



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

**CIRCULATED SCHEDULE NO. 13/07**

**Date to Members: 27/04/07**

**Member's Deadline: 04/05/07**

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 **within five working days of the publication of the schedule (by 12 noon)**. 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.**

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

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Area Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (by 12 noon) (see cover page for the date). A proforma is attached for your use and should be forwarded by fax to the appropriate Development Control Support Team, or by sending an email with the appropriate details to [PlanningApplications@southglos.gov.uk](mailto:PlanningApplications@southglos.gov.uk)

Members will be aware that the Director of Planning, Transportation and Strategic Environment has a range of delegated powers designed to improve the efficiency and effectiveness of the Development Control service. The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Area 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
- g) Applications for the following major development:
  - (a) Residential development the number of dwellings provided is 10 or more, or the development is to be carried out on a site having an area of 0.5 ha or more and the number of dwellings is not known.
  - (b) Other development(s) involving the provision of a building or buildings where the floor space to be created is 1000 sq. m or more or where the site has an area of 1 ha or more.

## **GUIDANCE FOR 'REFERRING' APPLICATIONS**

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

- Before referring an application always speak to the case officer or Area Team Leader 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. Do not leave it to the last minute
- Always make your referral request in writing, either by letter, e-mail or fax, preferably using the proforma provided. Make sure the request is sent to the Development Control Support Team (East or West as appropriate), not the case officer who may not be around to act on the request, or email [planningapplications@southglos.gov.uk](mailto:planningapplications@southglos.gov.uk). Please do not phone your requests, as messages can be lost or misquoted.
- 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

## CIRCULATED SCHEDULE

**DATE: 27/04/07**

**SCHEDULE NO. 17/07**

If you wish any of the applications to be considered by the appropriate Area Committee you should return the attached pro forma not later than 5 working days from the date of the appropriate schedule (by 12 noon), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email [Planningapplications@southglos.gov.uk](mailto:Planningapplications@southglos.gov.uk).

The Circulated Schedule is designed to improve the effectiveness and efficiency of the Development Control service. To minimise referrals to the Area Committees, Members are requested to discuss the case with the case officer or team leader to see if any issues can be resolved without using Committee procedures for determining the application.

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### COUNCILLOR REQUEST TO REFER A REPORT FROM THE CIRCULATED SCHEDULE TO THE APPROPRIATE COMMITTEE

NO. OF SCH	APP. NO.	SITE LOCATION	REASON FOR REFERRAL
<b>Have you discussed the application(s) with the case officer and/or area team leader?</b>			
<b>Have you discussed the application with the ward members(s) if the site is outside your ward?</b>			

**Please note: - Reason for Referral**

The reason for requesting Members to indicate why they wish the application to be referred, is to enable the Committee to understand the reason for referral in the determination of the application, or to allow officers to seek to negotiate with the applicant to overcome the Member's concerns and thereby perhaps removing the need for a Committee determination.

**SIGNATURE .....**

**DATE .....**

## EASTER MAY AND WHITSUN DEADLINE AND DATES 2007

<b>Week commencing Deadline time</b>	<b>Deadline to Kingswood Support Team 3.00pm</b>	<b>Date to members 12 noon on</b>	<b>Members Deadline 12 noon on</b>
2nd April 2007	3rd April 2007	5th April 2007	16th April 2007
30th April 2007	1st May 2007	3rd May 2007	11th May 2007
21st May 2007	22nd May 2007	24th May 2007	1st June 2007

# Circulated Schedule 27 April 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK07/0190/F	Approve with conditions	Land adjacent to 171 Soundwell Road Soundwell South Gloucestershire BS16 4RP	Kings Chase	
2	PK07/0226/F	Approve with conditions	52 Grange Avenue Hanham South Gloucestershire BS15 3PF	Hanham	Hanham Parish Council
3	PK07/0235/F	Approve with conditions	Land off Lime Kiln Road Wickwar South Gloucestershire	Ladden Brook	Wickwar Parish Council
4	PK07/0550/R3F	Deemed consent	North Road Cp School North Road Yate South Gloucestershire BS37 7LQ	Ladden Brook	Iron Acton Parish Council
5	PK07/0608/F	Approve with conditions	Land Adjacent to 24 Gages Road Kingswood South Gloucestershire BS15 9UQ	Woodstock	
6	PK07/0643/LB	Approve with conditions	Cleeve Wood House Cleeve Wood Road Downend South Gloucestershire BS16 2ST	Downend	Downend and Bromley Heath
7	PK07/0670/F	Approve with conditions	The Rickyard Overscourt Siston Mangotsfield South Gloucestershire BS16 9LT	Siston	Siston Parish Council
8	PK07/0684/LB	Approve with conditions	The Rickyard Overscourt Siston Mangotsfield South Gloucestershire BS16 9LT	Siston	Siston Parish Council
9	PK07/0786/F	Approve with conditions	Rose Cottage Watery Lane Doynton South Gloucestershire BS30 5TA	Boyd Valley	Doynton Parish Council
10	PK07/0805/F	Approve with conditions	1 Woodchester Yate South Gloucestershire BS37 8TZ	Dodington	Dodington Parish Council
11	PK07/0913/F	Approve with conditions	9 Brook Road Mangotsfield South Gloucestershire BS16 9DX	Rodway	
12	PK07/0991/F	Approve with conditions	18 Homefield Yate South Gloucestershire BS37 5US	Yate West	Yate Town Council
13	PT00/2928/F	Approve with conditions	28 Gloucester Road, Patchway, South Gloucestershire, BS34 6QA	Patchway	Patchway Town Council
14	PT06/2535/CLE	Approve	Land adjoining Philwood Cottage Earthcott Green Alveston South Gloucestershire BS35 3TA	Alveston	Alveston Parish Council
15	PT07/0750/F	Approve with conditions	17 North Road Winterbourne South Gloucestershire BS36 1PT	Winterbourne	Winterbourne Parish Council
16	PT07/0859/F	Approve with conditions	Land at Catbrain Hill Easter Compton South Gloucestershire BS10 7TH	Almondsbury	Almondsbury Parish Council

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
17	<b>PT07/0873/F</b>	Approve with conditions	6 Broncksea Road Filton South Gloucestershire BS7 0SE	Filton	Filton Town Council
18	<b>PT07/0875/F</b>	Approve with conditions	Christ The King Catholic Church 11 Castle Street Thornbury South Gloucestershire BS35 1HA	Thornbury North	Thornbury Town Council
19	<b>PT07/0880/CLE</b>	Refusal	2 Down Road Winterbourne Down South Gloucestershire BS36 1BN	Winterbourne	Winterbourne Parish Council
20	<b>PT07/0976/R3F</b>	Deemed consent	Frampton Cotterell C Of E Primary School Rectory Road Frampton Cotterell South Gloucestershire BS36 2BT	Frampton Cotterell	Frampton Cotterell Parish Council
21	<b>PT07/1015/F</b>	Approve with conditions	703 Southmead Road Filton South Gloucestershire BS34 7QR	Filton	Filton Town Council
22	<b>PT07/1035/F</b>	Approve with conditions	92 Saxon Way Bradley Stoke South Gloucestershire BS32	Bradley Sto Bowsland	Bradley Stoke Town Council

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

**App No.:** PK07/0190/F  
**Site:** Land adjacent to 171 Soundwell Road  
 Soundwell BRISTOL South  
 Gloucestershire BS16 4RP

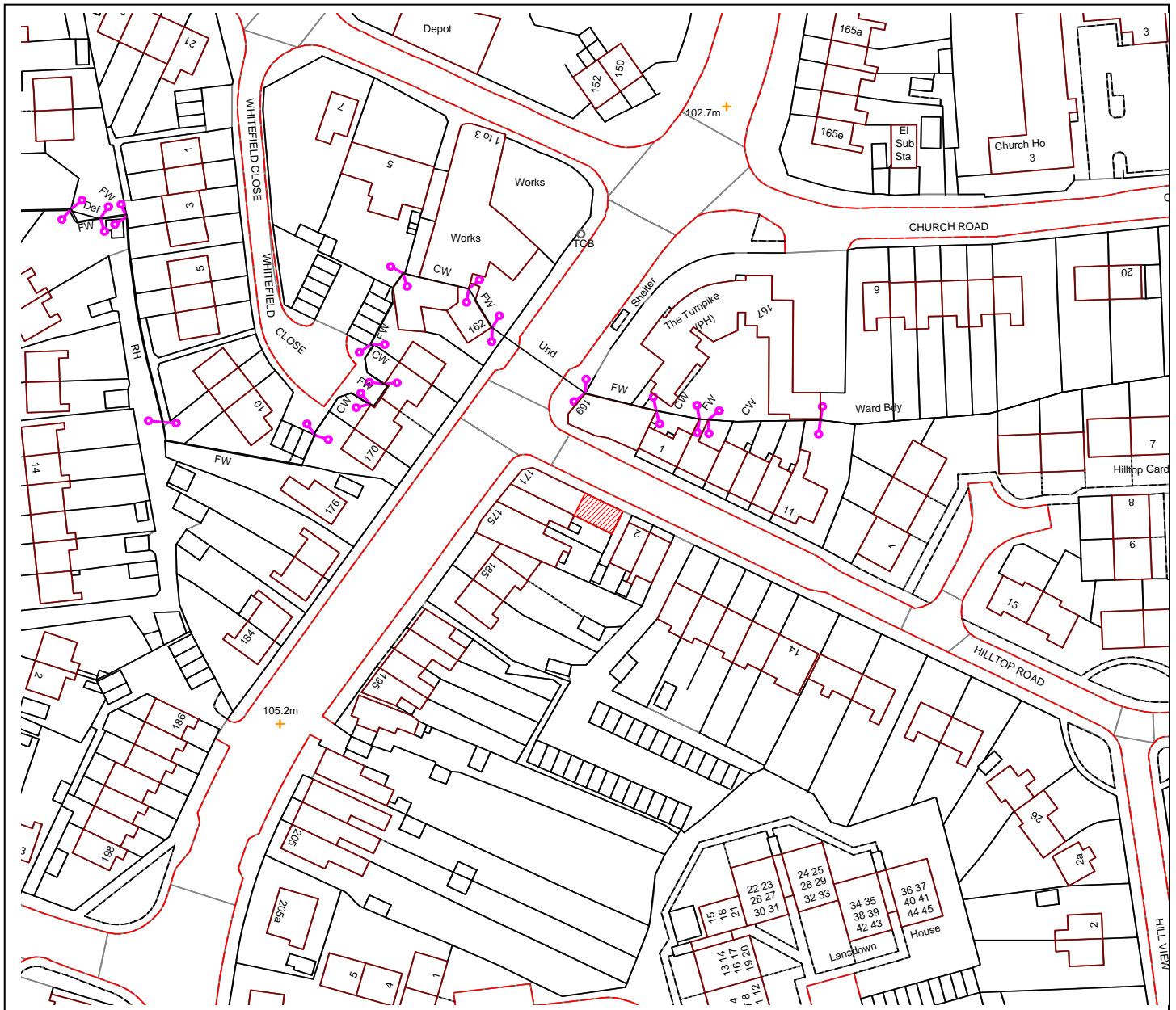
**Applicant:** Mr P Bloomfield  
**Date Reg:** 24th January 2007

**Proposal:** Demolition of existing workshop to facilitate the erection of 2. no. self contained flats with associated works.

**Parish:**

**Map Ref:** 64771 74939

**Ward:** Kings Chase



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**N.T.S**

**PK07/0190/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule because, in the event of planning permission being granted, this would be subject to a new S106 Agreement being required.

### **1. THE PROPOSAL**

- 1.1 The application relates to a disused workshop building located to the rear of no.171 Soundwell Road, Soundwell. Vehicular access to the workshop is from Hilltop Road. The location is mainly residential in character although a number of the properties along Soundwell Road are retail or quasi-retail units, Nos. 171 and 173 however have recently been converted to flats.
- 1.2 It is proposed to demolish the existing workshop building and erect a 2.5 storey block to contain 2no. self-contained flats. The ground floor would comprise a studio flat whilst the first floor and roof space of the building would be utilised to provide a two-bedroom flat. A communal bike and bin store would be incorporated within the ground floor development and accessed from a narrow alleyway that currently lies between the site and no. 2 Hilltop Road.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1 - General Policies and Principles  
PPS3 - Housing  
PPG13 - Transport  
Circular 05/2005 Planning Obligations

#### **2.2 Development Plans**

##### **Joint Replacement Structure Plan**

Policy 02 - Location of Development  
Policy 33 - Housing Provision and Distribution  
Policy 34 - Re-use of previously developed land (support for infill)

##### **South Gloucestershire Local Plan ( Adopted) 6th January 2006**

D1 - Design  
H2 - Residential Development within the existing Urban Area  
H6 - Affordable Housing  
LC2 - Provision of Education Facilities  
T7 - Cycle Parking Provision  
T8 - Parking  
T12 - Transportation  
EP1 - Environmental Pollution  
EP2 - Flood Risk and Development

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

Advice Note 1 - "Altering Your Home"



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

- 3.1 P80/4091 - Alterations to form offices and formation of new front entrance and shop front  
Approved 14<sup>th</sup> April 1980
- 3.2 PK02/2217/F - Change of Use of first floor from offices (B1) to self-contained flat (C3). Erection of 1no. dwelling and creation of new vehicular access.  
Withdrawn.
- 3.3 PK03/2992/F - Change of Use of ground floor from print shop (Use Class A1) to 2 no. studio flats (Use class C3) as defined in the Town & Country Planning Use Classes Order 1987.  
Approved 12<sup>th</sup> November 2003
- 3.4 PK04/3536/F - Change of Use of ground floor from print shop (A1) to 1no. 2 bed flat (C3) (Amendment to previously approved scheme PK03/2992/F)  
Approved 29<sup>th</sup> November 2004

### **4. CONSULTATION RESPONSES**

- 4.1 Parish/Town Council  
Not a parished area.
- 4.2 Other Consultees  
None

#### **Other Representations**

- 4.3 Local Residents  
No responses received

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

- 5.1 Principle of Development  
The site is located within the established urban area and comprises a workshop building. The site is therefore classed as a previously developed, or brownfield site. The site is not a Safeguarded Employment Area nor is it within any Shopping Frontage as defined in the Local Plan. There is therefore no in-principle objection to the loss of the workshop facility. In accordance with Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 and PPS3, the proposal is acceptable in principle, subject to a number of criteria, which are discussed under the following headings.
- 5.2 Density  
Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land.
- 5.3 PPS3 (para46) supports the efficient use of land but in developing housing density policies Local planning Authorities should have regard to :-

“The characteristics of the area, including the current and proposed mix of uses.”

Furthermore the characteristics of the area must be considered to ensure that the development is (para.16) :-

“..well integrated with, and compliments, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

5.4 In assessing the current proposal therefore, consideration has to be given to whether or not the high density proposed is acceptable and whether the siting and likely scale of the building would lead to successful integration with the development’s surroundings.

5.5 Officers consider that given the site’s location in the heart of a densely populated urban area, relatively close to Kingswood Town Centre with its shopping facilities and bus routes, a high density of development would be expected. The high level of density proposed merely reflects the fact that flats are proposed on this relatively small site, which would be little different in this respect to the flat conversions at adjoining 171 and next door at no.173 Soundwell Road. Officers are therefore satisfied that the proposal does make the most efficient use of the site and having regard to the scale of the neighbouring properties, a larger building than that proposed would not be appropriate on this site.

5.6 Scale and Design

The existing single storey workshop building is constructed of red brick with grey cement render elevations. A large metal door affords vehicular access from Hilltop Road. The building has a bland utilitarian appearance in contrast to the more aesthetically pleasing 2-storey residential buildings to either side. In this respect the demolition of the workshop is not opposed.

5.7 The proposed building would be two-storeys with two small dormers in the roof space facing Hilltop Road. The roof ridge would be set at the same height as neighbouring no. 2 Hilltop Road and the gable end elevation would also replicate that of no.2. Although the ridge height would be slightly higher than the adjoining flats the eaves would be set at the same level, thus giving a sense of continuity to this façade. Furthermore the window design and materials to be used in construction i.e. self-coloured roughcast render and tiles, would adequately integrate with the adjoining building; a condition to secure the exact type and colour of tiles and render is in this instance considered to be justified. The scale and design are therefore considered to be acceptable and in some respects would even be an enhancement to the street scene.

5.8 Impact upon Residential Amenity

There would be no private amenity space provision for the proposed flats, but this is no different than the adjoining block of flats at no.171. The site is however in a sustainable location close to local amenities, parks and Kingswood Leisure Centre. Other than a very small velux roof-light (serving a stairwell) there would be no windows to the rear at all but this would create a large expanse of blank wall immediately next to the adjoining property. The existing workshop has a blank elevation also but the proposed building would be two-storey as opposed to the existing single storey workshop. Officers have however taken into consideration the fact that there is nothing more than a narrow and enclosed yard area to the rear of no. 173, which in any event is unlikely to be used for anything other than storage. On balance therefore the

proposed building would not in this case have such an overbearing impact as to justify refusal of planning permission.

5.9 To the east (side) there are no windows in the facing side elevation of no.2 Hilltop Road. Whilst there would be first and third floor windows in the proposed side elevation, these would only be secondary windows serving a kitchen and bedroom respectively. To the front the relationship of the facing windows would be similar to that which already exists in this part of Hilltop Road. Whilst officers acknowledge that the proposed building is quite large for this site, this must be balanced against the replacement of a workshop with a residential use, which would be more appropriate for this location. Furthermore the latest government guidance requires the most efficient use of previously developed sites within the urban area and encourages a higher density of development with a greater mix of housing type, all of which the proposed development would achieve. On balance therefore the impact of the development on the residential amenity would be acceptable.

5.10 Transportation Issues

The replacement of the existing workshop with a studio flat is, in transportation terms, considered more favourable than the existing authorised use of the site. The existing access would be freed up to allow the parking of one car on the street in front of the site. However the proposed addition of a two-bedroom flat above would result in an increase in the traffic activity at the site, resulting in additional on-street parking within the area. Since there is no opportunity to provide additional off-street parking on the site, it will be necessary for alternative mitigating measures to be provided. In this instance the provision of three years of bus passes for the occupants of the two-bed flat is considered most appropriate and this will need to be secured via an appropriate S106 legal agreement. The applicant has already informally agreed to this arrangement. Subject to this agreement there are no highway objections.

5.11 Environmental and Drainage Issues

Surface water and foul sewage would be disposed of via the existing system. The Council's Environmental Health Officer raises no objection to the proposal. An appropriate condition to ensure adequate sound proofing between the flats and neighbouring dwellings is considered to be justifiable in this case. This matter would also be controlled and tested under building control.

5.12 Public Open Space

The proposal for 2 flats is below the Council threshold (10) for contributions towards open space.

5.13 Education

The proposal for 2 flats is below the Council threshold (5) for contributions towards education facilities.

5.14 Affordable Housing

The site area i.e. 0.005ha is below 0.5 hectares in area and the proposed number of units (9) is below local and national policy guidance on the threshold for requiring affordable housing (15). There is therefore no requirement for the provision of affordable housing in this case.

5.15 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

#### 5.16 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the provision of annual bus passes are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

### 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 authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

1. A contribution of £2997 is paid to South Gloucestershire Council prior to the first occupation of the 2 bedroom flat or six months from the commencement of development, whichever is the sooner. South Gloucestershire Council will then provide the occupier of the two bedroom flat with a bus pass on an annual basis for a period of up to three years or whenever the contribution is spent, whichever is the sooner.

The reason for this Agreement is:

- (i) To mitigate the affect of lack of off-street parking provision for the proposed two bedroom flat.
2. That the Head of Legal and Democratic Services be authorised to prepare and seal the Agreement.

**Background Papers**      **PK07/0190/F**

**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 and Country Planning Act 1990 (as amended).

2. No development shall take place until details of a scheme of noise protection and sound insulation has been submitted to and agreed in writing with the Local Planning Authority. The residential units hereby approved shall not be occupied until the noise protection and sound insulation measures have been provided in accordance with the agreed scheme.

Reason:

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the rear elevation including roof-space of the building hereby approved, unless the Local Planning Authority gives consent in writing to any variation.

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.

4. The hours of working on site during the period of demolition and construction shall be restricted to 07.30 to 18.00 hours Monday to Friday, 0800 to 13.00 hours on Saturday 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. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

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

5. No development shall take place until details/samples of the roofing and external facing materials proposed to be used have been 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.

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

**App No.:** PK07/0226/F  
**Site:** 52 Grange Avenue Hanham BRISTOL  
 South Gloucestershire BS15 3PF  
**Proposal:** Erection of single storey rear extension  
 to form additional living accommodation.  
**Map Ref:** 64614 72010

**Applicant:** Mr & Mrs M Snell  
**Date Reg:** 26th January 2007  
**Parish:** Hanham Parish  
 Council  
**Ward:** Hanham



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**N.T.S**

**PK07/0226/F**

This application appears on the Circulated Schedule as a result of a neighbour objection.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension to provide additional living accommodation. The proposed extension would have a maximum height of 3.5m above the existing ground floor level, a maximum width of 5.9m and a maximum depth of 3.1m. The proposal would involve the demolition of an existing conservatory and small lean-to rear extension that currently occupy a very similar footprint to the proposal.
- 1.2 The 1950's rendered mid terrace two-storey dwelling is located in a residential area of Hanham. Residential properties of the same age and design characterise the area.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
Advice Note 1: Altering Your Home

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None

## **4. CONSULTATION RESPONSES**

- 4.1 Hanham Parish Council  
No comment
- 4.2 Local Residents  
One objection was received from the immediate neighbour at No.50 Grange Avenue and raised the following concerns:
- Inaccuracies in the drawings
  - Loss of privacy due to change in ground levels
  - The proposal would be out of keeping with the character of the area and would have an overbearing impact upon both the adjacent properties
  - Other matters relating to building control and the history of the existing conservatory.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for extensions to existing dwellings subject to criteria relating to scale and design, highways, and impact upon visual and residential amenity.

5.2 Design/Visual Amenity

The proposed extension is of an appropriate design and materials in relation to the characteristics of the main dwelling house and surrounding properties. The proposal would be suitably subservient to the host dwelling. The proposed extension would be contained to the rear of the dwelling and largely screened to the west side by the retention of the external wall of the existing lean to extension. The extension would tie in to the existing lean to at the same depth as the existing conservatory to be removed and the lean-to element. Due to the drop in level to the east the extension would be partially screened on that adjoining boundary by a low fence and trellising. It is not therefore considered that the proposal would have a detrimental impact upon the character and appearance of the area. In this context, therefore, the addition is visually acceptable.

5.3 Residential Amenity

The proposed extension would be 3m in depth and therefore not exceed Advice Note 2 guidance on rear extensions in this context. Further the extension would not have any windows in either side elevation. Therefore it is not considered that the proposed extension would have an unacceptably overbearing impact or result in any loss of privacy.

Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

5.4 Other Matters

Concerns were raised by the adjoining occupier regarding building regulations and whether development would be taking place on third party land. From the information provided by the applicant the development will be wholly within the application site though attention is drawn to the Party Wall Act informative attached to the recommended permission. Building Regulations matters raised by the objector are not considered to be relevant to the consideration of this application.

Highlighted inaccuracies regarding the nature and extent of a structure on the neighbouring property have been noted but are not considered to have been detrimental to the consideration of this application.

5.5 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.



## **6. CONCLUSION**

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

The decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 Planning permission be granted subject to the following conditions:

**Background Papers**      **PK07/0226/F**

**Contact Officer:    Jan Saward**

**Tel. No.            01454 864969**

### **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 and Country Planning Act 1990 (as amended).

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

Reason:

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

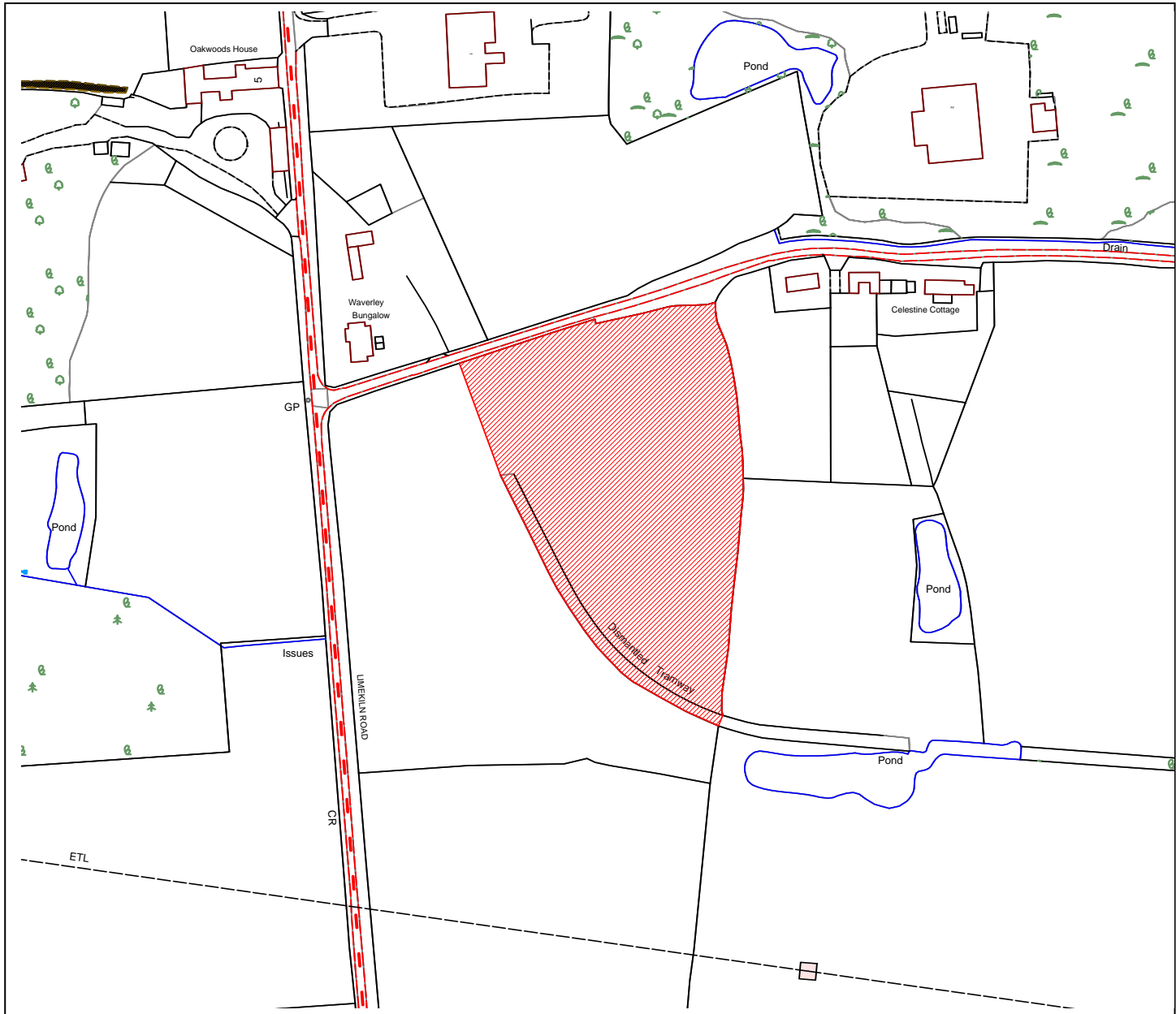
3. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason:

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

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

<b>App No.:</b>	PK07/0235/F	<b>Applicant:</b>	Mr M Cox
<b>Site:</b>	Land off Lime Kiln Road Wickwar BRISTOL South Gloucestershire	<b>Date Reg:</b>	29th January 2007
<b>Proposal:</b>	Erection of 3 no. stables and hay store to facilitate change of use from agricultural land to land for the keeping of horses.	<b>Parish:</b>	Wickwar Parish Council
<b>Map Ref:</b>	70744 85687	<b>Ward:</b>	Ladden Brook



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**N.T.S**

**PK07/0235/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule following objections received from a local resident, which are contrary to the officer recommendations.

### **1. THE PROPOSAL**

- 1.1 The application relates to a 1.35ha area of agricultural land which forms a field currently laid to grazing and situated to the east of Limekiln Road. The site lies within the open countryside but is not within land designated as Green Belt. Vehicular access to the site is from a gated access via a narrow lane leading off Limekiln Road. The location is rural in character with a scattering of isolated properties, the nearest of which is Celestine Cottage to the north-east of the site. Open fields bound the site and are generally well enclosed by hedgerows and trees. The field immediately to the west of the site is already used for the keeping of horses.
- 1.2 The application seeks to change the use of the land from agricultural land to land for the recreational keeping of horses. It is proposed to erect a stable building within the field to contain three loose boxes and a hay store. The building would measure 15.6m long x 3.6m/5.5m wide x 2.7m high to the top of the ridged roof, and would be constructed of Shiplap Boarding with a Black Onduline Corrugated Sheet roof. It is also proposed to construct hard standing areas to the front of the stable to provide a grooming area and on the approach to the stable from the access to provide a parking and turning area for vehicles visiting the site.
- 1.3 The stable block would be located at the north eastern end of the field with its back adjacent to an existing hedgerow. It is proposed to keep a maximum of three horses on the site.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPS7 - Sustainable Development in Rural Areas

#### 2.2 Development Plans

##### Joint Replacement Structure Plan

- Policy 2 - Location of Development
- Policy 3 - Landscape Protection
- Policy 45 - Promoting Enjoyment of the Countryside

##### South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> January 2006

- L1 - Landscape Protection and Enhancement
- D1 - Design in New Development
- T12 - Transportation
- E10 - Horse Related Development
- EP1 - Environmental Pollution
- LC5 - Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundaries.

#### 2.3 Supplementary Planning Guidance

- Advice Note no.9 - "Development Involving Horses"

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

3.1 None

### **4. CONSULTATION RESPONSES**

4.1 Wickwar Parish Council  
No objection

4.2 Other Consultees  
None

#### **Other Representations**

4.3 Local Residents  
1 no. letter of objection was received from the occupier of neighbouring Celestine Cottage, The following is a summary of the concerns raised:

- Impact on private water main.
- Use should be private and not commercial.
- Additional burden on narrow lanes.
- Loss of view for occupier of Celestine Cottage.
- No room for tractor to cut hedge.

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

5.1 Principle of Development  
Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th January 2006, states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.

5.2 Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 reinforces the view that 'proposals for horse related development ..... such as stables, will be permitted outside the urban boundaries of settlements', subject to certain criteria being met. The analysis of the proposal in relation to the aforementioned criteria is considered below.

5.3 Environmental Effects  
All matters of external lighting, erection of loose jumps and fences, car parking and use of horse-boxes or portable buildings or trailers, could be strictly controlled by conditions.

5.4 The disposal of foul waste should be undertaken in accordance with the MAFF (now DEFRA) Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency and Environmental Health controls. The applicant has indicated that a manure collection area would be located at the southern end of the stables well clear of any residential properties. Subject to the aforementioned conditions there are no objections on environmental grounds. The Council's Environmental Health Officer has raised no objections to the proposal, so the scheme is considered to be acceptable in terms of environmental impact.

## 5.5 Landscape Issues

The Council's Landscape Architect has visited the site and noted that the stables would be located within an agricultural landscape of enclosed, flat fields with no distant views of the proposed stable. The hedgerows to the south and west would adequately screen the stables from Lime Kiln Road and the access lane. The proposed scale and design of the building and the materials to be used in construction are considered to be appropriate for the location.

5.6 Officers consider that stable buildings such as that proposed are common features in a rural landscape. Given the stables relatively small size, its siting within the field and the level of existing screen planting, the development would not appear as an incongruous element within the countryside. There are therefore no landscape objections to the proposal.

## 5.7 Transportation Issues

The existing authorised use of the land is agricultural, which would already attract some vehicular traffic along the lane. The proposed change of use is for leisure purposes only with generally only twice daily visits to the site by one vehicle. Given the extant use of the site, plus the small number of horses involved (3), the difference in potential traffic generation between the authorised and proposed use would not be significant.

5.8 The current access to the site is gated and set well back from the lane. All of the area leading from the road to the gate will need to be surfaced with bound material to prevent stone scatter onto the highway; this can be secured by condition.

5.9 Subject therefore to conditions to limit the number of horses kept on the site to 3 and prevent any DIY livery or riding school use, surface the extended access, and maintain the turning/parking area; there are no highway objections.

## 5.10 Existing Buildings Available for Conversion

There are no existing buildings on the land that could be converted for the use as a stable.

## 5.11 Appropriateness for the Safety and Comfort of Horses

The proposal accords with the advice given in Supplementary Guidance Note 9 concerning care and housing of horses. It is proposed to keep a maximum of 3 horses on the site. The horses could be exercised in the field and in the adjacent lanes. There is sufficient space in the field for the number of horses proposed and this number can be limited accordingly by condition. A fresh water supply is available on the site.

## 5.12 Ecology

The field is already in agricultural usage and can be used for the grazing of horses or other farm animals as part of that authorised use. There are no ecological objections.

## 5.13 Impact Upon Residential Amenity

The nearest residential property is Celestine Cottage situated some 90m to the north-east. The current authorised use of the application site is agricultural and under this use horses or other animals could be grazed in the field. Under the extant use, temporary mobile field shelters could also be erected on the site without planning permission.

5.14 The occupant of Celestine Cottage has raised concerns about loss of view, but there is in fact no right to a view so this matter is not a material consideration. In terms of visual amenity, officers have noted that the proposed stable block would be orientated with its back to Celestine Cottage with the adjacent hedgerow, an array of existing buildings and an assortment of stationary vehicles and clutter located between the proposed stables and Celestine Cottage itself. Furthermore there is additional screen planting already in place around Celestine Cottage. Officers are satisfied that having regard to the scale, design and location of the stable block, and the level of existing vegetation, the proposed building and associated parking/turning areas would not appear as an incongruous element or adversely affect the visual amenity for occupants of Celestine Cottage. Having regard to the site's location, a condition to control any external lighting is justified (though none is proposed as part of the application). Any lighting inside the stable is likely to be low key and reasonably justified, such lighting should not be so visible as to warrant refusal of the application.

5.15 On balance therefore the impact on residential amenity would be acceptable. In reaching this conclusion, officers have taken into account the existing potential uses of the site, as well as the raft of conditions to be attached to any consent, which would strictly control the management of the site in the interests of residential amenity.

5.16 Drainage Issues

Roof water would be collected in water butts to provide drinking water and aid water conservation, no watercourse would be directly affected. Whilst there is already a fresh water supply to the site, the amount of water likely to be used in washing down the horses would be insignificant. Officers are satisfied that the scheme is acceptable in drainage terms.

5.17 Other Concerns Raised

Of the concerns raised by the local resident, that have not been addressed above:

- Officers are satisfied that the hedge to the rear of the stable could be adequately maintained using hand tools.
- The applicant has submitted evidence to suggest that he does retain rights of access to the water main supplying two troughs on the site. Any dispute relating to this matter is a civil issue, not to be resolved via the planning system.

5.18 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

5.19 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a

condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **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 following conditions:

**Background Papers**      **PK07/0235/F**

**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 and Country Planning Act 1990 (as amended).

2. At no time shall the stables and the associated land be used for livery, riding school or other business purposes whatsoever.

Reason 1:

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2:

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

Reason 3:

To protect the character and appearance of the area, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. The number of horses kept on the site edged in red on the approved plans shall not exceed 3.

Reason:

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

4. No jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason:

To protect the character and appearance of the area, and to accord with Policies L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5. Any temporary jumps erected on the land shall be stored away to the side of the stable hereby approved, immediately after use.

Reason:

To protect the character and appearance of the area, and to accord with Policies L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. At no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason:

To protect the character and appearance of the area, and to accord with Policies L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. Details of any external illumination shall be submitted to and approved in writing by the Local Planning Authority. The external illumination shall be implemented in accordance with the approved details.

Reason:

To protect the character and appearance of the area, and to accord with Policies L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. At no time shall there be any burning of foul waste upon the land the subject of the planning permission hereby granted.

Reason:

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the first use of the site for the purpose hereby approved, the entire access driveway between the gate and edge of the carriageway shall be surfaced with bound material and maintained as such thereafter.

Reason:

To prevent stone scatter in the interests of highway safety to accord with Policy T12, E10 and LC5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

10. Prior to the first use of the site for the purpose hereby approved, the off-street parking facilities (for all vehicles) and manoeuvring areas as shown on the approved site plan, shall be provided and thereafter kept clear of obstructions and retained and used only in conjunction with the occupation of the land and buildings hereby approved.

Reason:

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



11. No development shall take place until details or samples of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

<b>App No.:</b>	PK07/0550/R3F	<b>Applicant:</b>	North Road Community Primary School
<b>Site:</b>	North Road Cp School North Road Yate BRISTOL South Gloucestershire BS37 7LQ	<b>Date Reg:</b>	19th February 2007
<b>Proposal:</b>	Erection of single storey extension on east elevation to form kitchen, staff room & W.C. Installation of new entrance door and ramp access on west elevation.	<b>Parish:</b>	Iron Acton Parish Council
<b>Map Ref:</b>	69900 83785	<b>Ward:</b>	Ladden Brook



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## **INTRODUCTION**

This application has been submitted on behalf of South Gloucestershire Council's Education Service and must therefore appear on the Circulated Schedule as a Regulation 3 submission.

### **1. THE PROPOSAL**

- 1.1 The application relates to North Road Community Primary School, which is located on the eastern side of North Road, Yate. Residential properties lie to the rear of the school site.
- 1.2 It is proposed to erect a new single storey extension to the rear of the main school hall. The extension would provide a new staff room, kitchen and staff toilets. It is also proposed to provide a new visitors pedestrian entrance to the front of the school, this is required to improve security and access control.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 - Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 - Design in New Development  
LC4 - Proposals for Educational Facilities Within the Existing Urban Area and Defined Settlement Boundaries.

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

- 3.1 P91/1239 - Provision of pratten temporary building to provide staff facilities. No objection to County Matter 27<sup>th</sup> March 1991.
- 3.2 P95/2756 - Erection of single storey extension to provide cloakroom. Approved 9<sup>th</sup> Jan 1996
- 3.3 PK01/1863/R3F - Demolition of existing accommodation, erection of new Elliott classroom and extension to existing chain link fence. Deemed consent 21<sup>st</sup> August 2001

### **4. CONSULTATION RESPONSES**

- 4.1 Iron Acton Parish Council  
No objection
- 4.2 Other Consultees  
None

#### **Other Representations**

- 4.3 Local Residents  
No responses

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

This is an existing school site located within the Urban Area and Defined Settlement Boundaries. Within such locations proposals for expansion or improvement of educational facilities is acceptable subject to Local Plan criteria discussed in the following paragraphs.

### 5.2 Scale and Design

The proposed extension would provide badly needed facilities for the school staff. The extension would be modest in scale, having a floor space of only 49.2 sq.m. Being only single storey and tucked away to the rear of the main school building, the extension would be barely visible within the street scene. The simple mono-pitched roof design will integrate adequately within the existing built form. Furthermore the materials to be used in construction i.e. Redland Cambrian Roof Slates and smooth off-white rendered walls with powder coated aluminium windows, will complement the existing building.

5.3 The works to provide the new visitor entrance on the west elevation would be quite minor and basically only involve the insertion of a new pedestrian gate from North Road, access ramp and security door. Officers are therefore satisfied that the proposed scale and design of the development will have little impact on the visual amenity of the building or locality in general and are therefore acceptable in terms of scale and design.

### 5.4 Impact Upon Residential Amenity

The proposed extension would be well enclosed by existing buildings and high boundary treatments. The only windows proposed for the extension would be velux roof lights set high in the mono-pitch roof, which would not result in overlooking of the neighbouring residential gardens to the rear of the school. The extension would be viewed against the backdrop of the main school building and being modest in scale, would not have a significant overbearing impact on neighbouring property. A condition can ensure that no extra windows are inserted in the extension's rear elevation at sometime in the future. The works to the front pedestrian access will have no impact on residential amenity. There would therefore be no significant adverse impact on residential amenity to result from the proposed scheme.

### 5.5 Transportation Issues

The proposal will have no impact on highway safety. The Council's Highway Officer therefore raises no objection to the scheme.

### 5.6 Environmental Issues

There are no objections on environmental grounds. The proposed ramp will provide disabled access.

### 5.7 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

### 5.8 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **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 following conditions:

**Background Papers      PK07/0550/R3F**

**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 and Country Planning Act 1990 (as amended).

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

Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007;**

<b>App No.:</b>	PK07/0608/F	<b>Applicant:</b>	Mr J Drennan
<b>Site:</b>	Land Adjacent to 24 Gages Road Kingswood BRISTOL South Gloucestershire BS15 9UQ	<b>Date Reg:</b>	23rd February 2007
<b>Proposal:</b>	Erection of 1 no. dwelling and associated works.	<b>Parish:</b>	
<b>Map Ref:</b>	65886 73373	<b>Ward:</b>	Woodstock



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**N.T.S**

**PK07/0608/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule following concerns raised by a local resident, the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to a 0.03ha plot of land located between nos. 24 and 22 Gages Road, Kingswood. The land was formerly part of the curtilage of no.24 but is now in separate ownership. The vacant plot comprises remnant garden with an area of hard-standing for vehicular parking. There is an existing gated vehicular access to the land from Gages Road. The location is entirely residential and suburban in character with the street scene comprising predominantly 1950's two-storey, semi-detached family housing.
- 1.2 It is proposed to erect a single two-storey detached dwelling house to include accommodation within the roof-space. Two car parking bays and a turning area would be situated to the front of the house with the existing vehicular access utilised from Gages Road. There would be an enclosed garden to the rear and side with a composting facility and a waste recycling store. The pitched roof would include an area reserved for later installation of solar panels.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPG13 - Transport

#### **2.2 Development Plans**

##### Joint Replacement Structure Plan

- Policy 1 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution
- Policy 34 - Re-use of Previously Developed Land (support for infill)
- Policy 54 - Car Parking Provision

##### South Gloucestershire Local Plan (Adopted) 6th January 2006

- L1 - Landscape protection and enhancement
- L5 - Open areas
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- L17 & L18 - The Water Environment
- H2 - Residential development
- D1 - Design
- T8 - Parking standards
- T12 - Transportation development control

##### Supplementary Planning Guidance

- Advice Note One - "Altering Your Home"

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

3.1 None

### **4. CONSULTATION RESPONSES**

4.1 Parish Council  
This is not a parished area.

4.2 Other Consultees  
None

#### **Other Representations**

4.3 Local Residents  
2no. e-mails were received from the occupant of no.26 Gages Road, who whilst not objecting to the principle of a dwelling on the site, did raise concerns about loss of privacy and overlooking of the garden to no. 26 from the proposed velux windows in the roof-space, that serve the master bedroom. A further e.mail was received from the occupant of no.1 Kingsleigh Court who raised no objection to the proposal.

#### **Internal Consultees**

4.4 Technical Services – Drainage  
No objection in principle subject to submission of a drainage scheme and Mining Report.

4.5 Environmental Services  
No objection subject to standard conditions and informatives for construction sites.

4.6 Highways  
No objection subject to provision and maintenance of two parking spaces per dwelling.

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

5.1 Principle of Development  
The site is within the established residential area as defined in the South Gloucestershire Local Plan (Adopted) 6th January 2006. Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes.

5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 2, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.

5.3 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:



- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
  - B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
  - C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
  - D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.
- 5.4 Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to secure good quality designs.
- 5.5 The site is not subject to unacceptable levels of noise, disturbance, air pollution, smell, dust or contamination. There is adequate provision in the locality for Education, Leisure, Recreation and other Community Facilities to meet the needs arising from the proposal.
- 5.6 Density  
Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. Policy H2 defines an inefficient use as a density of less than 30 units per hectare, and the supporting text to Policy H2 sets out the Council's expectation that higher densities (in excess of 50 dwellings per hectare) will be achieved in and around existing town centres and at locations well served by public transport.
- 5.7 The South Gloucestershire Local Plan (Adopted) 6th January 2006 also seeks to ensure, in achieving higher densities for new development, that "*local planning authorities and developers think imaginatively about designs and layouts which make more efficient use of land without compromising the quality of the environment*". Officers are satisfied that having regard to the site's constraints relating to pattern of development, width, access, and impact on residential amenity, no more than one additional dwelling could realistically be accommodated on the site.
- 5.8 Scale and Design  
The houses along Gages Road in the vicinity of the site, exhibit quite a uniform architectural vernacular, being for the most part two-storey semi-detached family sized dwellings with gable ended roofs and bay windows to the front. The general scale and form of the proposed dwelling would for most part replicate that of its immediate neighbours. Furthermore the proposed materials to be used in construction i.e. double roman roof tile, textured rendered walls and white uPVC windows would also be in-keeping with neighbouring houses. A condition could be imposed to ensure that the materials used would be in-keeping. In this respect the proposal would integrate very well within the established architectural vernacular and built form.

5.9 The plot is located between existing housing and represents a good opportunity for in-fill development within the urban area. The proposed dwelling would conform very well to the existing building lines and pattern of development within the street scene. Furthermore the property has been designed to be energy-efficient. The proposed dwelling is therefore acceptable in terms of both scale and design.

5.10 Landscape

The application site was formerly part of a large domestic garden associated with no. 24 Gages Road. The plot is a relatively small open space within the urban landscape. There are some garden trees within the site, some of which would be affected by the development. These trees however are not afforded protection by Tree Preservation Order and have minimal amenity value. Additional planting and landscaping would be incorporated within the scheme. As an open area, the site is not considered to make a significant contribution to the quality, character, amenity or distinctiveness of the locality, officers are therefore satisfied that in terms of Policy L5 and L1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 the proposal is acceptable and would not represent a significant loss of open space or have a detrimental impact on the character of the landscape.

5.11 Transportation

The scheme incorporates two off-street car parking spaces, a turning area and the existing access from Gages Road. Since this satisfies the Council's adopted parking standards and the requirements of Policy T12, no highway objections are raised. As no.24 is in separate ownership and not in the applicant's control, officers cannot impose conditions to secure separate parking for that property. Subject to the provision and maintenance of two parking spaces for the proposed dwelling (as shown on the submitted plans) there are no highway objections.

5.12 Impact upon Residential Amenity

The proposed two-storey dwelling would be situated next to a corner plot where nos. 26 and 24 are sited, the garden of no.23 lies to the rear of the application site. Concerns about overlooking of the rear garden of no.24 have been raised. There are no windows proposed for the northern side elevation of the proposed dwelling and only obscurely glazed strip windows for the southern side elevation. The velux roof lights serving the master bedroom can be opened but would face directly to the rear and also incorporate privacy blinds. Any overlooking of neighbouring gardens would be from a reasonable distance, angle and height. Some overlooking of gardens is considered to be inevitable and is a ubiquitous situation in densely populated urban areas such as this. There would be more than the requisite 21m between facing habitable room windows. Any loss of privacy that might occur would be minimal and certainly not considered to be significant enough to justify refusal of planning permission, especially in the light of Government guidance supporting higher density of development in the built up areas. Adequate boundary treatments can be secured by condition that will ensure no loss of privacy at ground floor level; there would therefore be no issues of inter-visibility.

5.13 The Council's Supplementary Planning Guidance Note 1 – "Altering Your Home" requires houses of the scale proposed to have garden areas of 50sq.m. with a minimum depth of 10m and officers are satisfied that these standards are met in the proposal. The proposal is not therefore considered to be an overdevelopment of the site. The relationship of the proposed dwelling to the

adjacent properties is such that it would not result in an overbearing impact for neighbouring occupiers. Adequate bin storage would be provided to the side of the property. There would therefore be no significant adverse impact on residential amenity.

#### 5.14 Environmental and Drainage Issues

Whilst there will inevitably be some disturbance for neighbouring occupiers during the construction phase, this can be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Council's Drainage Engineer has raised no objection to the proposal, conditions would however be required to secure the submission of a full drainage scheme and a mining report, both to be approved prior to the commencement of any development on the site.

#### 5.15 Community Services Department

The proposal is for 1no. house only and since this falls below the 10 unit threshold for contributions to Community Services, no contributions are requested in this case.

#### 5.16 Education Service

Due to the small size of the development including only 1no. house, it is considered that no contributions to education provision can be justified for this development.

#### 5.17 Affordable Housing

The site area is below 0.5 hectares in area and the proposed number of units (1) is below local and national policy guidance on the threshold for requiring affordable housing (15). There is therefore no requirement for the provision of affordable housing in this case.

#### 5.18 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

#### 5.19 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## 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) 6th 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 following conditions:

### **Background Papers      PK07/0608/F**

**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 and 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) no development as specified in Part 1 (Classes A, B, C, D, E, G and H), 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:

Due to the restricted dimensions of the site and to ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

3. Building operations shall not be commenced until samples or details of the roofing tiles proposed to be used have been submitted to and approved by the Council and all such materials used in construction of the building hereby authorised shall conform to the details so approved.

Reason:

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

4. Sample panels of render, demonstrating the colour and texture 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 rendering is complete.

Reason:

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

5. The hours of working on site during the period of construction shall be restricted to 7.30am to 6.00pm Mondays to Fridays inclusive, 7.30am to 1.00pm Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: deliveries of construction materials, 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. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

6. Developments shall not begin until drainage proposals incorporating Sustainable Drainage Systems (SUDS) and hydrological conditions (soil permeability, watercourses, mining culverts etc) within the development site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details and thereafter maintained.

Reason:

To ensure that a satisfactory means of drainage is provided and prevent an increased risk of flooding, and to accord with Policies EP1, EP2, L17 and L18 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

7. The drainage scheme approved, incorporating best management practices, shall be implemented in accordance with the approved details before the development is occupied.

Reason:

To ensure that a satisfactory means of drainage is provided and prevent an increased risk of flooding, and to accord with Policies EP1, EP2, L17 and L18 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

8. Prior to the commencement of the development hereby approved a Coal Mining Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the development can be safely implemented having regard to past coal mining in the area and to identify the possible presence of shafts, adits, drainage levels and culverts, in accordance with Policies EP2 and EP7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. The two off-street parking spaces and turning facility as shown on the Proposed Site Layout Plan no. 06 hereby approved, shall be provided before the building is first occupied, and thereafter the parking and turning facilities shall be retained as such and used only in conjunction with the occupation of the buildings purpose.

Reason:

To ensure the satisfactory provision of parking and turning facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) Jan 6th 2006.

10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected/retained. The boundary treatment to be erected shall be completed before the building is first occupied. Development shall be carried out in accordance with the approved details.

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.

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

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.

12. Prior to the use or occupation of the building hereby permitted, and at all times thereafter, the proposed two stairwell windows on the southern side elevation shall be permanently fixed and glazed with obscure glass only.

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.

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

**App No.:** PK07/0643/LB

**Applicant:** Mr H Orlowski  
Cleeve Wood House  
Property  
Management Co

**Site:** Cleeve Wood House Cleeve Wood Road  
Downend BRISTOL South  
Gloucestershire BS16 2ST

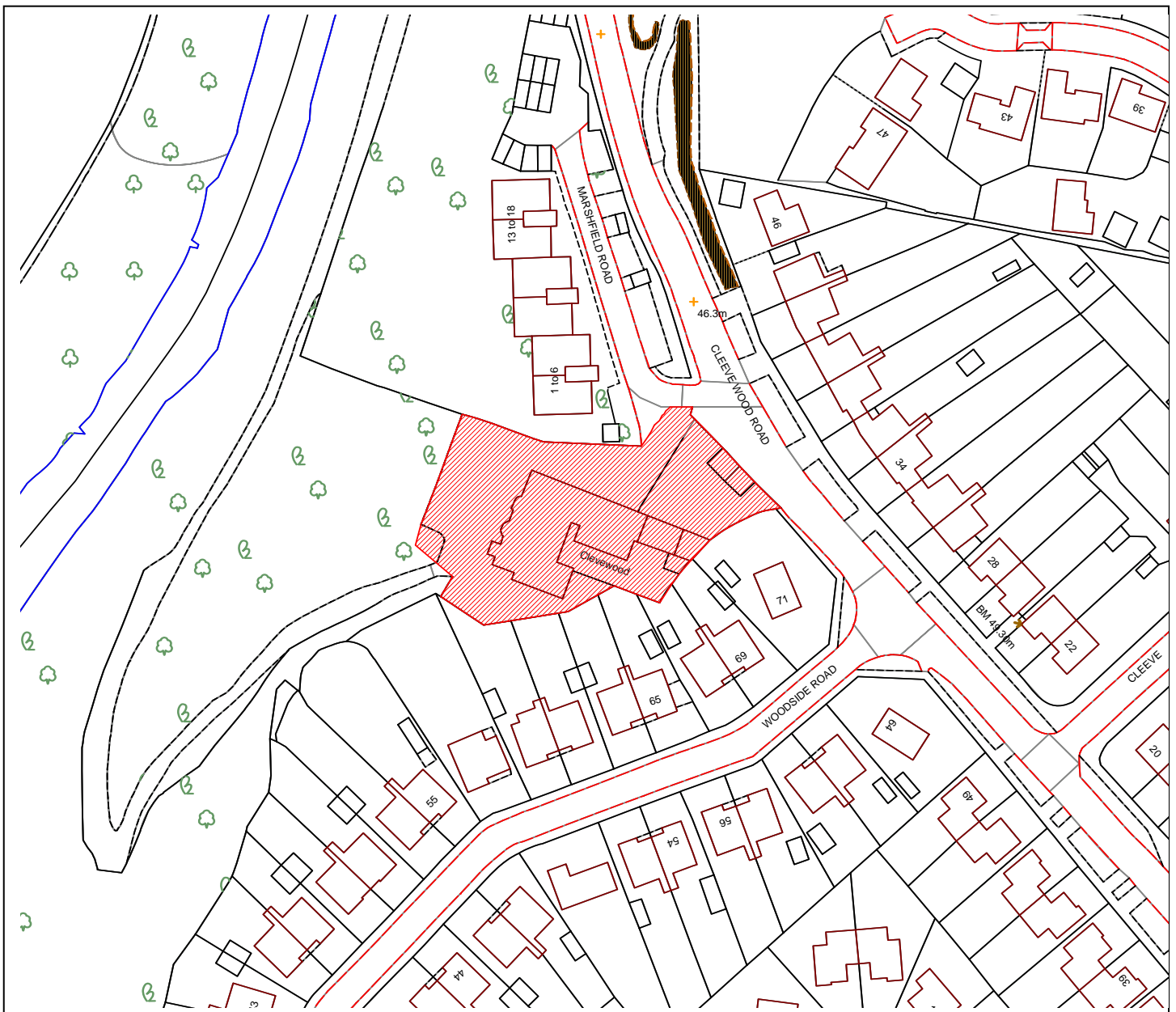
**Date Reg:** 26th February 2007

**Proposal:** Installation of 60cm diameter satellite  
dish.

**Parish:** Downend and  
Bromley Heath

**Map Ref:** 64481 77499

**Ward:** Downend



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**N.T.S**

**PK07/0643/LB**

## **INTRODUCTION**

This application appears on the Circulated Schedule owing to a combined objection from two local residents.

### **1. THE PROPOSAL**

- 1.1 The application seeks Listed Building consent to install a 60cm diameter satellite dish within a central valley where it would be visible externally.
- 1.2 The application property comprises of a listed building located on the western fringes of Downend overlooking the Frome River Valley.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG15 Planning and the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design  
L13 Listed Buildings

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

- 3.1 PK03/3289/LB Conversion of attic to form additional bedroom with insertion of 3No. velux rooflights and internal alterations. Approve with conditions: 26<sup>th</sup> February 2004.

### **4. CONSULTATION RESPONSES**

- 4.1 Downend & Bromley Heath Parish Council  
No objection.

#### **Other Representations**

- 4.2 Local Residents  
One combined letter of objection received from two local residents expressing the following objections and concerns:
- confusion as to the exact location of proposed satellite dish
  - object to installation of satellite dish if it can be viewed from their properties.

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

- 5.1 Principle of Development  
PPG 15 states that when considering whether to grant listed building consent for development which affects a listed building or its setting, special regard should be had to the desirability of preserving the building, or its setting, or any features of architectural or historic interest which it possesses.
- 5.2 Impact on the setting of the Listed Building  
The Council's Listed Buildings and Archaeology Officer has assessed the proposal and raises no objection. He points out that the proposal involves the



erection of a modest satellite dish upon a lead covered hatch within a central valley where it would not be visible externally.

However, he notes that there are no details provided to show how the dish is to be fixed, nor is it clear what damage will result to the lead covered hatch or even whether the hatch will be moveable if required after the satellite dish has been attached to it.

As a result he requests that any fixing should comply with current Lead Sheet Association guidelines to ensure that the lead is free to move as it expands and contracts with heat. Failure to do this could lead to rapid failure of the lead covering and water ingress into the building. This could well result in the lead covering having to be completely replaced to allow movement around the new bracket.

Accordingly he suggest that the application be approved subject to a condition requiring methods statement be submitted and approved by the Council which shows the works and full details of the precise location, method of fixing and type of bracket used to support the dish.

### 5.3 Other Matters arising – objection letters

Given that the satellite dish is to be located in a central valley where it can not be externally viewed, it is considered that the local residents' objection has been addressed.

## 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 decision 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 Listed Building consent be **GRANTED** subject to the following conditions:

**Background Papers**      **PK07/0643/LB**

**Contact Officer:**    **Edward Purnell**  
**Tel. No.**                **01454 863056**

### CONDITIONS

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

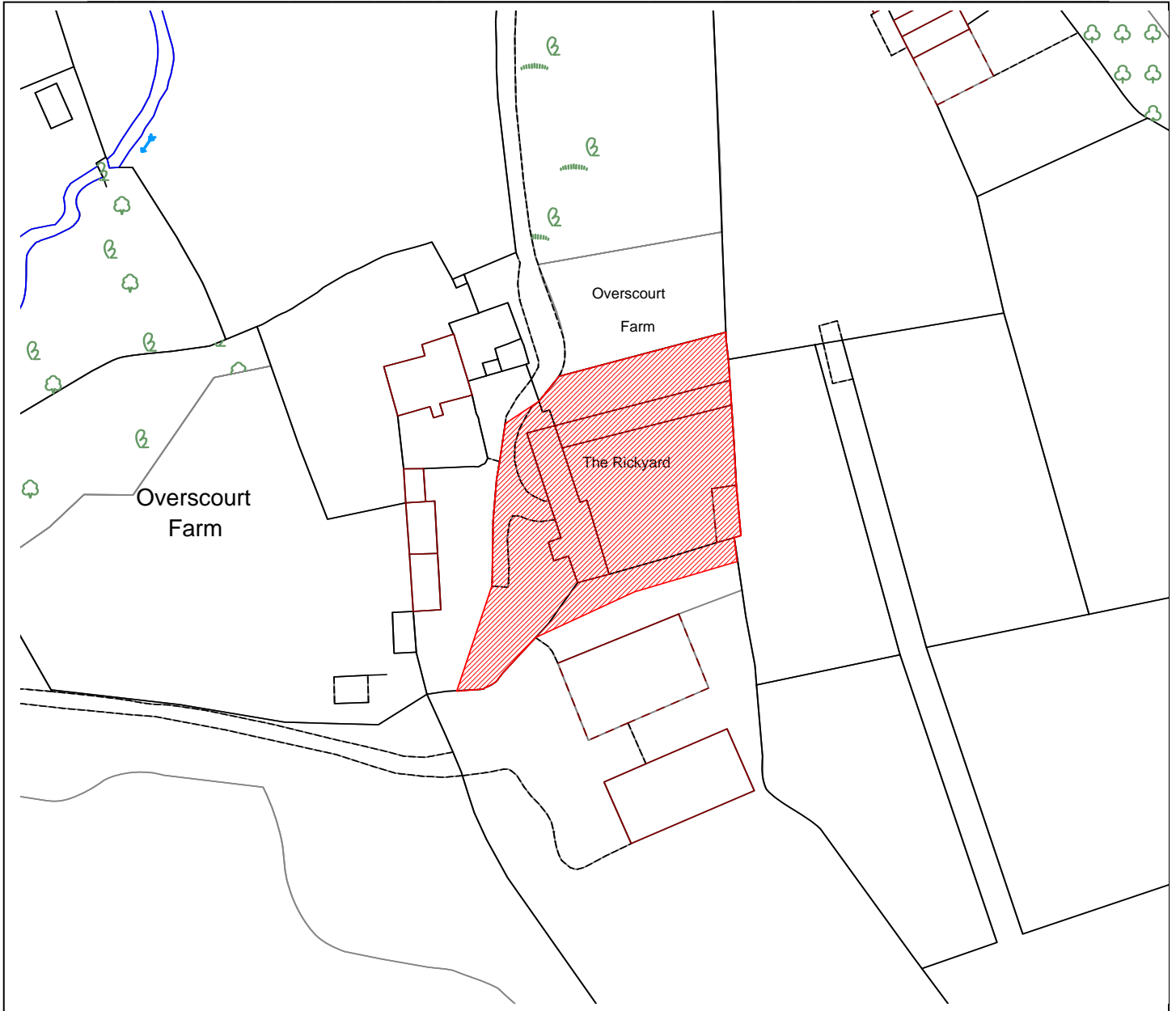
Reason:

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

2. Prior to the commencement of the works hereby approved, a method statement for the works and full details of the precise location, method of fixing and type of bracket used to support the dish shall be supplied to the Council for approval. No works shall take place until approval has been given by the Council in writing for the submitted details, and the works shall be carried out exactly in accordance with the details so agreed. For the avoidance of doubt the method statement should include any modifications required to the lead covered hatch to enable the dish to be fixed to it, details of the fixings including the finished height of the satellite dish and any alterations required to the leadwork following fixing the satellite dish to enable it to comply with current Lead Sheet Association guidelines, and a timetable for the works including completion of any alterations to the leadwork

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

<b>App No.:</b>	PK07/0670/F	<b>Applicant:</b>	Mrs T Hamilton
<b>Site:</b>	The Rickyard Overscourt Siston Mangotsfield BRISTOL South Gloucestershire BS16 9LT	<b>Date Reg:</b>	27th February 2007
<b>Proposal:</b>	Erection of single storey front extension.	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	69024 74966	<b>Ward:</b>	Siston



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**N.T.S**

**PK07/0670/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule due to the receipt of one letter of objection from the Parish Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single storey extension to the front of the existing building. The extension would have a lean-to type roof and a width of 3.9 metres and a depth of 3 metres.
- 1.2 The application site consists of a curtilage listed building by virtue of its association with the grade II listed Overscourt Farmhouse and the building is also 'Locally Listed' in its own right. The building is a large stone built barn that has been sensitively converted to a residential dwelling. This full planning application is supported by a listed building application which is currently being determined under reference PK07/0684/LB.
- 1.3 During the course of the application amendments were requested from the agent to slightly alter the design of the proposed extension. Amended plans have been received as requested.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Development in the Green Belt
PPG15	Planning and the Historic Environment

#### 2.2 Development Plans

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

D1	Achieving Good Quality Design in New Development
L12	Conservation Areas
L13	Listed Buildings
L15	Buildings and Structures which contribute to the locality
GB1	Development in the Green Belt
H4	Development in residential curtilages

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

- 3.1 PK07/0684/LB      Erection of single storey front extension.  
Application to be determined in conjunction with this full planning application.
- 3.2 P96/4073              Conversion of agricultural barns to dwelling.  
Granted Listed Building Consent March 2007
- 3.3 P91/4481              Conversion of Barn to B1 (office) use, conversion of stable block to dwelling and associated works.  
Granted Listed Building Consent December 1994
- 3.4 P91/4477      Conversion of Barn to B1 (office) use, conversion of stable block to dwelling and associated works.  
Approved December 1994

## 4. CONSULTATION RESPONSES

### (a) Statutory Consultees

#### 4.1 Siston Parish Council

Object to the application on the basis that this is inappropriate development that is not in character for a listed building.

### (b) Other Representations

#### 4.2 Local Residents

One letter has been received from a local resident. The resident does not object but states that the 'red edge' on the site plan is incorrect.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy L13 of the South Gloucestershire Local Plan (Adopted) allow for alterations/additions to a listed building, provided the development is compatible with and would not detract from the special character or features of the building and its setting. Policy H4 allow for extensions to existing dwellings providing the work is in keeping with the scale and design of the host dwelling and will not have any adverse impact on existing levels of residential amenity.

The application site also lies within the designated Green Belt where proposals for extensions must not result in 'disproportionate additions' over and above the size of the original dwelling and must not compromise the 'openness' of the Green Belt.

### 5.2 Green Belt

The application site lies within the designated Green Belt, where proposals for extensions must not result in 'disproportionate additions' over and above the size of the original dwelling and would not compromise the 'openness' of the Green Belt unless the applicant can prove very special circumstances. Policy GB1 states that any development within the Green Belt, which would have an adverse impact on the visual amenity, will not be permitted. As a very general rule of thumb, South Gloucestershire Council Supplementary Planning guidance suggests that extensions over and above 30% of the volume of the original dwellinghouse may be considered to be disproportionate.

The proposed extension represents a modestly small increase in the total volume of the existing dwelling. It is not considered that it represents a disproportionate addition. Further to this, the proposal is to be added to the front of the existing building which faces towards other buildings. It is considered that this will help soften the impact of the extension on the surrounding Green Belt as it will be viewed against the backdrop of existing buildings. It is not considered that the proposal will have any impact on the openness of the Green Belt and thus there is no objection to its erection.

### 5.3 Design/Visual Amenity

The Rickyard is a large barn, constructed in a local vernacular style, which has previously been converted to residential use. The walls are constructed in semi-coursed rubble stone (with some slag block quoins on one side of the

west porch) and the roof is clad with clay tiles – part double Romans and part pantiles.

The proposal involves the construction of a lean-to single-storey extension on the front elevation. Evidence has been submitted in support of the application in the form of a photograph to show that historically a duck house of similar design but larger proportion was attached to the barn in the same place. It is accepted that it is normal for extensions to be on the rear of properties rather than the front. However, in this instance because of the historic addition, it is considered that in the interests of the listed building, the extension is best sited to the front.

The extension as proposed is suitably subservient to, and reflects the character of the main dwelling. Subject to the attachment of relevant conditions to ensure the use of suitable materials, there is no objection to the works as proposed.

#### 5.4 Residential Amenity

Due to the distance from the dwelling subject of this application to the neighbouring properties, it is not considered the proposed works will result in any issues of overbearing, overshadowing or loss of privacy. It is not therefore considered that the works as proposed would have any impact on neighbouring properties.

#### 5.5 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. [In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

- 7.1 That the application be approved subject to the following conditions;

**Background Papers**      **PK07/0670/F**

**Contact Officer:**    **Marie Worboys**  
**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 and Country Planning Act 1990 (as amended).

2. The stone facing should be constructed with the size, colour and texture of stones to match the existing - using lime putty mortar with slightly recessed pointing.

Reason:

To ensure a satisfactory standard of external appearance and protect the historic importance of the building in order to accord with Policies D1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Samples of the clay roof tiles and cedar cladding should be submitted for the Council's assessment, and written approval obtained from our Heritage section prior to construction.

Reason:

To ensure a satisfactory standard of external appearance and protect the historic importance of the building in order to accord with Policies D1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The existing external wall faces enclosed by the new extension must always remain unplastered and undecorated.

Reason:

To ensure a satisfactory standard of external appearance and protect the historic importance of the building in order to accord with Policies D1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

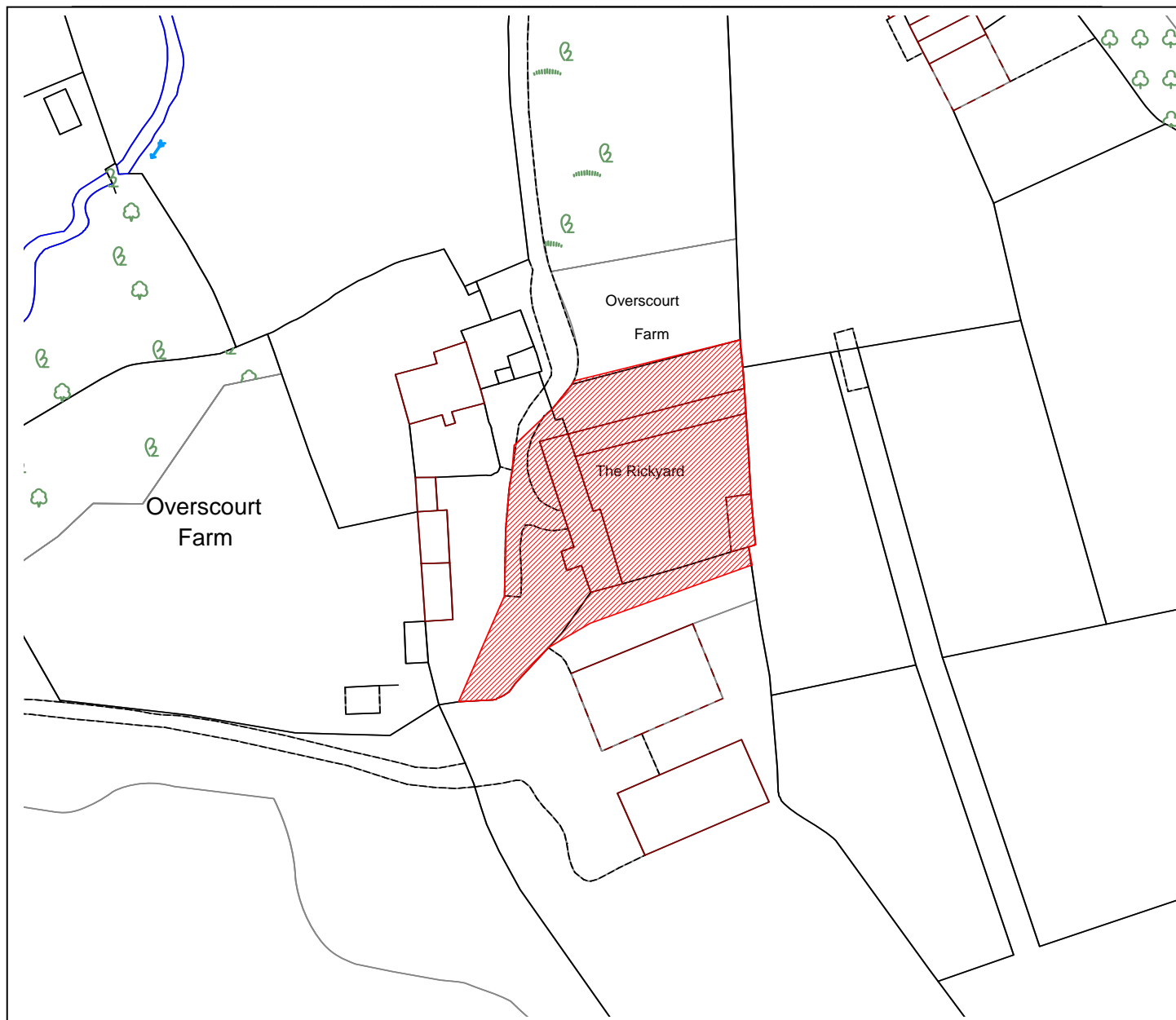
5. The rainwater goods should be cast iron, painted black.

Reason:

To ensure a satisfactory standard of external appearance and protect the historic importance of the building in order to accord with Policies D1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007

<b>App No.:</b>	PK07/0684/LB	<b>Applicant:</b>	Mrs T Hamilton
<b>Site:</b>	The Rickyard Overscourt Siston Mangotsfield BRISTOL South Gloucestershire BS16 9LT	<b>Date Reg:</b>	28th February 2007
<b>Proposal:</b>	Erection of single storey front extension.	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	69023 74966	<b>Ward:</b>	Siston



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**N.T.S**

**PK07/0684/LB**



## **INTRODUCTION**

This application appears on the Circulated Schedule due to the receipt of one letter of objection from the Parish Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks listed building consent for the erection of a single storey extension to the front of the existing building. The extension would have a lean-to type roof and a width of 3.9 metres and a depth of 3 metres.
- 1.2 The application site consists of a curtilage listed building by virtue of its association with the grade II listed Overscourt Farmhouse and the building is also 'Locally Listed' in its own right. The building is a large stone built barn that has been sensitively converted to a residential dwelling. This listed building application is supported by a full planning application which is currently being determined under reference PK07/0670/F.
- 1.3 During the course of the application amendments were requested from the agent to slightly alter the design of the proposed extension. Amended plans have been received as requested.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG15	Planning and the Historic Environment

#### 2.2 Development Plans

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

D1	Achieving Good Quality Design in New Development
L12	Conservation Areas
L13	Listed Buildings
L15	Buildings and Structures which contribute to the locality

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

- 3.1 PK07/0670/F          Erection of single storey front extension.  
Application to be determined in conjunction with this listed building application.
- 3.2 P96/4073              Conversion of agricultural barns to dwelling.  
Granted Listed Building Consent March 2007
- 3.3 P91/4481              Conversion of Barn to B1 (office) use, conversion of stable block to dwelling and associated works.  
Granted Listed Building Consent December 1994
- 3.4 P91/4477          Conversion of Barn to B1 (office) use, conversion of stable block to dwelling and associated works.  
Approved December 1994

### **4. CONSULTATION RESPONSES**

#### **(a) Statutory Consultees**

- 4.1 Siston Parish Council  
Object to the application on the basis that this is inappropriate development that is not in character for a listed building.

**(b) Other Representations**

- 4.2 Local Residents  
One letter has been received from a local resident. The resident does not object but states that the 'red edge' on the site plan is incorrect.

**5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy L13 of the South Gloucestershire Local Plan (Adopted) allows for alterations/additions to a listed building, provided the development is compatible with and would not detract from the special character or features of the building and its setting.

- 5.2 Impact on the Listed Building.  
Planning Policy Guidance Note 15 emphasises the importance of preserving listed buildings as they are a valuable asset that cannot be replaced once lost. It also addresses that unsuitable alteration can be as detrimental as outright demolition. It is fundamental to the success of any application for works to a Listed Building that the historic detailing, where known or surviving, should be re-instated.

The Rickyard is a large barn, constructed in a local vernacular style, which has previously been converted to residential use. The walls are constructed in semi-coursed rubble stone (with some slag block quoins on one side of the west porch) and the roof is clad with clay tiles – part double Romans and part pantiles. The building possibly dates from around the mid C18.

The proposal involves the construction of a lean-to single-storey extension on the front elevation. Evidence has been submitted in support of the application in the form of a photograph to show that historically a duck house of similar design but larger proportion was attached to the barn in the same place. There is no intention to form an internal doorway from the extension into the existing building.

It is considered that the design of the extension as shown in the revised plans is acceptable and will not cause any harm to the listed building. Given that the extension is to replace a historic Duck house, it is felt that the extension will indeed be in keeping with the character of the listed building and is suitable development for its location.

It is not considered that the works as proposed would have any significant detrimental impact on the character or setting of the listed building. Subject to the attachment of conditions, the works are considered to be acceptable and comply with the requirements of Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006

- 5.3 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under

Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. [In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.]

## **6. CONCLUSION**

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

The 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 listed building consent be granted subject to the following conditions;

### **Background Papers**      **PK07/0684/LB**

**Contact Officer:**    **Marie Worboys**

**Tel. No.**                **01454 864769**

### **CONDITIONS**

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

Reason:

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

2. The stone facing should be constructed with the size, colour and texture of stones to match the existing - using lime putty mortar with slightly recessed pointing.

Reason:

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Samples of the clay roof tiles and cedar cladding should be submitted for the Council's assessment, and written approval obtained from our Heritage section prior to construction.

Reason:

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The existing external wall faces enclosed by the new extension must always remain unplastered and undecorated.

Reason:

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The rainwater goods should be cast iron, painted black.

Reason:

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007

**App No.:** PK07/0786/F  
**Site:** Rose Cottage Watery Lane Doynton  
 BRISTOL South Gloucestershire BS30  
 5TA

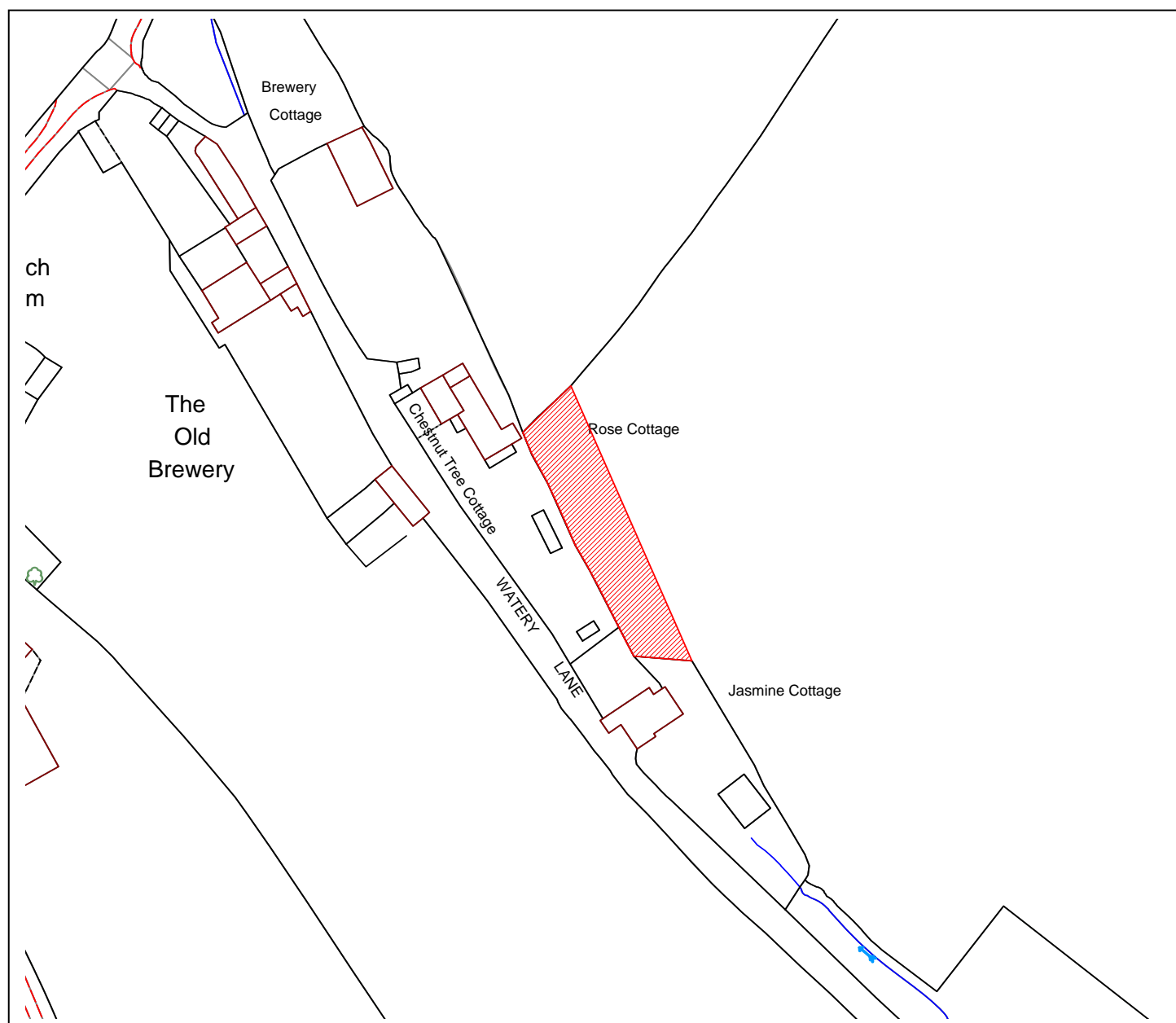
**Applicant:** Mr G Jones  
**Date Reg:** 13th March 2007

**Proposal:** Erection of polytunnel.

**Parish:** Doynton Parish  
 Council

**Map Ref:** 72307 73727

**Ward:** Boyd Valley



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**N.T.S**

**PK07/0786/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule due to the receipt of one letter of objection from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a polytunnel on agricultural land adjacent to Rose Cottage. The polytunnel would have a length of 12.7 metres, a width of 4.35 metres and an arched roof with a maximum height of 2.25 metres.
- 1.2 The application site relates to a small section of field adjacent to Rose Cottage that has been purchased by the owners of Rose Cottage. Whilst being used by the owners of Rose Cottage, the piece of land is still in agricultural use and is not part of the residential curtilage. The application states that the polytunnel will be used for growing vegetables for personal use.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
L1 Landscape Protection and Enhancement  
L2 Cotswold AONB  
E9 Agricultural Development

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

- 3.1 No History

### **4. CONSULTATION RESPONSES**

- 4.1 Doynton Parish Council  
No response received

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a local resident. The resident is concerned that because the site is designated as an AONB the proposal is inappropriate for the area and detrimental to the environment and the structure would be clearly visible from the surrounding area. The objector also notes that the applicant already has 2 greenhouses.

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

- 5.1 Principle of Development  
The site lies within the Cotswold Area of Outstanding Natural Beauty and thus the contents of Policy L2 must be considered. Policy L2 only allows for development within the Cotswold AONB providing steps are taken to conserve and enhance the natural beauty of the landscape. The application proposes to

erect a building for agricultural purposes on agricultural land. Policy E9 identifies that the erection of agricultural buildings will be permitted provided that several criteria are satisfied. These criteria are as follows:

**5.2 They are sited on land which is in use for agricultural purposes and there are no existing suitable underused buildings available; and**

The current use of the land is indeed agricultural and there are no existing unused buildings in the vicinity. The purpose of the structure is to prolong the growing season for vegetables and to protect them from pests. A structure that allows ample sunlight to pass is therefore required. Other than existing green houses in surrounding gardens, there are no suitable alternative structures available.

**5.3 Adequate provision is made for access and manoeuvring of machinery and livestock to avoid the creation of a traffic hazard; and**

The proposed use of the polytunnel is for small scale, production of vegetables – similar to the levels one may expect on an allotment. Access to the site will be predominantly by foot from a gate linking Rose Cottage to the application site. Access can also be gained to the site via a tractor across another field should this be necessary. Due to the very small scale of the development proposed, and the fact that there will be no livestock, both planning officers and highway officers are satisfied that the development will have no impact on existing levels of highway safety.

**5.4 The development would not have unacceptable environmental impacts; and**

The proposed development will not have any impact on the surrounding development in terms of noise, dust or smells. It is noted however that a local resident is concerned that the proposal will have a detrimental impact on the AONB and surrounding environment.

Views of the polytunnel from the south and west will be largely obscured by the existing dwellings, outbuildings and vegetation along Watery Lane itself. A substantial hedge will screen views of it from the north-west. It is accepted by the Council's Landscape Officer that the polytunnel will be visible from the public footpath that crosses the field on the opposite side. It is the opinion of the Landscape Officer that the polytunnel would not have a significant effect upon more distant views, such as from Toghill. Your planning officer agrees with this view and considers the structure to be in keeping with its rural setting.

In order to enhance the landscape and protect the natural beauty of the AONB, a condition will be attached to any consent required to ensure that a native hedge be planted along the eastern boundary of the small field in which the polytunnel will be located. Subject to the attachment of such a condition, both planning and landscape officers are satisfied that the structure will not adversely affect the landscape or the character of the AONB.

**5.5 The proposal would not prejudice the amenities of people residing in the area.**

Given the very low scale level of cultivation that will be occurring on the site, it is not considered it will have any impact on existing levels of residential amenity.

**5.6 Design and Access Statement**

The Design and Access Statement submitted with the application is [not] considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

#### 5.7 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

- 7.1 That the application be approved subject to the following conditions;

**Background Papers**      **PK07/0786/F**

**Contact Officer:**    **Marie Worboys**

**Tel. No.**                **01454 864769**

### CONDITIONS

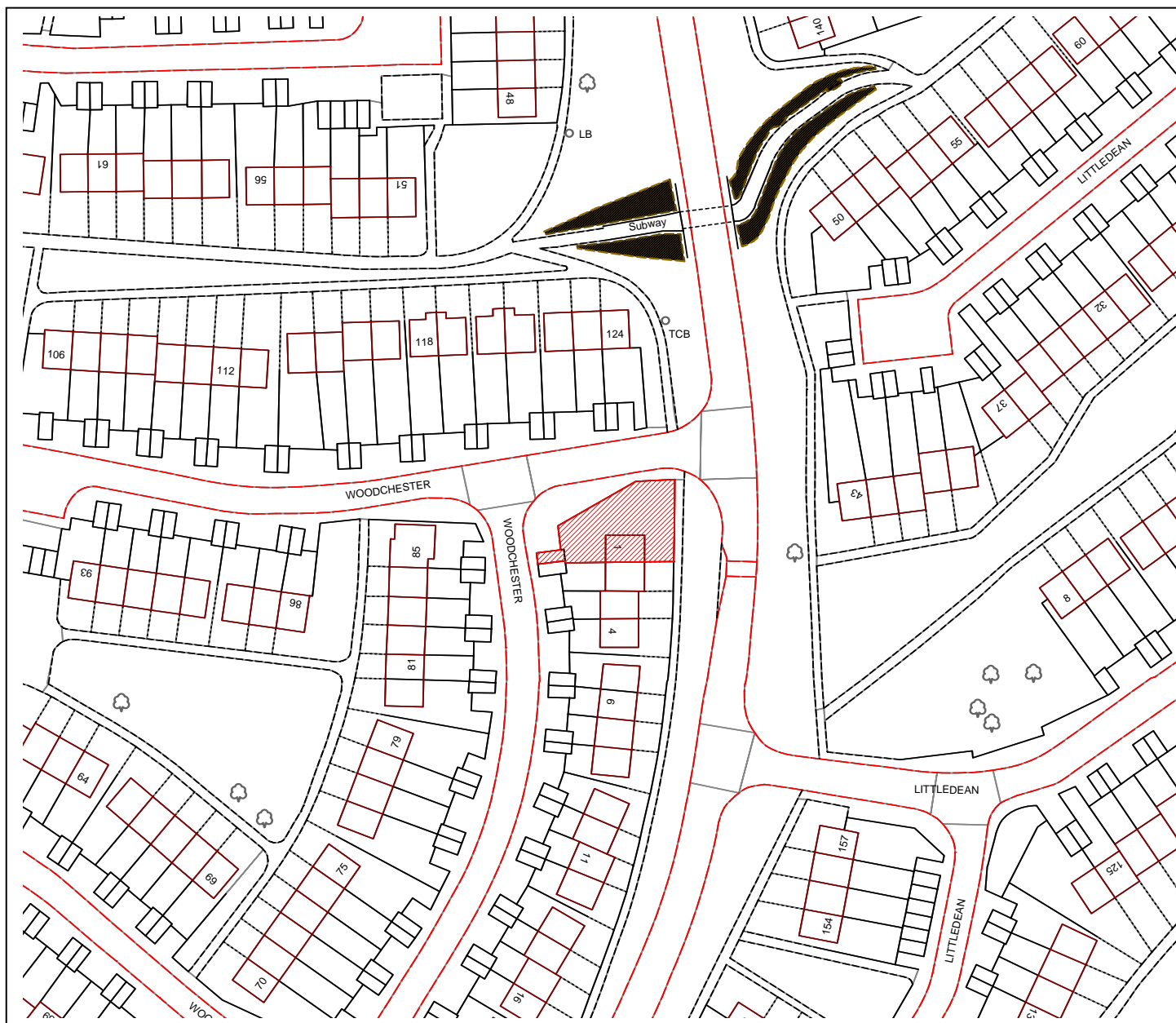
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason:  
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. Prior to the commencement of development, a detailed plan shall be submitted to the Council showing the installation of a native hedgerow along the eastern boundary of the site. The plan shall include details of number and types of species to be planted. If acceptable, the plan will be agreed in writing by the Council and the hedgerow must be planted prior to the use of the polytunnel hereby permitted.  
Reason:  
In the interests of the visual amenity of the area and to protect and enhance the natural beauty of the AONB in accordance with Policies D1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

**App No.:** PK07/0805/F  
**Site:** 1 Woodchester Yate BRISTOL South Gloucestershire BS37 8TZ  
**Proposal:** Erection of rear conservatory.  
**Map Ref:** 71316 81033

**Applicant:** Mr & Mrs Fussell  
**Date Reg:** 14th March 2007  
**Parish:** Dodington Parish Council  
**Ward:** Dodington



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**N.T.S**

**PK07/0805/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule due to the receipt of one letter of objection from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a conservatory to the rear of the building. The conservatory as proposed would have a maximum depth of 3 metres, a width of 5.5 metres and a maximum height to ridge of 3.35 metres.
- 1.2 The application site consists of a end of terrace property at the entrance to the Woodchester cul-de-sac. The dwelling is sited on a Radburn Style estate and has been extended to the side in the past.
- 1.3 During the course of the application, amended plans were requested from the agent to reduce the depth of the conservatory and also to slightly alter the roof pitch. Amended plans have been received as requested.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPG 1 General Policy and Principles
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance  
Kingswood Advice Note 1: Altering Your Home  
Kingswood Advice Note 2: House Extensions

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

- 3.1 PK00/0919/F Erection of extension to an existing detached garage.  
Approved July 2000
- 3.2 P90/1198 Erection of single storey side extension  
Approved March 1990

### **4. CONSULTATION RESPONSES**

- 4.1 Dodington Parish Council  
No response received

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from the neighbouring property. The neighbour is concerned that because the conservatory is to be erected right up to the boundary, maintenance could only be done by entering the neighbour's

garden. Also concerns that the roof would cause water to flow onto the neighbour's garden in heavy rain or snow.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

### 5.2 Design/ Visual Amenity

The proposed conservatory extension meets an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The pitched roof of the existing dwelling will be mirrored in the construction and is in keeping with the scale of the building. Matching face brick further attributes to its integration.

The structure will be clearly visible from the highway and is prominent in views from Woodchester. However, it is considered that the conservatory will integrate successfully with the surrounding streetscene and will not appear visually intrusive.

### 5.3 Residential Amenity

Whilst it is appreciated that the conservatory is to be erected very close to the boundary with the attached property, it is limited to three metres in depth. The eaves height is modest and the hipped roof slopes back towards the building. It is thus not considered that the conservatory will result in any issues of overshadowing or overbearing for the neighbouring property. Further to this, the side wall of the conservatory towards the attached property is constructed predominantly of brick to prevent any issues of intervisibility.

The neighbour is concerned that maintenance of the conservatory such as cleaning of the glass will be impossible without entering the neighbour's land. Whilst it is not considered that this will be especially problematic using a long handled brush, an informative will be attached to any consent granted to remind the applicant that they are unable to enter land outside of their ownership without the owner's consent.

There is sufficient space to allow for the attachment of a gutter to the side of the conservatory without encroaching onto neighbouring land. It is not considered that the arrangement is unusual in any way and can be found on many properties in Woodchester and the surrounding area.

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

### 5.4 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and

entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

- 7.1 That the application be approved subject to the following conditions;

**Background Papers**      **PK07/0805/F**

**Contact Officer:**    **Marie Worboys**  
**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 and Country Planning Act 1990 (as amended).

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

**App No.:** PK07/0913/F  
**Site:** 9 Brook Road Mangotsfield BRISTOL  
 South Gloucestershire BS16 9DX  
**Proposal:** Erection of single storey rear extension  
 to provide additional living  
 accommodation. Erection of front porch.  
**Map Ref:** 65909 76904

**Applicant:** Mr J Fry  
**Date Reg:** 21st March 2007  
**Parish:**  
**Ward:** Rodway



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**N.T.S**

**PK07/0913/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule because of two objections from local residents.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the erection of a single storey rear extension and a front porch. The rear extension will measure 5.5 metres in width and project 3 metres into the rear garden. The front porch will measure 2.3 metres in wide and project 1.4 metres into the front garden.
- 1.2 The application property consists of an end of terrace two storey dwelling located on Brook Road. The site is within the established residential area of Mangotsfield.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 - Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 – Achieving Good Quality Design  
H4 – Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Advice Note 2: House Extensions

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

- 3.1 No history.

### **4. CONSULTATION RESPONSES**

- 4.1 Parish/Town Council  
Non parished area.

#### **Other Representations**

- 4.2 Local Residents  
Two objection emails from local residents have been received.

It should be noted that one objection is anonymous. As a result the Council is not required to take its content into account. The Council's website advises that anonymous letters will not be published.

The second objection letter relates to the potential blockage of the rear access lane from delivery vehicles bringing building materials to the site. This concern is not a planning consideration and as a result it cannot be taken account.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

### 5.2 Design/Visual Amenity

Planning permission is sought for the erection of a single storey rear extension and a front porch.

In respect of the rear extension, this will measure 5.5 metres in width, project 3 metres into the rear garden, be finished with a lean to roof, containing two velux windows, reach a maximum height of 3.5 metres, and be constructed from materials that match the existing palette of materials displayed on the host dwelling. Accordingly, as a result of its moderate dimensions, its location at the rear of the building, its simple design, and the existence of similar rear extensions in the immediate vicinity (Nos. 15 & 17), it is considered to be an appropriate addition to the dwelling and streetscene.

In respect of the front porch, this will measure 2.3 metres in width, project 1.4 metres into the front garden, be finished with a gable end roof reaching a maximum height of 3.5 metres, and be constructed from materials that match the existing house. Accordingly, as a result of its size, position, uncomplicated design, and chosen construction materials it is considered to be an appropriate addition to the dwelling and streetscene.

### 5.3 Residential Amenity

#### Overbearing Analysis

The dimensions of the rear extension comply with the guidance contained the Council's supplementary planning guidance 'Advice Note 2: House Extensions'. Consequently, it is considered that neighbouring properties will not experience an overbearing impact.

The front porch will project just 1.4 metres in to the front garden and will be positioned on the opposite boundary to the attached terraced property to the north, No. 11. Consequently it is considered that it will not have an overbearing impact on this neighbouring property. It will likewise have no impact on the property to the south, No. 7, owing to this property being set forward closer to the highway by approximately 1 metre. Thus the majority of the porch will be discreetly sited alongside the blank side elevation of No. 7.

### 5.4 Privacy Analysis

The side elevations on both the rear extension and front porch contain no side windows. Consequently a loss of privacy will not occur.

### 5.5 Amenity Space

Whilst the extensions do project into the front and rear gardens sufficient amenity space will remain to serve occupiers of the property.

### 5.6 Highway Safety Analysis

The property benefits from on street parking situated to front of the site. Consequently the development will not prejudice highway safety or impact on the property's parking arrangements.

## 5.7 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## 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 decision 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 be **GRANTED** subject to the following conditions:

**Background Papers**      **PK07/0913/F**

**Contact Officer:**    **Edward Purnell**

**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 and Country Planning Act 1990 (as amended).

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

Reason:

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north and south elevations of the rear extension and front porch.



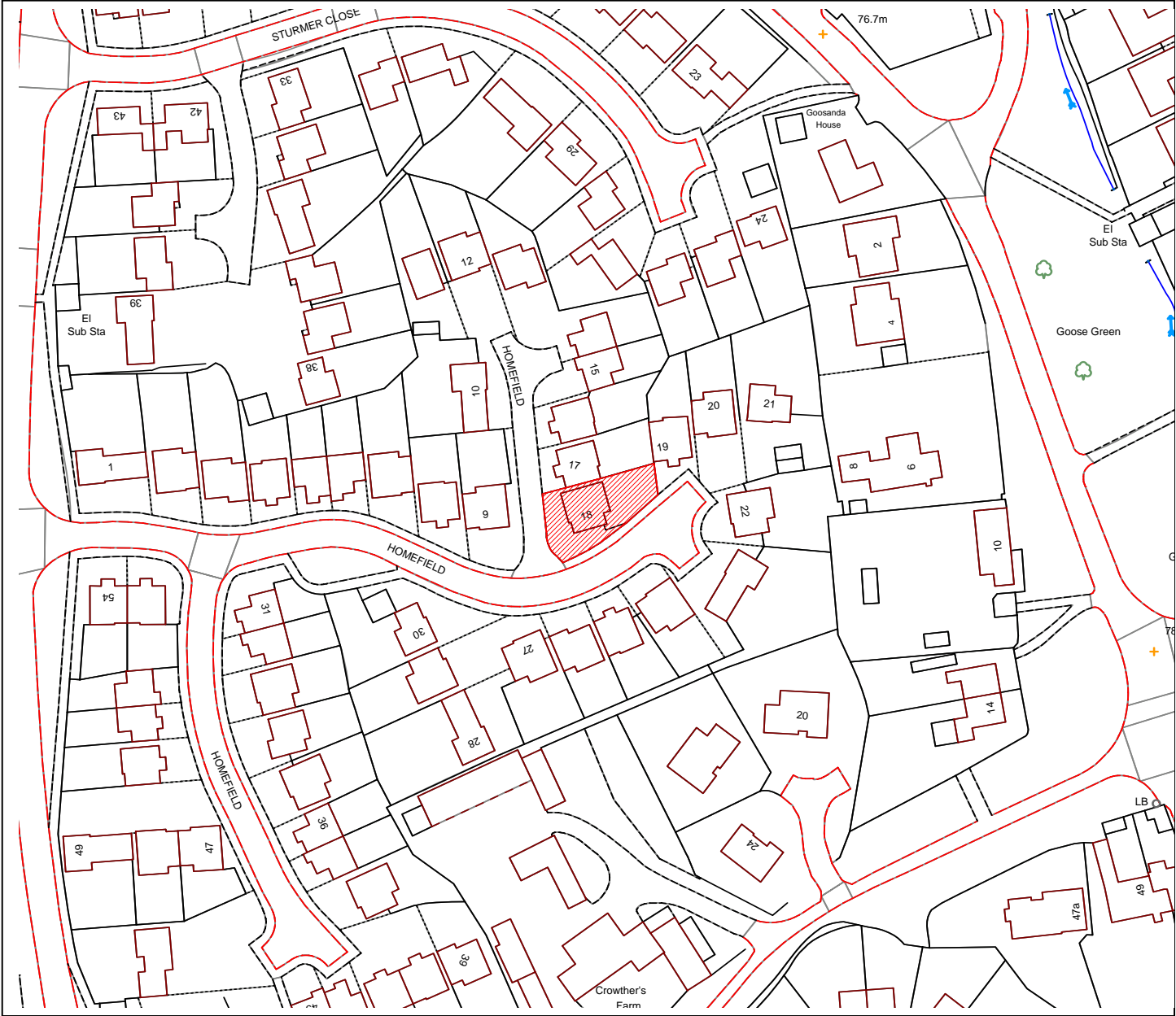
Reason:

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

CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007

**App No.:** PK07/0991/F  
**Site:** 18 Homefield Yate BRISTOL South Gloucestershire BS37 5US  
**Proposal:** Erection of first floor and two storey side extension to form additional living accommodation with attached single garage.  
**Map Ref:** 71285 83481

**Applicant:** Mr T Murphy  
**Date Reg:** 28th March 2007  
**Parish:** Yate Town Council  
**Ward:** Yate West



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N.T.S

PK07/0991/F

## **INTRODUCTION**

This application appears on the Circulated Schedule because of one objection from a local resident.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the erection of a first floor side extension above an existing garage; conversion of the garage to a dining room and construction of a new attached side garage.
- 1.2 The application property consists of a detached two storey dwelling, located on Homefield cul-de-sac within the established residential area of Yate.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 - Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 - Achieving Good Quality Design  
H4 - Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Advice Note 2: House Extensions

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

- 3.1 No history.

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
No objection.

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a local resident expressing the following objections and concerns:
- reduction in visibility for motorists and pedestrians as a result of extension and boundary wall projecting towards side boundary and highway junction
  - out of keeping with the layout of the cul-de-sac whereby other houses on all junctions are set back within their respective front gardens providing visibility for motorists and pedestrians.

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

- 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

## 5.2 Design/Visual Amenity

Planning permission is sought for the erection of a first floor side extension above an existing garage; conversion of the garage to a dining room and construction of a new attached side garage. The extension is very similar to other approved extensions within the immediate streetscene (P88/2665 – No.29 Homefield, P97/1898 – No. 22 Homefield, and PK01/2330/F – No.29 Homefield).

With regard to the local resident's objection that the proposed development is out of keeping with the surrounding layout of buildings within the cul-de-sac, because the property will no longer be set back within the plot, it should be noted that approximately 3.75 square metres of side garden will remain between the side of the new garage and the pavement edge. It is therefore considered that the visual amenity of this corner plot will not be affected to such an extent that it warrants refusal.

In respect of the design of the extension it is considered that the chosen construction materials, which match the existing palette of materials displayed in the host building. Furthermore its moderate scale and mass, results in an extension that is in proportion with the host dwelling, combined with the fact that a number of properties have benefited from similar extensions within the immediate vicinity, results in an appropriate addition to the dwelling and streetscene.

## 5.3 Residential Amenity

### Overbearing Analysis

Because the extension is contained entirely to the side of the application property (it does not project beyond the front or rear building lines) it will not affect the closest neighbouring property to the north, No.17. The closest properties to the south, front and rear are all located in excess of 10 metres from the proposed extension. Accordingly, surrounding residents will not experience an overbearing impact.

## 5.4 Privacy Analysis

The side elevation will contain just one opening; a side door providing access to the extended kitchen. It is considered that because this will be sited behind the extended boundary wall (approximately 1.7 metres in height) a loss of privacy will not be experienced by neighbouring properties to the south. In respect of the occupiers positioned to the front and rear of the site, they will not experience any greater impact than the present situation.

## 5.5 Amenity Space

As the extension is located at the side of the property the principal amenity area, the rear garden, will be unaffected by the development with sufficient garden space remaining to serve occupiers of the property (in excess of 180 square metres).

## 5.6 Highway Safety Analysis

Concern was raised that the proposed development would interfere with the visibility splay at the junction positioned in front of the application property. The

Council's highway officer has assessed the scheme and raises no objection.

He notes that the new garage will be built partly on a landscaped area close to the junction in front of the application property. However, he recommends that to ensure that the development has minimum impact on visibility splay at the junction any new landscaping at this position is kept to ground cover only. A condition to this effect will be attached to the decision notice.

5.7 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

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 decision 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 be **GRANTED** subject to the following conditions:

Background Papers      **PK07/0991/F**

**Contact Officer: Edward Purnell**  
**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 and Country Planning Act 1990 (as amended).

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

Reason:

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

3. Prior to the occupation of the new extension, the applicant shall provide two off-street parking spaces and maintain these satisfactorily thereafter.

Reason:

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

4. The parking area shall be fully surfaced with a bound surface material (i.e. no loose stone) and it 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.

5. The new garage shall be used for the purpose of parking vehicles only and it shall not be used for any other use unless written approval is obtained from the Local Planning Authority.

Reason:

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

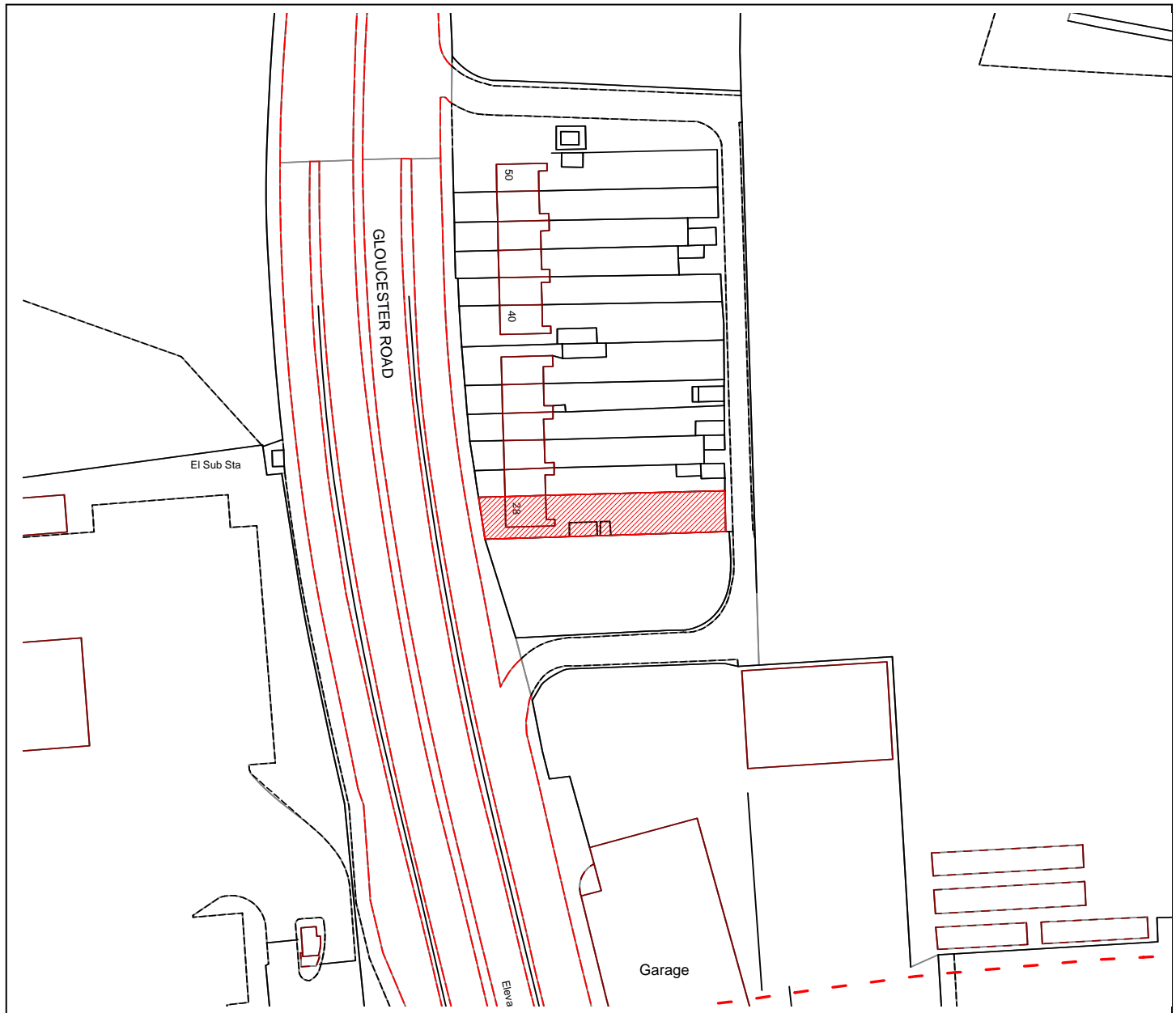
6. The amenity area to the south of the extension shall be kept free of obstruction and any new landscaping should be kept to ground cover only.

Reason:

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

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

<b>App No.:</b>	PT00/2928/F	<b>Applicant:</b>	RPF Ltd
<b>Site:</b>	28 Gloucester Road, Patchway, South Gloucestershire, BS34 6QA	<b>Date Reg:</b>	6th November 2000
<b>Proposal:</b>	Erection of storage building. (Retrospective).	<b>Parish:</b>	Patchway Town Council
<b>Map Ref:</b>	60475 80792	<b>Ward:</b>	Patchway



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**N.T.S**

**PT00/2928/F**

## **INTRODUCTION**

This application had been left undetermined, the Case Officer having left the employ of the Council but has been identified as a matter of “housekeeping” . The decision had never been pursued by either the Agent or the Applicant but has been pursued by a local resident.

### **1. THE PROPOSAL**

- 1.1 Full permission is sought for the retention of a storage building to be used in association with a nearby commercial garage for the storage of motor car parts and accessories. It is situated in the grounds of a dwellinghouse which is at the end of a terrace, fronting Gloucester Road. Access to it is gained from a spur that comes of this road and also serves the other houses in two terraces of six dwellings. To the rear, east, is an area of car parking and industrial buildings further to the east. To its south is a piece of land used for car parking.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG 13	Transport

#### 2.2 Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 12	Development in the North Fringe
Policy 30	Safeguarding Employment Sites
Policy 54	Car Parking Provision (Non-Residential)

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

D1	Achieving Good Quality Design in New Development
EP1	Environmental Pollution
T12	Transportation Development Control Policy for New Development
T8	Parking Standards
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area & Defined Settlement Boundaries.
E4(1)	Safeguarded Employment Area
H4	Development within Existing Residential Curtilages

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 Patchway Town Council – No comment received
- 4.2 Local Residents – one letter received objecting on the following grounds :-  
The objector contradicts assertion that a shed existed previously on the site  
Disposal of surface water  
Materials out of keeping  
Noise and disturbance  
Traffic Hazards  
Parking of employee vehicles no employees stated.



4,3 Sustainable Transport

The building in question is served via an unclassified loop rd off of the A38. The northern link of this loop will become the main HGV access for the redeveloped Rolls Royce plant.

The building is very small and if used for B8 will have a deminimus traffic impact in terms of the A38 especially if linked to the adjacent garage facility. If it is possible to link the building via condition then this could be pursued. However given the potential impact there is no transportation objection to this proposal

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy E3 establishes that within the existing urban areas generating uses will be permitted providing that the development would conform satisfactorily with provisos relating to environmental effects, provision for servicing and delivery, residential amenities, the character of the area, and the density of the development.

5.2 In this regard; the use of the building proposed to be retained would have few implications for the environment or the amenity of neighbouring residents, in terms of noise or noxious substances, since its proposed use is for storage of car parts ie no manufacturing or other process should be anticipated. It is considered that noise from the activities relating to deliveries would not cause significant harm. The proposed use would not generate a need for service and delivery space being small. There is space to the front of the building for a vehicle to pull in.

5.3 Residential Amenity

It is considered that the amenity of neighbouring occupiers is not harmed by reason of dominance, overshadowing or intensity of use. Run-off into an adjoining property is a civil matter unless causing a frequent nuisance when Environmental Health could get involved. The issue raised about noise from forklifts, whilst not causing material harm, could be minimized by the imposition of a condition regarding hours of working.

5.4 Visual Amenity

Not withstanding the comment of the objector, it is considered that the appearance of the building is, in its context, acceptable. The building is situated in an area that is dominated by employment uses. The building itself is situated to the rear of a terrace of dwellings and is not prominent to public view. Given that the loop road features other, albeit smaller, outbuildings in the form of pre-fabricated garages, it is considered that the character of the area is not harmed by the proposal. The density of the development is satisfactory.

5.5 Transportation Issues

In terms of a commercial building the proposal is small. It is considered that traffic generated by the use would not cause a material increase using this loop road and subsequently the A38, nor would parking be required in association with the use as no employees are intended to work at the site nor is any use but storage proposed. In terms of applying a condition tying the use of the building to use in connection with the nearby garage it is considered that given the tests outlined for conditions in circular 11/95, which includes the

requirement that conditions be necessary, it is considered that as 'the application would not have to be refused if the condition were not imposed' it would be unreasonable to impose the condition.

5.6 Whilst the building may have become lawful given the passage of time, is considered that if determined at the time, it would have been granted permission.

5.7 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable.

## 6. CONCLUSION

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

The decision 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.

**Background Papers**      **PT00/2928/F**

**Contact Officer:**    **Miss A Møllergaard**  
**Tel. No.**                **01454 863431**

## **CONDITIONS**

1. No outside storage of material/goods/waste or plant shall take place at the premises.

Reason(s):

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

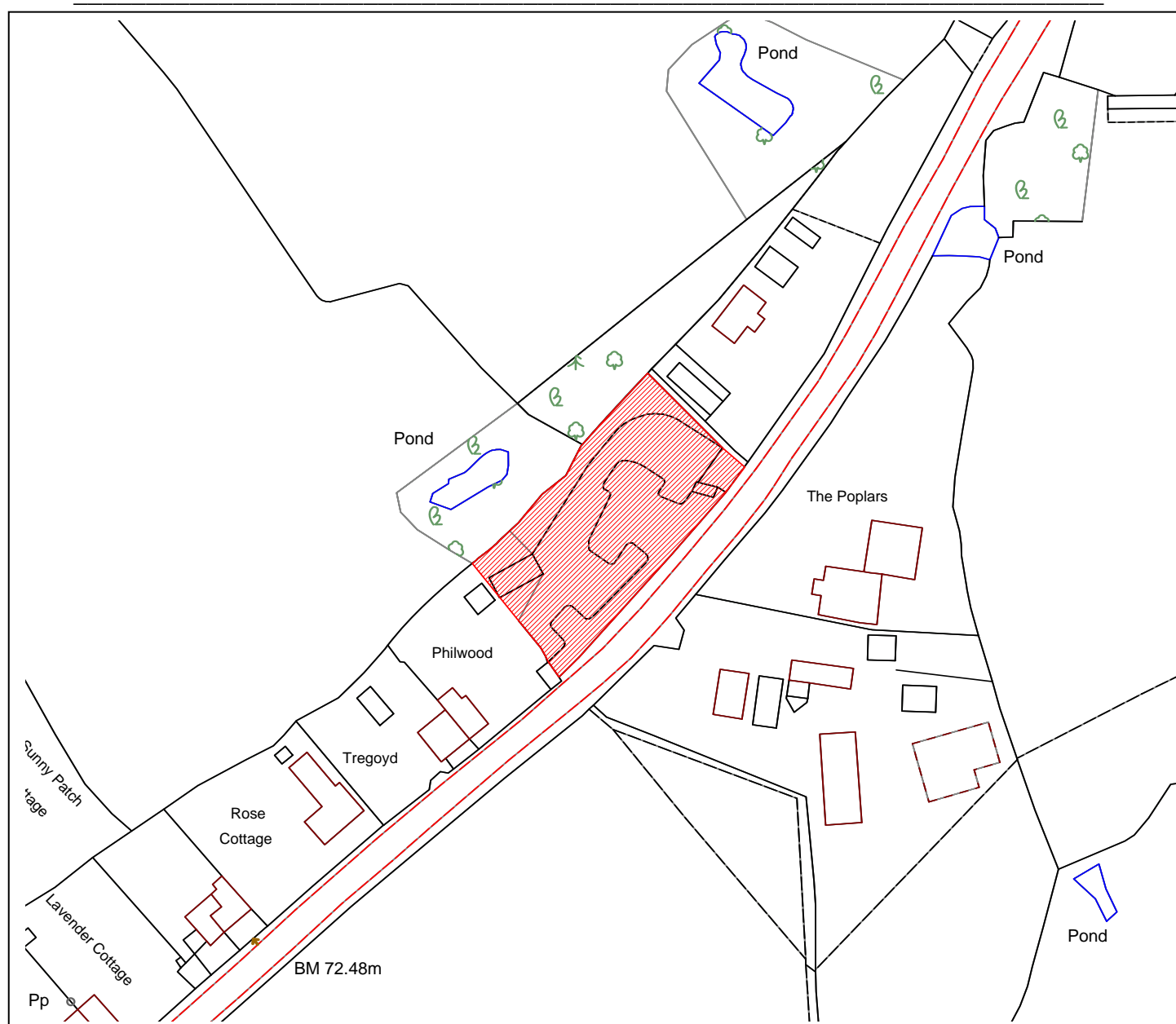
2. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 07.30 - 20.00 Mondays to Fridays and 08.00 - 13.00 Saturdays; nor at any time on Sunday or Bank Holidays.

Reason(s):

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007

<b>App No.:</b>	PT06/2535/CLE	<b>Applicant:</b>	Mr A. Hendy & F. Irish
<b>Site:</b>	Land adjoining Philwood Cottage Earthcott Green Alveston BRISTOL South Gloucestershire BS35 3TA	<b>Date Reg:</b>	29th August 2006
<b>Proposal:</b>	Application for Certificate of Lawfulness for existing use of site for vehicle spraying and repair workshop with car parking.	<b>Parish:</b>	Alveston Parish Council
<b>Map Ref:</b>	65394 85741	<b>Ward:</b>	Alveston



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1 N.T.S

PT06/2535/CLE

This application is for a certificate of Lawfulness, and as such, under the current scheme of delegation, falls to be considered under the circulated schedule procedure.

## **1. THE PROPOSAL**

- 1.1 The application is for a Certificate of Lawfulness for the continued use of the subject site for vehicle spraying and repair workshop with car parking.
- 1.2 The site consists of an area of land which is occupied by a group of modest buildings currently used as vehicle repair workshops. There is also open parking for vehicles that are awaiting repair works and/or collection. Access onto the highway is via the same access relating to Philwood Cottage.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

Town and Country Planning (General Procedures) Order 1995 Article 24  
Circular 10/97 Enforcing Planning Control

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT00/1386/O          Erection of 3 dwellings          Refused
- 3.2 PT00/2307/O          Erection of 2 dwellings          Refused

*Subsequent appeals (APP/P0119/A/00/1050515 and  
APP/P0119/A/00/1053305 dismissed*

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

- 4.1 The applicant has submitted a statutory declaration and statement of fact in support of this application. The information includes details of the operations on the site in chronological order and contains invoices for vehicles parts and paint and an extract of VAT records relating to spray and repair work to vehicles.

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

- 5.1 None Received

## **6. OTHER REPRESENTATIONS RECEIVED**

- 6.1 Alveston Parish Council raise no objection to the application

## **7. EVALUATION**

- 7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to prove precise and unambiguous evidence.
- 7.2 In this instance it must be proven that the site and buildings have been used as a vehicle spraying and repair workshop period of at least 10 years. The

applicant has submitted a statutory declaration together with financial evidence in support of this application.

7.3 The evidence submitted relating to the car repair business dates from as early as 1972. The Planning Inspector dealing with the appeals (as referred to in Paragraph 3) acknowledges that the use of the land in 2000 was for the use as claimed and suggests that the use has been well established

7.3 Having regard to the above, it is considered that the evidence presented by the applicant proves that, on the balance of probability, for a period in excess of 10 years.

## **8. RECOMMENDATION**

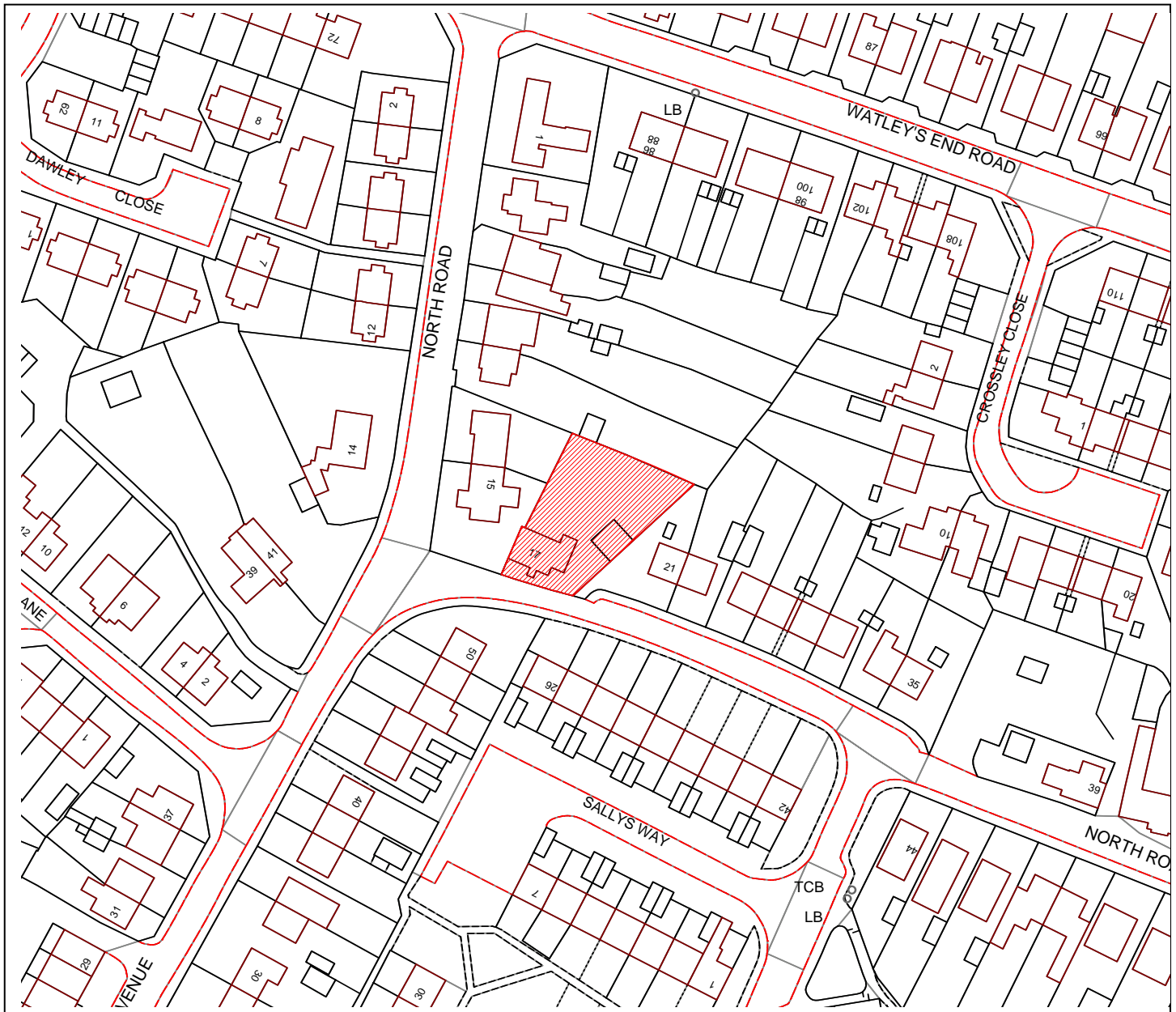
8.1 A certificate of existing Lawful Use be granted for the use of The Annexe, Old Close Farm as an independent residential dwelling.

**Background Papers**      **PT06/2535/CLE**

**Contact Officer:**      **Simon Penketh**  
**Tel. No.**                      **01454 863433**

## CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007

<b>App No.:</b>	PT07/0750/F	<b>Applicant:</b>	Mr L Batt
<b>Site:</b>	17 North Road Winterbourne BRISTOL South Gloucestershire BS36 1PT	<b>Date Reg:</b>	12th March 2007
<b>Proposal:</b>	Erection of 1 no. detached dwelling with associated works. Erection of single storey side extension to form study/family room.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	65557 81193	<b>Ward:</b>	Winterbourne



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PT07/0750/F

## **INTRODUCTION**

The proposal is placed on the Circulated Schedule given objections that have been received. This is an amended version of a report placed on Circulated Schedule No.16/07 dated 20<sup>th</sup> April 2007 following revised highway comments.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks consent for the erection of a single detached, two-storey property (7.5 metres in height) on a site on the northern side of North Road Winterbourne and the erection of a single storey extension to the existing cottage.
- 1.2 With respect to the dwelling, this would be sited within the existing curtilage/garden area of No.17. The dwelling would be situated on approximately 675 sq.m (to include the existing property). An area of parking for both the existing and proposed dwellings is shown. An area of garden space to the rear of the property would provide amenity space. A 1.8 metre close boarded fence would be sited along the boundary with No.17 and a similar fence erected within the existing stone wall to the rear and along the boundary with No.21. A number of bushes and trees will be removed to accommodate the proposal as well as an existing garage demolished.
- 1.3 With respect to the extension to the original cottage, this would be gable ended with a depth of 4.0 metres and width of 4.3 metres and height to the top of the roof of approximately 3.4 metres.
- 1.4 The site is situated within the settlement boundary of Winterbourne. Within context the site is situated within a residential area comprising a mix of semi-detached, terraced and detached properties. There have been a number of infill developments including most recently at No.14 North Road.
- 1.5 Previous applications have been refused and approved on the site (see previous history below). Most recently the erection of a new dwelling at the site was approved (PT06/3004/F). The current scheme differs from that previously approved because of the proposed extension to the original property and because the site area has been reduced.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

#### **2.2 Adopted Joint Replacement Structure Plan**

Policy 1	Sustainable development objectives
Policy 2	Location of development
Policy 33	Housing provision and distribution

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

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement

H2	Proposals for Residential Development within the existing Urban Area and Defined Settlement Boundaries
H4	Development within Residential Curtilages
T12	Transportation Development Control Policy for New Development
T8	Parking Standards

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

- 3.1 N5082 Alterations and extensions to dwelling house. Erection of double domestic garage and construction of new pedestrian access (Approve)
- N5082/1 Erection of single storey side extension to form store and w.c (Approve)
- PT06/0429/F Erection of new dwelling and formation of new access. The application was refused for the following reasons:- The proposed development was cramped and detrimental to visual amenity, the parking areas was detrimental to visual amenity, the dwelling would result in detriment to the amenity of neighbouring occupiers and detrimental to highway safety.
- PT06/1065/F Erection of new dwelling and formation of new access. The application was refused for the following reasons:- The proposed development would result in a cramped development detrimental to visual amenity, the parking areas would be detrimental to visual amenity and the building would appear oppressive and overbearing when viewed from the neighbouring property No.17.
- PT06/1724/F Erection of new detached dwelling with associated works:- The application was refused for the following reasons:- The proposal represents a cramped development, would appear oppressive and overbearing when viewed from the neighbouring property, the design would not be acceptable and the footway would not be acceptable and detrimental to highway safety.
- PT06/2285/F Erection of new dwelling with associated works (Withdrawn as red line not correct and notice not served on Council as owner of part of the site)
- PT06/3004/F Erection of new dwelling with associated works (Approved subject to conditions)

### **4. CONSULTATION RESPONSES**

#### **4.1 Winterbourne Parish Council**

No objection

#### **4.2 Sustainable Transport**

This site has been the subject of a number of planning applications (PT06/0429/F, PT06/1065/F, PT06/1724/F, PT06/2285/F and PT06/3004/F). This proposal features the erection of a detached four bed dwelling between No. 17 and No. 21 North Road, and an extension to form a study/family room to No. 17 North Road. Three parking spaces are proposed. One for the existing dwelling and two for the new dwelling.



Although this is below the Council's maximum standards in Policy T8 of the South Gloucestershire Local Plan 2006, this is considered acceptable due to being in a sustainable location.

It is requested, however, that the car parking space closest to No. 17 is allocated and maintained for the sole purpose of this dwelling.

Subject to the following conditions, there are no transportation objections to this current proposal.

1. Provide and maintain the closest car parking space for No. 17 North Road;
2. All driveway and car parking areas to have a bound surface;
3. A 1.8 metre wide strip of land along the whole frontage to the application site. To be completed as verge/driveway to the full and final satisfaction of the authority, and dedicated as highway prior to the first occupation of the new dwelling
4. The boundary wall to be setback to the backside of the dedication land. It shall be no more than 0.6 metres high
5. No boundary treatment greater than 0.6 metre to be allowed along the site boundary. No planting or built form greater than 0.6 metre allowed within 2.0 metres of the carriageway edge.

Property Services

There is no objection to the proposal. The proposal does not now incorporate part of the garden of No.21 as per the previous proposal.

#### 4.3 Local Residents

At the time of preparing this report for the Circulated Schedule, there have been 3 letters of objection received. The grounds of planning grounds of objection can be summarised as follows:

- The proposal will result in detriment to highway safety
- The proposal will result in additional noise and pollution
- The proposal will have an impact upon the use of the garden of No.15 North Road.
- The proposal will be detrimental to visual amenity and appear cramped

## 5. **ANALYSIS OF PROPOSAL**

The applicant seeks consent for the erection of a new dwelling and an extension to the original property. The report will firstly consider the new dwelling and then consider the extension to the original property.

### **PROPOSED NEW DWELLING**

#### 5.1 Principle of Development

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 supported by Policy H4 are relevant setting the criteria against which the proposal should be assessed. Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 considers in more detail the impact of the

proposal upon the surrounding highway network with Policy D1 considering in more detail the design and siting of the proposal.

Policy H2, following guidance in PPS3 allows for residential development within existing defined settlement boundaries subject to the following criteria:-

**A) Development would not have unacceptable environmental or transportation effects and would not significantly prejudice residential amenity;**

While it is noted that PPS3 seeks to maximise housing choice and opportunity it is also important to note that importance is given to the creation of places and spaces with the needs of people in mind which are attractive and enhance the local character. New housing development of whatever scale must not be viewed in isolation but should consider the wider context. The impact upon residential amenity is assessed separately below.

In terms of environmental impact, the siting and scale of the proposed dwelling has been amended from earlier proposals and is no longer considered cramped. Adequate amenity space is provided for the proposed dwelling and is retained by the original property. It is acknowledged that a small section of wall to the front of the property will be removed however a section of wall will be relocated to the front of the original property. This treatment is considered satisfactory. To the side and rear fencing will be located within the existing boundary wall.

It is considered that the proposal would be in accord with this element of the criteria.

**B) The maximum density compatible with the sites location, its accessibility and its surroundings is achieved;**

The density of the development taking into account the two dwellings on 675sqm equates to a density of 29.7 dwellings per hectare which falls marginally below the target of 30 dwellings per hectare however given the constraints of the site, and the access (in particular the need to dedicate a footpath to the front of the site) it is considered that the development is acceptable in these terms.

**C) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination;**

The site is not adversely affected by any of the above.

**D) provision for education, leisure, recreation etc. within the vicinity of the site is adequate to meet the needs arising from the proposal.**

The proposal is for 1 dwelling and is therefore not likely to impact upon the area significantly in terms of service provision.

Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 indicates that development will only be permitted where good standards of site planning and design are achieved having regard for scale, form detailing, colour, materials (among other criteria) that respect and enhance the character,

distinctiveness and amenity of both the site and the locality. Essentially new development must enhance the character and quality of the surrounding local environment.

The design of the current proposal is identical to that previously approved and has been amended from the earlier submissions, to include the use of natural stone on the front elevation, a more sympathetic scale with a width of 7 metres across the front elevation as opposed to 10 metres on a previous scheme, a porch to add detail on the front elevation and more balanced window detailing. It is considered that the building while obviously of a different style to No.17, a traditional cottage, will sit well within the street scene and certainly matches or improves upon properties at No.21 onwards in design terms. No.17 itself will not be directly affected by the proposal. The design of the proposal is considered acceptable, subject to a condition requesting the submission of samples and full schedule of materials prior to the commencement of development.

## 5.2 Residential Amenity

Policies H2 and H4 consider the impact of development upon the amenity of neighbouring occupiers. This assessment would be made against the impact on privacy as well as the physical impact of the new building. Three previous applications were refused partly on the basis that these schemes would have a direct impact upon the residential amenity of neighbouring occupiers.

The current scheme locates the property closer to the front of the site and away from the boundary with No.21 North Road and in the light of these changes it is no longer considered that the development would cause detriment to amenity, subject to a condition to ensure that the first floor windows in the east and west (side) elevations are obscure glazed and a condition requiring consent for further windows in the first floor side elevations given the potential to overlook both No.21 and No.17 the original property.

It is considered that the proposal is in accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

## 5.3 Transportation

Policy T12 considers the impact of new development upon the surrounding highways network specifically in relation to the impact upon highway safety. The proposed development will have access onto North Road.

A previous application on this site (PT06/1065/F) was considered acceptable on transportation grounds however the other schemes have been refused on the grounds that it has failed to provide adequate visibility and a refuge for pedestrians.

The applicant is not able to acquire land to form a continuous footway link as was originally indicated. On that basis a 1.8 metre strip of land across the site frontage should be dedicated as highway and finished to the final satisfaction of the Authority. Details of the construction of this "verge" to be submitted and approved prior to the commencement of on site works. The dedication to be completed prior to first occupation of the new dwelling.

This compromise will improve visibility from the access, give some form of refuge for pedestrians and give the council the potential to complete a continuous footway link at some point in the future.

Conditions are recommended to require the parking space closest to No 17 to be allocated and maintained for the sole use of this dwelling, and to ensure that the vehicle access and parking spaces have a bound surface with no gates to be fitted. Furthermore a condition will require that there is no planting or built form greater than 0.6 metres along the site boundary within 2 metres of the edge of the carriageway. Subject to these conditions there is no transportation objection to the proposed development.

#### 5.4 Drainage

The Council Technical Services Unit raise no objection to the development subject to the use of current best drainage practice.

### **PROPOSED EXTENSION**

#### 5.5 Principle of Development

Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the design of new development having specific regard to the form, scale, height, materials and appearance. Policy H4 specifically considers the impact of residential development upon the amenity of adjoining occupiers.

#### 5.6 Design

It is considered that the design of the proposed extension is appropriate in terms of the criteria set out in Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006. A condition will be attached to the decision notice to require the submission of samples and full schedule of materials.

#### 5.7 Residential Amenity

Concern has been expressed that the extension to the original house will affect the residential amenity of the adjoining occupier at No.15 North Road. It is not considered given the scale of the extension and the angle between the properties that there would be any significant loss of residential amenity. In particular it should be noted that the extension would have a height to eaves level of 2.4 metres with a roof hipped away from the boundary to a height of 3.4 metres appearing between 1.3 and 2.1 metres above the existing boundary treatment. It is not considered that the proposal would compromise the aims and objectives of Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

#### 5.8 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

#### 5.9 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

The 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**

Planning Permission be granted subject to the following conditions

**Background Papers      PT07/0750/F**

**Contact Officer:    David Stockdale  
Tel. No.01454 863131**

## **CONDITIONS**

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

Reason(s):

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

2. The parking space indicated on the drawings hereby approved located closest to No.17 shall be retained solely for the use of that property hereafter.

Reason(s):

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 T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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 T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No planting or built form greater than 0.6 metres shall be allowed along the site boundary. No planting or built form greater than 0.6 metres shall be allowed within 2.0 metres of the carriageway edge.

Reason(s):

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

5. Prior to the first occupation of the new dwelling, details of a 1.8 metre wide strip of land for verge/driveway along the whole frontage of the site, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out and retained in accordance with these approved details.

Reason(s):

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

6. The front boundary wall shall be set to the backedge of this 1.8 metre wide strip of verge/driveway and maintained in this location hereafter. The wall shall not exceed 0.6 metres in height unless otherwise agreed in writing by the Local Planning Authority.

Reason(s):

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

7. No development shall take place until a full schedule of external materials and samples of the roof tiles and external facing to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

8. No windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor side (east and west) elevations of the property, unless the Local Planning Authority gives consent in writing to any variation.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers and to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (adopted)

9. Prior to the use or occupation of the building hereby permitted, and at all times thereafter, the proposed first floor side windows on the side (east and west) elevations shall be glazed with obscure glass only.

Reason(s):

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

10. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 hours Monday to Friday, 0800 hours to 1300 hours 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(s):

To minimise disturbance to occupiers of [specify nearby buildings] and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Details of all boundary treatments (walls, railings or fences) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the development shall only be carried out in accordance with the details so approved.

Reason(s):

To protect the character and appearance of the area to accord with Policies H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted)

12. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

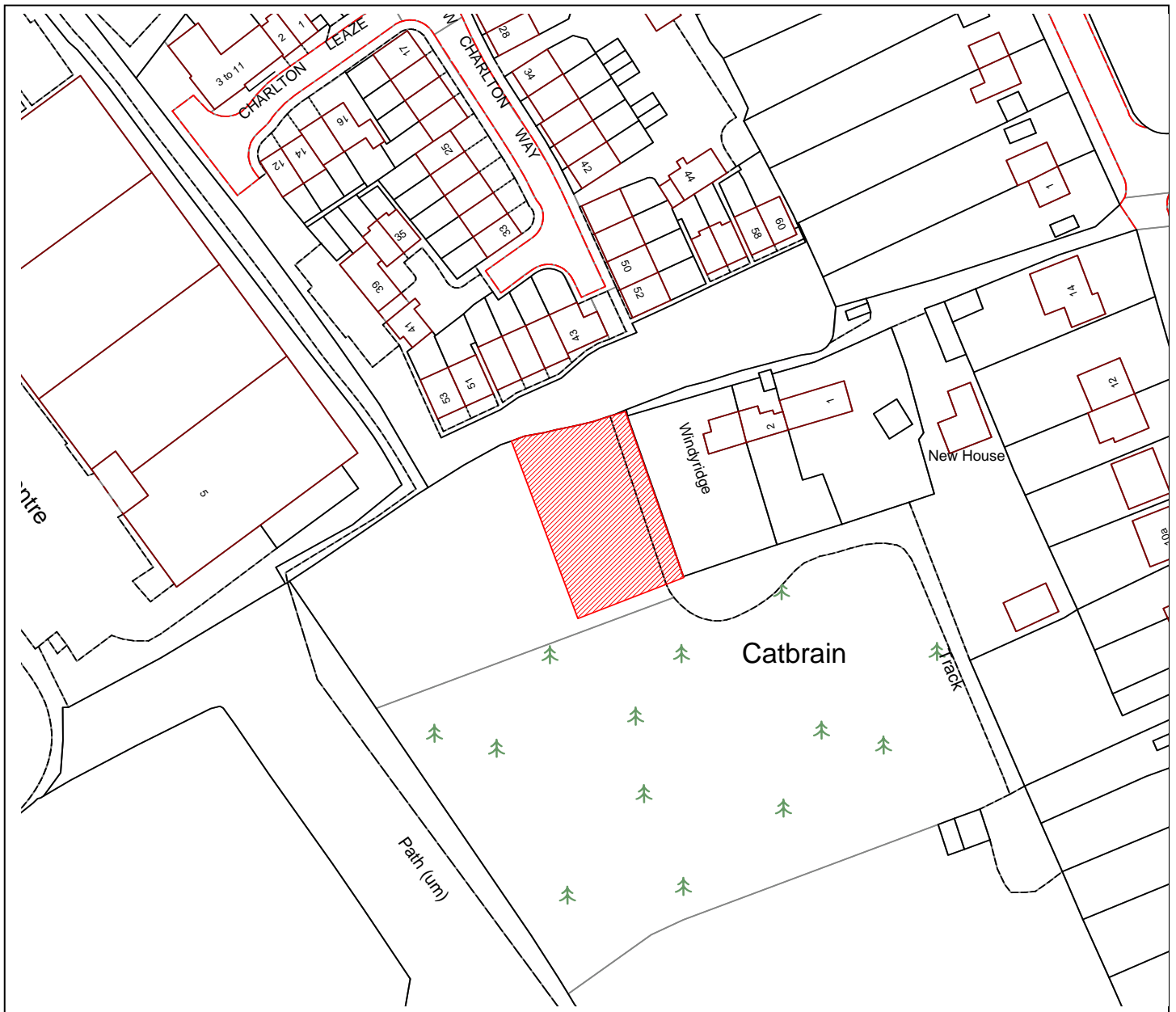
Reason(s):

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

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

**App No.:** PT07/0859/F  
**Site:** Land at Catbrain Hill Easter Compton  
 BRISTOL South Gloucestershire BS10  
 7TH  
**Proposal:** Erection of 1no. detached dwelling with  
 associated works  
**Map Ref:** 57472 80511

**Applicant:** Mr J Latiff  
**Date Reg:** 19th March 2007  
**Parish:** Almondsbury Parish  
 Council  
**Ward:** Almondsbury



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**N.T.S**

**PT07/0859/F**



This application appears on the Circulated Schedule in view of two letters of objection having been received from residents of the neighbouring properties in addition to a letter of objection from Almondsbury Parish Council.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a detached two-storey dwelling that would further benefit from basement level facilities.
- 1.2 The application site comprises part of an area of scrub land at the far end of a narrow access road to the west side of Catbrain Hill. The site lies within the built up area within close proximity of Cribbs Causeway.
- 1.3 The application follows previous discussions with the applicant and comprises a resubmission of application PT06/3487/F; refused earlier this year for the following reasons:
- It is considered that the size, scale, massing and design of the proposed dwelling would be out of keeping with the traditional character of neighbouring properties along Catbrain Lane and visually at odds with the much higher density development to the north...
  - Should the development be approved, the proposed scheme is not at a density that would make the most efficient use of land. If the scheme were to be approved at this density to overcome the transportation concern put forward, a high quality design compatible with the site, its location and surroundings must be achieved. This is not considered to be the case in this instance...
  - By reason of the extensive landscaping proposed, and the introduction of a retaining wall to encompass the southern half of the application site, it is considered that the proposal would be detrimental to the landscape character of the area...
  - The proposed dwelling, by reason of its size, design and number of overlooking windows proposed, would have a detrimental effect on the amenities of the occupiers of the adjoining dwelling house along Catbrain Lane...
  - The application was unaccompanied by an ecological survey to adequately demonstrate that the site is free of Great Crested Newts and Slowworms...

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

- PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPS9: Biodiversity and Geological Conservation  
PPG12: Transport

### **2.2 Development Plans**

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

- D1: Achieving Good Quality Design in New Development  
H2: New Residential Development  
T6: Cycle Routes and Pedestrian Routes  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development

L1:	Landscape Protection and Enhancement
L9:	Species Protection
LC12:	Recreational Routes

- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist: Draft for Public Consultation

### 3. RELEVANT PLANNING HISTORY

- 3.1 P89/2897: Detached house & garage. Refused: 27/06/90 (Appeal Dismissed)
- 3.2 P90/2726: Detached house & garage. Refused 10/01/91
- 3.3 PT04/0856/O: Detached dwelling & garage (0.24 hectares). Refused: 21/04/ 01
- 3.4 PT05/2014/O: Dwelling & garage with means of access to be determined. All other matters reserved. Approved: 22/08/05
- 3.5 PT06/3487/F: Detached dwelling and detached garage on 0.07ha. Refused: 15<sup>th</sup> January 2007

### 4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council  
'The Parish Council would like to withhold its objection to the application on this site as it is felt that the size of the development is considered over intensive for the site. There is also no provision for a garage on the site.'
- 4.2 Other Consultees  
Technical Services (drainage): no objections in principle  
Environmental Services: no objections in principle  
Landscape Officer: no objection subject to condition requiring planting plan
- 4.3 Sustainable Transport  
Highways: No transportation objection subject to one unit only and retention of vehicular track to provide vehicular access to buildings at the rear of the site.

### Other Representations

- 4.4 Summary of Local Residents Concerns  
Two letters received expressing the following concerns:
- Previous comments made in respect of the previous application apply;
  - The proposal is too big for the site;
  - It would block views from properties within New Charlton Way;
  - The longitudinal section through the site should be provided;
  - The height of the build should be shown in relation to dwellings within New Charlton Way;
  - Bedroom 3 overlooks properties within New Charlton Way;
  - Greater detail should be incorporated into the east and west elevation drawings.

### 5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

- Policy H2 allows for the principle of residential development subject to issues including those of design, residential amenity, environmental considerations and highway safety. Further, the maximum density compatible with the site, its surroundings and its accessibility should also be achieved.
- 5.2 In this instance, planning permission was granted for the erection of a detached dwelling at this site (albeit a smaller site area) in 2005. As such, the principle of residential development has been established. This is in view of the refusals prior to this date; determined prior to the adoption of the current local plan. At this time, planning policy prevented development of this 'green field' site.
- 5.3 The Site  
The application site comprises a small parcel of land that forms part of a larger undeveloped area to the west of Catbrain Lane and to the south of residential development at New Charlton Way. The site is accessed via a single-track road that runs tangential to Catbrain Lane providing for a handful of units only.
- 5.4 Presently, the site forms little more than waste ground, being largely overgrown except along its north and east boundaries where clearings provide pedestrian and vehicular access respectively through the site.
- 5.5 Properties to the east closest to the site form two-storey cottage style units that face north. Dwellings overlooking the site within New Charlton Way comprise two and three-storey town houses. These are separated from the application site by a narrow 'buffer' of maintained grassland.
- 5.6 Design/ Visual Amenity  
The application seeks permission for a detached dwelling that would provide accommodation on three levels; the bottom of which would comprise basement facilities. Five bedrooms would be provided in addition to the anticipated living accommodation and supplemented by additional facilities including a recreation room and two store rooms.
- 5.7 Externally, the build would sit against the west flank boundary facing east. Its design would incorporate a central two-storey front gable whilst the main build would measure 8.4m in depth and 13.4m in width. Materials would comprise beige brickwork with grey slate roof tiles covering the build.
- 5.8 In response, it is noted that a number of alterations have been made aimed at addressing the previous refusal reasons. Such has facilitated an approximate 10% reduction in size with further detailing focused upon enhancing the residential nature of the build; this has allowed changes to the size and positioning of the proposed fenestration and the introduction of the front gable.
- 5.9 Consequently, the proposal is now considered to appear more residential in character and of a size more suited to the application site. In this regard, it is acknowledged that there is no predominant design of dwelling within the locality with the other properties along Catbrain Lane comprising more modest cottage dwellings. This is in contrast to the higher density development along New Charlton Way. As such, the proposal is now, on balance considered to be acceptable and in keeping with the general character of the area.
- 5.10 Notwithstanding the above, it should however be noted that the applicant was requested to re-orientate the proposal as per the adjoining units along Catbrain Lane. However, the applicant was reluctant to make this alteration whilst the

restrictions imposed by the required retention of the vehicular access made this unworkable. However, with such dictating a greater number of windows facing New Charlton Way, this option was also not pursued by Officers.

5.11 Density

Planning policy H2 advises that the maximum density compatible with the site, its location, its accessibility and its surroundings should be achieved. As such, the expectation is that all development should achieve a minimum density of 30 dwellings per hectare whilst where local circumstances permit, upwards of 50 units per hectare should be achieved.

5.12 With regard to this proposal, the scheme would achieve a density of 24 units per hectare. However, more than one unit on this site would attract a highways refusal by virtue of the substandard access to the site. Local circumstances do not therefore permit the development of a high density scheme in this instance thus a balance is needed between these conflicting requirements.

5.13 In view of the above, at the time of the last submission, Policy Officer advice detailed that if a better standard of design could be achieved (with a greater emphasis placed upon design by both PPS3 and D1), it would be unreasonable to withhold permission purely on density grounds. As such, by virtue of the changes made, the past refusal reason is considered to have been overcome.

5.14 Residential Amenity

Properties to the north within New Charlton Way are set back from the site boundary by virtue of a green buffer to this development in the form of a maintained lawn. Further, an existing boundary hedgerow and tree screening act to help screen views of the application site.

5.15 With regard to the impact on these units, the proposal would introduce limited windows facing this direction whilst the build would also stand at an appreciable distance from the boundary with some 20m between buildings. As such, it is not considered that any significant adverse impact in residential amenity would be caused. In this regard, policy legislation affords neighbouring occupiers no right to a view thus permission could not be reasonably withheld on this basis.

5.16 With regard to Windyridge to the east side of the site, as cited the main outlook from the dwelling is north/ south whilst substantial tree/ hedgerow screening along this boundary would also shield views of the proposal. Nonetheless, the previous refusal did include a related refusal reason concerning the impact on this unit having regard to size, design and the number of overlooking windows.

5.17 In view of the above, it is considered that its overall reduction in size in addition to its enhanced design and the reduction in the number of windows proposed would help to mitigate any impact on this dwelling. On balance therefore, it is not now considered that planning approval could be reasonably refused having regard to any impact on this adjoining unit.

5.18 Landscape Impact

The application site is sloping to the south whilst is open to views from the both south and west. Further, a major recreational route passes to the south from which the proposal could be viewed.

- 5.19 The previous application would have involved extensive landscaping to provide a level garden to the rear which would have encompassed a detached double garage at the far end of the plot. Accordingly, there was concern that these works would have been too imposing within the landscape; particularly having regard to the retaining wall that would have encompassed the application site.
- 5.20 In response, this revised submission would no longer include a garage whilst the proposed garden would remain as a slope reflecting the topography of the site. The previous associated refusal reason is therefore considered to have been addressed subject to a landscaping condition.
- 5.21 Ecology  
The site forms an area of scrub/ grassland although is not covered by any statutory/ non-statutory nature conservation designations. Nonetheless, at the time of the last submission, it was noted that there is a record of great crested newts, as well as a variety of County Notable species of birds, associated with the site. Further, the site habitat would be suitable for slowworms.
- 5.22 In view of the above, it would be anticipated that an ecological survey would be submitted in support of the proposal. This was absent from the last submission thus planning permission was refused on this basis.
- 5.23 In response, this latter submission includes an ecological survey that primarily focuses upon slowworms. It concludes that no slowworms were found on site, nor Great Crested newts, in addition to any other reptiles or amphibians. Accordingly, in view of these details received, this refusal reason is considered to have been addressed.
- 5.24 Highway Safety  
Access to the site is restricted to a narrow single lane running from Catbrain Hill. There are few passing places whilst visibility is at times restricted by virtue of flanking hedges, fences and buildings. As such, the erection of more than one dwelling would generate a highways refusal reason.
- 5.25 In addition, there are rights of way for third parties adjacent to the north and east boundaries of the site that the land registry requires be kept to a minimum of 3.5m & 3.7m in width respectively. Both of these routes would be retained. Accordingly, there remains no highways objection to the proposal.
- 5.26 Outstanding Issues  
Third party responses received request the submission of cross section details; such details do not form part of the application although the site plan does detail spot heights across the site. Accordingly, these details are considered to be sufficient although it is considered appropriate that a floor levels condition be added to the decision notice.
- 5.27 Finally, in response to the request for greater detail on the east and west elevations, it should be noted that windows at the rear have been deliberately kept to a minimum so as not to prejudice any future development potential of this site. This follows the advice of the Councils Urban Design Officer and also ensures that there is no rear facing bedroom windows.
- 5.28 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

#### 5.29 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

### 6. CONCLUSION

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

The decision 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 be GRANTED subject to the following conditions:

**Background Papers**      **PT07/0859/F**

**Contact Officer:**    **Peter Burridge**  
**Tel. No.**                **01454 865262**

### CONDITIONS

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

Reason(s):

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

2. No development shall take place until samples of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

3. Notwithstanding the provisions of 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 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(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers, all to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No windows (including roof lights) other than those shown on the plans hereby approved shall be inserted at any time.

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity, to protect the residential amenity of the neighbouring occupiers and to safeguard the development potential of the adjoining land, all to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall take place until details of the proposed finished floor levels of the dwelling relative to existing ground levels 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(s):

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

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason(s):

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

7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the dwelling or in accordance with the programme agreed with the Local Planning Authority.

Reason(s):

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

8. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

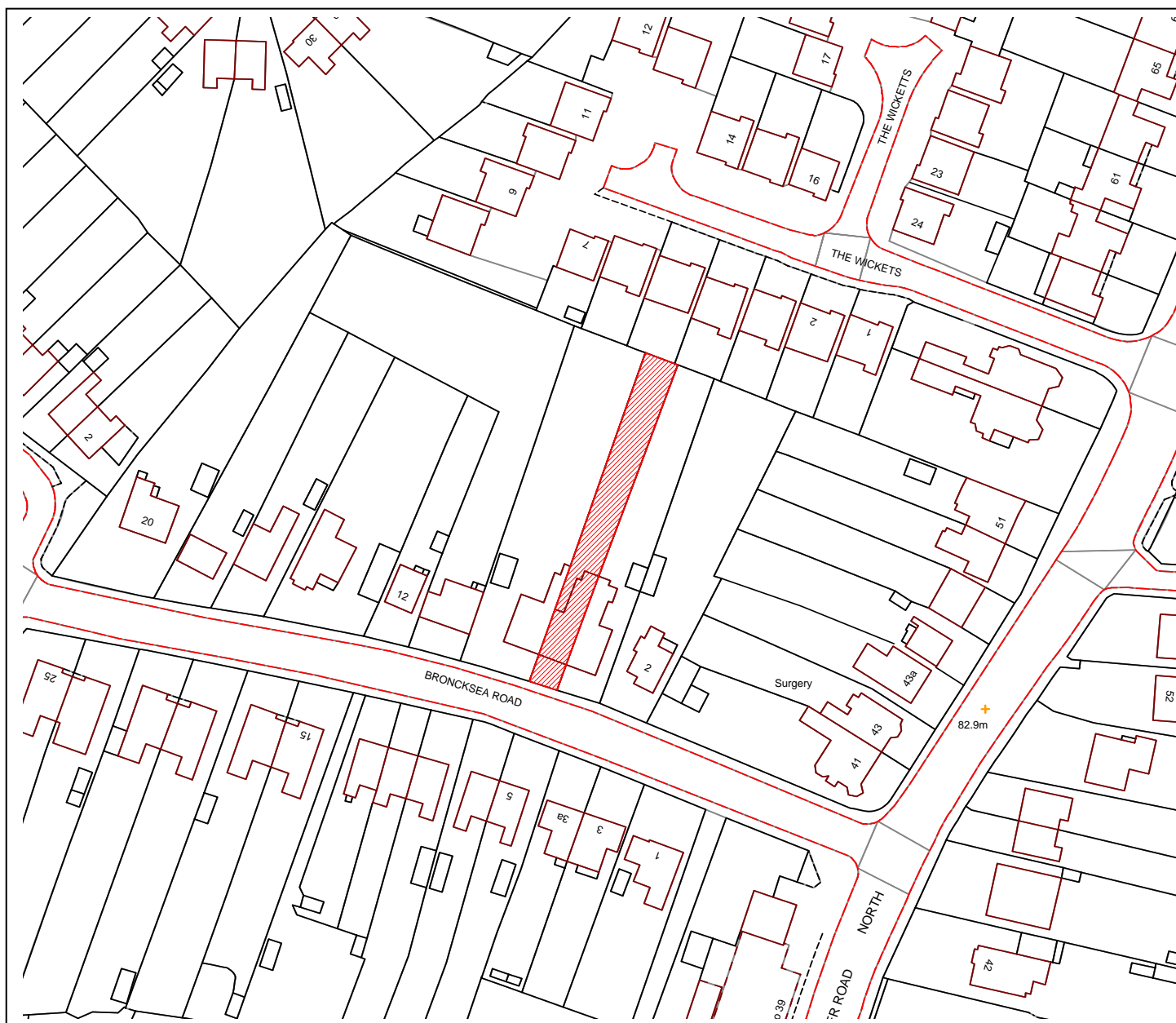
To ensure that a satisfactory means of drainage is provided, and to accord with Policies L18 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

**App No.:** PT07/0873/F  
**Site:** 6 Broncksea Road Filton BRISTOL  
 South Gloucestershire BS7 0SE  
**Proposal:** Erection of single storey rear extension  
 to provide additional living  
 accommodation  
**Map Ref:** 59856 78427

**Applicant:** Mr Llewellyn  
**Date Reg:** 19th March 2007  
**Parish:** Filton Town Council  
**Ward:** Filton



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**N.T.S**

**PT07/0873/F**

## **INTRODUCTION**

This Application appears on the Circulated Schedule because an objection has been received from the Parish Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks full permission for the erection of single storey rear extension of this mid-terrace, period, house, partially replacing an existing conservatory. The site lies within urban area.
- 1.2 The extension would span the gap which exists between the existing two storey projection which is split between this house and the house to its West, and the existing single storey projection on the house on this side. The maximum that it would project into the rear garden would be the same as existing conservatory which is on this Eastern side. On the Western side it would match the depth of the existing single storey extension, and single-story outbuilding which continues into the garden, although there will be a small gap between it and this outbuilding.
- 1.3 It would feature a flat, asphalt, roof and would be built of aluminium frame and rendered block work.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
H4 Development within Existing Residential Curtilages
- 2.3 SGC Design Checklist (Draft)

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 FiltonTown Council

Object on the grounds of the proposal having a flat roof.

- 4.2 Other Representations  
Local Residents

One letter has been received making reference to the party wall and possible damage which might occur as a result of the building of the extension and stating that subject to a surveyor being hired and the survey being carried out, no objections are raised.

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

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to house extensions and development within residential curtilages. The policies requires that any development should be in keeping with the character of the property and area generally in terms of size, design and materials and residential amenity and privacy should not be adversely affected.

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 requires that good quality of design be achieved in new development.

5.2 The principle of the extension is acceptable, as the house is located within the settlement boundary.

5.3 Residential Amenity

It is considered that there would not be material harm caused to occupiers of the next-door dwellings in terms of overshadowing, loss of privacy or dominance as the extensions would project no further back or any higher than existing buildings on either side. Possible damage to property is not a relevant planning consideration.

Adequate amenity space would remain for the enjoyment of the occupiers of the house

5.4 Visual Amenity

It is considered that the appearance of the additions would not be out of keeping with that of the existing house and that, notwithstanding the objection of the Parish Council, the flat roof would not harm it or the surrounding houses.

5.5 Transportation Issues

Issues of highway safety are not raised by this scheme

5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

**6. CONCLUSION**

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

The decision 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 be granted subject to the following conditions:

**Background Papers**      **PT07/0873/F**

**Contact Officer:**    **Anja Mellergaard**  
**Tel. No.**                **01454 863431**

**CONDITIONS**

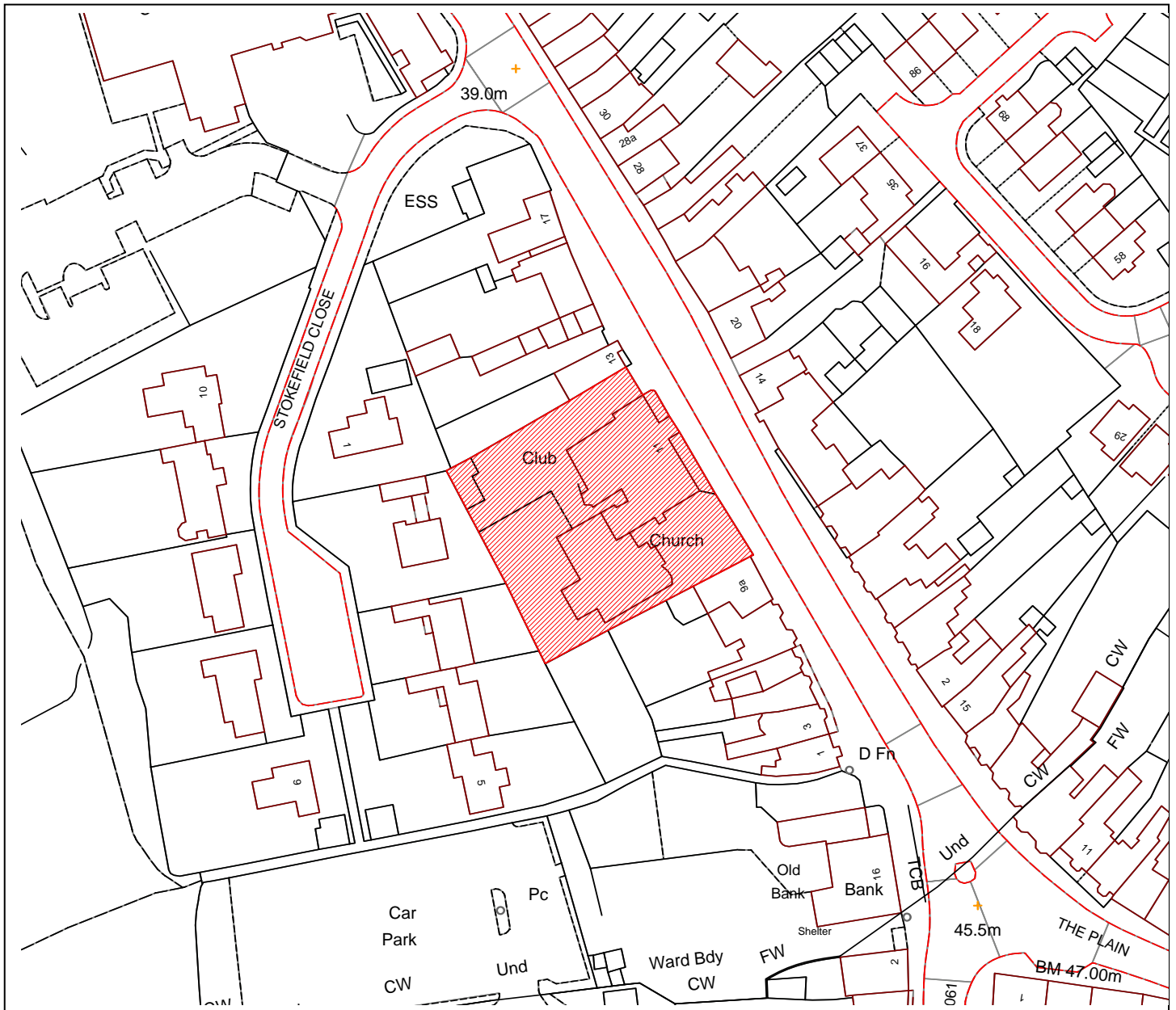
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

<b>App No.:</b>	PT07/0875/F	<b>Applicant:</b>	Christ The King Church Thornbury
<b>Site:</b>	Christ The King Catholic Church 11 Castle Street Thornbury BRISTOL South Gloucestershire BS35 1HA	<b>Date Reg:</b>	19th March 2007
<b>Proposal:</b>	Erection of 3 metre high cross in rear garden	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	63604 90259	<b>Ward:</b>	Thornbury North



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**N.T.S**

**PT07/0875/F**

This application appears on the Circulated Schedule after the receipt of one objection from a local resident.

## **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a 3 metre high Celtic cross at the rear garden of the church.
- 1.2 The application site relates to a church, and is located within the curtilage of a Grade II Listed building. This site is also within the Thornbury Conservatory Area.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

- PPS1: Delivering Sustainable Development  
PPG15: Planning and the Historic Environment

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

- D1: Achieving Good Quality Design in New Development  
L12: Conservation Areas  
L13: Listed Buildings  
LC4: Proposals for Education and Community Facilities within the Existing Urban Area

### 2.3 Supplementary Planning Guidance Thornbury Conservation Area

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant

## **4. CONSULTATION RESPONSES**

### 4.1 Thornbury Town Council No objection

- ### 4.2 Conservation Officer No objection, a stone cross in this location would be appropriate to the church setting and would not harm the character or appearance of the Conservation Area.

## **Other Representations**

### 4.3 Local Residents

One letter of objection raising the following points:

- a. The proposed cross would exceed the height of rear boundary wall and would dominate the view from all principle rooms.
- b. The cross would have an overbearing impact on dwellings
- c. The cross would be full view of dwelling and would be inappropriate
- d. The height of the proposed cross should be limited to 2m or moved to a different location not visible to any of the neighbouring dwellings.

## **5. ANALYSIS OF PROPOSAL**

## 5.1 Principle of Development

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 considers general design principles and ensures good quality design.

Policy LC4 of the Local Plan ensures proposals for education and community facilities do not unacceptably prejudice residential amenity.

The application site is located with the curtilage of a Grade II listed building and the site is located within the Thornbury Conservation Area. The application should therefore be assessed in accordance with the following Policy L12 and L13 of the Local Plan, which seek to protect the architectural and historic character of the listed building and its setting as well as the character and appearance of the Conservation Area

## 5.2 Design and Visual Amenity

It is considered that the proposed design, scale, detailing and materials for the 3m high Celtic cross would respect both the character and appearance of the surrounding garden and church.

## 5.3 Residential Amenity

The proposed cross would be approximately 3m in height and would have a maximum width of 1m. The proposal would be sited approximately 12m from the nearest residential dwellings and a 1.8/2m high stone boundary wall would separate the dwellings from the cross. It is therefore considered that proposal would not be overbearing and would not adversely impact the residential amenity of nearby neighbouring occupiers. The objector suggested that the height of the cross should be reduced and it should be sited so that it was not visible to any neighbouring properties. However, it is considered that the proposed cross would not unduly harm residential amenity.

## 5.4 Conservation Area/Listed Building

The garden setting, where it is proposed to locate the cross, is bounded by a stone wall which is approximately 1.8 metres high at this point. The cross would be 3 metres high and made of stone in a Celtic style. It is considered that a stone cross in this location would be appropriate to the church setting and would not harm the character or appearance of the Conservation Area or Listed Building.

## 5.5 Other Issues

The objector stated that the proposed cross would be in full view of their dwelling and would dominate the view. However, it cannot be seen how this could be a dominant feature when the church itself is located in the background. A cross is also not an inappropriate feature for a churchyard.

## 5.6 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

## 5.7 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

The decision 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:

**Background Papers**      **PT07/0875/F**

**Contact Officer:**    **Peter Rowe**  
**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.

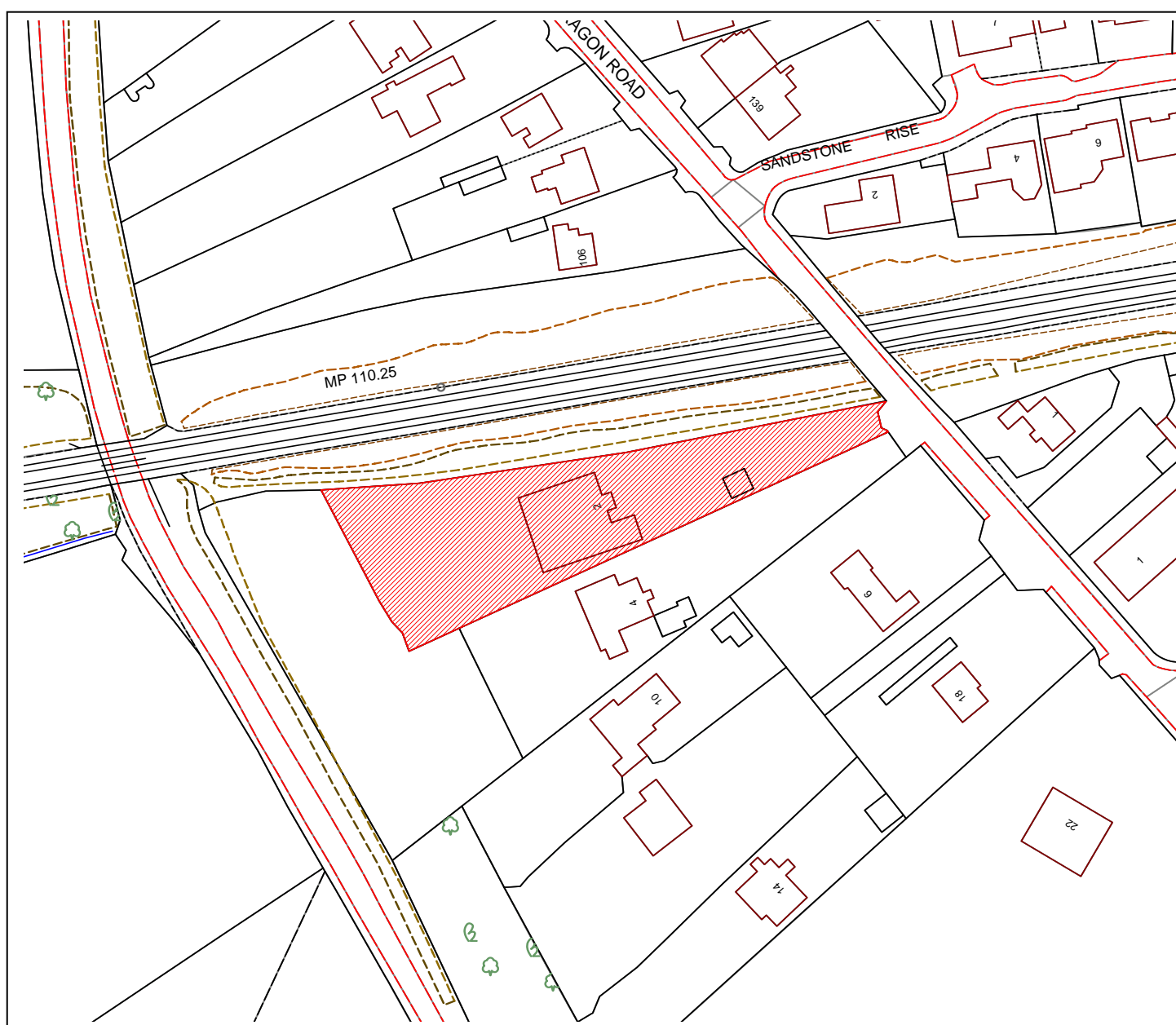
Reason(s):

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



## CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007

<b>App No.:</b>	PT07/0880/CLE	<b>Applicant:</b>	Mr & Mrs Manekporia
<b>Site:</b>	2 Down Road Winterbourne Down BRISTOL South Gloucestershire BS36 1BN	<b>Date Reg:</b>	20th March 2007
<b>Proposal:</b>	Application for Certificate of Lawfulness for an existing use of dwelling for carrying out of blind business (Class B2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	64932 79833	<b>Ward:</b>	Winterbourne



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PT07/0880/CLE

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, falls to be considered under the circulated schedule procedure.

## **1. THE PROPOSAL**

- 1.1 The application is for a Certificate of Lawfulness for the use of part of the residential property at 2 Down Road for the carrying out of a 'blind' business.
- 1.2 The site consists of a dwelling with a large garage/outbuilding to the front (East). The garage/outbuilding provides storage of blinds and associated paraphernalia such as trimming equipment. The majority of the area to the East of the dwelling is laid out to tarmac and provides access and parking to the site. There is also a large conservatory structure to the Northern Side of the dwelling. This provides office and residential space. The remainder of the site is occupied by the dwelling itself and large area of lawn to the Western part of the site.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

Town and Country Planning (General Procedures) Order 1995 Article 24  
Circular 10/97 Enforcing Planning Control

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT06/3685/CLE Withdrawn by Applicant

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

- 4.1 The applicant has submitted a site location plan which includes the whole site, the dwelling and ancillary buildings together with signed letters written by various supply and trade companies and the associated business accountant. Also submitted are various receipts dating back as far as December 1995. There are no 'Sworn Declarations' submitted with this evidence.

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

### **5.1 Local residents have submitted**

- That the garage building and conservatory have been constructed within the last 2 to 3 years.
- The main showroom associated with the business has closed within the last 2 to 3 years with this element of the business relocating to this site.
- The business administration may have occurred since 1995. The business has grown significantly over the past 3 years since the construction of the new building used as a warehouse and the construction of the conservatory being used as an office.
- The last two to three year has seen a significant increase in deliveries and customers visiting the premises.

- The current intensity of the business use applied for has not existed for the last two years.

5.2 The published 1999 Arial Photographs confirm that the existing conservatory and garage/outbuilding was no in place at that time. The Published 2005 Arial Photographs show the garage/outbuilding in position but not the conservatory.

## **6. OTHER REPRESENTATIONS RECEIVED**

6.1 Bradley Stoke Town Council  
No Objection

## **7. EVALUATION**

7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to prove precise and unambiguous evidence.

7.2 In this instance it must be proven that the land subject to this application has been utilised as storage of goods, materials and associated equipment for a period in excess of 10 years.

7.3 The applicant has shown the application site to include an area of land measuring approximately 0.22 hectares. This is the whole site including the dwelling, outbuildings, curtilage and access.

7.4 The applicants claim that, for a 10 year period, they have been using the site for the operation of a 'blind' supply business. The applicants have not provided evidence in relation to the number of staff, deliveries and customer visits in relation to this business.

7.5 It is clear from the published overhead photographs that that the garage/outbuilding and the conservatory has not been in place for a period of at least ten years and therefore could not have been utilised for the use claimed. Clearly, there is storage of materials and the parking of private staff vehicles on site. Evidence of commercial vehicles was not observed. However, third party evidence would indicate that the arrival of commercial vehicles is a frequent appearance. The submitted written evidence in the form of letters from business associates, testimonials from customers and receipts/invoices for goods received is substantial, but does not show a continued claimed use of the garage/outbuildings and conservatory on the site for a full period of ten years. However, it may be the case that an administrative operation associated with the business has occurred for a period of ten years. The applicant has not submitted a sworn declaration in support of the claim.

7.6 The site location plan submitted with this application shows the whole site outlined as being the site under consideration. Clearly, the area to the west (rear) of the dwelling and the dwelling itself is retained in domestic use and cannot form part of the business use claimed by this certificate application. Indeed, if the submitted evidence were complete, this area should be excluded from any certified use, and the site restricted to the areas of the site directly associated with the business.

7.7 Having regard to the above, it is considered that the evidence presented by the applicant fails to prove that, on the balance of probability, the land subject to this application has been used for the carrying out of a 'blind' supply business for a period of at least 10 years.

## **8. RECOMMENDATION**

8.1 A Certificate of Existing Lawful Use be refused for the use of building for storage of goods, materials and associated equipment.

**Background Papers**      **PT07/0880/CLE**

**Contact Officer:**    **Simon Penketh**  
**Tel. No.**                **01454 863433**

## **REFUSAL REASONS**

The evidence presented by the applicant fails to prove that, on the balance of probability, the land subject to this application has been used for the carrying out of a 'blind' supply business for a period of at least 10 years and is contrary to The Town and Country Planning (General Procedures) Order 1995 Article and 24 Circular 10/97.

## CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007

App No.: PT07/0976/R3F

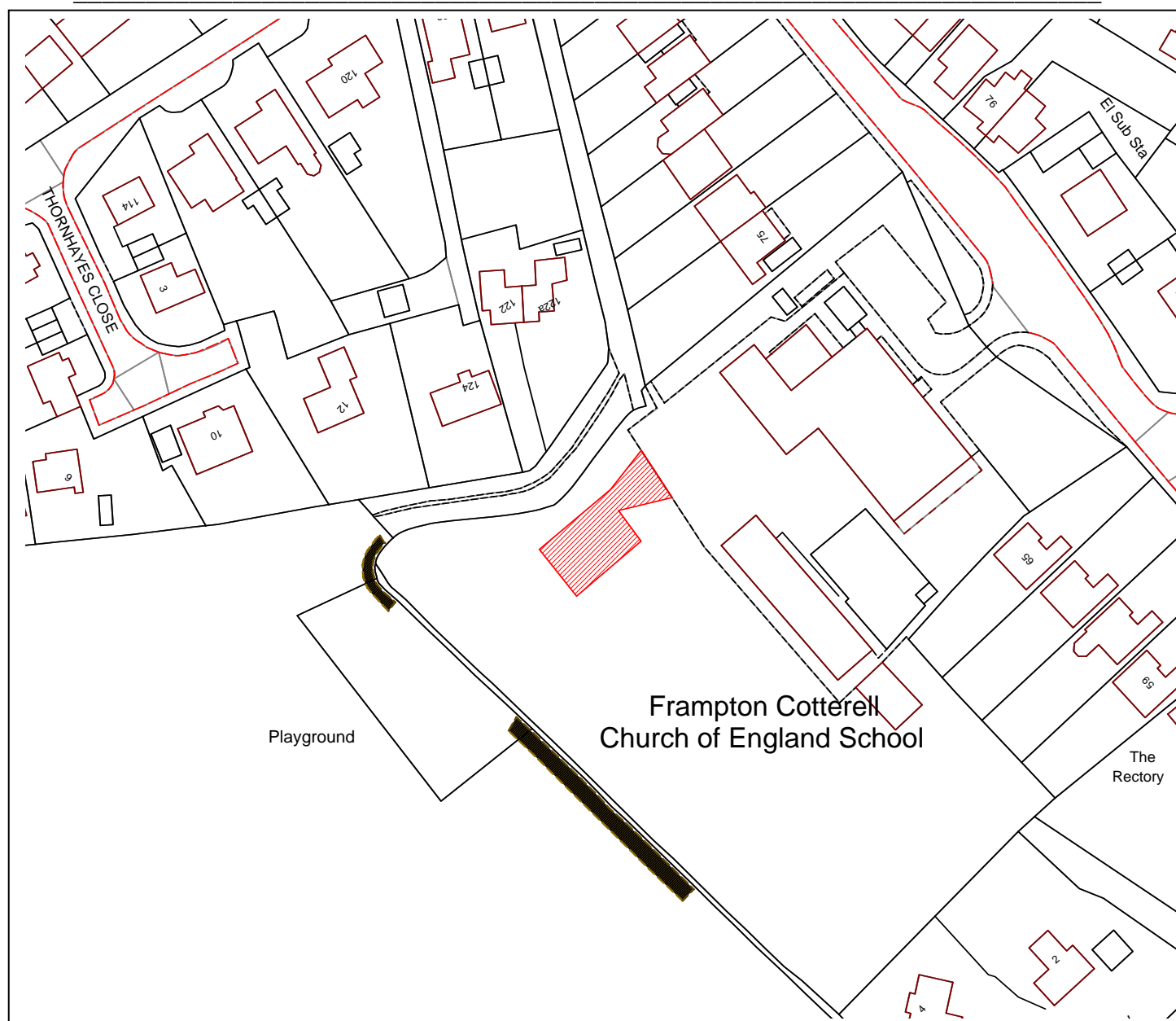
Applicant: South  
Gloucestershire  
CouncilSite: Frampton Cotterell C Of E Primary  
School Rectory Road Frampton Cotterell  
BRISTOL South Gloucestershire BS36  
2BT

Date Reg: 27th March 2007

Proposal: Construction of netball court enclosed by  
3m high chainlink fence.Parish: Frampton Cotterell  
Parish Council

Map Ref: 66276 81858

Ward: Frampton Cotterell



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This application appears on the Circulated Schedule in view of the nature of this submission (R3F application).

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the construction of a netball court.
- 1.2 The application site comprises Frampton Cotterell Church of England Primary School on the west side of Rectory Road, Frampton Cotterell.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
LC4: Proposals for Education and Community Facilities
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Urban Design Checklist: Consultation Draft 2006

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P89/2838: Four additional car parking spaces. No objection: 8 November 1989
- 3.2 P99/2338: Provision of additional classroom and associated works. Permitted: 6 October 1999
- 3.3 PT03/2513/R3F: Erection of covered pavilion. Deemed consent: 22 September 2003

## **4. CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council  
No comments received
- 4.2 Other Consultees  
Landscape Architect: no objection

### **Other Representations**

- 4.3 Local Residents  
No comments received

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy LC4 of the South Gloucestershire Local Plan allows for the development, expansion or improvement of education and community facilities within the built up area and settlement boundaries provided that:

- Proposals are located on sites that are highly accessible by foot/ bicycle;
- It would not unacceptably prejudice residential amenity;
- It would not have an unacceptable environmental/ transportation impact;
- Development would not give rise to an unacceptable level of on street parking.

#### 5.2 Design/ Visual Amenity

The application seeks planning approval for the formation of a new netball court to be sited behind the existing Frampton Cotterell Primary School on part of the playing field. The court would be sited to the north end of this large field and would be enclosed by a 3m high chain link fence.

5.3 The site is well screened behind an existing hedgerow that wraps around the school boundary; this would be unaffected by the proposal. As such, and with the school buildings to the front, the proposal would be visually contained within the confines of the school grounds. It is further considered that the nature and extent of the existing vegetation and the confines of the site would ensure that no significant landscape enhancement could be achieved by further planting.

5.4 In view of the above, the proposal is considered acceptable with no significant adverse impact caused to the general character of the area.

#### 5.5 Residential Amenity

Properties to the north side of the application site sit on the opposite side of a pedestrian access leading to a children's playground (behind the school) whilst the aforementioned boundary screening would limit views of the proposal. As such, and in view of the existing use of this field, it is not considered that any significant adverse impact in residential amenity would be caused.

#### 5.6 Highway Safety

In view of the nature of the proposal, its positioning and the existing use of the site, it is not considered that the proposal would prejudice highway safety.

#### 5.7 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

#### 5.8 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## 6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

The decision 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 be GRANTED subject to the following conditions:

**Background Papers**      **PT07/0976/R3F**

**Contact Officer:**    **Peter Burridge**  
**Tel. No.**                **01454 865262**

## **CONDITIONS**

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

Reason(s):

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

2. Before the development hereby permitted is commenced, details of the proposed fencing shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall accord with these agreed details.

Reason(s):

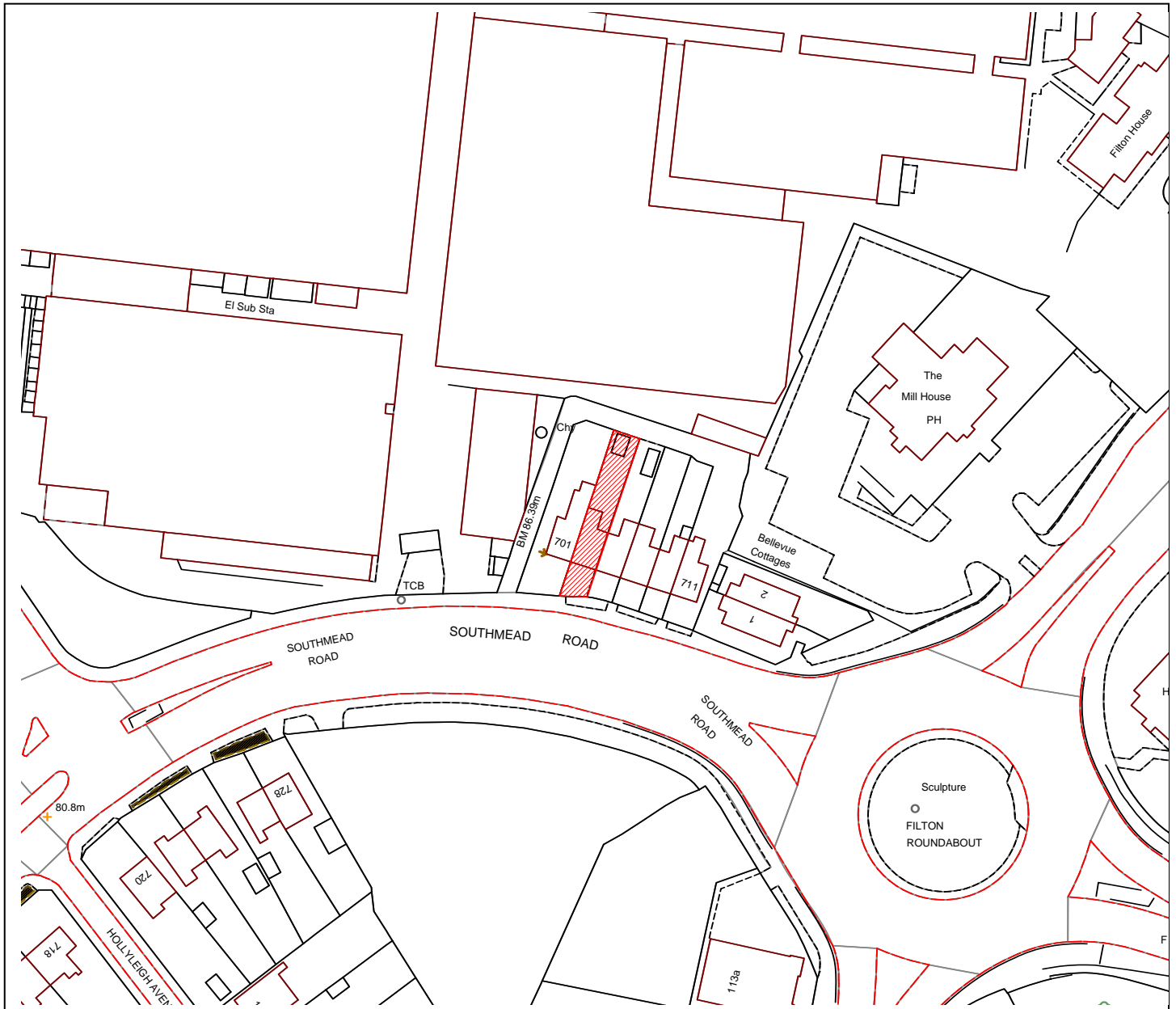
To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007**

**App No.:** PT07/1015/F  
**Site:** 703 Southmead Road Filton BRISTOL  
 South Gloucestershire BS34 7QR  
**Proposal:** Conversion of existing dwelling to 2 no. flats. Erection of single storey rear extension to provide kitchen area. Installation of front dormer. Erection of cycle store to rear.  
**Map Ref:** 60045 79035

**Applicant:** Mr A Brown  
**Date Reg:** 2nd April 2007  
**Parish:** Filton Town Council  
**Ward:** Filton



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## **1. THE PROPOSAL**

- 1.1 This full application relates to the conversion of a 3 bedroom property to two, 2 bedroom flats at 703 Southmead Road, Filton. The proposal also involves the erection of a single storey rear extension and the installation of front dormer. The rear garage is to be demolished to provide two off-street parking spaces and cycle store.
- 1.2 The application site is a mid-terraced property in a rank of six and faces onto Southmead Road, in close proximity to Filton Roundabout. The environs of British Aerospace lie to the rear of the site. Vehicular access remains as existing, via an access lane that serves all six properties off Southmead Road. The rear garden is linear in nature and has an overall depth, including garage area, of some 34m and a width of 5.4m.
- 1.3 The application site lies within the urban area of Filton.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

### **2.2 Development Plans**

#### **Joint Replacement Structure Plan**

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 34	Re-use of Previously Developed Land
Policy 35	Housing Density

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

D1	Achieving Good Quality Design in New Development
L4	Forest of Avon
H5	Residential Conversions, House in Multiple Occupation and Re-use of Buildings for Residential Purposes
T12	Transportation Development Control Policy for New Development

### **2.4 Supplementary Planning Guidance** Design Checklist

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None.

## **4. CONSULTATION RESPONSES**

### **4.1 Filton Town Council**

Object to the proposal on the following grounds:-

- a) out of keeping;
- b) roof line;
- c) layout of flats not conducive to means of escape;
- d) may set a precedent.

## Other Consultees

- 4.2 Sustainable Transport  
No objection.

## Other Representations

- 4.3 Local Residents  
1 letter has been received objecting to the proposal on the following grounds:-  
a) parking provision;  
b) restricted lane.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application site lies within the urban area of Filton. Advice contained within PPS3 encourages the conversion of housing into extra residential accommodation, regarding it as an important source of additional housing, particularly in town centres. This advice is reflected in the Adopted Joint Replacement Structure Plan where policies encourage a mixture of housing types in sustainable locations, especially dwellings for smaller households. This policy stance is reflected in policy H5 of the adopted local plan. This policy allows for the conversion of existing residential properties into smaller units of self-contained accommodation provided the following criteria are complied with:-

#### **A. the development would not prejudice the character of the surrounding area;**

The proposed works of conversion require the installation of front dormer and a small, single storey rear extension. The front dormer is small in size and scale and centrally located. It is considered that this feature is acceptable as a large box dormer has been erected across the whole front and rear roof plane of the adjoining property of 705 Southmead Road. As a result the uniform look of the terrace has already been compromised. The proposed dormer is significantly smaller and set well below the ridge line so that it is integral to rather than a dominant feature of the roofscape. It is therefore considered that on balance it would be difficult to refuse on design grounds. With regard to the rear extension, this is also small in size and scale. It is of a design that is in keeping with the character of the existing property and area in general. It is single storey in nature and will be erected against the flank wall of the adjoining property. It will also not extend beyond the rear building line. As such the proposal will not result in any overlooking/loss of privacy or overbearing impact. It is therefore considered that the proposal would be in keeping with the character of the locality and complies with this criterion.

#### **B. it would not prejudice the amenities of nearby occupiers;**

The site lies within the urban area of Filton. The property is within a rank of 6 dwellings and the rear of the site backs onto former industrial land at BAe which has been allocated for new residential development. Provided appropriate boundary treatment and off-street parking spaces are provided the proposal will not prejudice the residential amenities of nearby occupiers to a material degree.

**C. it would identify an acceptable level of off-street parking;**

The existing development has two off-street parking spaces to the rear of the site. The proposal involves the demolition of the single garage to provide two off-street parking spaces and cycle storage. The site is located adjacent to the A38, a principle public transport corridor in South Gloucestershire. It is a sustainable location within close proximity to existing employment, services and retail uses.

The existing vehicular access is off Southmead Road which runs along the side boundary of 701 Southmead Road and serves the rear of the terrace. When exiting this access the traffic signals junction serving Filton Roundabout will provide breaks in the traffic for vehicles to exit. During peak times the road fronting the development is congested and vehicles will merge into the slow moving traffic. Due to the need for vehicles to cross essentially six lanes of traffic to head down Southmead Road in a Westerly direction, it is more likely that vehicles will turn east and use the roundabout.

There is concern that vehicles turning right off Southmead Road in to the access would need to wait at the start of the right turn lane serving the roundabout. Vehicles would therefore need to wait for a break in the approaching traffic, which is controlled by a set of traffic signals, before turning. However, in analysing the existing and proposed traffic movements from a 3 bed dwelling and 2x2 bed flats, the existing dwelling would generate between 7-10 vehicle movements and the proposed development a traffic generation slightly higher. Nevertheless, given that the site is within a highly sustainable location it is unlikely that the difference would be material and give rise to a highway safety issue.

Due to the increase in residential dwellings, a financial contribution of £900 would be required towards the North Fringe Major Scheme (Transport Matters). Subject to this no transportation objection is raised to the proposal.

**D. it would provide adequate amenity space.**

The garden area is located to the rear and is to be communal amenity space. It has an area of approximately 100m<sup>2</sup>. It is considered that the size of this area is acceptable and as such the proposal accords with this criterion.

5.2 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is also relevant as it specifically relates to development within existing residential curtilages, including extensions and new dwellings. All the issues relating to this policy have already been addressed under policy H5 above.

5.3 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

5.4 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

## **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 decision 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 authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant full planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990(as amended) (or appropriate alternative agreement) to secure the following:-

- a) A financial contribution of £900 towards the North Fringe Major Scheme (Transport Matters) initiative.

The reason for this agreement is:

- a) to mitigate against the impact on the Bristol North Fringe local road network to comply with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the Section 106 Agreement (or any appropriate alternative agreement).

7.3 If the Section 106 Agreement (or any appropriate alternative agreement) is not signed and sealed within 12 months of this determination, then in view of the length of time after the application, should either:

- (a) Return to the Development Control (West) Committee for reconsideration; or
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under the Section 106 agreement (or appropriate alternative agreement), for the reasons listed under section 7.1a.

**Contact Officer: Vivian Butt**  
**Tel. No. 01454 863427**

## **CONDITIONS**

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

Reason(s):

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

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

Reason(s):

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

3. The residential units hereby approved shall not be occupied until the storage for refuse bins and boxes have been provided in accordance with the agreed details.

Reason(s):

To ensure a satisfactory standard of external appearance and to accord with Policies D1 and H5 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 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason(s):

To minimise disturbance to occupiers of adjoining dwellings and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the flats are occupied and development shall be carried out in accordance with the approved details.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

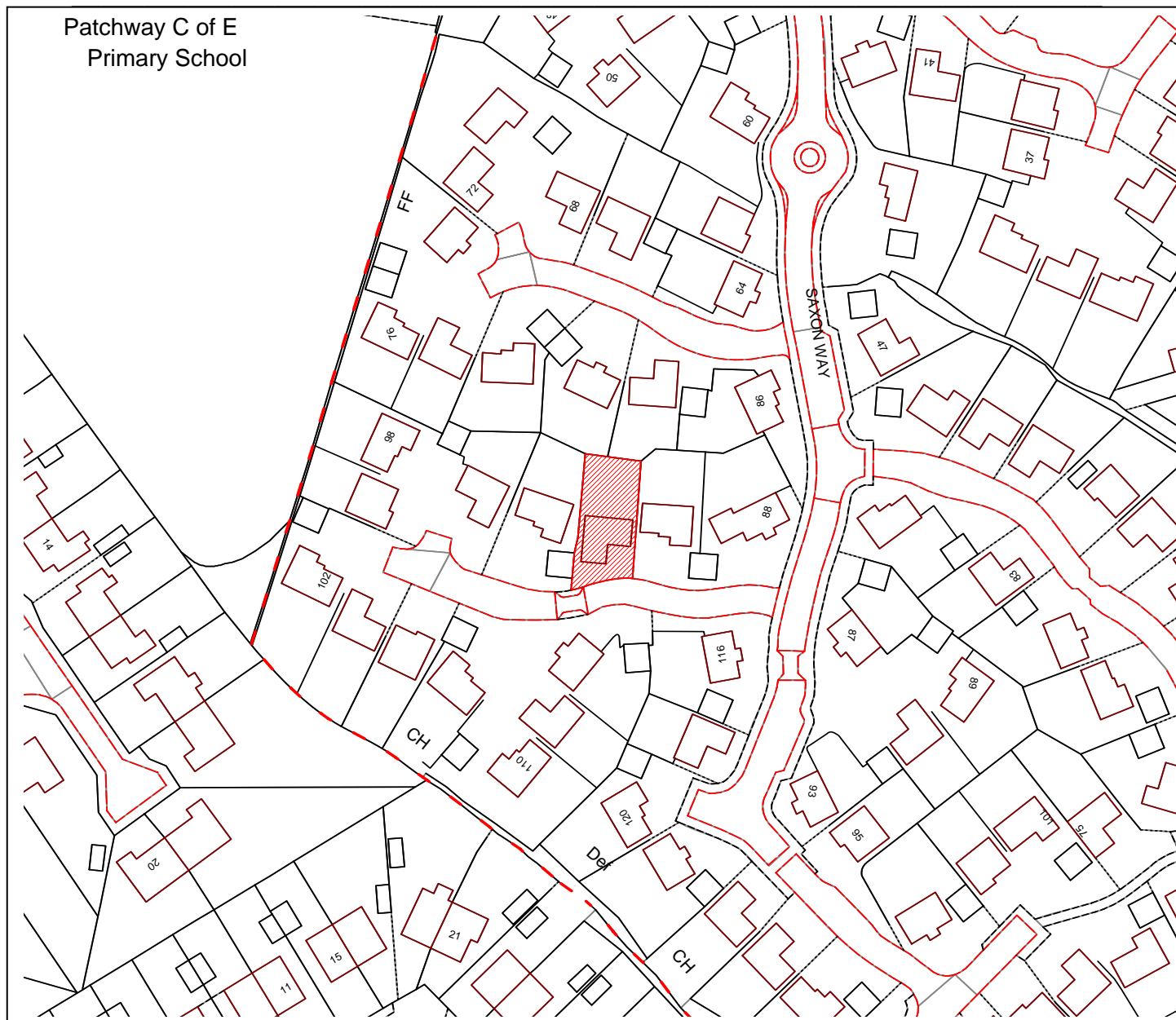
6. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the flats are first occupied, and thereafter retained for that purpose.

Reason(s):

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, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 17/07 – 27 APRIL 2007

<b>App No.:</b>	PT07/1035/F	<b>Applicant:</b>	Mr & Mrs M Green
<b>Site:</b>	92 Saxon Way Bradley Stoke BRISTOL South Gloucestershire BS32 9AS	<b>Date Reg:</b>	3rd April 2007
<b>Proposal:</b>	Erection of first floor side extension to provide additional living accommodation.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	61183 82123	<b>Ward:</b>	Bradley Sto Bowsland



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PT07/1035/F



## **1. THE PROPOSAL**

- 1.1 This application relates to the erection of a first floor side extension at 92 Saxon Way, Bradley Stoke. The proposal alters the existing cat-slide roof to a gabled elevation. All materials are to match existing.
- 1.2 The application site is a detached property located within the urban area of Bradley Stoke. Vehicular access is to the front of the site, off a cul-de-sac. The area is characterised by large properties of varying design.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance  
Design Checklist

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None.

## **4. CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council  
No response received.

### Other Consultees

- 4.2 Sustainable Transport  
No objection.

### Other Representations

- 4.3 Local Residents  
One letter has been received objecting to the proposal on the ground of loss of light.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
In assessing applications for residential extensions, policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Extensions are normally permitted provided they respect the massing, scale, overall design and character of the existing property and street scene and

would not prejudice amenities of nearby occupiers, highway safety or the retention of adequate private amenity space.

5.2 It is considered that the application accords with the above policy criteria. The design, size and scale of the extension are in keeping with the existing property and area as a whole. In terms of residential amenity issues, the proposal is for a first floor side extension. Although it is recognised that the application site is some 2.8m forward of the adjacent property of 90 Saxon Way, it is considered that this will not result in such an overbearing impact/loss of light to warrant a refusal, especially as a 1.6m distance also exists between the two properties. No overlooking or loss of privacy will result from the proposal. Access/parking arrangements and garden area are unchanged by the development. The application is therefore in accordance with the adopted local plan and is acceptable.

5.3 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## 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 decision 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 be granted.

**Background Papers**      **PT07/1035/F**

**Contact Officer:**      **Vivian Butt**

**Tel. No.**                      **01454 863427**

## CONDITIONS

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

Reason(s):

To comply with the requirements of Section 91 of the Town and 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(s):

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 shall be inserted at any time in the side elevation of the extension hereby permitted.

Reason(s):

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