

**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. 39/13**

**Date to Members: 27/09/13**

**Member's Deadline: 03/10/13 (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:

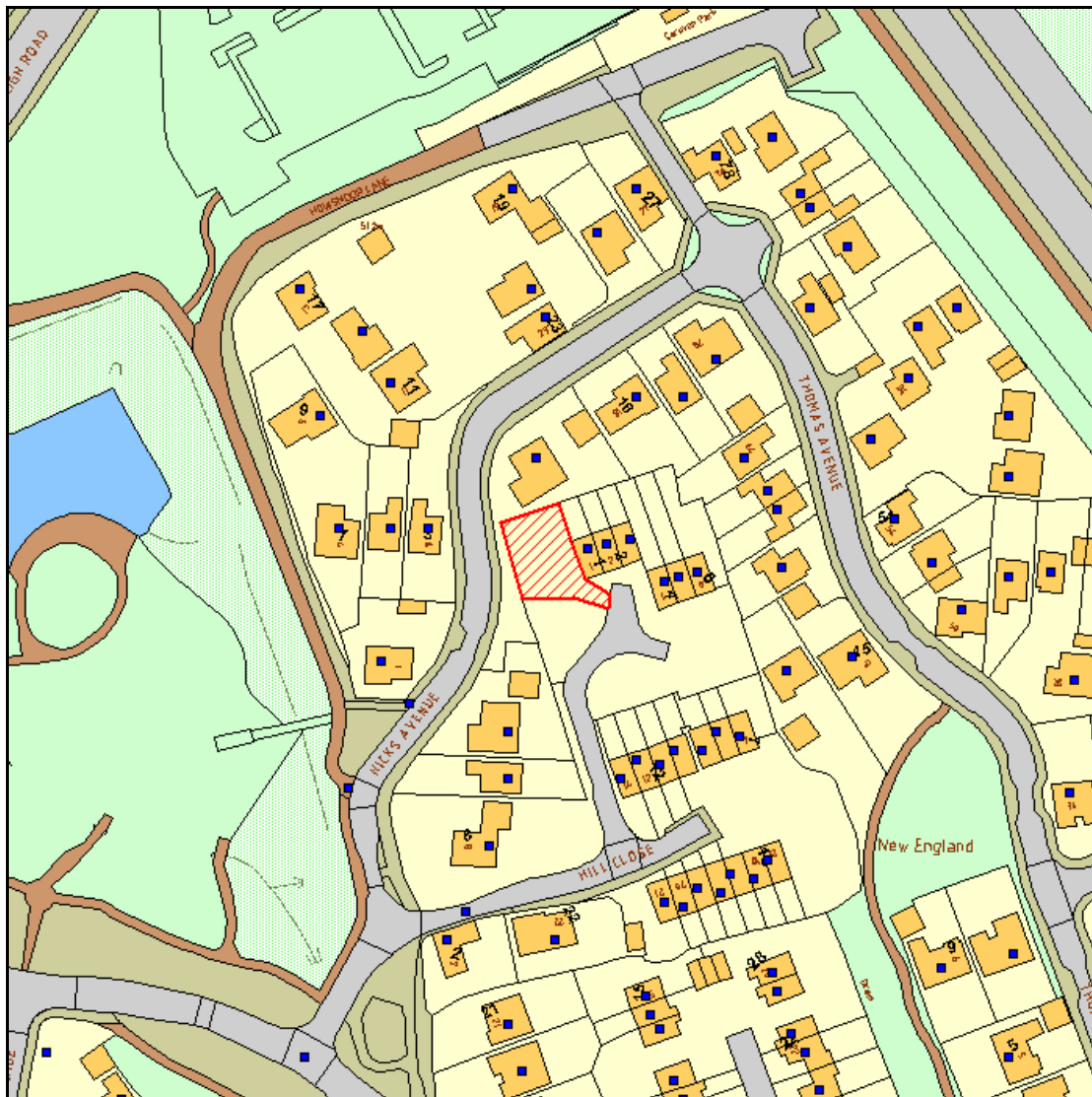
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 39/13 – 27 SEPTEMBER 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/2312/F	Approve with Conditions	Land Adj. To 1 Hill Close Emersons Green South Gloucestershire BS16 7HH	Emersons	Mangotsfield Rural Parish Council
2	PK13/2578/F	Approve with Conditions	Mounds Court Farm Siston Hill Siston South Gloucestershire BS30 5LU	Siston	Siston Parish Council
3	PK13/2594/F	Approve with Conditions	39 Court Farm Road Longwell Green South Gloucestershire BS30 9AD	Longwell Green	Hanham Abbots Parish Council
4	PK13/2630/FDI	No Objection	Land Adjacent To Hallen Farm Howsmoor Lane Emersons Green South Gloucestershire BS16 7AQ	Emersons	Mangotsfield Rural Parish Council
5	PK13/2680/F	Approve with Conditions	1 Rockside Gardens Downend South Gloucestershire BS16 6TJ	Emersons	Mangotsfield Rural Parish Council
6	PK13/2843/F	Approve with Conditions	8 Harrington Close Bitton South Gloucestershire BS30 6AT	Bitton	Bitton Parish Council
7	PK13/2844/CA	Approve with Conditions	8 Harrington Close Bitton South Gloucestershire BS30 6AT	Bitton	Bitton Parish Council
8	PK13/2980/F	Approve with Conditions	Charnhill Court Charnhill Drive Mangotsfield South Gloucestershire BS16 9JR	Rodway	None
9	PK13/3033/F	Approve with Conditions	8 Ripon Court Downend South Gloucestershire BS16 6RL	Emersons	Downend And Bromley Heath Parish Council
10	PK13/3066/CLP	Approve with Conditions	14 Sunnyvale Drive Longwell Green South Gloucestershire BS30 9YH	Longwell Green	Oldland Parish Council
11	PT13/1472/F	Approve with Conditions	Hambrook Business Park The Stream Hambrook South Gloucestershire BS16 1RQ	Winterbourne	Winterbourne Parish Council
12	PT13/2313/F	Approve with Conditions	123 Cooks Close Bradley Stoke South Gloucestershire BS32 0BB	Bradley Stoke North	Bradley Stoke Town Council
13	PT13/2871/F	Approve with Conditions	132 Rodway Road Patchway South Gloucestershire	Patchway	Patchway Town Council
14	PT13/2874/F	Approve with Conditions	17 Waterford Close Thornbury South Gloucestershire BS35 2HS	Thornbury South And	Thornbury Town Council
15	PT13/2905/F	Approve with Conditions	2 School Way Severn Beach South Gloucestershire	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
16	PT13/2929/F	Approve with Conditions	127 North Road Stoke Gifford South Gloucestershire BS34 8PE	Stoke Gifford	Stoke Gifford Parish Council
17	PT13/3015/RM	Approve with Conditions	Trevone 6 Oaklands Drive Almondsbury South Gloucestershire BS32 4AB	Almondsbury	Almondsbury Parish Council

**CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013**

<b>App No.:</b>	PK13/2312/F	<b>Applicant:</b>	Bridge Residential
<b>Site:</b>	Land Adj. To 1 Hill Close Emersons Green South Gloucestershire BS16 7HH	<b>Date Reg:</b>	28th June 2013
<b>Proposal:</b>	Erection of 2no. attached dwellings with associated works. (Resubmission of PK13/0987/F).	<b>Parish:</b>	Mangotsfield Rural Parish Council
<b>Map Ref:</b>	366775 177657	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th August 2013



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 100023410, 2008. **N.T.S.** **PK13/2312/F**

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

Objections have been received, contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This planning application seeks permission for the erection of two dwellings at the edge of a close that is in single private ownership, with the 20 houses all let. As the proposed dwellings would be built on what is currently an undemarcated parking area, these (nominally 4) car parking spaces shown on the block plan, would be lost as a result of this proposal. Therefore details of how the parking arrangements for the whole close, now 22 houses including the two proposed have been requested and received.
- 1.2 The locality has a majority of two storey housing, arranged in short terraces. It is proposed to mirror this arrangement with the two new dwelling, albeit with a marked set-back behind the building line of the property to which they would be attached, which faces the parking area. The two proposed dwellings would be similar in scale and detailing to those in the close. The site almost backs onto Hicks Avenue, opposite the blank side elevation of No.3, with no windows in it, across the carriageway. No 1 Hill Close has a front facing habitable room window at first floor level, which would be built over as a result of this proposal.
- 1.3 The approach to the site is dominated by a large, original, tree which is protected under a Tree Preservation Order, although the footprint of the development is shown as well back from the tree's drip line. Two parking spaces are proposed, on the amended plans, to be located within the root protection area of this tree.
- 1.4 This application was submitted subsequently to the withdrawal of an earlier version to give the agent the opportunity to investigate a parking solution for the red and blue line areas.

### **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  
H2 Residential Development  
T8 Parking standards  
T12 Highway Safety  
L1 Landscape and trees  
L17 and L18 the Water Environment  
EP1 Environmental Pollution  
  
South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.  
CS1 High Quality Design  
CS3 Green Infrastructure  
CS5 Location of development

- 2.3 Supplementary Planning Guidance  
Residential Parking Standards (adopted April 2013 for Development Management purposes)

3. **RELEVANT PLANNING HISTORY**

- 3.1 K8039 Reserved Matters application for 48 houses and associated works  
Approved 1996
- 3.2 PK13/0987/F Erection of two dwellings  
Withdrawn

4. **CONSULTATION RESPONSES**

- 4.1 Mangotsfield Rural Parish Council  
Object, the proposal is overdevelopment of the site, with inadequate parking provision.

- 4.2 Other Consultees  
Transportation  
No objection to the amended layout proposed.

Tree Officer

The proposal could involve damage to the protected willow tree, which could be overcome depending on how the construction is carried out. A method statement is recommended to be required as a condition.

Technical Services

No objection in principle, recommend submission of a SUDS compliant drainage plan.

Environmental Protection

No objection in principle.

**Other Representations**

- 4.3 Local Residents  
One letter of objection was received, citing the following concerns:
- Hill Close is already overdeveloped and parking prevents access for emergency vehicles and is too close to the junction
  - Additional traffic next to boundary fence

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
This application stands to be assessed against the policies listed above, in the light of all material considerations. In principle, the site lies within the urban area defined on the proposals map with the adopted South Gloucestershire Local Plan and is therefore acceptable in principle in the broadest terms, subject to the following analysis. The issues to be resolved are the provision of adequate parking for the proposed dwellings and a compensatory parking arrangement across the blue line area to take account of overspill parking that the proposal would generate. Beyond this is the impact of the proposal on

existing levels of residential amenity and the design/ visual impact of the scheme. The impact of the proposal on the TPO'd tree is also analysed below.

## 5.2 Parking Provision

The proposal has been assessed by Sustainable Transportation and no objection has been raised, following the receipt of amended plans. These show the reallocation of existing parking spaces and the creation of six new spaces to counteract the effect of the proposed dwellings replacing four existing spaces. Of the two additional spaces, one is shown as allocated to each of the new dwellings, while nos. 1 to 6 would retain a space each as at present. Opposite nos. 4-6 is a rank of 6 visitors parking spaces and the two visitors parking spaces that would be lost as a result of this proposal would be relocated within the blue land, in the applicant's ownership. Given the level of visitor parking that is available to serve the red lined and blue lined land, it is considered that for any of the dwellings with higher car ownership than the one space per dwelling expected of two bedroom dwellings would effectively be catered for within the land ownership. Therefore it is considered that the proposal accords with the recently adopted residential parking standards.

With regard to the security of the new space that have been proposed, it is noted that nos. 1 and 2 currently have fairly remote parking spaces, in that no. 2 has its line of site of the parking space blocked by no. 1. While these properties would have to walk beyond the tree to their parking spaces, both would be within line of site from each dwelling.

The site access arrangements remain as at present and the ability to turn on site is not considered to be compromised by this proposal. Therefore the proposal is considered to accord with policy T12 of the adopted Local Plan as well as the Residential Parking Standards guidance.

## 5.3 Impact on Residential Amenity

Although a direct impact on No. 1 Hill Close has been identified at 1.2 above, it is noted that that property is within the applicant's ownership and therefore there is an opportunity for the window serving this room to be removed, but re-sited on the rear of No. 1. Since this can be achieved through the use of a condition and would potentially maintain the existing level of residential amenity for that property, it does not appear as a refusal reason below, but an appropriate condition is recommended. The proposal is only considered to directly affect No. 1 of the properties in Hill Close. The relationship that the proposed built form would have with dwellings in Hicks Avenue is considered to be widely similar as that of the existing dwellings in Hill Close. Therefore it is considered that no harm to residential amenity would arise. With regard to future occupiers of the dwellings, parking provision has been analysed above, but the amenity space for each proposed dwelling also merits investigation. In this regard, while the area allocated for No. 1b is considered to be small, at less than the floorplate of the dwelling, it is broadly similar to that of the terrace to which it is proposed to be attached. No. 1a would have the benefit of a side garden as well and is considered to be satisfactory. The amenity space afforded each two bedroom dwelling is considered to be suitably enclosed and private to be used as such and it is considered that in all residential amenity respects, the proposal would accord with policy H2 of the adopted Local Plan.

The concern that has been raised over the impact of parking next to a boundary fence, would only affect, at most, a small area of land to the rear of a garage, which, while residential curtilage, is not considered to be of a particularly useable size, between the garage and the boundary fence. Notwithstanding this qualitative judgement, this part of the proposal amounts to solely to two parking spaces on what is currently a grassed area, next to the road that currently serves 6 dwellings. While the proposal would increase the level of passing traffic, the parking of two vehicles, only one of the parking spaces being contiguous with the residential boundary is not considered to lead to any harmful impact on current levels of residential amenity.

#### 5.4 Design/Visual Amenity

The proposed dwellings are proposed to be set back slightly from the front building line of the terrace to which they would be attached. In terms of scale, the height to eaves and roof apex would be the same as the terrace, which is considered to be appropriate. The detailing of the design would also match the existing terrace. Each proposed dwelling would be marginally wider than those of the terrace, but not appreciably so as the relative difference only amounts to 5% and the proposed dwellings would be set back from the established building line. The materials proposed to be used are stated as matching the existing and overall the design is considered to take full regard of local distinctiveness, as is appropriate when extending a terrace of houses. The proposal in this regard accords with Local Plan policy D1.

#### 5.5 Tree Issues

The willow tree in front of the site, within the same landownership, could be affected inasmuch as two of the proposed new parking spaces could be within its root protection area. In order to ensure that the TPO tree is not harmed by the proposed development, a condition has been recommended below which requires details of the method of construction of the parking spaces to be agreed prior to the commencement of development.

#### 5.6 Drainage Issues

A condition recommended below requires the submission of a SUDS-compliant drainage plan. Subject to compliance with this it is considered that the proposal would not have any undue effect upon the water environment.

#### 5.7 Other Issues

The issue of overdevelopment has been raised through the consultation process. It is considered however, as demonstrated by the analysis above, that the proposal would not result in more dwellings than the site can cope with in terms of built form, parking provision and amenity space. The proposal is therefore considered to make efficient use of land in accordance with policy H2 of the adopted Local Plan.

## 6. **CONCLUSION**

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



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

## 7. **RECOMMENDATION**

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

**Contact Officer: Chris Gosling**  
**Tel. No. 01454 863787**

### **CONDITIONS**

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

Reason

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

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

Reason

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

3. 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.

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

Reason

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

5. Prior to the commencement of development plans and elevation drawings detailing the proposed position of a window to replace the existing side facing window at first floor level of No. 1 Hill Close shall be submitted to the Local Planning Authority for

approval in writing. The window shall be installed in accordance with the details so approved prior to the commencement of the development hereby approved.

Reason

In order to ensure that the development does not compromise the residential amenity of No. 1 Hill Close to accord with policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development an arboricultural impact assessment and method statement shall be submitted for approval in writing to the Local Planning Authority to demonstrate that the root protection area of the TPO tree will not be harmed throughout the works. The development shall be implemented in accordance with the method statement so approved.

Reason

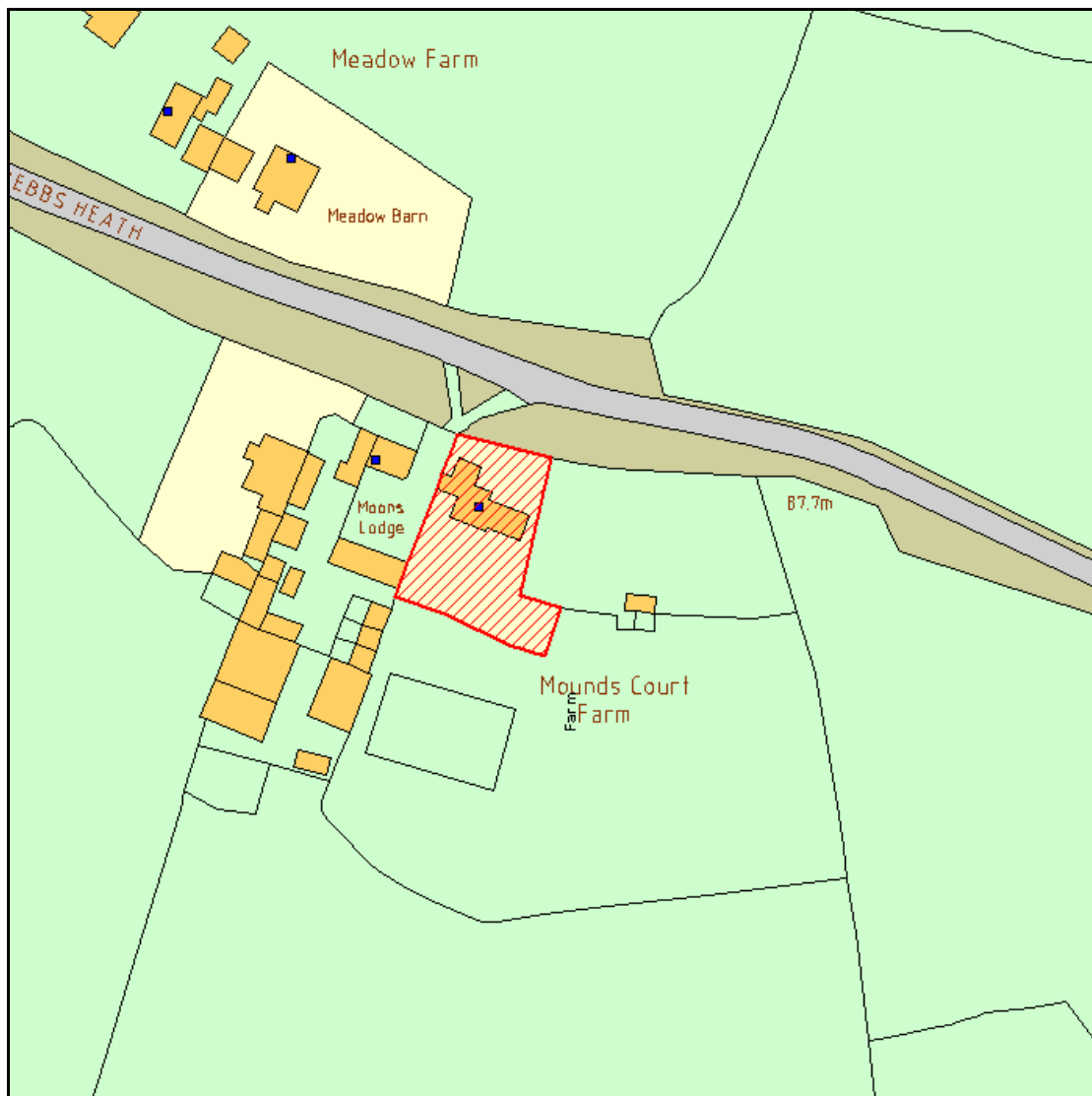
To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

## ITEM 2

### CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PK13/2578/F	<b>Applicant:</b>	Mr J Fudgell
<b>Site:</b>	Mounds Court Farm Siston Hill Siston South Gloucestershire	<b>Date Reg:</b>	5th August 2013
<b>Proposal:</b>	Erection of a two storey rear extension to provide additional living accommodation. (Resubmission of PK12/2566/F).	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	367760 174061	<b>Ward:</b>	Siston
<b>Application Category:</b>	Householder	<b>Target Date:</b>	25th September 2013

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100023410, 2008.

**N.T.S.**

**PK13/2578/F**

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

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

### **1. THE PROPOSAL**

1.2 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.

The site is situated within the Bristol/Bath Green Belt and outside any settlement boundary or the urban area as defined in the adopted Local Plan.

1.2 This application proposes erection of a two storey rear extension to provide additional living accommodation.

1.3 This application is a resubmission of PK12/2566/F.

### **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
- L15 Buildings or Structures which make a significant contribution to the character and distinctiveness of the locality.
- GB1 Green Belt
- H4 Development within Existing Residential Curtilages
- T8 Parking Standards
- T12 Transportation for New Development

##### South Gloucestershire Local Plan Core Strategy incorporating Inspectors Main Modifications March 2013

- CS1 High Quality Design
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage

2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (SPD) Adopted 23<sup>rd</sup> Aug 2007

Development in the Green Belt (SPD) Adopted June 2007  
The South Gloucestershire Local List (SPD) Adopted Feb 2008.  
SG Landscape Character Assessment as adopted Aug 2005 -  
The site lies within Character Area 12:- Westerleigh Vale & Oldland Ridge

### **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

Refusal reasons:

- 1) The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden.
- 2) Mounds Court Farm is a locally listed building, the significance of which it is desirable to sustain and enhance. The proposed extension, by virtue of its siting, form, scale, massing, detailing and the use of materials, would be harmful to the architectural character and significance of the host building.
- 3) The proposed extension, by virtue of its siting, form, scale, massing, detailing and the use of materials, would be harmful to the visual amenity of the Green Belt; furthermore the proposals are not in keeping with both the local and wider landscape context as they would not respect or enhance the character, distinctiveness and amenity of both the site and the locality.

Appeal dismissed 12.02.2013

- 3.2 PK12/3408/PND                      Prior Notification for intention to demolish existing dwelling.  
Prior approval required 08.11.2012
- 3.3 PK13/0806/PAD                      Prior approval of details submitted as to the method of demolition and any proposed restoration of Mounds Court Farm, Siston Hill.  
No objection 29.07.2013

### **4. CONSULTATION RESPONSES**

#### **4.1 Siston Parish Council**

Siston Parish Council again wish to register concern at the scale and massing of proposed two storey extension which fails to recognise the character and special interest of this property. Mounds Court Farm remains a heritage asset and any such disproportionate additions should continue to be resisted. Siston Parish Council also wish to continue to register concern at proposed large scale increase in highly visible glazed surfacing to the south side of this prominent building.

## 4.2 Other Consultees

**Archaeological Officer** - The extension area does show some form of structure on the historic OS maps and there is record of a potential hunting lodge on the site. As such a HC11 condition for a programme of archaeological investigation comprising a watching brief of the ground works should be applied to any consent granted.

**Drainage Engineer** – No comment

**Sustainable Transport** – No objection

**Conservation Officer** – Objection to this application as originally submitted.

The applicant has subsequently removed dormers and glazed apex to the front elevation and replacement with rooflights which have significantly improved this elevation. Dormers are retained on the side elevation and the detail should be controlled by condition. The rear elevation remains overly glazed but this elevation is more detached from the original parts of the building. No objection, subject to conditions.

## Other Representations

### 4.3 Local Residents

None received.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

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

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

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

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. As the building lies within the Green Belt the proposed enlargement must be considered against the saved Green Belt Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 which sets out a limited list of appropriate development within the Green Belt. The development would also need to preserve the openness and visual amenity of the Green Belt and accord with the purposes of

including land within it. A further material consideration is the 'Development in the Green Belt'- Supplementary Planning Document, that was adopted by the Council in June 2007. The proposal is considered to represent appropriate development within the Green Belt

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 Further Main Modifications (FMM). The FMM have been subject to a further hearing session that was held on 7 March 2013. An independent report was commissioned by the Council from BNP Paribas to determine housing land supply in the District. The independent report has been forwarded to the Inspector for consideration. The Inspector has indicated that he will now prepare his final report which is due to be published by 15<sup>th</sup> November 2013. The CS has reached an advanced stage of preparation. However, there are unresolved objections to the housing requirements, including the means of addressing the shortfall in the delivery of housing that accrued during the Local Plan period. At this stage the Core Strategy therefore remains unadopted, but is likely to be adopted in the near future once housing matters are resolved. This document is therefore a material consideration in the determination of planning applications, and the Core Strategy policies, which are not subject to Inspector modification, will now carry considerable weight at this stage.

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

## 5.2 Visual amenity and heritage considerations

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.

Mounds Court Farm is a heritage asset and the council is required under paragraph 135 of the NPPF to take into account the effect of an application on the significance of a non-designated heritage asset in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policy 131 of the NPPF states that local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and

the desirability of new development making a positive contribution to local character and distinctiveness.

When considering applications, guidance is also provided by the Historic Environment Practice Guide and the Council's Local List Supplementary Planning Document (adopted Feb 2008).

The local list SPD states:

*When designing extensions to Locally Listed buildings it is important that the character and setting of the building is not harmed, and that the extension relates appropriately in scale and massing. Extensions should be subservient to the building in height and massing.*

Policy D1 of the adopted Local Plan also sets out the criteria for judging new development which is omitted from paragraph 5.16 of the Design and Access Statement. It states:

*Proposals will be required to demonstrate that:*

*A. Siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.*

In terms of its significance, the Design and Access Statement concludes that the present building is a substantial rebuild dated to c1922 and that the only heritage interest in the building resides in its foundations and basement. The document includes some interesting and useful photos taken of the building prior to 1922 which show a traditional South Gloucestershire farmhouse with the characteristic full height gables on a west facing elevation, with the single storey lean-to addition to the far left of the elevation. This concurs with the early 1900s historic map evidence of the site which shows a corresponding plan form. The extension to the rear is not shown in the photos but the 1839 tithe map does not include the rear range, although a small porch or outshut is shown midway down the east facing elevation. The rear wing is 1<sup>st</sup> shown on the 1880 OS map and, therefore, is mid 19<sup>th</sup> century in date. This would appear to tally with the general appearance and detailing of this elevation.

The plan form of the building survives until the 1918 OS map but evidence thereafter is sketchy. The southern half of the main house was demolished in the 20<sup>th</sup> century (presumably 1922) but whether the entire building was taken down to foundation level and rebuilt, or whether the N-S range had its eaves raised and the gables removed to give a full height second floor, is difficult to determine on the information submitted. Nevertheless, the building was added to the local list in its current form and could be considered an early 20<sup>th</sup> century modification/partial rebuild of an earlier vernacular farmhouse, incorporating a mid 19<sup>th</sup> century rear wing and outbuildings. Despite the rather extensive 20<sup>th</sup> century works, which included the demolition of approximately half of the main range and an unknown amount of rebuilding of the principle elevations, the building was independently assessed and accepted as meriting inclusion in the local list in its 'post 1922' form. Its significance comes in part from the surviving historic fabric, but also from the architectural composition of the north and west



elevations which face onto Siston Hill and which make a positive contribution to the character and distinctiveness of the locality.

Since the refusal of the 2012 application and the receipt of the Appeal Inspector's comments which reinforced the importance of this north facing elevation to the significance and character of the building, the form and location of the new extension has been revised in accordance with previous officer advice. The extension is now located to the southern elevation of the 19<sup>th</sup> century rear wing of the building, not the main western range. This maintains the appearance of the more sensitive north-facing road-side elevation which is considered acceptable in principle.

Revised plans have been submitted in order to address original concerns over the design and detailing of certain elements on this proposal. The north facing elevation has lost the poorly proportioned dormers and glazed apex, these being replaced with rooflights which could be installed under PD. This is, therefore, a welcome improvement and protects the contribution made to the character of the locality by this elevation. The west facing elevation, by contrast, retains the same design of dormers which appear rather incongruous but there is a question mark over whether or not they would be deemed permitted development. A condition is recommended to secure larger scale drawings of the dormers for subsequent approval. There have been no changes to the south elevation although the glazed apex has been removed from the east elevation. Whilst the south elevation still looks overly glazed, the two 'wings' are stepped by c5.5m and are not in the same plane which should help reduce their prominence. Furthermore, these elevations are detached from the more sensitive elevations of the locally listed building and will not affect the contribution it makes to the character and distinctiveness of the locality.

The proposal as revised is therefore considered to 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. Additionally, the proposal would not be detrimental to the dwelling as a recognised heritage asset.

### 5.3 Green Belt

Policy GB1 of the SGLP identifies limited categories of development for which permission can be given. Development that falls outside the limited categories as specified in policy GB1, will be considered inappropriate development and there is a general presumption against inappropriate development within the Green Belt. The limited categories of appropriate development for the construction of new buildings are:

- 1) Development for agriculture or forestry purposes;
- 2) Essential facilities for outdoor sports and recreation and for other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it;

- 3) Cemeteries;
- 4) Limited extensions, alterations or replacement of existing dwellings provided that it does not result in disproportionate additions over and above the size of the original building;
- 5) Limited infilling within the boundaries of settlements as defined in the SGLP.

The NPPF has now introduces an additional category of appropriate development which is:

*Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.* Additionally, criteria 4 above now relates to any building within the Green Belt rather than exclusively dwellings. However, criteria 4 above has not changed in relation to residential extensions and as such the NPPF is consistent with the adopted Local Plan in consideration of this application.

The proposal as an extension to a dwellinghouse must be considered against criteria 4 above. The extension must therefore represent a proportionate increase over and above the original dwellinghouse in order to be considered appropriate development in the Green Belt.

The dwelling has not been changed since it was redeveloped in 1922. This is prior to the Planning Act in 1948 and as such the original dwellinghouse is considered to be the dwelling that exists at present.

The SGC Development in the Green Belt SPD identifies up to a 30% increase over the original dwellinghouse to be a proportionate increase. Proposals with an increase of between 30-50% would be considered in relation to scale and proportion in relation to the scale of the house. In this case the proposed extensions would result in a 31% increase to the original dwellinghouse.

As the proposal exceeds the 30% threshold for acceptability of an extension as a proportionate increase, in accordance with guidance in the Councils Development in the Green Belt SPD particular regard should be had to whether the proposal would appear out of scale and proportion. Therefore although an extension of 31% increase to the original dwelling could be unacceptable, as the extension is in keeping in design, form and scale terms to the original dwellinghouse and located mainly at the rear tucked away from public views, the proposal is considered to constitute a proportionate increase to the original dwellinghouse using the tests in the Council's Development in the Green Belt SPD. As such the proposal is considered to be appropriate development, which would not adversely impact on the openness of the Green Belt. As indicated in par.5.2 above the proposal is considered to be acceptable in visual impact terms and as such would not adversely impact on the visual amenity of the Green Belt. The proposed extension would be contained within the existing cartilage and would be closely associated with the existing footprint. On this

basis the proposal would not result in encroachment into the Green Belt and the application is therefore considered not to be at odds with the purposes of including land within the Green Belt. The proposal is therefore considered to accord with policy GB1 of the adopted Local Plan.

#### 5.4 Residential amenity

The extension would be situated away from the nearest neighbouring dwelling to the east (Moons Lodge) at a distance of 15m. The proposal would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development or loss of privacy

#### 5.5 Highway matters

The site currently provides ample parking for vehicles in the courtyard on the west side of the dwelling. The proposed extension would increase the number of bedrooms in the dwelling. However, the existing parking provision is considered to be sufficient to meet the Council's adopted parking standards.

#### 5.6 Archaeology

The site has historic significance, as it contained the original building, now substantially removed in the location of the existing dwelling. Beneath ground archaeology is therefore likely to exist. On this basis it is recommended that an archaeological watching brief is carried out through construction to ensure control is retained over any archaeological features if found and this would be controlled by a condition.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 Consent is GRANTED subject to the conditions below.

**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 a schedule of external wall finishes and samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

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

Reason:

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

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

Reason:

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

5. The detailed construction and appearance of the eaves, verge and ridge of the proposed extension shall match that of the existing building.

Reason:

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

6. Prior to the commencement of development and notwithstanding the submitted drawings, full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

- (a) the proposed dormers to the west facing elevation
- (b) windows and door

Reason:

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

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

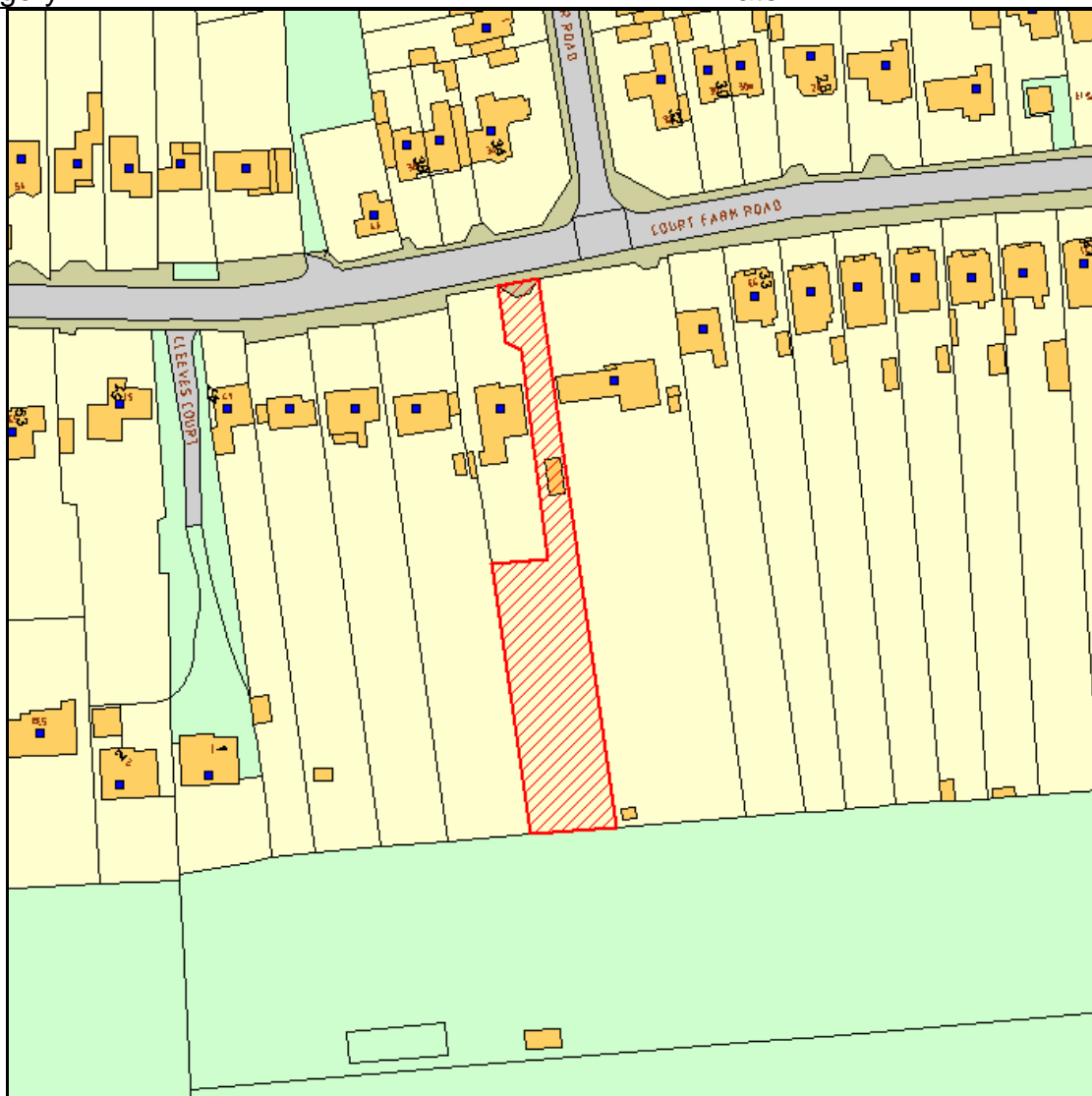
Reason

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

# ITEM 3

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

App No.:	PK13/2594/F	Applicant:	M And A Commercial
Site:	39 Court Farm Road Longwell Green Bristol South Gloucestershire BS30 9AD	Date Reg:	28th August 2013
Proposal:	Erection of 2no. detached dwellings and 2no. detached garages with access and associated works. (Resubmission of PK12/3953/F).	Parish:	Hanham Abbots Parish Council
Map Ref:	365709 170596	Ward:	Longwell Green
Application Category:	Minor	Target Date:	18th October 2013



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100023410, 2008. **N.T.S.** **PK13/2594/F**

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

An objection has been received, contrary to the officer recommendation.

### **1. THE PROPOSAL**

1.1 The application site is situated on the southern edge of Longwell Green 300m north of the River Avon. The site is bounded by residential development to the north east and west with open fields used for keeping of horses to the south. The site comprises part of the rear garden of no.39, a substantial plot on the south side of Court Farm Road. The site is bounded by tall trees on the eastern boundary with a tall hedge on the south (rear) boundary. The site would be accessed by a single track drive from Court Farm Road on the west side of the existing dwelling, that currently provides access for No. 39 alone. A single storey garage addition on the east side of the dwelling currently sits on the proposed access. The application site is situated within the urban area as defined in the adopted Local Plan. The Bristol/Bath Green Belt extends south from the south boundary of the site.

Tree preservation orders (TPO) were served earlier this year on three trees located at the front of the site and on the eastern boundary close to the front of the site.

1.2 The application proposes erection of two detached dwellings with access and associated works. This application is a resubmission of an earlier scheme for erection of two dwellings.

Parking for two cars and turning for the existing dwelling no.37 is shown within the front garden.

### **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  
H2 Residential Development within Settlement Boundaries  
H4 Development within Existing Residential Curtilages  
GB1 Green Belt  
L1 Landscape Protection and Enhancement  
L9 Protected Species  
T8 Parking Standards  
T12 Transportation for New Development  
L18 Sustainable Drainage

South Gloucestershire Local Plan Core Strategy incorporating Inspector's Main Modifications March 2013

CS1 High Quality Design  
CS5 Location of Development  
CS15 Distribution of Housing  
CS16 Housing Density

## CS17 Housing Diversity

- 2.3 Supplementary Planning Guidance  
Residential Parking Standards (adopted for Development Control purposes April 2013)  
Development within the Green Belt SPD – May 2008  
South Gloucestershire Biodiversity Action Plan  
Manual for Streets

### 3. RELEVANT PLANNING HISTORY

- 3.1 PK12/2594/F Erection of two detached dwellings and two detached garages  
Withdrawn
- 3.2 PK07/2857/O Erection of 6 dwellings on land behind nos. 39-47 Court Farm Road  
Withdrawn
- 3.3 PK07/1714/O Erection of two detached dwellings (outline) Refused for the single reason that the development is backland.
- 3.4 K6706 Erection of new dwelling Refused 1990

### 4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council  
No comment

- 4.2 Other Consultees  
Transportation  
No objection

Technical Services

No objection, subject to the inclusion of a condition requiring a SUDS-compliant drainage plan

Tree Officer

No objection, subject to a condition requiring implementation in accordance with the Arboricultural Implications Report.

Environmental Protection

No objection in principle.

#### Other Representations

- 4.3 Local Residents

One letter of objection was received, citing road safety concerns as follows:

- Having two accesses opposite Windsor Road (one approved under a different permission) would create a crossroads
- Car parking along Court Farm Road already reduces visibility

### 5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. In this case, a major material consideration



is the planning permission that was approved for no. 37, next door, for three dwellings in its rear garden. Negotiations were undertaken to try to incorporate development in that rear garden and the site in order to ensure a comprehensive scheme that would require a single access from Court Farm Road. These negotiations were unsuccessful and in the absence of an agreement between the landowners have resulted in two separate applications being submitted. This scheme will accordingly be assessed on its own merits, taking account of the planning permission on the adjacent land.

Policy H2 of the South Gloucestershire Local Plan is supportive in principle of proposals for erection of residential development within the urban area, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity and highway safety and an appropriate density of development is achieved. Policy H4 of the South Gloucestershire Local Plan reinforces the aims of Policy H2 and is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy L1 seeks to control the character and appearance of an area by retaining landscape features. In terms of transportation policy T12 relates to accessibility and general highway safety and is also an important consideration.

The proposal is therefore acceptable in principle, subject to the following analysis. A material consideration in this instance is the previous refusal in 2007 for two dwellings for the reason that the proposal represented backland development of an alien form to the surrounding pattern. In this regard, although this proposal would still represent a backland form and layout of development, it is recognised that a number of plots along Court Farm Road have been subdivided historically to provide small scale residential development incorporating a small number of backland dwellings and larger scale development providing new streets and cul de sacs extending south from the road, for example Cleeves Court, Kilnhurst Close and Stratton Place to the east and Sallybarn Close to the west. As such the principle of backland development in the street is considered to have been well established and the previous refusal reason would no longer apply as the pattern of development locally has changed and the proposal now accords with that amended pattern.

## 5.2 Green Belt

The application site is situated adjacent to the Bristol/Bath Green Belt which abuts to the south boundary. Views of the proposal from within the Green Belt are limited through hedge screening in the adjacent field 50m south of the southern boundary of the site. Additionally, public views from the south are limited to distant views of approximately 170m from RoW PHA/33. Therefore considering the limited visibility from the Green Belt and the acceptability of the scheme in terms of design and appearance as discussed in par 5.3 above it is considered that the proposal would result in no significant impact on the visual amenity of the Green Belt.

## 5.3 Transportation

The existing site access to no. 39 Court Farm Road would be utilised to serve the new development but it is proposed to be widened at its junction with the

main road. The proposal includes the provision of a minimum of two parking spaces for each dwelling and the new properties would also be provided with a double garage each on site. This level of car parking as proposed meets the Councils parking standards and has been secured by the appropriate condition recommended below.

The consultation process has resulted in an objection on the basis of traffic and site access issues. In traffic terms, this proposal would result in two extra vehicular movements onto the public highway during the morning peak hour. It is considered that such a small increase in traffic raises no significant highway or transportation issue on Court Farm Road and as such it would not harm road safety at this location. In respect of the access, the applicant intends to use the existing site access although it would be widened to address the increase in traffic movements resulting from the new development. Further into the site, a couple of road narrowing are proposed which would help maintain low speeds on site. The existing access to no. 39 Court Farm Road is considered to be sufficiently far away from the nearby road junction not to cause any safety issue for other road users. The relative position of the site access to other vehicular accesses to properties on the opposite side of the road would not change and hence, it would not effect road safety at this location. The visibility splay from the site access onto the public highway is 2.4m by 45m and this meets the visibility guidance as required under Manual for Streets.

The new road that would be constructed to serve the new development incorporates turning facilities at the end of it and this is considered adequate for use by any reasonable sized service vehicle. Larger service vehicles would only be occasional. It is considered unlikely that refuse vehicles actually enter the site, so bin collection is likely to occur at the road side similar to other properties along this road. To address this issue, it is considered appropriate that a suitable location on site is designated close to the entrance so that the bins can be collected from the road side on a collection day. This has been required by the condition recommended below. Sustainable Transportation has not objected to this proposal, subject to this condition and further ones governing the widening of the existing site access and provision of parking and turning facilities. These conditions appear below and subject to compliance with them, the proposal is considered to accord with policy T12 of the adopted Local Plan.

#### 5.4 Residential Amenity

The dwelling proposed on plot 1 would be situated approximately 24 metres from the rear elevation of the host dwelling and the distance between plots 1 and 2 would be 21.5 metres. Considering the insignificant difference between the height and position in relation to the host dwelling and others nearby, it is considered that neither dwelling would prejudice the amenity of neighbouring occupiers in terms of loss of privacy, daylight/sunlight, overshadowing or overbearing impact.

Both backland plots would be situated a significant distance from the adjacent dwellings to the west. To the east of the site, building of the approved dwellings at no. 37 is yet to commence. However, the locations of the dwellings proposed for this site would line up broadly with the positions of those approved in the

rear garden next door, both for plot 1 and plots 2 and 3, which broadly share common building lines with each other. It is considered that these proposed dwellings would not prejudice the amenity of neighbouring occupiers in terms of loss of privacy, daylight/sunlight, overshadowing or overbearing impact, given that the eastern elevations of plots 1 and 2 have been either kept blank or only have a secondary window for a living room with a toilet window above..

The proposed layout is also considered to provide garden sizes which are considered to be commensurate to the types of dwellings, 4 bedroomed, proposed.

The proposal would result in an increase in vehicle and associated residential activity at the rear of the site behind the existing dwellings on the street where currently there is no such activity. However, the principle of additional vehicular activity associated with 3 additional dwellings to be accessed via the west side of the site is established by the backland nature of other development along this road and the impact of an additional two dwellings is not considered to be significant in the immediate context.

#### 5.4 Design/ Visual Amenity/ Street Scene

The application site is situated at the rear of no. 39 a detached dwelling of one and a half storeys occupying a substantial plot on the south side of Court Farm Road. The street is characterised by large detached dwellings and bungalows in generous plots, which extend south to the edge of the Green Belt. The application site situated behind the existing dwelling is screened well from public views from Court Farm Road by the existing dwelling and boundary trees along the eastern boundary and views of the site would only be afforded as a glimpse when viewed immediately in front of the vehicular access in the north west corner. A public right of way runs east to west situated some 170m south of the southern boundary of the site (PHA33). An established hedgerow runs east to west 50m from the south boundary of the site. This hedgerow along with existing hedging and trees on the south boundary of the site provide a substantial screen from views from PHA33. As such the application site is considered not to be visually prominent when viewed from public vantage points.

The application proposes two dwellings in part of the rear garden of no.39. The two dwellings would face the site's frontage, divided by the turning area between them. The dwellings would be two storey but with low eaves and accommodation in the roofspace, finished in a mix of mainly render with some brick features, but with stone frontages, under tiled roofs. The materials to be used would include natural stone, as stated on the plans and samples will be required by condition. The surrounding area is characterised by a wide variety of dwelling types and styles. The design and materials would have to be of good quality and would respect the character distinctiveness and amenity of the surrounding area. The architectural style proposed has elements of cottages in line with the architectural style of some of the existing dwellings in the locality.

The dwellings would sit prominently in the site while not exceeding the ridge height of the host dwelling. In the proposed reserved position within the street scene, the dwellings should really be of a lower prominence, but the equal

prominence is not considered to be problematic in this instance due to the screening effect of the existing dwelling, the perspective in views from the street and the distance set up between the host dwelling and plot 1. The overall height of the dwellings is therefore not considered to be disproportionate to other dwellings in the surrounding area, many of which are substantial two storey units. Considering, this local context and the character of the area along with the lack of visual prominence, it is considered that the design of the proposal would preserve the character distinctiveness and amenity of the surrounding area accords with the criteria of policy D1.

#### 5.5 Drainage

The proposal would provide for surface water drainage within the site which is of sufficient size to provide satisfactory soakaway drainage. A condition is recommended to ensure a sustainable drainage system is provided within the site.

#### 5.7 Tree Issues

The planning application, under ref. No.PK12/0653/F, for this site, along with a similar application relating to no. 37, was considered by the Council's Tree Officer to represent a threat to the trees on the eastern boundary of the site through creation of two accesses either side of the trees was such that TPOs were served onto a Sycamore and Robinia on the eastern boundary and a Sycamore on the east side of the access within the front garden of the existing dwelling no.37. On this basis the applicant on the adjoining site amended the route of the access track from the previously approved scheme so that it curves around a protected tree. The permission on the adjoining site, no. 37, would remove and replace the TPO trees solely within that site.

The Tree Officer has assessed the proposal in the light of the Arboricultural Implications Report that was submitted to accompany the application. It is considered that this document addresses the requirements of the TPO trees in the adjoining garden adequately. The root protection areas would be adequately safeguarded and therefore a condition is recommended below to ensure that the development is implemented in accordance with the report.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

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

**Contact Officer: Chris Gosling**  
**Tel. No. 01454 863787**

## **CONDITIONS**

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

Reason

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

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

Reason

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

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

Reason

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

5. Prior to the commencement of development details of a bin storage area close to the site access shall be submitted to the Local Planning Authority for approval in writing. The bin storage area shall be implemented in accordance with the details so approved prior to the first occupation of either of the dwellings hereby approved.

Reason

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

6. All highway works associated with the widening of the site entrance shall be carried out prior to the first occupation of either of the dwellings hereby approved in accordance with details to be submitted to the Local Planning Authority for approval in writing..

Reason

To ensure that the access is widened in the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The development shall be implemented in accordance with the Arboricultural Implications Report relating to this proposal, received by the Council on 23 August 2013.

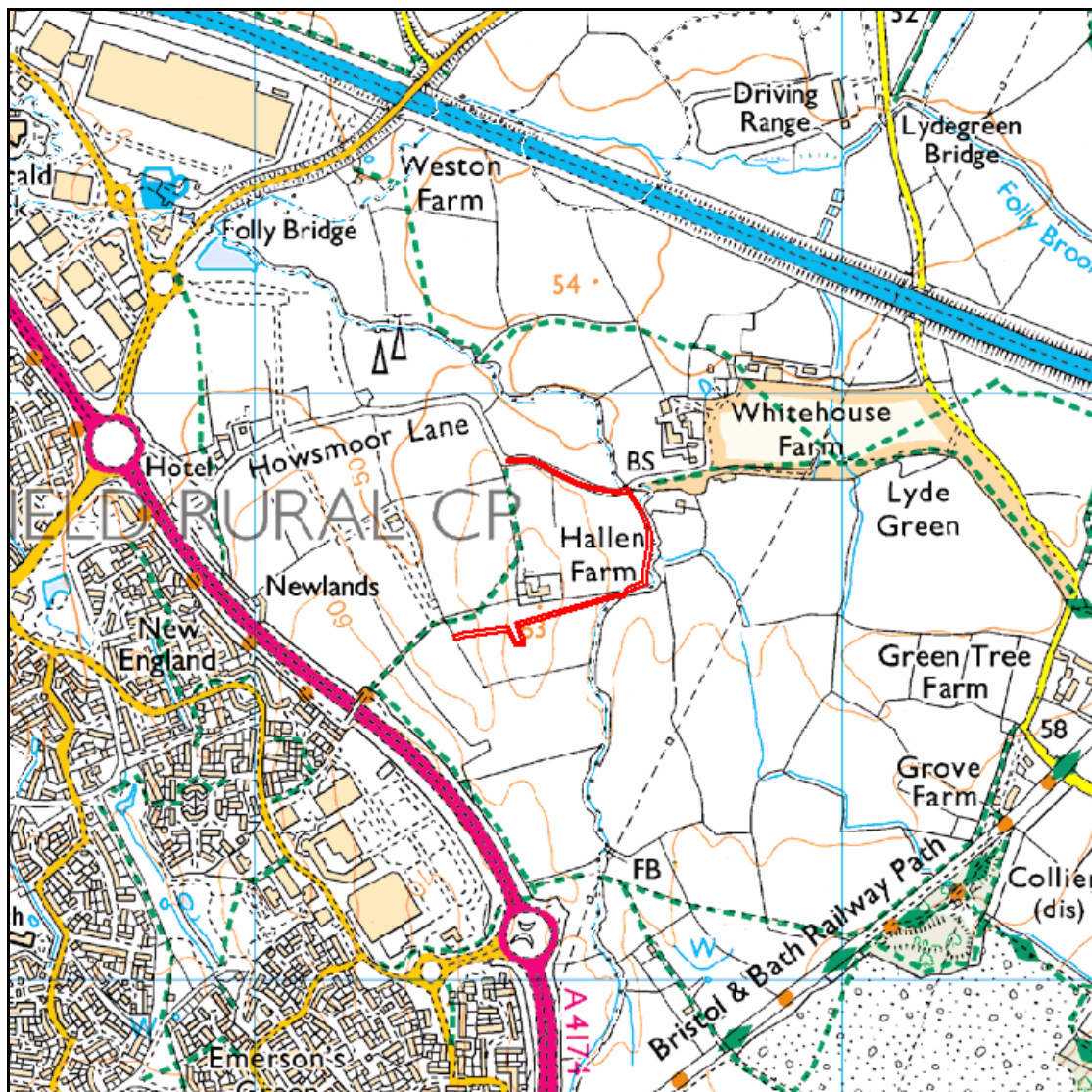
Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

# ITEM 4

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PK13/2630/FDI	<b>Applicant:</b>	Emersons Green Urban Village Ltd
<b>Site:</b>	Land Adjacent To Hallen Farm Howsmoor Lane Emersons Green South Gloucestershire BS16 7AQ	<b>Date Reg:</b>	23rd July 2013
<b>Proposal:</b>	Diversion of footpath PMR/8	<b>Parish:</b>	Mangotsfield Rural Parish Council
<b>Map Ref:</b>	367495 177657	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th September 2013



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100023410, 2008. **N.T.S.** **PK13/2630/FDI**

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

Under the current scheme of delegation, all footpath order applications are required to be determined by the circulated schedule process.

### **1. THE PROPOSAL**

- 1.1 The application is made under Section 257 of the Town and Country Planning Act 1990 (as amended) for the diversion of approximately 335m of public footpath PMR/8/80.
- 1.2 The footpath diversion is required to allow the implementation of development approved under outline application PK04/1965/O for a mixed use development of up to 2250 dwellings at Emersons Green East.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012  
Circular 01/2009: Rights of Way Circular
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
LC12 Recreational Routes

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

- 3.1 PK04/1965/O  
Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m<sup>2</sup> of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m<sup>2</sup> of small scale A1, A2, A3, A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavillion (Class D1) and health centre. Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined.  
Approved June 2013.
- 3.2 PK13/2741/RM  
Erection of 132 dwellings – Parcels 6 & 7. Approval of reserved matters to be read in conjunction with outline planning permission PK04/1965/O. Currently undetermined.



- 3.3 PK13/2602/RM  
Construction of road 2A, including carriageway and footway. Construction of steps (down to road 1A) and associated landscaping. Approval of reserved matters to be read in conjunction with outline planning permission PK04/1965/O. Currently undetermined.

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

- 4.1 Mangotsfield Rural Parish Cncil  
No objection.

- 4.2 Other Consultees

SGC Sustainable Transport  
No objection.

SGC Public Rights of Way Officer

SGC Streetcare Engineers have advised that a 70 metre long ramp would be required to achieve the preferred gradient on the proposed new path and that this is unachievable within the proposed development.

This development has been unable to accommodate a ramp at this location within the guidelines set out within several standards and although this is of concern, there will be two accessible alternative routes available for those with mobility problems unable to use steps. These alternatives offer in one case a surfaced bridleway away from traffic that leads to Howsmoor Lane (already constructed) to the west of the existing path junction and in the other case a footway that leads to the off road section of the proposed path.

I note that the proposed route is substantially within a green corridor as per Circular 1/09. This must be retained in order to be compliant with the national guideline.

I note that the line of the proposed new route was as per the agreed Master Plan for the area.

#### **Other Representations**

- 4.3 Local Residents  
No comments received.

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

- 5.1 Principle of Development

The diversion of the public right of way is not development as defined in the Town and Country Planning Act. As such a diversion order can only be considered within the planning legislation when the diversion of the footpath is

required in order to allow the implementation of a planning permission. The nature of the assessment should consider the route and its suitability in terms of amenity of the public right of way, and whether or not the diversion is reasonably necessary in respect of the planning permission it relates to.

## 5.2 The Proposal

The application seeks permission for the diversion of approximately 335m of public footpath PMR/8/80. The footpath diversion is required to allow the implementation of development approved under outline application PK04/1965/O for a mixed use development of up to 2250 dwellings at Emersons Green East.

- 5.3 PMR/8/80 runs across the footbridge over the Ring Road, down the steep steps associated with the bridge, into the southern part of the Science Park, and then runs in a north easterly direction towards Howsmoore Lane, passing to the west of the listed Hallen Farm. It is the section of path between the south eastern edge of the Science Park, where 'Science Square' has been constructed at the southern end of the existing Science Park Road, and Howsmoore Lane which is to be diverted. The PROW to be diverted currently runs across open fields for part of its route and along the track leading to Hallen Farm in the northern section to be diverted. The proposed route would run along new roads for a relatively short section only – some 100 metres- thereafter the new route would be within public open space green corridors to the south and east of Hallen Farm. The route would then link with Howsmoore Lane, which is to be a 'green' recreational route within the new development.

A short section of the diverted route would involve the use of new steps to be constructed as part of the development infrastructure. A current reserved matters planning application for these steps, which would be 4m wide, and a new road (road 2a) is currently being considered. This has been necessary due to the fact that this part of the PROW is along an already sloping route. Due to the levels, to ramp it would involve either a lengthy structure – a 70m long ramp, or a shorter 'zig-zagging' ramped route which would involve large sections of retaining walls and railings; unsightly and unpleasant to use. The applicant has submitted information relating to two alternative accessible routes in order to avoid the steps for those with mobility problems. These alternatives offer, in one case, an existing surfaced bridleway away from traffic that leads to Howsmoor Lane to the west of the existing path junction, and in the other case a footway that leads to the off road section of the proposed path.

Officers are satisfied that the proposal is a satisfactory response to the site gradients, and that the proposed route is substantially within a green corridor as per Circular 1/09. Furthermore, that the line of the proposed new route is as per the approved master plan for Emersons Green East.

- 5.4 In view of the above, it is considered that the diversion is acceptable and reasonably necessary in the light of the planning permission for residential development on this part of the Emersons Green East development.

6. **CONCLUSION**

- 6.1 The recommendation to raise no objection 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**

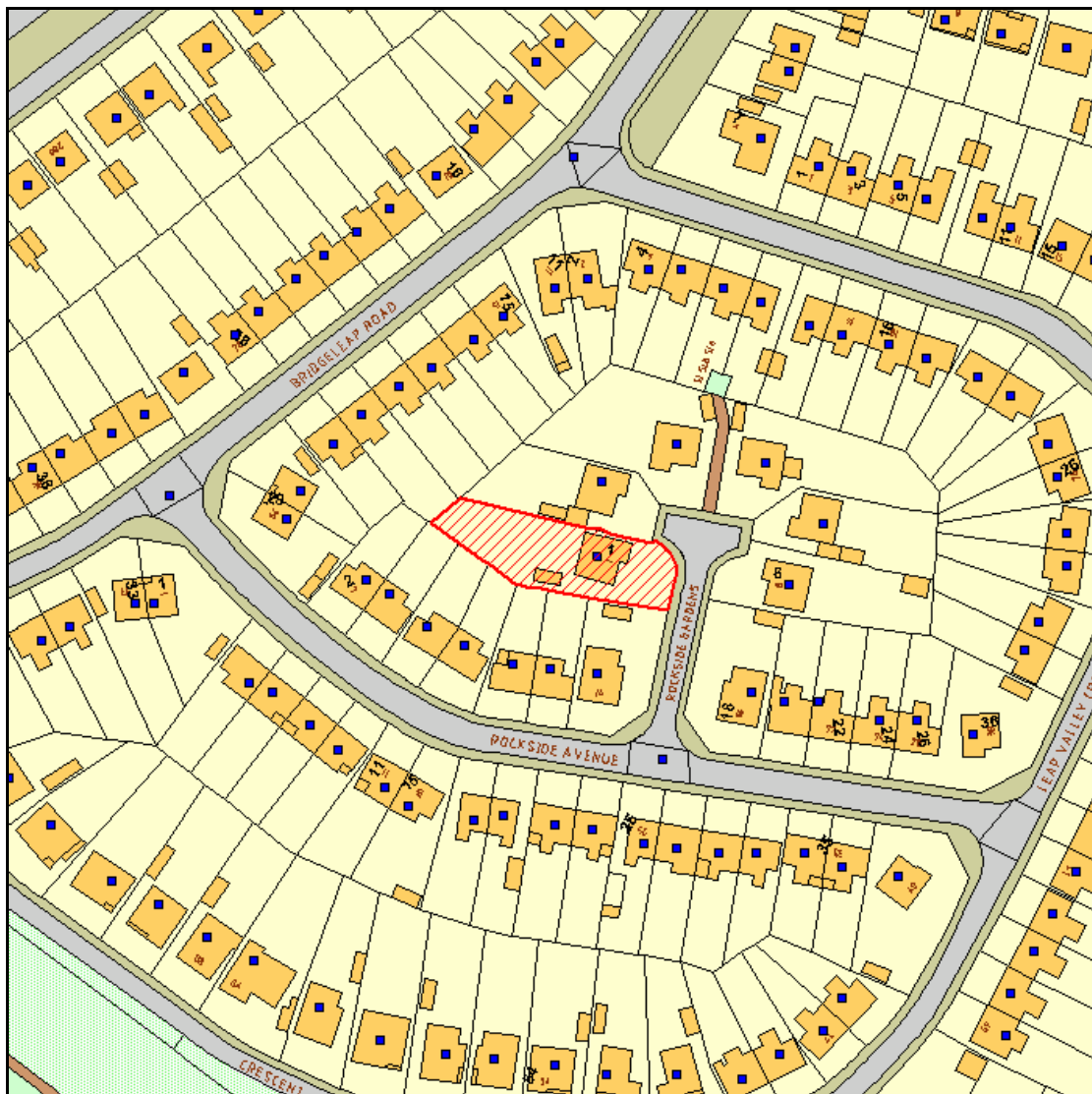
- 7.1 That no objection be raised to the proposed diversion of PMR/8/80.
- 7.2 That the Head of Legal and Democratic Services be authorised to make an Order under Section 267 of the Town and Country Planning Act 1990.

**Contact Officer: Helen Ainsley**  
**Tel. No. 01454 863643**

# ITEM 5

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PK13/2680/F	<b>Applicant:</b>	Mr Mick Griffin
<b>Site:</b>	1 Rockside Gardens Downend Bristol South Gloucestershire BS16 6TJ	<b>Date Reg:</b>	2nd August 2013
<b>Proposal:</b>	Installation of 2no. front dormer windows to provide additional living accommodation	<b>Parish:</b>	Mangotsfield Rural Parish Council
<b>Map Ref:</b>	365943 177864	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Householder	<b>Target Date:</b>	24th September 2013



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

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

### **1. THE PROPOSAL**

- 1.1 The application site is situated in a post war residential suburb of Mangotsfield. The site is bounded by residential development on three sides with vehicular access onto Rockside Gardens to the east. The site comprises a post war detached bungalow with detached single garage to the side.

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

- 1.2 The application proposes two dormers to the front roofslope (east)

The application also shows two dormers in the rear roofslope (west). The rear dormers do not require planning permission and as such are not considered in this report.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Existing Residential Curtilages

T8 Parking Standards

T12 Transportation for New Development

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

CS1 High Quality Design

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

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 Mangotsfield Rural Parish Council

No objection

## 4.2 Other Consultees

**Sustainable Transport** – No objection

### Other Representations

## 4.3 Local Residents

One letter received from the occupiers of 12 Rockside Gardens raising the following concerns:

- The use of dormers would completely change the character of the area
- Rooflights are preferred
- Dormers on the front and rear roofslope would impact on both privacy and aesthetic values

## 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 Further Main Modifications (FMM). The FMM have been subject to a further hearing session that was held on 7 March 2013. An independent report was commissioned by the Council from BNP Paribas to determine housing land supply in the District.

The independent report has been forwarded to the Inspector for consideration. The Inspector has indicated that he will now prepare his final report which is

due to be published by 15<sup>th</sup> November 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 suburban residential context. The dwelling the subject of this application is a detached bungalow. The proposed front dormers would be visible from public vantage points from within the cul de sac (Rickside Gardens) only. 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. There are other examples in the street as a dormer extension to the front elevation (3 Rockside Gardens and 18 Rockside Avenue). As such it is considered that the design of the proposal accords with the criteria of Policy D1.

## 5.3 Residential Amenity

The front dormers would face into the public street. The nearest dwelling would be no.6 opposite which is situated 32m from no.3. The dormers would be very modest in scale. As such the proposed extension would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development or loss of privacy/overlooking.

## 5.4 Highway matters

The proposal would increase the size of the dwelling from 2 to 3 bedrooms. The Council's adopted parking standard requires a minimum of 2 off street parking spaces to be provided for a 3 bed dwelling. Two off street parking spaces exist at the front of the dwelling. The proposal is considered to meet the Council's adopted parking standard and as such would have no significant highway safety impact.

## 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 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).



# ITEM 6

## CIRCULATED SCHEDULE NO. 39/13 – 27 OCTOBER 2013

<b>App No.:</b>	PK13/2843/F	<b>Applicant:</b>	Mr Peter Bateman
<b>Site:</b>	8 Harrington Close Bitton Bristol South Gloucestershire BS30 6AT	<b>Date Reg:</b>	15th August 2013
<b>Proposal:</b>	Erection of single storey side and rear extension to form additional living accommodation.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	368004 169623	<b>Ward:</b>	Bitton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th October 2013



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

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

### **1. THE PROPOSAL**

- 1.1 The application seeks permission for the erection of a single storey side and rear extension to form additional living accommodation.
- 1.2 The application relates to a detached dwelling located within a relatively modern cul-de-sac to the south of the High Street, within the Bitton Conservation Area.
- 1.3 The application has been submitted alongside application PK13/2844/CA, which seeks Conservation Area Consent to demolition part of the boundary wall to facilitate the above proposal.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework March 2012  
Planning (Listed Buildings and Conservation Areas) Act 1990  
PPS5 Historic Environment Planning Practice Guide March 2010

#### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design  
H4 Development within Existing Residential Curtilages  
L12 Conservation Areas

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

CS1 High Quality Design  
CS9 Managing Environment and Heritage

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007  
Residential Parking Standards SPD (Approved) 2013  
Bitton Conservation Area SPD

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

- 3.1 K5196/5AP - Erection of 22 houses, 14 flats (total of 36 dwellings) plot nos. 1 - 36, and associated highway works (reserved matters) (Previous ID: K5196/5AP) – Approved 20<sup>th</sup> December 1993

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

4.1 Bitton Parish Council

No objection

4.2 Transportation DC

No objection

4.3 Conservation Officer

No objection

4.4 Highway Drainage

No objection. The application site has been assessed as being within the Environment Agency Standing Advice Developments and Flood Risk Matrix (January 2009) Flood Zone 3b – EA Form required.

- Form received dated 9<sup>th</sup> September 2013.

#### **Other Representations**

4.5 Local Residents

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

- Why is the garden wall to be demolished – surely it is better to retain the wall for both cost and aesthetic reasons?
- How will the Bath stone entrance pier be retained?
- What is the proposed detail for the wall coping and pier capping?
- High-level windows not in keeping. Conservation rooflights could be more suitable.
- Eaves detail should be similar to main house (exposed dark stained rafter feet).
- Amendments to roof pitch could reduce height and eaves of wall.
- What is the detail between the rendered return wall and the lower stone garden wall?
- Disruption/ damage to neighbour's driveway.
- Applicant has no vehicle access to the drive.
- "Party Boundary Wall" agreement should be in place.
- Harrington Close is very well regarded in Bitton as an example of modern but traditional development, enhanced greatly by the various driveways, access points and wall and pier features - visual alterations should be in keeping.
- The available drawings are very sparse and do not note or show any detail - this is an unusually located extension and the detailing of the external features are vitally important.
- Concern r.e appearance of windows and roof height - velux type roof windows/sky lights would be more in keeping with the surrounding properties.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application seeks permission for the erection of a single storey side and 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, highway safety and design. The application site is situated within the Bitton Conservation area and as such the design of the proposal must have proper regard to the distinctive character and appearance of the Conservation Area.

### 5.2 Design/ Conservation

The application relates to a two-storey detached dwellinghouse located within a cul-de-sac to the south of the High Street. The subject building and its neighbours that together comprise Harrington Close are of recent construction with elevations featuring of mixture of render and reconstituted stone. In recognition of its sensitive context, the development was designed to reflect a traditional cottage vernacular but the desired effect is somewhat undermined by the modern proportions, scale of units and prevalent use of re-constituted stone. Along with an informal layout, the levels of enclosure experienced in the more historic parts of the village (as achieved by both buildings and stone boundary walls set hard against the highway) have also been replicated in part.

5.3 The proposed scheme seeks consent to construct a single storey side extension that would project beyond the rear building line. The external side elevation of the extension would incorporate the existing garden boundary wall: the section of garden wall that returns to the front elevation is to be demolished to make way for the extension. For the avoidance of doubt, in light of its age, construction and character, there are no objections to the demolition of this section of wall as proposed under the associated conservation area application.

5.4 Due to the orientation of the dwelling, the house backs onto the main road and so the 'public elevation' is the rear elevation. The rear extension would therefore be visible within the street scene with the structure projecting above the boundary wall, especially in the views from the main road down the private access road that separates this property with no.7. The proposed scheme is considered somewhat of an awkward proposal with the rear elevation looking particularly contrived. However although there will be public views of the extension, these are not considered to be significant. Consequently it is considered that the proposal would not result in any material diminution to the existing quality of the street scene. Moreover with the application site is visually contained within the modern cul-de-sac, the contribution Harrington Close makes to the existing character and appearance of the Bitton Conservation Area would be unaffected by the proposal and thus the significance of the conservation area would be preserved.

5.5 Comments made by local residents make specific regard to the design of the proposed extension, and although the Conservation Officer has recommended minor alterations to the rear elevation of the extension, in light of the character of the immediate locality it is considered that the extension as proposed is acceptable in terms of policies D1, H4 and L12 of the adopted Local Plan, and

would not detract from the character or distinctiveness of the Bitton Conservation Area. The Conservation Officer has not requested any conditions relating to design detailing.

5.6 Residential Amenity

The application proposes a single storey rear and side extension. The extension would be on the south and east elevations of the dwelling, which face the highway and access drive to no.s 9 and 10. The nearest neighbouring property to the extension would be no.7 Harrington Close, which would be situated 12 metres from the proposed extension. The proposed extension would be single storey and would have a maximum height of 3.4 metres. It is considered that the proposal, by virtue of scale and distance from surrounding properties, would not prejudice the residential amenity of them. The proposal raises no concerns in terms of loss of mutual privacy and adequate private amenity space would remain to serve the dwelling.

5.7 Highway Safety

The application would not result in an increase in bedrooms and would not affect the existing parking provision on site. As such there are no concerns in terms of highway safety.

5.8 Other Matters

Concern has been raised by a local resident relating to access to the adjacent driveway, party wall agreements, and disruption/ damage to the driveway during construction. It is highlighted that these are civil matters, which do not hold any weight in the determination of this planning application.

6. **CONCLUSION**

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out 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 following conditions:

**Contact Officer: Sarah Fordham**  
**Tel. No. 01454 865207**

**CONDITIONS**

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

# ITEM 7

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

**App No.:** PK13/2844/CA  
**Site:** 8 Harrington Close Bitton Bristol  
South Gloucestershire BS30 6AT  
**Proposal:** Demolition of garden wall.  
**Map Ref:** 368004 169623  
**Application Category:** Minor

**Applicant:** Mr Peter Bateman  
**Date Reg:** 15th August 2013  
**Parish:** Bitton Parish  
Council  
**Ward:** Bitton  
**Target Date:** 7th October 2013



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**N.T.S.**

**PK13/2844/CA**

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

There have been no objections received in relation to this application for Conservation Area Consent. However, this application is linked to application ref. PK13/2843/F, which has received two letters of objection from local residents. The report relating to PK13/2843/F is included on this Circulated Schedule

### **1. THE PROPOSAL**

- 1.1 The application seeks Conservation Area Consent for the demolition of part of the rear boundary wall to 8 Harrington Close to facilitate the erection of a single storey side and rear extension to form additional living accommodation (considered separately within ref. PK13/2843/F).
- 1.2 The application relates to a detached dwelling located within a relatively modern cul-de-sac to the south of the High Street.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012  
Planning (Listed Buildings and Conservation Areas) Act 1990  
PPS5 Historic Environment Planning Practice Guide March 2010

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

- 3.1 K5196/5AP - Erection of 22 houses, 14 flats (total of 36 dwellings) plot nos. 1 - 36, and associated highway works (reserved matters) (Previous ID: K5196/5AP) – Approved 20<sup>th</sup> December 1993

### **4. CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council  
No objection
- 4.2 Transportation DC  
No comment
- 4.3 Conservation Officer  
No objection

#### **Other Representations**

- 4.4 Local Residents  
There have been no objections received in relation to this application for Conservation Area Consent. However, this application is linked to application ref. PK13/2843/F, which has received two letters of objection from local residents.



## 5. **ANALYSIS OF PROPOSAL**

### 5.1 **Principle of Development**

The purpose of an application for Conservation Area Consent is to allow the Local Planning Authority assess the merit and value of the subject structures in terms of their contribution to a Conservation Area in terms of its visual character and historical context. Therefore, the only issue to consider is the impact of the proposed demolition on the historic character of the Conservation Area.

### 5.2 **Consideration of Proposal**

The application relates to a two-storey detached dwellinghouse located within a cul-de-sac to the south of the High Street. The subject building and its neighbours that together comprise Harrington Close are of recent construction with elevations featuring of mixture of render and reconstituted stone. In recognition of its sensitive context, the development was designed to reflect a traditional cottage vernacular but the desired effect is somewhat undermined by the modern proportions, scale of units and prevalent use of re-constituted stone. Along with a informal layout, the levels of enclosure experienced in the more historic parts of the village (as achieved by both buildings and stone boundary walls set hard against the highway) have also been replicated in part.

5.3 The site is visually contained within the modern cul-de-sac, the contribution Harrington Close makes to the existing character and appearance of the Bitton Conservation Area would be unaffected by the proposal and thus the significance of the conservation area would be preserved. In light of its age, construction and character, there are no objections to the demolition of this section of wall as proposed.

## 6. **CONCLUSION**

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

## 7. **RECOMMENDATION**

7.1 Conservation Area Consent is GRANTED subject to the conditions in the decision notice.

**Contact Officer: Sarah Fordham**  
**Tel. No. 01454 865207**

### **CONDITIONS**

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

Reason

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

# ITEM 8

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

App No.:	PK13/2980/F	Applicant:	Ms Sophia Hogan
Site:	Charnhill Court Charnhill Drive Mangotsfield Bristol South Gloucestershire	Date Reg:	13th August 2013
Proposal:	Erection of two storey side extension to provide additional living accommodation and single storey side extension to provide garage	Parish:	None
Map Ref:	365951 175845	Ward:	Rodway
Application Category:	Householder	Target Date:	3rd October 2013



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

This application appears on the Circulated Schedule because an objection has been received from a neighbouring occupier contrary to the officers recommendation. Amended plans have been received and the re-consultation process will be carried out whilst the application is circulated to Members. If any new issues are raised through the re-consultation process that have not already been considered then the application will be re-circulated to Members.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a two-storey side extension to provide additional living accommodation and a single storey side extension to provide a garage.
- 1.2 The application site comprises a two-storey detached property, which is accessed via a private drive off Charnhill Drive. The property is set back behind the established building line of properties fronting Charnhill Drive. The site is covered by an area Tree Preservation Order (TPO), which contains approximately 18 protected trees.
- 1.3 The topography of the site is such that there is a significant difference in levels between the front of the property, which appears as two-storey and the rear, which appears as single storey. Residential gardens are located to the north, east and west; parking and turning facilities of the dwelling are located to the south.

### **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  
Modifications March 2013.  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)  
The South Gloucestershire Residential Parking Standards SPD

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

- 3.1 No relevant planning history.

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

4.1 Outside of Parish Boundary

4.2 Tree Officer  
No objection

4.3 Drainage Officer  
No comment

#### **Other Representations**

4.3 Local Residents

One letter of objection has been received from a neighbouring occupier. The following is a summary of the reasons given for objecting:

The study/playroom window at ground floor level and the study and dressing room windows at first floor on the proposed south elevation overlook the lowest level of my garden. The first floor windows will also allow views into some bedroom windows on my north elevation.

#### **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 development proposed. The main issues to consider are the appearance/form of the extensions 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 transportation effects (policies T12 and H4 of the Local Plan).

5.2 Appearance/Form and Impact on the Character of the Area

The proposed two-storey side extension measures approximately 4.1 metres in width and extends level with the front elevation of an existing projecting two-storey gable and set back by approximately 0.5 metres at the rear. The proposal adjoins the existing front gable to form a wide, gable projection with a shallow sloped pitched roof. The front elevation comprises French doors at ground and first floor level on the front elevation with a toughened glass Juliet balcony at first floor level. The rear elevation comprises French doors at first floor level with a toughened glass Juliet balcony and a single small window at ground floor level, which will be well hidden due to the topography. This part of the scheme forms a study/playroom at ground floor level and a dressing room/study above. The applicant has specified the materials Bradstone buff stone at ground floor level with white scratched render above to match existing and brown Redland delta concrete tiles to match the existing dwelling.

5.3 Whilst the proposal results in a very wide shallow gable, it is not considered that it will appear adversely out of keeping with the character of the existing

- dwelling, which is already characterised by shallow gables on the northern and southern elevations. As such, and given that the proposal will not be prominent from views from the public realm, it is not considered that there will be a significant adverse effect on the character of the area.
- 5.4 A single storey rear extension is proposed on an existing paved parking area to form a garage measuring approximately 5 metres in length and 5.6 metres in width. It is encompassed by an asymmetric pitched roof with an apex of approximately 4.1 metres. A vehicular door will provide access through the southern elevation; a single pedestrian door and window are proposed in the rear elevation.
- 5.5 Impact on Trees  
The applicant has confirmed that no development or storage of materials and equipment will take place within the root protection area of trees to the northeast of the site. The topography of the site is such that it is extremely unlikely that equipment or materials could be transported to the northeast of the site. Accordingly, an Arboricultural Method Statement is not required and the Council's Tree Officer has raised no objections to the development.
- 5.6 Residential Amenity  
The host dwelling is surrounded by neighbouring residential curtilages on all sides. Full glazed, 3-pane bi-fold doors are proposed in the northern elevation of the existing dwelling, which will lead onto a balcony measuring approximately 4.5 metres in width and 0.6 metres in depth. However, the properties to the north and Charnhill Lodge to the east benefit from very large curtilage plots. The northern elevation is approximately 45 metres from the properties to the north at the closest point; and approximately 20 metres from Charnhill Lodge. As such, given the siting of the host dwelling in relation to neighbouring properties and the fact that a group of mature protected trees are growing to the north of the host dwelling, it is not considered that the level of overlooking resulting from the proposed balcony will have a significant adverse effect on the residential amenity of neighbouring occupiers through loss of privacy.
- 5.7 Whilst the proposed garage is located approximately 1.5 metres from the site boundary, it will be approximately 11 metres from the neighbouring dwelling. As such, given the single storey scale of the proposal and the topography of the site, it is not considered that this part of the scheme will have a significant adverse effect on the residential amenity of neighbouring occupiers through loss of natural light or privacy.
- 5.8 An objection has been received from the occupier of the neighbouring property no.22 to the southwest on the basis of loss of privacy due to the windows proposed in the southwestern side elevation of the extension. Careful consideration is required regarding the impacts on the neighbouring occupier. The proposal moves the building line approximately 4 metres closer to the boundary such that the extension proposed will be approximately 4 metres from the shared flank boundary and 7.5 metres from the neighbouring property at the closest points. The neighbouring property is single storey with a mono-pitch roof and is set down at a lower level than the application site. Amended plans

have been received, which have reduced the scale of the first floor window to a single narrow casement and moved it closer to the eastern side on the southern elevation; in addition, the ground floor window closest to the eastern side on the southern elevation has been reduced in size to a single narrow casement. The reduction and repositioning of the first floor window will ensure that views into the neighbouring garden will be at more of an oblique angle and will help reduce the degree of any overlooking; the reduction in size of the ground floor window on the eastern side of the southern elevation will help to reduce the level of inter-visibility between the host dwelling and windows in the neighbouring property. On balance, given the separation distance between the properties and the large size of the neighbouring garden, it is not considered that the proposal will have a significant adverse effect on the residential amenity of neighbouring occupiers through loss of privacy. If permission is granted, a condition is recommended to restrict further openings in the southern side elevation.

#### 5.9 Transportation

The proposal does not propose any additional bedrooms. Whilst the proposal results in the loss of an integral garage the proposed garage offsets this. Given the scale and nature of the proposal it is not considered that there will be a significant increase in vehicular trips. There is adequate parking facilities to serve 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.

### 7. RECOMMENDATION

7.1 Planning permission is GRANTED subject to the following conditions.

**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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing dwelling.

Reason

To ensure an adequate standard of external appearance and to accord with policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

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

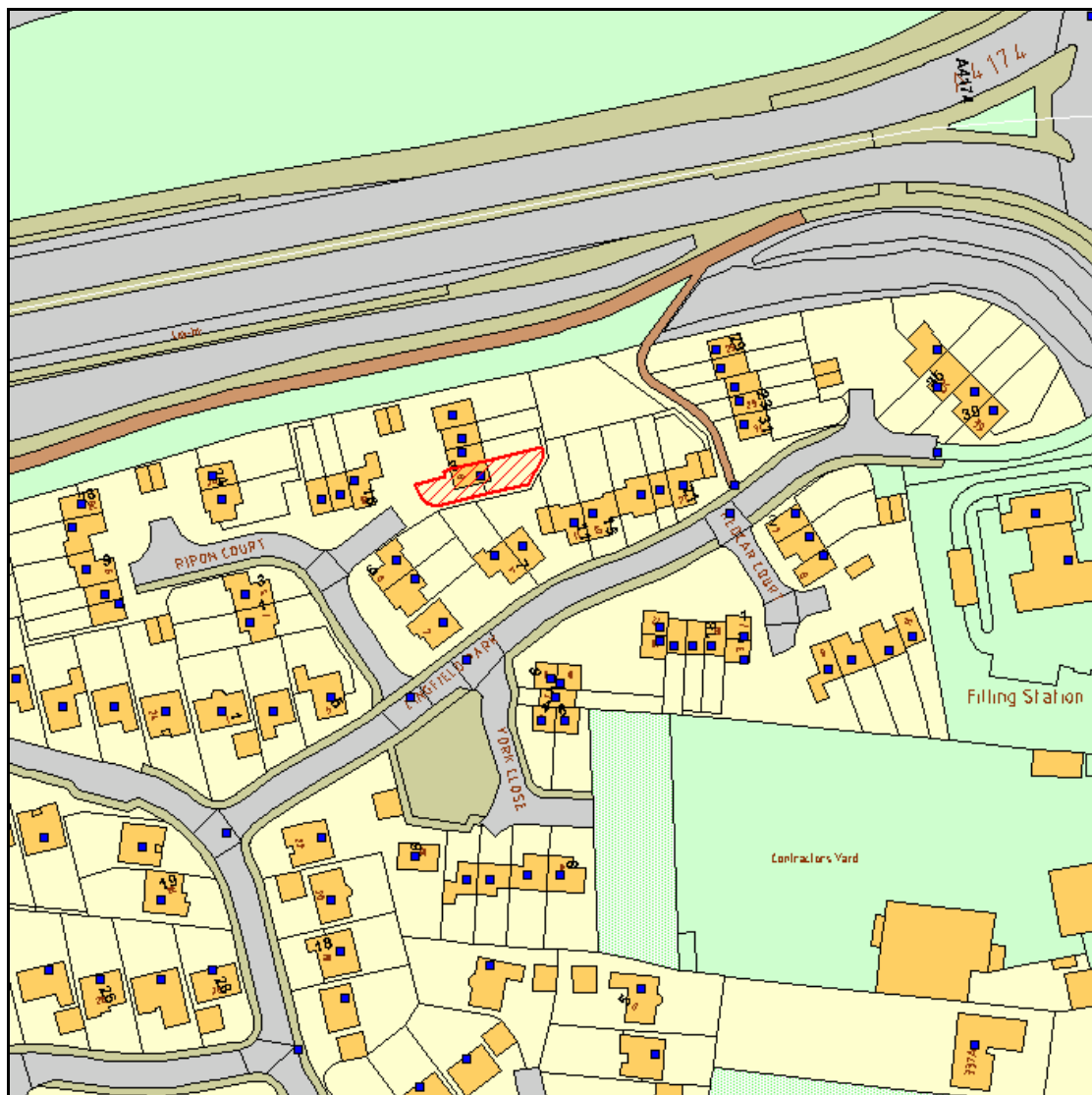
Reason

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

# ITEM 9

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PK13/3033/F	<b>Applicant:</b>	Mr R Alden
<b>Site:</b>	8 Ripon Court Downend Bristol South Gloucestershire BS16 6RL	<b>Date Reg:</b>	15th August 2013
<b>Proposal:</b>	Erection of two storey side extension to provide integral garage and additional living accommodation. (Resubmission of PK13/2119/F).	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365906 178528	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th October 2013



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

The application has been referred to the Circulated Schedule due to the receipt of objection letters from local residents.

### **1. THE PROPOSAL**

1.1 The applicant seeks full planning permission for the erection of a two-storey extension the side of No. 8 Ripon Court, Downend, to provide additional living accommodation. The proposed extension would provide an attached garage and utility room on the ground floor and an en-suite bedroom above. The application site relates to a two-storey end-terraced dwellinghouse within the established residential area of Downend.

1.2 The applicant withdrew the previous planning application in order to address concerns raised by the officers in terms of the scale of the extension and the provision of parking facilities.

The current proposal shows that the new extension would have a lower ridgeline, a dormer on the front elevation, and there would be two additional parking spaces provided within the front garden of the dwelling.

1.3 The proposed extension would measure 2.5 metres wide by 7.7 metres long and 6.5 metres to its ridge.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

NPPF National Planning Policy Framework March 2012

#### **2.2 Development Plans**

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

D1 Achieving Good Design in New Development

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

T8 Parking Standards

T12 Transportation Development Control

##### South Gloucestershire Local Plan: Core Strategy incorporating Inspector's Main Modifications

CS1 High Quality Design

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

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards

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

3.1 PK13/2119/F Erection of two-storey side extension to provide integral garage and additional living accommodation. Withdrawn 31.07.13

## 4. CONSULTATION RESPONSES

### 4.1 Downend and Bromley Heath Parish Council

No objection provided that access to the footpath is maintained and adequate off street parking provided for a 3-bedroom house.

### 4.2 Other Consultees

#### Highway Transportation

No objection subject to a revised plan showing the internal dimensions for the garage (3 metres wide by 6 metres long)

Highway Drainage: No comment.

### Other Representations

### 4.3 Local Residents

Five letters of objection have been received and the concerns are summarised as follows:

- Disruption to parking while work being carried out, its hard enough parking in small cul-de-sac with all the vehicles that will be needed for the extension.
- Noise disturbance upon the neighbouring properties, particularly, there is a family with a young child, during the construction work,.
- Access to the lane for houses 10 & 12 will be restricted as the garden access of No. 8 will be changed due to the bins being in the place.
- Disruption to cul-de-sac
- Access to neighbouring house and driveway whilst work is being carried out
- Where contractors will park whilst carrying out the work
- Long term effect of the bigger house in a small cu-de-sac, which will be housing more people, and thus more cars
- Will the garage be used to park a car in, or will be used for storage like so many garages, which means more cars parking on the road, and there is no space outside this property to do this without inconveniencing others.
- Small cul-de-sac with restricted access at busy times and need access to get my car out at all times of the day and night.
- Where the building materials are going to be
- The side access lane is going to cause problems for no. 10 & 12 and 8 as at the moment the rubbish bins are located there with nowhere else for them to go.
- Loss of privacy – the extension looks over more of the neighbouring garden
- Overbearing impact – there would be large brick wall that will only be 3-4 feet from neighbour's garden wall and established garden patio.

- Loss of light – the patio and conservatory both benefit from the afternoon sun setting in the west. The proposed extension will block the light from the west and reduce daylight in the neighbour's garden and patio in the afternoon and through the evening. The neighbour will lose light and ambient heating to the rear of the house.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

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

### 5.2 Design and Visual Amenity

The proposed two-storey extension is proposed to the side of the main dwelling, its ridge would be at least 1.1 metres lower than the main ridgeline. There would be a dormer on the front elevation, and its design would be similar to the existing window on the first floor front elevation.

The width of the extension is modest in comparison to the width of the main property and the scale and character of the original dwelling is allowed to dominate. The proposed external materials to be used in the new extension would match those used in the existing dwelling.

Overall, the design respects the character and appearance of the existing house. It is subservient in appearance and would not cause significant affect the visual amenity of the area. As such, the design is acceptable and meets the standard set by policy D1 and H4 of the Local Plan.

### 5.3 Residential Amenity

Officers acknowledge that the local residents have concerns in terms of loss of privacy and overbearing impact upon the neighbouring properties.

The two-storey extension is proposed to the side of the property, and its ridgeline would be much lower than the ridgeline of the host dwelling. In addition, the proposed extension would be approximately 10 metres away from the rear elevation of the nearest neighbouring property. As such, it is considered, on balance, that the proposed extension would not cause significant overbearing impact upon the neighbouring properties to warrant a refusal of this application.

There would be new windows on the front and rear elevation of the proposed extension, but there would be no window on the side elevation. The proposed window on the rear elevation would be a bathroom window, and as such officers do not consider that it would cause significant overlooking upon the neighbouring properties.

It is therefore considered that the proposed extension would not have any detrimental impact on neighbouring dwellings by means of overlooking or loss of privacy.

#### 5.4 Transportation

Officers acknowledge that local residents have concerns upon the parking issues of the proposed extension.

Planning permission has previously been sought (PK13/2119/F) to erect an extension onto the existing dwelling to provide additional living accommodation and an integral garage. Highway Officer objected the proposal as the garage was considered inadequate in size and the development removed existing parking from within the site boundary.

The current proposal again seeks to extend the existing dwelling including an integral garage. The proposed garage is considered to be substandard in size, however it is indicated that there would be two additional parking spaces provided within the site.

The Council's new residential parking standards state that a minimum of two spaces would be needed within the site boundary and the parking space is a minimum of 2.4 metres by 4.8 metres in size. It is considered that the proposed parking facilities, in terms of its number and size, would meet the new residential parking standards. A planning condition is however imposed to ensure that the proposed off-street parking spaces will be maintained and kept for such proposes.

#### 5.5 Other issues

The local residents also raise the following concerns:

Disruption during the construction period: Officers acknowledge that there would be inevitable disruptions during the construction of the proposed extension, however these would be temporary. Nevertheless, officers consider that it would be reasonable to impose a planning condition to restrict the hours of construction in order to minimise the disturbance and nuisance upon the nearby residents.

Concerns are also raised in term of contractors' parking, storage of building materials, and access to neighbouring properties. These would be private civil matters for the applicant and the adjoining owners to resolve the issues, and would not be planning material consideration.

Access to No. 8, 10 and 12: Residents are concerning that the proposal would affect the access lane to the rear of No. 10 and 12. The applicant confirmed that the proposed extension would be within the whole ownership of the applicant by signing the Certificate A. Nevertheless, it would be private and civil matter for the applicant and the adjoining owners to resolve the issues if the proposed extension would encroach upon the ownership boundary.

## 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 condition on the decision notice

**Contact Officer:** Olivia Tresise  
**Tel. No.** 01454 863761

## CONDITIONS

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

Reason

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

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7, and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the Council Residential Parking Standards March 2013.

3. The hours of working on site during the period of construction shall be restricted to 8.00am to 18.00pm Mondays to Fridays, and 08.00am to 13.00pm Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No windows shall be inserted at any time in the side south elevation of the proposed extension hereby permitted.

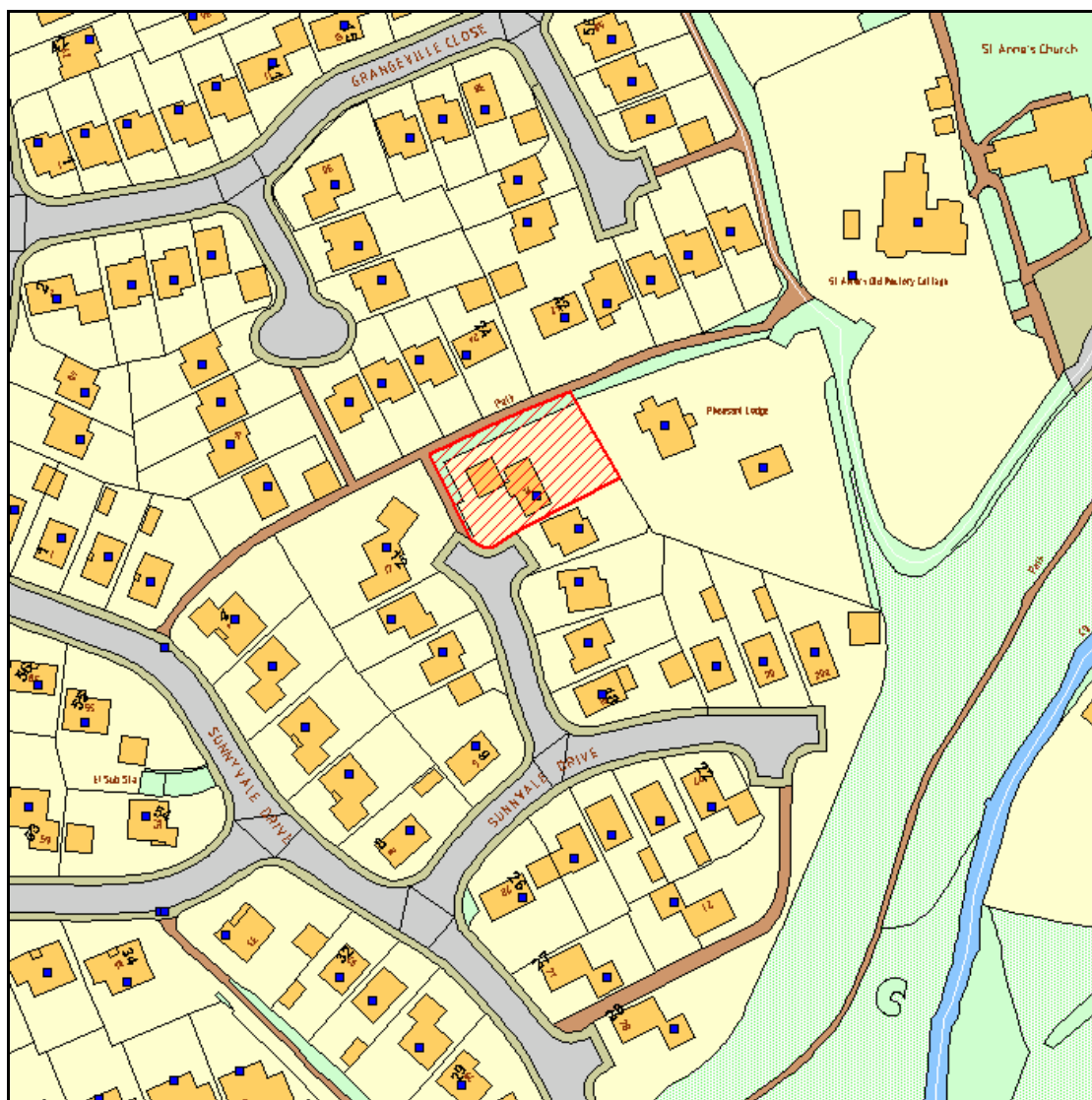
Reason

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

# ITEM 10

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PK13/3066/CLP	<b>Applicant:</b>	Mr Christopher Moore
<b>Site:</b>	14 Sunnyvale Drive Longwell Green Bristol South Gloucestershire BS30 9YH	<b>Date Reg:</b>	19th August 2013
<b>Proposal:</b>	Application for Certificate of Lawfulness for the proposed erection of a single storey side extension.	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	366759 171092	<b>Ward:</b>	Longwell Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	9th October 2013



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**PK13/3066/CLP**

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

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

### **1. THE PROPOSAL**

1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey side extension at 14 Sunnyvale Drive, Longwell Green would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

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

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

3.1	K1088/65	Erection of 7 detached houses with construction of associated roads, footpaths, garages and parking areas
	Approved	14.11.83

### **4. CONSULTATION RESPONSES**

4.1 Oldland Parish Council  
No objection

#### **Other Representations**

#### **4.2 Local Residents**

One letter of objection has been received:

- The original living accommodation has already been increased with the addition of a conservatory, the part-conversion of the double garage and also the area connecting the kitchen to the garage. The proposed building works will almost double the original footprint of the living accommodation. We believe this amounts to over-development.
- The proposed extension will run the entire width of our rear garden and we have concerns with regard to privacy. Because the land is higher than our



own (making it easier to be overlooked) we have particular issues with regard to the windows. At the moment we are overlooked by a small, frosted glass en suite window, some distance away. This proposal will result in larger, windows, much closer to our garden, impacting upon our privacy.

- We believe the plans appear deceiving. The proposed extension extends beyond the back of the original garage. We can see the garage wall at the moment and therefore we can judge where the wall of the extension will be. Consequently we believe the extension will visually be much closer to the perimeter fence than it appears on the plans.

## **5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION**

### **5.1 PLANS**

Existing site plan - 13-235-001; Existing site plan – 13-235-002; Existing floor plans – 13-235-003; Existing elevations – 13-235-004; Proposed floor plans – 13-235-100; Proposed site plan- 13-235-101; Proposed elevations – 13-235-102

## **6. EVALUATION**

### **6.1 Principle of Development**

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

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

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

### **6.2 Erection of a single storey side extension**

**A1 Development is not permitted by Class A if –**

- (a) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**  
The host property is situated in a corner position at the far end of a cul-de-sac on a modern estate in Longwell Green. As such it benefits from a substantial garden. It is therefore, judged that the proposed side extension would not exceed 50% of the total area of the curtilage. The proposal therefore, meets this criterion.
- (b) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**  
The main dwelling house is a two-storey property whilst the proposed side extension would be single storey. As such the proposal meets this criterion.
- (c) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**  
The height to eaves of the proposed extension would reach 3.9 metres whereas, in comparison, the height to eaves of the main dwelling measures 4.5 metres. The entire proposal would therefore, sit lower than the eaves height of the main dwelling and so the proposal meets this criterion.
- (d) The enlarged part of the dwellinghouse would extend beyond a wall which—**  
**(i) fronts a highway, and**  
**(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;**  
The host property is situated at the head of a cul-de-sac, however, its main entrance is at right angles to the road, as such the proposed extension would be to the side of the dwelling not on a principle elevation and not fronting a highway. The proposal therefore, accords with this criterion.
- (e) The enlarged part of the dwellinghouse would have a single storey and—**  
**(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**  
**(ii) exceed 4 metres in height;**  
The host dwelling is a semi-detached property. The proposed side extension would be single storey and would extend beyond the rear wall by a maximum of 3.9 metres. In addition, the proposed it would have a maximum height of 3.9 metres.  
As such the proposal meets this criterion.

- (ea) **Until 30<sup>th</sup> May 2016, for a dwellinghouse not on article 1(5) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –**
- (i) **extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse or**
  - (ii) **exceed 4 metres in height**

The proposed single storey side extension would measure approximately 9.6 metres, but the part of the proposal extending out past the rear building line would measure 3.9 metres. The entire structure would not exceed 4 metres in height. As such it complies with this criterion. .

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

The proposal is single storey.

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

The height of the eaves would be 2.5 metres and the proposal would be located approximately 4 metres away from a boundary. The proposal therefore accords with this criterion.

- (h) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would:**

- (i) **exceed 4 metres in height**
- (ii) **have more than one storey, or**
- (iii) **have a width greater than half the width of the original dwellinghouse; or**

The proposed side extension would not exceed 4 metres in height and would be single storey. The host dwelling has an original width of 11 metres whilst the proposed extension has a width of 5.3 metres. The proposal therefore meets this criterion.

- (i) **It would consist of or include—**

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

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

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

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

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

### **Conditions**

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

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

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

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

No new openings would be created, however, the proposal would require an existing first floor obscure glazed window to be reduced in size from 1.2 metres in height to 0.8 metres in height to accommodate the roof of the extension. The window would remain obscure glazed.

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

The proposal is single storey.

**A4 Conditions apply to development falling under A1 (ea). These include:**

Development shall be completed on or before 30<sup>th</sup> May 2016 and the developer shall notify the local planning authority of the completion of the development.

## **7. RECOMMENDATION**

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

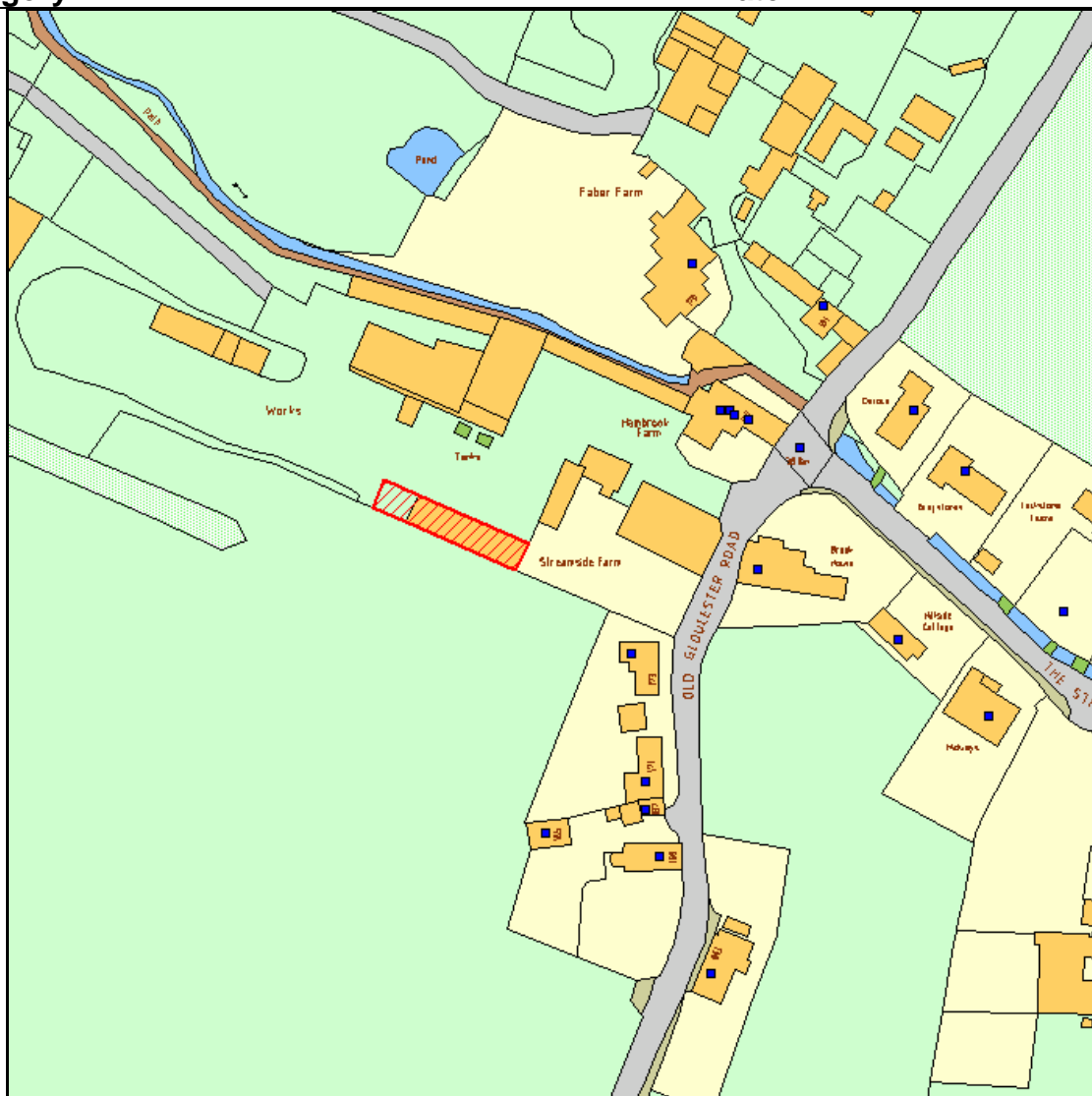
Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

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

# ITEM 11

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PT13/1472/F	<b>Applicant:</b>	ACH Limited
<b>Site:</b>	Hambrook Business Park The Stream Hambrook Bristol South Gloucestershire	<b>Date Reg:</b>	8th May 2013
<b>Proposal:</b>	Change of use of existing storage building (Class B8) to office (Class B1) and associated works as defined in Town and Country planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	363841 178826	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	28th June 2013



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100023410, 2008. **N.T.S.** **PT13/1472/F**

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

This application has been referred to the Circulated Schedule following receipt of an objection from Winterbourne Parish Council, the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to a building located within an existing business park, associated with ACH Limited, Hambrook. The building the subject of the application, lies on the southern edge of the business park and has consent to be used for car storage. The building is a single-storey structure with a mono-pitch roof and an approximate floor area of 230sq.m. The overall site lies in open countryside to the west of the Established Settlement Boundary of Hambrook Village but within the Hambrook Conservation Area and Bristol/Bath Green Belt. Vehicular access to the business park is from Old Gloucester Road, which is in part a Major Recreational Route.
- 1.2 It is proposed to change the use of the building from B8 storage/parking of cars to separate office use (B1). To facilitate the proposed change of use, the proposal would involve the provision of doors and glazing in the northern façade. A total of 15no. car parking spaces would be provided to the front of the building.

### **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

L1 - Landscape Protection and Enhancement

L12 - Conservation Areas

L13 - Listed Buildings

L17 & L18 - The Water Environment

EP1 - Environmental Pollution

GB1 - Green Belt

T8 - Parking Standards

T12 - Transportation Development Control for New Development

E6 - Employment Development in the Countryside.

E7 - Conversion and Re-Use of Rural Buildings.

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

CS1 - High Quality Design

CS9 - Managing Heritage and the Environment

CS34 - Rural Areas

#### 2.3 Supplementary Planning Guidance

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

- 3.1 PT11/4015/CLE - Application for the Certificate of Existing Use for buildings A,B,C,D,E,F,G,H,I and J for Class B1 (Business), Class B2 (General Industrial) and Class B6 (Storage or Distribution).  
Approved 12 June 2012

*The current application relates to building D which under the above Certificate has authorised use for storage/parking of cars ancillary to the Automotive Accident Solutions use of the site.*

- 3.2 PT12/2800/CLE - Certificate of Lawfulness for existing use of land for Class B8 (Storage and Distribution).  
Pending

### 4. **CONSULTATION RESPONSES**

#### 4.1 Winterbourne Parish Council

Objection. There is insufficient parking and access will be made via The Stream which will increase the traffic levels. The Parish Council considers the development would cause further detrimental noise and disturbance to residents.

#### 4.2 Other Consultees

##### English Heritage

No comment

##### PROW

PROW will not be affected.

##### Highway Drainage

No comment

##### Landscape

No objection

##### Sustainable Transport

No objection subject to a condition to secure a Travel Plan within 3 months of the first use of the building as an office.

##### Conservation Officer

No objection subject to a condition to secure detailed design of all new windows and doors.

##### Enforcement

No comment



## **Other Representations**

- 4.3 Local Residents  
No responses

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

On 27<sup>th</sup> March 2012 the National Planning Policy Framework (NPPF) was published. The policies in this Framework are to be applied from this date with due weight being given to policies in the South Gloucestershire Local Plan 2006 (SGLP) subject to their degree of consistency with this Framework. It is considered that the Local Plan policies as stated in section 2.2 of this report are broadly in compliance with the NPPF. It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings.

- 5.2 The South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications – Sept. 2012 has now been through its Examination in Public (EiP) stage; the Inspector has given his preliminary findings and stated that the Core Strategy is sound subject to some modifications. The policies therein, although a material consideration, are not yet adopted and can therefore still only be afforded limited weight.

### **5.3 Green Belt Issues**

In the first instance, the proposed change of use must be assessed against the relevant Green Belt Policies to be found at Section 9 of the NPPF, Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and guidance found within the South Gloucestershire Development in the Green Belt (SPD) Adopted June 2007.

- 5.4 The most important attribute of Green Belts is their openness and inappropriate development within the Green Belt is by definition harmful to the Green Belt. The NPPF para.90 and Local Plan policy GB1(B) state that the change of use of land or existing buildings within the Green Belt is not inappropriate subject to the following criteria:

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

- 5.5 The proposal is to change the use of the existing B8 storage unit to a B1 office use. The unit is currently being used for the storage of cars. The building has a rural appearance having previously formed part of an agricultural complex.

- 5.6 An area of hard-standing lies to the front of the building where the proposed 15 car parking spaces would be located, beyond which is a yard area. It is evident that vehicles already park and manoeuvre in these areas, in this respect the site is previously developed land.
- 5.8 Given the previously developed nature of the land and the existing uses, the proposal would not have a materially greater impact than the present authorised use on the openness of the Green Belt and is therefore not inappropriate development within the Green Belt.
- 5.9 Other Issues  
The NPPF at para.28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas through conversion of existing buildings.
- 5.10 Local Plan Policy E6 permits proposals for new B1 uses where they are conversions or the re-use of existing rural buildings. Policy E7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits the conversion and re-use of existing buildings for employment uses, outside the existing boundaries of settlements subject to the following criteria
- 5.11 **A. The buildings are of permanent construction and structurally sound and capable of conversion without major or complete re-construction; and**
- 5.12 The building is structurally sound and appears to have been re-clad. The works to convert the building would not be major and relate to the front elevation only which faces into the courtyard.
- 5.13 **B. The buildings are in keeping with their surroundings in terms of character, form, bulk and overall design; and**
- 5.14 Having been formerly part of a farm complex and having a simple form with a mono-pitch roof and modest in scale, the building is considered to be sufficiently in-keeping with its surroundings of open fields to the south and the larger buildings within the complex to the north, east and west.
- 5.15 **C. 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.**
- 5.16 It is not proposed to extend the building in any way. The conversion would involve the provision of doors and glazing in the northern façade. Given the nature of the proposal, the building's existing use and modest size, peripheral location and visual detachment from the remainder of the village; it is considered that the development would not have a harmful effect on the character of the Countryside or the amenities of the surrounding area.

5.17 Transportation Issues

The building is currently used for the storage of cars in association with Automotive Accident Solutions and this B8 use is therefore considered to already generate vehicle movements, including HGV movements, to the site.

5.18 Whilst the scale of development is relatively small it would generate some additional vehicle movements within an area that is characterised by narrow often single-track roads. The access suffers restricted visibility and the proposed parking would exceed the Council's maximum standards outlined in Local Plan Policy T8; some concerns were therefore raised by officers about highway safety, in particular for pedestrians and cyclists using the recreational route to the front of the site.

5.19 In response to the concerns raised, a Transportation Study was carried out by a suitable qualified engineer. The study noted that the building had been more intensively used for car storage in the past and concluded that:

*'The NPPF advises in paragraph 32 that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. The site has access to alternative travel to private car and there is no existing highway safety issues surrounding the site. The proposal for the change of use of 230sqm of employment use at this location is concluded not to have a severe impact, as the site area is small and there are low numbers of employees and anticipated trips associated with the proposed land use. Furthermore there is potential to reduce HGV vehicle trips to the site.'*

5.20 Having regard to the contents of the Transportation Study officers now raise no objection subject to a condition to secure a Travel Plan within 3 months of the first use of the building as an office.

5.21 Impact upon Residential Amenity

Given the authorised B8 use and the relatively small scale of the proposed B1 use, together with the location of the unit in relation to the nearest residential elements, officers consider that with appropriate controls, the proposed use should not have a sufficiently adverse impact on residential amenity to justify refusal of planning permission.

5.22 The submitted plan confirms that all parking would be to the front of the building and contained within the existing courtyard. The proposed hours of working are given as 07.30hrs – 16.30hrs Mon to Fri, 08.00hrs – 13.00hrs Sat. with no working on Sundays or Bank Holidays; this is considered reasonable and could be conditioned. Given that there are currently no controls on the hours of working, this offers the opportunity to improve this situation for local residents, where at least this building is concerned. Subject to this condition there would be no significant adverse impact on residential amenity, which is likely to be less than would be generated from the existing authorised use.

5.23 Environmental Issues

The site is not prone to flooding and existing drains and sewers would be utilised. The Council's Drainage Engineer has not raised any objection. The proposal would therefore accord with Policies EP1, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

#### 5.24 Conservation Issues

Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 relating to Listed Buildings requires development to preserve the setting of Listed Buildings. Policy L12 requires development to preserve or enhance the character or appearance of the Conservation Area. The stone barn directly opposite the proposed office building is Grade II Listed, however the site does include a number of more modern agricultural buildings that are now converted into commercial uses. A Heritage Statement has been submitted at officer request. Subject to a condition to secure the detailed design of the proposed windows and doors, which should be hardwood; there are no objections on conservation grounds.

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

### 7. RECOMMENDATION

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

**Contact Officer: Roger Hemming**  
**Tel. No. 01454 863537**

### CONDITIONS

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

Reason

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

2. Notwithstanding previously submitted details, and prior to the commencement of the development hereby approved, the detailed design of all new windows and doors shall be submitted to and approved in writing by the local planning authority. The details shall be accompanied by drawings at a minimum scale of 1:5, including sections. For the avoidance of doubt all new windows and doors shall be hardwood.

Reason

In order that the development is of an appropriate quality of design that serves to preserve the character and appearance and setting of the Hambrook Conservation Area and the setting of the adjacent Grade II Listed Buildings, in accordance with section 72(1) and 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policies L12, L13, D1 and E7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. The hours of use of the building for the purpose hereby permitted shall be restricted to 07.30hrs - 16.30hrs Mon to Fri, 08.00hrs - 13.00hrs Sat. with no working on Sundays or Bank Holidays

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Within 3 months of the first use of the building for the purposes hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Travel Plan shall be implemented to a time scale to be agreed with the Council and the use of the building as an office shall be in full compliance with the Travel Plan so approved.

Reason

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

# ITEM 12

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

App No.:	PT13/2313/F	Applicant:	Bridge Residential
Site:	123 Cooks Close Bradley Stoke Bristol South Gloucestershire BS32 0BB	Date Reg:	28th June 2013
Proposal:	Erection of 1no attached dwelling with associated works. (Re-submission of PK13/0992/F)	Parish:	Bradley Stoke Town Council
Map Ref:	361541 182962	Ward:	Bradley Stoke North
Application Category:	Householder	Target Date:	20th August 2013



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100023410, 2008. N.T.S. PT13/2313/F

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

This application appears on the Circulated Schedule due to the receipt of objection letters from local residents and the Bradley Stoke Town Council.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of 1 no. attached dwelling to the side of No. 123 Cooks Close, Bradley Stoke. The proposal also includes the provision of parking spaces for the existing and new dwelling. The application site is located within an established residential area within the Bradley Stoke settlement boundary.
- 1.2 The proposed dwelling would measure 5.3 metres wide by 8 metres deep and 7.6 metres to its ridge. The existing garage will be demolished to make way for the proposed dwelling. The existing and proposed dwelling would have 2 no. parking spaces each, which would be located adjacent to the garage of No. 124.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework 2012  
Technical Guidance to the National Planning Policy Framework 2012

#### **2.2 Development Plans**

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

- D1 Achieving Good Quality Design
- EP1 Environmental Pollution
- H2 Proposals for Residential Development within the Defined Settlement Boundaries
- H4 Development within Existing Residential Curtilage
- T7 Cycle Parking
- T8 Parking Standards
- T12 Transportation Development Control Policy for new Development

#### **2.3 South Gloucestershire Local Plan : Core Strategy incorporating Inspector's Main Modifications. March 2013**

- CS1 High Quality Design
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity

#### **2.4 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standards Approved March 2013

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

- 3.1 PT13/0992/F Erection of 1 no. dwelling with associated works.  
Withdrawn 17.05.13

### 4. **CONSULTATION RESPONSES**

#### 4.1 **Bradley Stoke Town Council**

Town Council objects to the proposal on the following grounds:

- Over-massing / overdevelopment of the site
- Out of keeping with the street scene
- Loss of residential parking
- Detrimental to residential amenity

#### 4.2 **Other Consultees**

##### Drainage

No objection subject to the following conditions seeking sustainable drainage and permeable materials for the proposed hardstanding.

##### Environmental Protection

No objection, advised of the precautionary measures during the construction period.

##### Wessex Water

No objection, advised of the transfer of the private sewers and lateral drains

##### Public Rights of Way

The development is adjacent to public footpath OAY41A and, although it will not directly affect the footpath, the developers should ensure that no debris from the building process encroaches onto the path and that the safety of users of the path is ensured at all times

##### Highway Officer

The proposal would provide two parking spaces for each dwelling. On that basis, there is no transportation objection to these proposals subject to a planning condition that the shared part of the driveway is kept free of obstruction and boundary treatment at all times.

##### Tree Officer

No objection to the principal of the proposal subject to a number of conditions attached to the Decision

#### **Other Representations**

#### 4.3 **Local Residents**



Seven letters of objection have been received and the residents' concerns are summarised as follow:

- Out of character – the new dwelling has a stepped frontage. The proposed brown windows making the house look of character with the surrounding area. The ridge height of the new property will be higher than the adjacent property.
- Overdevelopment – the Close is already well developed and heavily populated. Additional property risks over development of the area. This would increase in housing density.
- Highway issues - There are already parking issues in Cooks Close, in particular this small cul-de-sac and the proposal would increase traffic into this cul-de-sac.

Most properties have two cars but only one designated parking spaces in this cul-de-sac. The proposal would reduce in onsite parking and no provision of visitor parking. During a typical evening, there are no free on street parking spaces within 30 metres of the proposed development. There are already inappropriate parking that making it difficult for big vehicles to enter and manoeuvre in this section of the Close. This is a continual problem and in June the fire services visited Cooks Close to assess inappropriate parking which would prevent or delay emergency service access.

There are a number of incidents including damages to neighbours' plants and lawn, visitors' cars block neighbours' access, parking in pre-allocated parking spaces, parked in the turnaround section of the cul-de-sac, delivery lorries have blocked neighbours' drive.

There are parking difficulties to No. 123 due to its narrow access / driveway. The access would be very tight and difficult for people to access the proposed parking spaces for No. 123. This would cause damage to cars already parked there. There would be many heavy good vehicles / work vehicles accessing the road particularly during the construction period. There is not enough space for 2 cars to pass each other let alone larger vehicles. It would be difficult for emergency vehicles to be able to exist the road in an emergency.

- Impact upon neighbouring properties - Loss of privacy: the hedgerow which runs down the side of the boundary provides a privacy screen the public pathway and school and gardens. Shadowing, loss of daylight or sunlight to neighbours' back garden.
- Loss of wildlife habitat – A mature Walnut tree was felled by the present owners. There is a small natural wilderness area, which should be protected. Disruption and demolition of woodland. Removal of trees.
- Loss of Green Space

- It appears that there is inadequate space for the proposed development.
- Disturbance during the demolition and construction period – noise, disturbance, additional traffic and invasion of privacy from workers. No mention of the demolition of existing garage – any demolition will create significant noise, dust and debris which will impact adjacent residents and the School.
- Increased pressure on local amenities.
- Not sure the new building will meet building regulations.
- Health and safety – the proposed demolition represent a potential hazard for the children around.
- Devaluation of neighbouring properties.
- Loss of outlook as the neighbouring property will now be surrounded by an extra family.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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

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

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

The South Gloucestershire Core Strategy Development Plan Document was considered by the Inspector appointed to hold the Core Strategy Examination in Public and a refreshed Core Strategy that incorporates Post-Submission Changes was considered by the Council in mid December. Following this decision, the South Gloucestershire Core Strategy (incorporating Post-Submission Changes) December 2011 was taken forward to Examination in Public. The Inspector has concluded that the Submission Core Strategy is capable of being made sound provided a number of modifications are made. This document is therefore a material consideration in the determination of

planning applications, although at this stage the Core Strategy policies, which are subject to Inspector modification, are likely to carry less weight than the Development Plan at this stage.

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

Policy H2 indicates that the provision of new dwellings on land within the urban areas is acceptable in principle. Policy H4 of the South Gloucestershire Local Plan meanwhile specifically addresses proposals for the construction of a new dwelling within an existing residential curtilage. On this basis, it is considered that the principle of the proposed development is acceptable subject to the following considerations.

## 5.2 Efficient Use of Land

The National Planning Policy Framework whilst it looks to restrict residential development in gardens where the proposal would cause harm to the local area, it encourages the most efficient use of land in respect of new residential development. The primary reason for is to address the impact; in visual and character terms, of small-scale residential development occurring within garden areas.

It is not considered that any more than one dwelling could be provided for given the design, access and transportation issues which would arise from more than one dwelling on this site. As such, there is no objection to the proposal on this basis. It is also not considered that the proposal would significantly alter the character and visual appearance of the locality.

## 5.3 Design and Visual Amenity

Residents raise concerns that the proposal would not be in keeping with the character of the area.

The proposed dwelling would be very similar to the existing dwelling, No. 123 Cooks Close, in terms of design, scale, form, layout of the plot, and external materials. The new dwelling would be slightly set back from the existing property by approximately 0.5 metre, and it would have the same height as the existing dwelling, No. 123. Officers acknowledge that the proposed new windows would be different from other windows on the existing dwelling, therefore a planning condition is imposed to ensure that the colour of the new windows would match those of the existing dwellings.

The applicant proposes to use close-board fence as boundary treatment for the new dwelling. Whilst officers have no objection in principle to the proposed material, it is noted that there is a discrepancy showing the location of the boundary treatment between the submitted block plan and site plan. Subject to the following conditions seeking the details of the proposed new boundary treatment including the location and the height of the proposed boundary fence, Officers consider that the proposed dwelling would be in keeping with other

residential properties in the locality, and also would respect the character of the area.

#### 5.4 Transportation

The proposed level of car parking for both the existing and proposed dwellings is commensurate with our current and proposed residential parking standards, and as such is considered acceptable.

Officers also acknowledged the residents' significant concerns in terms of parking issues particularly the existing parking problems within the cul-de-sac, location of the proposed parking spaces, and poor access. Highway Officer has considered the residents' concerns and has the following comments.

Cooks Close is a cul-de-sac and the site is located at the end of one of the arms. The development will involve the demolition of the garage attached to the existing dwelling to facilitate the erection of the new three-bed dwelling.

The proposal will provide four parking spaces, which will mean two parking spaces for each dwelling. This level of parking conforms to the Council's new residential parking standards. The parking will be accessed off a single width shared driveway for both dwellings.

Subject to a condition that the shared part of the driveway is kept free of obstruction and boundary treatment at all times, there is no transportation objection to this proposed development.

#### 5.5 Residential Amenity

No. 122 Cooks Close is a two-storey mid terraced dwelling and is adjacent to the existing dwelling, No. 123. The proposed dwelling would be approximately 0.5 metres set back from the front elevation of the existing dwelling, No. 123 Cooks Close. A bathroom window is proposed to the side west elevation of the new dwelling. Officers consider that the small rear projection of the new dwelling would not cause significant overbearing impact upon the occupiers of the existing dwelling, No. 123 and nearby residents of No. 122.

No. 124 Cooks Close is located to the north of the application site. The proposed dwelling would be approximately 14 metres from the gable wall / rear garden of the No. 124 Cooks Close. Due to its considerable distance and the existing garages to the side of No. 124, it is considered that the overbearing impact would not be significant. As such, it is also considered that the proposed dwelling would not cause significant loss of light upon the neighbouring dwelling to warrant a refusal of this application. Additionally, the new windows on the front elevation would be approximately 13 metres No. 124 Cooks Close, it is therefore considered that the proposed dwelling would not cause significant loss of privacy / overlooking issues upon the neighbouring residents of No. 124 due to its considerable distance and its established residential area.

Officers acknowledge residents' concerns regarding the demolition of the garage and the disturbance during the construction period. Due to the proximity of residential properties, a condition will be imposed to restrict construction hours. Regarding the safety issues of the proposed demolition, this will be the applicant's responsibility to ensure that the works for the demolition and construction will be carried out in an appropriate manner.

The proposed dwelling, which would have three bedrooms, would be constructed adjacent to the existing dwelling, No. 123. The existing garden would be divided and the proposal demonstrates that both existing and new dwelling would have their own private amenity space. It is considered that the proposal would provide adequate amenity space for both properties, as such, officers have no objection to the proposed dwelling in terms of the provision of amenity space.

#### 5.6 Tree Officer

Due to the proximity of the proposed dwelling, the application submitted Arboricultural Impact Assessment with the proposal. Tree Officer has considered the submitted details and raised no objection to the principle of the proposal subject to a planning condition is imposed to seek a detailed arboricultural method statement including tree protection plan and details of protective fencing in accordance with BS5837 2012 – Trees in relation to design, demolition and construction.

#### 5.7 Natural Habitat

Officers acknowledge concerns on the impact upon the existing wildlife and their habitats.

It should be noted that the site is situated within an established residential area and the site is currently used as a garden of No. 123. It is therefore considered that the site is unlikely occupied by protected species and it is therefore considered that the impact upon the habitat would not be significant. Nevertheless, under the Wildlife and Countryside Act 1981 it is an offence to damage, destroy or obstruct access to any structure or place that protected species including bat and great crested newts, or destroy the nest of any wild bird whilst that nest is in use or being built. An informative therefore will be attached to advise the applicant accordingly.

#### 5.8 Other Issues

Residents also raise the following concerns, and officers would address the issues as follows:

- Loss of green space – whilst the proposal would result in a loss of green area, it is considered that the loss would not be significant to have adverse impact upon the character of the area.
- Increased pressure on local amenities – the proposal is to erect one 3-bedroom dwelling which would be likely to be occupied by a family. Nevertheless, it is considered that one additional family / one dwelling within

an established residential area would not cause significant pressure on the local amenities.

- Not sure to meet building regulations – the proposed dwelling will be subject to building regulations.
- Devaluation of neighbouring properties – this is not planning material consideration.
- Loss of outlook as the neighbouring property will now be surrounded by an extra family – the site is located within a residential area, therefore it would not cause any loss of outlook upon the neighbouring properties.

## **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 Planning permission to be GRANTED subject to the following conditions.

**Contact Officer: Olivia Tresise**  
**Tel. No. 01454 863761**

## **CONDITIONS**

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

Reason

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

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

Reason

In view of the size of the plot any extension/alteration to the dwelling would require further detailed consideration in order to safeguard the amenities of the area and to accord with Policies D1, H2, H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

4. The hours of working on site during the period of construction shall be restricted to 07.30 - 18.00 Monday to Friday and 08.00 - 13.00 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to nearby occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The proposed parking spaces hereby permitted shall be constructed of permeable materials or a sustainable drainage system shall be installed to direct rainfall to a permeable soakage area (provided it does not cause flooding of adjacent property) within the curtilage of the dwelling.

Reason

To ensure a satisfactory means of drainage and pollution control in order to comply with South Gloucestershire Local Plan (Adopted) January 2006 Policy L17, L18, EP1, EP2 and Town and Country Planning Order 2008 (No 2362) Class F, and in the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Notwithstanding the submitted details, the colour of the new windows on the proposed dwelling hereby permitted shall match those of the existing dwelling of No. 123 Cooks Close.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies D1/H2/H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The materials to be used in the construction of the external surfaces of the proposed dwelling hereby permitted shall match those used in the existing building.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the commencement of the development details of tree protection plan including the details of the protective fence and an arboricultural method statement in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

9. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to protect the visual amenity and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. The shared part of the driveway shall be kept free from any obstruction and boundary treatment at all times.

Reason

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

11. The off-street parking facilities for all vehicles shown on the plan hereby approved shall be provided before the proposed dwelling is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the Residential Parking Standards Approved March 2013.

12. The proposed parking spaces hereby approved shall be surfaced with bound materials and shall be maintained satisfactorily thereafter.

Reason

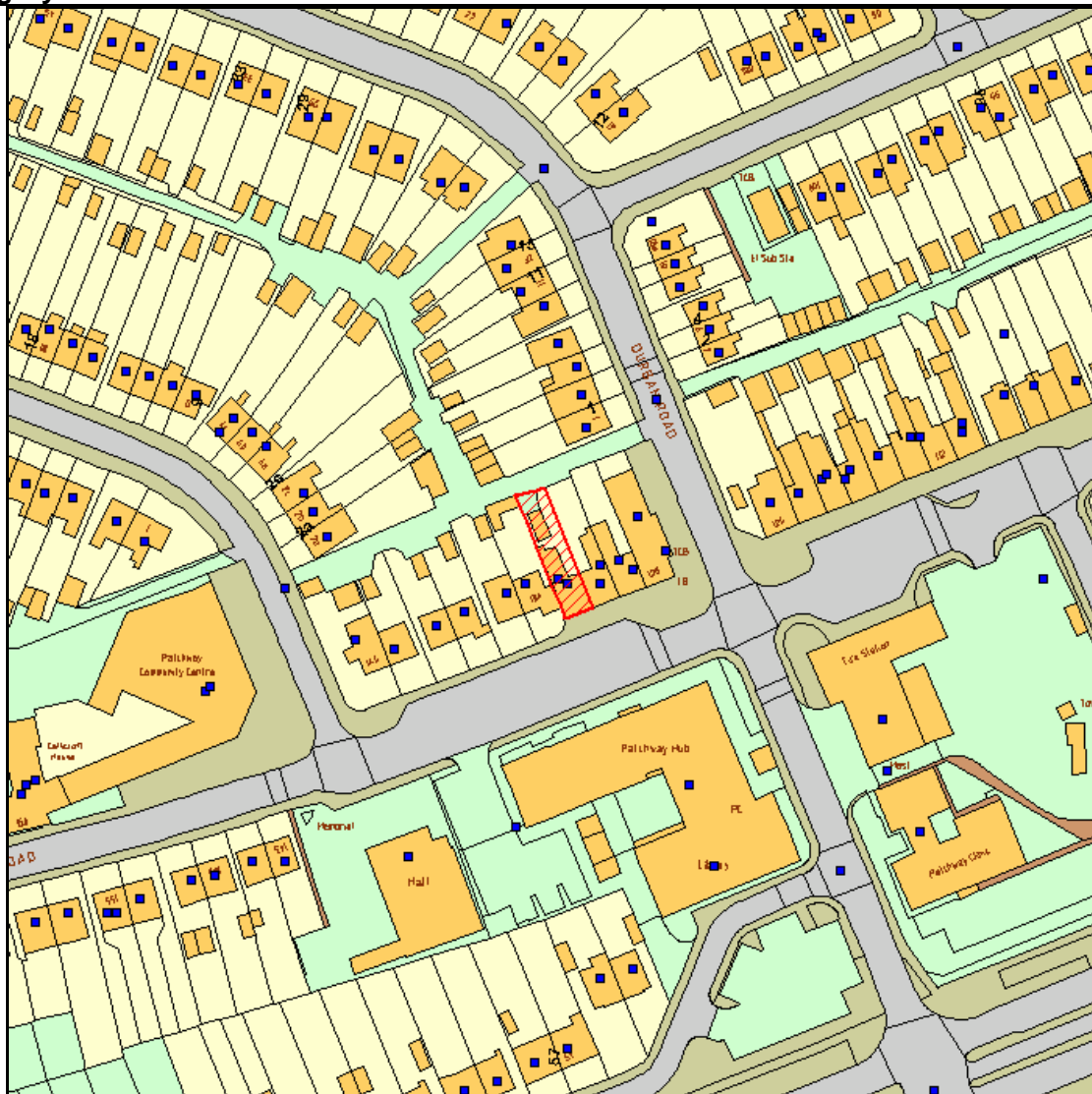
In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.



# ITEM 13

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PT13/2871/F	<b>Applicant:</b>	Ms L De Jesus
<b>Site:</b>	132 Rodway Road Patchway South Gloucestershire BS34 5PF	<b>Date Reg:</b>	15th August 2013
<b>Proposal:</b>	Change of use from Retail (Class A1) to Hot Food Takeaway (Class A5) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of external flue to side elevation. (Resubmission of PT13/1847/F).	<b>Parish:</b>	Patchway Town Council
<b>Map Ref:</b>	360063 181576	<b>Ward:</b>	Patchway
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th October 2013



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100023410, 2008.

**N.T.S.**

**PT13/2871/F**

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

This application appears on the circulated schedule due to the receipt of two letters of objection from local residents.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the change of use of the ground floor of the building from retail (Class A1) to hot food takeaway (Class A5) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). The application also includes the installation of a new extraction flue on the rear elevation.
- 1.2 The application site relates to a retail shop that is currently empty. Your officer understands that previously the retail unit was a 'bargain shop'. The shop is in a terrace of four properties and is located on the Rodway Road local shopping parade. The first floor of the unit is in use as a residential flat.
- 1.3 This application is the resubmission of the previously refused application reference PT13/1847/F. The previous application was refused as full details of a specific bespoke extraction system were not submitted with the application. This has now been addressed and complete details are submitted with this current application now for consideration.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework 2012

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

D1	Achieving Good Quality Design
EP1	Environmental Pollution
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
RT8	Small Scale Retail Uses within the Urban Areas
RT11	Retention of Local Shops, Parades, Village Shops and Public Houses

#### **South Gloucestershire Local Plan : Core Strategy incorporating Inspector's Main Modifications. March 2013**

CS1	High Quality Design
CS14	Town Centres and Retail

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

South Gloucestershire Design Checklist (Adopted) 2007

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

- 3.1 PT13/1847/F Change of use from Retail (Class A1) to Hot Food Takeaway (Class A5) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of external flue to side elevation. Refused July 2013
- 3.2 P93/2679 Erection of single storey rear extension to retain premises. Approved June 2010
- 3.3 N4629 Installation of new shop front. Approved July 1978
- 3.4 At No. 106 Rodway Road.  
PT12/3123/F Change of use from A1 to A5.  
Approved November 2012

### **4. CONSULTATION RESPONSES**

- 4.1 Patchway Town Council  
No response received

4.2 Other Consultees

Transportation

No objection.

Environmental Protection

No objection

Other Representations

4.3 Local Residents

Two letters of objection have been received from local residents. A summary of the points of concern raised is as follows:

- Worried about the extraction system
- High percentage of hot food/takeaways in this parade of shops
- The change of use would not be beneficial to the local community
- Do not want a side vent coming into their back garden
- Rubbish will end up in front gardens of neighbours houses
- More noise for neighbours

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

5.1 Principle of Development

Policy RT11 of the Adopted Local Plan seeks to protect local shopping parades and only permits the change of use where certain criteria are satisfied. Policy EP1 seeks to ensure that development does not have unacceptable environmental effect and Policy T12 seeks to ensure highway safety is

maintained. Finally Policy D1 of the Adopted local plan seeks to ensure good standards of design are included.

5.2 Policy RT11

The change of use of existing retail premises within local shopping parades will only be permitted providing the criteria within the policy are satisfied. It is not necessary to satisfy all criteria however – an application must satisfy either A only OR B only OR C and D together. It is considered that the application satisfies criteria B.

5.3 *Criteria B) There are satisfactory alternative retail facilities available in the locality;*

5.4 The application site falls in the Rodway Road 'local centre'. This parade consists of twelve shop units and is recognised as a 'local centre' in Figure 9.1 of the Local Plan. Of these twelve units, three are currently in use as hot food takeaways with permission already being granted for a fourth (PT12/3123/F). The remainder of the units are in use as a pharmacy, bet makers, a funeralcare office, a hairdressers, a video store and a convenience store. The shop unit subject to this application is currently vacant but the authorised use is for A1 purposes, therefore a retail use is being lost to a 'non shop' use.

5.5 The unit is currently vacant and therefore at this time, is offering nothing to the vitality of the centre. It is accepted however that there is indeed potential for other A1 uses to occupy the unit in future. A large convenience stores that can provide sufficient retail facilities to cater for the locality remains in situ, as does a pharmacy, hairdressers and two betting shops that give the parade vitality during daytime opening hours. Before closure, your officer understands that the unit was a bargain shop selling household goods. It is considered that a bargain household goods shop cannot be classed as a shop selling convenience goods and therefore this application is not considering the loss of an essential service that is unlikely to be used by local residents on a daily, even regular basis.

5.6 It is considered that the change of use of the retail unit to a takeaway would not result in the loss of local retail facilities to the detriment of the local community. A hot food takeaway can provide a complementary use that would act to reinforce the established local shopping parade. It is stated that 2 full time and 2 part time staff will be employed and this would have a positive impact on local employment thus satisfying the provisions of the National Planning Policy Framework. In addition The Mall, Cribbs Causeway is located approximately 1 kilometre from the local parade and is easily accessible by road, public transport and on foot and cycle. This provides for an increased range of retail facilities. It is considered that the proposed A5 use of the property would not be to the detriment of the locality as there are satisfactory alternative retail facilities in close proximity to the application site.

5.7 Highway Issues

The Council's Highways Officer was consulted as a part of this application. The unit lies within an established rank of shops adjacent to a parking lay-by and within walking distance of a large catchment of dwellings. The majority of traffic

generated by the takeaway will be off-peak and the level of associated parking is unlikely to compromise highway safety. The lay-by along the frontage and access lane to the rear should provide sufficient space for delivery and goods vehicles to drop off products. It is considered that the proposal complies with Policies T8 and T12 of the Local Plan.

#### 5.8 Environmental Protection

The application site lies within an existing rank of shops that includes other hot food takeaways. Although there are residential properties next too and above the proposed take away, the principle of using the site as a take away is still considered possible. However, because of the location of the nearby residential properties, it is essential that full details of an appropriate extraction system are received at application stage. Since the refusal of the previous application, accurate details of a bespoke extraction system to adequately deal with the odour, grease and smells arising from the proposed take away have been submitted with the application. The Councils Environmental Protection Team have carefully considered the information submitted and are satisfied that the system will adequately deal with smells etc. It is noted that in a letter from a neighbour concern is raised over a side vent dispersing directly into their garden – there are no side vents – the only flue is up at roof level.

#### 5.9 Hours of Opening

The proposed hours of opening are 11.30 to 14.00 and 17.00 to 22.30 Monday to Saturday and 17.00 to 21.30 on Sundays and Bank Holidays. The proposed takeaway would have opening hours similar to that of the other takeaways and this is considered acceptable. These hours are not considered to be excessive in order to enable the shop to be viable. These hours are significantly less than the hours of opening recently allowed through application PT12/3123/F at 106 Rodway Road. Therefore there is no objection to the hours of opening as proposed.

#### 5.10 Bin Provision

There is adequate bin storage to the rear of the shopping parade. The immediate locality benefits from litter bins (opposite and slightly further along the parade) which can be easily accessed by customers using the hot food takeaway. These bins are regularly emptied by the Council organised refuse collection service. It is therefore considered that it is unlikely that there will be an unacceptable level of litter generated as a result of the proposed development or any other associated environmental problem such as rats/vermin. There are therefore no objections to the proposal in terms of Policies EP1, RT8 and RT11.

#### 5.11 Design / Visual Amenity

The only external alteration proposed is the addition of a flue to the rear elevation. The proposed flue is set back on the rear of the property and views would be limited from the public realm on Rodway Road. The flue would be set below the existing ridge height of the building. Overall, it is not considered that the proposed flue would harm the visual 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 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

- 7.1 That planning permission is approved subject to the following conditions;

**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. Prior to the first use of the unit for A5 purposes, the extraction system as detailed in Appendix 1 and 2 of the Design and Access Statement shall be installed and maintained in accordance with the manufacturers instructions at all times thereafter.

Reason

To protect the residential amenity of the neighbouring occupiers from smells and to accord with the requirements of Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The use hereby permitted shall not be open to customers outside the following times 11.00 to 14.00 and 17.00 to 22.30 Monday to Saturday; and 17.00 to 21.30 on Sundays and Bank Holidays

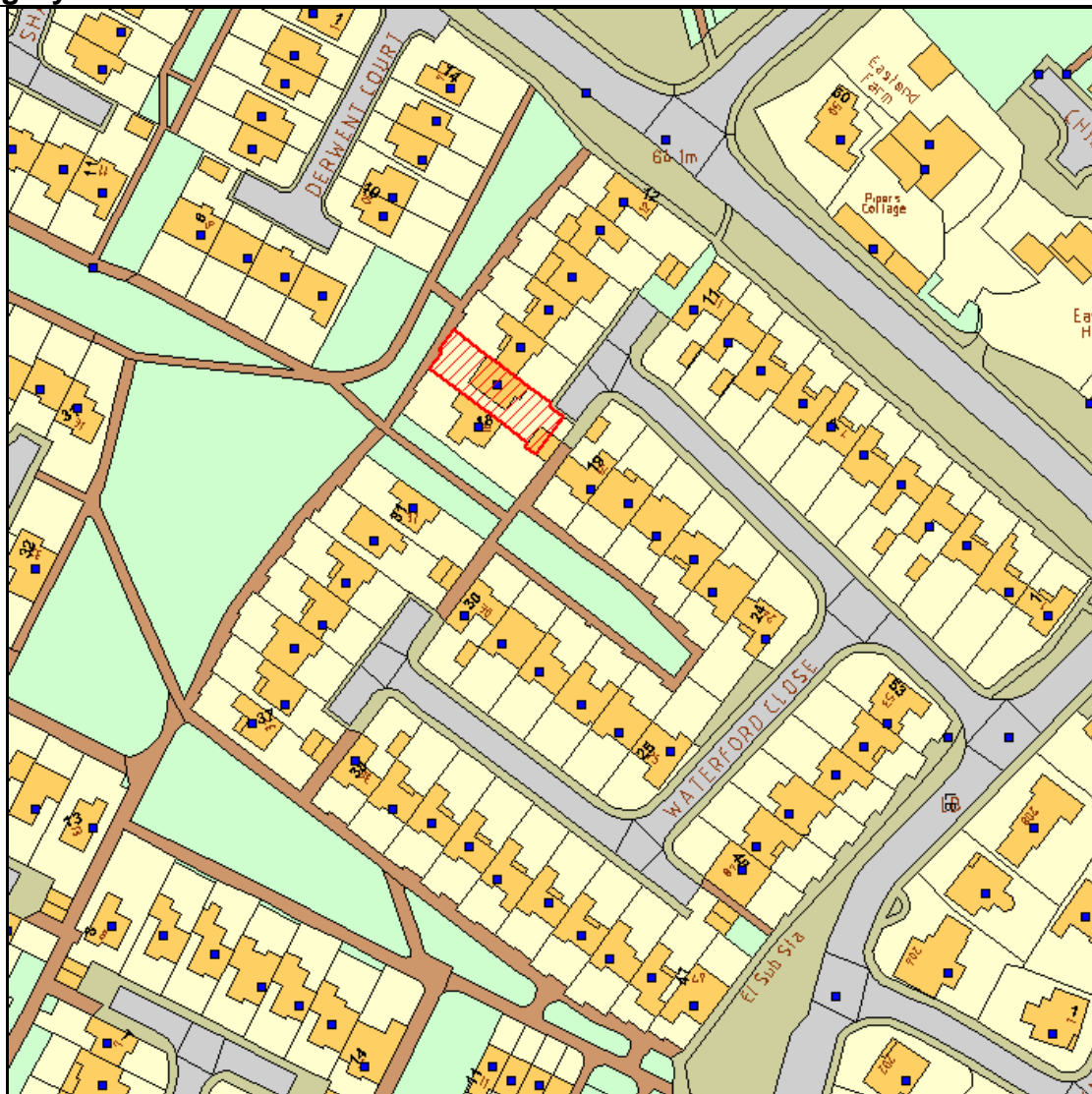
Reason

To ensure that the hours of opening are similar to other takeaway uses in the vicinity and to protect neighbouring dwellings from additional unacceptable levels of noise and disturbance in accordance with the requirements of Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

# ITEM 14

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PT13/2874/F	<b>Applicant:</b>	Mr Matthew Davies
<b>Site:</b>	17 Waterford Close Thornbury Bristol South Gloucestershire BS35 2HS	<b>Date Reg:</b>	6th August 2013
<b>Proposal:</b>	Erection of single storey side and first floor rear extensions to form additional living accommodation. Erection of front porch.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364844 189573	<b>Ward:</b>	Thornbury South And Alveston
<b>Application Category:</b>	Householder	<b>Target Date:</b>	26th September 2013



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100023410, 2008. **N.T.S.** **PT13/2874/F**

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

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

### **1. THE PROPOSAL**

- 1.1 The application seeks permission for the erection of a single storey side extension and first floor rear extension, and the erection of a front porch, to form additional living accommodation.
- 1.2 The application site consists of a linked-detached residential dwelling situated at the head of a cul de sac, within an established residential area of Thornbury.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design  
H4 Development within Existing Residential Curtilages  
  
South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) 2007  
Residential Parking Standards SPD (Approved for Development Management Purposes) March 2013

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

- 3.1 N5390 - Erection of a front entrance porch. Approved 29<sup>th</sup> March 1979

### **4. CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council  
No objection, subject to neighbours' amenities not being affected.
- 4.2 Highway Drainage  
No comment
- 4.3 PROW  
It does not appear that the proposal will affect the nearest recorded public right of way that runs adjacent to the west of the property through the open green area.



## **Other Representations**

### 4.3 Local Residents

One letter has been received from a local resident. The comments are summarised as follows:

- No objection to the front porch or the first floor rear extension.
- Concerns about the single storey side extension – our house has been built to the boundary and we require access to maintain the gutters, soffit boards and windows on this wall. The proposed 800mm gap would be insufficient to allow safe use of a ladder for this purpose.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application seeks permission for the erection of a single storey side extension and first floor rear extension, and the erection of a front porch, 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, highway safety, and design.

### 5.2 Residential Amenity

The application site consists of a linked-detached dwelling situated on the hammerhead of a residential cul de sac. The proposal consists of a first floor extension above the existing single storey flat roof element at the rear of the building, a single storey lean to side extension, and a single storey porch. The first floor extension would match the existing dwelling in height, width and depth and would not extend beyond the rear elevation of the neighbouring property. The side extension would have a width of 1.5 metres, and would extend the depth of the building with a maximum height of 3.2 metres. The side extension would be 0.8 metres from the side boundary and side elevation of no.18. The front porch would have a width of 3.3 metres, a depth of 1.1 metres, and a maximum height of 3.2 metres.

5.3 In terms of the impact of the proposals on residential amenity it is considered that the porch, by virtue of scale and location, would have no material impact on any of the surrounding dwellings. Similarly the side extension, by virtue of height and location would not impact the residential amenity of the neighbouring property. The first floor extension would not extend beyond the rear elevation of no.18 and as such is not considered to have an overbearing impact or result in any loss of light to them. The neighbouring property to the north of the site would remain unaffected by all of the proposed extensions. The application does not raise any concerns in terms of loss of privacy and would not result in a loss of any private amenity space.

### 5.4 Highway Safety

The application would not result in an increase in bedrooms and does not affect the existing parking provision on the site. As such there are no concerns in terms of loss of privacy.

### 5.5 Design

The application site consists of a detached dwelling situated within a residential cul de sac characterised by properties that are similar in scale, form and design. In terms of the porch, there are a number of front porches in the street scene and as such the proposed porch would not look out of place in the locality. The porch is appropriately scaled and designed and as such is considered acceptable. The side extension has a minimal width with a lean-to roof having no appreciable impact on the overall appearance of the building. The first floor extension infills an existing gap at the rear of the dwelling matching the overall design, form and proportions of it. Provided materials match the existing dwelling there are no concerns on grounds of design.

### 5.6 Other Matters

A local resident has raised concern relating to access for maintenance to the side of the dwelling adjacent to the proposed side extension. It is noted that matters relating to access and maintenance are a civil matter and does not hold any material weight in the determination of this planning application.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Contact Officer: Sarah Fordham**  
**Tel. No. 01454 865207**

## CONDITIONS

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

Reason

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

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

Reason

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

# ITEM 15

## CIRCULATED SCHEDULE NO. 39/13 – 27 OCTOBER 2013

<b>App No.:</b>	PT13/2905/F	<b>Applicant:</b>	Mr M Williams
<b>Site:</b>	2 School Way Severn Beach Bristol South Gloucestershire BS35 4QA	<b>Date Reg:</b>	15th August 2013
<b>Proposal:</b>	Erection of two storey side extension to provide additional living accommodation, Erection of 1.8 metre high fence to southern garden boundary.	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	354350 184539	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th October 2013



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100023410, 2008. **N.T.S.** **PT13/2905/F**

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

This application is referred to the circulated schedule for determination due to an objection from the Parish Council and representations of support from local residents. The Parish Council's objection is contrary to the officer recommendation for approval.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a two-storey side extension at a semi-detached property in School Way, Severn Beach. In addition to the extension, a 1.8m high fence is also proposed. This requires planning permission as it is adjacent to the highway.
- 1.2 The fence proposed would enclose a section of public amenity space. During the course of the application, amended plans have been received. It is now proposed to enclose a smaller section of the amenity space but to retain the general open feel.
- 1.3 It should be noted on the plans that a dwarf wall around the site is shown. This wall, provided that it is less than 1m in height, does not require planning permission.
- 1.4 The proposed extension is located between the side wall of the existing house and the corner of School Way and Denny Isle Drive. It will provide one additional bedroom, creating a four-bed house.
- 1.5 The site is located within Flood Zone 3. No other statutory or non-statutory designations cover the site.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework, March 2012  
National Planning Policy Framework Technical Guidance, March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
L5 Open Areas  
EP2 Flood Risk and Development  
T12 Transportation  
H4 Development within Existing Residential Curtilages  
  
South Gloucestershire Local Plan Core Strategy incorporating Inspector Main Modifications March 2013  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
  - (a) South Gloucestershire Design Checklist (Adopted) August 2007
  - (b) Residential Parking Standard (Approved for Development Management Purposes) March 2013

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

3.1 There is no relevant planning history on this site

### **4. CONSULTATION RESPONSES**

#### **4.1 Severn Beach Parish Council**

Strong objection: extension and high fencing is not in keeping with the surroundings or original plans for the road. Extension will block light to neighbours. The flood risk assessment states that it is a three-bedroom property; the application is actually for a four-bedroom property.

#### **4.2 Transport**

No objection: The recent parking standard requires two spaces for both three and four bedroom properties. The property currently provides one space on the drive and a garage. Sufficient space is available to provide additional parking should the need arise.

### **Other Representations**

#### **4.3 Local Residents**

Three comments of support from local residents have been received, one of which was from the applicant. These comments can be summarised as follows:

- adjoining neighbour on opposite side to extension so will be unaffected
- boundary fence would prevent dog fouling on the site
- development is in keeping with the area
- only sun blocked by the extension would affect a garage
- other examples of similar extensions in the vicinity

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

5.1 This application seeks permission for a two-storey side extension and boundary fence in the settlement of Severn Beach.

#### **5.2 Principle of Development**

Within existing residential curtilages, development is supported, in principle, by policy H4 of the Local Plan subject to an assessment of design, amenity, and transport. Therefore, the principle of development is established. However, the wide verge to the side of the property forms an open area within the existing built form and therefore policy L5 applies. This policy prevents development that would have an adverse impact on the character, amenity or contribution that an open space makes to the locality.

#### **5.3 Open Space**

- A large verge is adjacent to the house, but forms part of its curtilage due to the location of the garage, driveway, and pedestrian access. The proposed development would result in the enclosure of part of the verge and an increase in the footprint of the dwelling into this space.
- 5.4 The extension would project 4 metres from the side elevation and have a depth of 7.8 metres to match the depth of the existing house. The amended fence line would run from the southeast corner of the extension to the driveway, then turning to go north to meet the existing garage. The amended fence line would enclose 1.5 metre strip of the verge along the garden boundary.
- 5.5 This would still result in a 5.8 metre wide verge being retained. The reduction in the size of the verge (from 7.2 metres) is not considered to have a significant impact on the role or function of the verge. As proposed, the extension and fence would not have an adverse impact on the character of the area or residential amenity. It is not considered that the development is contrary to the provisions of policy L5.
- 5.6 Flood Risk  
The site is located is located within Flood Zone 3. Therefore, an assessment of the suitability of the development is required.
- 5.7 The proposed development is a householder extension. The footprint of the extension is 31.76m<sup>2</sup>. Footnote 10 of the Technical Guidance defines minor development (in relation to flood risk); this includes householder development. Paragraph 104 of the NPPF states that minor development should not be subject to the sequential and exception tests. However, a site specific flood risk assessment should be submitted and approved.
- 5.8 A flood risk assessment has been submitted with the application. This has been assessed and the flood mitigation measures proposed are acceptable. Therefore, the development is unlikely to contribute to flood risk and the building is safe over its life time for the occupants.
- 5.9 Design  
Extensions must respect the existing character and appearance of the dwelling. The proposed extension sits flush with the front and rear elevations and has the same ridge height as the main dwelling. The tiles, bricks, and wall tiles will match those used in the existing building.
- 5.10 Although the extension is not subservient to the main dwelling, it is not considered to be out of proportion with the existing house in terms of the scale or massing of the extension or resulting built form.
- 5.11 The overall design of the extension is not considered to be harmful to visual amenity. The proposed fence alignment and timber construction are also considered to be acceptable in the location.
- 5.12 Amenity

The impact of the development on the open space has been discussed above. Further considerations relate to the impact on the amenity of the host dwelling and nearby occupiers.

- 5.13 By increasing the amount of private amenity space available to the dwelling it is considered that the proposed development would have a positive impact on the amenity enjoyed by the application property.
- 5.14 In terms of the amenity of nearby occupiers, no new windows are proposed that materially change the existing levels of overlooking or privacy. Located on the southern elevation, the extension will not overshadow any nearby occupier or be dominant or overbearing.
- 5.15 Overall it is not considered that the development will impact on the levels of amenity enjoyed in the area or by any occupier in the locality.
- 5.16 Transport  
Development should not have a detrimental impact on highway network or transportation. In this instance, consideration of transport matters relates to the adequate supply of off-street parking.
- 5.17 The *Residential Parking Standard* requires the provision of two off-street parking spaces for both three and four bedroom properties. The property currently provides one driveway space and one garage. This falls below the requirement set in the standard.
- 5.18 However, sufficient space is available at the property to provide additional parking should it be required. The transportation officer has assessed the proposals and has not requested that additional off-street parking be provided. On the basis that the development does not exclude the future provision of additional spaces there is no transportation objection to this application.
- 5.19 Plan Inaccuracy  
The amended block plan (R392/04A) indicates a fence of 1.8m high travelling southwards from the southeast corner of the extension to Denny Isle Drive. This is assumed to be an error. A condition will be attached to the decision notice for the purposes of clarity.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extension and fence has been assessed against the policies listed above. The enclosure of part of the verge will not affect the role or character that the open space has or the contribution it makes to the amenity of the area; the proposed design is in keeping with the character and appearance of the dwelling in terms of materials, form, and overall design; there will be no prejudicial impact on residential amenity as a result of the proposed



development; and, the development will not have an adverse impact on transportation.

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

## **7. RECOMMENDATION**

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

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

### **CONDITIONS**

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

Reason

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

2. Notwithstanding the submitted details, the 1.8m high timber fence between the southeast corner of the extension hereby permitted and Denny Isle Drive shown on R392/04A shall not be erected.

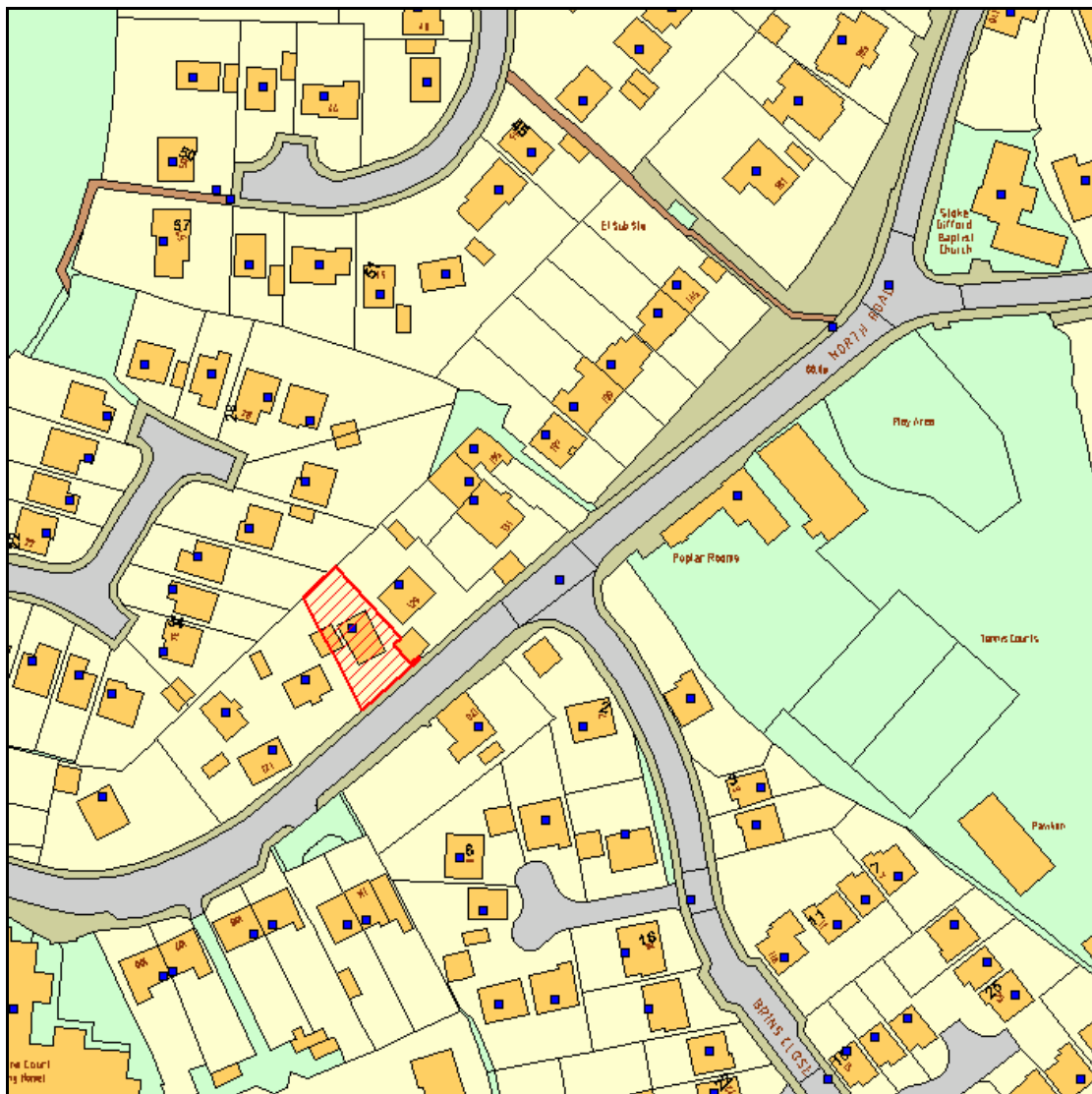
Reason

To maintain the open nature of the verge and to accord with Policy D1 and L5 of the South Gloucestershire Local Plan (Adopted) January 2006.

# ITEM 16

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PT13/2929/F	<b>Applicant:</b>	Mr Colin Peters
<b>Site:</b>	127 North Road Stoke Gifford Bristol South Gloucestershire BS34 8PE	<b>Date Reg:</b>	19th August 2013
<b>Proposal:</b>	Erection of single storey side and rear extension to form residential annexe and additional living accommodation.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362477 179848	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Householder	<b>Target Date:</b>	9th October 2013



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100023410, 2008. **N.T.S.** **PT13/2929/F**

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

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

### **1. THE PROPOSAL**

- 1.1 The application seeks permission for the erection of a single storey side and rear extension to form a residential annexe and additional living accommodation.
- 1.2 The application site consists of a detached residential dwelling situated within a residential area of Stoke Gifford.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design  
H4 Development within Existing Residential Curtilages  
  
South Gloucestershire Core Strategy, Including Post Submission Changes  
December 2011  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007  
South Gloucestershire Residential Parking Standards SPD (Adopted for Development Management Purposes) March 2013

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

- 3.1 None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Council  
No objection
- 4.2 Highway Drainage  
No comment
- 4.3 Transportation DC  
Subject to a condition that the annexe remains part of the main dwelling and is not sub-let or subdivided, there is no transportation objection to the proposals as submitted.

## **Other Representations**

### 4.4 **Local Residents**

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

- The proposal will be too close.
- Unable to maintain boundary fence.
- Light to conservatory would be greatly affected.
- The sewer/ drain will be under the proposed extension – how would I obtain access if a problem arose?

## **5. ANALYSIS OF PROPOSAL**

### 5.1 **Principle of Development**

The application seeks permission for the erection of a single storey side and rear extension to form a residential annexe and 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, highway safety, and design.

### 5.2 **Residential Amenity**

The application site consists of a detached residential dwelling situated within an established residential area of Stoke Gifford, accessed from North Road. The extension is proposed on the east elevation adjacent to the boundary of 129 North Road. The host dwelling is situated at a slight angle to no.129. The proposed extension would fill the existing gap between the east elevation of the host dwelling and the boundary fence. The side extension would be 3.3 metres at its widest point and 1.25 metres at the narrowest point. The rear extension would have a depth of 3.4 metres and the extension would have a maximum height of 3.7 metres with a hipped roof. The roof is hipped away from the boundary line giving an apparent height on the boundary of 2.4 metres (eaves height).

5.3 It is considered that the proposal, by virtue of distance and scale, would not impact the residential amenity of the neighbouring dwelling on the west side (no.125). In terms of the impact of the proposal on the residential amenity of no. 129, the extension would be directly adjacent to their side conservatory. Although this proximity is acknowledged it is considered that the maximum height and scale of the proposal is such that it would not have an overbearing or oppressive impact on the neighbouring property. The proposal has been designed with a hipped roof ensuring that its impact on the neighbouring property is minimised. The rear gardens of the properties face north and as such it is considered that the proposed extension would not significantly alter the amount of light entering the side elevation of no. 129. Adequate private amenity space would remain to serve the host dwelling and the proposal does not raise any concerns in terms of inter-visibility or loss of privacy.

5.4 Highways

The proposal would result in the addition of one more bedroom as a result of the proposed annexe. The dwelling has an existing double garage and hardstanding area for two cars. Provided the proposed annexe remains as intended the existing parking provision is in accordance with the Council's minimum standards and as such raises no concerns in terms of highway safety.

5.5 Design

The application site consists of double storey detached residential dwelling with a pitched tiled roof. The proposed single storey side and rear extension would fill a gap between the east elevation and the boundary fence, which due to the layout of the property, narrows from a width of 3.3 metres to 1.25 metres. Although the proposed extension has been contrived to fit into the layout of the site the narrowest part of the extension would not be visible in the public realm and as such would not have a material impact on the character of the street scene. The extension is appropriate in terms of scale, proportions and massing and would remain subservient to the original dwelling. Materials and design would match the existing dwelling. As such the proposal is considered acceptable in terms of policies D1 and H4 of the adopted Local Plan.

5.6 Other Matters

Concern has been raised in relation to the location of the public sewer/ drain. It is highlighted that matters relating to public sewers are dealt with separately by Wessex Water. If the development proposal would affect an existing public sewer or drain, applicants are advised to contact Wessex Water for further information. The location of a drain/sewer does not affect the determination of this planning application.

5.7 Matters relating to access and maintenance are civil matters which do not hold material weight in the planning decision.

**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 is APPROVED subject to the conditions on the decision notice.

**Contact Officer: Sarah Fordham**  
**Tel. No. 01454 865207**

### **CONDITIONS**

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

Reason

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

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

Reason

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

# ITEM 17

## CIRCULATED SCHEDULE NO. 39/13 – 27 SEPTEMBER 2013

<b>App No.:</b>	PT13/3015/RM	<b>Applicant:</b>	Mrs C Miller
<b>Site:</b>	Trevone 6 Oaklands Drive Almondsbury Bristol South Gloucestershire	<b>Date Reg:</b>	15th August 2013
<b>Proposal:</b>	Erection of 1no. detached dwelling. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT11/0125/O).	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	360489 183757	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th October 2013



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100023410, 2008. **N.T.S.** **PT13/3015/RM**

## **REASON FOR REFERRAL TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule due to the receipt of seven letters of objection contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This reserved matters application relates to the erection of 1 no. dwelling on land at Trevone, Oaklands Drive, Almondsbury. Outline planning permission has already been granted for the erection of a detached property on the plot – this application seeks to agree the appearance, landscaping, and scale of the site. Access has already been agreed.
- 1.2 Since the approval of the outline application there have been two further applications on the site – one of which being decided at appeal. This will be discussed later in the report.
- 1.3 The application site is irregular in shape with the existing dwelling of Trevone forming a recognised road frontage with the rest of the properties of Oaklands Drive. The rear garden area is also significantly larger than the other dwellings of Oaklands Drive and is surrounded by other rear gardens. The site has an area measuring just under 0.2 hectares. Vehicular access is to be taken off Oaklands Drive which is a cul-de-sac off Gloucester Road (A38). The site lies within the settlement boundary of Almondsbury and is also in the Green Belt.

### **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

L1 Landscape Protection and Enhancement

GB1 Green Belts

H2 Proposals for Residential Development within the Existing Urban Area and Defined Settlement Boundaries

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

H6 Affordable Housing

T12 Transportation Development Control Policy for New Development

##### South Gloucestershire Local Plan : Core Strategy incorporating Inspector's Main Modifications. March 2013

CS1 High Quality Design

CS5 Location of Development

CS8 Improving Accessibility

CS9 Environmental Resources and Built Heritage



- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist – August 2007  
Development in the Green Belt – June 2007  
Residential Parking standards SPD

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

- 3.1 PT12/2726/F          Erection of 2 no. detached dwellings with garages, access, landscaping and associated works. (Resubmission of PT11/3491/F)  
Refused and Appeal Dismissed May 2013
- 3.2 PT11/3491/F          Erection of 2 no. detached dwellings and 1 no. detached garage with associated works.  
Withdrawn                  January 2012
- 3.3 PT11/0125/O          Erection of 1 no dwelling (outline) with access and layout to be determined  
Approved                  March 2012
- 3.4 P96/2826          Erection of detached dwelling and garage.  
Refused                  3 February 1997 on the grounds of backland development.

### 4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council  
Object to this application for the following reasons;
- Outline planning permission was granted for a 3 bedroom property, this application is for a 4 bedroom property and in effect therefore, a new application.
  - We believe the ridge height should not exceed the height of the existing Trevone property.
  - Three bedrooms could take the form of a bungalow with dormer windows.
  - This application is not infill.
  - Other concerns include the increased car traffic using the drive entrance especially considering the proximity of the ambulance station and that it is on a route to school used by local children.
  - Residents feel this application if passed, would result in a loss of amenity.

4.2 Other Consultees [including internal consultees of the Council]

Landscape Officer  
No Objection

Highway Drainage  
No Objection

### **Other Representations**

#### 4.3 Local Residents

7 letters of objection have been received to the application. Your officer summarises the points raised as follows (members are advised that the full contents of the letters can be viewed on the Councils web site):

- Additional time to comment requested (extension granted by the officer)
- The proposed dwelling does not harmonise with the setting and character of the immediate area and fails to acknowledge the sensitive position at the hub of seven gardens
- Inappropriate and overbearing
- No road frontage
- Land slopes down from the plot towards Over Lane hence neighbouring properties are set lower than the application site
- Trevone will lose its large garden and privacy and forgo sole use of its driveway
- Another dormer bungalow would be more sympathetic
- A house with a steeply pitched roof is disproportionate
- Trevone appears to be relegated to a mere gatehouse
- Will generate more cars and therefore an unpredictable source of dispute
- A three bedroomed dwelling is smaller than a four bedroomed one – the outline permission was for a three bedroomed dwelling but this reserved matters application is for a four bedroomed one
- Electronic gates should be installed in the interests of security
- Issues over landscaping and the loss of a substantial group of attractive conifers
- Potential increase in flash flooding
- Additional noise and disturbance for neighbouring dwellings
- Outline planning should never have been granted in the first place – the Council should consider revocation
- Garden grabbing has been ignored, flying in the face of advice from the Secretary of State
- Greater weight should be given to the views of the planning inspector in the appeal decision (PT12/2726/F)
- Design should be amended to minimise impact on the openness of the green belt
- Overlooking of neighbouring dwellings
- Extra trees need to be planted
- Security risks – especially now the streetlights are turned off
- The photographs submitted represent fanciful aspirations and none of the dwellings are visible from Oaklands Drive
- Request and encourage the removal of four beech trees

In addition one letter of support has been received. Your officer summarises the points raised as follows:

- The outline consent was granted after a site visit and discussion
- Accepts that there are differing interpretations of terminology
- There is no established local vernacular

## 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.

5.2 The principle of development is established by Outline planning consent PT11/0125/O to which this reserved matters submission relates. In addition to the principle of development, the outline consent considered access. As such appearance, landscaping and scale are the only matters reserved for consideration now. The development is considered appropriate within the Green Belt through approval of outline consent PT11/0125/O.

### 5.3 Planning History

Since the approval of the outline application for the erection of a single dwelling on the site in 2011, two further attempts have to erect two dwellings on the site have been submitted – one of these applications was withdrawn and one was refused. The refused application was appealed and the appeal was dismissed. These subsequent applications and the inspectors appeal decision are material considerations in the determination of the application.

5.4 In considering the appeal into application PT12/2726/F the inspector considered there were three main issues – whether the proposal constitutes inappropriate development within the Green Belt; the effect of the scheme on the living conditions of the occupants of the proposed nearby dwellings; and whether any very special circumstances have been identified to outweigh the harm resulting from the first two issues.

5.5 Whilst members are encouraged to read the full inspectors decision on the web site, your officer offers the following summary of the inspectors decision;

- The appeal site lies within the boundaries of settlements where limited infilling is not inappropriate
- The inspector does not agree that the site lies between existing buildings in a linear form but rather that it is effectively divorced from the formation
- The site is effectively a residual backland area

- That the appeal was determined on the basis of its own merits and the inspectors own understanding of the development plan and material considerations and previous appeal decisions elsewhere did not add to the appellants argument.
- The proposed development cannot be described as infilling
- The scheme would amount to inappropriate development in the green belt
- The inspector did not believe the site to be one of the parts of Almondsbury which contributes to the openness of the Green Belt
- That although the inspector did not agreed that the proposal can be described as infilling, the scheme would have little impact on the openness of the green belt
- The existing landscaped appearance of the appeal land would be replaced by buildings and the existing character and appearance contributes to the amenity of surrounding dwellings. The loss of the semi-natural would be a serious disadvantage of the scheme.
- The proposed dwellings would have no road frontage
- Impact of new driveways having a harmful effect on existing levels of residential amenity by noise and vehicle movements
- Harm to the local area would be greater if two dwellings were built, rather than the permitted single dwelling – the two proposals are readily distinguishable.

5.6 Having read the inspectors appeal decision in depth, and as summarised briefly above, it is the opinion of your officer that it is indeed possible to approve this reserved matters application for one dwelling on the site irrespective of the appeal decision refusing two dwellings on the site. The previous inspector in his conclusion was very clear that a proposal to erect one dwelling on the site is clearly distinguishable from the proposal to erect two dwellings on the site. Your officer is mindful of the inspectors conclusions and comments on the suitability of the term 'infilling' but weighs this up against the inspectors opinion that this part of Almondsbury does not contribute to the openness of the green belt. In supporting this application, your officer also needs to assess the impact on levels of residential amenity and the loss of vegetation as these were also raised by the inspector as issues.

#### 5.7 Green Belt

In the previous appeal decision, contrary to the opinion of the Council, the inspector did not agree that the development of the site for two dwellings constituted limiting infilling. Notwithstanding the inspectors opinion on infilling, he still concluded that this part of Almondsbury does not contribute to the openness of the Green Belt. Given that the inspector did not object to the scheme for two dwellings on the basis they would have a detrimental impact on the openness of the Green Belt, it is not considered that the proposal is contrary to the purposes of including land within the Green Belt. In addition, the extant outline approval for the erection of a single detached dwelling on the site is also a strong and significant material consideration and very special circumstance. The suitability of developing the site for one additional dwelling has already been agreed and is not being considered further in this reserved matters application.

5.8 Scale and Appearance

It is a common view in the letters of objection received that the design and scale of the proposed dwelling is inappropriate and that a dormer bungalow would be more appropriate. It is also commented that the outline approval was for three bedrooms whereas this reserved matters application is for four bedrooms.

5.9 The extant outline approval gives permission for the erection of a two-storey dwelling with a ridge height of no greater than 8m from existing ground level and a footprint of approximately 114m<sup>2</sup>. Accordingly, the proposed dwelling now for consideration satisfies both of these figures. Given that the scale parameters have already been agreed, there is no objection to the scale of the development proposed.

5.10 Your officer has noted consultation comments that a dormer bungalow would be more suitable and that the outline consent was for a three bedroomed property rather than four. Whilst it is accepted that the immediately adjacent properties do indeed take the form of dormer bungalows, it is your officer opinion that there is no strong or distinct local vernacular. Dwellings of differing styles, designs and materials lie close to the application site and it is not considered that there is any dominant building style. The dwelling is to be finished in render with brick detailing – again, there are several rendered dwellings in the vicinity.

5.11 In addition, it is accepted that the proposal is now for a four bedroomed dwelling whereas at outline stage it was suggested it would have only three bedrooms. The number of bedrooms was not however conditioned and it is entirely acceptable for this reserved matters application to include four bedrooms.

5.12 By means of conclusion, it is accepted that the proposed new dwelling is large. It is not however considered to be out of keeping with the scale of some of the surrounding dwellings. Large two-storey dwellings in quite spacious plots are not particularly alien to the immediate vicinity. Also, the application is in accordance with the scale parameters already agreed at outline stage.

5.13 Impact on Residential Amenity

Part of consideration of the scale and appearance of the dwelling has to include an assessment of the impact on existing levels of residential amenity. Again, although the location and size of the building have already been established at outline stage, the location of the proposed windows does have potential to impact on existing levels of residential amenity.

5.14 No windows are proposed at first floor level in the side elevations of the proposed dwelling. This reduces the potential for issues of intervisibility or overlooking of the existing dwellings along Oaklands Drive and also No's 9 and 11 Over Lane. The distance between the proposed windows in the rear elevation of the new dwelling and the windows in the rear elevation of No 7a Over Lane exceeds 21 metres. At this distance, it is not considered that any

unacceptable levels of intervisibility or loss of privacy will occur. Similarly, the distance between the front of the proposed new dwelling and the boundary with No 8 Oaklands Drive is also 20 metres.

5.15 In addition, adequate amounts of private and useable amenity space will be provided to serve both the existing and proposed dwellings. Impact on existing levels of residential amenity are therefore deemed to be acceptable.

5.16 Landscaping

The garden contains a number of conifers that will need to be removed to accommodate the proposed development, these offer little visual amenity to the area and should not be considered as a constraint to the development. It is of course also accepted however that others value the conifers and feel they do offer a high level of amenity. It is not considered by your officer that the conifer trees are worth of a tree preservation order and as such, there is no objection to their removal.

5.17 On the north east boundary of the site there is a belt of semi mature trees mainly beech, birch and ash. These trees offer visual amenity to the area which will increase as the trees mature. These trees are shown to be retained, as well as an existing hedge line running along the northern boundary of the site. Again, it is noted that neighbours see these trees differently and specifically request that 4 Beech trees should be removed. Being mindful of the previous inspectors opinions, it is considered important to retain as much vegetation as possible.

5.18 The landscape proposals have been assessed by the Councils Landscape Architect who is happy with the scheme proposed. As such there is no objection to the scheme in terms of landscaping.

5.19 Drainage

No objection has been raised by the Council's Drainage Engineer subject to a drainage condition requiring the incorporation of SUDS – this was attached to the outline consent and so there is no requirement to repeat this condition.

5.20 Security

As part of the outline application the assessment was made that the proposal will not result in any material increase in security issues to warrant a planning refusal. It would therefore be unreasonable to raise this as an objection now. Notwithstanding this, the applicants have expressed a willingness to install electric gates in order to ameliorate this concern raised by neighbours. However, this will not be subject of a planning condition as this would not meet the test of Circular 11/95.

## 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 reserved matters consent has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

7.1 That the reserved matters application is APPROVED subject to the following conditions;

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

Reason

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor side (North-west and South-east) elevations of the property.

Reason

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

4. All hard and soft landscape works shall be carried out in accordance with plan LA01 - Landscaping Layout. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason

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