



**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. 07/07**

**Date to Members: 16/02/07**

**Member's Deadline: 23/02/07**

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: 16/02/07**

**SCHEDULE NO. 07/07**

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.

---

### 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 .....**

## Revised dates and deadlines for Circulated Schedule

The Planning IT system MVM will be going down due to an essential server upgrade during March.

To ensure the continued timely issuing of Planning Decisions from Circulated Schedule we have revised the publication and issue dates accordingly.

<b>Schedule Number</b>	<b>Date to Members 12 noon on</b>	<b>Members Deadline 12 noon on</b>
08/07	Thursday 22 <sup>nd</sup> Feb 2007	Thursday 1 <sup>st</sup> March 2007

# Circulated Schedule 16 February 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1.	PK03/1604/F	Approved subject to Section 106	Land at The Nurseries Willsbridge, South Gloucestershire, BS30 6EJ	Bitton	Bitton Parish Council
2.	PK06/3197/F	Approve with conditions	33 Grassington Drive Chipping Sodbury South Gloucestershire BS37 6HW	Chipping Sodbury	Sodbury Town Council
3.	PK06/3610/F	Approve with conditions	Land at Rear 1 Cleeves Court Court Farm Road Longwell Green South Gloucestershire BS30 9AW	Longwell Green	Hanham Abbots Parish Council
4.	PK06/3682/F	Approve with conditions	7 Horseshoe Lane Chipping Sodbury South Gloucestershire BS37 6AP	Chipping Sodbury	Sodbury Town Council
5.	PK07/0049/LB	Approve with conditions	7 Horseshoe Lane Chipping Sodbury South Gloucestershire BS37 6AP	Chipping Sodbury	Sodbury Town Council
6.	PK07/0074/F	Approve with conditions	2a Park Road Staple Hill South Gloucestershire BS16 5LD	Staple Hill	
7.	PK07/0101/F	Approve with conditions	6 London Road Wick South Gloucestershire BS30 5SJ	Boyd Valley	Wick and Abson Parish Council
8.	PT06/2781/LB	Approve with conditions	The Coach House Chapel Road Oldbury-on-severn South Gloucestershire BS35 1PL	Severn	Oldbury-on-Severn Parish Council
9.	PT07/0115/F	Approve with conditions	Corner Croft Hacket Lane Thornbury South Gloucestershire BS35 2HH	Thornbury North	Thornbury Town Council
10.	PT07/0180/CLE	Refusal	Plot 6900, Land at Giddyend, High Lane, off Swan Lane Winterbourne South Gloucestershire BS36 1RH	Winterbourne	Winterbourne Parish Council
11.	PT07/0203/F	Approve with conditions	The Old Bakery Bristol Road Hambrook South Gloucestershire BS16 1RF	Winterbourne	Winterbourne Parish Council
12.	PT07/0206/TRE	Approve with conditions	4 Manor Court Beckspool Road Frenchay South Gloucestershire BS16 1NT	Winterbourne	Winterbourne Parish Council



## **INTRODUCTION**

This application was originally presented to Committee on 22 January 2004, when it was decided to approve the application, subject to a Section 106 Agreement requiring highway works to take place to the junction prior to first occupation of any of the buildings and an amendment to condition 5 that it should relate to Units 1 – 4 inclusive, only. The Section 106 Agreement remained unsigned to date and material considerations were considered to have changed in the interim, in that the Kingswood Local Plan no longer applied to development control decisions. The application was therefore reported on the Circulated Schedule on 17 February 2006 for an assessment against the current Local Plan policies, following adoption of the South Gloucestershire Local Plan.

The Section 106 Agreement however still remains unsigned as there has been a discrepancy discovered with the originally submitted site location plan. Accordingly, the red line area of the site upon which the application was originally assessed was incorrect. The red line area has been amended on the plan that accompanies this report and is considerably smaller than originally plotted. This has the effect of increasing the area of landownership outside the site (the blue land) to which condition 9 below would apply. For the purposes of clarification therefore, the blue land area referred to in the condition has now been specified as that shown on the plan in the Appendix to this report, where the existing glasshouses would be demolished as explained below. This part of the landholding is shown as vertical hatching within the indicated blue line on the "Appendix" document. Condition 9 would apply to this land and not the rest of the holding. Other than these two points, the proposal and the report remain the same as originally approved and subsequently reported on the Circulated Schedule last year.

The following report is a repeat of the report that appeared on the Circulated Schedule in February 2006.

### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the change of use of 6 chicken sheds to B1 workshop and B8 storage use. Also proposed are highway works to improve visibility at the access road to the site's junction with Keynsham Road, where land within a garden is owned by the applicants. Also involved is the resurfacing of this access road, the demolition of most of the remaining buildings on the site and proposed extensive tree planting on this part of the site.

#### **Background/Information submitted in support of application**

- 1.2 The applicant's agent submitted a letter to accompany the application stating that the authorised use of the site was as a chicken farm which could be in operation 24 hours a day, generating large flows of lorries. Only 6 of the original buildings will be retained in use, with 9 others being removed, representing 50% of the footprint of the total buildings on the site. The area cleared would be landscaped in accordance with Avon Community Forest's needs. These steps will improve the visual amenity and openness of the Green Belt. The junction onto Keynsham Road is to be improved and the access track to the site resurfaced. B1 and B8 uses of the remaining buildings are proposed, with the relative proportions controlled by planning condition. The nature of the buildings suggests that 'dead' storage would predominate. Unit 6 is already in use as an office and packing shed. Unit 5 has been used as a general workshop and store.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPG4	Commercial Development & Small Firms
PPS7	Sustainable Development Within Rural Areas
PPG13	Transport: Guide to Better Practice

### **2.2 Development Plans**

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

D1	Achieving Good Quality Design in New Development
GB1	Development in the Green Belt
L5	Forest of Avon
EP1	Environmental Pollution
T6	Cycle Parking
T7	Parking Standards
T8	Car Parking Standards for people with disabilities
T12	Transport Development Control Policy for New Development
E6	Employment development in the Countryside
E7	Conversion and Re-use of rural buildings.

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

Policy 31	Small Scale Opportunities for Local Employment Needs
Policy 32	Industrial/ Commercial Development Adjacent to Settlements

### **2.3 Supplementary Planning Guidance**

Note 13 – Green Belt

## **3. RELEVANT PLANNING HISTORY**

3.1 P75/4766 Erection of detached dwelling house & garage, construction of new pedestrian and vehicular access  
(Previous ID: K616/2) Approved 1975

3.2 No reference to chicken sheds or new rebuilt glasshouses.

## **4. CONSULTATION RESPONSES**

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

#### **4.1 Bitton Parish Council**

The Council welcomes the improvements in the proposal but have concerns whether there will be adequate parking both during the work and after the change of use; that there will be sufficient passing places on the track; that all hedges are retained or replaced and that operating hours to account of the proximity of dwellings.

#### **Other Consultees**

4.2 Coal Authority  
Standard comments – no known mining implications

4.3 Environment Agency  
No objection in principle subject to suggested conditions covering sustainable drainage



## **(b) Other Representations**

### 4.4 Local Residents

Three letters of support were received for the scheme, citing

- Access improvement
- High demand for small businesses in the area
- Reduction in lorry traffic
- The site previously housed a thriving business
- Smartening up of the chicken houses.

Eight objection letters were also received, raising the following concerns:

- Since the temporary workshops and storage took place at the site, traffic has increased eightfold.
- Poor road condition
- If the car parking with the scheme was fully used, 61 vehicles would use the access road daily.
- There are other unlet workshops nearby
- If the visibility splay is improved it will lead to further development in the Green Belt
- Safety issues with vehicles using access shared with a public footpath
- The access road is too narrow, especially for lorries
- Lack of drainage details for the access road
- Units could be sub-divided
- Occupiers of the units are unspecified, leading to noise and pollution worries
- The new local plan has not included this site and proposal
- If this scheme gains consent, the precedent would be set for the rest of the site
- Lack of footway provision along access road
- The proposal is not farm diversification as the produce sold currently is grown abroad
- Traffic movements will be compressed into a working day
- The proposal does not address the blind corner outside Fieldgrove Cottage and others
- Previous resurfacing of the lane was badly carried out using unsatisfactory materials
- A boundary hedge to be augmented lies outside the application site
- The site will become a target for local criminals
- Plan no 3 shows 63 parking spaces, not 61 and the security gates are missing
- One of the greenhouses to remain in use is derelict and overgrown
- The application form is flawed in that it states there are no trees
- There could be advertising placed at the junction, obscuring visibility

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The proposal stands to be assessed against the policies listed above in the light of all material considerations. Of prime importance is determining whether the proposal is appropriate in the Green Belt.

## 5.2 Green Belt

This application relates to various buildings situated at Willsbridge Nursery. The accommodation comprises four separate units (units 1 –4), with a combined floor area of 2,606 square metres. These units are currently vacant, but have a long established use as a chicken farm. In addition two further units (units 5 – 6) are included within the application. These units are currently used for office / packing / workshop use in association with the adjoining nursery use, that is also operated by the applicants. PPG2 advises that it is appropriate to change the use of existing buildings in the Green Belt as long as the change of use does not harm the open character of the Green Belt. The effect on the openness is examined below, but in principle, the proposal for a change of use of existing buildings in the Green Belt complies with policy.

## 5.3 Effect on the Openness of the Green Belt

Some material benefits to the scheme that will improve the openness of the Green Belt in this locality have been submitted as part of the proposal. The conversion works all take place within the existing buildings. The proposal would not increase the commercial floorspace that presently exists on the site. With regard to the car parking areas shown on the submitted plans, these will all take place within the curtilage of the existing buildings, and will not be visible to views from outside the site. The external effect of the change of use would be limited to these car parking areas. To enhance the appearance of the curtilage of the site, new landscaping, principally comprising new trees and hedging is proposed. A material benefit to the openness of the Green Belt arising from the scheme is the demolition of 4,500 square metres of existing glasshouses and the planting of trees on 1.5 hectares of current commercial nursery land, located to the east of the site. It is considered that these works will improve the visual quality of the surrounding countryside which is designated as part of the Forest of Avon. A condition is proposed to be appended requiring the demolition of the buildings identified on the submitted plans, prior to the first occupation of any building approved by this permission. It is considered that the proposal would therefore not have any harmful effect on the open character of the Green Belt, indeed the removal of some of the buildings is considered to amount to a net gain to the openness of the Green Belt.

## 5.4 Current Use/ Suitability of the Buildings for Conversion

Policy E7 of the South Gloucestershire Local Plan

buildings can be reused for commercial purposes, providing the following criteria are complied with:

- \* The buildings are of permanent construction and structurally sound, capable of conversion without major or complete reconstruction
- \* The buildings are in keeping with their surroundings in terms of character form, bulk and overall design, and
- \* Development, including any alteration or extensions, would not have a harmful effect on the character of the countryside.

Important policy considerations with regard to the conversion of rural buildings within the Green Belt are to ensure that they are of permanent construction and structurally sound. Furthermore, the conversion works should not involve major or complete reconstruction. With regard to the first issue the applicants have submitted a Structural Engineers Report which assesses the condition of the current buildings and the implications of the proposed works. This report concludes that; *“the buildings are sufficiently robust for their existing use and the structure is sufficient for the proposed use of light industrial / storage.*

*Refurbishment of the cladding will improve the diaphragm action of the buildings giving improved lateral stability, as well as protecting the structure from the elements.”* Building Control officers concur with the findings of the report. With regard to the refurbishment works proposed, these are essentially considered to comprise re-cladding and repair works to the existing elevations, together with the introduction of bays to facilitate access to the buildings. These works do not comprise major or complete reconstruction. Indeed it is considered that the works will improve the present visual appearance of the buildings, which will be of some benefit to the appearance of the site within the surrounding countryside. It is considered that the proposal complies with policy E7. The situation regarding the standard of the buildings is not considered to have deteriorated in the last two years to alter this assessment.

#### 5.5 Transportation

The site is an existing farm complex with a number of buildings including glass houses on the site. In terms of traffic generation, vehicular traffic movements from farming activities are low by comparison with the proposal although in this case, some of the buildings have been used for chicken farming business. In addition to normal farming activities on site, there are also number of large glass houses and the previous commercial uses of these included servicing by large vehicles.

5.6 The applicants have provided information that for example live birds would be collected in lorries, 18.5 metres long, chicken food delivered by 8 wheeled 34 ton (gvw) vehicles and removal of litter would be by means of 2.5 metre high roll on roll off bins on lorries. The access lane also serves other existing residential properties within the locality and a nearby scrap yard. Although the site is not as active as before, in planning terms all lawful uses from the site could restart. The existing access to this site is via a private lane that joins an old public highway (unnamed) before linking forming a junction with Keynsham Road. A public footpath also runs along the lane. The existing lane and its junction with Keynsham Road have a number of deficiencies when compared to current highway design standards. The road is narrow at its junction with the main road and as such unsuitable for two-way traffic movements. There is no footway on this lane. Visibility from this access lane onto the A4175, Keynsham Road is substandard in both directions. Forward visibility is also restricted due to the location of the access, on a bend in the road. With those issues in mind, therefore, there would normally be highway objections to any development that would increase traffic onto this road and its junction with the main road. However, with this proposal, mitigating measures have been put forward.

5.7 It is proposed to permanently remove some of the existing buildings, including some of the glasshouses, and the five remaining buildings for commercial purposes. Proposal would involve a reduction of the existing floor area from over 4,000m<sup>2</sup> to 2750m<sup>2</sup>. In traffic generation terms, those converted buildings (for (B1 use) office and light industry units or (B8 use) warehouse units) would increase traffic at this location in comparison with the existing use of the site.

5.8 With regard to the numbers and nature of traffic generated by the proposal it is difficult to be precise about the level of traffic movements because of the many variables involved. There is, however, no doubt that development as proposed would increase above the current level, which is estimated about 20-30 movements a day. It is considered that the nature and volume of traffic to and from the site would partly be self-regulating by way of the existing constraint, i.e. size of the individual buildings to be retained, and partly controlled by the

- planning conditions below. To ensure that traffic movements are kept to minimum, then limits need to be imposed on maximum number of employees as suggested in the condition - limited to 6 employees per unit for units 1 –4 inclusive.
- 5.9 As part of this application, it is proposed to widen the existing road (unnamed) at its junction with Keynsham Road to allow two-way traffic. It is further proposed to provide a footway at 1.2m wide along the existing lane. The road widening and the new footway would be provided on land owned by the applicant, i.e. the land at the property named Valley View, and by removing or relocating the boundary wall and hedge. Because these works would require working on the public highway a S106 legal agreement would be necessary. The passing places and the resurfacing of the access road have been conditioned below. It would be expected that the materials used for the resurfacing would not involve the use of gravel, which could be carried onto Keynsham Road by vehicles and the condition has been worded to ensure this.
- 5.10 It is considered that the result would be that the access road would remain substandard when compared to current design standards. However, on balance with the other benefits arising from the scheme, this is considered to be acceptable as it is considered that the proposed junction works would enhance the existing visibility distances. The widening of the junction from approximately 5 metres up to 8 metres and the improvement in visibility is considered to represent an improvement for all users of the lane. Provision of a new footway would also ensure that safety of pedestrians on the lane is not compromised by any increase in vehicular traffic on the lane as a result of the proposal. It is considered that those combined highway works as proposed (if implemented), would result in some highway benefit for all the existing users of the lane and accordingly there is no highway objection put forward, subject to the condition below limiting employee numbers in each unit, the further limitation within the use class as in the condition below and that applicant entering into the Section 106 Agreement as detailed below. Conditions have been appended to ensure the provision of passing places on the access road, in positions to be agreed; a limitation on units in B1 Class to B1[c] (light industry as opposed to offices which would generate more traffic and last year's changes to the Use Classes Order leave this condition unaffected) and a limitation to the number of employees per building at 6.
- 5.11 Vehicle Parking Standards  
With regard to on site car parking, revised plans have been received which show 37 car parking spaces. This provision is based upon a ratio of 1 space per 75 square metres of floor space. The South Gloucestershire Local Plan parking standards require a maximum of 1 space per 35 square metres for B1 use and 1 space per 200 square metres for B8 use. At the time of the original decision, the B1 standard was 1 space per 30 square metres. Having regard to the mixed use applied for it is considered that the parking available still broadly equates to the ratio of 1 space per 75 square metres, upon which permission was originally approved. The newly adopted parking standard applied to this scheme would still result in the same amount of parking on site to serve the same floor area, and amended plans have not been requested in this regard, since the change is so minor. Parking at an overall ratio of 1 space per 75 square metres is considered to be an appropriate standard, and will provide sufficient car parking for the small scale business uses that are likely to occupy the buildings. The plans upon which the decision was originally made also

show proposed circulation and operational arrangements, which are considered to be satisfactory.

#### 5.12 Residential Amenity

It is considered that the proposal will not cause any significant loss of amenity to residential occupiers within the locality. The site, although recently mainly dormant, has a long history of unconditioned commercial use, which has at times involved vehicle movements by large articulated vehicles. While the site may not be fully used at present, higher levels of activity could be reintroduced under the authorised use of the site. It is considered that the proposed use will have less impact than the previous uses on the site. On the advice of Environmental Protection a condition is suggested, which will ensure there is no undue disturbance to neighbours. The condition relates to hours of operation and deliveries. The suggested hours are Mondays to Fridays, 8.00am – 6.00pm, Saturdays, 9.00am – 1.00pm, with no operation on Sundays or Bank Holidays. It should be noted that having regard to the fact that units 5 and 6 will remain in association with the existing nursery use, the condition could only apply to units 1 – 4, which are located in the southern corner of the site, some 120 metres from the nearest house. Deliveries are seen as more critical, as the disturbance caused by them could impinge upon residential amenity of those living adjacent to the access. It is considered, however, that if the agricultural use of the site were to be maintained, that work would be likely to begin earlier than the times conditioned below and therefore in terms of operating hours and deliveries, the proposal represents a potential improvement to residential amenity.

#### 5.13 Visual Amenity/ Landscape/ Forest of Avon

The site is situated within an area of sensitive countryside. It is part of the Forest of Avon (as defined by Policy L5 of the South Gloucestershire Local Plan). It is considered that, in its present state, the condition of the site does not contribute positively to its surroundings. The scheme has been designed to be sensitive to its rural location, and where appropriate, positive measures have been introduced to improve the visual amenities of the locality. These measures include the visual enhancement of the current buildings, the introduction of new tree / hedge planting and in particular the removal of 4,500 square metres of existing glasshouses and the dedication of 1.5 hectares to landscape / planting. The landscaping measures have been conditioned below and it is considered that the overall scheme would lead to an improvement in the visual amenity of the site.

## 6. CONCLUSION

- 6.1 The proposal is to change the use of a number of existing units, while the overall scheme involves the demolition of other buildings on the site. It is considered that the overall impact of the demolition of 4,500 square metres of glasshouses would be beneficial to the openness of the Green Belt. The proposal would result in an increase in traffic, but this is considered to be offset by the junction and footpath improvements offered in the whole scheme. The effect on residential amenity of the proposal would be controlled by conditions suggested below, covering noise and working hours, among others. On balance it is considered that the proposal would lead to some minor improvements to the visual amenity of the site, the openness of the Green Belt, Forest of Avon objectives and visibility at the junctions. These are considered to outweigh the detrimental effects which may arise from the change of use and

it is considered that the conditions below would protect residential amenity, while limiting the traffic generation potential of the site.

- 6.2 It is considered that the proposal the proposal is the same as originally approved and that changes to the relevant policies since the original Committee decision are minor and would not change the recommendation. It is therefore considered that the proposal is acceptable, subject to the conditions shown and the applicant's entering into the Section 106 Agreement as detailed.

## **7. RECOMMENDATION**

- (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:
- i. Provide junction and road widening of the existing access lane;
  - ii. provide a 1.2m minimum wide new footway along the frontage of the property known as Valley View; and
  - iii. connect that footway to the existing footway network,
  - iv. with all works to be designed and constructed by applicant to the full satisfaction of the Council, and that
  - v. the land for road/junction widening and that for the new footway is to be dedicated for highway purposes.
  - vi. The reason for this Agreement is:
  - vii. To mitigate against the increase in traffic generated by the proposal and improve road safety.
  - viii. And that all junction works are completed prior to the first occupation of any of the buildings.
- (2) That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

### **Background Papers**      **PK03/1604/F**

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

### **CONDITIONS**

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

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Prior to the use hereby approved commencing, the buildings to be demolished as shown on plan 252 08.02 received on 22 October 2003 shall be demolished and their constituent parts removed from the land.

Reason:

In the interests of enhancing the open character of the Green Belt in accordance with policy GB1 of the South Gloucestershire Local Plan.

3. There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason:

To prevent pollution of the water environment in accordance with policy EP1 of the South Gloucestershire Local Plan.

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

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T6, T7 and T12 of the South Gloucestershire Local Plan.

5. The hours of working at Units 1-4 as indicated on the approved plans of the premises shall be restricted to 0800 to 1800 Mondays to Fridays, 0900 to 1300 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, deliveries made to the site and the dispatch of goods from the 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 Policies E5 and E6 of the South Gloucestershire Local Plan.

6. No outside storage shall take place at the premises without the prior consent, in writing of the Local Planning Authority.

Reason:

To protect the open character of the Green Belt to accord with policy GB1 of the South Gloucestershire Local Plan.

7. 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; boundary treatments and areas of hardsurfacing.

Reason:

To protect the character and appearance of the area to accord with Policies D1, L1 and L5 of the South Gloucestershire Local Plan.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased

shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason:

To protect the character and appearance of the area to accord with Policies D1, L1 and L5 of the South Gloucestershire Local Plan.

9. Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 and the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting those Orders with or without modification) the premises to be used under Use Class B1 shall not be used for any purpose other than Class B1(c) nor shall any part of the land within the blue line shown on the plan received by the Council on 9th February 2007 revert to its previous horticultural use.

Reason:

To prevent separate uses arising which may be inappropriate or over-intensive in traffic generation terms and to accord with Policies E5, T12 and E6 of the South Gloucestershire Local Plan.

10. The number of employees per building shall not exceed 6.

Reason:

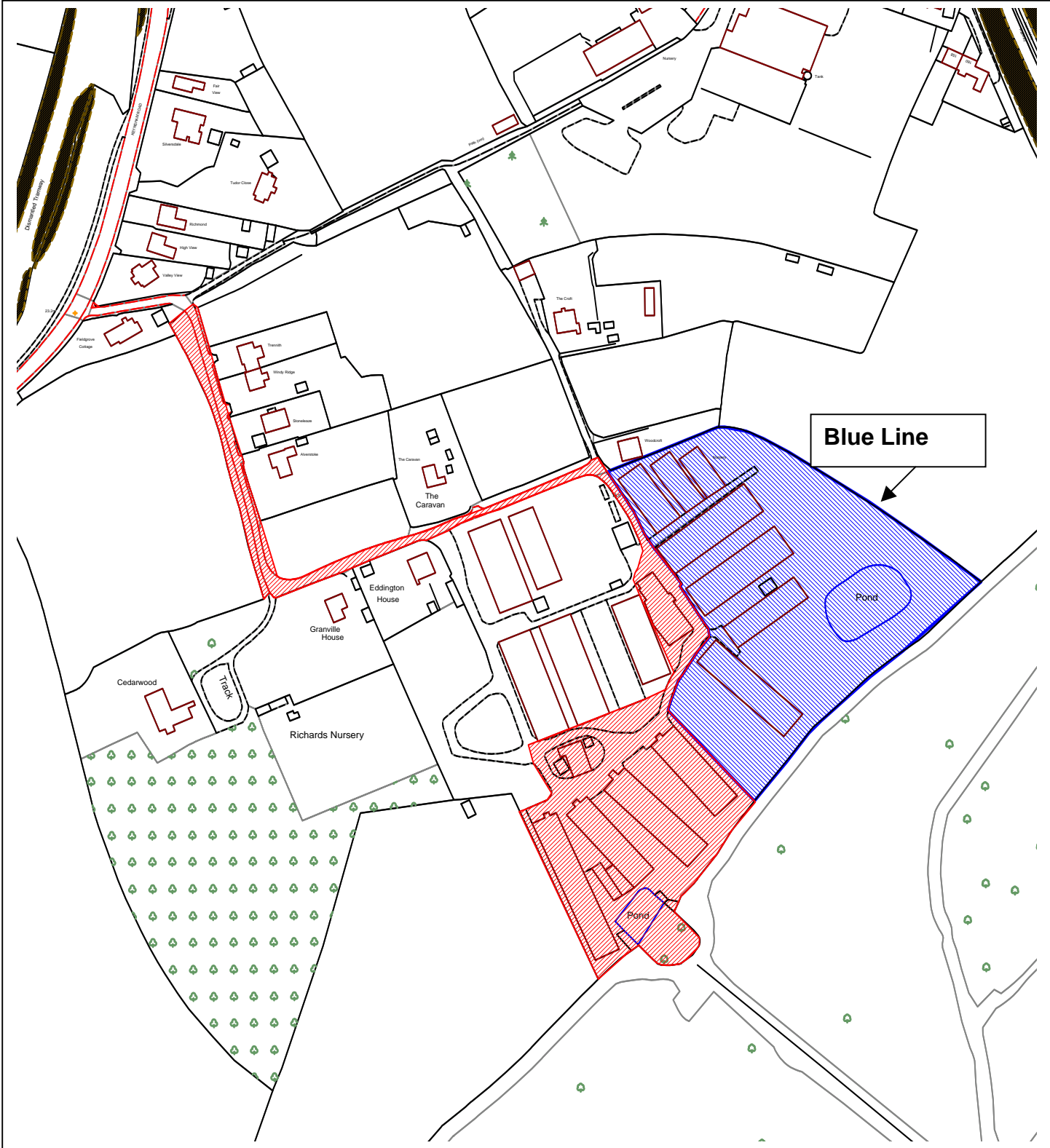
To prevent over-intensive employment in traffic generation terms and to accord with Policies E5 and E6 of the South Gloucestershire Local Plan.

11. The development hereby permitted shall not be occupied nor the use commenced until the access road has been resurfaced to the satisfaction of the Local Planning Authority and two passing bays, 50 metres apart, have been provided in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan.





This copy has been produced specifically for Map Return Scheme purposes.  
**No further copies may be made.**  
© South Gloucestershire Council 2006. All rights reserved.  
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
100023410, 2006.

**PK03/1604/F**  
**Land at The Nurseries Willsbridge, South Gloucestershire, BS30 6EJ**

CIRCULATED SCHEDULE NO. 07/07 – 16<sup>TH</sup> FEBRUARY 2007

<b>App No.:</b>	PK06/3197/F	<b>Applicant:</b>	Mr A Seymour
<b>Site:</b>	33 Grassington Drive Chipping Sodbury BRISTOL South Gloucestershire BS37 6HW	<b>Date Reg:</b>	1st November 2006
<b>Proposal:</b>	Erection single storey front extensions and erection of pitched roof over existing attached garage.	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	72345 82002	<b>Ward:</b>	Chipping Sodbury



© South Gloucestershire Council 2006. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2006.

## **INTRODUCTION**

This application has been referred to the Circulated Schedule following objections to the proposed scheme being received from a local resident.

### **1. THE PROPOSAL**

- 1.1 This application concerns a 1970's substantial dwellinghouse located within a cul-de-sac to the west of Chipping Sodbury. The dwelling is of an unusual form with high eaves and a recessed section, which along with the fenestration, gives a deliberate unbalanced front elevation. Houses of similar design and scale lie adjacent to the site and elsewhere within Grassington Drive and it is noted that abutting the southern boundary is a public footpath.
- 1.2 Since submission the proposed scheme has been amended, for it was considered that due to the number of elements proposed, the level of integration overall was not as successful as it should be. Therefore as previously proposed, the first floor side extension and single storey rear extensions were deleted from the scheme and the level of extension to the front was increased, so along with the previously proposed front extension to the garage, a modest front extension (1 metre depth from main front building line) spanning the width of the elevation is proposed.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
H4 Development within Existing Residential Curtilages including Extensions
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Advice Note 2 – *“House Extensions”*

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

- 3.1 Erection of two-storey side extension to form additional living accommodation. Erection of front porch canopy: Refused 18/05/06 for the following reasons:
1. The proposed extension, by reason of its size, design and external appearance, would be out of keeping with the existing dwellinghouse and other nearby properties and, if allowed, would detract from the visual amenities of the locality. The proposal is therefore considered contrary to Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.
  2. The proposed development, if permitted would reduce the existing off-street parking and would give rise to increased on-street parking to the detriment of highway safety. The proposal is therefore considered contrary to Policies

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

- 4.1 Sodbury Town Council  
No objection

##### **Other Representations**

- 4.2 Local Residents  
1no. consultation response was received to the original scheme which made the following summarised comments:  
The proposed scheme would bring the full-height end wall of the house close to a neighbour's house and garden creating an oppressive feature; and  
The proposed scheme would block light and aspect from a neighbour's house

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

- 5.1 Principle of Development  
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to existing dwellings subject to criteria relating to scale and design, highways, and impact upon visual and residential amenity.

- Design/ Visual Amenity  
5.2 Following the revisions made to the proposed scheme, it is now considered that the proposed additions are of an appropriate simple design according with the characteristics of the main dwelling house and surrounding properties. The additions will also incorporate materials to match those of the original dwelling, and are suitably subservient aiding its integration with the built form. In this context, therefore, the addition is considered visually acceptable.

- Residential Amenity  
5.3 Following the omission of the first floor extension over the garage, the concerns of the neighbouring residents are considered to no longer apply. Therefore as now proposed, it is considered that this proposal would not impact upon the amenities of any of the adjoining properties, for its scale and design ensure that the proposal would not have an overbearing impact on the surrounding properties nor result in an impact upon their existing privacy levels.

It is therefore considered that the proposal is in line with both local and national policy for development of this type in this location

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

## **7. RECOMMENDATION**

- 7.1 Planning permission is to be APPROVED subject to the following conditions.

### **Background Papers      PK06/3197/F**

**Contact Officer:    Robert Nicholson**  
**Tel. No.                01454 863536**

## **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 extensions 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 shall be inserted at any time in the elevations of the extensions hereby approved.

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. 07/07 – 16<sup>TH</sup> FEBRUARY 2007**

<b>App No.:</b> PK06/3610/F	<b>Applicant:</b> Mr M Dowding
<b>Site:</b> Land at Rear 1 Cleeves Court Court Farm Road Longwell Green BRISTOL South Gloucestershire BS30 9AW	<b>Date Reg:</b> 14th December 2006
<b>Proposal:</b> Change of use of land from agricultural to the keeping of horses. Erection of temporary field shelter for 2 no. horses for a temporary period of 12 months. (Retrospective).	<b>Parish:</b> Hanham Abbots Parish Council
<b>Map Ref:</b> 65764 70472	<b>Ward:</b> Longwell Green



© South Gloucestershire Council 2006. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2006.

## **INTRODUCTION**

This is a major application, which under the current Council scheme of delegation must appear on the Circulated Schedule. Objections have also been received from Hanham Abbots Parish Council and local residents, which are contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application site is a 10 acre (4.05 ha) field, laid to grazing and situated immediately to the south of the urban area on Court Farm Road, Longwell Green. The site lies within the designated Green Belt and is bounded to the south by PROW PHA33. Vehicular access is via a driveway from Court Farm Road at the end of which are two recently erected houses known as nos.1 & 2 Cleeves Court (see PK05/0010/F); the applicant lives in no.1.
- 1.2 The application seeks to change the use of the land for the recreational keeping of horses. It is also proposed to retain a temporary field shelter that has been erected within the field. The field shelter measures 7.3m long x 3.6m wide x 2.4m high and is a pre-fabricated timber structure capable of housing a maximum of two horses with associated food and tack; the horses are owned by the applicant's partner and daughter. The field shelter is constructed from horizontal shiplap boarding with a black bitumen felt roof.
- 1.3 As it is intended to apply for a more permanent stable block on the site, the applicant is prepared to accept a condition to restrict the siting of the temporary field shelter to a 1 year period only.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

- PPS1 - Delivering Sustainable Development
- PPG2 - Green Belts
- PPS7 - Sustainable Development in Rural Areas

#### **2.2 Development Plans**

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

- Policy 2 - Location of Development
- Policy 3 - Landscape Protection
- Policy 16 - Green Belts
- 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
- GB1 - Development within the Green Belt
- 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 relating to the field the subject of this application. The following relates to land immediately to the north, conditions attached to which relate to the field.
- 3.2 PK05/0010/F - Erection of 2no. detached dwellings and 1no. detached garage with associated access and works. Resubmission of PK04/2762/F.  
Approved 21<sup>st</sup> Feb. 2005

### **4. CONSULTATION RESPONSES**

- 4.1 Hanham Abbots Parish Council  
Object on the following grounds:
- The change of use of the land would result in additional vehicle movements in the narrow drive.
  - There is no easy access to bridleways for the horses.
  - Excessive numbers of vehicles accessing and parking on the site.
  - Conditions attached to planning permission PK05/1310/F required enhancement planting in the field, which has not yet been carried out.
  - Temporary field-shelters in the field, which is in the Green Belt, is considered inappropriate.
- 4.2 Councillor Virginia McNab  
No objection in principle subject to:
- Condition to control storage of manure.
  - No riding of horses on the PROW PHA33.
- 4.3 Other Consultees
- 4.4 Wessex Water  
No objections raised.

### **Other Representations**

- 4.5 Local Residents  
3no. letters of objection have been received from local residents. The concerns raised are summarised as follows:
- Existing manure heap is too close to residential properties.
  - Manure should be removed from the field.
  - Will the land remain Green Belt.
  - Will unauthorised uses cease.
  - Will other land be developed for housing.

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

- 5.1 Principle of Development  
In the first instance the proposal must be considered in the light of current Green Belt Policy. Guidance contained in PPG2 states that, the change of use of land or the re-use of existing buildings in the Green Belt is not inappropriate where it would not have a materially greater impact on the openness of the Green Belt than the present authorised use. Furthermore, the construction of new buildings inside the Green Belt is not inappropriate development if it is an



- essential facility for outdoor sport and recreation. Paragraph 3.5 of PPG2 states that essential facilities should be genuinely required for the uses of the land, which preserve the openness of the Green Belt and gives an example of **small stables** as possible essential facilities. This is supported by Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th January 2006, which 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 Green Belt Issues  
Officers must consider whether the development amounts to inappropriate development in the Green Belt and if so, whether there are any very special circumstances sufficient to overcome the presumption against such development. Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 lists the categories of development that would be permitted in the Green Belt, subject to their impact on its visual amenity; this reflects the guidance given in PPG2. The categories listed include essential facilities for outdoor sport and recreation and other uses of land which preserve the openness of the Green Belt and which do not conflict with the purpose of including land in it.
- 5.4 The applicant has indicated that the facility is for the social or domestic use of the applicant's partner and daughter only, who live adjacent to the site. It is intended to keep up to 2 horses in the field shelter with associated feed and tack storage. In order for the development to fall within the category of an essential sporting facility as prescribed in PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006, the stables must be **small**.
- 5.5 Having regard to the massing, height and orientation of the field shelter proposed, officers are satisfied that the building is sufficiently small enough to satisfy the above criteria. The proposal is therefore considered to be an essential sporting facility, which is appropriate development within the Green Belt.
- 5.6 The field shelter is located in an area of attractive open countryside and is unrelated to any other buildings. The stable block is located against a 3-4m high hedge, which screens it from views from the public footpath at the far side of the field to the south. A scheme of screen planting for the houses in Cleeve Court was secured under PK05/0010/F but has yet to be implemented. Officers nevertheless consider that, having regard to its temporary nature, the field shelter would not significantly reduce the openness of this part of the Green Belt or significantly harm its character to the detriment of the visual amenity of the Green Belt.
- 5.7 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.

- 5.8 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. At present muck has been stored in a heap at the far north-eastern corner of the field. During the summer months this proved to be a problem for the occupants of adjacent residential properties, who experienced nuisance from smells, slurry run-off and flies. Whilst the applicant intends to remove this muck-heap, officers consider that a condition to prevent storage of muck within a 40m zone adjacent to the residential properties, is in this case justified. Subject to this condition there are no objections on environmental grounds.
- 5.9 Landscape Issues  
The existing hedgerows would remain in tact and supplementary planting and screen planting within the field has already been secured by a landscape condition attached to PK05/0010/F. There are no hard-standings proposed, as the field shelter is only a temporary measure pending application for a more permanent stable-block on the site. The applicant will be advised that the existing hedgerow would benefit from layering to improve its screening potential in future years. There are therefore no landscape objections.
- 5.10 Transportation Issues  
The existing authorised use of the land is agricultural which would attract some vehicular traffic along the existing driveway from Court Farm Road. The proposed change of use is for leisure purposes only and the applicant lives in the adjoining property. The applicant's horsebox is currently parked to the side of no.1 Cleeves Court where a turning facility is available. The Council's Highways Officer considers that given the extant use of the site, plus the small number of horses involved (2) the differences in traffic generation between the authorised and proposed use would not be significant. Subject to conditions to limit the number of horses to 2 and prevent any DIY livery or riding school use, there are no highway objections.
- 5.11 Existing Buildings Available for Conversion  
There are no existing buildings on the land that could be converted for the use as a stable.
- 5.12 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 2 horses on the site. The horses would be exercised in the field and are periodically taken off-site for competitions. There is sufficient space in the field for the number of horses proposed and this number could be limited accordingly by condition. A fresh water supply is available on the site.
- 5.13 Ecology  
The field is already used for grazing purposes. There are no ecological objections.
- 5.14 Impact Upon Residential Amenity  
The nearest residential properties are those on the southern side of Court Farm Road, many of which have long rear gardens bordering the Green Belt land to the south. The field has traditionally been in agricultural use and accessed from the existing driveway off Court Farm Road. Subject to conditions to control the storage of manure, the proposed change of use is considered acceptable. The proposed field shelter would be sited some 40m from the nearest residential

garden and would be too far away to have a significant adverse impact on the neighbouring residential property.

#### 5.15 Public Rights of Way

In order to prevent dogs from straying into the field and worrying the horses, PROW PHA33 has been fenced off using a stock proof fence. A path width of 1.6m – 2.0m has been maintained and overhanging branches pruned back. It is not intended to ride the horses along the path. Having considered these measures the PROW Officer has no objection to the proposal.

#### 5.16 Other Concerns Raised

Of the concerns raised by the Parish Council and local residents that have not been addressed above:

- The Green Belt designation will not be affected.
- Previous unauthorised uses e.g. motor-cycle riding and remote controlled car racing, have been investigated by the Council's Enforcement Section and these uses have now ceased.
- Any application for development of the gardens to the rear of properties on Court Farm Road would be determined on their individual merits.
- Temporary mobile field shelters could currently be erected on the site without planning permission.

#### 5.17 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).

#### 5.18 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      PK06/3610/F**

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

### **CONDITIONS**

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

Reason:

To protect the character and appearance of the area, and to accord with Policies GB1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

2. The number of horses kept on the site edged in red shall not exceed [2].

Reason:

In the interests of the welfare of horses, to accord with the guidance of the British Horse Society; and Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. No permanent jumps, additional 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 GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

4. 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 GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5. No waste removed from the stables shall be stored within 40 metres of the boundary with any residential property.

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.

6. The temporary stable hereby approved shall be removed from the land no later than one year from the date of this decision notice.

Reason:

This is a one year temporary consent only and to protect the character and appearance of the area, and to accord with Policies GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. 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 GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. Details of any external illumination shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To protect the character and appearance of the area, and to accord with Policies GB1, L1 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

**CIRCULATED SCHEDULE NO. 07/07 – 16<sup>TH</sup> FEBRUARY 2007**

**App No.:** PK06/3682/F  
**Site:** 7 Horseshoe Lane Chipping Sodbury  
 BRISTOL South Gloucestershire BS37  
 6AP  
**Proposal:** Erection of rear conservatory. Extension  
 to existing wall to a maximum height of  
 3.1metres.  
**Map Ref:** 72562 82128

**Applicant:** Mr P Chester  
**Date Reg:** 22nd December  
 2006  
**Parish:** Sodbury Town  
 Council  
**Ward:** Chipping Sodbury



© South Gloucestershire Council 2006. All rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2006.

**N.T.S**

**PK06/3682/F**

## **INTRODUCTION**

This application has been referred to the Circulated Schedule, as the proposal is involving a member of staff.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a conservatory to the rear of the existing dwelling at No. 7 Horseshoe Lane, Chipping Sodbury. The proposed conservatory would have a maximum depth of 2.1 metres, a maximum width of 4.4 metres and a maximum height to the ridge of 3.1 metres. The proposal is also to raise the height of an existing side boundary wall to 3.1 metres.
- 1.2 The application site consists of a new semi-detached dwelling erected in a traditional style within Chipping Sodbury Conservation Area. There is a stonewall in the garden that is historic and forms part of the traditional burgage plots. The dwelling is close to a number of listed buildings.

### **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  
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings  
L12 Conservation Areas
- 2.3 Supplementary Planning Guidance  
Kingswood Advice Note 1: Altering Your Home  
Kingswood Advice Note 2: House Extensions

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

- 3.1 PK05/0419/F Erection of 2 No. dwellings with car parking and associated works.  
Approved subject S106 June 2005
- 3.2 PK05/2269/F Erection of rear conservatory at No. 6 Horseshoe Lane  
Approved 25.09.06

### **4. CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council  
No Objection

## Other Representations

- 4.2 Local Residents  
None Received

## 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 providing a number of criteria relating to design, scale, highway and impact upon visual and residential amenities are met. Policy L12 allows for development within a conservation area providing it would preserve or enhance the character or appearance of the area.

### 5.2 Design/Visual Amenity

The proposed extension meets an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The property is one of a newly built pair of semi-detached cottage style houses, which were designed to be in sympathy with nearby listed buildings and to respect the burgage plot layout of the site. The proposed conservatory would be constructed with a painted aluminium glazed framework and a lean-to glass roof. Part of the proposal is to raise the height of the existing stone boundary wall. It should also be noted that planning permission was recently granted for a similar conservatory at the adjacent property, No. 6 Horseshoe Lane.

It is considered that the design of the conservatory is in accordance with the character of the Conservation Area, and would not have a detrimental impact upon the street scene.

### 5.3 Residential Amenity

The extension is approximately 2.1 metres deep where the existing boundary walls forms part of the conservatory. There is an existing 1.9 metre high boundary wall dividing the two properties, which would be raised to 3.1 metres. As the proposed conservatory would only be adjacent to a fan light window of No. 6, it is considered that the conservatory and the raised wall would not result in significant overshadowing or overbearing for the neighbouring property.

It is considered that there are no issues of inter-visibility or loss of privacy. Furthermore, 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 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).

### 5.5 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 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**      **PK06/3682/F**

**Contact Officer:**    **Olivia Tresise**

**Tel. No.**                **01454 863761**

### **CONDITIONS**

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

Reason:

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

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

Reason:

To ensure a satisfactory standard of external appearance and to accord with Policy D1, H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 07/07 – 16<sup>th</sup> FEBRUARY 2007**

**App No.:** PK07/0049/LB  
**Site:** 7 Horseshoe Lane Chipping Sodbury  
 BRISTOL South Gloucestershire BS37  
 6AP  
**Proposal:** Erection of rear conservatory.  
**Map Ref:** 72562 82131

**Applicant:** Mr P Chester  
**Date Reg:** 5th January 2007  
**Parish:** Sodbury Town  
 Council  
**Ward:** Chipping Sodbury



© South Gloucestershire Council 2006. All rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2006.

**N.T.S**

**PK07/0049/LB**

## **INTRODUCTION**

This application has been referred to the Circulated Schedule, as the proposal involves a member of staff.

### **1. THE PROPOSAL**

1.1 The proposal seeks listed building consent for the erection of a conservatory at the rear of no. 7 Horseshoe Lane, Chipping Sodbury. The property is located within the Chipping Sodbury Conservation Area and the existing wall which would provide support to the eaves side of the conservatory, is a curtilage listed burgage plot wall.

### **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 Design  
L12 Conservation Areas  
L13 Listed Buildings

2.3 Supplementary Planning Guidance  
Chipping Sodbury Conservation Area Advice Note

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

3.1 None.

### **4. CONSULTATION RESPONSES**

4.1 Sodbury Town Council  
No comment.

#### **Other Representations**

4.2 Local Residents  
No response received.

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

5.1 Principle of Development  
Policy L14 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that alterations or additions affecting a listed building will 'preserve' the building and its setting.

5.2 Impact upon the listed building  
The property is one of a newly built pair of semi-detached cottage style houses, which were designed to be in sympathy with nearby listed buildings and to respect the burgage plot layout of the site.

The proposed conservatory would be constructed with a painted aluminium glazed framework, a lean-to glass roof, and by raising the height of the existing stone boundary wall.

Officers considered that the design of the conservatory is in accordance with the character of the building and the Conservation Area. Similarly the historic interest of the curtilage listed wall would not be affected by the scheme.

As the existing wall would support part of the proposed conservatory, any excavation for the conservatory or other works would have to be carefully executed to avoid any risks to the stability of the wall and would not alter it. A number of planning conditions are imposed to ensure this is the case.

It is therefore considered that the proposal would not harm the historic interest of the site.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

- 7.1 That listed building consent be granted subject to the following conditions.

### **Background Papers      PK07/0049/LB**

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

### **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 facing natural stonework shall match the existing original stonework in respect of colour, texture, coursing, jointing and 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. No development shall take place until the details of fixing the framework of the conservatory on the existing listed burgage plot wall and the excavation for the conservatory or other works has been submitted to and approved in writing by the Local Planning Authority. Any excavation for the conservatory or other works shall be carefully executed in a manner that would avoid any risk to the stability of the historic burgage plot wall and would not alter it - other than fixing the framework thereto.

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. 07/07 – 16<sup>th</sup> FEBRUARY 2007**

**App No.:** PK07/0074/F  
**Site:** 2a Park Road Staple Hill BRISTOL  
 South Gloucestershire BS16 5LD

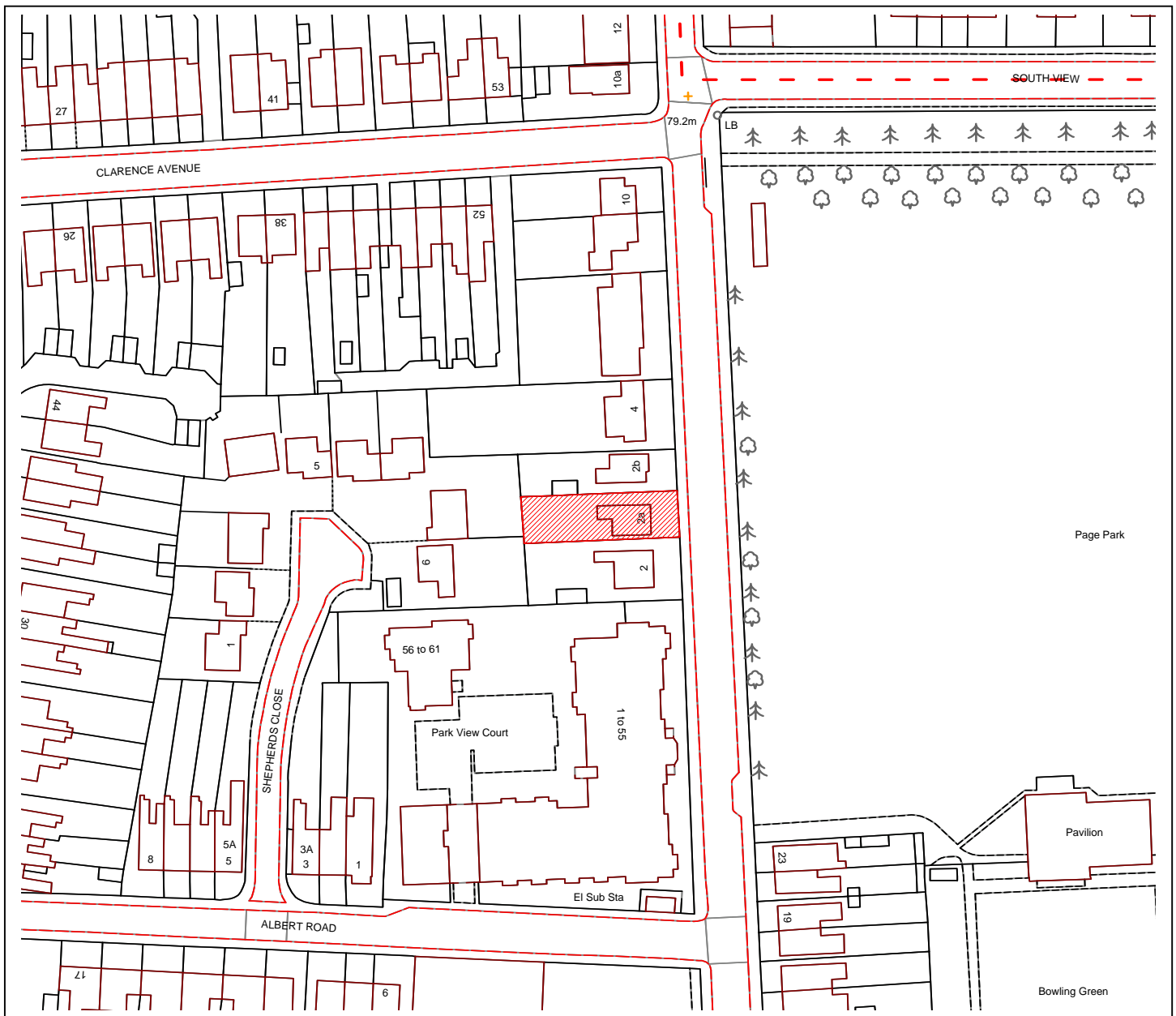
**Applicant:** Mr B Goodman-King  
**Date Reg:** 9th January 2007

**Proposal:** Erection of single storey rear extension and side conservatory to provide additional living accommodation. Installation of 1 no. front, 1 no. rear and 2 no. side dormer windows to facilitate loft conversion.

**Parish:**

**Map Ref:** 65316 76075

**Ward:** Staple Hill



© South Gloucestershire Council 2006. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2006.

## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to the receipt of a local resident's objection.

### **1. THE PROPOSAL**

- 1.1 This is a full planning application for the erection of a single storey rear extension and a side conservatory at No. 2a Park Road, Staple Hill. The proposal also includes the installation of dormers to facilitate loft conversion.
- 1.2 The proposed rear extension would measure 5.2 metres deep (maximum) by 6.5 metres wide and 3.5 metres high, and the proposed conservatory would measure 2.1 metres wide by 10.3 metres long and 3.5 metres high. In addition, each elevation would have a dormer.
- 1.3 The property is a two-storey detached dwelling and is located within a residential area of Staple Hill. The area is characterised in the main by a group of two-storey dwellings fronting the public highway.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG13	Transport

#### **2.2 Development Plans**

##### Joint Replacement Structure Plan

Policy 1	Principles of Sustainable Development
----------	---------------------------------------

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

D1	Design
T12	Transportation Development Control Policy for New Development
H4	Development within existing residential curtilages

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

Advice Note No 1	Altering you home
Advice Note No 2	Extension

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

- 3.1 None.

### **4. CONSULTATION RESPONSES**

#### **4.1 Parish/Town Council**

The site does not fall within a parished area.

#### **Other Representations**

#### **4.2 Local Residents**

One objection letter was received and the local resident raised the following issues:

- Unable to maintain the boundary fence
- Loss of natural light
- Loss of privacy due to its close proximity.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for garages and extensions to existing dwellings and development within existing curtilages, subject to there being no adverse impact on existing visual and residential amenity. In addition, the proposal would not prejudice highway safety and the retention of an acceptable level of parking provision.

### 5.2 Visual Amenity

The proposal is to erect a single storey rear extension, a side conservatory and to install a number of dormers on the existing roof plane.

The principal building is a two-storey hipped roof detached dwelling. The proposed extension and conservatory would have a hipped roof to match the roof design of the host building. A small dormer is proposed in the front elevation and it would set down. A dormer is proposed in both side elevations and rear elevation. Although they are of different design, they are all set down and set back from ridgeline. Officers consider that the proposal would not be harmful to the character and appearance of the principal building.

It is considered that the proposed extensions and dormers would be subservient to the principal building. It is therefore considered that the proposal would not be detrimental to the street scene. In addition the proposal would still keep sufficient amenity space and therefore it is considered that the proposal would not result in over development.

### 5.3 Residential Amenity

On the proposed conservatory and rear extension, no windows are proposed in the side elevation apart from a number of roof lights, and other proposed windows would look over its garden.

With regard to the proposed dormers in the loft, a landing window is proposed on the north side elevation and a number of high level windows are proposed on the south side elevation. The proposed front dormer window would look over Park Road, and the proposed rear dormer window would look over its rear garden. In this instance, it is considered that the proposal would not cause significant loss of privacy to the neighbouring properties.

With regard to the proposed rear extension, although the extension would be more than 3 metres deep, the extension would be approximately 2.5 metres away from the main building line of the neighbouring property, No. 2, which also has a rear extension. It is therefore considered that the rear extension would not have a detriment impact upon the adjacent property.

A local resident is concerned about the potential adverse impact caused by the proposed conservatory, which would be approximately 2.3 metres away from a kitchen window of the neighbouring property, No. 2b. Although the



conservatory would be located in front of the neighbour's kitchen window, it would be single storey structure and its eaves height would be approximately 2.5 metres. In this instance, it is considered that the conservatory would not cause significant overbearing impact or loss of light to warrant a refusal of this application.

With regard to the maintenance of boundary fence, it would be an onus for the applicant and the adjoining owners to resolve the issues.

#### 5.4 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).

#### 5.5 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 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**      **PK07/0074/F**

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

## **CONDITIONS**

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

Reason:

To comply with the requirements of Section 91 of the Town 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 a satisfactory standard of external appearance and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

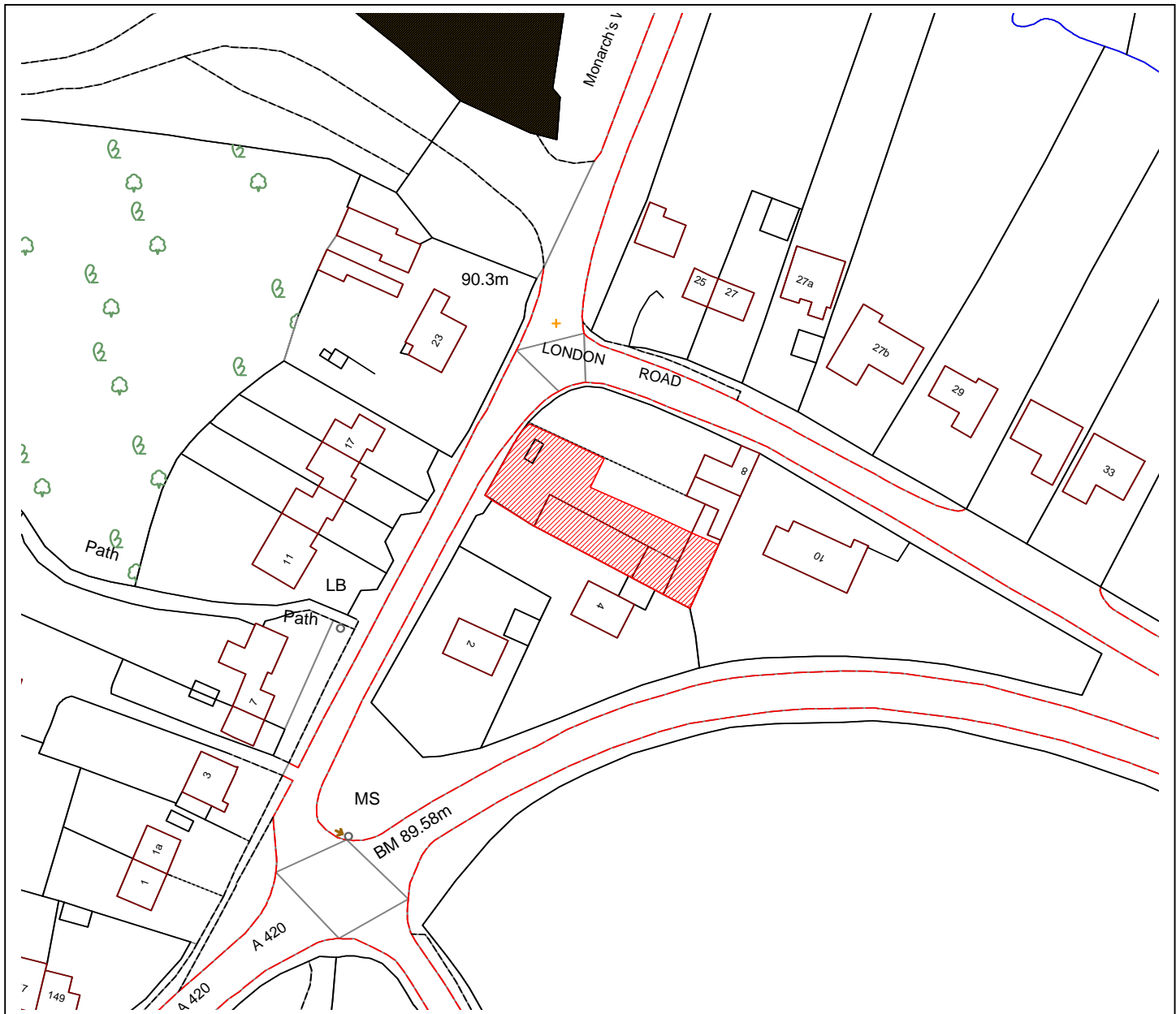
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevations of the property.

Reason:

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

**CIRCULATED SCHEDULE NO. 07/07 – 16<sup>TH</sup> FEBRUARY 2007**

<b>App No.:</b> PK07/0101/F	<b>Applicant:</b> S. T. Bishop & Co
<b>Site:</b> 6 London Road Wick BRISTOL South Gloucestershire BS30 5SJ	<b>Date Reg:</b> 11th January 2007
<b>Proposal:</b> Retention of roof as built with roof lights inserted & removal of Condition 02 attached to Planning Permission PK05/0111/F.	<b>Parish:</b> Wick and Abson Parish Council
<b>Map Ref:</b> 71076 72744	<b>Ward:</b> Boyd Valley



© South Gloucestershire Council 2006. All rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2006.

**N.T.S**

**PK07/0101/F**

## INTRODUCTION

This application is reported on the Circulated Schedule due to the receipt of neighbour objections.

### 1. THE PROPOSAL

1.1 This application seeks planning permission for the retention of 8 rooflights inserted into the roof of a lawnmower repair building. The roof, which replaced a flat roof, was approved in 2005, under reference no. PK05/0111/F. This permission carried a condition stating:

No window other than those shown on the plans hereby approved shall be inserted at any time in the north-facing roof slope of the building, unless the Local Planning Authority gives consent in writing to any variation.

The reason for this condition was 'to protect the amenity of neighbouring occupiers and to accord with policy E2 of the South Gloucestershire Local Plan (Revised Deposit Draft).

1.2 The rooflights inserted are 6, approximately half way up the north-facing roof slope and 2 on the south-facing roof slope in approximately the same position relative to the eaves and apex. The site lies within the village development boundary of Wick and in the Green Belt.

1.3 It would appear that the roof has been built in compliance with plans submitted to Building Control section, rather than those approved under PK05/0111/F, under planning legislation. Since the condition sought to be removed would have the same effect as approving planning permission for the retention of the roof as built and the removal of the condition has not expressly been sought by the applicant, it is considered that the proposal would result in a variation to the condition, rather than its removal. This issue is analysed below.

1.4 Given that the condition was applied in the first instance in order to protect the amenity of surrounding residents, the position of dwellings which would be affected, relative to the site, is as follows: No. 4, to the south of the site, has a front garden which runs parallel to the building which has recently had its roof replaced. No. 8 London Road has its side garden on the same axis, but is separated by the site by the front garden of No. 6, which is in the ownership of the applicant. The front garden of No. 8 is 7 metres from the side of the building on site, at the closest point. It should be noted that this side garden is the only amenity space owned by No. 8.

1.5 The rooflights have been annotated 1-8 on the submitted plans.

### 2. POLICY CONTEXT

2.1 National Guidance  
PPS1 Delivering Sustainable Development

2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
E3 Employment Development  
GB1 Green Belt

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

- 3.1 P87/3069 Erection of single storey rear extension to workshop approval 17-FEB-1988
- 3.2 P90/1039 Erection of extension to existing horticultural engineers to provide covered area to give weather protection to horticultural equipment. (in accordance with the additional plans received by the council on the 2nd April 1990) approved 25-Apr-1990
- 3.3 PK03/1208/F Change of use of residential curtilage for parking for horticulture business. Erection of first floor extension. Refused
- 3.4 PK04/1905/F Change of use of residential curtilage for parking for horticulture business. Erection of first floor extension. (resubmission) Refused
- 3.5 PK05/0111/F Construction of pitched roof to replace flat roof Approved

### **4. CONSULTATION RESPONSES**

- 4.1 Wick Parish Council  
No reply received

#### **Other Representations**

- 4.2 Local Residents

Seven replies were received within the consultation period, all objecting to the proposal and raising the following concerns:

- Overlooking from rooflights in front door of adjacent property (problem could be overcome by mounting the rooflights higher on the roof)
- Loss of privacy from rooflights in the south side of the roof into bedroom and garden
- When lights are lit, it could cause a distraction for drivers
- Artificial lighting should be adequate for storage, offices and toilets
- A door was added in the eastern elevation and rendered over. If exposed, it would overlook bedroom windows
- The site will at some stage be turned into a residential property

The last three points raised are not planning issues for the determination of this application.

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

- 5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. There are three issues to be examined, the effect of the windows on residential amenity of nearby occupiers, the visual amenity of the building, in that the rooflights were not assessed in the determination of the original planning application. Lastly is the issue of whether condition 2 should be removed or not. The Green belt designation of the site is not considered to play any part in this proposal.

- 5.2 Residential Amenity

Two factors must be borne in mind with this proposal, the use of the roof area of the building on site and the distance from the site to the nearest residential properties, both habitable rooms and garden areas, which would be affected. The building is used for mower repairs, while the roof space is used for storage and offices which are ancillary to this use. Therefore, these areas will be in use

during working hours only. There are issues of overlooking and intervisibility due to the relatively low position of the rooflights on the roof slope so that those employed at the site would be looking out. It is acknowledged that this would occur at times when those in the roof area would be expected to be working.

The applicant's agent has offered to re-locate the rooflights at a higher position on the roof slope, in line with the suggestions from some objectors. While it is considered that this step could overcome part of the identified problem, it would not be sufficient. The agent has also offered to install obscured glazing in place of the existing and fix some of the windows shut. It is considered that both suggested solutions, in tandem, would overcome any level of overlooking and intervisibility from the site. This latter measure, it is considered, would lead to what is effectively a roof structure with no overlooking occurring, which would be close to functioning the same way as the scheme approved in 2005. This is subject to the visual amenity analysis below. Rooflight 4 is located above a flight of stairs giving access to the roof area. As such, it is considered that this window should be obscure glazed but it is not necessary for it to be fixed shut, as it would not be possible to gain a view through it. This would allow for some air circulation into the roof space.

### 5.3 Visual Amenity/ Effect on Street Scene

It is considered that the rooflights in their present position do not harm visual amenity. They are arranged in a row, on the northern slope and a pair on the south, at a similar height in each roof slope and are largely symmetrical in respect of their alignment and position on the roof, half way up the slope. In visual terms, the insertion of the rooflights plays a small part in breaking up a relatively large expanse of roof slope. It is considered that inserting the rooflights at a higher position on the roof slope would not retain the existing symmetry and would therefore have a detrimental impact on visual amenity.

### 5.4 Condition 2 of PK05/0111/F

Regarding the removal of this condition, it is considered that it should remain in place to ensure that no further windows are inserted into the roof slopes of the building. The opportunity remains for the applicant to apply to the Local Planning Authority for any additional windows in order to comply with the condition, but these would have to be assessed against the reason for applying the condition (see 1.1 above). It would therefore be likely to be required to be obscure glazed and fixed shut as well. Without the condition in place, it would be open to the applicants to insert any other windows in the roof slopes. It is therefore considered that the condition meets the tests in the Circular, in that it is relevant, reasonable, enforceable and related to planning.

### 5.5 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).

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

## **7. RECOMMENDATION**

7.1 That planning permission is approved for the retention of the rooflights as inserted, subject to the conditions below that all the rooflights are obscure glazed and that numbers 1, 2, 3, 5, 6, 7 and 8 on the approved plans are fixed shut.

**Background Papers**      **PK07/0101/F**

**Contact Officer:**    **Chris Gosling**

**Tel. No.**                **01454 863787**

## **CONDITIONS**

1. Within six weeks of the date of this approval, the rooflights shown on the approved plans shall be fitted entirely with obscure glazing and retained in such a condition thereafter.

Reason:

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.

2. Within six weeks of the date of this approval, rooflights 1, 2, 3, 5, 6, 7 and 8 shown on the approved plans shall be sealed in a closed position and permanently retained in such a condition thereafter.

Reason:

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. 07/07 – 16 FEBRUARY 2007**

<b>App No.:</b> PT06/2781/LB	<b>Applicant:</b> Mr A R Weeks
<b>Site:</b> The Coach House Chapel Road Oldbury-on-severn BRISTOL South Gloucestershire BS35 1PL	<b>Date Reg:</b> 28th September 2006
<b>Proposal:</b> Conversion of existing outbuilding to residential dwelling.	<b>Parish:</b> Oldbury-on-Severn Parish Council
<b>Map Ref:</b> 61193 92468	<b>Ward:</b> Severn



© South Gloucestershire Council 2006. All rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2006.

N.T.S

PT06/2781/LB



## **INTRODUCTION**

The application appears on the Circulated Schedule following four objection letters.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the conversion of an existing outbuilding to a residential dwelling.
- 1.2 The application site relates to a single storey building with a gable end roof. The building was originally built as a detached outbuilding providing additional residential accommodation used in connection with main dwelling; it provided garaging space, store and workshop. The building is finished with red brick, with a tiled roof.
- 1.3 It should be noted that this application is for Listed Building Consent and matters related to the listing are only considered in determining this application. The full planning application PT06/2777/F was considered and recommended refusal under delegated authority, with an objection raised on Flood Risk grounds.

### **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
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Consultation Draft)

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

- 3.1 PT06/2777/F Conversion of existing outbuilding to residential dwelling. Recommended refusal
- 3.2 PT04/2839/LB Erection of single storey extension to form kitchen. Approve
- 3.3 PT04/2838/F Erection of single storey side extension to form kitchen. Approve
- 3.4 P91/1706 Conversion of stable and barn to form dwelling, with associated garage and workshop facilities. Approval

### **4. CONSULTATION RESPONSES**

- 4.1 Oldbury-On-Severn Parish Council  
The Parish Council object to these applications unless any conditions relating to previous planning permissions for the whole site are adhered to or valid reasons given for not doing so.

#### 4.2 Listed Buildings Officer

No objection

#### 4.3 Local Residents

Four letters of objection have been received, in relation to this application and the associated Planning application:

- The proposal is outside the defined settlement area
- Proposal is contrary to Section 106 agreement
- Proposal affects a public right of way
- A new garage within a listed building site is out of character, would appear cramped
- Windows overlooking footpath
- Highway concerns, increase risk of accidents, sharing drive
- Concern over flood risk
- Additional strain on sewerage system
- Cost of land value would be altered, which would need to be taken into account
- Noise and disturbance of traffic past The Willows

The above comments are only relevant to the full planning application. The concern over the new garage within the listed building curtilage is related to Listed Building assessment. In respect of the garage, this was removed from the proposal prior to registration and as such does not form part of the application.

### 5. ANALYSIS OF PROPOSAL

#### 5.1 Principle of Development

Policy L13 seeks to ensure that development is only permitted where the integrity of the Listed Building is retained, and the character and historic nature of the building is safeguarded.

The existing outbuilding measures 32 metres in length, with a width of 6.5 metres, it is wholly single storey. The building is faced in red brick with double clay roman tiles. The proposed conversion would not increase the size of the building, alterations are limited to changes in the doors and fenestration details. There is one additional window, which has been traded with another opening that is proposed to be removed. On the south elevation an original opening would be restored. Overall it is considered that the proposed changes respect the existing character and appearance in compliance with local plan policy.

No objection has been raised by the Councils Listed Building Officer. The Building is a curtilage listed former farm building, originally associated with Rook Farm. It is considered that the proposed works would not harm the integrity of the Listed Building, and as such is a suitable development. It is considered necessary to apply a condition should the application be approved relating to detailed proposals of the structural work, large scale details of the finishes for the proposed dwelling, and sampling of materials to be used.

#### 5.2 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).

### 5.3 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 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**      **PT06/2781/LB**

**Contact Officer:**      **Charlene Baker**

**Tel. No.**                      **01454 863819**

### CONDITIONS

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

Reason(s):

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 detailed specification for the repairs, including the proposed structural works, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval. The specification shall include details of the extent of proposed replacement of historic fabric. No works shall be commenced until the Council has given written approval for the submitted details, and the works shall be constructed exactly in accordance with the details so approved.

Reason(s):

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. Notwithstanding the submitted details, prior to the commencement of the works hereby approved, large scale details of the following, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval.

- a)Flues and vents
- b)Rainwater goods
- c)The internal wall finishes
- d)Eaves, verges and ridges,
- e)Windows and doors (including finishes)
- f)Roof and wall insulation

No works shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason(s):

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. Prior to the commencement of the works hereby approved a samples of any additional tiles and bricks shall be submitted to the Council for approval. No works shall commence until; the Council has given written approval, and, the materials used shall comply exactly with the details so approved. For the avoidance of doubt the tiles are to be handmade second hand natural clay tiles, matching the original in colour, profile and texture, and verges to be bedded on natural slate undercloaks. The bricks shall be secondhand imperial bricks matching the original in size, colour and texture

Reason(s):

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. Prior to the commencement of the works hereby approved, large scale details (in respect of which approval is expressly reserved) of the internal joinery including doors, doorcases, and skirtings shall be submitted to the Council for approval. No works shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason(s):

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.

6. Prior to the commencement of the works hereby approved, sample panels of any proposed repointing shall be erected on site, for approval by the Council. No works shall be commenced until written approval has been given by the Council, and the repointing and new floors shall be constructed exactly in accordance with the samples so approved.

Reason(s):

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.

- 7 Prior to the commencement of the works hereby approved, full details of proposed external lighting (in respect of which approval is expressly reserved) shall be submitted to the Council for approval. No works shall be commenced until the Council has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

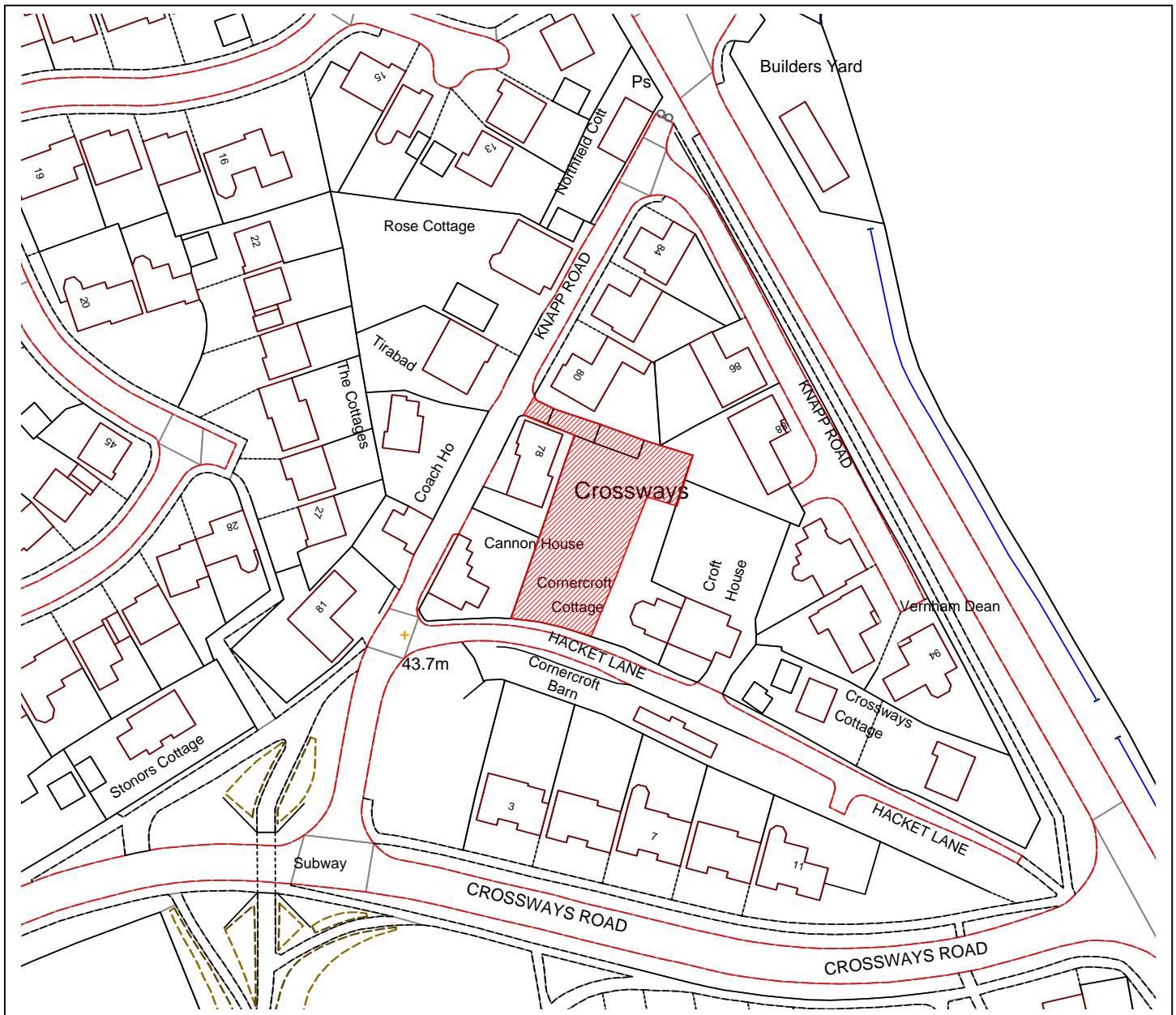
Reason(s):

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. 07/07 – 16 FEBRUARY 2007**

**App No.:** PT07/0115/F  
**Site:** Corner Croft Hacket Lane Thornbury  
 BRISTOL South Gloucestershire BS35  
 2HH  
**Proposal:** Erection of 2no. dwellings with garages  
 and associated works. (Resubmission of  
 PT06/2994/F)  
**Map Ref:** 64968 90366

**Applicant:** Hacket Homes Ltd  
**Date Reg:** 16th January 2007  
**Parish:** Thornbury Town  
 Council  
**Ward:** Thornbury North



© South Gloucestershire Council 2006. All rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2006.

## **INTRODUCTION**

This report appears on the Circulated Schedule as there have been objections to the proposed development where the officer recommendation is one of approval.

### **1. THE PROPOSAL**

- 1.1 The site consists of the part of the existing curtilage associated with Corner Croft Cottage. Existing vehicular access to the site is available from Knapp Road. There is also a field gate giving access into the site from Hacket Lane
- 1.2 This application seeks approval of the construction of two semi-detached dwellings fronting onto Hacket Lane, and the construction of garages to the rear of the proposed dwellings with vehicular access onto Knapp Road.
- 1.3 There is a Tree Preservation Order on this site, which affects an Oak tree located to the far South West corner of the site.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing

#### 2.2 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, Including Residential Institutions and Special Needs Accommodation, within the Development within Existing Residential Curtilages, including Extensions and New Dwellings
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

#### 2.3 Supplementary Planning Guidance

Draft South Gloucestershire Design Checklist September 2006.

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

- 3.1 PT03/1263/O Erection of two dwellings (outline).  
Approved 16<sup>th</sup> June 2003
- 3.2 PT04/1543/RM Erection of Two Detached Dwellings.  
Withdrawn
- 3.3 PT05/0709/F Erection of two semi-detached dwellings with associated garages and alterations to access  
Approved (DC West 5th January 2006)
- 3.4 PT06/2994/F Erection of two detached dwellings with associated garages and alterations to access  
Withdrawn by applicant

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

4.1 Thornbury Town Council  
No Objection

4.2 Sustainable Transport

The proposal provides adequate parking and turning for both new and the existing dwelling. Subject to a condition prohibiting the partition of this area there is no transportation objection to this proposal

4.3 Local Residents

One letter and one email have been received during the consultation process associated with this planning application. The communications raise objections to the proposed development. The relevant comments can be summarised as follows;

The same objections apply to the previous planning applications made in regard to development on this site.

The revised development does not address any of the previous objections made to the development of this site.

The access onto Knapp Road is inadequate to cope with vehicular movements associated with the development.

Due to the narrowness of Knapp Road where there are often cars parked upon the highway, there would be conflict with other road users including walkers, riders and children.

Parking is a problem in the locality during school drop off/pick up times.

The proposed development would affect wildlife on the site. Building works should not take place within the nesting season

The access to the dwellings should be from Hacket Lane

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

5.1 The proposed development consists of the construction of two new semi-detached dwellings, garages and parking, within the curtilage of the Corner Croft Cottage.

5.2 Principle of the Development

Full planning consent (PT05/0709/F) for the construction of two semi-detached dwellings on this site was approved in January 2006, following consideration by the Sites Inspection (West) Sub-Committee on 11 November 2005 and Development Control (West) Committee on 5 January 2006. That planning consent remains current. As such the principle of the proposed development has been established by virtue of the existing consent.

5.3 The objections received from local residents concerning this development reiterate the objections received concerning the previously approved development (PT05/0709/F). The main route of objections relates to the impact of the development upon Knapp Road and its safety and amenity as a



pedestrian through route; its narrow nature and on street parking. These issues were raised with the previously approved development (PT05/0709/F) and formed part of the debate at the Development Control (West) Committee on 5<sup>th</sup> January 2006, where the previous application (PT05/0709/F) was approved. This planning application proposes development that is very similar to the previous approval. The assessment of this application will therefore address the specific merits of this case and whether or not there are material differences between this proposal and the previous approval. These issues are considered below.

5.4 Design, Layout and Residential Amenity.

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design. Policy H2 supports this principle and also seeks to ensure that new residential development would not have a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings.

5.5 This development proposes a very similar development to that which was approved under PT05/0709/F. The differences between this proposal and the previous approval are very subtle and effect only the elevational treatments and the internal layout of the dwellings. The foot print, ridge height and position of the proposed dwellings remain materially the same as the previously approved development. The proposed access, parking and garage building associated with the development is also materially the same as previously approved.

5.6 In this instance it is considered that the scale and visual appearance of the proposed development is well designed. The proposed development is consistent with the character of the area immediately associated with Knapp Lane and Hacket Lane. Essentially, the visual changes proposed by this application are very subtle and would not have a material impact over and above that of the approved development under PT05/0709/F. Similarly, the internal changes to the dwellings have not resulted in any material change in respect of the relationship of the proposed dwellings with the surrounding dwellings, over and above the approved development. Vehicular access and parking arrangements will remain the same as that approved and as such do not present any material impact in residential privacy and amenity terms.

5.7 Having regard to the above it is considered that the development is acceptable in design and amenity terms and is consistent with the requirements of policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.8 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity in the surrounding locality. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the maximum parking standards.

5.9 Objections have been raised as to the highway impact relating to the development of two dwellings upon this site. This issue was addressed as part of the assessment of the approved development under PT05/0709/F. At that time it was considered that the development was acceptable in highway safety terms, provided that the level of on-site vehicle parking and manoeuvring space is maintained. This proposal details identical parking, manoeuvring and access arrangements as that detailed within the approved development of this site. It is

not considered that there have been any material changes within the locality that would render the approved arrangements inadequate. The proposed development therefore details adequate vehicular parking, manoeuvring and access arrangements. An appropriately worded condition, requiring the retention of these facilities as approved can be imposed upon any approval of this planning application.

5.10 Subject to the use of such a condition, the proposed development is considered acceptable in Highway Safety terms and is consistent with the requirements of Policy T12 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.11 Ecological Issues

Concern is raised as to the impact of the proposed development upon wildlife within the site and in particular the potential impact upon nesting birds during any construction of this site.

5.12 Clearly, clearance of this site during construction would involve the removal of trees and shrubs. In particular the development would require the removal of the existing leylandii trees on the frontage of the site with Hacket Lane. There may be nesting birds using these trees. However, this issue is adequately covered by the Wildlife and Countryside Act 1981, which makes it an offence to destroy birds nests during the nesting season. It is therefore appropriate to attach a suitably worded informative, drawing the attention of the developer to the requirements of the Wildlife and Countryside Act. It is not considered appropriate to impose a planning condition that would preclude any development during the bird nesting season.

5.13 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).

5.14 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 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**      **PT07/0115/F and PT05/0709/F**

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

### **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. 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, 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(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 and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

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 and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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 L17 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. 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 T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The screen walls/fences shown on the approved plan shall be erected in the positions indicated before the dwelling houses to which they relate are occupied.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H2 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 any part of the development 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 D1, L1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the commencement of the development hereby approved, fully detailed drawings showing the method by which all trees to be retained (as shown on the approved plan numbered 1537 P001A) including those protected by the Tree Preservation Order (SGTPO5/05) on the site are to be protected during construction works shall be submitted to and approved in writing by the Local Planning Authority. Such Protection shall be implemented prior to the clearance of the site and shall be retained for the duration of the construction works.

Reason(s):

In the interests of the long term health of the trees, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The hours of working on site during the period of construction shall be restricted to 08:30 until 18:00 Monday to Friday and 08:00 until 13:00 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(s):

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy EP4 of the South Gloucestershire Local Plan November 2005 (Adopted).

10. All building materials shall be stored within the site during construction of the development hereby approved and no materials shall be kept on the public highway at any time.

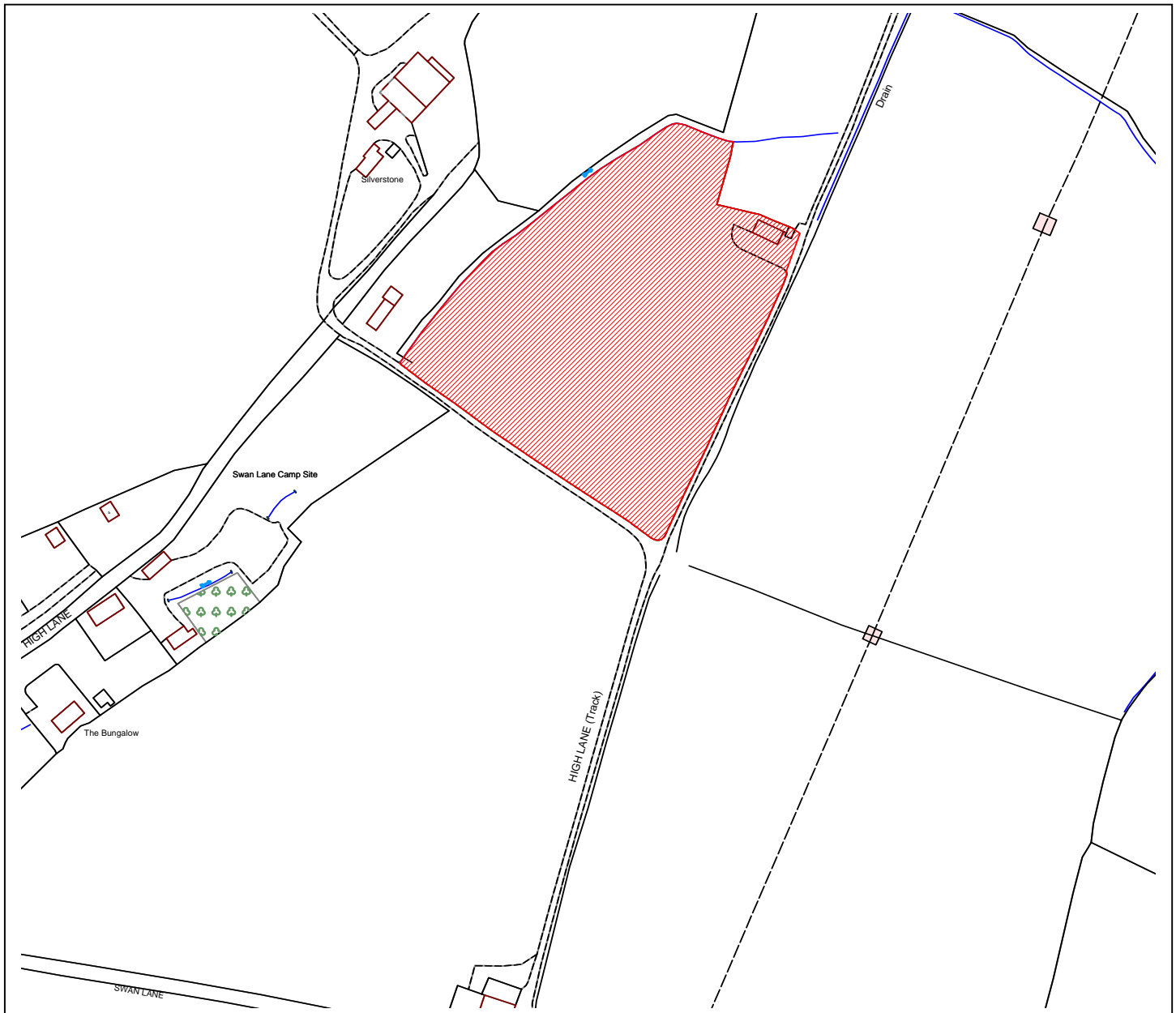
Reason(s):

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

**CIRCULATED SCHEDULE NO. 07/07 – 16 FEBRUARY 2007**

**App No.:** PT07/0180/CLE  
**Site:** Plot 6900, Land at Giddyend, High Lane, off Swan Lane Winterbourne BRISTOL South Gloucestershire BS36 1RH  
**Proposal:** Certificate of lawfulness for the existing use of siting a second mobile home  
**Map Ref:** 64689 81888

**Applicant:** Mr O Ayres  
**Date Reg:** 23rd January 2007  
**Parish:** Winterbourne Parish Council  
**Ward:** Winterbourne



© South Gloucestershire Council 2006. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2006.

N.T.S

PT07/0180/CLE

## **INTRODUCTION**

This application comprises a Certificate of Lawfulness and thus appears on the Circulated Schedule. Further, An objection has been raised by Winterbourne Parish Council in response to the proposal.

### **1. THE PROPOSAL**

- 1.1 The application submitted comprises a Certificate of Lawfulness in respect of the use of a mobile home.
- 1.2 The site is located of High Lane, a track leading to the north of Swan Lane. The sites lies within the open Green Belt outside of the Winterbourne settlement boundary.

### **2. POLICY CONTEXT**

- 2.1 Because the application is a Certificate of Lawfulness the policy context is not directly relevant and therefore the planning merits are not under consideration. The applicant need only prove that on the balance of probabilities the use has taken place for a continuous period of 10 years to the date of this application. This would be the siting and occupation of the mobile home.

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

P95/1763/CL Use of land for the siting of mobile home. Certificate of Lawfulness. (Approved)  
P99/2403 Part time use of land for Paintball games (refused)  
PT01/0983/F Change of use of agricultural land to playing field. Construction of car park (Refused)  
PT01/0991/F Raising of land level and change of use to domestic curtilage (Refused)  
PT02/1113/F Change of use from agricultural land to playing field. Construction of car park. (Refused)  
PT05/1653/F Retrospective change of use of land from agriculture to keeping of horses (Approved)

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
Objection: The caravan has been on site since 1998, during that time it has never been occupied.
- 4.2 Other Representations  
There have been no other objections

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

- 5.1 Principle of Development  
The application seeks a Certificate of Lawfulness in respect of a mobile home. As such, the issue for consideration is whether the evidence submitted proves that on the balance of probabilities, this mobile home has been in use for a continuous period of 10 years up until the date of this submission. The application is purely an evidential test irrespective of planning merit.

## 5.2 Evidence Received in Support of the Application

There is no sworn affidavit provided but instead the application is accompanied by the information as follows:

- A memo from the Planning Department to Legal Services dated 5<sup>th</sup> August 1996 indicating that a second caravan has appeared at the site
- A memo from Legal Services to the Planning Department dated 29<sup>th</sup> August 1996 indicating that a Certificate should be issued for the first mobile home on the site.

## 5.3 Contrary Evidence

- The Parish Council have stated that the Caravan has been on the site since 1998 and during that time it has not been occupied

## 5.4 Analysis of the Information Received

The test for the purposes of this Certificate is to ensure that on the balance of probability, this caravan has been at the site and occupied for a continuous period of 10 years prior to this application being submitted.

5.5 In the light of the above, and with regard to the information submitted in support of the application, the evidence is considered to carry little weight in support of the proposal.

The memo dated 5<sup>th</sup> August 1996 refers to a second caravan appearing at the site, although this is contradicted by comments from the Parish Council who refer to the caravan appearing in 1998.

No evidence has been supplied to indicate that the caravan has been at the same site and position for a period of 10 years and equally importantly no evidence has been supplied that the caravan has been occupied for that time. In this regard, much of the information that might be reasonably anticipated for an application of this type, the applicant has failed to provide. This might include tenancy agreements/ contracts, bills, council tax records.

5.6 Having regard to the above, the information submitted is not considered to demonstrate that on the balance of probability, this caravan has been utilised to provide residential accommodation for a continuous period for ten years to the date of this submission. It is therefore considered that the granting of this certificate should be refused in this instance.

## 6. RECOMMENDATION

6.1 A Certificate of Lawfulness be **REFUSED** for the following reason:

**Background Papers**      **PT07/0180/CLE**

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



## **REFUSAL REASONS**

The applicant has failed to provide evidence to demonstrate on the balance of probability that the described use of the application site has subsisted for more than 10 years prior to the date of the application.

**CIRCULATED SCHEDULE NO. 07/07 – 16 FEBRUARY 2007**

**App No.:** PT07/0203/F  
**Site:** The Old Bakery Bristol Road Hambrook  
 BRISTOL South Gloucestershire BS16  
 1RF

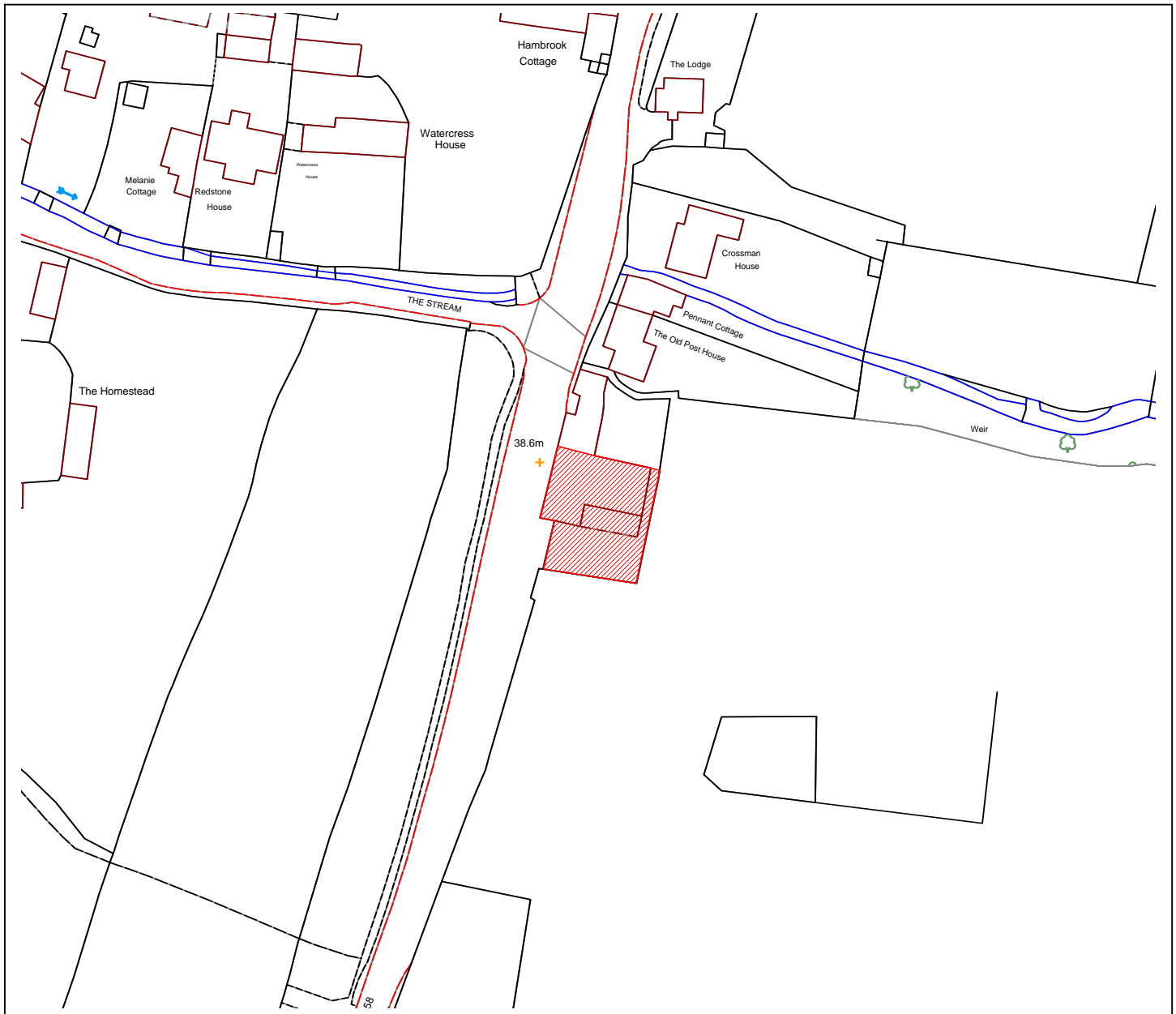
**Applicant:** Mr K Stone  
**Date Reg:** 25th January 2007

**Proposal:** Change of use from bakery (Class B1) to  
 micro brewery (Class B2) as defined in  
 the Town and Country Planning Act (Use  
 Classes) Order 1997 (as amended)

**Parish:** Winterbourne Parish  
 Council

**Map Ref:** 64053 78695

**Ward:** Winterbourne



© South Gloucestershire Council 2006. All rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2006.

## **INTRODUCTION**

The application is placed on the Circulated Schedule given an objection that has been raised.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks consent for the change of use of the property from a bakery (B1) to a micro-brewery (B2). The two-storey building comprising 212sq.m is structurally sound but would require internal improvements to accommodate the new use. A modern portal framed extension has been erected to the rear. A parking and turning area lies to the side and front of the property. No external works are required to facilitate the use.
- 1.2 The application site is situated within the settlement boundary of Hambrook within the Bristol/Bath Green. The site is also located within the Hambrook Conservation Area. The premises has not operated as a business for a number of years, the applicant indicates four years.
- 1.3 In support of the application the applicant offers the following information:
- The brewery will produce 8000 litres of beer per week
  - The proposal is considered to be a low generator of noise and smells
  - In terms of waste there are no hazardous by-products. Some waste would be recycled
  - The brewery will employ 3 full time employees and one part-time delivery driver. Distribution movements would be 4 per week with suppliers deliveries 1 per week.
  - The applicant indicates that the proposed hours of working are 0730 – 1730hours Monday to Friday, 0800 hours to 1700 hours Saturdays with no working on Sundays

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPG4	Industrial and Commercial Development and Small Firms
PPG13	Transport
PPG15	Planning and the Historic Environment
PPG24	Planning and Noise

#### **2.2 Adopted Joint Replacement Structure Plan September 2002**

Policy 1	Sustainable Development
Policy 16	Green Belt

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

D1	Achieving Good Quality Design in New Development
E3	Employment Development within the Urban Area/Defined Settlement Boundary
E6	Employment Development within the Countryside
L12	Conservation Areas

EP1	Environmental Pollution
EP4	Noise-Sensitive Development
GB1	Green Belt
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

The South Gloucestershire Design Checklist (SPD) Draft for Public Consultation: September 2006

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

N1826 Construction of new vehicular access and of parking area for vehicles (Approved)

N1826/1 Erection of rear extension to bakery to form store and loading bay and enclosure of existing open yard to form storage area (Approved)

N1826/2 Erection of covered vehicle port (Approved)

### 4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council  
No objection

4.2 Sustainable Transport Team  
It is acknowledged that the access to the site is sub standard. However given that my advice is that the extant use is for a bakery. There is no proposal to increase the size of the facility

This proposal is likely to result in a similar traffic profile to that currently possible with perhaps the odd HGV movement. This can be accommodated within the refuge to the front of the site.

In order to offset this, a condition should be applied prohibiting “off-sales” from the site

Subject to this condition there is no transportation objection to this proposal.

4.3 Local Residents  
One letter has been received raising concerns over the impact of the proposed development in terms of physical changes to the building, opening times, parking and increased activity at the site.

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

5.1 Principle of Development  
The applicant seeks consent for the change of use of the building known as The Old Bakery from a B1 (Bakery) use to a micro brewery (B2). The building itself lies within the settlement boundary while the area to the side to be utilised as an access, parking and turning area. The site lies within the Green Belt and Hambrook Conservation Area.

Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 following guidance in PPG2 allows for the change of use of land or existing

buildings subject to whether it would have a materially greater impact than the authorised use on the openness of the Green Belt and would not conflict with the purpose of including land in it, the buildings are of permanent and substantial construction and whether alteration are in keeping and would not have a detrimental impact upon visual amenity.

Policy E3 allows for employment uses within the boundaries of settlements provided that the development would not have an unacceptable environmental effect, adequate provision is made for deliveries, parking and would not be detrimental to highway safety, would not prejudice residential amenity, affect the character of the settlement. A small area of the site which does not include built form is located outside of the settlement boundary, in these circumstances Policy E6 (Employment Development in the Countryside) indicates that development will only be permitted if it does not have an unacceptable impact on the environment, residential amenity or in terms of traffic generation.

Policy L12 following guidance in PPG15 allows for development providing it would preserve or enhance the character or appearance of the Conservation Area. Policies EP1 and EP4 specifically deal with the environmental impact of proposals while Policy T12 considers in detail the impact of development upon the surrounding highways network.

Subject to consideration of these issues the proposed development is considered acceptable in principle.

## 5.2 Green Belt

In line with the criteria set out above, it is not considered that the proposed development, which does not involve any alterations to the physical structure of the building will have a materially greater impact upon the openness of the Green Belt than the present authorised use. Alterations are to take place internally and it is not considered that there will be any adverse impact upon the visual amenity of the Green Belt.

The proposal is therefore considered to be in accord with the aims and objectives of Green Belt Policy as set out in Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPG2.

## 5.3 Environmental Impact

Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006 indicates that development will not be permitted that would unacceptably harm the environment, or the health and amenity of the users of the site or the surrounding land as a result of pollution to water, air or soil or through among other factors noise.

It is not considered subject to conditions requiring additional information relating to noise levels and extraction equipment that the proposal is unacceptable in these terms. In addition in order to protect the amenity of neighbouring occupiers a condition is recommended to restrict the operating times (to include deliveries to the times indicated by the applicant).

## 5.4 Conservation Area

Given that there are no physical changes to the property it is not considered that the proposal would have an adverse impact upon the character and appearance of the Conservation Area. It should be noted that the existing building appears to require some attention ie painting and minor repairs and

that bringing the building back into an active use should provide an opportunity to enhance the appearance of the building. It is considered that the proposal is in accord with the aims and objectives of Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

#### 5.5 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 assesses the impact of development upon the surrounding Highways network.

It is acknowledged that the access to the site is sub standard. However given that the extant use is for a bakery. There is no proposal to increase the size of the facility. This proposal is likely to result in a similar traffic profile to that currently possible with perhaps the odd HGV movement. This can be accommodated within the refuge to the front of the site.

There would be concern if an off-licence facility ancillary to the main use were to operate at the site given that this would involve an increase in vehicular movements. It should be noted that this is not the intention of the applicant however a condition will be attached prohibiting an off-licence to operate from the premises.

Subject to this condition there is no transportation objection to this proposal.

#### 5.6 Residential Amenity

Give the scale of the use, and given the location of the development it is not considered that there will be any adverse impact upon the amenity of neighbouring occupiers.

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

## **7. RECOMMENDATION**

7.1 Planning Permission be granted subject to the following conditions

### **Background Papers      PT07/0203/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. There shall be no off sales at the premises 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.

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 T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The use of the site shall not commence until full details of the proposed extraction and odour abatement system should be provided. This should include details on the specification and location of all fans, plant and flues. To ensure dispersion and dilution of odours, the flue should not terminate less than 1m above eaves height of the building to which it is attached, and discharge vertically upwards. It is also recommended that the minimum efflux velocity should be 8ms. All works shall proceed in accordance with these approved details

Reason(s):

To safeguard the amenity of the locality, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Any extraction equipment installed in pursuance of the above condition should be regularly maintained in accordance with the manufacturers recommendations. In the

event of a failure in the extraction/odour abatement system, the cooking process should cease until it has been fully repaired.

Reason(s):

To safeguard the amenity of the locality, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The use hereby approved shall not commence until details have been submitted and approved in writing by the Local Planning Authority on predicted noise levels from the extraction system (fan and air movement, through and leaving the ducting). Flues should be well insulated and sited to minimise the effects of vibration transmission and noise to any adjacent building. It may be necessary to install anti vibration mounts, flexible couplings, silencers etc. Full details should be provided where appropriate to show how any potential noise nuisance will be prevented. All operations shall proceed in accordance with the approved details.

Reason(s):

To safeguard the amenity of the locality, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. 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 to 1730 hours Monday to Friday and 0800 to 1700 hours 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 E6 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 07/07 – 16 FEBRUARY 2007**

**App No.:** PT07/0206/TRE  
**Site:** 4 Manor Court Beckspool Road  
 Frenchay BRISTOL South  
 Gloucestershire BS16 1NT

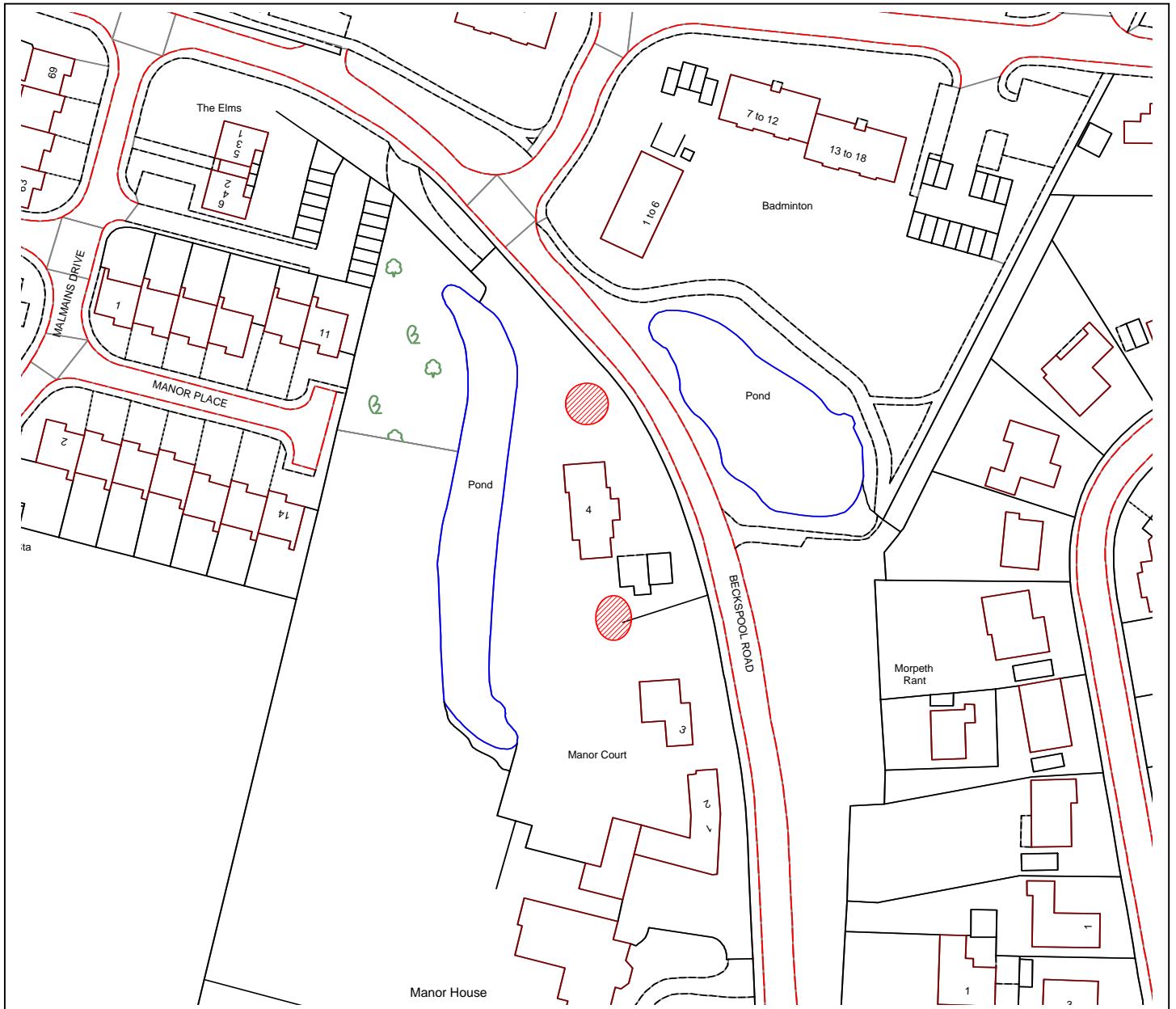
**Applicant:** Mr R Clarke  
**Date Reg:** 25th January 2007

**Proposal:** Works to fell 1no. Leylandii and 1no. Cherry covered by Northavon District Council (Manor House, Frenchay) Tree Preservation Order 1980.

**Parish:** Winterbourne Parish Council

**Map Ref:** 64128 78212

**Ward:** Winterbourne



© South Gloucestershire Council 2006. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2006.

N.T.S

PT07/0206/TRE

## **INTRODUCTION**

This application appears on the Circulated Schedule following a letter of objection received from Winterbourne Parish Council.

### **1. THE PROPOSAL**

- 1.1 The application seeks planning consent to allow the felling of one Leylandii and one Cherry tree covered by an area tree preservation order.
- 1.2 The application site comprises 4 Manor Court Road, Frenchay. The property is set back from the road and screened by a 3m high (approx.) boundary wall.

### **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
  - L1 Landscape Protection and Enhancement
  - L12 Conservation Areas
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Planning Guidance: Trees on Development Sites

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

- 3.1 PT00/1362/F: Alterations to highway access. Permitted: 13 Oct 2000

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
No objection to the removal of the Leylandii subject to the approval of the Tree Officer. Objection to the removal of the Cherry
- 4.2 Other Consultees  
Tree Officer: no objection subject to a condition requiring replacement planting with species and position to be agreed and with planting to be undertaken by the end of the planting season (end of March).
- 4.3 Local Residents  
No comments received

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

- 5.1 Principle of Development  
Policy L1 advises that those attributes of the landscape that make a significant contribution to the character of the landscape should be conserved and where possible, enhanced. Further, significant features in or of the landscape should be retained, protected and managed in a manner that ensures their long-term viability.

## 5.2 The Proposal

Having regard to the Leylandii, this is a non-native species growing against the boundary wall. Further, it is a poor specimen having been suppressed by the adjacent hedge. Concerning the Cherry tree, this is a mature tree growing in the rear garden although it is not visible from the surrounding area.

5.3 In the light of the above, it is considered that neither tree offers any significant visual amenity to the area and thus would fail to fulfil the criteria for a Tree Preservation Order. Nonetheless, because the trees are within an area TPO there is a requirement (when they are felled), to replace them with new trees. The species and position of these replacement trees should firstly be agreed in writing by means of a planning condition.

5.4 Having regard to the above, there is no objection to this application subject to the aforementioned planning condition.

## 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 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**      **PT07/0206/TRE**

**Contact Officer:**    **Peter Burridge**

**Tel. No.**                **01454 865262**

## CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason(s):

To accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The works hereby authorised shall comply with British Standard 3998: 1989 - Recommendations for Tree Work.

Reason(s):

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the trees, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Replacement trees, the species, size and location of which are to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason(s):

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