old Mill Close Westerleigh South Gloucestershire	Westerleigh	Westerleigh Parish Council
10	PT13/1427/F	Approve with Conditions	Sarum Lodge 315 Passage Road Almondsbury South Gloucestershire BS10 7TE	Almondsbury	Almondsbury Parish Council
11	PT13/1512/F	Approve with Conditions	1 Chessel Close Bradley Stoke South Gloucestershire BS32 0BZ	Bradley Stoke North	Bradley Stoke Town Council

## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

<b>App No.:</b>	PK13/0806/PAD	<b>Applicant:</b>	Mr Jason Fudgell
<b>Site:</b>	Mounds Court Farm Siston Hill Siston Bristol South Gloucestershire	<b>Date Reg:</b>	25th March 2013
<b>Proposal:</b>	Prior approval of details submitted as to the method of demolition and any proposed restoration of Mounds Court Farm, Siston Hill.	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	367760 174061	<b>Ward:</b>	Siston
<b>Application Category:</b>	Minor	<b>Target Date:</b>	2nd May 2013



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**N.T.S.**

**PK13/0806/PAD**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks prior approval of details submitted in respect of the method of demolition and any proposed restoration of the site at Mounds Court Farm, Siston Hill.
- 1.2 The applicant has already made prior notification (PK12/3408/PND) under the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 31) seeking a determination of whether the prior approval of the Local Planning Authority (LPA) was required for the proposed method of demolition and any proposed restoration of the site. It was determined that prior approval was required as it was not possible from the information submitted to acceptably ascertain whether the proposed demolition would be likely to have a significant impact on archaeological features of potentially national importance.
- 1.3 The dwelling is situated between Siston and Bridgegate on the south side of Webbs Heath, Siston Hill. The site is situated adjacent to (east of) an existing farm unit (Moons Lodge), which has been the subject of development changes in recent years. The dwelling the subject of this application is a two storey detached unit, originally constructed in the 16<sup>th</sup>/17<sup>th</sup> Century and was rebuilt in 1840 following an extensive fire. The dwelling was then replaced in approximately 1922 with the dwelling which sits on the site at present.

### **2. POLICY CONTEXT**

- 2.1 Town and Country Planning (General Permitted Development) Order 1995
- 2.2 Circular 10/95: Planning Controls over Demolition

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK12/2566/F                      Erection of a two storey side and front extension to provide additional living accommodation.  
Refused 24.09.2012
- 3.2 PK12/3408/PND                Prior Notification for intention to demolish existing dwelling.  
Prior approval required 08.11.2012

## 4. **CONSULTATION RESPONSES**

### 4.1 **Siston Parish Council**

Objection for reasons:

- Objection to demolition of this important locally listed building
- The building is of great heritage value as an example of a local agricultural site
- Restoration is desirable but demolition is not
- The building is one of the most important historic buildings in the Parish
- Parts date back 400 years and the building was frequented by Queen Catherine Parr in the 16<sup>th</sup> Century
- The building is a recognised heritage asset and is situated prominently within the Green Belt
- The building is within sight of the Forestry Commission Development area
- The proposal would irrevocably change the much valued local environment

### 4.2 **Other Consultees**

**Ecology Officer** – No objection. Siston Common is designated as a Site of Nature Conservation Interest (SNCI) for its semi-improved neutral grassland but will not be affected by the proposal.

**Landscape Officer** – No objection

**Archaeological Officer** – No objection. The Written Scheme of Investigation submitted is acceptable and recording of this building can take place in accordance with that written scheme of investigation (WSI), prior to demolition.

### **Other Representations**

#### 4.3 **Local Residents**

None received.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 **Principle of Demolition**

Part 31 of the Schedule 2 to the Town and Country Planning (General Permitted Development Order 1995 gives permitted development rights for the demolition of buildings. Accordingly the demolition of Mounds Court Farm does not require planning permission. Therefore the principle of demolishing the building is established and cannot be questioned by Officers, but an application to the Local Planning Authority is required to check whether the authority requires prior approval of the method of demolition, and any proposed restoration of the site. The purpose of this control is to give local planning authorities the opportunity to regulate the details of demolition in order to minimise the impact of that activity on local amenity.

It was determined under application PK12/3408/PND that prior approval was required as the proposed demolition may result in a detrimental impact on archaeological features of potentially national importance.

- 5.2 This application is required for the prior approval of full details of the proposed method of demolition and proposed restoration of the site, which have been submitted by the applicant as part of this application. Circular 10/95 gives guidance to Local Planning Authorities on determining prior approval applications for the demolition of buildings. It is noted in paragraph no. 19 that 'The Secretaries of State attach great importance to the prompt and efficient handling of applications for determinations. The procedures adopted by authorities should be straightforward, simple and easily understood'. The local authority does not have the power to attach planning conditions to this application and so it is left for the authority to be reasonably satisfied that the information submitted by the applicant would result in an acceptable method of demolition and proposed restoration of the site, addressing the issues brought up in the prior notification of demolition application. In accordance with the requirements of Part 31 of the Schedule 2 to the Town and Country Planning (General Permitted Development Order 1995 the applicant will have 5 years to undertake the demolition from the date of the decision, if prior approval is accepted. It is worth clarifying that this process is not intended to duplicate or substitute any other more specific legislation that the applicant must adhere to such as Health and Safety legislation or Road Traffic legislation.

5.3 Archaeology

The dwelling is recognised by the Council as a locally listed building. The building is an 1840s rebuild of a 16<sup>th</sup> or 17<sup>th</sup> century house after the original house was mostly destroyed by fire. A local historian has indicated that the present building was built in 1922. The foundations and basement of the original much grander house (Mound's Court) are believed to remain. The building has historic interest and is believed to have been one of the royal hunting lodges within Kingswood forest and has been occupied by Queen Catherine Parr. Although the original building has since replaced, the original foundation and basement could provide archaeological features which may be of national significance.

Officers raised objection to the initial prior notification for the following reason,

'The site is considered to be archaeologically sensitive. In the interest of preserving historic archaeological artefacts and features if found, the method of demolition will need to be controlled and an archaeological watching brief would be required in order to satisfactorily monitor the demolition process in the interest of local amenity.'

On this basis the applicant submitted an archaeological watching brief as this application for prior approval.

The WSI proposed the following,

- To monitor the demolition of the building

- To identify and record, during demolition of the farmhouse, any significant components of the historic fabric which may pertain to an earlier structure within the existing fabric
- To record any surviving foundation and basement evidence for an earlier building on the site, following demolition of the existing structure, and
- To provide an interpretive report on the results of the archaeological monitoring

The Written Scheme of Investigation submitted is acceptable and recording of this building can take place in accordance with that WSI, prior to demolition. The WSI has resolved the archaeological concern and it is considered that the proposed demolition in accordance with the recommendations of the WSI would have no significant impact on any archaeological features which may be in place or uncovered.

#### 5.4 Locally Listed Building

Concern has been raised by the Parish Council that the proposal would result in the loss of this Locally Listed Building which is a recognised heritage asset. Unfortunately, the Local Listing is not a statutory designation unlike a Listed Building and the dwelling is not situated within a Conservation Area where demolition would be statutorily controlled. Demolition is controlled in this circumstance by prior notification for demolition alone and prior approval was required on the basis of archaeological sensitivity alone. The loss of the building in terms of historic interest alone is a matter which would carry less weight than the process of demolition, the visual impact of the loss of the building and the process of restoration of the site. On this basis the local listing and historic status of this heritage asset was not afforded sufficient weight in order to raise this formally as a reason for requiring prior approval. The loss of the building as a locally listed heritage asset was considered not to outweigh other considerations. On the basis that archaeological sensitivity was the sole reason for requiring prior approval, no significant weight is afforded to the historic interest of the building as a locally listed building.

#### 5.5 Method of demolition

A demolition statement was submitted as part of the prior notification PK12/3408/PND which included an assessment of risk to the general public and a construction management plan. This statement to be read in conjunction with the archaeological WSI is considered to satisfactorily demonstrate the proposed method of demolition, and proposed restoration.

### 6. CONCLUSION

- 6.1 In view of the above, it is considered that the proposed method of demolition, and proposed restoration of the site would be acceptable whilst minimising the impact of that activity on local amenity. On this basis, prior approval is granted for the method of demolition and the restoration of the site.



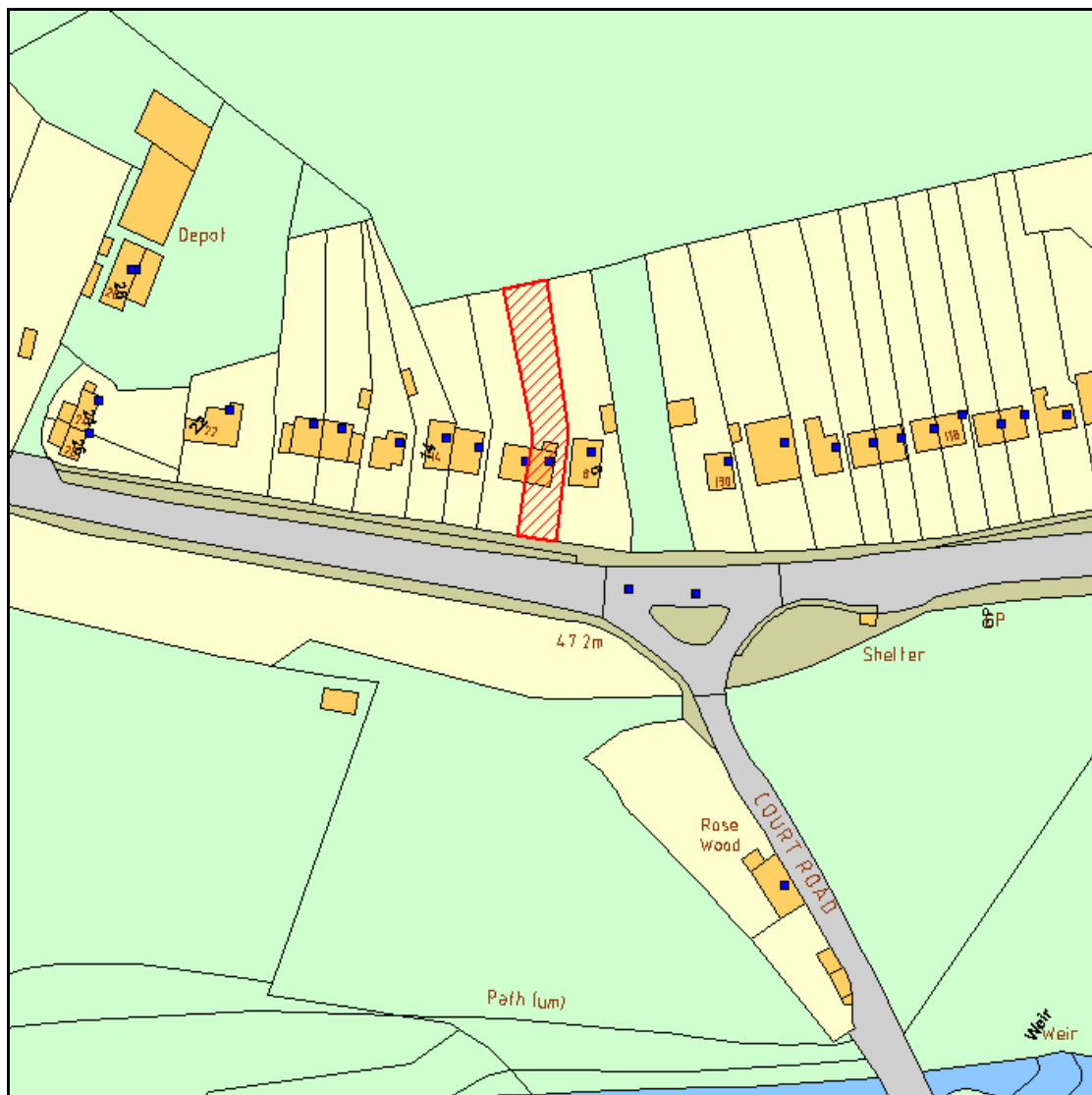
7. **RECOMMENDATION**

7.1 That the application for prior approval is **GRANTED**.

**Contact Officer: Sean Herbert**  
**Tel. No. 01454 863056**

## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

<b>App No.:</b>	PK13/1237/F	<b>Applicant:</b>	Ms E Roberts
<b>Site:</b>	8 Riding Barn Hill Wick Bristol South Gloucestershire BS30 5PA	<b>Date Reg:</b>	18th April 2013
<b>Proposal:</b>	Erection of single storey rear and front extension and first floor side extension over existing garage to form additional living accommodation.	<b>Parish:</b>	Wick And Abson Parish Council
<b>Map Ref:</b>	369451 172727	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	10th June 2013



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 100023410, 2008. **N.T.S.** **PK13/1237/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule due to the receipt of a letter of objection from a neighbouring resident.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a variety of extensions to the existing dwelling including a single storey rear extension, a single storey front extension and a first floor side extension over the existing garage.
- 1.2 The application site consists of a two-storey semi-detached residential dwelling. There is an existing single storey rear extension at the dwelling that would be demolished to make way for the new rear extension proposed.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework March 2012

#### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design

H4 Development within Existing Residential Curtilages

GB1 Development in the Green Belt

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

CS1 High Quality Design

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

South Gloucestershire Residential Parking Standards SPD (Adopted for Development Management Purposes) March 2013

South Gloucestershire Green Belt SPD (Adopted) 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P87/1499 Erection of single storey side extension to provide garage and kitchen.  
Approved May 1987
- 3.2 P90/1835 Erection of first floor extension over garage.  
Refused July 1990
- 3.3 P97/4771 Erection of rear conservatory.  
Approved May 1998

#### **4. CONSULTATION RESPONSES**

4.1 Wick and Abson Parish Council  
No objection

4.2 Highway Drainage  
No comment

#### **Other Representations**

4.3 Local Residents

One letter of objection has been received from a local resident. A summary of the points of concern raised is as follows:

- Loss of daylight/sunlight inside the neighbouring house
- The eaves would extend over the boundary
- Queries over the foundations – will they be reinforced?
- An application to extend over the garage was refused previously P90/1835
- No sectional drawings or structural engineers report to allay concerns over subsidence
- The extension by virtue of its size and location would be overwhelming to the neighbouring dwelling
- Access and scaffolding would be necessary on the neighbours land and a party wall agreement would be necessary

#### **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application seeks permission for the erection of a single storey rear extension to form additional living accommodation. Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 permits this type of development in principle subject to criteria relating to residential amenity, highways, and design. Policy GB1, supported by the Green Belt SPD, relates to development in the Green Belt and seek to ensure the openness of the green belt is retained.

5.2 Green Belt

The site lies in the Bristol/Bath Green Belt. Policy GB1 of the Adopted local plan and the NPPF allow for limited extensions to existing dwellings providing that it does not result in disproportionate additions over and above the size of the original building. This is expanded upon in the Adopted South Gloucestershire SPD on Green Belts, which states that extensions of up to 30 – 50% of the volume of the existing dwelling may be considered proportionate (subject to detailed assessment).

5.3 It has been calculated that the total volume of all extensions to the dwelling (including those now proposed and those previously erected) will be very slightly over 50% of the volume of the original dwelling. However, the extensions, will be tucked up close to the existing built form and will not have any detrimental impact on the openness of the green belt.

Similar extensions can be found on neighbouring dwellings which all take a variety of designs, forms and sizes themselves. The extensions will project no further into the green belt than the existing built form at several neighbouring properties. The impact of the proposed extensions on the openness Green Belt is therefore considered to be entirely acceptable.

#### 5.4 Design and Visual Amenity

In the interests of clarity, each of the three extensions will be discussed in turn.

##### Rear Extension

The proposed rear extension meets an appropriate standard in design that reflects the character of the main dwelling house and surrounding properties. Whilst flat roofed extensions are not usually encouraged, in this particular location there are a number of existing single storey flat roofed rear extensions visible on neighbouring properties. The extension will be finished in materials to match the main house further encouraging its successful integration. The design and visual impact of the proposed rear is therefore considered to be entirely appropriate.

##### Front Extension

At present there is an open sided canopy roof over the front door. The proposal is to remove this existing canopy and erect a new front extension consisting of an enclosed garage extension and a new open canopy over the front door. A variety of single storey front extensions and canopies are in existence on neighbouring properties – some small storm porches and some larger ones spanning the entire frontage. Given this existing varied and interesting street scene, the design of this front extension is considered to be acceptable and will not have any significant or detrimental impact on the character of either the existing dwelling or the street scene.

##### First Floor Side Extension

The proposed side extension is to be erected over the existing garage and will be flush with the front and roof of the existing property. Given that a very similar extension is in existence at No. 18 Riding Barn Hill, and given the very varied street scene, it is not considered necessary to include a set down or set back in this instance. The extension will be finished in materials to match the main house further encouraging its successful integration. The design and visual impact of the proposed rear is therefore considered to be entirely appropriate.

#### 5.5 Residential Amenity

Again, in the interests of clarity, each of the three extensions will be discussed in turn.

##### Rear Extension

The proposed rear extension will have a maximum depth of 3.4 metres where it runs adjacent to the attached property No. 10 Riding Barn Hill. Given that the proposed extension is a replacement for an existing conservatory to be demolished of the same depth, it is not considered that the single storey rear extension will have any detrimental impact on the amenities of adjoining residents.

### Front Extension

The proposed front extension will pull the garage door forwards by 1.4 metres adjacent to the boundary with No. 6 Riding Barn Hill. It is not considered that this limited increase in depth will have no significant or detrimental impact on the amenities afforded to No. 6.

### First Floor Side Extension

The proposed first floor side extension will be erected over the existing garage and will span the entire length of the dwelling. The extension will not project beyond the main front of rear walls of the existing dwelling. The extension will be erected on the side of the property adjacent to No 6 Riding Barn Hill. No 6 has no primary habitable room windows in its side elevation facing towards the application site. Whilst it is noted that the occupants of No 6 have raised concerns, given that the first floor extension will be contained almost entirely along the side of No 6, and given the lack of windows in this elevations, it is not considered that the first floor extension would result in any significant overlooking, overbearing or overshadowing to this dwelling over and above the existing situation.

It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

## 5.6 Other Issues

It is noted that the letter of objection raises concerns about the ability to construct the extension without encroachment onto neighbouring properties – including scaffolding and foundations. The applicant has stated that the extension will not encroach onto neighbouring land and your officer has no reason to believe this is not possible. Nonetheless, an informative will be attached to the consent reminding the applicant that the granting of planning permission does not give the right to enter land not within their ownership. Other issues relating to the suitability of foundations etc will be dealt with a building control stage and not through this planning application.

## 5.7 Application P90/1835

As raised in the letter of objection, in 1990 a planning application for a first floor side extension over the existing garage was refused. The refusal reason read as follows,

*‘The proposed extension by reason of its size, design and external appearance, would be out of keeping with the existing dwellinghouse and other nearby properties and if allowed would detract from the visual amenities of the locality.’*

This previously refused extension had a flat roof whereas the application currently for consideration has a pitched roof. The previous design concern has therefore been overcome.

## 6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 It is considered that the proposed extensions, by virtue of their scale and location, would not affect the residential amenity of neighbouring dwellings and would not prejudice mutual privacy. Adequate private amenity space would remain to serve the dwelling. As such the proposal is considered acceptable in terms of policy H4 of the adopted Local Plan.
- 6.3 The design of the proposal has been informed by and respects the character of the site and the street scene, Accordingly the proposal is considered acceptable in terms of policies D1 and H4 of the adopted Local Plan.
- 6.4 The proposed extension will retain the openness of the green belt in accordance with policy GB1 of the adopted Local Plan.
- 6.5 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## 7. **RECOMMENDATION**

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

**Contact Officer:** Marie Bath  
**Tel. No.** 01454 864769

## **CONDITIONS**

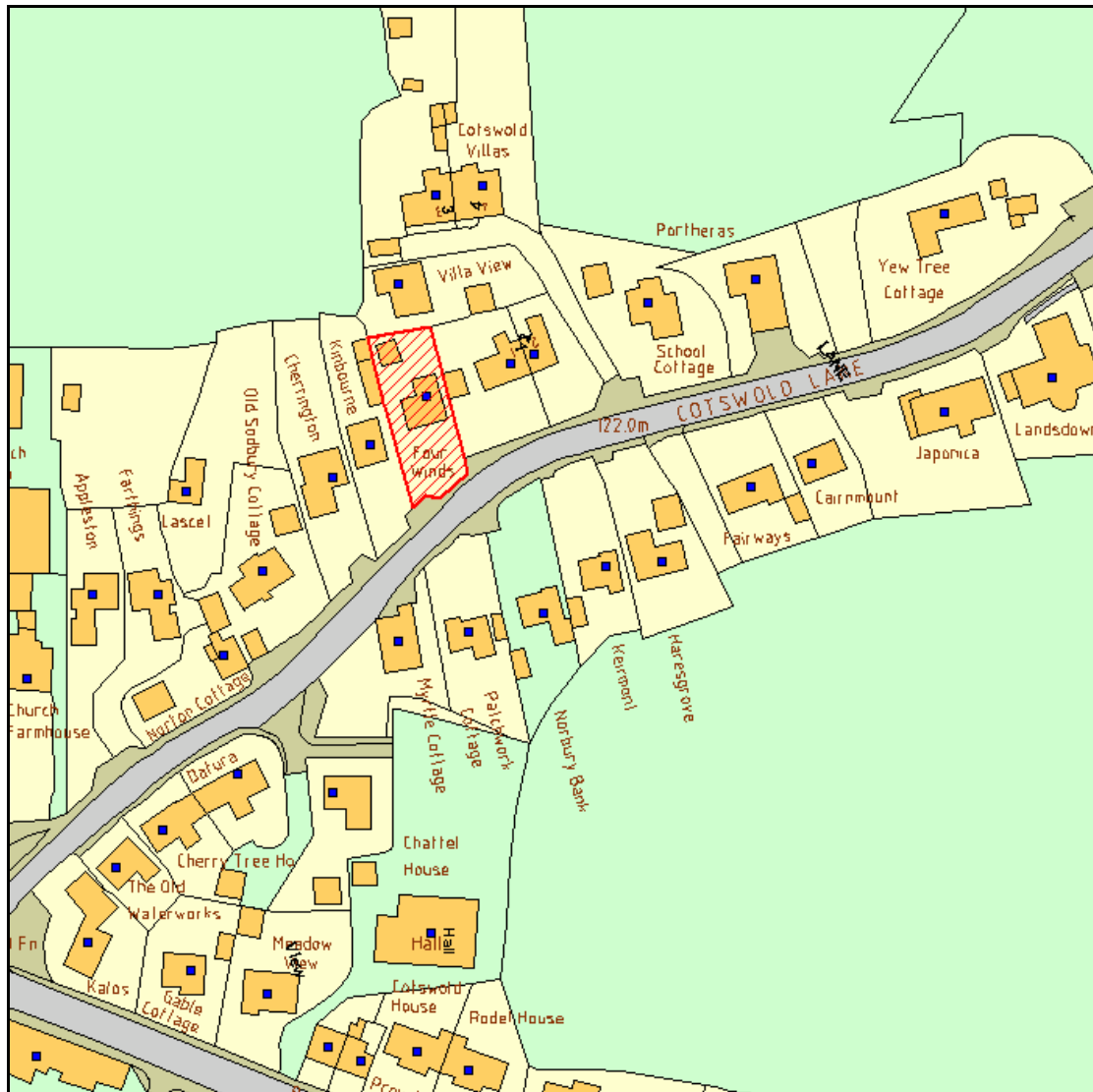
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

<b>App No.:</b>	PK13/1252/F	<b>Applicant:</b>	Mr A King
<b>Site:</b>	Four Winds Cotswold Lane Old Sodbury Bristol South Gloucestershire	<b>Date Reg:</b>	1st May 2013
<b>Proposal:</b>	Erection of two storey rear extension to provide additional living accommodation.	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	375421 181659	<b>Ward:</b>	Cotswold Edge
<b>Application Category:</b>	Householder	<b>Target Date:</b>	21st June 2013



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**PK13/1252/F**



## **REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 The application site is situated towards the north side of Old Sodbury to the east of Chipping Sodbury and Yate. The site is bounded by residential development on three sides with vehicular access onto Cotswold Lane to the south. The site comprises a 20<sup>th</sup> Century two storey detached dwelling with single storey addition to the rear.

The application site is situated within the settlement boundary of Old Sodbury.

- 1.2 The application proposes erection of two storey rear extension to provide additional living accommodation.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Existing Residential Curtilages

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

CS1 High Quality Design

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P91/1592 Alterations to existing single storey rear extension and replace flat roof with pitched roof.  
Erection on front porch.  
Approved 12.05.1991

### **4. CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council

No objection

## 4.2 Other Consultees

**Drainage Engineer** – No comment  
**Archaeological Officer** – No objection  
**Landscape Officer** – No objection

## Other Representations

### 4.3 Local Residents

Letters of objection received from the occupier of 1 Cotswold Villas raising the following concerns:

- The extension would severely and adversely affect the outlook from the master bedroom of 1 Cotswold Villas
- The current outlook of open spaces would be replaced with a solid wall
- The extension by virtue of its height, width and mass would have an unacceptable impact on the amenity of no.1 by reason of visually overbearing impact.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

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

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

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

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

The South Gloucestershire Core Strategy (CS) was submitted for Examination in March 2011. The Examination was initially suspended by the CS Inspector to allow for the submission of Post Submission Changes. Hearing sessions were subsequently held in June and July 2012 and the CS Inspector published his Preliminary Findings and Draft Main Modifications in September 2012. The Inspector's initial conclusion is that the Core Strategy is capable of being made 'Sound' subject to a number of Proposed Main Modifications (PMM). The PMM have been subject to a further hearing session that was held on 7 March 2013.

The CS has reached an advanced stage of preparation. However, there are unresolved objections to the housing requirements, including the means of addressing the shortfall in the delivery of housing that accrued during the Local Plan period. At this stage the Core Strategy therefore remains unadopted, but is likely to be adopted in the near future once housing matters are resolved. This document is therefore a material consideration in the determination of planning applications, and the Core Strategy policies, which are not subject to Inspector modification, will now carry considerable weight at this stage.

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

## 5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a semi rural village context. The dwelling the subject of this application is a two storey detached dwelling. The proposed extension would be visible from public vantage points only as a glimpse between the existing dwelling and the two dwellings either side. Only the side elevations of the extension would be visible from public views. The design of the extension would result in a double piled arrangement with two side gables attached together. This was a traditional approach which was common in traditional timber frame construction and examples can be found commonly in Cotswold villages. The design and materials would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1

## 5.3 Residential Amenity

Adequate rear amenity space to the property would be retained following the erection of the proposed extension. With regard to neighbouring properties, the neighbour to the north (Villa View) would be situated more than 10m from the proposal and is positioned side on with only one window in the side gable facing into the site.. The neighbour to the west (Kinbourne) is positioned side on to the highway and the principle elevation faces towards the application site. However, Kinbourne is positioned forward of the existing rear elevation of Four Winds and a single storey range of buildings along the boundary with the application site provide a screen from the proposal. The neighbour at no.1 to the east has been extended at two storey level to the side towards the application site. No.1 would be situated approximately 9m from the side elevation of the proposed extension. The side extension of no.1 has a single first floor window which serves the master bedroom. The bedroom is also served by a further first floor window. The neighbour at no.1 has expressed concern that he proposal would adversely impact on the outlook from the side window. It is considered that the proposal would obstruct the view from the side window of no.1. However, this obstruction is considered to relate to the view from the window of distant countryside. The loss of a private viewpoint as a private interest is a matter which can carry little weight in consideration of a planning application. On this basis little weight is afforded to the loss of this view. The loss of outlook from the window the closing off of the opportunity to

view any open space from the window would be affected minimally considering the distance of 9m from the proposal. Four Winds is situated at a lower level than the first floor level within no.1. There would be a clear ability to see over, through the gables) and around (to the rear) Four Winds once the extension is built. Additionally, the side window is not the only outlook from the master bedroom of no.1 and as such the importance of the outlook from the side window is diminished. On this basis it is considered that the outlook from no.1 although partly reduced, would not be adversely affected by the proposed extension to the detriment of the amenity of the occupiers of no.1.

Considering the 9m distance to the proposed extension, screening by the detached side garage of no.1 and the lower overall height of Four Winds compared to no.1, the proposed extension would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development.

The proposal would include provision of two first floor windows in the side elevations of Four Winds. The proposed elevation drawings indicate that the windows are to be obscurely glazed. As the windows would be inserted into the existing dwelling rather than the extension they benefit from existing permitted development rights, i.e. the applicant can insert the windows outside of planning control. On this basis although it is welcomed that the applicant intends for the windows to be obscurely glazed in the interest of protecting privacy, as the windows can be inserted without planning permission, planning conditions to ensure this happens would not be reasonable or enforceable. On this basis no such conditions are recommended. Further, the windows would serve bathroom and dressing room which are considered not to be principle rooms, the windows in any event would be unlikely to create significant loss of privacy. The proposal would not prejudice the amenity of neighbouring occupiers in terms of loss of privacy/overlooking.

#### 5.4 Other issues

The proposal would increase the number of bedrooms from 3 to 4 as a result of the extension. There is sufficient space at the front of the site to park 3 cars off street. This meets the Council's adopted parking standard and as such the proposal would be unlikely to result in severe highway safety issues.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010 is given below:

- a) Due to its scale and position in relation to the adjacent dwellings, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed extension has been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

## **7. RECOMMENDATION**

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

**Contact Officer: Sean Herbert**  
**Tel. No. 01454 863056**

### **CONDITIONS**

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

Reason

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

2. Prior to the commencement of development details or samples of the external facing render 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 D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

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. 25/13 – 21 JUNE 2013**

**App No.:** PK13/1361/LB

**Applicant:** Dodington Park Estate

**Site:** Catchpot Lane Old Sodbury Bristol  
South Gloucestershire BS37 6SQ

**Date Reg:** 26th April 2013

**Proposal:** Erection of replacement stone boundary wall to a maximum height of approximately 1.2 metres (part retrospective).

**Parish:**           Sodbury Town  
                          Council

**Map Ref:** 375436 180694

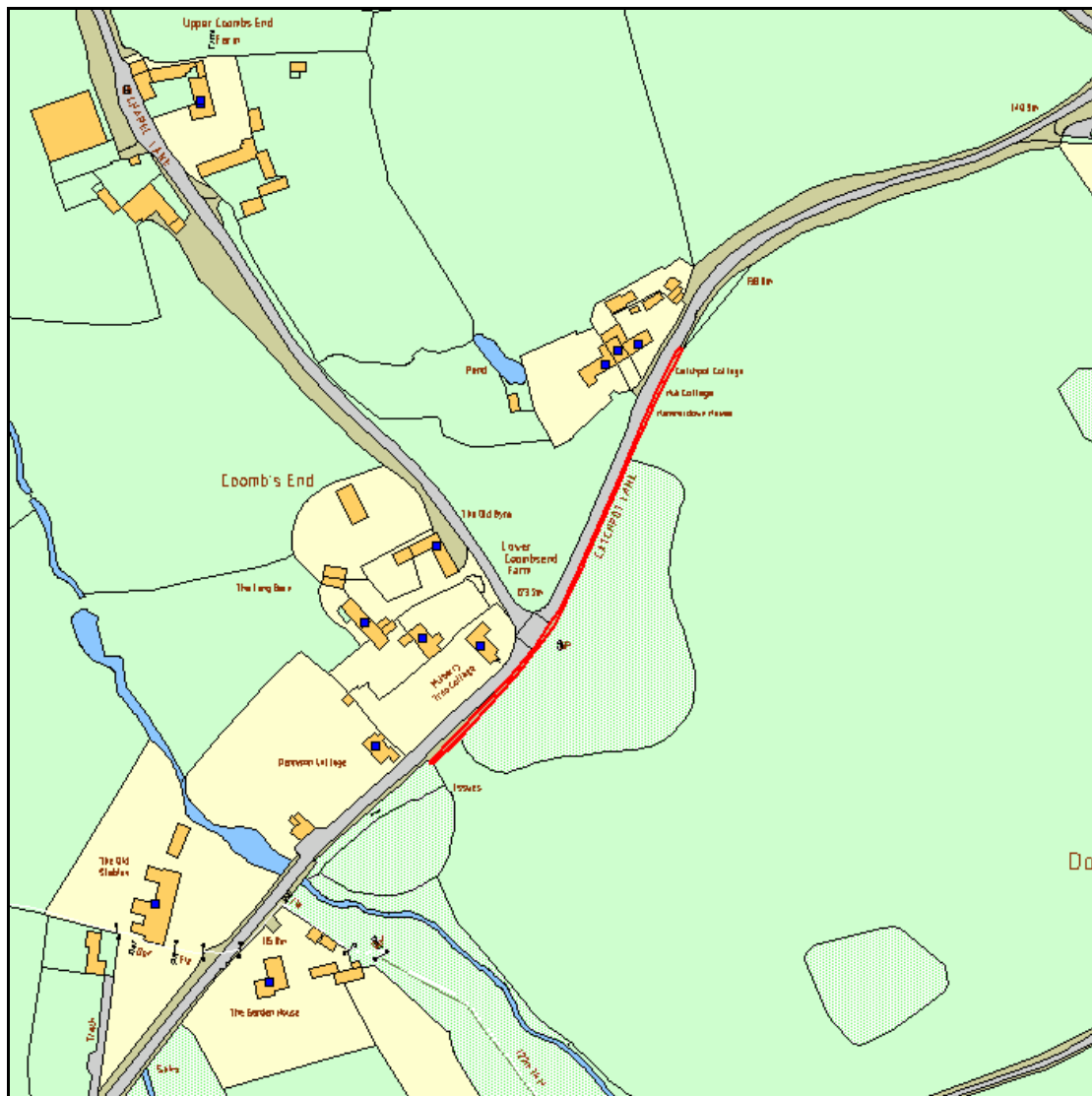
**Ward:** Cotswold Edge

Application Minor

**Target** 18th June 2013

**Category:**

**Date:**



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**PK13/1361/LB**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

Members will recall that the application has already appeared on the Circulated Schedule on 7th June. The application is being re circulated as further objections have been received within the consultation expiry date whilst the application was on the Circulated Schedule. Three further letters of objection have been received from members of the public who raise concerns regarding the fact that the proposed 1.2 metre height of the wall is taken from ground level rather than from roadside level.

### **1. THE PROPOSAL**

- 1.1 This application seeks listed building consent for the erection of a stone boundary wall with a maximum height of 1.2 metres. The application is partly retrospective as part of the wall has been already constructed, albeit at a higher height.
- 1.2 The application site comprises a dilapidated stone wall which is overgrown by vegetation which is set back behind a grass bank on the southeastern side of Catchpot Lane. The application wall forms the boundary to Doddington Park, which is grade II\* listed and forms the extensive grounds of the Doddington Park House, which is a grade I listed building.
- 1.3 A planning application (PT13/1362/F) has been submitted in conjunction with this application.

### **2. POLICY CONTEXT**

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

### **4. CONSULTATION RESPONSES**

- 4.1 Doddington Parish Council  
Doddington Parish Council supports both planning applications but request that South Gloucestershire Council recognises that there has been some local concern regarding the scale of the new boundary wall.
- 4.2 Sodbury Town Council  
Objection as the development is not in keeping with the scale of the original boundary wall and the effect it has on the local area.
- 4.3 Listed Building Officer  
No objection

#### 4.4 English Heritage

The applications should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

### **Other Representations**

#### 4.5 Local Residents

Eight letters of objection have been received from members of the public. The following is a summary of the reasons given for objecting:

- Existing wall is lower than height claimed in application;
- Environmental issues;
- Wall is too high;
- Narrows and encloses Catchpot Lane;
- Adversely affect views local residents enjoy;
- Loss of light to neighbouring occupiers;
- Will adversely affect the openness of the area and character of the AONB;
- Highway safety issues;
- The proposed height of the wall is taken from ground level rather than the roadside level.

Two letters of support have been received from members of the public. The following is a summary of the reasons given in support of the application:

- Area has thousands of yards of historical walling in desperate disrepair;
- Refreshing that someone is willing to spend the money to restore and preserve the area and its surroundings;
- The wall is a vast improvement to the existing dilapidated wall and looks stunning;
- The wall will benefit the surrounding area;

### **5. ANALYSIS OF PROPOSAL**

#### 5.1 Principle of Development

The only issue to consider in this application is the impact of the works proposed on the character and significance of the grade II\* listed park.

#### 5.2 Consideration of Proposal

Amended plans have been received, which have reduced the height of the wall to 1.2 metres. Given the height of the wall and the mature trees located directly to the rear, it is not considered that the proposed will be prominent from views from within the park. Moreover, the proposal achieves a high quality standard of appearance, which respects the character and visual amenity of the area. The existing stone wall is largely dilapidated and overgrown with vegetation. Accordingly, it is not considered that the replacement wall will adversely affect the character or significance of the grade II\* listed park.



5.3 Concerns have been raised from members of the public that the proposed 1.2 metre height of the wall is not specified as being from the existing roadside level, which they state will enable the built wall to be measured more accurately. The concerns are that ground levels could be built up significantly so that the proposed 1.2 metre high wall could be made to appear significantly higher. However, the Local Planning Authority can only assess the plans that are submitted and these demonstrate the erection of a boundary wall only and do not demonstrate any significant raising of existing ground levels. It is considered that the proposed 1.2 metre high wall on existing ground levels will not bring about any significant adverse visual amenity issues. Significant earthworks constitute engineering operations for which separate planning permission is required. If permission is granted, an informative note is recommended to ensure that this is made clear to the applicant.

5.4 Further Matters

The issues raised by members of the public are addressed in the associated planning application (PK13/1362/F).

6. **CONCLUSION**

6.1 The recommendation to approve Listed Building Consent has been made having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in the National Planning Policy Framework (NPPF).

7. **RECOMMENDATION**

7.1 Listed Building Consent is GRANTED subject to the following conditions.

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

**CONDITIONS**

1. The wall that has been erected on site as shown on plan no. 3274 CWE 01 shall be reduced in accordance with the approved drawing "Existing and Proposed Plans and Elevations" no. 3274 CW 01B received by the Council on 4th June 2013 within 3 months of the date of this consent.

**Reason**

In the interests of the character and significance of the grade II\* listed park and to accord with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out in the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013**

**App No.:** PK13/1362/F

**Applicant:** Doddington Park Estate

**Site:** Catchpot Lane Old Sodbury Bristol  
South Gloucestershire BS37 6SQ

**Date Reg:** 26th April 2013

**Proposal:** Erection of replacement stone boundary wall to a maximum height of approximately 1.2 metres (part retrospective).

**Parish:** Sodbury Town Council

**Map Ref:** 375436 180694

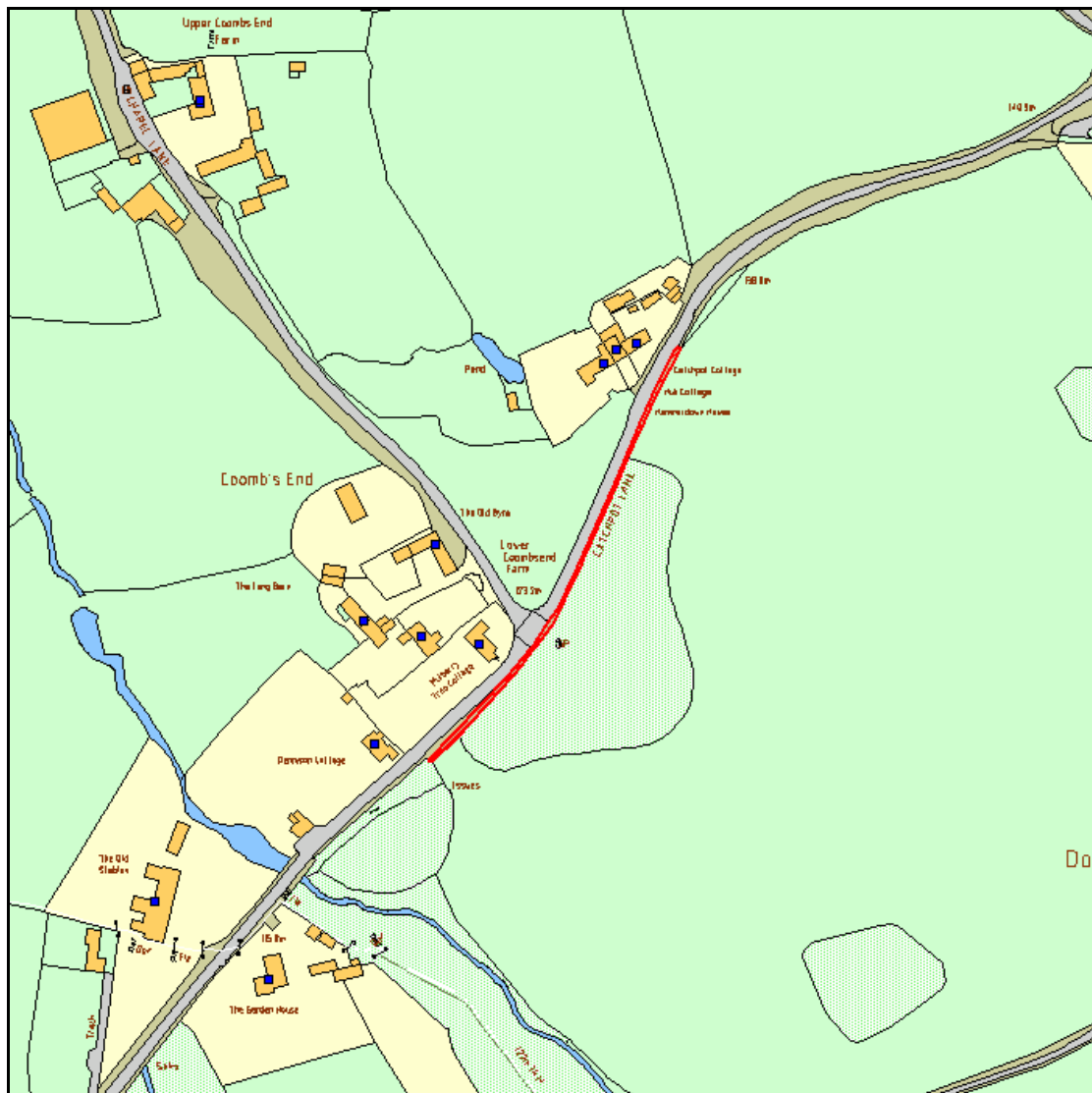
**Ward:** Cotswold Edge

**Application**    Householder

**Target** 18th June 2013

**Category:**

**Date:**



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**PK13/1362/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

Members will recall that the application has already appeared on the Circulated Schedule on 7<sup>th</sup> June. The application is being re circulated as further objections have been received within the consultation expiry date whilst the application was on the Circulated Schedule. Three further letters of objection have been received from members of the public who raise concerns regarding the fact that the proposed 1.2 metre height of the wall is taken from ground level rather than from roadside level.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a replacement stone boundary wall with a maximum height of 1.2 metres. The application is partly retrospective as part of the wall has already been constructed, albeit higher than the height proposed.
- 1.2 The application site comprises a dilapidated stone wall which is overgrown by vegetation and is set back behind a grass bank on the southeastern side of Catchpot Lane. The site is located within the open Green Belt outside of any defined settlement boundary and within the Cotswolds Area of Outstanding Natural Beauty (AONB). The application wall forms the boundary to Doddington Park, which is grade II\* listed and forms the extensive grounds of the Doddington Park House, which is a grade I listed building. Woodland trees protected by a TPO are located immediately to the rear of the application site. A public right of way extends to the northwest of the site. The estate includes a farm complex (Home Farm) alongside Catchpot Lane, which is engaged in the rearing of ewe lambs, the breeding of pedigree rare breed sheep, the production of hay for winter forage and woodland management.
- 1.3 The proposed wall extends for a distance of approximately 209 metres along Catchpot Lane. Amended plans have been received, which have reduced the height of the wall from the original proposed height of 2 metres to 1.2 metres.
- 1.4 An application for listed building consent (PK13/1361/LB) has been submitted in conjunction with this application.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving a Good Standard of Design in New Development  
GB1 Development in the Green Belt  
E9 Agricultural Development  
L1 Landscape Protection and Enhancement  
L2 Cotswolds Area of Outstanding Natural Beauty (AONB)  
L10 Historic Parks and Gardens and Battlefields  
T12 Transportation Development Control Policy for New Development

- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)  
The South Gloucestershire Development in the Green Belt SPD (adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

### **4. CONSULTATION RESPONSES**

- 4.1 Dodington Parish Council  
Dodington Parish Council supports both planning applications but request that South Gloucestershire Council recognises that there has been some local concern regarding the scale of the new boundary wall.
- 4.2 Sodbury Town Council  
Objection as the development is not in keeping with the scale of the original boundary wall and the effect it has on the local area.
- 4.3 Drainage Officer  
No comment
- 4.4 Transportation DC Officer  
No comment
- 4.5 Public Rights of Way (PROW) Officer  
Development may affect nearest PROW therefore, standard limitations must be adhered to
- 4.6 Tree Officer  
No objection
- 4.7 English Heritage  
The applications should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice
- 4.8 Conservation Officer  
No objections to the proposal and as the work has commenced the quality of the stonework is evident and therefore, doesn't require conditioning

### **Other Representations**

- 4.9 Local Residents  
Eight letters of objection have been received from members of the public. The following is a summary of the reasons given for objecting:

- Existing wall is lower than height claimed in application;
- Environmental issues;
- Wall is too high;
- Narrows and encloses Catchpot Lane;
- Adversely affect views local residents enjoy;
- Loss of light to neighbouring occupiers;
- Will adversely affect the openness of the area and character of the AONB;
- Highway safety issues;
- The proposed height of the wall is taken from ground level rather than the roadside level.

Two letters of support have been received from members of the public. The following is a summary of the reasons given in support of the application:

- Area has thousands of yards of historical walling in desperate disrepair;
- Refreshing that someone is willing to spend the money to restore and preserve the area and its surroundings;
- The wall is a vast improvement to the existing dilapidated wall and looks stunning;
- The wall will benefit the surrounding area;

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The South Gloucestershire Local Plan (adopted) January 2006 sets out limited categories of development that are appropriate in the Green Belt. It states that planning permission will only be granted in the Green Belt for the construction of new buildings for agriculture/forestry; essential facilities for outdoor sport and recreation; cemeteries; limited extension, alteration and replacement of existing dwellings that are proportionate to the size of the original building; and limited infilling within the boundaries of settlements. Whilst the development is not a new building, it still represents built form, which will impact on the openness of the countryside. Accordingly, careful consideration is required as to whether the development proposed is appropriate in the Green Belt.

5.2 The applicant has specified that the proposed wall is required for agricultural purposes in order to form an enclosure for sheep. According to the applicant, the estate has 1500 sheep (including pedigree rare breed sheep) and is in the process of the permanent removal of miles of post and wire fencing in order to tidy up the Estate and restore the original Capability Brown vision of an open landscape. Accordingly the proposed wall is considered to be appropriate development in the Green Belt and accords with policy GB1 of the South Gloucestershire Local Plan (adopted) January 2006.

5.3 The principle of the development is acceptable by virtue of policies GB1 and E9 of the South Gloucestershire Local Plan (adopted) January 2006. Given the nature of the proposal the main issues to consider are the appearance of the proposal and the affect on the character, openness and visual amenity of the

area (policies D1, L2, GB1 and E9 of the Local Plan); the environmental affects (policies L1 and L9 of the Local Plan); the transportation impacts (policies T12 and E9 of the Local Plan); and the affects on the residential amenity of neighbouring occupiers (policy E9 of the Local Plan).

5.4 Appearance/Form and Impact on the Character/Openness of Area

The proposed wall is constructed from Cotswold stone to match the character of the existing wall and the surrounding built form. The wall comprises horizontal coursed stones with random coping at the apex. As the work has commenced the quality of the stonework is evident and therefore, a condition is not required on this basis. The proposed wall is set back from the street behind a grass verge, and in combination with the reduced height proposed, it is not considered that it will have an adversely overbearing impact on the surrounding area or a significant adverse impact on the openness of the countryside. The design and appearance of the proposed wall is such that it will appear sufficiently in keeping with the character of the surrounding built form. As such, and given the mature trees and vegetation located immediately to the rear of the wall, it is not considered that the proposal will adversely affect the character or visual amenity of the Cotswold Area of Outstanding Natural Beauty (AONB) or the significance of the grade II\* listed park. The existing wall is largely dilapidated and overgrown with vegetation. It is not considered that the replacement of the existing boundary wall will adversely affect the significance of the park.

- 5.5 Concerns have been raised from members of the public that the proposed 1.2 metre height of the wall is not specified as being from the existing roadside level, which they state will enable the built wall to be measured more accurately. The concerns are that ground levels could be built up significantly so that the proposed 1.2 metre high wall could be made to appear significantly higher. However, the Local Planning Authority can only assess the plans that are submitted and these demonstrate the erection of a boundary wall only and do not demonstrate any significant raising of existing ground levels. It is considered that the proposed 1.2 metre high wall on existing ground levels will not bring about any significant adverse visual amenity issues. Significant earthworks constitute engineering operations for which separate planning permission is required. If permission is granted, an informative note is recommended to ensure that this is made clear to the applicant.

5.6 Environmental Impacts

Given the nature of the proposal it is not considered that the proposal will bring about any significant adverse ecological issues. The wall will however, extend adjacent to a number of trees, which form part of a woodland covered by an area Tree Preservation Order (TPO). The impact of the development on tree roots is therefore, pertinent when considering the impact on trees which make a significant contribution to the character of the area. It is noted that a section of footings and wall have already been laid. Work has however, stopped on site. Therefore, if permission is granted, a condition is recommended for a methodology statement for the construction of foundations to be agreed in writing with the Local Planning Authority in the interests of the health and visual amenity of the trees.

### 5.7 Residential Amenity

Residential properties are located within close proximity to the application site and the concerns raised regarding the impact on occupiers are noted. However, given the scale of the boundary wall, the fact that it is located on the opposite side of Catchpot Lane to the neighbouring properties, and the nature of the proposal, it is not considered that the living conditions of neighbouring occupiers will be significantly adversely affected through loss of outlook, natural light or privacy.

### 5.8 Transportation

Given the height and siting of the proposed wall, it is not considered that any significant adverse high safety issues will be introduced. Weight is also given to the fact that the Highways Authority has raised no objections 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 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 for the following reasons:

The wall is required for purposes relating to agriculture. The principle of the development proposed is therefore, acceptable by virtue of policies GB1 and E9 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposed wall achieves a high quality standard of appearance in keeping with the character of the surrounding built form. Accordingly, it is concluded that the proposal will not have a significant adverse effect on the character, visual amenity or openness of the Cotswold Area of Outstanding Natural Beauty (AONB) or the significance of the grade II\* listed Doddington Park Estate. The proposal therefore, accords with policies D1, GB1, L2, L10 and E9 of the South Gloucestershire Local Plan (adopted) January 2006.

Subject to a condition to ensure that construction methods relating to the laying of foundations are agreed with the Local Planning Authority, to ensure that tree roots are not adversely impacted it is concluded that the development proposed will not have significant adverse environmental effects. The proposal therefore, accords with policies L1, L9 and E9 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal will not bring about any significant adverse highway safety issues and therefore, accords with policies T12 and E9 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal will not have a significant adverse effect on the residential amenity of neighbouring occupiers through loss of natural light, outlook or privacy. The proposal therefore, accords with policy E9 of the South Gloucestershire Local Plan (adopted) January 2006.

## **7. RECOMMENDATION**

7.1 Planning permission is GRANTED subject to the following conditions:

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

### **CONDITIONS**

1. Within 3 months of the date of the consent an arboricultural method statement for the construction of foundations within the Root Protection Area (RPA) of trees shall be submitted to an agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

In the interests of the health and visual amenity of trees in the interests of the character and visual amenity of the surrounding area and to accord with policies L1 and L2 of the South Gloucestershire Local Plan (adopted) January 2006.

2. The wall that has been erected on site as shown on plan no. 3274 CWE 01 shall be reduced in accordance with the approved drawing "Existing and Proposed Plans and Elevations" no. 3274 CW 01B received by the Council on 4th June 2013 within 3 months of the date of this permission.

Reason

In the interests of the openness and character and visual amenity of the area and to accord with policies D1, GB1, L2 and L10 of the South Gloucestershire Local Plan (adopted) January 2006.



## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

<b>App No.:</b>	PK13/1540/F	<b>Applicant:</b>	Mr Paul Smith
<b>Site:</b>	Berrymead Barn Hall Lane Cold Ashton South Gloucestershire BA1 8AQ	<b>Date Reg:</b>	16th May 2013
<b>Proposal:</b>	Conversion of former agricultural building to form 1no. Holiday Lets (Class C3) as defined in the Town and Country Planning Act (Use Classes) Order 1987 (as amended) Re submission of PK11/0737/F	<b>Parish:</b>	Cold Ashton Parish Council
<b>Map Ref:</b>	373958 170774	<b>Ward:</b>	Boyd Valley
<b>Application</b>	Minor	<b>Target</b>	9th July 2013
<b>Category:</b>		<b>Date:</b>	

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**N.T.S.**

**PK13/1540/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

Objections have been received, contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought to change the use of former agricultural buildings at Berrymead Hall Lane, Cold Ashton, to 2no. holiday lets (Class C3) Planning permission for this development has already been approved under ref. no. PK11/0737/F but this application proposes a different design to that previously approved.
- 1.2 The application site is located outside of any settlement boundaries in the open countryside, the site is also within the Bristol Bath Green Belt and the Cotswold Area of Outstanding Natural Beauty.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012

#### **2.2 Development Plans**

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Quality Design in New Development
- GB1 Development in the Green Belt
- E7 Conversion and re-use of rural buildings
- E11 Proposals for New Tourism Facilities
- H10 Conversion and re-use of Rural Buildings for Residential Purposes
- L1 Landscape Protection and Enhancement
- L2 Cotswold Area of Outstanding Natural Beauty
- L10 Historic Parks Gardens and Battlefields
- L11 Archaeology
- T8 Parking Standards
- T12 Transportation Development Control Policy for New Development
- L17&18 The Water Environment
- EP1 Environmental Protection

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

- CS1 High Quality Design
- CS9 Environmental Resources and Built Heritage

#### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Supplementary Planning Document)  
Adopted 2007  
South Gloucestershire Council Development in the Green Belt SPD (Adopted)  
June 2007  
Parking Standards (adopted 2013)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK03/0680/F Erection of 1no. dwelling. Construction of vehicular access.  
Refused April 2003

- |     |             |   |
|-----|-------------|---|
| 3.2 | PK10/0248/F | Change of use of former agricultural buildings to general industrial (Class B2)<br>Refused March 2010 |
| 3.3 | PK11/0737/F | Conversion of former agricultural building to form two holiday lets<br>Approved July 2011             |

#### **4. CONSULTATION RESPONSES**

- |     |                                   |  |
|-----|-----------------------------------|--|
| 4.1 | <u>Cold Ashton Parish Council</u> | No objection   |
| 4.2 | <u>Sustainable Transport</u>      | The reduction from two holiday lets to one would lead to reduced traffic generation. No objection.   |
| 4.3 | <u>Drainage Officer</u>           | Drainage proposals are sufficient. The applicant must ensure that there is a right of connection to the ditch.                             |
| 4.4 | <u>Environmental Protection</u>   | Comments taken from previous application, same condition applied.  |
| 4.5 | <u>Archaeology Officer</u>        | Comments taken from previous application, same condition applied.  |
| 4.6 | <u>Landscape Officer</u>          | No objection, subject to inclusion of previous landscape condition and another requiring the submission of details of boundary treatments. |
| 4.7 | <u>Ecology Officer</u>            | No objection   |

#### **Other Representations**

##### **4.8 Local Residents**

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

- \* The building would be used as a dwelling rather than a holiday let, as the site was advertised for two dwelling with planning permission, rather than holiday lets (later corrected) and the applicant stated that to the objector that it would be used as a dwelling
- \* The design is more in keeping with a dwelling than a holiday let
- \* The proposed design does not accord with the South Glos Design Checklist in that the proposal is not in scale or character with the setting and landscape; the double glazing is inappropriate and out of proportion
- \* The benefits of a single holiday let do not outweigh the harm to the visual amenity of the Hamswell Valley, the nearby Lansdown registered historic battlefield site and the Cotswold Way and AONB generally.

- \* The application should be subjected to the same level of scrutiny as applied to a development proposal for Parkfield Farm
- \* The design would be more like a new-build dwelling than an agricultural building and this would have an impact on the landscape and AONB
- \* Dilapidated agricultural buildings are a feature of agricultural landscapes, however unsightly, whereas the proposal would appear in a landscape that has remained largely unchanged since the 18<sup>th</sup> Century
- \* The previous permission has set an unfortunate precedent for the site and this proposal is contrary to Local Plan policy H10
- \* Inappropriate development in the Green Belt, due to impact on the Green Belt's openness by a disproportionate addition
- \* The proposal amounts to a major reconstruction of the building
- \* The proposal will lead to an intensification of the use of the site, in terms of traffic generation
- \* The installation of the sewage treatment plant would have archaeological implications
- \* Wish to see similar conditions appended as before to ensure the use of the site as a holiday let

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

As stated in the introduction, the principle of development was established when planning permission was approved for the previous scheme on this site. These changes are the reduction from two holiday lets to one and the changes proposed in terms of design of the conversion of the building. Therefore the following analysis will concentrate on the changes put forward in this revised proposal and the impacts that they will cause in terms of the following issues.

### 5.2 Design and Visual Amenity

Policy H10 states that buildings must be of permanent construction and structurally sound and capable of conversion without major or complete reconstruction. Supporting information submitted with a previous application suggests that the building was constructed in the early 1960's and was used as a workshop until 2004. It was determined that the building is structurally sound, in accordance with a structural report that was submitted with a previous application. Nothing significant appears to have changed in the interim. The revised proposal is not considered to alter that conclusion.

The policy also requires that buildings are in keeping with their surroundings in terms of character, form, bulk, and overall design. The existing buildings are in place and have been since the early 1960's and this again is not considered to have altered since planning permission for the two holiday lets was approved. No extensions to the approved footprint are proposed and the scale and form of the building will remain as existing. The proposed mezzanine level master bedroom would be an internal change only. The existing building is not a particularly aesthetically pleasing concrete block work building with corrugated roofs. The proposal includes the demolition of an existing parking space and workshop area, the rest of the building would remain as existing. The walls

would be finished with stone cladding, in place of the previously approved render and the roof would be a mixture of slate and sedum is now proposed in place of the previously approved double roman clay tiles. Several new windows are proposed in comparison with the previously approved scheme but the solid to void ratio is considered to be very similar to that previously approved and in comparison to the approved scheme is not considered to represent a significant change to the character of the building.

In visual terms, taking into account the site's location in an Area of Outstanding Natural Beauty, the existing building is of a poor standard in design and is considered to make no contribution to the character and appearance of the area. Whilst it is accepted that the proposed conversion is of an unusual design, it would be an improvement on the existing situation and is not considered to represent a significant departure to the approved scheme. The materials now proposed are considered to be appropriate to local rural buildings. It is not considered to be harmful to the character and appearance of the site or to the setting of the historic battlefield. The scale of the proposal is typical of a rural building and the proposal generally takes the form of the original building, furthermore some weight is given to the fact the proposal would result in a positive enhancement on the existing situation.

### 5.3 Landscape

Policy H10 further requires that development, including any alterations, intensification or extensions, would not have a harmful effect on the character of the countryside or the amenities of the surrounding area. In that regard and also taking into account policies L1 and L2 for landscape and the Cotswolds AONB, the site occupies a visually contained position on the lower south facing slope of the valley. The mature roadside vegetation and hedgerows defining the nearby fields reduce views within the wider landscape. The South Gloucestershire Character Assessment Area 3, Ashwicke Ridges, notes how sensitive the landscape is to change which has the potential to erode the physical and visual character. The primary objective of the AONB designation is to conserve the natural beauty of the landscape, as set out in policy L2 regarding the Cotswold AONB requires that proposals should conserve and enhance the natural beauty of the AONB area. Policy L1 also reinforces this. Policy L2, at paragraph 4.30 in the supporting text, allows small scale development essential to meet social and economic needs, but proposals need to be rigorously assessed with regard to Policy D1 regarding design. In this respect it is considered that the proposed conversion of the barn would be acceptable and would not have an adverse effect on the natural beauty of the Cotswold AONB. Furthermore, at paragraph 4.32 of the supporting text seeks to enhance the character and quality of the landscape and appropriate enhancement measures and management plans will therefore be encouraged or required as appropriate. In line with these objectives, planting should be carried out to reinforce the existing vegetation and to comply with AONB policy.

This revised scheme has resulted in an increased area of hard-standing to the frontage, with permeable block paving cobble surfacing. Planting should be introduced along this frontage to 'soften' views from the lane and details of proposed planting and all boundary treatments has been required as a condition shown below. Subject to compliance with the above, it is considered

that the proposal is acceptable in landscape terms and complies with Local Plan Policies L2, D1 and L1 with regard to landscape impact and potential harm caused to the Cotswold AONB.

Furthermore, it is considered that the landscaped areas to the front of the site may encourage domestic paraphernalia, but the proposal as a holiday let would not benefit from permitted development rights and it is unlikely that sufficient amounts of paraphernalia would accumulate to result in a detrimental impact on the character and appearance of the landscape.

#### 5.4 Residential Amenity and Transportation

The application building is currently vacant but was used as a workshop until 2004. The building is set in its own grounds on the opposite side of the lane from the nearest dwelling. It is considered that there are no issues of inter-visibility or loss of privacy arising from this proposal. Furthermore there are no issues of overbearing or overshadowing. It is only considered to have any impact on residential amenity when occupied and through its traffic generation. It is recognised that the proposed conversion to a holiday let would be an intensification of the use of the site as existing, given that the buildings are vacant. However the extant use as an agricultural building could potentially generate more traffic movements and development on site than the use as holiday lets which tend to be seasonal. The reduction from two units to one is considered to reduce the traffic generation from the previously approved scheme. A condition is recommended below to ensure that the buildings are used for holiday accommodation only. It is therefore considered that the revised proposal would not have any significant impact on the character of the countryside or amenities of the surrounding area.

The current proposal is for conversion of the existing buildings into a single holiday let. Traffic associated with holiday let use tends to be low key and it is often seasonal in nature. A material consideration is the extant use of the building, which can generate traffic on its own merit. Given the nature and the scale of the proposal, the Council's Transportation Officer is reasonably satisfied that in this case, traffic associated with the proposed holiday let would be less than the traffic that is likely from the extant use of the building and therefore, it is not considered reasonable to raise highway objection on the basis of traffic movements. The applicant proposes two parking spaces for the holiday let, one under cover. This level of parking is considered acceptable in this instance, as such there is no highway objection to the proposal.

#### 5.5 Rural Economy

One of the significant changes from the approved scheme to this proposal is the reduction in number of holiday lets from two to one. It should be noted that the approved scheme could still be implemented, but the fact that a revised and reduced scheme has been submitted shows that the intention to implement the approved scheme has, at best, been revised. In this regard, it is considered that whether there is one unit or two of holiday accommodation at the site, there would be a similar benefit in terms of job creation in servicing the unit and therefore, whether this proposal or the previously approved one is implemented, the result would be a minor beneficial impact on the rural economy.

#### 5.6 Green Belt Issues

The site is also located within the Bristol Bath Green Belt and should be assessed against Policy GB1 of the South Gloucestershire Local Plan. In addition to the above criteria, the change of use of buildings in the Green Belt are allowed provided that the proposal would not have a materially greater impact than the present use on the openness of the Green Belt. No extensions to the existing property are proposed, in fact the demolition of part of a workshop and a parking area results in a decrease in footprint. Furthermore, the parking and access would be as existing as such, it is not considered that the proposed development would have a material impact on the openness of the Green Belt. The proposal would be a significant improvement on the existing building, it is therefore considered that the proposal would result in a positive enhancement on the visual amenities of the Green Belt.

#### 5.7 Ecology

The application site is not covered by (or adjoining) any statutory or non-statutory nature conservation designations. The buildings are modern, constructed of concrete block with a corrugated iron roof, these materials provide unsuitable and sub-optimal roosting conditions for bats. As such it is considered that the application would not be harmful to ecology.

#### 5.8 Drainage Issues

The Councils drainage engineer has assessed the proposal and raises no objections to the scheme subject to the attachment of a SUDs condition as shown below, that ensures the submission of a full sustainable drainage-compliant system. It should be noted that the site is not located within a flood routing or flood zone as mapped by the Environment Agency.

#### 5.9 Environmental Protection

The historic use of the site means that there is potential for land contamination as such a condition is recommended below ensuring that a study is carried out and details of how any potential risks will be mitigated against is submitted for approval.

#### 5.10 Archaeology

The current application lies just outside the English Heritage registered Battlefield of Lansdown. The Battle of Lansdown was fought in 1643 between the forces of parliament and the king. The battle is remarkable for the amount of documentation available, the presence of surviving features from the time of the battle and a landscape hardly changed since the seventeenth century. Although the application area lies outside the registered area it is well understood that the Battle covered a much larger area than the core registered area. Unspecified finds recovered from Lilliput Farm would appear to reinforce this view that areas outside the registered battlefield should be treated with the same care.

The application includes installation of drainage, septic tank and other sewage works; as such, it is possible that the development may have a significant adverse affect on archaeological structures and deposits associated with the

battle. Whilst there is insufficient evidence to justify a full archaeological evaluation, given the location of the proposal it is considered appropriate to attach a condition to ensure an archaeological watching brief. It is considered that this should be sufficient to mitigate any adverse effect on the archaeology of the battlefield, as such there are no objections to the proposal on archaeological grounds.

#### 5.11 Other Issues

A number of other points were raised through the consultation process. The issue of the building being used as a dwelling rather than as a holiday let is dealt with through the relevant condition recommended below, which prevents a residential use of the site. The design of the conversion being more akin to a dwelling is not explained, but given that (for limited periods in accordance with the abovementioned condition) it is occupied in the same way as a dwelling is, the residential appearance of the conversion is seen as being entirely appropriate to a holiday let. The retention of the building's agricultural character is seen as being of greater importance to this proposal. Finally, the point that the application should be subjected to the same level of scrutiny as applied to a development proposal for Parkfield Farm is considered to be borne out by the in depth nature of this report, taking account of the level of change from the previously approved scheme and that this proposal and that for Parkfield Farm are different development proposals.

### 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 following conditions, the same as for the previous planning permission.

**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. 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 policies L17, L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To protect the character and appearance of the area to accord with Policies D1, L1, L2 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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.

5. The unit hereby permitted shall be used for holiday accommodation only and shall not be used as a residential dwelling. No occupier shall occupy the holiday let for more than 42 days in any calendar year.

Reason

The site is located within the open countryside where new residential dwellings would not be permitted and to accord with policies GB1, E11, H10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The previous use of the buildings for agricultural purposes may have given rise to contamination. No development shall take place on site until an environmental consultant's desk study/opinion is undertaken regarding the potential for contamination and the results submitted to the Local Planning Authority. Details of

how the conversion will mitigate any potential risks should also be clarified. Development shall be carried out in accordance with the approved details.

Reason

To ensure that adequate measures have been taken to mitigate against contamination to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The owners/occupiers shall maintain an up-to-date register of the names of all occupiers of the holiday let, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason

To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and to accord with policies GB1, E11 and T12 of the South Gloucestershire Local Plan.

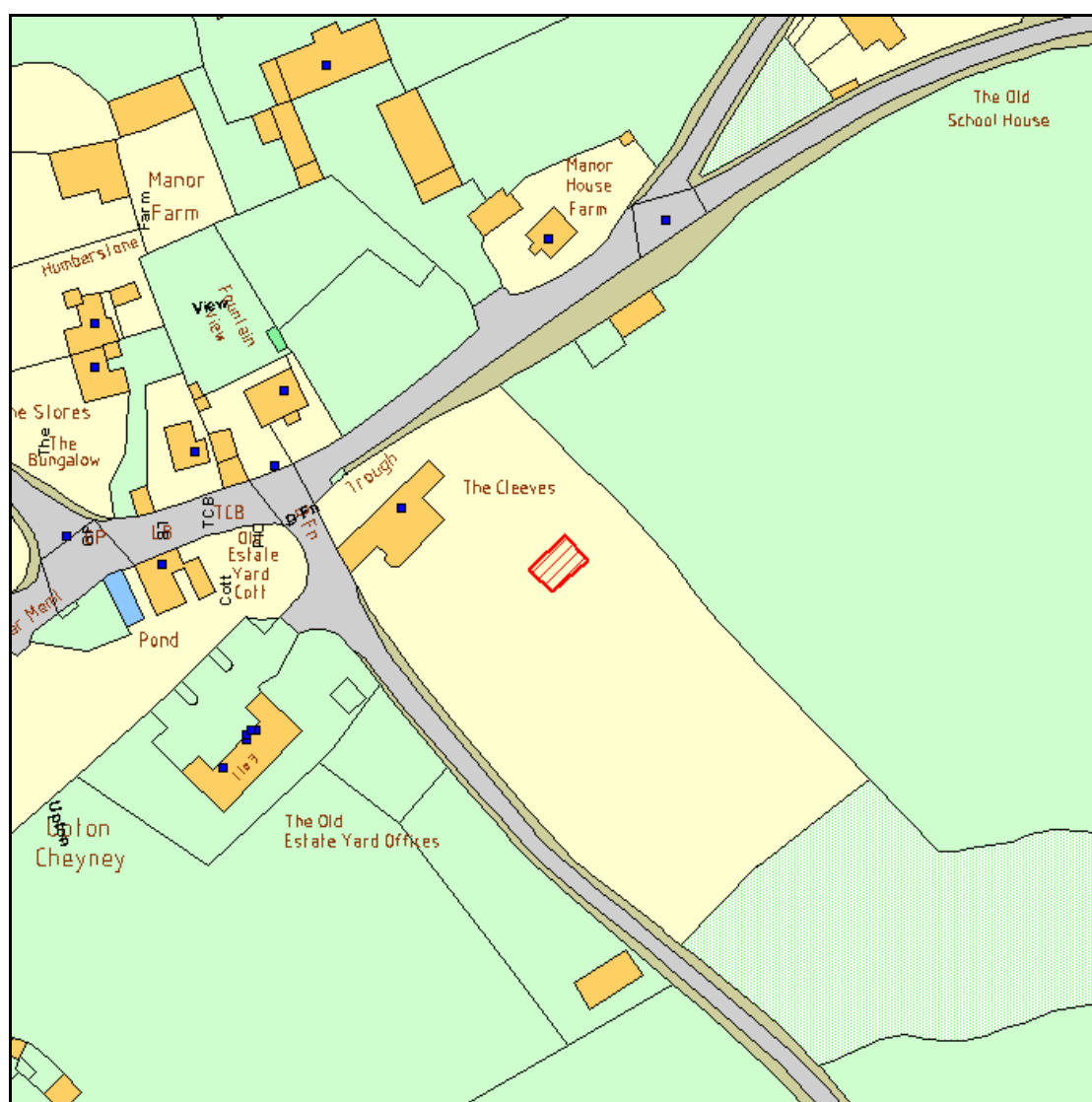
8. Prior to the commencement of development, details of all boundary treatments for the site shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the boundary treatment details so approved.

Reason

To protect the character and appearance of the area to accord with Policies D1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

<b>App No.:</b>	PK13/1787/F	<b>Applicant:</b>	Mr Chris Palmer
<b>Site:</b>	The Cleeves North Stoke Lane Upton Cheyney Bristol South Gloucestershire	<b>Date Reg:</b>	28th May 2013
<b>Proposal:</b>	Installation of Juliet balcony and alterations to roof of existing dormer window and parapet wall on studion/garage. (Resubmission of PK12/1926/F)	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	369344 169923	<b>Ward:</b>	Bitton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	15th July 2013



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**N.T.S.**

**PK13/1787/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule due to the receipt of a letter of objection from the parish council.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for works to the detached garage standing within the curtilage of the property. The works include the introduction of a dormer roof over a juliette style balcony, the introduction of a parapet, and the extension of the existing balcony.
- 1.2 The application site consists of a large detached property that is locally listed. The garage subject of this application is a modern structure erected approximately 10 years ago.
- 1.3 This application is the resubmission of a previously withdrawn application reference PK12/1926/F. This previous application was withdrawn after concerns were raised by the conservation and planning officers. This re-submitted application seeks to overcome the previous concerns.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012

#### **2.2 Development Plans**

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design

H4 Development within Existing Residential Curtilages

GB1 Development in the Green Belt

L2 Cotswolds Area of Outstanding Natural Beauty

L12 Conservation Areas

L15 Buildings which make a significant contribution to the character and distinctiveness of the locality

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

CS1 High Quality Design

#### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist SPD (Adopted) 2007

South Gloucestershire Green Belt SPD (Adopted) 2007

South Gloucestershire Local List SPD (Adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK12/1926/F Installation of rear and side balcony and parapet walls and alterations to existing door and window openings of garage/studio.  
Withdrawn July 2012

### **4. CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council  
Object to the application due to the alterations not being suited to the property's location.
- 4.2 Highway Drainage  
No comment
- 4.3 Conservation Officer  
No objection

#### **Other Representations**

- 4.4 Local Residents  
None Received

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 permits this type of development in principle subject to criteria relating to residential amenity, highways, and design. Policy GB1, supported by the Green Belt SPD, relates to development in the Green Belt and seeks to ensure the openness of the green belt is retained. The site also lies in the Cotswolds Area of Outstanding Natural Beauty, within the Conservation Area and the host dwelling is on the Local List. Policies L2, L12 and L15 are therefore also of importance.
- 5.2 Green Belt  
The site lies in the Bristol/Bath Green Belt. Policy GB1 of the Adopted local plan and the NPPF allow for limited extensions to existing dwellings providing that it does not result in disproportionate additions over and above the size of the original building. This is expanded upon in the Adopted South Gloucestershire SPD on Green Belts, which states that extensions of up to 30 – 50% of the volume of the existing dwelling may be considered proportionate (subject to detailed assessment).
- 5.3 The actual increase in volume as a result of the proposed extensions and alterations is very minimal with the only increase being the introduction of a modest dormer roof. This dormer will be tucked down well below the existing ridge line and is very modest in scale compared to the roof of the garage. The other works, including the balcony, parapet and changing doors to window have also been assessed, and it is not considered that any of these works will

impact on the openness of the green belt. The impact of the proposed extensions on the openness Green Belt is therefore considered to be entirely acceptable.

5.4 Design and Visual Amenity

The proposed alterations and extensions meet an appropriate standard in design that reflects the character of the main dwelling house and surrounding conservation area and AONB. The garage/studio is a modern structure erected circa 10 years ago and stands within the curtilage to the east of the locally listed building. When originally erected, it replaced an extensive area of glasshouses and is currently set within a landscaped garden which tends to restrict public views of the building from within the conservation area. The garage sits virtually on the boundary of the conservation area, although the main house falls entirely within it. In terms of its original design, the intention was to create a traditional style of cartshed/stable with loft accessed via an external gable staircase. A small dormer was introduced on the east elevation to make use of the view and allow light into the studio space. The building is an unassuming addition to the setting of the locally listed building and is clearly ancillary and subordinate in character.

5.5 The proposed alterations now for consideration are a revision to an earlier submission which was considered to be excessive and harmful to the character and setting of the locally listed building. The scheme has been altered to reduce the scale of the dormer, reduce the size of the balcony, remove the ornate label moulds and generally to keep the building appearing ancillary to the main house.

5.6 Both planning and conservation officers have assessed the scheme and are happy that the works are suitable for the building and its sensitive location. The design and visual impact of the proposed rear is therefore considered to be entirely appropriate.

5.7 Residential Amenity

Due to the location of the garage and the distance from neighbouring dwellings, it is not considered that the proposed works will have any impact on existing levels of residential amenity.

## 6. **CONCLUSION**

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

6.2 It is considered that the proposed extensions and alterations, by virtue of their scale and location, would not affect the residential amenity of neighbouring dwellings. Adequate private amenity space would remain to serve the dwelling. As such the proposal is considered acceptable in terms of policy H4 of the adopted Local Plan.

6.3 The design of the proposal has been informed by and respects the character of the site, the Locally Listed Building, the Cotswold Area of Outstanding Natural

Beauty and the Conservation Area. Accordingly the proposal is considered acceptable in terms of policies D1, H4, L2, L12 and L15 of the adopted Local Plan.

6.4 The proposed extension will retain the openness of the green belt in accordance with policy GB1 of the adopted Local Plan.

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

## **7. RECOMMENDATION**

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

**Contact Officer: Marie Bath**  
**Tel. No. 01454 864769**

### **CONDITIONS**

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

Reason

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

2.
  1. Notwithstanding previously submitted details and prior to the commencement of development, the design and details including materials and finishes of the following items shall be submitted to and approved in writing by the local planning authority:
    - a) All external doors and screens (including glazing bars, cill, reveal and lintels).
    - b) Dormer.
    - c) Balconies.

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. Cross sections through mouldings and glazing bars shall be submitted at full size. The scheme shall be implemented strictly in accordance with the approved details.

Reason:

To preserve the setting of the locally listed building and to preserve or enhance the character or appearance of the Upton Cheyney Conservation Area, in accordance with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006, the Local List SPD and Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. The stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

Reason:

To preserve the setting of the locally listed building and to preserve or enhance the character or appearance of the Upton Cheyney Conservation Area, in accordance with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006, the Local List SPD and Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.



## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

**App No.:** PK13/1883/TCA  
**Site:** 18 Shortwood Road Pucklechurch  
Bristol South Gloucestershire BS16  
9PL

**Applicant:** Mr Chris Williams  
**Date Reg:** 31st May 2013

**Proposal:** Works to fell 1no. Eucalyptus tree  
situated within Pucklechurch  
Conservation Area.

**Parish:** Pucklechurch  
Parish Council

**Map Ref:** 369868 176418

**Ward:** Boyd Valley  
**Target** 9th July 2013

**Application**  
**Category:**

**Date:**



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**PK13/1883/TCA**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule as comments have been received during the public consultation period that are contrary to the recommendation.

However, this application is a prior notification of proposed works to trees in a conservation area. The purpose of such an application is to provide an opportunity for the Local Planning Authority (LPA) to serve a Tree Preservation Order (TPO) on the tree, should it fulfil the criteria of designation. A TPO must be served within a period of six weeks. Failure by the LPA to serve a TPO or respond to the notification within this timeframe results in a default position of the works to the trees being deemed acceptable.

Therefore this application appears on the Circulated Schedule for information purposes only. It is not possible to call such applications before a Development Control Committee as the notification period would expire and by default the works be deemed acceptable. Furthermore, this application appears on the Circulated Schedule prior to expiry of the consultation period in order to enable determination within the timeframe.

### **1. THE PROPOSAL**

- 1.1 This application provides the Local Planning Authority with prior notification of works to fell 1 Eucalyptus tree situated within the Pucklechurch Conservation Area. The application provides an opportunity to pass a Tree Preservation Order on the tree should it be considered to offer high levels of visual amenity and fulfil the criteria of a Tree Preservation Order.
- 1.2 The Eucalyptus tree is located within the curtilage of no.18 Shortwood Road. It is located near the southwest boundary of the site with the adjacent The Poplars. No.18 is well set back from the road behind The Old Malt House and car park for the Fleur-de-Lys public house.

### **2. POLICY CONTEXT**

- 2.1 National Guidance
  - i. Town and Country Planning (Listed Building and Conservation Areas) Act 1990
  - ii. Town and Country Planning (Tree Preservation) (England) Regulations 2012

### **3. RELEVANT PLANNING HISTORY**

- |     |  |              |            |
|-----|--|--------------|------------|
| 3.1 | PK11/3182/TCA  | No Objection | 02/11/2011 |
|     | Works to 1no. Horsechestnut to reduce crown to previous pruning points. Situated within Pucklechurch Conservation Area.                                |              |            |
| 3.2 | PK09/5217/TCA  | No Objection | 06/10/2009 |
|     | Works to 1no. Horsechestnut tree to reduce back to previous points and reduce by 33% row of 4no. Leylandii situated in Pucklechurch Conservation Area. |              |            |
| 3.3 | PK06/2931/TCA  | No Objection | 08/11/2006 |

Works to reshape and reduce by 20% 1no. Indian Bean tree and reshape and reduce by 33% 1no. Norway Maple tree; fell 2no. Horse Chestnut Tree (for clarity the two at either end of the row with the central tree retained) and works to thin the crown of the remaining Horse Chesnut tree by 25%, all situated within the Pucklechurch Conservation Area.

- 3.4 PK04/1691/TCA No Objection 14/06/2004  
Reduce canopy spread of 3no. Horse Chestnut trees by 2-3m and thin crown all canopies by 30% all within Pucklechurch Conservation Area.
- 3.5 There is older planning history related to tress but due to the age it is not considered to be relevant.

#### **4. CONSULTATION RESPONSES**

- 4.1 Pucklechurch Parish Council  
None received
- 4.2 Tree Officer  
No objection

#### **Other Representations**

- 4.3 Local Residents  
Two letters have been received from members of the public objecting to the felling of the Eucalyptus tree on the following grounds:
- A Eucalyptus tree has an expected lifespan of 250 to 400 years;
  - Tree was planted prior to purchase of house by current owners who therefore in purchasing the property accepted the tree as a permanent and protected feature;
  - Duty of care to maintain the tree;
  - Listed trees should not be felled unless there is disease within the tree;
  - Tree should not be felled but maintained at a height which is safe;
  - Tree is an integral part of the local landscape and view from adjacent properties;
  - Provides bird habitat.

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 This application provides prior notification of proposed works to trees within a conservation area.
- 5.2 Principle of Development  
Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. Under the above Act, subject to a range of exceptions, prior notification is required for works to a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general

control by making a Tree Preservation Order. When considering whether trees are worthy of protection the visual, historic and amenity contribution of the tree should be taken into account and an assessment made as to whether the tree fulfils the criteria of a Tree Preservation Order.

5.3 Assessment of Tree

The Eucalyptus tree is located some distance from the main road within the curtilage of no.18 Shortwood Road. The distance from the main road means that the tree is not highly visible within the conservation area.

5.4 Eucalyptus is a non-native species. Combined with the limited visibility of the tree it is not considered that the tree offers high levels of visual amenity to the conservation area.

5.5 Therefore, the tree does not fulfil the criteria of a Tree Preservation Order.

5.6 Other Matters

A number of points have been raised that are not addressed above. This application provides an opportunity to make a TPO; at present the tree is not offered any protection greater than this prior notification process. It is not a 'listed' tree.

5.7 Although it may be preferable by third parties that the tree be maintained at a reduced height like the adjacent trees, the notification is for works to fell the tree. It is not within the remit of the Local Planning Authority to change the scope of the works for which notification is being given.

5.8 The habitat offered by the tree is not a consideration in determining this application. The only assessment to be made is whether the tree meets the criteria for a TPO. On this occasion it is not considered that the tree is worthy of protection.

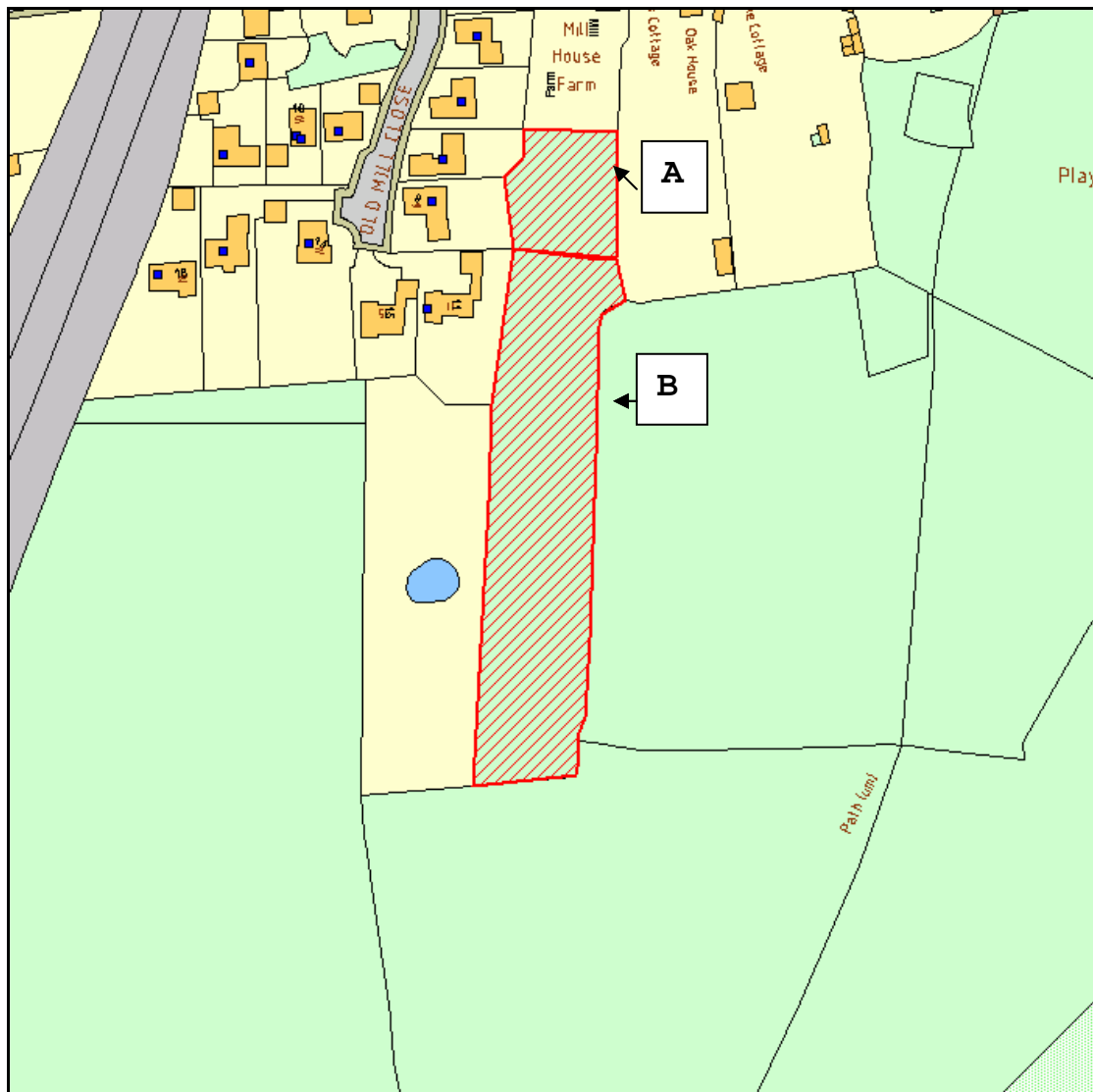
6. RECOMMENDATION

6.1 It is recommended that there be NO OBJECTION to the proposed works.

**Contact Officer: Griffith Bunce**  
**Tel. No. 01454 863438**

## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

<b>App No.:</b>	PT13/1411/CLE	<b>Applicant:</b>	Mr David Margetts
<b>Site:</b>	9 Old Mill Close Westerleigh South Gloucestershire BS37 8QD	<b>Date Reg:</b>	14th May 2013
<b>Proposal:</b>	Application for Certificate of Lawfulness for the existing use of land as residential curtilage (Class C3)	<b>Parish:</b>	Westerleigh Parish Council
<b>Map Ref:</b>	369775 179566	<b>Ward:</b>	Westerleigh
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th July 2013



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is referred to the circulated schedule for determination as a matter of process under the Council's current scheme of delegation. This is because this is an application for a Lawful Development Certificate for an existing use under section 191 of the Town and Country Planning Act 1990.

### **1. THE PROPOSAL**

- 1.1 This application seeks a certificate of lawfulness for an existing use of an area of land as residential curtilage.
- 1.2 For the use to be found lawful, the land must have been continuously used as residential curtilage for a period of ten or more years prior to the application being submitted.
- 1.3 The site comprises land behind a detached property on Old Mill Close in Westerleigh. The land is not contained within the settlement boundary of the village. Westerleigh is located within and washed over by the Bristol and Bath Green Belt. The site is nominally split into two sections, an area in close proximity to the dwelling which includes a pond, greenhouse and garden seating, and the larger more remote area set aside for tree planting and general amenity space.
- 1.4 Access to the land has been achieved by the removal of the rear boundary fence of no.9 Old Mill Close. The north of the site is bounded by a residential garden, whilst the rest of the site is edged with established hedgerows.

### **2. POLICY CONTEXT**

- 2.1 National Guidance
  - i. Town and Country Planning (Development Management Procedure) Order 2010 (as amended)
  - ii. Circular 10/97: Enforcing Planning Control

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P93/2175 Approval of Reserved Matters 05/12/1993  
Erection of six dwellings and garages. Construction associated driveways and access road. To be read in conjunction with P93/1610.
- 3.2 P93/1610 Approval of Outline Permission 16/06/1993  
Residential and ancillary development on approximately two acres (0.8 hectares) (renewal of outline consent)
- 3.3 P88/2107 Approval 14/05/1990  
Residential and ancillary development on approximately 2 acres (0.8HA) (outline)

#### **4. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION**

4.1 The following evidence has been submitted by the applicant in support of this application:

- Extract from the Millennium Map
- Statement witnessed by applicant's solicitor
- Receipt for trees planted and now established on the land
- Photograph of site c.1997
- Recent photograph of site

#### **5. SUMMARY OF CONTRARY EVIDENCE**

5.1 No contrary evidence has been received from the consultation exercise associated with this application.

#### **6. OTHER REPRESENTATIONS RECEIVED**

6.1 Westerleigh Parish Council  
No objection

6.2 Drainage  
No objection in principle; however, land is subject to overland flow or flood routing in the event of high intensity rainfall. Development should appropriately consider surface water drainage.

6.3 Transport  
No objection

#### **7. ASSESSMENT**

7.1 This is an application for a certificate of lawfulness. It is not a planning application and cannot be assessed on the grounds of planning merit. Determining this application can only be through an evidence test. The test of evidence that is to be applied is whether or not, on the balance of probability, the use described has been carried out continuously for a period of ten years or more.

7.2 Test of Evidence  
Circular 11/97 provides advice on how a certificate of lawful development should be determined. Evidence submitted to support an application needs only to show that on 'the balance of probabilities' the use has occurred as described to discharge the necessary test. This evidence need not be corroborated in order to be accepted. Where the Local Planning Authority has no evidence of its own, or from others, that contradicts or that makes the applicant's version less probable there is no good reason to refuse the application. However, any evidence obtained that makes the applicant's version less probable should be taken into account as part of the test.

### 7.3 Hierarchy and Weight of Evidence

Varying degrees of weight are attributed in a hierarchy to types of evidence. The evidence submitted with this application can be summarised into three different types in the hierarchy set out below:

- Photographic evidence
- Contemporary documentation
- Witnessed written statement.

7.4 Photographic evidence is the most robust form of evidence submitted with this application; however, this should be verified to establish its weight.

### 7.5 Assessment of Evidence

Evidence needs to be assessed to determine whether, on the balance of probability, the use described has been carried out continuously for a period of ten years or more. Ten years prior to the submission of this application would be 25<sup>th</sup> April 2003.

7.6 The applicant has submitted a site plan with this application. Contained within the red line are two distinct areas, labelled A and B. Under section 8 of the application form, the applicant's description of the existing use subject of this application reads: *Part of the paddock has been continuously used for residential purposes since 1996 (see plan and evidence) (part A).*

7.7 Assessment of the use shall be split into two parts, in line with the submitted plan. Each part shall be addressed in turn.

7.8 PART A – Part A is a parcel of land closest to the dwellinghouse. The southern boundary follows the extension of the fence between nos.9 and 11 Old Mill Close (although not physically demarked) with the remaining boundaries following the established hedge to the east and boundaries of no.7 Old Mill Close and Mill House Farm.

7.9 On a site visit conducted on 16<sup>th</sup> May 2013 this area included a greenhouse, garden pond, lawn, flowerbeds, and benches and resembled land used for residential purposes. This use of this land as residential curtilage needs to be corroborated by evidence to establish the duration of this use.

7.10 Photographic evidence submitted by the applicant shows that this area exhibited signs of residential curtilage in 1997 and that by 2000 the land was incorporated with the garden. The LPA's aerial photograph record shows that there was no rear boundary fence in 1999, although the area does not display characteristics associated with a residential use.

7.11 The LPA's aerial photograph of 2005 does, however, show that the pond had been dug, the greenhouse erected, and the curtilage of the property extended into the area marked as Part A on the submitted plan.



- 7.12 This is reinforced by the applicant's witnessed written statement that confirms the greenhouse was erected in 1998, the pond dug 1999 and extensive tree planting in 2000.
- 7.13 On balance, it is likely that the land shown within Part A on the submitted plan has been used as residential curtilage continuously for a period of ten years prior to the application being submitted and a lawful development certificate should be granted.
- 7.14 PART B – Part B is a long, narrow, rectangular piece of land located to the south of Part A. This area has been planted with trees amongst mown grass. This area exhibits few attributes directly associated with a residential use.
- 7.15 The aerial photography submitted by the applicant is not of sufficient quality to distinguish that the use of this land is any different to the land surrounding it (which appear to be fields).
- 7.16 The 2005 aerial photographic record held by the LPA shows that there are trees planted in this area but not enough evidence to suggest that this land is used for a direct residential purpose or is contained within the residential curtilage.
- 7.17 Although the applicant has stated that this land is used as residential land, the LPA's aerial photographs are attributed more weight as per the hierarchy set in paragraph 7.3. On balance, this part of the land is not considered to have been used as land within the residential curtilage for a continuous period exceeding ten years prior to this application.
- 7.18 Application Boundary  
Although an assessment has been made of both Part A and Part B of the land included within the red line of the application as submitted, it is considered that the description of development set out by the applicant in section 8 of the application form primarily sought a lawful development certificate for Part A.
- 7.19 Part B is not considered to have passed the test of evidence and will therefore be excluded from the certificate.
- 7.20 Other Matters  
Comments have been received from the drainage department regarding rainwater run off. As this is an application that is assessed purely on a test of evidence rather than planning merit, it is not a relevant consideration in determination.

## **8. CONCLUSION**

- 8.1 To conclude, on the balance of probability, evidence has been submitted and corroborated that shows that land within Part A as illustrated on the submitted plan has been used as residential curtilage for a continuous period of ten years or more.

- 8.2 Evidence has not been submitted that proves that Part B of the submitted plan is used for residential curtilage. It may be used for purposes ancillary to the residence but on the balance of probability it is not within the curtilage.

**9. CONCLUSION**

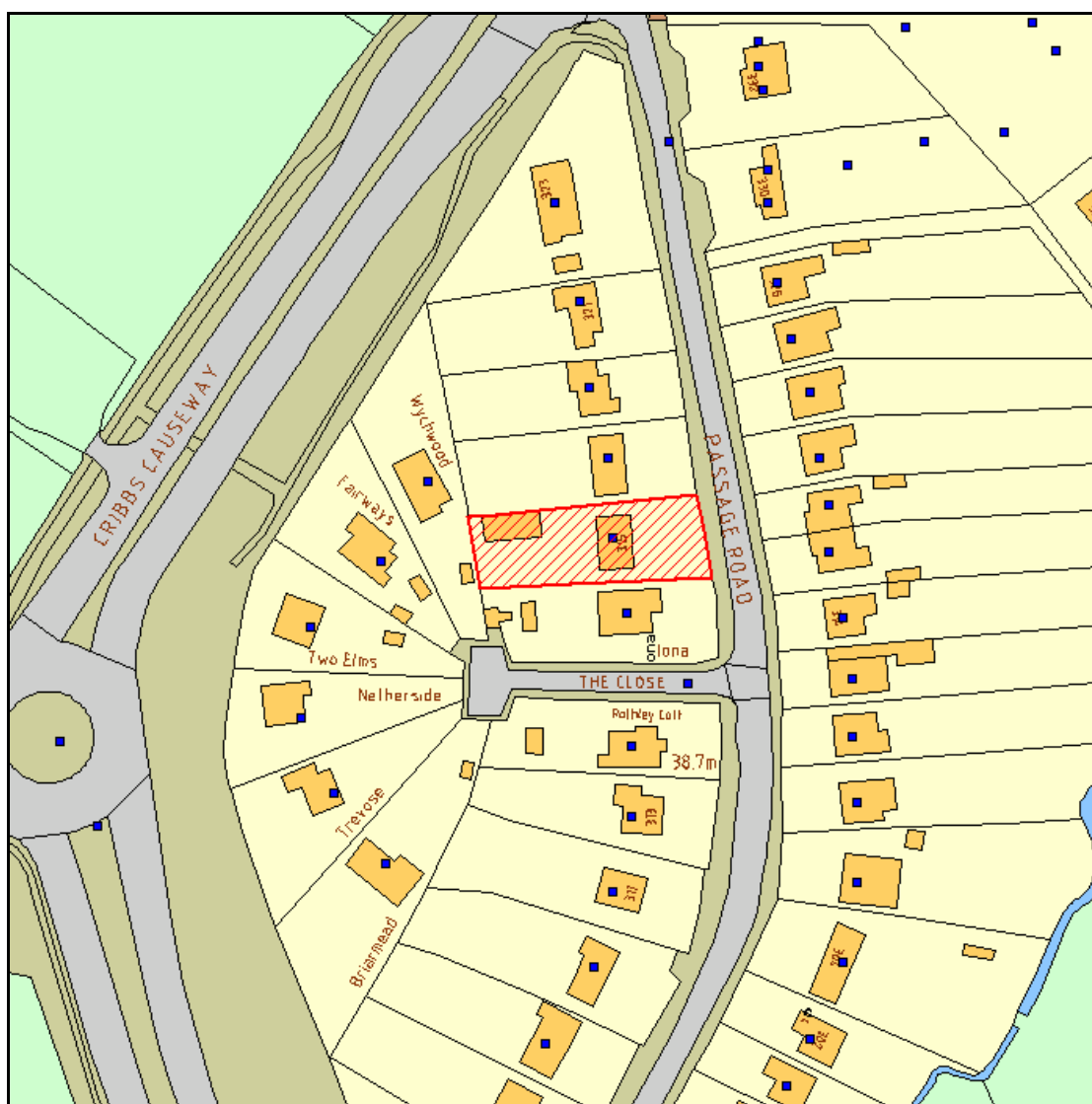
- 9.1 A Certificate of Lawfulness for land contained within Part A to be used as residential curtilage should be APPROVED.

**Contact Officer: Griffith Bunce**  
**Tel. No. 01454 863438**

## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

**App No.:** PT13/1427/F  
**Site:** Sarum Lodge 315 Passage Road  
 Almondsbury South Gloucestershire  
**Proposal:** Erection of 1no. detached ancillary  
 storage building. (Amendment to  
 previously approved scheme  
 PT11/3322/F). (Retrospective).  
**Map Ref:** 357009 180141  
**Application** Householder  
**Category:**

**Applicant:** Mr P Herdo  
**Date Reg:** 7th May 2013  
**Parish:** Almondsbury  
 Parish Council  
**Ward:** Almondsbury  
**Target**  
**Date:** 2nd July 2013



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**N.T.S.**

**PT13/1427/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

The application is circulated as the officer report conflicts with the concerns of a neighbour.

### **1. THE PROPOSAL**

- 1.1 This full application relates to the erection of a detached ancillary storage building within the rear garden of this detached dwelling in Passage Road, Cribbs Causway.
- 1.2 This site is located within the urban area and is not located within the Green belt.
- 1.3 The building gained planning consent in a modestly different form in January 2012. The size, height, form and appearance of the building have been constructed in accordance with the approved scheme and is finished in render and tiles. Permitted development rights were removed from the building but the proposal incorporated changes to the building non-the-less. This application seeks to obtain express consent for those alterations. The differences now are that the building:
  - Is not a garage (no garage doors), has patio doors and other small windows to the front elevation instead.
  - Incorporates a dormer window facing south.
  - Incorporates a staircase to a first floor.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

#### South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H4	Development Within Existing Residential Curtilages, Including Extensions and New Dwellings
T12	Transportation Development Control Policy for New Development

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

CS1	High Quality Design
CS26	Cribbs Causeway New Neighbourhood

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT13/0497/F Erection of 1no. detached garage. (Amendment to previously approved scheme PT11/3322/F) (Retrospective). Withdrawn
- 3.2 PT11/3322/F Erection of 1no. detached garage Approved January 2012

### **4. CONSULTATION RESPONSES**

- 4.1 Almondsbury Town Council  
No objection
- 4.2 Highways drainage  
No objection

#### **Other Representations**

- 4.3 Local Residents  
One objection comment was received from an adjoining neighbour.
- Concern that the triangular windows in the front elevation gable end would give a clear view into the writers lounge, upstairs bedrooms and garden.
  - There is no need for the windows given that the proposal also has dormer window and velux windows.
  - This will infringe on privacy.

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. There is therefore a presumption in favour of development subject to further consideration in relation to the policies of the local plan.
- 5.2 In assessing applications for residential extensions, which can include detached ancillary buildings, planning policies D1 and H4 of the adopted local plan are particularly relevant. Policy D1 is a general design policy and cites that development will only be permitted where good standards of site planning and design are achieved. In particular, proposals will be required to demonstrate that siting, overall massing, form, scale, height, detailing, colour and materials respect and enhance the amenity, character and distinctiveness of both the site and the locality. Policy H4 specifically relates to residential development, including extensions and other works within the curtilage of a dwelling, and considers issues such as design, residential amenity and highway safety.

- 5.3 The building is essentially the same building, located in the same place as the previous garage approval and this application is required as permitted development rights were removed and as alterations have taken place during the course of construction to change the garage doors to patio doors and other small windows on the front elevation and to incorporate a dormer window facing south. Also now included is a staircase to a first floor.
- 5.4 In terms of impact on neighbours the siting and scale of the proposal raises no overbearing due to the location or the building. The neighbour at 317 is concerned about overlooking from the triangle window at first floor but in reality this area of the building is a roof void with structural roof timbers, separated by solid, fire protection walling from the first floor storage room created. A condition can be attached which adequately retains the void area and this will prevent the triangle windows from being used as anything but a high level light source to the ground floor. The dormer window applied for as part of this application is already in place and does not detract from the streetscene, residential amenity or privacy of neighbours.
- 5.5 Further alterations to the roof of the building could still harm the amenity of neighbours and as such, in order to retain control over further alterations to the building, particularly on the northern side, permitted development rights are removed from the building by the condition set out below.
- 5.6 The garage raises no transportation objection as there is a significant drive to the property where ample parking exists for the house and this would remain unchanged.
- 5.7 In light of the above consideration it is considered that the application accords with the above policy criteria and would not conflict with the proposed allocation of the Cribbs/Patchway New Neighbourhood.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to grant permission is for the following reasons:-
1. The building would, subject to conditions, have no impact on the neighbouring properties and the design is considered to be acceptable in terms of visual and residential amenity. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (Development within Existing Residential Curtilages,

Including Extensions and New Dwellings) of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The proposal has no detrimental impact in highway safety terms. As such the proposal is considered to be compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

- 7.1 Planning permission be granted subject to the planning conditions set out below.

**Contact Officer: Karen Hayes**  
**Tel. No. 01454 863472**

### **CONDITIONS**

1. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed.

Reason

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

2. The roof void shown as a vaulted ceiling on the ground floor plan received 25 April 2013 shall be maintained as such and not altered to facilitate additional first floor storage or other accommodation.

Reason

To protect the privacy and residential amenity of the neighbouring occupiers and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 25/13 – 21 JUNE 2013

<b>App No.:</b>	PT13/1512/F	<b>Applicant:</b>	Mr D Faulkner
<b>Site:</b>	1 Chessel Close Bradley Stoke Bristol South Gloucestershire BS32 0BZ	<b>Date Reg:</b>	10th May 2013
<b>Proposal:</b>	Erection of two storey side extension to provide additional living accommodation (Resubmission of PT12/1035/F)	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	361444 182801	<b>Ward:</b>	Bradley Stoke North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	2nd July 2013



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**PT13/1512/F**



## **REASON FOR REPORTING CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule because objections have been received from the Town Council and neighbouring occupiers contrary to the officer's recommendation.

### **1. THE PROPOSAL**

1.1 This application seeks planning permission for the erection of a two storey side extension to provide additional living accommodation. The application forms a resubmission of application PT12/1035/F, which was refused for the reasons listed below. The Local Planning Authorities decision to refusal planning permission was subsequently upheld by the Planning Inspector at appeal.

- *It is considered that the form, bulk, massing, proportions, design and external appearance of the proposed two storey extension would be out of keeping with the existing dwellinghouse and other nearby properties in the locality. The proposal is therefore considered contrary to Policies D1, and H4 of the South Gloucestershire Local Plan Adopted 2006 and the South Gloucestershire Council Design Checklist SPD 2007.*
- *The proposed development by reason of its position, mass and height would have an overbearing effect on the occupiers of the adjoining property at 2 Chessel Close which would be to the detriment of residential amenity and would also be contrary to Policy H4 of the South Gloucestershire Local Plan Adopted January 2006.*
- *The proposed development if allowed would be likely to exacerbate on-street parking problems and lead to an increase in vehicles manoeuvring on the highway at a busy junction. this would interrupt the free flow of traffic to the detriment of highway and pedestrian safety contrary to Policies H4 and T12 of the South Gloucestershire Council Local Plan 2006.*

1.2 The application site comprises a two storey detached corner property located on the northern side of Chessel Close within the established residential area of Bradley Stoke.

1.3 The originally refused proposal measured approximately 4.4 metres in width at the front and widening to approximately 6 metres at the rear. The original proposal comprised an 'L' shaped footprint, and was encompassed by a hipped roof and resulted in it having a complex form. The proposed scheme has been simplified and measures approximately 3.6 metres in width and is encompassed by a pitched gabled roof to match the existing dwelling.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012

- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving a Good Standard of Design in New Development  
H4 Residential Development within Existing Residential Curtilages  
T12 Transportation Development Control Policy for New Development  
L1 Landscape Protection and Enhancement

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

- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT12/1035/F, erection of two storey side extension to form additional living accommodation, refusal, 22/05/12.

This application was subsequently dismissed at appeal.

### **4. CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council  
Objection on the following grounds:

- ☐ Overdevelopment of the site;
- ☐ Out of keeping with the streetscene;
- ☐ Detrimental to the residential amenity of neighbouring occupiers;
- ☐ Concerns over impact of trees on the site.

- 4.2 Drainage Officer  
No comment

- 4.3 Transportation DC Officer  
No objection

- 4.4 Tree Officer  
Recommend refusal due to insufficient information

#### **Other Representations**

- 4.3 Local Residents  
Three letters of objection have been received from neighbouring occupiers. The following is a summary of the objections received:

- ☐ Loss of privacy;
- ☐ Impact on large trees;
- ☐ Loss of spaciousness to Chessel Close;
- ☐ Overbearing impact;
- ☐ Adverse highway impact;
- ☐ Issues relating to construction.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Planning policy H4 of the South Gloucestershire Local Plan (adopted) January 2006 allows for the principle of the proposed development. The main issues to consider are the appearance/form of the proposal and the impact on the character of the area (policies D1 and H4 of the Local Plan); the impact on the residential amenity of neighbouring occupiers (policy H4 of the Local Plan); and the transportation impacts (policies T12 and H4 of the Local Plan).

5.2 Weight is also required to be given to the Planning Inspectors comments in the previous appeal decision.

### 5.3 Appearance/Form and Impact on the Character of the Area

In the appeal that was dismissed the Planning Inspector considered that the host dwelling was prominently sited and that::

*“despite the splayed angle between no.1 and its neighbour, it would significantly narrow the gap between both properties. Furthermore, the hipped roof would stand out in contrast to the gabled form of the original dwelling and, together with the elongated front elevation, would make it appear unbalanced and, in my view disproportionately wide”.*

5.4 In response the width of the extension has been reduced and the hipped roof has been replaced by a pitched gable. Whilst it is noted that the resulting dwelling will be relatively large in scale, and the additional roof gable will unbalance the appearance of the principal elevation somewhat, on balance, it is not considered that the form, scale, proportions or appearance of the extension proposed will be adversely out of keeping with the character of the existing dwelling or neighbouring properties and the proposal represents a significant improvement over the previously refused scheme. The applicant has specified the materials brown concrete double Roman tiles for the roof, tumbled stone effect cream colour textured blocks for the walls and timber framed windows stained brown all to match the existing dwelling. Accordingly, a condition on this basis is not required if permission is granted.

5.5 The proposal moves the two storey building line to a distance of approximately 1.7 metres to the neighbouring boundary at the closest point and 6 metres at the furthest point; the previously refused application was 1 metre from the boundary at the closest point and 3.5 metres at the furthest point. The neighbouring property is positioned significantly further forward than the host dwelling and the orientation of the dwellings is such that the proposal will create a slight pinch point in the streetscene. However, on balance, taking into consideration the improvements to the form of the extension and the reduction in width, it is considered that the resulting loss of spacing will not have a significant adverse impact on the character of the streetscene. Accordingly, on balance, the revised proposal is sufficient to overcome refusal reason 1.

5.6 Residential Amenity

The main impact of the proposal is on the occupiers of no.2 Chessel Close. In the previous appeal the Planning Inspector considered that: *“the proposal would appear overbearing and intrusive, in a form that would create an unacceptable sense of enclosure to the detriment of the neighbour’s enjoyment of their rear garden”*. Accordingly careful consideration is required with regards to the impact of the amended proposal on occupiers of the neighbouring dwelling in terms of loss of natural light and privacy.

- 5.7 Although the host dwelling is located directly south of the host dwelling, it is not considered that the proposal will have a significantly greater impact than the bulk of the existing two storey dwellinghouse in terms of loss of natural light. Weight is also given to the fact that the Planning Inspector, in the previously refused application, considered that the proposal would not adversely affect the residential amenity of neighbouring occupiers through loss of natural light. The proposal is situated further away from the boundary than the previously refused application; therefore, it is not considered that it will have a significant adverse effect in terms of loss of natural light.

- 5.8 Concerns have been raised by neighbouring occupiers regarding loss of privacy; however, the only window directly facing towards the neighbouring property is a small ensuite window. If permission is granted, a condition is recommended to ensure that at all times it comprises obscure glazing and is fixed shut. Accordingly, it is not considered that the privacy of neighbouring occupiers will be adversely affected.

Whilst the proposal extends to almost the full length of the neighbouring garden the width of the extension has been reduced, which has increased the distance to the boundary. The orientation of the host dwelling is such that the proposed extension splays away from the shared boundary, from 1.7 metres (approx) at the closest point to 6 metres (approx) at the furthest point. The previously refused application was approximately 1 metre from the boundary at the closest point and 3.5 metres at the furthest point. The location of the extension is such that the outlook of the windows in the rear elevation of the dwelling will not be adversely affected. It is noted that the extension will be prominent from within the garden of the neighbouring dwelling, however, it is considered on balance, taking into consideration the reduction in width proposed, that the proposal will not have a significantly adversely overbearing impact to the detriment of the living conditions of neighbouring occupiers. Accordingly, on balance, the amendments made to the proposal are sufficient to overcome refusal reason 2. Given the scale and nature of the development proposed it is not considered that neighbours will be adversely affected by noise or disruption during construction; however, if permission is granted, a condition is required to restrict hours of working hours in the interests of the residential amenity of neighbouring occupiers.

## 5.9 Transportation

The previous application was refused on the basis that the proposal would exacerbate existing off street parking problems and lead to an increase in vehicles manoeuvring close to a busy highway junction. However, the Planning Inspector considered that the level of parking proposed was sufficient to serve the proposal and that there would not result in any significant number of vehicular movements or levels of on street parking that would prejudice highway or pedestrian safety. Since the appeal the Council has introduced minimum parking standards contained within the South Gloucestershire Residential Parking Standards SPD. This specifies that for a five bed dwelling a minimum of 3 parking spaces are required. The plans show parking provision for 3no. cars, which is considered acceptable.

## 5.10 Tree Impacts

The Tree Office has objected to the proposed development on the basis that insufficient information has been submitted to assess the potential impact on mature trees adjacent to the western boundary of the property. The Tree Officer has requested the submission of an Arboricultural Impact Assessment in accordance with BS5837:2012. Notwithstanding this, the issue regarding the impact on trees was considered by the Officer in the previous application PT12/1035/F under paragraph 5.12 of the delegated report and the Officer did not consider that this was a reason for refusal. Accordingly, if permission is granted a condition is recommended for an Arboricultural Impact Assessment to be submitted and agreed with the Local Planning Authority to protect the health of trees.

# 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 for the following reasons:

On balance, the proposal is sufficiently in keeping with the character of the host dwelling in terms of scale, form, proportions, siting and appearance and will not have a significant adverse effect on the character and visual amenity of the streetscene. The proposal therefore, accords with policies D1, L1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

On balance, it is concluded that the proposal will not have a significant adverse effect on the residential amenity of neighbouring occupiers through loss of natural light, outlook or privacy. The proposal therefore, accords with policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The level of parking proposed is sufficient to serve the development, and the proposal will not have a significant adverse effect on local highway conditions.

The proposal therefore, accords with policies T12 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

## **7. RECOMMENDATION**

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

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

## **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 on the first floor northern side elevation shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

In the interests of the privacy of neighbouring occupiers and to accord with policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

3. The hours of working on site during the period of construction shall be restricted to the following hours:

Monday to Friday 7:30am to 6:00pm

Saturday 8:00 to 1:00pm

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

In the interests of the residential amenity of neighbouring occupiers and to accord with policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

4. Prior to the commencement of the development an Arboricultural Impact Assessment in accordance with BS5837:2012 shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

#### Reason

To protect the health and visual amenity of trees in the interests of the character and visual amenity of the area and to accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.