



**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. 21/08**

**Date to Members: 22/05/08**

**Member's Deadline: 30/05/08**

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: 22/05/08**

**SCHEDULE NO. 21/08**

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

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

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

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

**Please note: - Reason for Referral**

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

**SIGNATURE .....**

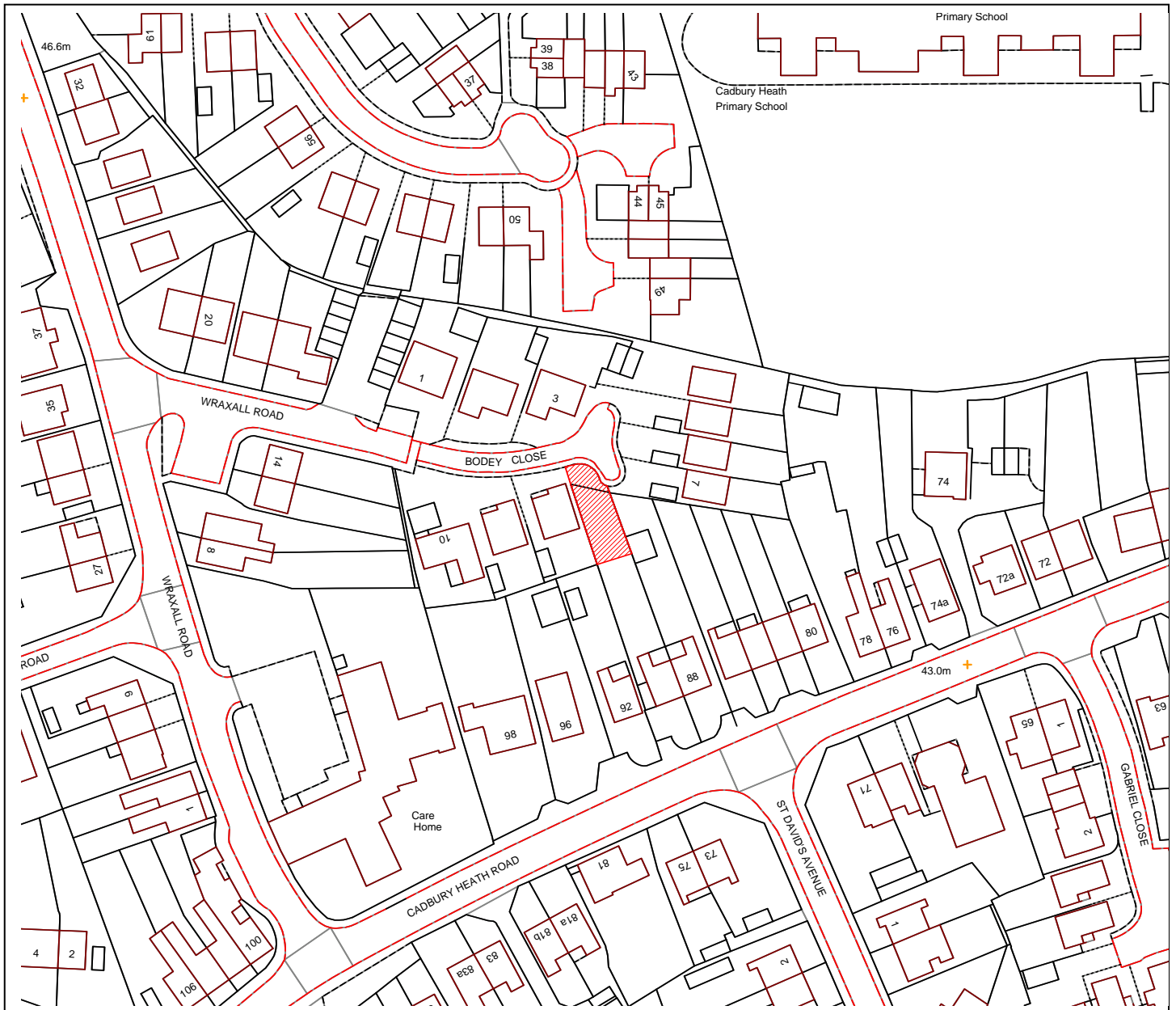
**DATE .....**

# Circulated Schedule 22 May 2008

<b>ITEM NO.</b>	<b>APPLICATION NO</b>	<b>RECOMMENDATION</b>	<b>LOCATION</b>	<b>WARD</b>	<b>PARISH</b>
1	PK07/2921/F	Approve with conditions	8 Bodey Close Warmley South Gloucestershire BS30 8BG	Parkwall	Oldland Parish Council
2	PK08/0540/F	Approve with conditions	34 Hudson Close, Yate, South Gloucestershire, BS37 4NP	Yate Central	Yate Town Council
3	PK08/0750/F	Approve with conditions	37 High Street, Marshfield, South Gloucestershire, SN14 8LR	Boyd Valley	Marshfield Parish Council
4	PK08/0864/F	Approve with conditions	32 Blakeney Mills, Yate, South Gloucestershire, BS37 4XL	Yate Central	Yate Town Council
5	PK08/0959/F	Approve with conditions	55 Court Farm Road, Longwell Green, South Gloucestershire, BS30 9AD	Longwell Green	Hanham Abbots Parish Council
6	PK08/1017/F	Refusal	40 Footshill Road, Hanham, South Gloucestershire, BS15 8EX	Woodstock	
7	PK08/1158/F	Approve with conditions	27 Mountbatten Close, Yate, South Gloucestershire, BS37 5TD	Yate North	Yate Town Council
8	PT07/3736/F	Approve with conditions	Morton Farm, Old Gloucester Road, Thornbury, South Gloucestershire, BS35 3UF	Thornbury North	Thornbury Town Council
9	PT07/3737/LB	Approve with conditions	Morton Farm, Old Gloucester Road, Thornbury, South Gloucestershire, BS353UF	Thornbury North	Thornbury Town Council
10	PT08/0807/F	Approve with conditions	46 Meadow Mead, Frampton Cotterell, South Gloucestershire, BS36 2BE	Frampton Cotterell	Frampton Cotterell Parish Council
11	PT08/0821/F	Approve with conditions	The Cottage, Greenhill, Alveston, South Gloucestershire, BS35 3QZ	Thornbury South and Alveston	Alveston Parish Council
12	PT08/0897/RVC	Approve with conditions	Land to the rear of Teesdale, 60 Park Road, Thornbury, South Gloucestershire, BS35 1HS	Thornbury North	Thornbury Town Council
13	PT08/0902/F	Approve with conditions	Little Leaze, Winterbourne Road, Bradley Stoke, South Gloucestershire, BS34 8PT	Stoke Gifford	Bradley Stoke Town Council
14	PT08/0992/F	Approve with conditions	128 Northville Road, Filton, South Gloucestershire, BS7 0RL	Filton	Filton Town Council
15	PT08/1064/F	Approve with conditions	Tesco Stores Ltd, Bradley Stoke District Centre, Bradley Stoke, South Gloucestershire, BS32 8EF	Bradley Stoke Central and Stoke Lodge	Bradley Stoke Town Council
16	PT08/1119/F	Approve with conditions	Pennant Nook, Beacon Lane, Winterbourne, South Gloucestershire, BS36 1JT	Winterbourne	Winterbourne Parish Council

## CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008

<b>App No.:</b>	PK07/2921/F	<b>Applicant:</b>	Mrs A Webber
<b>Site:</b>	8 Bodey Close Warmley BRISTOL South Gloucestershire BS30 8BG	<b>Date Reg:</b>	26th September 2007
<b>Proposal:</b>	Erection of 1 no. detached dwelling with associated works (Resubmission of PK07/1794/F)	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	66450 72468	<b>Ward:</b>	Parkwall
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th November 2007



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**N.T.S**

**PK07/2921/F**

## **INTRODUCTION**

This planning has been referred to the Council's Circulated Schedule Procedure as a result of objections received from local residents regarding the proposed development.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of a detached dwelling with associated works.
- 1.2 The application site relates to a storey and half detached dwelling within the established residential area of Warmley.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving Good Quality Design in New Development  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
H2 Residential Development  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Document Design Checklist

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

- 3.1 PK07/1794/F Erection of detached 2 storey dwelling  
Withdrawn August 2007

### **4. CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council  
Objection on grounds of concerns regarding over development on the site, levels affected by the proposed development and access concerns in a small cul-de-sac.
- 4.2 Local Residents  
10 Letters have been received from local residents raising the following objections regarding the proposed development. Those objections have been summarised by the Planning Officer as follows;
  - Application forms inaccurate as there is a difference in land levels
  - Level of land will need raising
  - Issue of construction vehicles
  - Loss of hedge and tree
  - Loss of privacy
  - Parking issues
  - Overdevelopment of site
  - Highway safety issue for children who play in the area
  - Concern regarding loss of open space in area

- Disruption during construction
- Lack of parking
- Problem with construction vehicles

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application site is located within the established residential area of Warmley. The application site relates to domestic curtilage which formerly belonged to the garden no.90 Cadbury Heath Road sited rear of the application site. Policy H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for residential development within existing residential curtilages provided a number of criteria are satisfied.

### 5.2 Design and Scale of Development

The immediate area is characterised by two storey detached properties at the top end of the cul-de-sac with three detached storey and half dwellings sited either side of the main road leading into Bodey Close. Objections have been raised on the grounds that the proposed development would result in overdevelopment of the site, would not be in keeping with the immediate area and the need for raising the ground levels of the site.

5.3 A planning objection was raised with regards the previous scheme on the grounds that the erection of a two storey detached dwelling in this location would look at odds with the adjacent storey and half dwelling. This scheme has sought to address this by amending the design of the dwelling so that the dwelling reads as a storey and half in that the first floor accommodation is now in the roof space and the eaves levels have been lowered by approximately 1.20m. The footprint of the proposed dwelling in terms of width mirrors those two storey dwellings at the end of the cul de sac. It is considered that as the proposed dwelling will be stepped back from the front elevation of adjacent property i.e. no.8, that a dwelling in this location would not have a detrimental impact on the character of this area and indeed would make an efficient use of land as supported by national guidance planning Policy Statement 3 which relates to housing.

### 5.4 Residential Amenity

Objections have been raised on the grounds that the proposed dwelling will allow for overlooking onto neighbouring properties and gardens. The proposed dwelling will be set back from the rear boundary by 6.0m and will be set back at an overall distance of approximately 25.0m from the rear elevation of those properties sited rear of the application site.

5.5 Objections have also been raised by the occupiers sited opposite the application site. Members are advised to consider that the front elevation of the proposed dwelling will be set back 18.0m from the front elevation of no. 3 Bodey Close at the nearest point. The front elevation of no. 3 comprises of two ground floor habitable room windows and one first floor window. Whilst it is accepted this distance falls below the Council's standards of 21.0m, Members are advised to consider the existing situation. No.8 subject of this application is set back at a distance of 15.0m from the front elevation of no.3, which also has a number of habitable room windows. It is therefore considered that given the existing situation and as no.3 is set an at an angle to that of the proposed dwelling, that the introduction of a dwelling in this location would not have such

- a detrimental impact on existing levels of privacy for no. 3 or surrounding properties.
- 5.6 In terms of amenities for the future occupiers of the development it is considered that satisfactory levels of private amenity space will be provided for this 2 bed unit and pedestrian access will be provided along the eastern boundary of application site allowing pedestrian access to and from the rear garden, which will allow for the storage of refuse bins. On site car parking for one car is also provided at the front of the property.
- 5.7 Concerns have been raised regarding disruption and parking issues during construction period. Member area advised to consider that these issues are not relevant planning considerations with regards the determination of this application, but are civil issues.
- 5.8 Transportation Issues  
Objections have been raised by local residents regarding the transportation aspects of this proposal in terms of highway safety for young children who play in the area and lack of onsite car parking. The Council's Highway Officer has advised that the level of proposed parking i.e. 1 parking space for this 2 bedroom dwelling is in line with the Council's maximum parking standards and as this application relates to the erection of one dwelling within an established residential cul-de-sac, no objection is raised on highway safety grounds.
- 5.9 Landscaping Issues  
Objections have been raised on the grounds that the submitted application form advises that no trees will be felled or hedge removed. It is accepted that there will be the loss of a small tree and some hedging and shrubs sited at the front of the site, however Members are advised to consider that this should not be considered a constraint to development on this site given the quality of the existing landscaping. The submitted plans indicate a planted area adjacent the proposed car parking space, which will be subject to a landscaping condition, should planning permission is granted.
- 5.10 Drainage Issues  
The Council's Engineering Consultancy has advised that no objection is raised in principle to this proposed development and that the applicant consider the use of soakaways or permeable surfaces for roofs, private drives and parking areas for ground water replenishment and surface water pollution control so as to ensure a satisfactory means of drainage.
- 5.11 Other issues
- 5.12 Ground levels  
Objections have been raised on the grounds that the application form is incorrect, and that the application site is in fact at a different level to that of adjoining land and roads and land will need raising.
- 5.13 The Planning Officer was also concerned that correct plans had not been submitted with regards ground levels and had requested additional plans. It was anticipated that these revised plans would have to go back out to re-consultation, however the Planning Officer is of the view that it is not necessary as the recent plans reflect what was submitted earlier. The Planning Officer is of the view that the plans that have been submitted too date are correct.



5.14 From the top of the existing way that runs alongside no.8 and the front of the application site there is a drop of approximately 1.05m to the ground level of the proposed site. From the existing ground level immediately surrounding the site there is a drop of approx. 0.50m. It is not proposed to raise the height of the existing ground level of the application site significantly and therefore will not require considerable back fill as suggested by a local resident.

5.15 Design and Access Statement

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

5.16 Section 106 Requirements

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

**Background Papers**      **PK07/2921/F**

**Contact Officer:**    **Tracey Price**  
**Tel. No.**                **01454 863424**

**CONDITIONS**

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

Reason

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

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

Reason

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

3. Within 3 months from the date of the decision a scheme of landscaping, which shall include details of all proposed planting and times of planting, boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

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

4. 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

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

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

Reason

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

6. Notwithstanding the provisions of Article 3 and Part 1 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, E) 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

Would require the further consideration of the Local Planning Authority in order to protect the amenities of the existing and future occupiers of the development and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 hours Monday to Friday and 0800 to 1300 hours Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant

or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to neighbouring occupiers and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Within 3 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

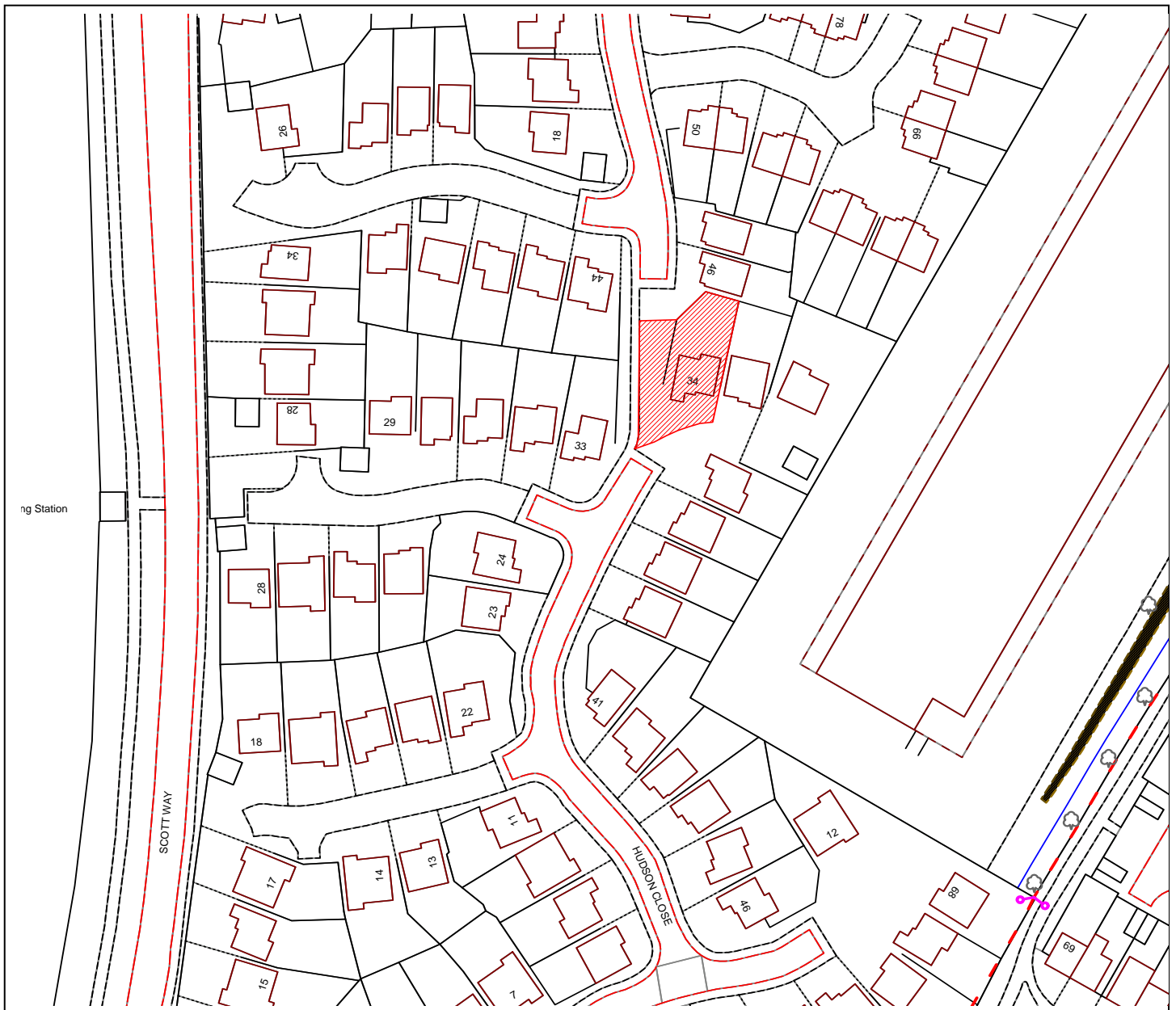
9. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason

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

## CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008

<b>App No.:</b>	PK08/0540/F	<b>Applicant:</b>	P Thatcher
<b>Site:</b>	34 Hudson Close, Yate, South Gloucestershire, BS37 4NP	<b>Date Reg:</b>	25th February 2008
<b>Proposal:</b>	Change of use of incidental open space to residential curtilage. Erection of 1.8 metre high boundary fence. (Retrospective).	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	71810 81862	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	14th April 2008



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PK08/0540/F

## **INTRODUCTION**

This planning application has been referred to the Council's Circulated Schedule as a result of objections received from local residents and Yate Town Council.

### **1. THE PROPOSAL**

- 1.1 This planning application seeks a retrospective planning permission for the change of use of incidental open space to residential curtilage and the erection of a 1.8 metres high boundary fence.
- 1.2 The applicant submitted a revised drawing to reduce the height of the boundary fence from 2 metres to 1.8 metres in accordance with the Yate Town Council's initial comments. The applicant also submitted additional drawings to show the details of the landscaping scheme.
- 1.3 The application site relates to a two storey detached dwelling within the established residential area of Yate.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement

D1 Design

H4 Development within existing residential curtilages

2.3 Supplementary Planning Guidance  
South Gloucestershire Advice Note no.2 Extensions

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

- 3.1 The following planning history relates to the application site
- 3.2 PK99/0373/F           Erection of two storey side extension.  
Approved 20.02.00
- 3.3 PK07/1526/F           Erection of rear conservatory.  
Approved 05.07.07

### **4. CONSULTATION RESPONSES**

4.1 Yate Town Council  
Initial proposal: objection. Object to the fence.  
Revised proposal: no objection.

#### **Other Representations**

4.2 Local Residents  
One letter has been received from a local resident raising the following objections regarding the proposed development:

- Loss of original landscaping
- Loss of openness
- Sense of compression for users of the public footpath
- Harmful to the visual amenity of the area
- Contrary to the original design and layout of the estate
- Creation of an unhealthy precedent.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

It is proposed to enclose a piece of land (approx. 72 sq. m.), situated to the rear of the house, by re-locating the garden fence in order to incorporate the land within the enclosed rear garden. The land was used as part of landscaping feature in the locality. It is intended to reduce the existing unauthorised 2 metres high timber fence to 1.8 metres along the new boundary.

In the determination of this planning application, officers consider that the main issue to consider is whether or not the development would be detrimental to the overall appearance of the street scene.

### 5.2 Visual Amenity

The land subject of this application was used as incidental open space, lying to the north of the original rear boundary. Immediately to the north, the land is bounded by a hammerhead and an open front garden of neighbouring no. 46 Shackleton Avenue. It is proposed that the new 1.8 metres high timber fence would be set back from the boundary by approximately one metre in order to provide adequate space for additional planting.

Viewed from the west, the new timber fence would be flush with the existing close boarded fence, and there would be laurel hedge in front of the new timber fence. Although it is the general policy to protect public open space, the officers consider that the additional planting in front of the boarded fence would not have a detrimental impact upon the character and appearance of the area to warrant a refusal of this application.

### 5.3 Residential Amenity

The proposed fence in the north rear elevation would be adjacent to a hammerhead and a driveway of the neighbouring property, No. 46. The new fence in the west side elevation would be adjacent to a public footpath. The officers therefore consider that the proposal would not have an adverse impact on the existing amenities of neighbouring occupiers.

### 5.4 Landscaping

Following a site visit, the applicant submitted a revised scheme and showed that the laurel hedge is reinstated to the side of the property and the close board fencing is moved back into the site by 0.65 metre in line with the existing boundary fence.

To the rear of the site, the 1.8 metres high timber fence would be set back by a metre in order to accommodate shrub planting. This would then screen the close board fence that has been erected, and mitigate for the loss of the amenity provided by the landscaping. The fence would be moved back one metre into the site at the corner with the footpath and that all fencing is stained to match the existing dark green fencing surrounding the neighbouring plots, in order to address the site context.

The ground to the rear of the site, external to the close board fencing is then to be planted with a shrub mix of the plants, chosen to address the context and screen the fence, with the need for little maintenance.

The applicant would also be planting 2 *Prunus serrula*, bronze bark cherry trees in the garden behind the fence which would also be visible from the properties and the road behind in order to complement the proposed planting and to reinstate the visual amenity lost at the removal of the original planting to the rear of the property.

#### 5.5 Section 106 Requirements

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the following planning conditions.

**Background Papers**      **PK08/0540/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. Within 3 months from the date of the decision, the existing 2 metres high timber fence shall be completely removed.

Reason

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

3. Notwithstanding the submitted details, within 3 months from the date of the decision full details of the landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include planting plans; schedules of plants, noting species, plant sizes, proposed numbers/densities, and the implementation programme.

Reason

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

4. Within 12 months from the date of the decision the landscaping scheme shall be completed in accordance with the approved details. If within a period of 2 years from the date of the planting of any tree or shrubs, that trees or shrubs, or any tree or shrub planted in replacement of it, is removed, uprooted or destroyed or dies, replacement trees or shrubs of the same species and size as the originally planted shall be planted at the same place in the first planting season.

Reason

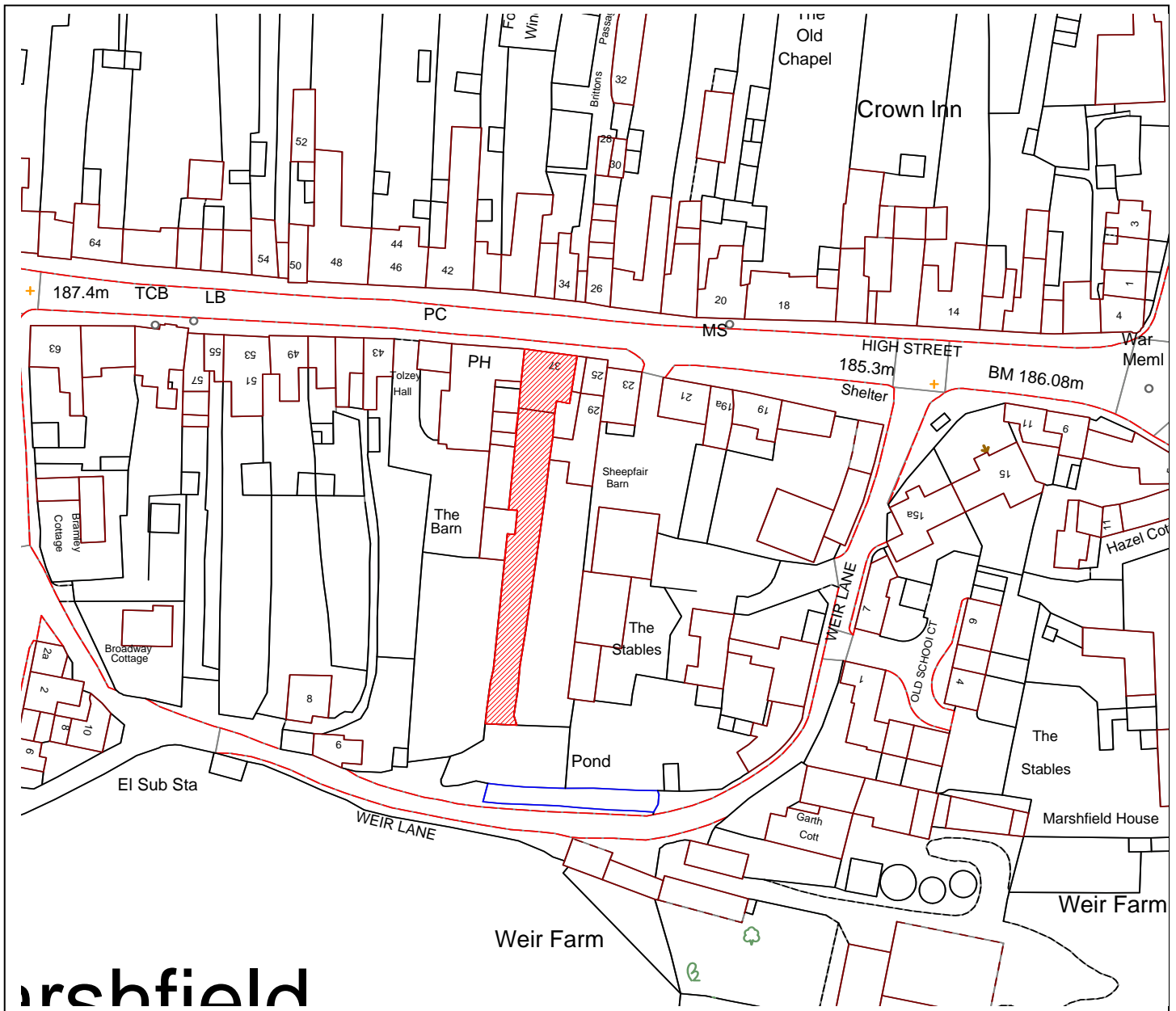
To protect the character and appearance of the area to accord with Policies H4/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.



**CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008**

**App No.:** PK08/0750/F  
**Site:** 37 High Street, Marshfield, South Gloucestershire, SN14 8LR  
**Proposal:** Erection of two storey rear extension and single storey rear extension to form additional living accommodation. (Amendment to previously approved scheme PK07/0655/F).  
**Map Ref:** 77957 73684  
**Application Category:** Minor

**Applicant:** Mr S Johnson  
**Date Reg:** 19th March 2008  
**Parish:** Marshfield Parish Council  
**Ward:** Boyd Valley  
**Target Date:** 12th May 2008



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**N.T.S**

**PK08/0750/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two storey and single storey extension to the rear of the existing dwelling. To facilitate the erection of the extensions, an existing lean too extension will need to be demolished. The purpose of the application is to provide additional living accommodation at ground floor with an additional bedroom at first floor.
- 1.2 The application site consists of a two storey, grade II, listed dwelling constructed of rubble stone walls with a slate roof and possibly dates from the early 17<sup>th</sup> Century.
- 1.3 As initially submitted, the application included the installation of a balcony on the rear elevation. Due to officer concerns however about overlooking and loss of privacy for the neighbouring property, this element has now been removed and amended plans have been received as requested. This application is to be determined in conjunction with the listed building application reference PK08/0756/LB which has already been approved under officer delegated powers as no objection were received relating to the listed building application..
- 1.4 Full Planning consent has previously been granted for an extension to the rear of the building (PK07/0655/F). The extension now for consideration is slightly deeper than the previously approved extension.

### **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  
L12 Conservation Areas  
L13 Listed Buildings  
L15 Buildings and Structures which contribute to the locality

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

- 3.1 PK07/0655/F Erection of two storey and single storey rear extensions to form additional living accommodation.  
Approved June 2007
- 3.2 P96/1017/L Demolition of internal wall and insertion of oak lintel.  
Approved February 1996

## 4. **CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council  
No objection

### **Other Representations**

- 4.2 Local Residents

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

- Undue dominance over the front door, courtyard, bedrooms and home office of the neighbours property
- Loss of amenity and privacy
- Scale is inappropriate relative to the historical buildings
- The revised design is much more obtrusive than the original extension

The same letter also raised the following objections to the balcony element of the proposal that following the receipt of revised plans, is no longer part of the scheme:

- The balcony would give direct line of sight into the neighbours bedrooms, upper floor lounge and garden
- Loss of privacy
- Distance between windows would be below 21 metres

## 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.

- 5.2 Design/Visual Amenity

It is accepted that the extensions are large in scale and are of considerable depth. It is also considered however that the extensions have been suitably designed and are sympathetic to the original dwelling. When viewed from the front elevation, there will be no alterations to the exterior of the dwelling and thus the extension will have no impact on the street scene or the conservation area. There is an existing rear gable on the property and the two storey element of the extension seeks to install a very similar rear gable. It is accepted that the extension is not truly subservient to the host dwelling by virtue of its size and scale. However, on balance, and considering that the extension is contained entirely to the rear of the building it is considered that the bulky design is essential due to the listed status of the dwelling. To reduce the scale of the extension would start to detract from the strong sense of character the dwelling has.

In order to erect the extensions, an existing single storey lean-to extension would be demolished. This existing single story extension is of no aesthetic merit and its removal is encouraged. The proposed extensions are considered to be of better design than the existing extension and thus the visual amenity of the building will actually be improved.

Subject to the attachment of conditions, the design of the extensions is considered to be acceptable. The extensions will integrate successfully with the host dwelling and will not detract in any way from the sensitive setting of the listed dwelling in the conservation area.

### 5.3 Residential Amenity

As identified, the property is a mid terraced building facing onto the Marshfield High Street and the extension is of considerable depth. In normal circumstances, rear extensions to terraced properties are limited to three metres in depth in order to protect the amenities of the neighbouring properties. In this instance however, it is not considered that the extension will have any detrimental impact on the amenities of the neighbouring properties.

The attached property to the west is a Public House. To the rear of the public house lies an array of attached, traditionally erected outbuildings. The pub outbuildings are single storey only but are tall in height with the ridges of the outbuildings almost at the eaves height of the application site. The majority of the first floor windows in the rear of the pub building have been blocked up. Indeed, the first floor rear window closest to the application site has been in filled with stone. Therefore, whilst the proposed extension is deep, it will not have any overbearing effect on neighbours windows as there are none to be affected. The proposed extensions are shallower in depth than the existing extensions at the attached public house and thus will have no overbearing effect on it.

When viewed from the attached dwelling to the east, it is not disputed that the extension will be clearly visible. However, consideration has been given to the fact that an extant permission exists that could be erected at any time without the need for any additional consent. The increase in depth over and above the existing planning permission will have minimal as the bulk of the extensions will be screened from view by the existing rear gable. The proposed extensions are also to be away from the boundary with the dwelling to the east further reducing the impact upon it.

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

### 5.4 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.

### 5.5 Section 106 Requirements

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

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

**Background Papers**      **PK08/0750/F**

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

### **CONDITIONS**

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

Reason

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

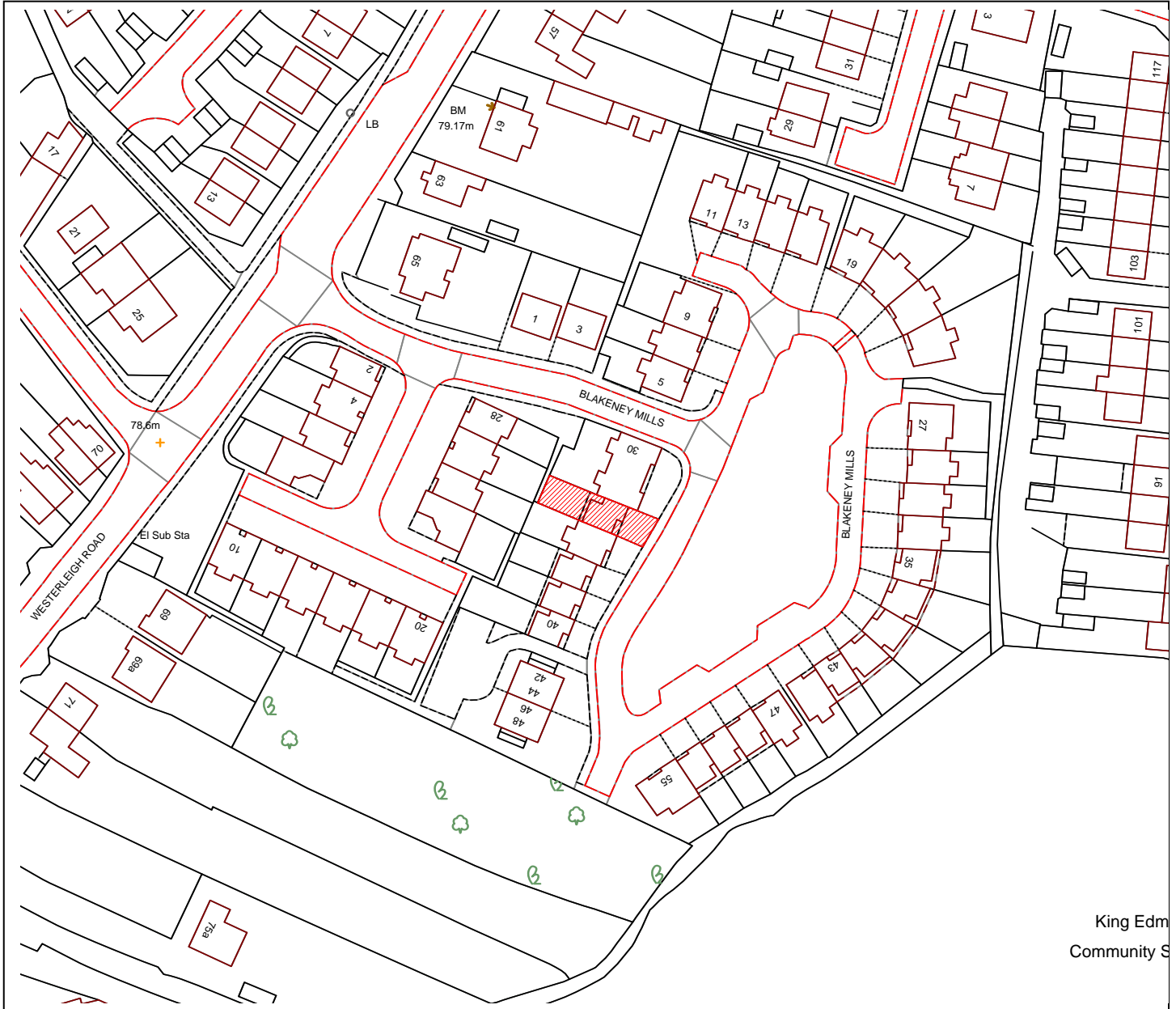
2. The materials to be used in the construction of the extension hereby permitted shall be in accordance with those as stated on the application form unless the Local Planning Authority gives written consent to any variation.

Reason

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

**CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008**

<b>App No.:</b>	PK08/0864/F	<b>Applicant:</b>	Mr J French
<b>Site:</b>	32 Blakeney Mills, Yate, South Gloucestershire, BS37 4XL	<b>Date Reg:</b>	1st April 2008
<b>Proposal:</b>	Erection of front infill extension, porch roof and single storey rear extension.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	70958 82207	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th May 2008



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**N.T.S**

**PK08/0864/F**

This application has been placed upon the Circulated Schedule due to the receipt of a letter of objection contrary to the Officer recommendation.

**1. THE PROPOSAL**

1.1 The application pertains to a three-storey townhouse located within a residential estate in Yate. The two neighbouring properties are both two-storeys in height.

**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

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

**3. RELEVANT PLANNING HISTORY**

3.1 None.

**4. CONSULTATION RESPONSES**

4.1 Yate Town Council  
  
No objection.

4.2 Other Consultees  
  
N/A

**Other Representations**

4.3 Local Residents

The occupiers of no. 34 Blakeney Mills are concerned that the rear extension would block out light.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

## 5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed; it lists eight criteria to be considered.

The front of the property at present features a recess that is proposed to be filled in to create a utility room and porch. The recess is 1.1m deep and 2.1m wide. It is considered that filling this in and erecting a mono-pitched roof will not cause any harm to the site, locality or streetscene, and it complies with Policy D1.

The proposed rear extension would create a new kitchen / diner / family room. It would be 3.3m deep, and would cover almost the entire width of the plot, with a 20cm and 30cm gap retained from the side boundaries. The extension would feature a mono-pitched roof 2.5m to eaves and 3.5m to the top. Although the extension is relatively large in comparison with the existing dwelling, its design is considered to be appropriate in relation to the property and its locality, and in accordance with Policy D1.

## 5.3 Residential Amenity

An area of garden measuring 6.2m x 6m would be retained to the rear of the property, which is considered adequate for the amenity of the dwelling's occupiers.

The relationship between the proposed rear extension and the neighbouring property to the south (no. 34) is a concern of the occupiers of that property. It is not considered to prejudice the amenity for occupiers of the dwelling, due to the scale and orientation of the proposed extension. Furthermore, as Members will be aware there is no right to light which can be taken as a material consideration in the determination of this application.

The relationship with the larger property to the north (no. 30) is also considered to be acceptable.

## 5.4 Design and Access Statement

N/A

## 5.5 Section 106 Requirements

N/A

## 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 Consent is GRANTED subject to the following conditions:

**Background Papers      PK08/0864/F**

**Contact Officer:    Donna Whinham**

**Tel. No.              01454 865204**

### **CONDITIONS**

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

Reason

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

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

Reason

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the northern or southern elevation 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. 21/08 – 22 MAY 2008**

<b>App No.:</b>	PK08/0959/F	<b>Applicant:</b>	Mr S Dew
<b>Site:</b>	55 Court Farm Road, Longwell Green, South Gloucestershire, BS30 9AD	<b>Date Reg:</b>	8th April 2008
<b>Proposal:</b>	Erection of 1 no. detached dwelling with detached double garage and associated works. (Resubmission of PK08/0333/F).	<b>Parish:</b>	Hanham Abbots Parish Council
<b>Map Ref:</b>	65588 70554	<b>Ward:</b>	Longwell Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th May 2008



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## 1. **THE PROPOSAL**

- 1.1 This planning application seeks full planning permission for the erection of 1 no. detached dwelling with detached double garage and associated works.
- 1.2 The application site relates to domestic curtilage located within the residential area of Longwell Green.

## 2. **POLICY CONTEXT**

### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transportation

### 2.2 Joint Replacement Structure Plan

Location of development

34	Reuse of previously developed land
59	Transportation Issues - new development

### 2.3 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
L6	Open areas within existing urban areas and defined settlements
GB1	Green Belt
H2	Residential Development
H4	Development within residential curtilages
T6	Cycle Parking Provision
T7	Parking Standards
T12	Development Control Transportation Policy
EP2	Flood Risk and Development

### 2.4 Supplementary Planning Guidance

Supplementary Planning Document Design Checklist

## 3. **RELEVANT PLANNING HISTORY**

- 3.1 The following planning history relates to the application site:
- 3.2 Pk05/1431/O           Erection of 1 no. detached dwelling (outline) with means of Access to be determined, all other matters reserved.  
Approved 19<sup>th</sup> April 2006
- 3.3 PK08/0333/F           Erection of detached dwelling and garage  
Withdrawn March 2008

## 4. **CONSULTATION RESPONSES**

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

#### 4.1 Hanham Abbots Parish Council

Objections. The proposed revised development would by reason of its height and size, be out of keeping with neighbouring properties and constitute over

development of the site. Several upper storey windows would look out over neighbouring gardens and constitute a loss of privacy to residents of those properties. These issues are made more serious by the fact that the back land site is on land slightly higher than surrounding properties. It is reported that badgers and great crested newts may be present on the site and an ecological survey is recommended. A sites Inspection is also recommended.

**(b) Other Representations**

**4.2 Local Residents**

5 letters have been received from local residents raising objections regarding the proposal which have been summarised as follows:

- Height will dominate and result in a loss of privacy
- land too narrow to cope with construction traffic and additional traffic related to new build
- Drainage
- Loss of trees on site
- Impact on character of area
- Noise and disturbance Increase in traffic
- Height of building
- Clarify boundary treatment
- Concerns regarding existing access
- If development allowed there will be considerable disruption in Court farm

**5. Analysis of Proposed Development.**

**5.1 Principle of Development**

The application site is located within the established residential area. Policy H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 allow for development within existing residential curtilages provided a number of criteria are satisfied.

5.2 Members are advised to consider that the principle for residential development has already been established on this site through the granting of outline planning permission PK05/1431/O for one dwelling. The Council therefore is unable to raise an objection with regards the 'principle' of a dwelling on this site.

**5.3 Tandem Development**

Objections have been raised with regards the use of the existing access road and the impact on neighbouring properties in terms of noise and disturbance arising from vehicular movements in association with the new dwelling. As discussed above outline planning permission has already been approved on this site with means of access, and clearly with the knowledge that it is to serve a dwelling within the rear garden of no.55. By approving means of access the Council not only had to assess the impact of the proposed access on highway grounds but also its impact on neighbouring properties in terms of noise and disturbance. Therefore as outline planning permission has granted with means of access, this issue cannot be re-visited.

**5.4 Visual amenity**

The application site relates to a long rear private garden, which is characteristic of many properties along this road, although a number of backland developments have been built. The site backs onto Green belt and open fields.

At the time of the previous outline application it was considered that a dwelling could be sited in this rear garden without being intrusive into the Green belt and Avon valley Protection Area given the height and thickness of the existing hedges and the provision of a robust planting scheme

- 5.5 Due to concerns regarding the previous outline planning application it was resolved by Members at Planning Committee meeting that a condition be imposed as part of the outline consent restricting the height of any new dwelling on this site to single storey only.
- 5.6 This application proposes a dwelling measuring 7.20m in height to the ridge. The Planning Officer is of the view that a building of this height is more akin to that of a storey and a half. Whilst regard must be had for the original outline planning consent, Member's are advised to consider that as this is a full planning application, consideration must be had for any material considerations advanced in support of this application. As the Parish Council correctly say the land at rear of the site is higher, and therefore in order to reduce the impact of the proposed dwelling the agent proposes to reduce the level of the site and has submitted section drawings to illustrate this.
- 5.7 Although it is accepted that the dwelling will read as 7.20m from the front elevation, from the rear due to the reduced ground levels of the site by approximately 0.80m the dwelling will read approx 6.50m from the rear. In order to further reduce the impact a condition will be imposed requiring the planting of a robust planting scheme along the rear of the site.
- 5.8 Members are advised to consider that planning permission has recently been granted for five dwellings a few doors down. Whilst only outline planning permission has been granted the submitted Design and access Statement proposed that the dwellings would measure 8.0m in height, to which no objection was raised by the Planning Officer.
- 5.9 It is therefore considered that given the proposed measures to reduce the impact of the proposed dwelling and in light of the recent planning permission for 5 dwellings, it would be unreasonable to raise an objection to a development of this scale.
- 5.10 Design  
The area in general is characterised by single storey dwellings and those along the road frontage of Court farm Road have gable frontages. It is considered that the proposed dwelling by reason of its design, form, scale and materials would respect but as the same time enhance the character of the site.
- 5.11 Residential Amenity  
Objections have been raised by local residents on the grounds that a dwelling of this height and design and in this location would allow for overlooking. The proposed dwelling is a storey and half with living accommodation in the roof space. The dwelling would measure 7.20m in height to the ridge and has been designed with a 2.0m wide fully glazed central glazing feature which will serve two bedrooms. The proposed dwelling would be sited approximately 51m at the nearest point from the rear elevations of no.'s . 55, and 48 metres from 53 & 57.

- 5.12 This application also proposes the erection of a detached double garage along the western boundary of the application site adjacent no.55's rear private garden, which will be sited 35m away from the rear building line of no. 55.
- 5.13 It is considered that the erection of a dwelling and detached double garage in this location would not have an unacceptable impact on the neighbouring properties by reason of its scale and siting in terms of loss of privacy or overbearing impact.
- 5.14 A local resident had queried the extent of the proposed boundary treatment. As part of the submitted Design and access statement the agent advises that all boundaries will be landscaped with both 2.40m high fencing and shrub and hedgerow planting.
- 5.15 Transportation issues  
Objections have been raised by local residents regarding highway issues in terms of additional traffic using this access road. As means of access to serve the proposed development has already been approved as part of the outline application, and as this current application proposes to utilise the same access, no objection can be raised as part of this current application. As part of the outline planning permission a condition was imposed requiring the provision of two passing bays alongside the access route so as to overcome concerns raised regarding access difficulties.
- 5.16 The submitted plans propose one passing bay at the entrance of the access road of Court Farm Road and the second has been provided at the entrance into the propose site. The second has been provided by setting the double gates into the site, which will allow a car to pull in.
- 5.17 Satisfactory tuning facilities and parking have also been provided. Based on all the above no highway objection is raised to the scheme
- 5.18 Concerns have been raised regarding disruption to traffic along Court Farm Road as a result of construction vehicles. This is not considered relevant with regards the determination of this application.
- 5.19 Drainage Issues  
The Council's Engineering Consultancy has advised that no objection is raised in principle to this proposed development. A planning condition will be imposed requiring drainage details to be submitted and approved by the Local Planning Authority and requiring the applicant to consider the use of soakaways or permeable surfaces for roofs, private drives and parking areas for ground water replenishment and surface water pollution control so as to ensure a satisfactory means of drainage.
- 5.20 Landscaping issues  
As discussed above a landscaping condition will be imposed requiring the submission of a proposed landscaping plan.
- 5.21 Objections have been raised regarding the felling of trees on site. Members are advised to consider that as there are no Tree Preservation Orders on this site and as the site is not within a Conservation Area, permission is not required from the Council to carry out works to trees on this site.

## 5.22 Ecological Issues

At the time of assessing the outline application the Council's Ecological Officer was requested to visit the site to assess the presence on badgers. It was reported to Members at the Planning meeting that there were no signs of badger sets on site and that the application site is unlikely to provide the sort of environment for badgers. There were no signs of badgers foraging in the adjoining site.

5.23 It was resolved at Committee however that an informative be imposed advising that as badgers have been recorded in the locality, the applicant's should ensure that all development work is subject to the provisions of the Protection of badgers Act 1992.

5.24 No ecological survey has been carried out as part of this current application. It is considered that in light of the previous findings that it is not necessary and should planning permission be granted the above informative should be attached.

## 5.25 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.

## 5.26 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 planning conditions.

**Background Papers**      **PK08/0959/F**

**Contact Officer:**      **Tracey Price**  
**Tel. No.**                      **01454 863424**

## **CONDITIONS**

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

Reason

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

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

Reason

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

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

Reason

To protect the character and appearance of the area and the adjacent Bristol/Bath Green Belt to accord with Policies D1, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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

To protect the character and appearance of the area and the adjacent Bristol/bath Green Belt to accord with Policies D1, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Within 3 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

6. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.



Reason

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

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

Reason

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

8. The two passing bay as shown on approved drawings shall be provided prior to the first occupation of the building and thereafter retained for that purpose.

Reason

In the interests of highway safety, and to accord with Policy T12 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 8.00 - 17.00 Monday to Friday and 9.00 - 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006

10. The building shall not be occupied until the associated car parking and turning areas have been provided. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason

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

**CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008**

**App No.:** PK08/1017/F  
**Site:** 40 Footshill Road, Hanham, South Gloucestershire, BS15 8EX  
**Proposal:** Erection of 1 no. dwelling with associated works.  
**Map Ref:** 64365 73044  
**Application Category:** Minor

**Applicant:** Mrs L King  
**Date Reg:** 14th April 2008  
**Parish:**  
**Ward:** Woodstock  
**Target Date:** 2nd June 2008



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**N.T.S**

**PK08/1017/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule following the receipt of a letter and petition in support of the proposal, which are contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to a semi-detached dwelling house i.e. No.40 Footshill Road, located on a corner plot at the junction of Footshill Road and The Wynstones, Hanham. The pair of semi's are most likely Edwardian in age and exhibit a number of original period features e.g. ornate ashlar window and door surrounds, and pennant sandstone frontages. The adjoining property, no.38 Footshill Road, has a large box dormer to the rear whilst no.40 has a single-storey side extension that was built in the 1980's; both properties have small gable ended rear extensions. No.40 is served by a single garage to the rear. The location is residential and suburban in character, the majority of the houses being mid to late 20C two-storey terraces interspersed with two-storey semi-detached dwellings.
- 1.2 It is proposed to demolish the existing side extension to No.40 and erect an additional two-storey attached dwelling in its place, thus creating a terrace of 3no. houses. The new house would include a box dormer to the rear and would be a 4no. bedroom property. One new car parking space would be introduced to the rear and accessed from The Wynstones.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

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

#### **2.2 Development Plans**

##### Joint Replacement Structure Plan

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

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

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L5 - Open areas
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP7 - Unstable Land
- H2 - Residential Development within the existing Urban Area
- H4 - Development within Existing Residential Curtilages
- H6 - Affordable Housing
- LC2 - Provision of Education Facilities
- T7 - Cycle Parking Provision

T8 - Parking Standards  
T12 - Transportation Development Control Policy for New Development  
LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area.

Supplementary Planning Guidance  
South Gloucestershire Design Checklist (SPD) adopted 23<sup>rd</sup> August 2007

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

3.1 P87/4589 - Single storey side extension.  
Approved 9th Oct. 1987

### **4. CONSULTATION RESPONSES**

4.1 Parish Council  
Not a parished area.

4.2 Other Consultees  
None.

#### **Other Representations**

4.3 Local Residents  
One letter of objection was received from the occupant of adjoining No.38 Footshill Rd. The concerns raised are summarised as follows:

- No.38 would become an end of terrace dwelling.
- The value of No.38 would be reduced.

4.4 The applicant has submitted a petition in support of the application, which has been signed by 17 local residents.

4.5 One separate letter of support from the occupant of No.36 Footshill Rd. has been received, stating that the scheme would be sympathetically designed and therefore in-keeping with its surroundings.

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

5.1 Principle of Development  
The site lies within the Urban Area and being residential curtilage, is previously developed land and can therefore be assessed as a brownfield windfall site. There is therefore no in-principle objection to the development of the site for residential use.

5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 34 states that in making allocations for housing provision, Councils should give priority to the re-use of previously developed land. Similarly, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.

- 5.3 Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes’. PPS3 also supports a greater mix of housing type and tenure.
- 5.4 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:
- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
  - B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
  - C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
  - D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.
- 5.5 Policy H4 permits development within existing residential curtilages subject to criteria similar to H2. Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to secure good quality designs.
- 5.6 The site is not subject to unacceptable levels of noise, disturbance, air pollution, smell, dust or contamination. There is adequate provision in the locality for Education, Leisure, Recreation and other Community Facilities to meet the needs arising from the proposal.
- 5.7 Density  
Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used and whilst not prescribing any maximum figure the PPS encourages the highest density that can be achieved within the various local considerations that need to be taken into account.
- 5.8 Officers are satisfied that having regard to the site’s constraints and the previous planning consent for a side extension to this property, albeit single storey on a smaller foot-print, more than one new house could not realistically be accommodated on the site. In this respect the proposal represents the most efficient use of the land in what is a reasonably sustainable location, being fairly close to Hanham and Kingswood Town Centres with their shopping and community facilities and main bus routes. The proposal therefore accords with Government guidelines and in terms of its density alone the development is not considered to be an overdevelopment of the site.

5.9 Scale and Design

- Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 requires a good standard of design, in particular the siting, layout, form, scale, height, detailing, colour and materials should be informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality. The proposed scale and design of the dwelling, attempts to replicate that of the existing semi-detached dwelling to which it would be attached. There would however be a smaller subservient two-storey element on the side and a large flat roofed box dormer on the rear roof elevation.
- 5.10 During their site-visit, officers observed that there is a very well defined building line to the terrace of houses situated on the eastern side of The Wynstones. The proposed dwelling would project a significant distance beyond this building line and being on a prominent corner plot, would therefore appear as an incongruous element within the street scene, to the detriment of the visual amenity of the locality, which would be contrary to Policy D1.
- 5.11 The proposed rear dormer would be very large, almost subsuming the entire roof area and furthermore, being flat-roofed, it would not integrate at all well within the built form. It is acknowledged that there is a similar dormer to the rear of no. 38 but this appears to have been built under permitted development rights. When assessed against modern planning policy, which requires a good standard of design, such large flat-roofed dormers are no longer considered to be appropriate features.
- 5.12 Moving to the elevational details, officers consider that the existing pair of semi-detached dwellings exhibit a higher quality vernacular than any of the surrounding properties. The age of the buildings and period features that have been retained, most noticeably on the front elevations, provide a most pleasing appearance on this prominent corner plot, especially when viewed from the southerly approaches from Footshill Road. The materials to be used as listed in the Design and Access Statement do not accord with those annotated on the submitted plans. Officers do not consider that the proposed use of 'Brandon Stone' would adequately complement the existing Pennant Sandstone frontages, further compromising the visual amenity of the street scene.
- 5.13 Given that the existing pair of semi-detached dwellings have a well balanced, attractive and symmetrical appearance, the addition of a third dwelling with a pastiche appearance would not be in-keeping to the detriment of the visual amenity of the street scene. On balance therefore, having regard to the proposed scale, siting and appearance of the proposed dwelling, the scale and design are not acceptable and therefore contrary to the requirements of Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.
- 5.14 Landscape  
There is little vegetation of note on the site other than the boundary hedge. The Design and Access Statement states that, 'some planting will be introduced as indicated on the plans', but none in fact is shown. A scheme of landscaping could however be secured by condition; there are therefore no landscape objections.

5.15 Transportation

The site is located off the unclassified Footshill Road, which serves as access to the wider highway network. One off-street parking space is proposed for this development of a single 4-bed dwelling; the parking space would be accessed off The Wynstones. An existing single garage would be retained to serve the existing dwelling.

5.16 The Council's Highway Officer considers that the proposed parking provision is insufficient for a property of the size proposed and would lead to further on-street parking to the detriment of highway safety, contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

5.17 Impact upon Residential Amenity

The proposed dwelling would be on a corner plot and would not have a significant overbearing affect on neighbouring property. Any overlooking of neighbouring gardens from the proposed windows would be from a reasonable distance, angle and height. There would be no habitable room windows on the western side elevation facing the houses on the opposite side of The Wynstones. Some overlooking of gardens to the front and rear is considered to be inevitable in a densely populated urban area such as this. Any loss of privacy that might occur would be minimal and certainly not considered to be significant enough to justify refusal of planning permission.

5.18 Adequate amenity space would be retained in the remaining garden to serve the existing and proposed dwellings. The high boundary hedge ensures that the garden is a relatively private area. A bin storage area would be provided. Soundproofing of party walls would be controlled under building regulations. Officers therefore conclude that the proposal would not have an adverse impact upon residential amenity.

5.19 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. Any increase in noise levels or anti-social behaviour would be the subject of normal environmental health controls. A condition would be required to secure the submission of a full drainage scheme for approval before development could commence.

5.20 Other Issues Raised

In support of the application, the applicant has submitted information which relates to personal circumstances. A petition of 17 names has also been canvassed from local residents. The personal circumstances are not however planning matters and are therefore not material considerations in the determination of this planning application. Similarly the concerns raised about house valuations or marketability are also not material.

5.21 Affordable Housing

The proposal is for 1no. dwelling only, which is below the Council's threshold (15) for affordable housing provision.

5.22 Education Service

The proposal is for 1no. dwelling only, which is below the Council's threshold (5) for contributions to the Education Service.

### 5.23 Community Services

The proposal is for 1no. dwelling only, which is below the Council's threshold (10) for contributions to Community Services.

### 5.24 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist (Adopted) 23<sup>rd</sup> August 2007.

## 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 refuse 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 REFUSED for the following reasons:

**Background Papers**      **PK08/1017/F**

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

### **REFUSAL REASONS**

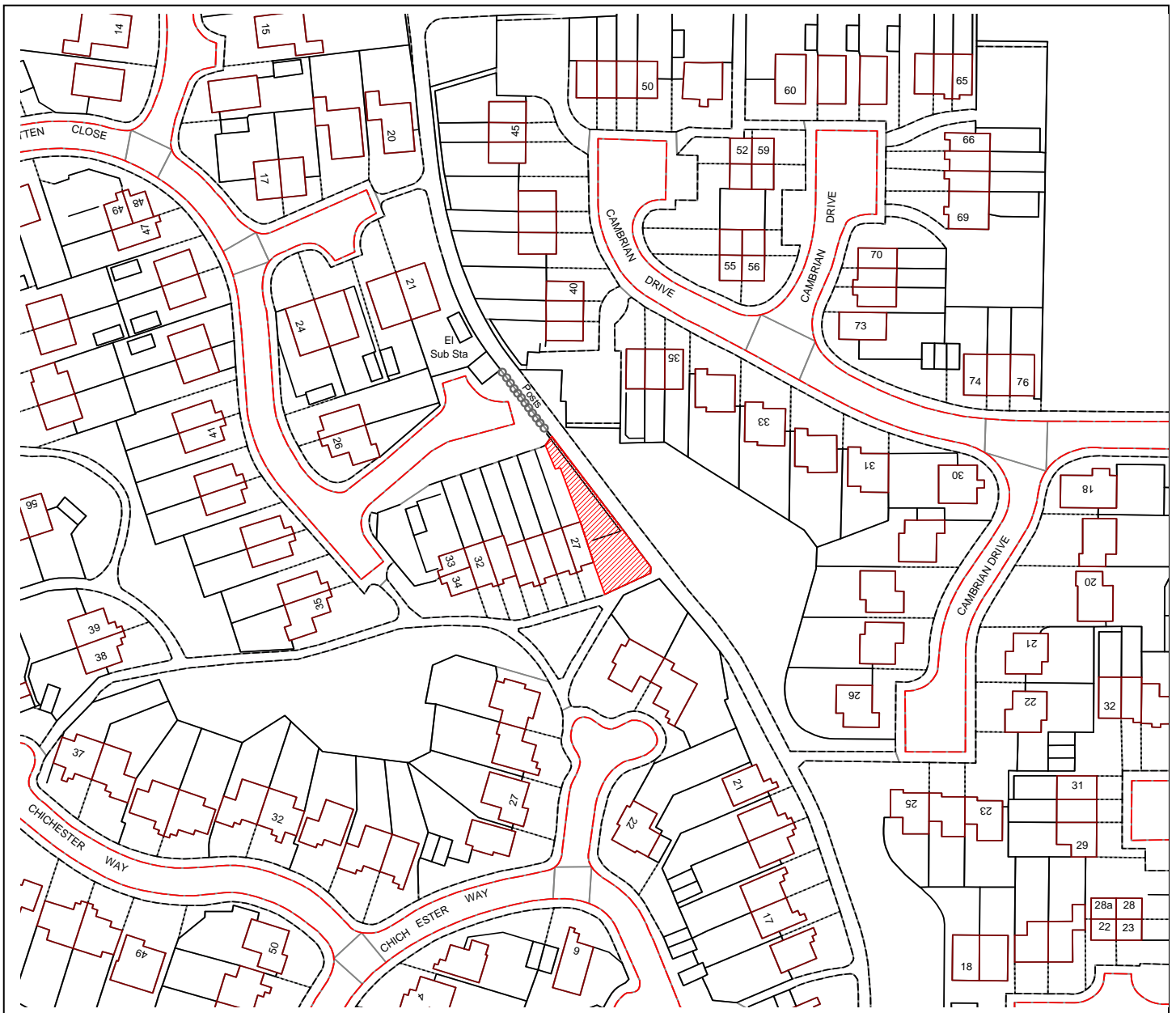
1. The erection of a two-storey dwelling as proposed, would by reason of inappropriate siting, scale and design, adversely affect the present well balanced appearance of the pair of semi-detached houses and would protrude beyond the established building line on 'The Wynstones' all to the detriment of the street scene and the visual amenities of the locality. The proposal is therefore considered contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and guidance contained in The South Gloucestershire Design Checklist (SPD) Adopted 23rd August 2007.
2. By reason of inadequate off-street parking provision, the proposal will result in additional vehicles parking along Footshill Road, which would interfere with the safe and free flow of traffic, increasing hazards to other road users to the detriment of highway safety. The proposal would therefore be contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) Jan 2006.



**CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008**

**App No.:** PK08/1158/F  
**Site:** 27 Mountbatten Close, Yate, South Gloucestershire, BS37 5TD  
**Proposal:** Erection of 1 no. attached dwelling with rear vehicular access, parking space and associated works (resubmission of PK07/3367/F)  
**Map Ref:** 70978 83251  
**Application Category:** Minor

**Applicant:** Mr A White  
**Date Reg:** 30th April 2008  
**Parish:** Yate Town Council  
**Ward:** Yate North  
**Target Date:** 12th June 2008



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**N.T.S**

**PK08/1158/F**

## **INTRODUCTION**

This application is placed upon the Circulated Schedule to Members in accordance with procedure given that an objection to the proposal has been raised.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks consent for the erection of a single end terrace property situated at the eastern end of a terrace that is located at the southern end of Mountbatten Close. The property would be located within the current garden area of No.27 Mountbatten Close.
- 1.2 Amenity space will be available to the new property and retained for the existing property. The applicant indicates on plan that three parking spaces are available for both the existing property (however this is actually two spaces on the ground) and the proposed dwelling.
- 1.3 The property is situated within a “radburn” style estate (where the rear of the property is assessable from the road and the front of the property is assessed from a pedestrian footpath and is located at the southern end of Mountbatten Close. The eastern boundary of the site is marked by a high wall which separates the property from a further footpath that runs north-south through the estate.
- 1.4 The proposal represents a re-submission of application PK07/3367/F (see history below).

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transportation

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

H2	Proposals for Residential Development, Including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permissions for Residential development, within the Existing Urban Area and Defined Settlement Boundaries.
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings.
D1	Achieving Good Quality Design in New Development
T12	Transportation Development Control Policy for New Development

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

P88/2592 Erection of 3 metres high panel fence (Refused)

PK07/3367/F Erection of 1 no. attached dwellings with rear vehicular access, parking space and associated works. (Refused – The proposed development provided insufficient parking space and the building by reason of its design and appearance would have been detrimental to the visual amenity of the area)

## 4. CONSULTATION RESPONSES

### 4.1 Yate Town Council

No objection raised.

### 4.2 Sustainable Transport

This proposal is a resubmission of a previous planning application (PK07/3367/F) that was refused planning permission. Transportation objection was raised to the level of vehicular parking proposed for this development.

This current proposal seeks to erect an attached two-bed dwelling on the site. Two vehicular parking spaces are proposed, one for each dwelling. The density of the proposed dwelling has been reduced since the original proposal was submitted and the Applicant has confirmed that the existing has two-bedrooms. In light of this, the two parking spaces proposed are within the maximum standards set out in Policy T8 of the SGLP and are therefore considered acceptable.

On that basis, there is no transportation objection to this proposal.

### 4.3 Local Residents

One letter of objection has been received. The grounds of objection can be summarised as follows:

- The proposed development does not put forward sufficient parking to support the development and will result in on-street congestion if allowed which will exacerbate an existing problem.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

PPS3 seeks to widen housing choice, maintain an adequate housing supply within sustainable locations. The guidance places emphasis on good design and the creation of sustainable development. Following this guidance Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 supported by Policy H4 apply. The policy allows for residential development within existing defined settlement boundaries and urban areas subject to the criteria outlined below. Policy T12 gives more detailed guidance relating to the impact of new development upon the surrounding highways network.

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

These issues are discussed in detail under separate headings below.

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

The density is considered compatible and appropriate within the context of this area and within the guidelines indicated in PPS3.

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

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

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

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

The impact upon residential amenity, transportation and landscape/design is considered in more detail below. Subject to consideration of these issues the proposed development is considered acceptable in principle.

5.2 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure a high standard of design, this policy is reiterated in Policy H4 and is required by H2 in terms of environmental impact.

It is considered that the proposed development would appear a little cramped however not to an extent that the scheme is considered unacceptable in visual terms. In contrast to the previous scheme the building line is respected to the front and the back of the building. It is acknowledged that the building is marginally greater in width than its neighbours however given that the form of the terrace is respected this is considered appropriate.

A condition will be attached to the decision notice to ensure that matching materials are used in the construction of the building to ensure that the building integrates successfully within the terrace.

It is considered that the proposal is in accord with the aims and objectives of Policy H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted January 2006).

5.3 Residential Amenity

Given the scale and location of the proposed development within this end terrace location, the proposed development is not considered to have an adverse impact upon the amenity of neighbouring occupiers.

The proposal is considered acceptable in terms of residential amenity and thus in accord with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.4 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the impact of new development upon the surrounding highway network. Development will not be permitted where it would result in detriment to highway safety.

Concern has been raised that insufficient off-street parking has been provided and that this will exacerbate an existing parking problem. It should be noted that previous proposal (PK07/3367/F) was refused planning permission partly on the grounds that insufficient parking was to be provided. The previous proposal would have only provided a single space for both the existing and proposed dwelling (a three bed property).

This current proposal seeks to erect an attached two-bed dwelling on the site. Two vehicular parking spaces are proposed, one for the new dwelling and one for that existing. The density of the proposed dwelling has been reduced since the original proposal was submitted and the proposal is now for a two bed dwelling. In light of this, the two parking spaces proposed are within the maximum standards (the standard sets 1.5 spaces per dwelling) set out in Policy T8 of the South Gloucestershire Local Plan (Adopted January 2006).

On this basis while the concerns raised are noted, it is considered that the proposal is in accord with Local Plan Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted January 2006).

#### 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.

#### 5.6 Design and Access Statement

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

- 7.1 Planning Permission be granted subject to the following conditions

**Background Papers**      **PK08/1158/F**

**Contact Officer:**    **David Stockdale**  
**Tel. No.**                **01454 864533**

## **CONDITIONS**

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

Reason

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

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

Reason

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

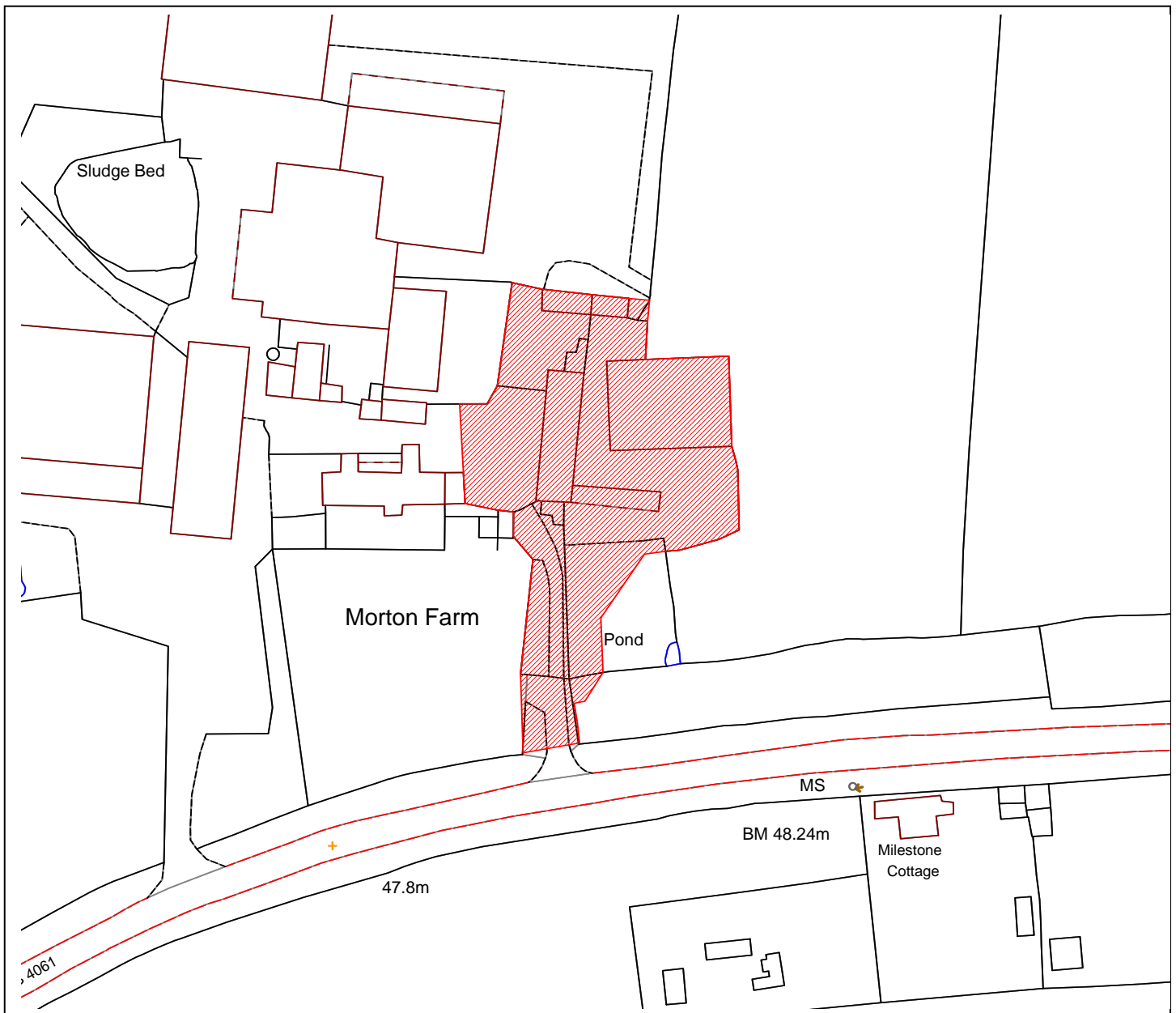
3. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied (with clear markings to indicate the allocation of the spaces), and thereafter retained for that purpose.

Reason

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

## CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008

<b>App No.:</b>	PT07/3736/F	<b>Applicant:</b>	Mr Gill
<b>Site:</b>	Morton Farm, Old Gloucester Road, Thornbury, South Gloucestershire, BS35 3UF	<b>Date Reg:</b>	31st December 2007
<b>Proposal:</b>	Conversion of 3 no. barns to facilitate 2 no. dwellings with ancillary workshop units. (Resubmission of PT06/1685/F).	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	66125 91565	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	8th February 2008



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**N.T.S**

**PT07/3736/F**

## **INTRODUCTION**

This application appears on the circulated schedule because representations of objection have been received contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission to convert 3No. barns to 2No. dwellings with ancillary workshop units. The application will also entail the removal of a modern agricultural building; landscaping; provision of residential curtilages and parking for each dwelling; a widened access from Gloucester Road; and a spur off the existing access track to access one of the dwellings.
- 1.2 The site is outside of any designated settlement boundary in the open countryside. The buildings are curtilage Grade II Listed Buildings. A concurrent listed building application (PT07/3737/LB) can be found elsewhere in this schedule.
- 1.3 The application is an amended scheme to that previously approved for conversion to 3No.dwellings (refs. PT04/0485/F & PT04/0486/LB).

### **2. POLICY CONTEXT**

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG4	Industrial and Commercial Development and Small Firms
PPS7	The Countryside
PPG13	Transport
PPG15	Planning and the Historic Environment
- 2.2 Joint Replacement Structure Plan

Policy 19	Cultural Heritage protection (through Local Plans)
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- 2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
L13	Listed Buildings
T12	Transportation Development Control Policy for New Development
H10	Conversion and Re-use of Rural Buildings for Residential Purposes
H3	Residential Development in the Countryside
L17&L18	The Water Environment
- 2.4 Adopted Supplementary Planning Documents

South Gloucestershire Design Checklist	
Sustainable drainage	

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

- 3.1 P88/2512 Conversion of barn to dwelling, erection of detached



- garage, construction of new vehicular and pedestrian access.  
Approved.
- 3.2 P88/2795/L Minor works of demolition and alterations to existing barn to facilitate conversion to a dwelling.  
Approved.
- 3.3 P97/2177 Conversion of barn to form dwelling.  
Withdrawn
- 3.4 P97/2178/L Conversion of barn to form dwelling.  
Withdrawn.
- 3.5 PT03/1584/F Conversion of existing barns to form three residential units with workspaces.  
Refused due to insufficient details, impact on Listed Building and highway considerations.
- 3.6 PT03/2559/LB Listed Building consent refused in association with above planning application.
- 3.7 PT04/0486/LB Conversion of existing barns to 3 no. dwellings and ancillary workshop units.  
Approved with conditions.
- 3.8 PT04/0485/F Conversion of existing barns to 3 no. dwellings and ancillary workshop units.  
Approved with conditions.
- (The above two planning applications are current and can be implemented as approved)*
- 3.9 PT05/0535/F Change of use from agriculture to composting biodegradable green waste.  
Approved with conditions.
- 3.10 PT06/0536/RVC Variation of Condition 8 attached to planning permission PT05/0535/F to include pre-shredded corrugated cardboard (no waste material other than green waste shall be received or composted at the site).  
Withdrawn.
- 3.11 PT06/1685/F Conversion of 3 no. barns to facilitate 2 no. dwellings with ancillary workshop units.  
Withdrawn
- 3.12 PT06/2077/LB Demolition of 1 no. barn and conversion of 3 no. barns to facilitate 2 no. dwellings with ancillary workshop units.  
Withdrawn.
- 3.13 PT06/2534/RVC Removal of condition 3 attached to planning permission PT05/0535/F to allow for the permanent use of composting biodegradable green waste.  
Undetermined.

- 3.14 PT06/3395/F Demolition of 1 no. barn. Change of use of 5 no. agricultural barns from agricultural use to business use (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).  
Refused.
- 3.15 PT07/1505/F Demolition of 1 no. barn. Change of use of 5 no. agricultural barns from agricultural use to business use (Class B1) as defined in the Town and Country Planning (Use Classes) Amendment Order 2005. (Resubmission of PT06/3395/F).  
Refused.
- 3.16 PT07/3737/LB Conversion of 3 no. barns to facilitate 2 no. dwellings and ancillary workshop units.  
Undetermined at the time of writing this report.

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

##### **4.1 Thornbury Town Council**

Object on the basis that the development would take place in close proximity to the composting site and as such contravenes the DEFRA guidelines and Environment Agency recommendations that no residential properties should be built within 250 metres of a waste processing operation.

*(It should be noted that the composting operations associated with this site have now ceased.)*

#### **Other Representations**

##### **4.2 Local Residents**

Six sets of comments have been received. The comments can be summarised as follows;

The proposed residential development will take place in close proximity to the composting site associated with Morton Farm which would be contrary to Environment Agency and DEFRA guidelines. The application should be supported by a risk/scientific assessment to justify residential development close to the composting site.

*(It should be noted that the composting operations associated with this site have now ceased.)*

The proposed development will increase traffic movements onto and off the site where there is a 60mph speed limit in force and already increased vehicular movements from the main farm entrance. Previous consideration of residential development in this locality has been successfully resisted by the Council's transport department.

There are no pedestrian facilities within one mile of the site.

There is not adequate public transport facilities near this site

The proposed development would have a detrimental impact upon the character and visual amenity of the open countryside

##### **4.3 Thornbury Residents Against Pollution (TRAP)**

TRAP is a local resident action group and is not a statutory consultee. One local resident has made representation on behalf of TRAP which reiterate the representations made by that person individually; and offer the following comments in addition.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H10 - Conversion and Re-use of Rural Buildings for Residential Purposes sets out the criteria against which such proposals should be assessed, which is considered to closely reflect the advice in Planning Policy Statement 7.

5.2 The first criterion of H10 - Conversion and Re-use of Rural Buildings for Residential Purposes is that all reasonable attempts should be made to secure a business re-use for such a unit prior to a residential unit being introduced; or that the conversion is part of a scheme for business re-use.

5.3 As with the extant consent PT04/0485/F this scheme provides for a mixed use whereby the 3 and 4 bed residential units each have a corresponding work unit. The supporting information indicates that this will be a B1 use. It is concluded that a mixed use scheme with some commercial use would assist with farm diversification, and enable these residential units to be more sustainable in reducing the need to travel. This was the conclusion made with the extant consent and it remains possible to continue to carry out that consent. Since that time there has been no material change in policy that would indicate that a different conclusion should be made.

5.4 The advice in PPS7 is supportive of business re-use, but does not set out a sequential test. Residential re-use is acceptable if access to local services is reasonable, and the site is not an isolated unsustainable location. In this instance, the scheme would allow for reasonable access to local services in Thornbury. It may also reduce the need to travel to work to some extent if the work units were tied to the residences by condition. As such, the proposal is acceptable on this issue.

5.5 As was the case with the extant consent, the existing buildings are capable of conversion without major rebuilding work.

5.6 The issues of design and residential curtilage are dealt with below.

5.7 Finally, the live/work units should be tied together in order that the work units do not become sub-divided or separate from the residential units. Conditions are proposed to cover these issues.

5.8 Having regard to other relevant policies of the Local Plan, the remaining issues relate to design (having regard to the listed building context), transportation, residential amenities, and drainage.

### 5.9 Design and Listed Building Issues

Negotiations have taken place with the Listed Building Officer of the Council. These have been ongoing through this application. Revisions have been made to take into account the previous objections to the proposal, and subject to a number of conditions addressing the detailing of such a conversion the Listed Building officer considers the proposal would be acceptable. The development

is therefore considered to protect the special architectural and historic character of the Listed Building.

- 5.9 The treatment of the built form is considered acceptable subject to a number of conditions. The proposed layout that incorporates suitably defined curtilages and appropriately sited car parking is considered compliant with design policy. A small part of an existing field will be enclosed to provide an access track to one of the units. This raises no adverse visual concerns subject to appropriate enclosure and, due to the small size involved, the loss of agricultural land is not a concern. In any case an area of land will be returned to agricultural on the site of the agricultural building to be removed. With regard to the wider landscape, the proposal will include the removal of a large modern agricultural building which will improve the visual appearance of the area. Conditions are proposed to govern landscaping, and to prevent outside storage.
- 5.10 Transportation  
The site is accessed from Gloucester Road, a de-restricted classified road. The access serves the working farm and the farmhouse. The current proposal features improved width to the access and increased radii at the junction to allow easy access and egress. The proposal provides for appropriate visibility at the access point. A condition to ensure that the initial part of the access road is hard surfaced is appropriate. 2No. car parking spaces are proposed for each dwelling, this complies with Council guidelines. Appropriate locations for bin storage should be secured by an appropriately worded condition.
- 5.14 Residential amenity  
The relationship between the proposed dwellings and the existing farmhouse is considered acceptable. No other properties will be affected.
- 5.15 It is not considered that any retained agricultural activities to be undertaken on the adjacent land would be such that they will unreasonably affect the proposed residences. Any future purchasers of these properties will be aware of the agricultural context.
- 5.16 Conditions relating to the B1 use of the workspace and hours of operation are proposed in the interests of residential amenity. Issues with regard to composting activities at the site are addressed below.
- 5.17 Drainage  
As with the previous consent, this issue can be dealt with by way of a condition to ensure the proposal meets the requirements of Circular 3/99 Planning and Non Mains Drainage and the Council's own Supplementary Planning Document on Sustainable Drainage Systems.
- 5.18 The composting consent/activities  
Planning application PT05/0535/F for a change of use from agriculture to the composting of biodegradable green waste was granted temporary consent for a period of one year. This period has now expired. An application for this use to become permanent was submitted under PT06/2534/RVC. In this instance the Development Control (West) Committee have resolved (November 2006) to approve a further one year consent subject to the applicant first entering into a Section 106 Agreement to restrict the use of the land subject to this application by not carrying out the residential development approved under the extant planning and listed building consents PT04/0485/F and PT04/0486/LB. The composting use continued unauthorised for a period of time but officers are

satisfied that the use has now ceased and the period for signing the legal agreement has expired. The application PT06/2534/RVC is now effectively refused. It is no longer necessary to consider the proposed development in the context of the previous composting activity close to the proposed development. Should the applicant wish to begin composting activities again in the event that the current proposal be approved and implemented, then this would need to be re-considered under a new planning application in light of the occupation of the converted barns. However, to re-iterate, the current use on site has now ceased and it is understood that it is not the intension of the owner of the site to continue with any composting activity at this site.

#### 5.19 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 (Adopted).

#### 5.20 Section 106 Requirements

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

### 6. CONCLUSION

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

**Background Papers**      **PT07/3736/F**

**Contact Officer:**    **Michael Simmons**  
**Tel. No.**                **01454 863643**

### 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) 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):

The site is one where residential development would not normally be permitted. The units so provided are only permitted as they are conversions of existing buildings. Any extensions and alterations need to be assessed against this policy background. In addition the restriction is required to ensure a satisfactory standard of external appearance. This is to accord with Policies H3, H10 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No part of the development shall be sub-divided; and the occupation of the 2 residential units shown on plan 829/005F shall be limited to person(s) solely or mainly employed in the business occupying the corresponding B1 workspace shown on plan 829/005F within the development; or a widow or widower of such a person; or any resident dependent of such a person.

Reason(s):

The site is not an area in which residential development would normally be permitted; a mixed use conversion scheme has been permitted based on the information submitted to accord with policy H10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. 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 work premises (as indicated on plan 829/005F) shall not be used for any purpose other than a B1 use without the prior written consent of the Local Planning Authority.

Reason(s):

To minimise disturbance to occupiers of the nearby residential units. This is to accord with Policy E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The hours of working at the premises identified as workspaces on plan 829/005F shall be restricted to between 8.00-18.00 Monday to Friday; 8.00-13.00 on Saturdays and no working shall take place on Sundays or Public Holidays.

Reason(s):

To protect the amenities of the occupiers of the nearby residential units, and to accord with Policies H9 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No outside storage associated with the approved class B1 use shall take place at the premises without the prior consent, in writing of the Local Planning Authority.

Reason(s):

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

7. Prior to the first occupation of the development hereby approved, full details demonstrating the location and method of bin storage (for both commercial and residential purposes), including the location and position of occasional refuse service bin collection storage, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details and shall be retained as such unless the Local Planning Authority agrees to any variation in writing.

Reason(s):

In the interest of visual amenity, the setting of the listed buildings and highway safety and to accord with policy D1, L13 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. 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. The details of landscaping shall include hedge planting along the eastern boundary of the application site.

Reason(s):

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

9. 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(s):

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

10. Prior to commencement of development, the developer shall undertake a desktop investigation into the previous use of the barn and submit the findings in writing to the Local Planning Authority. Should the investigation identify the potential for contamination, a full ground investigation should be carried out and a detailed contamination report along with the proposed remediation measures where required be provided for approval by the Local Planning Authority prior to the commencement of any works. Any such remediation measures that are required shall be undertaken in their entirety prior to the first occupation of any of the dwellings.

Reason(s):

To prevent the risk of pollution from contaminated land to accord with policy RP1 of the Rural Areas Local Plan; and policy EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Development shall not begin until drainage details incorporating best management practices and the hydrological context of the development have been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented 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.

12. Prior to the first use of the residential or work building, the first 20 metres of the access road shall be hard surfaced, in accordance with details to be first agreed in writing with the Local Planning Authority, and the access shall be laid out in accordance with the approved plan.

Reason(s):

To ensure that no loose material is transferred onto the highway in the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. 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.

14. 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.

Flues and vents

Rainwater goods

Eaves, verges and ridges,

Windows and doors

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.

14. Prior to the commencement of the works hereby approved a samples of the proposed roof tiles and walling stone 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



walling stone shall be dressed rubblestone 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.

15. Prior to the commencement of the works hereby approved, sample panels of the proposed repointing and external walling shall be erected on site, shall be submitted to the Council for approval. 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.

16. Prior to the commencement of the works hereby approved details of the proposed external joinery and fenestration finishes shall be submitted to the Council for approval. No works shall commence until the Council has given written approval. The finish of the fenestration and joinery shall comply exactly with the details so approved. No alteration of the approved finish shall take place without written approval of the Council.

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.

17. 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.

18. Prior to the commencement of the development a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
  - (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
  - (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
  - (c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
  - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.

(e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The barn indicated to be removed on approved dr.no.829/044C shall be removed in its entirety before the first occupation of any of the dwellings and in accordance with the details approved by reason of this condition.

Reason(s):

To accord with the Council's adopted Waste Management Strategy, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

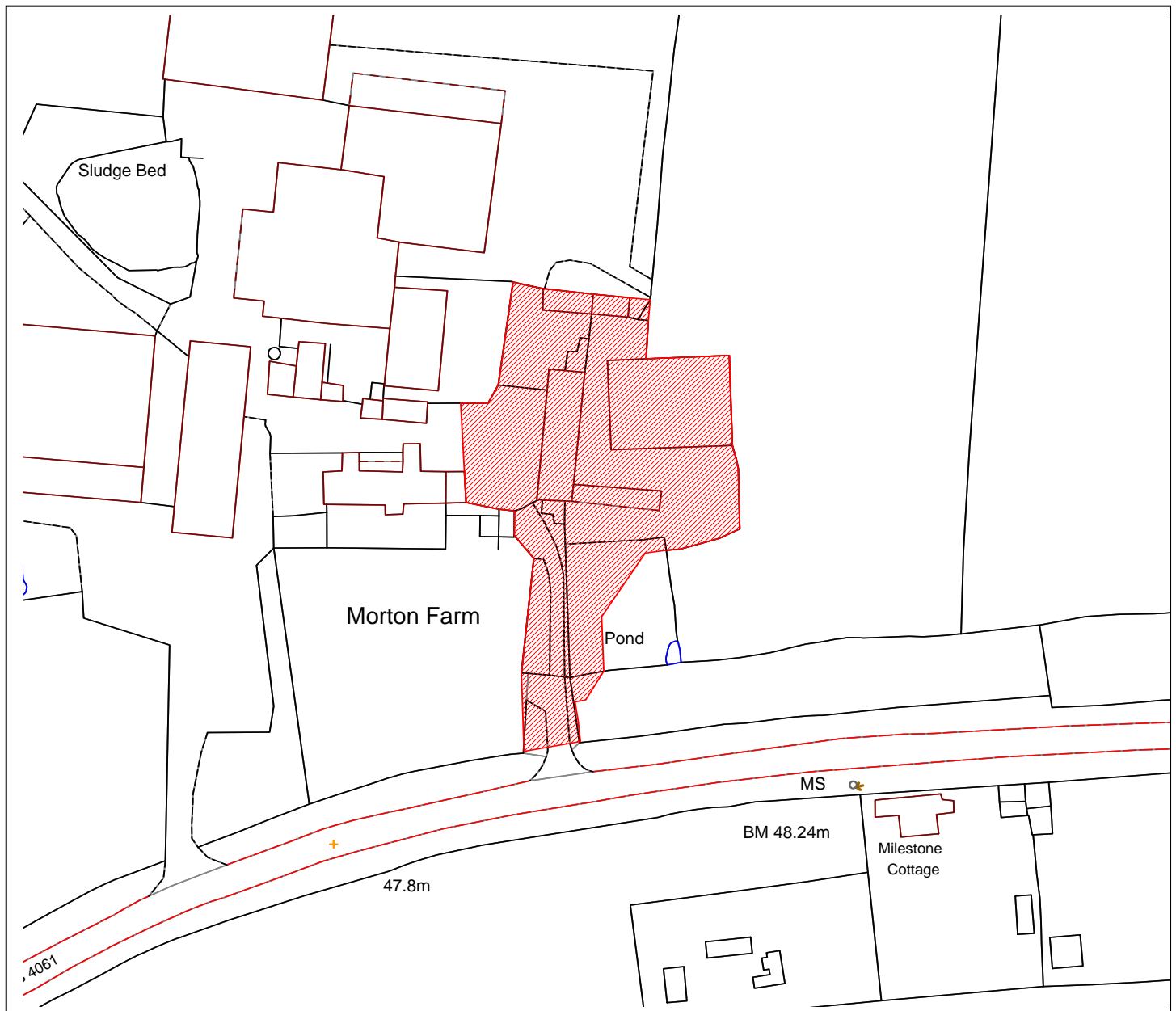
18. Before the first occupation of any of the dwellings hereby approved the existing steel framed barn indicated for removal on draing no.044 rev C shall be removed in its entirety and the land restored in the manner indicated on the approved plan.

Reason(s):

To protect the character and appearance of the area to accord with Policies H10/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008

<b>App No.:</b>	PT07/3737/LB	<b>Applicant:</b>	Mr Gill
<b>Site:</b>	Morton Farm, Old Gloucester Road, Thornbury, South Gloucestershire, BS35 3UF	<b>Date Reg:</b>	31st December 2007
<b>Proposal:</b>	Conversion of 3 no. barns to facilitate 2 no. dwellings and ancillary workshop units.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	66125 91565	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th February 2008



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PT07/3737/LB

## **INTRODUCTION**

This application appears on the circulated schedule because representations of objection have been received contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission to convert 3No. barns to 2No. dwellings with ancillary workshop units. The application will also entail the removal of a modern agricultural building; landscaping; provision of residential curtilages and parking for each dwelling; a widened access from Gloucester Road; and a spur off the existing access track to access one of the dwellings.
- 1.2 The site is outside of any designated settlement boundary in the open countryside. The buildings are curtilage Grade II Listed Buildings. A concurrent listed building application (PT07/3737/LB) can be found elsewhere in this schedule.
- 1.3 The application is an amended scheme to that previously approved for conversion to 3No.dwellings (refs. PT04/0485/F & PT04/0486/LB).

### **2. POLICY CONTEXT**

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG4	Industrial and Commercial Development and Small Firms
PPS7	The Countryside
PPG13	Transport
PPG15	Planning and the Historic Environment
- 2.2 Joint Replacement Structure Plan

Policy 19	Cultural Heritage protection (through Local Plans)
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- 2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
L13	Listed Buildings
T12	Transportation Development Control Policy for New Development
H10	Conversion and Re-use of Rural Buildings for Residential Purposes
H3	Residential Development in the Countryside
L17&L18	The Water Environment
- 2.4 Adopted Supplementary Planning Documents

South Gloucestershire Design Checklist
Sustainable drainage

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

- |     |                       |  |
|-----|-----------------------|--|
| 3.1 | P88/2512              | Conversion of barn to dwelling, erection of detached garage, construction of new vehicular and pedestrian access.<br>Approved.   |
| 3.2 | P88/2795/L<br>barn    | Minor works of demolition and alterations to existing<br><br>to facilitate conversion to a dwelling.<br>Approved.  |
| 3.3 | P97/2177              | Conversion of barn to form dwelling.<br>Withdrawn  |
| 3.4 | P97/2178/L            | Conversion of barn to form dwelling.<br>Withdrawn.   |
| 3.5 | PT03/1584/F<br>units  | Conversion of existing barns to form three residential<br><br>with workspaces.<br>Refused due to insufficient details, impact on Listed Building and highway considerations. |
| 3.6 | PT03/2559/LB<br>above | Listed Building consent refused in association with<br><br>planning application.   |
| 3.7 | PT04/0486/LB          | Conversion of existing barns to 3 no. dwellings and ancillary workshop units.<br>Approved with conditions.   |
| 3.8 | PT04/0485/F           | Conversion of existing barns to 3 no. dwellings and ancillary workshop units.<br>Approved with conditions.   |

*(The above two applications are current and can be implemented as approved)*

- |      |               |  |
|------|---------------|--|
| 3.9  | PT05/0535/F   | Change of use from agriculture to composting biodegradable green waste.<br>Approved with conditions.   |
| 3.10 | PT06/0536/RVC | Variation of Condition 8 attached to planning permission PT05/0535/F to include pre-shredded corrugated cardboard (no waste material other than green waste shall be received or composted at the site).<br><br>Withdrawn. |
| 3.11 | PT06/1685/F   | Conversion of 3 no. barns to facilitate 2 no. dwellings with ancillary workshop units.<br>Withdrawn  |
| 3.12 | PT06/2077/LB  | Demolition of 1 no. barn and conversion of 3 no. barns to facilitate 2 no. dwellings with ancillary workshop units.<br>Withdrawn.  |

- 3.13 PT06/2534/RVC Removal of condition 3 attached to planning permission PT05/0535/F to allow for the permanent use of composting biodegradable green waste.  
Undetermined.
- 3.14 PT06/3395/F Demolition of 1 no. barn. Change of use of 5 no. agricultural barns from agricultural use to business use (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).  
Refused.
- 3.15 PT07/1505/F Demolition of 1 no. barn. Change of use of 5 no. agricultural barns from agricultural use to business use (Class B1) as defined in the Town and Country Planning (Use Classes) Amendment Order 2005. (Resubmission of PT06/3395/F).  
Refused.
- 3.16 PT07/3737/LB Conversion of 3 no. barns to facilitate 2 no. dwellings and ancillary workshop units.  
Undetermined at the time of writing this report.

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

##### **4.1 Thornbury Town Council**

Object on the basis that the development would take place in close proximity to the composting site and as such contravenes the DEFRA guidelines and Environment Agency recommendations that no residential properties should be built within 250 metres of a waste processing operation.

*(It should be noted that the composting operations associated with this site have now ceased.)*

##### **Other Representations**

##### **4.2 Local Residents**

Six sets of comments have been received. The comments can be summarised as follows;

The proposed residential development will take place in close proximity to the composting site associated with Morton Farm which would be contrary to Environment Agency and DEFRA guidelines. The application should be supported by a risk/scientific assessment to justify residential development close to the composting site.

*(It should be noted that the composting operations associated with this site have now ceased.)*

The proposed development will increase traffic movements onto an off the site where there is a 60mph speed limit in force and already increased vehicular movements from the main farm entrance. Previous consideration of residential development in this locality has been successfully resisted by the Council's transport department.

There are no pedestrian facilities within one mile of the site.

There is not adequate public transport facilities near this site

The proposed development would have a detrimental impact upon the character and visual amenity of the open countryside

4.3 Thornbury Residents Against Pollution (TRAP)

TRAP is a local resident action group and is not a statutory consultee. One local resident has made representation on behalf of TRAP which reiterates the representations made by that person individually; and offer the following comments in addition.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of the proposed development and associated planning merits of this case are considered under the associated planning application submitted under PT06/0783/F; which also appears on this schedule. However, as the proposed works require Listed Building Consent it is necessary to consider the merits of the proposal in relation to its impact upon the historical and architectural nature of the Listed Building. These are considered below.

5.2 Listed Building Issues

Negotiations have taken place with the Listed Building Officer of the Council. These have been ongoing through this application. Revisions have been made to take into account the previous objections to the proposal, and subject to a number of conditions addressing the detailing of such a conversion the Listed Building officer considers the proposal would be acceptable. The development is therefore considered to protect the special architectural and historic character of the Listed Building.

5.3 The treatment of the built form is considered acceptable subject to a number of conditions relating to the materials and structural elements. The proposed layout that incorporates suitably defined curtilages and appropriately sited car parking is considered compliant with design policy. A small part of an existing field will be enclosed to provide an access track to one of the units. This raises no adverse visual concerns subject to appropriate enclosure and, due to the small size involved, the loss of agricultural land is not a concern. In any case an area of land will be returned to agricultural on the site of the agricultural building to be removed. With regard to the wider landscape, the proposal will include the removal of a large modern agricultural building which will improve the visual appearance of the area. Conditions are proposed to govern landscaping, and to prevent outside storage.

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 (Adopted).

### 5.5 Section 106 Requirements

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

## 6. CONCLUSION

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

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 approved subject to the following conditions.

### Background Papers      **PT07/3737/LB**

**Contact Officer:**      **Simon Penketh**  
**Tel. No.**                      **01454 863643**

## 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.

Flues and vents

Rainwater goods

Eaves, verges and ridges,

Windows and doors

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 the proposed roof tiles and walling stone 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 walling stone shall be dressed rubblestone 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, sample panels of the proposed repointing and external walling shall be erected on site, shall be submitted to the Council for approval. 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.

6. Prior to the commencement of the works hereby approved details of the proposed external joinery and fenestration finishes shall be submitted to the Council for approval. No works shall commence until the Council has given written approval. The finish of the fenestration and joinery shall comply exactly with the details so approved. No alteration of the approved finish shall take place without written approval of the Council.

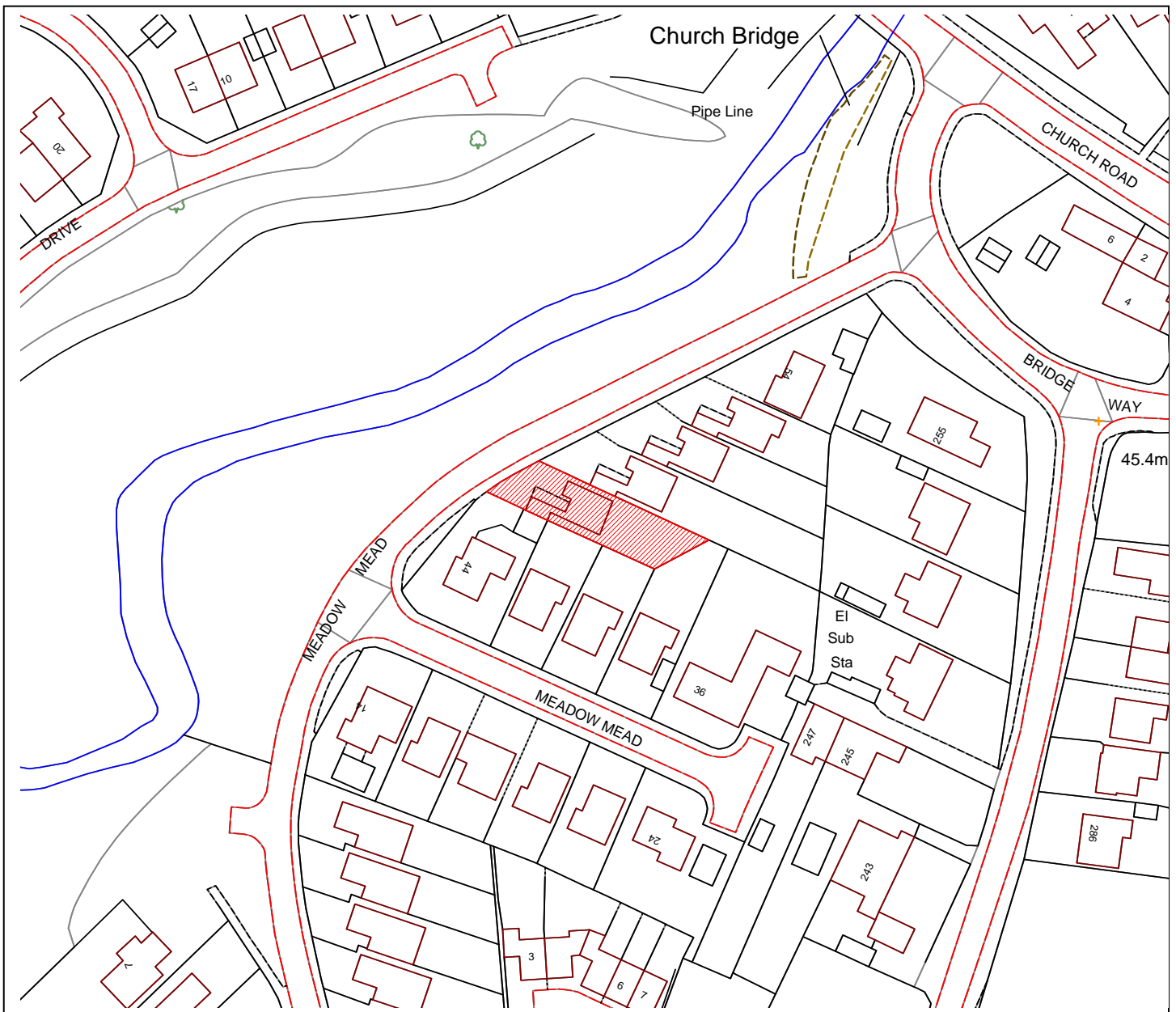
Reason(s):

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. 21/08 – 22 MAY 2008**

**App No.:** PT08/0807/F  
**Site:** 46 Meadow Mead, Frampton Cotterell, South Gloucestershire, BS36 2BE  
**Proposal:** Erection of two storey rear extension and single storey front extension to provide additional living accommodation. Erection of garage.  
**Map Ref:** 66716 81815  
**Application Category:** Minor

**Applicant:** Mr P Drais  
**Date Reg:** 26th March 2008  
**Parish:** Frampton Cotterell Parish Council  
**Ward:** Frampton Cotterell  
**Target Date:** 12th May 2008



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100023410, 2008.

**N.T.S**

**PT08/0807/F**

This application appears on the Circulated Schedule report following the receipt of one letter of objection from a Solicitor representing two local residents.

## **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a single storey front existing and the erection of a single attached garaged.
- 1.2 The application site relates to a detached chalet bungalow situated within a well established residential area of Frampton Cotterell.
- 1.3 This application originally included a two storey rear extension, however following discussions with the applicant this element of the scheme was removed.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
H4: Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) August 2008

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None

## **4. CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council  
No objection
- 4.2 Sustainable Transport  
No objection subject to a condition to provide and maintain at least two standard parking spaces.
- 4.3 Local Residents  
One letter of objection has been received from a solicitor acting on behalf of two local residents. The following points have been raised:  
Planning Matters
  - a. The proposed kitchen door in south-west elevation would afford direct views into bedrooms of No. 42 Meadow Mead;
  - b. The proposed kitchen door would increase pedestrian activity along side pathway;
  - c. The two storey extension would be overbearing and would result in a loss of light to Nos. 40 and 42 Meadow Mead
  - d. The window in the upper storey of the proposed two storey extension should be fixed closed and of opaque glazing as it would look directly into No. 42.

e. The submitted plans are inaccurate

Non Planning Matters

f. The proposed larder would require a Party Wall Notice

Following the amendments to the scheme the solicitor was contacted advising of these matters. A subsequent letter removed the neighbours' objections regarding the two storey element, however they were still concerned with objection A and B.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to residential dwelling subject to there being no adverse impact on the residential amenity.

Policy D1 of the Local Plan considers general design principles and ensures good quality design.

### 5.2 Residential Amenity

The application site is adjoined by five residential dwellings, these are Nos. 48, 44, 42 and 40 Meadow Mead. The proposed development would comprise of the erection of a single storey front extension and a replacement single garage. It is considered that the proposed single storey extension and the garage would not significantly differ from the existing built, as such there would be no adverse impact on residential amenity.

5.3 Objections have also been raised stating that the proposed kitchen door would adversely affect privacy and would cause disturbance through increased activity. Notwithstanding these comments, it should be noted that these specific works would not constitute development and therefore do not require planning permission. Nevertheless, it is considered that the existing boundary treatment and the distance separating it from the neighbouring dwellings would prevent any material harm to residential amenity.

### 5.4 Design and Visual Amenity

The existing dwelling is a chalet bungalow which is characterised by its low eaves height and dormers window within the roof space. The proposed front extension would consist of new single-storey extension. This would replace an existing flat roof structure and would in-fill the area between the existing kitchen and porch. The proposal would have a pitched roof, whilst this would be a different pitch to the existing dwelling, it is not considered to materially harm the character of the dwelling or street scene. The replacement garage would have a flat roof, this is generally not seen to be a good design solution. However, the existing and surrounding dwelling all have flat roofed garages. In view of this context it is considered that there would be no material harm to the character or visual amenity of the area. Finally, the applicant has confirmed the extension would be finished in materials to match the existing dwelling. Therefore, in view of the above, it is considered that the proposal accords to the general design principles of D1 and H4 of the local plan.

### 5.5 Highway Safety

The Councils Transportation Officer has raised no objection subject to a condition to provide and maintain at least two standard parking spaces. Notwithstanding this, the plans show at least two standard parking spaces and

no highway safety issue has been demonstrated. As such, it is considered that it is not reasonable or necessary to apply this condition in this instance.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

- 7.1 Planning permission to be **granted** for the following reason:

**Background Papers**      **PT08/0807/F**

**Contact Officer:**    **Peter Rowe**  
**Tel. No.**                **01454 863538**

## **CONDITIONS**

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

Reason(s):

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

## CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008

<b>App No.:</b>	PT08/0821/F	<b>Applicant:</b>	Mr & Mrs Heeps
<b>Site:</b>	The Cottage, Greenhill, Alveston, South Gloucestershire, BS35 3QZ	<b>Date Reg:</b>	27th March 2008
<b>Proposal:</b>	Erection of two storey extension to form additional dwelling. Erection of 2 no. detached garages with associated works. Creation of 2 no. new accesses.	<b>Parish:</b>	Alveston Parish Council
<b>Map Ref:</b>	63274 87765	<b>Ward:</b>	Thornbury South and Alveston
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th May 2008



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100023410, 2008.

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

## **1. THE PROPOSAL**

- 1.1 The applicant seeks planning permission for the erection of a two storey extension to form an additional dwelling and two detached garages. To facilitate this two new accesses will be created onto Greenhill.
- 1.2 The application site relates to a modest size cottage which is situated within a terrace of similar cottages. The site is situated within a well established residential area with the settlement boundary of Alveston. Furthermore, the site is washed over by the Bristol and Bath Green Belt.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

- PPS1: Delivering Sustainable Development  
PPG2: Green Belts  
PPS3: Housing  
PPG13: Transport

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

- Policy 1: Sustainable development objectives  
Policy 2: Location of development  
Policy 33: Housing provision and distribution  
Policy 34: Re-use of previously developed land  
Policy 35: Housing density

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

- Policy D1: Delivering Sustainable Development in New Development  
Policy L1: Landscape Protection and Enhancement  
Policy GB1: Development within the Green Belt  
Policy H2: Proposals for Residential Development within the Existing Urban Areas  
Policy H4: Development within Existing Residential Curtilages  
Policy T8: Parking Standards  
Policy T7: Cycle Storage  
Policy T12: Transportation Development Control Policy for New Development

### **2.4 Supplementary Planning Guidance**

- South Gloucestershire Design Checklist (Adopted) August 2007  
South Gloucestershire Development within the Green Belt SPD (Adopted) 2007

## **3. RELEVANT PLANNING HISTORY**

- 3.1 N.4177 Alterations and extension to dwellinghouse to form two unites of accommodation  
**Refused** 23 February 1978

## **4. CONSULTATION RESPONSES**

- 4.1 Alveston Parish Council

No comment

4.2 Sustainable Transport

No objections, subject to following conditions:

1. provide two secure cycle stores for each dwelling;
2. vehicular crossovers should be constructed to the satisfaction of Street Care Manager; and
3. the proposed parking areas should have a bound surface.

4.3 Community Services

The proposed garage may potentially harm a tree within the ownership of South Gloucestershire Council. As such, a method statement is required detailing how they intend to carry out work in close proximity to the tree and its roots.

4.4 Public Right of Way Officer

No objection, subject to standard informatives.

4.5 Local Residents

One letter of objection has been received stating:

- A. The new plans show the garages higher than previously;
- B. These will look out of place; and
- C. 35ft Fir tree would need to be felled.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Advice contained within PPS3 encourages the provision of additional housing on previously developed land within existing towns and cities to promote more sustainable patterns of development. This policy stance is reflected in policies contained within the Adopted Joint Replacement Structure Plan and South Gloucestershire Local Plan.

5.2 Policy H2 of the South Gloucestershire Local Plan March 2006 incorporates current planning advice contained within PPS3 and the JRSP and allows for new residential development within the boundaries of settlements provided the following are complied with.

5.3 Policy H4 of the South Gloucestershire Local Plan is relevant as it relates to residential development within existing residential curtilages and is concerned with detailed issues. This policy allows for new development provided the massing, scale, proportions, materials and overall design and character of the existing property and street scene are respected; the amenities of nearby occupiers are not adversely affected; highway safety/parking is acceptable and adequate private amenity space is available for the existing and proposed dwelling.

5.4 Furthermore, the proposed development is situated within the Alveston settlement boundary which is "washed-over" by Green Belt. Generally new dwellings are not considered to be appropriate developments in the Green Belt. However, Policy GB1 gives provision for limited infilling of small gaps within settlement boundaries, providing the development does not significantly impinge upon the openness.



- 5.5 Density  
Planning policy H2 cites that the maximum density compatible with the site, its location, its accessibility and surroundings should be achieved. To this extent, the expectation is that all development will achieve a minimum density of 30 dwellings per hectare and that higher densities (upwards of 50 dwellings per hectare) will be achieved where local circumstances permit.
- 5.6 In this instance, the total site area equates to 0.07ha providing for a density of some 30 dwellings per hectare. Whilst this falls slightly below the threshold required, it is considered that more than two dwellings on this site would not be compatible with the rural and low density character of the surrounding area. As such, there is no objection to the proposal on this basis.
- 5.7 Residential Amenity  
The application site is adjoined by one neighbouring dwelling (Cherry Trees) along its western boundary. The impacts on the residential amenity of this dwelling and between two dwellings are assessed below:
- 5.8 Privacy  
The proposed would not result in any new window openings which would have direct inter-visibility between any nearby neighbouring dwellings. It is noted, that the windows in the north and south elevations would provide some oblique views into adjacent gardens. Nevertheless, these would be essentially the same as the existing cottage and the level of inter-visibility would be of a type expected within residential areas. In view of this the proposal would not adversely affect privacy.
- 5.9 Overbearing Impact  
The main bulk of extensions to the existing dwelling would be situated on the eastern elevation. As such, this would be approximately 7 metres from the boundary within Cherry Trees. It is considered that this distance would mitigate any overbearing impact. It is noted that there would be a small single storey lean-to extension along the northern elevation and adjacent to the boundary. In view of its modest scale and depth it is not considered to present an overbearing impact.
- 5.10 The proposed development also includes two detached garages. These would be situated at the end of both gardens. In view of their scale, massing and distance separating them from the neighbouring dwelling, it is considered their would be no adverse overbearing impact.
- 5.11 Amenity Space  
Both units would have appropriately sized gardens, which would provide adequate private amenity space. The existing boundary between Cherry Tree is well established with a stone wall and landscaping. It is considered that this feature should be retained. The applicant has provided no details of proposed boundary treatment. As such it is recommended that a landscaping condition is attached to ensure further details are submitted and agreed with the Local Planning Authority (LPA).
- 5.12 Design and Visual Amenity  
The proposed development consists of a two storey extension to the existing dwellings north-east elevation and a single storey lean-to extension to the north-west and south-east elevations. Furthermore, two detached garages

would be erected at the end of each garden. Its impact on visual amenity has been assessed below:

5.13 Design – Appearance, Massing, Scale and Proportions

The existing dwelling relates to a modest end-terrace cottage. The front elevation of dwelling is mainly intact however several cumulative extensions to the rear and side have harmed the traditional character of the cottage. The proposed extensions would remove these harmful extensions and replace them with a two storey extension. The extension would adopt vernacular design approach. This is because the new extension would appear like a pair of rural cottages from the street scene. This is considered to be an acceptable design approach. The applicant has not stated what materials the extension will be finished in. As such a condition will be attached to secure details prior to commencement of development.

5.14 It is noted that the mass and scale of the extension would be much larger than the existing cottage. However, it is considered that the extension would provide an acceptable addition to the street scene (Further explanation in paragraph 5.11) and the alterations to the north-west and south-east elevations would improve the appearance of the existing dwelling. In view of this, it is considered that the visual improvements would outweigh the harm caused by the massing and scale of the extension. Given the scale and massing of the extensions, it is recommended that permitted development rights are removed for extensions and outbuildings to prevent further extensions.

5.15 Character of Street Scene

The predominant character of Greenhill is of dwellings fronting onto the highway. However, the application site relates to a dwelling within a small terrace of rural cottages, which are orientated perpendicular to the highway and front onto a small access lane. The proposed extension would alter this character because it would add a new frontage to Greenhill. This design “solution” is acceptable in principle because the extension would accord with predominant character of Greenhill and face onto the highway. Nevertheless discussions took place with the applicant to ensure the elevation facing the highway had symmetrical fenestration. This would give the impression that this elevation was the dwellings principle elevation.

5.16 Furthermore, it is considered that the existing front stone wall offer a high amenity value. The proposal involves cutting two holes in this to provide access to the dwellings. It is therefore recommended that a condition is attached to ensure this wall is not further eroded.

5.17 A local resident has highlighted that the garages on the amended plans appear higher than previously and therefore the garages would now look out of place. Notwithstanding these comments, the amended plans show that the garage is approximately 1.5 metres lower than the initial plans. It is considered that the amended garages adopt an unassuming design and scale and would therefore provide an acceptable addition to the street scene.

5.18 Landscape

A local resident has highlighted that the 35ft Fir tree would need to be felled to facilitate these works. This tree is not protected and is not considered to be significant to the visual amenity of the area. As such, it is not considered worthy of protection through this application. Nevertheless, it is recommended that a landscaping condition is attached to ensure details are submitted prior to

commencement. This would ensure that acceptable landscaping is planted and retained to ensure that the proposal blend in with their surrounds in accordance with Policy L1 of the local plan.

#### 5.19 Green Belt

The application is situated within the Alveston settlement boundary which is “washed over” by Green Belt. The application site is situated in a well-established residential area. The proposal would be sited in a large site and the garden and landscaping would maintain openness. As such it is considered that the proposal can be defined as limited infilling of small gaps within settlement boundaries which does not significantly impinge upon the openness. In view of this, it is considered that the proposal would accord to Policy GB1 of the local plan.

#### 5.20 Council Trees

The Council Community Services department have identified that the garage relating to plot 2 may adversely affect a tree within the ownership of the Council. To overcome this, a condition will be attached to ensure a method statement is submitted and approved with the Council prior to commencement.

#### 5.21 Transportation Issues

The proposal includes the creation of two new accesses to Greenhill (C Classified Road). The Councils Transport Engineer has confirmed that the parking and turning facilities are acceptable. As such, they raised no objection to the proposals, however they recommended that conditions should be attached to ensure:

1. provide two secure cycle stores for each dwelling;
2. vehicular crossovers should be constructed to the satisfaction of Street Care Manager; and
3. the proposed parking areas should have a bound surface.

Condition 2 will not be attached because other Council legislation would suitably cover this issue.

#### 5.22 Section 106 Requirements

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 Planning permission to be **GRANTED** subject to the following conditions:

**Background Papers**      **PT08/0821/F**

**Contact Officer:**    **Peter Rowe**  
**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. Within 3 months from the date of the decision samples of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

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

Reason(s):

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

4. The proposed off-street parking facilities shall be finished with a bound surface.

Reason(s):

To ensure that loose material does not interfere with the classified highway for the maintenance of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The existing stone wall situated along the north boundary of the site shall be retained in accordance with details shown on Drg No. HEE/466/PL/01/08/001/A received by the Council on the 30th April 2008.

Reason(s):

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

6. Within 3 months from the date of the decision, detailed plans showing the provision of cycle parking facilities in accordance with the standards set out in Policies T7 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; 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 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

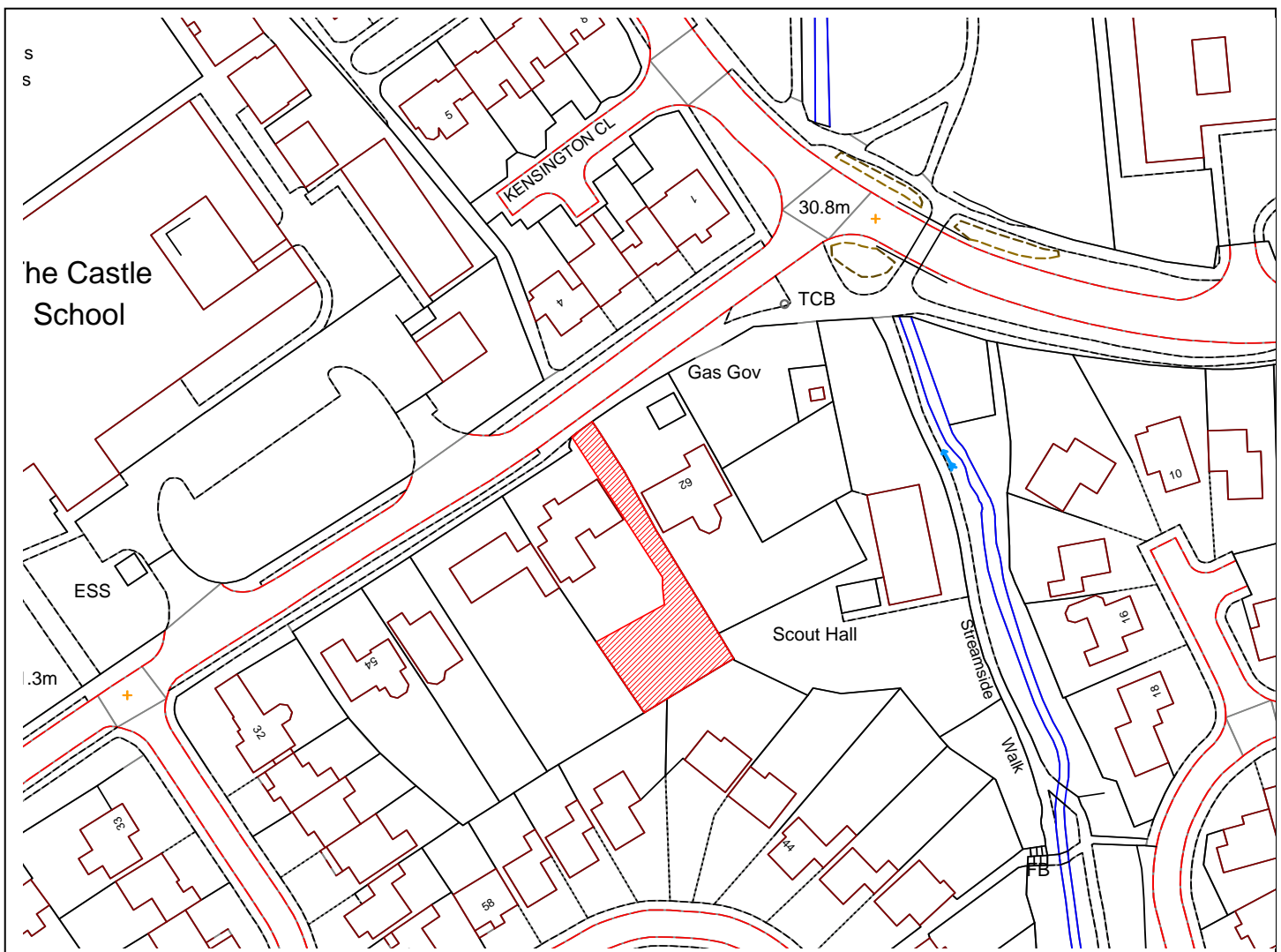
8. Within 3 months from the date of the decision, a method statement detailing how the applicant intends to protect the roots of the tree owned by South Gloucestershire (adjacent to the garage at the southern extent of the application site) shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason(s):

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

**CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008**

<b>App No.:</b>	PT08/0897/RVC	<b>Applicant:</b>	Mr R Gorham
<b>Site:</b>	Land to the rear of Teesdale, 60 Park Road, Thornbury, South Gloucestershire, BS35 1HS	<b>Date Reg:</b>	3rd April 2008
<b>Proposal:</b>	Removal of Condition 11 attached to planning permission PT07/0658/F dated 15th June 2007 to remove the requirement for a BREEAM Assessment.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	63920 90830	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th May 2008



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100023410, 2008.

**N.T.S**

**PT08/0897/RVC**

This application has been referred to the Circulated Schedule due to letters of objection received from Thornbury Town Council and one local resident.

## 1. **THE PROPOSAL**

1.1 This application seeks permission to remove an existing condition relating to the requirement for a BREEAM assessment for the erection of new dwelling on land to the rear of Teesdale, 60 Park Road, Thornbury. This condition (11) was originally imposed by virtue of planning permission PT07/0658/F dated 15 June 2007.

1.2 The condition proposed to be removed states:

2. *“Prior to the first occupation of the development hereby approved a formal assessment is to be undertaken by a licensed BREEAM assessor to confirm that this development has achieved an Eco-Homes assessment of very good.”*

Reason: *“ In order to provide a sustainable form of development in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.”*

1.3 The application site is located within the settlement boundary of Thornbury and enveloped by surrounding residential properties. The dwelling is currently under construction.

## 2. **POLICY CONTEXT**

### 2.1 National Guidance

PPS1 Delivering Sustainable Development  
Circular 11/95 The Use of Conditions in Planning Permission

### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

## 3. **RELEVANT PLANNING HISTORY**

3.1 PT07/0658/F Erection of 1 no. dormer bungalow.  
Approved 15 June 2007.

## 4. **CONSULTATION RESPONSES**

### 4.1 Thornbury Town Council

Object to the proposal on the following grounds:-

a) it is essential to maintain a high standard of eco-efficiency in new-build houses.

## Other Consultees

- 4.2 Sustainable Transport  
No objection.

## Other Representations

- 4.3 Local Residents

One letter has been received objecting to the proposal on the following grounds:-

- a) is a requirement of many other new builds;
- b) buildings should be as environmentally friendly as possible;
- c) applicants' were aware of this condition being imposed and it is their responsibility to meet it.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

Section 73 of the Town and Country Planning Act 1990 provides that application may be made for planning permission without complying with conditions applied to a previous permission. In considering such applications the Local Planning Authority can only consider the "question of the conditions". Moreover, advice contained within Circular 11/95 states that a condition should not be retained unless there are sound and clear-cut reasons for doing so.

- 5.2 Permission is sought to remove Condition 11 attached to planning consent PT07/0658/F. This condition requires that before the permitted dwelling is first occupied, a formal assessment of the building must be undertaken by a licensed BREEAM assessor to confirm that the development has achieved an Eco-Homes assessment of very good.

- 5.3 Since the application was determined, 'Eco homes very good' no longer exists, and has now been replaced by Level 3 of the Code for Sustainable Homes. Advice contained within the South Gloucestershire Design Checklist, adopted after the original application was granted, provides advice on assessing proposals in terms of energy conservation and the protection of environmental resources. This advice specifically relates to major development. As the proposal is for one dwelling and does not relate to major development, it is considered unreasonable in financial terms to require the applicant to comply with Code Level 3. However, the applicant has stated that the new dwelling will be very well insulated and energy efficient. It already complies over and above the new Part L in the Building Regulations. The dwelling will be SAP rated for energy efficiency and will also undergo an 'Air Tightness Test' on completion. As such it is considered that the existing condition is unduly onerous and unreasonable. As the proposed building already complies over and above Part L of the Building Regulations as well as being Sap rated it is considered appropriate for this condition to be removed.

## **6. CONCLUSION**

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



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

## **7. RECOMMENDATION**

7.1 Planning permission be granted subject to the following conditions.

### **Background Papers**      **PT08/0897/RVC**

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

### **CONDITIONS**

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

Reason(s):

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

2. 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, E), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason(s):

In view of the size of the plot any extension/alteration would require further detailed consideration in order to safeguard the amenities of surrounding occupiers and to accord with Policies D1, H2 and H4 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 inserted/constructed and the obscure glazing indicated on the approved plans shall be permanently retained.

Reason(s):

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

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

Reason(s):

To minimise disturbance to occupiers of nearby properties and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The driveway and off-street parking/turning facilities shown on the plan hereby approved shall have a bound surface and 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 Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No doors or gates shall be hung so as to open over or across the public highway/footway.

Reason(s):

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

7. The rooflight serving bedroom 1 on the south-eastern elevation and the en-suite bathroom window to bedroom 1 on the south-western elevation shall at all times be of obscured glass. The rooflight shall also be permanently fixed in a closed position.

Reason(s):

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

8. The screen fences shown on the approved plan shall be erected in the positions indicated before the dwelling house hereby permitted is occupied.

Reason(s):

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

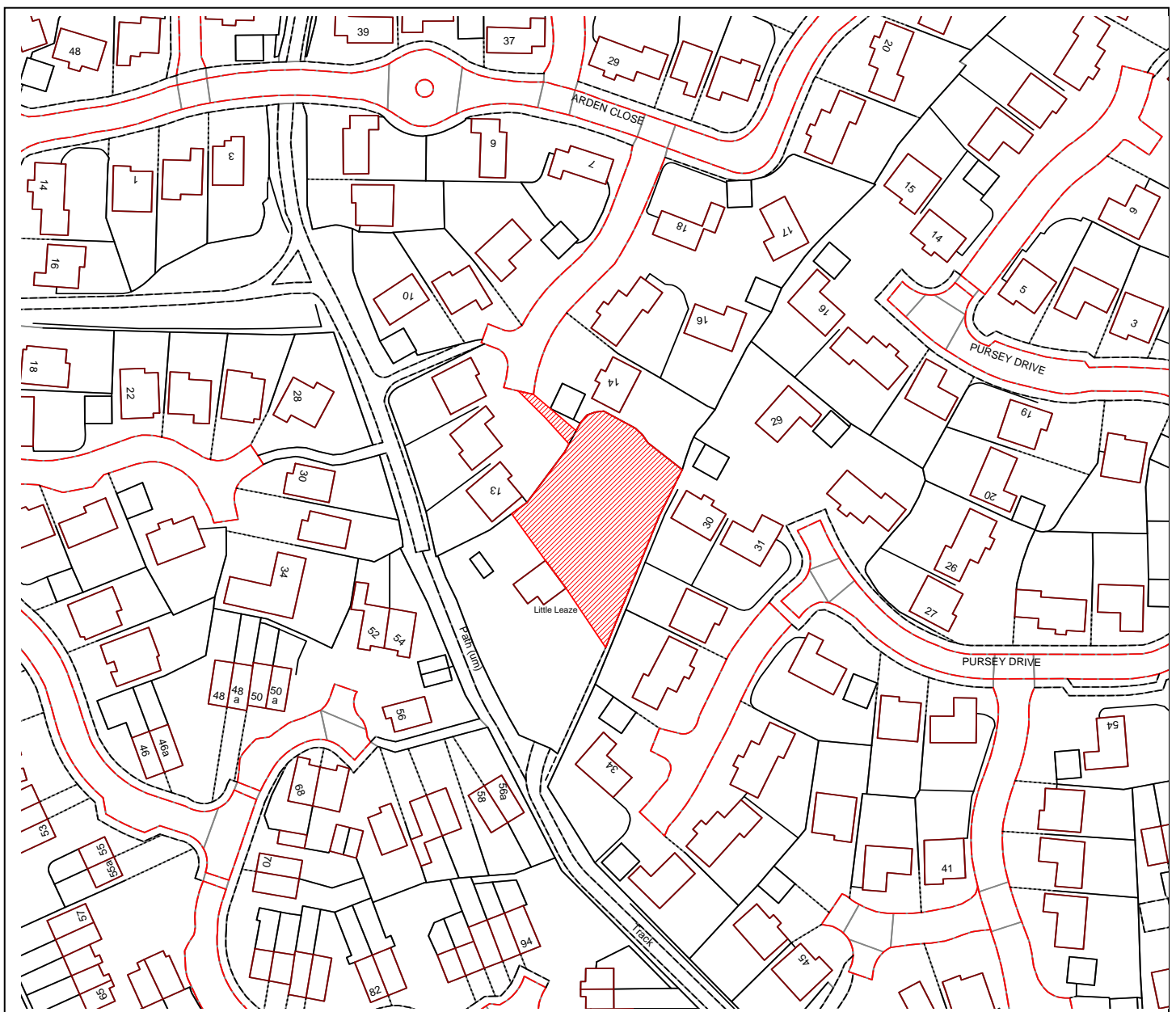
9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason(s):

To protect the character and appearance of the area to accord with Policies H2/H4/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008

<b>App No.:</b>	PT08/0902/F	<b>Applicant:</b>	Mr A Bradford
<b>Site:</b>	Little Leaze, Winterbourne Road, Bradley Stoke, South Gloucestershire, BS34 8PT	<b>Date Reg:</b>	3rd April 2008
<b>Proposal:</b>	Erection of 2 no. detached dwellings with 2 no. garages and 4 no. parking spaces. Construction of new access and associated works.(Re-Submission of PT08/0087/F)	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	62370 80744	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th May 2008



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100023410, 2008.

This application appears on the Circulated Schedule following the receipt of objections from Bradley Stoke Town Council and local residents. Furthermore, this application appears on the Circulated Schedule following the request from the Highways Department for a legal agreement (Section 278 Agreement) to secure a highway contribution to mitigate against the incremental damage on the North Fringe accumulated through numerous small developments.

## 1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of two five bedroom detached dwelling and a detached garage. Access to the development would be gained through Arden Close.
- 1.2 The application site relates to the extensive curtilage of a detached dwelling which has access from Winterbourne Road. The site is location within a well-established residential area of Bradley Stoke which is situated in the defined urban area.
- 1.3 This application is a resubmission of the previously refused application PT08/0087/F which was refused for the following reasons:
  1. The proposed development (Plot 1) by reason of its position, scale, massing and height would have an overbearing effect on the occupiers of the adjoining property (No. 13 Arden Close) which would be to the detriment of residential amenity. Moreover, the proposed bedroom window in the south-west elevation by reason of position and height would result in a significant loss of privacy to first floor bedroom of No. 30 Pursey Drive. The proposal is therefore contrary to Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2007.
  2. The application fails to provide any mitigation measures to offset the impact of the proposal on the Bristol north fringe highway network. The proposal is therefore considered to be contrary to planning policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

## 2. POLICY CONTEXT

- 2.1 National Guidance
  - PPS1: Delivering Sustainable Development
  - PPS3: Housing
  - PPG13: Transport
- 2.2 Joint Replacement Structure Plan (Adopted) September 2002
  - Policy 1: Sustainable development objectives
  - Policy 2: Location of development
  - Policy 33: Housing provision and distribution
  - Policy 34: Re-use of previously developed land
  - Policy 35: Housing density
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
  - Policy D1: Delivering Good Quality Design in New Development
  - Policy H2: Residential Development within Existing Urban Areas
  - Policy H4: Development within Existing Residential Curtilages
  - Policy T8: Parking Standards

2.4 Supplementary Planning Guidance  
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT08/0087/F           Erection of 2 no. detached dwellings with 2 no. garages and 4 no. parking spaces. Construction of new access and associated works.  
**Refused** 5th February 2008

4. **CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council  
Objection – The proposed building are intrusive, detrimental to the visual amenity of the locality and increase density of the buildings and potential for traffic in an unacceptable way. Access to the site from Arden Close is at best awkward, if not blind and therefore dangerous. Access for lorries along Arden Close during construction work – if approved – would prove particularly hazardous to residents and their property. Building materials and windows do not blend with neighbouring properties.
- 4.2 Drainage  
No objection subject to standard condition and informative regarding drainage.
- 4.3 Sustainable Transportation  
No objection subject to a contribution of £3600 (£1800 per dwelling) towards traffic mitigation in line with our North Fringe Policy applicable in the area and a condition to ensure the proposed access drive is formed in a bound material.
- 4.3 Environmental Services  
No objection subject to standard informatives.
- 4.4 Local Residents  
15 objection letters from 12 households have been received from local residents raising the following issues:  
**Planning Issues:**
- a. Proposed dwelling too close to nearby properties;
  - b. Overbearing to nearby dwellings;
  - c. Loss of light and outlook to nearby dwellings;
  - d. Loss of privacy to nearby dwellings;
  - e. Generate traffic leading to highway safety and on-street parking issues;
  - f. Potential interference to access for service and emergency vehicles;
  - g. Proposed access very narrow and lacks visibility;
  - h. Use of the existing access from Winterbourne Road more logical;
  - i. Access from Winterbourne Road unsuitable for increased vehicular access;
  - j. Disturbance from construction traffic;
  - k. The proposed materials, footprint, style, density, size and height not in-keeping with surrounding properties;
  - l. Loft accommodation not in-keeping with character of area;
  - m. Loss of the character of last remaining original dwelling in the area, should consider listing.

- n. Removal of green area detrimental to visual amenity;
  - o. Risk of subsidence
  - p. Adverse affect on environment due to increase in pollution;
- Non-Planning Issues:**
- q. Affect property values.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Advice contained within PPS3 encourages the provision of additional housing on previously developed land within existing towns and cities to promote more sustainable patterns of development. This policy stance is reflected in policies contained with the Adopted Joint Replacement Structure Plan and South Gloucestershire Local Plan.

- 5.2 Policy H2 of the South Gloucestershire Local Plan March 2006 incorporates current planning advice contained within PPS3 and the JRSP and allows for new residential development within the boundaries of settlements. This is subject to compliance with a number of criteria as expressed through policy H2 and H4, which are assessed below

### 5.3 Residential Amenity

It is proposed to split the application site into two plots to facilitate two detached dwellings. The site is adjoined by six dwellings (13 & 14 Arden Close, 30, 32 and 33 Arden Close and Little Leaze) the impact of the proposal on the residential amenity of the occupiers of these properties is discussed below:

### 5.4 **Plot 1**

This proposed dwelling would be sited on the eastern extent of the application site. The previous application was refused because it was considered that the combination of the north-east elevation's scale and length, coupled with the elevations proximity to No. 14 would result in an overbearing impact on the residential amenity of No. 14. It is considered that the applicant has successfully overcome this issue by rotating the siting of the dwelling. By virtue of this the proposal would now be sited at least 4m from the boundary with No. 14, it is considered that this would provide a satisfactory buffer thus mitigating any overbearing impact. Due this rearrangement the double garage has now been relocated adjacent to the boundary with No. 14. The garage would be single storey in scale and would be sited beside the adjacent dwelling. In view of this it is considered there would be no overbearing impact from this structure. To ensure the privacy of No. 14 it is recommended that a condition is attached to ensure no windows are inserted into the north-east elevation of Plot 1.

- 5.5 In addition, the previous application was refused because the proposed rear windows would have directly lined-up with the first floor bedroom window in the side elevation of No. 30 Pursey Drive, thus harming privacy. To overcome this issue the applicant has positioned the dwelling at an oblique angle to No. 30. Furthermore, the windows closest to No. 30 would serve bathrooms and would therefore have obscured glazing (This would be secured via condition). The rear bedroom window would be at least 12 metres from this dwelling and any views would be oblique. Therefore, notwithstanding the objections from this neighbour, it is considered that this relationship would present no significant inter-visibility and would not cause a material loss of privacy.

### 5.6 **Plot 2**

- This proposed dwelling would be sited on the western extent of the application site. The dwelling would comprise of a two storey gable end (8.6 metres in height) with a one and a half storey attached wing (6.6 metres in height). This would result in a 12.2 metre long south-west elevation. This would flank the boundary shared with Little Leaze, essentially enclosing their garden along one side.
- 5.7 The proposed one and a half storey wing would extend along the boundary shared with Little Leaze, whilst the two storey gable end would be screened by the Little Leaze itself. The one and half storey elevation would be very close to the boundary, however on balance, this is not considered to adversely affect residential amenity through an overbearing impact. This is because Little Leaze is set within extensive grounds and therefore the proposal would not significantly enclose the dwellings garden. Furthermore, this elevation would include a roof light and a bathroom window. These are not considered to adversely affect privacy, providing conditions are attached to ensure the bathroom window is glazed with obscured glass and no new windows are inserted in this elevation.
- 5.8 This proposed dwelling would be sited approximately 4.8 metres from No. 14 Arden Close and would not extend past this dwelling rear building line. As such, this relationship is considered to be acceptable with regard to residential amenity. Furthermore, this proposed dwelling would be approximately 24 metres from No. 32 Pursey Drive. It is considered that this distance would be sufficient to prevent any adverse impact to residential amenity.
- 5.9 Amenity Space  
The amenity space of *Plot 1* would equate to approximately 182 square metres and *Plot 2* approximately 183 square metres. These areas would defined by 1.8m boundary timber fences and the existing boundary treatment (mixed shrubs/trees). It is considered that this would provide sufficient private amenity space for family dwellings. As such, it is considered that the proposal would accord to policies H2 and H4 of the local plan.
- 5.10 Design and Visual Amenity  
The proposed development comprises of two large five bedroom detached dwellings. Local residents and the Town Council have objected to this proposal development because they consider that the proposed design, footprint, density materials, scale and height of these dwelling does not respect the existing surrounding properties.
- 5.11 The proposed development would result in an extension to the existing shared driveway of Arden Close. The proposed dwellings and garaging has been arranged in a U-shape layout. This provides a logical terminating view for the cul-de-sac and ties in with the existing layout of the close.
- 5.12 It is noted that the footprint, massing and scale of the proposed dwelling would be larger than existing adjacent dwellings. However, the use of amenity space, landscaping and the parking/turning area would provide a buffer between these dwelling which would prevent cramped development and maintain visual amenity. Nevertheless, it is recommended that a condition is attached to ensure a scheme of landscaping is submitted and approved by Council. This would ensure landscaping is planted and retained to ensure the proposal ties in with the existing development.

- 5.13 The architecture of the proposed dwelling would be more ornate than that of the existing surrounding dwellings. Nevertheless, they would be of a modern style which would respect the surrounding well-established modern residential area. The applicant has stated that the dwelling would be finished in *Ibstock Cattybrook Brunswick Cream wire cut brickwork*. Samples of these have been submitted with the application. It is considered that these would be appropriate material given the context of the existing dwelling. No samples of tiles have been submitted, as such it is recommended a condition is attached to ensure these are approved by the Council.
- 5.14 In light of the above, it is considered on balance, that the proposed development would have an acceptable design which would respect the character and appearance of the surrounding area. In accordance with Policy D1 and H4 and the South Gloucestershire Design Checklist SPD.
- 5.15 Density  
PPS3 and Policy H2 expect a minimum density of 30 dwellings per hectare (dph) to be achieved and high densities, upwards of 50 units, to be achieved where local circumstances permit. In this instance the density of the site would equate to approximately 30 dph.
- 5.16 The application site is situated within the North Fringe of Bristol which is well served by public transport services. As such densities above 30 should be demanded in this area. However, given the enclosed nature of the site and the tight vehicular access, it is considered that a higher density could not be achieved without compromising design objectives and the residential amenity of nearby occupiers. As such, the density of this proposal would satisfy the requirements of PPS3 and Policy H2.
- 5.17 Transportation Issues  
The proposed development would gain access through a private driveway at the head of Arden Close, which provides access to the wider highway network. The Town Council and Local Residents have raised a number of objections due to highway safety issues due to increased traffic, on street parking and loss of visibility. The Council's transport officer has assessed this proposal and has raised no objection to proposed parking, turning and access arrangements subject to the conditions as detailed above. Furthermore, in order to mitigate the incremental damage on the North Fringe accumulated via numerous small developments a financial contribution of £3600 (£1800 per dwelling) is requested towards the North Fringe development proposal (Transport Measures). The applicant has been contacted and advised of this issue. This has therefore overcome the second refusal reason of the previous application (PT08/0087/F).
- 5.18 Construction Traffic  
A number of local residents have raised comments regarding disturbance from construction traffic. The Council Environmental Services department have recommended a number of informatives to advise the developer on appropriate best practices and times of operation during construction.
- 5.19 Drainage  
A number of local residents have raised comments regarding the risk of subsidence. This is not strictly a planning consideration. Nevertheless, the Council technical service department has raised no objection to drainage issues relating to this proposed development. However, they have



recommended conditions and informative to ensure the use of a sustainable drainage system.

5.20 Impact on Environment

A local resident has objected to this proposal on the grounds of pollution. Notwithstanding this, the Council Environmental Services department has raised no objection to the proposal subject to a number of informatives.

5.21 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 (Adopted) August 2008.

5.22 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 a Legal Agreement is necessary to obtain a financial contribution towards the North Fringe (Transport Measures).

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 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 a legal agreement to secure £3600 towards the North Fringe (transport Measures) Scheme.

- 7.2 If the legal agreement is not signed within 12 months of this determination then in view of the length of time the application should be refused due to the failure to secure the Head of Term listed above.

**Background Papers**      **PT08/0902/F**

**Contact Officer:**    **Peter Rowe**  
**Tel. No.**                **01454 863131**

**CONDITIONS**

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

Reason(s):

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

2. The proposed off-street parking facilities shall be finished with a bound surface.

Reason(s):

To ensure that loose material does not interfere with the classified highway for the maintenance of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

4. The bathroom and ensuite glazing on the south-east elevation of Plot 1 and the south-west elevation of Plot 2 shall at all times be of obscured glass. The obscure glazing to be used shall be at least level 3 obscure glazing.

Reason(s):

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

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north-east elevation of Plot 1 and the south-west elevation of Plot 2.

Reason(s):

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

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

Reason(s):

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

7. Within 3 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008**

**App No.:** PT08/0992/F  
**Site:** 128 Northville Road, Filton, South Gloucestershire, BS7 0RL  
**Proposal:** Conversion of existing dwelling house to form 2 no. flats and associated works.  
**Map Ref:** 60496 78244  
**Application Category:** Minor

**Applicant:** Mr Bale  
**Date Reg:** 10th April 2008  
**Parish:** Filton Town Council  
**Ward:** Filton  
**Target Date:** 30th May 2008



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**N.T.S**

**PT08/0992/F**

**This application appears on the Circulated Schedule as a result of Town Council objections and a letter from a neighbour contrary to the recommendation.**

## **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the conversion of this mid-terraced house into two flats. The house is currently a spar rendered house , painted yellow with a wall to the front boundary and a double garage is located in the rear garden with secure access via a gated rear lane.
- 1.2 The external appearance of the site will remain unchanged with the exception of the enclosure of the arched front door and the removal of an existing kitchen door. The property would be divided horizontally. A two storey rear extension already exists at this property. The rear garden would be allocated to the two bedroomed ground floor flat only as would the garage which would provide cycle parking also. There is no route through the building to the rear garden for the upper flat and the front garden is allocated to the first floor flat.
- 1.3 A vertical cycle rack is provided at first floor for the first floor flat.
- 1.4 Bin storage is shown against the existing front boundary wall within a solid construction and tiled roofed bin store.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG24	Planning and Noise

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

D1	Achieving Good Quality Design in New Development
H4	Development within Residential Curtilages
H5	Residential Conversions
T7	Cycle parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (SPD) Adopted

## **3. RELEVANT PLANNING HISTORY**

- |     |             |                              |          |
|-----|-------------|------------------------------|----------|
| 3.1 | P98/1663    | Detached rear double garage. | Approved |
| 3.2 | PT00/3003/F | Two storey rear extension.   | Approved |

## **4. CONSULTATION RESPONSES**

### **4.1 Filton Town Council**

The council object;

- insufficient parking
- loss of family homes being converted to flats.
- suggest site visit

#### 4.2 Sustainable Transport

Only the ground floor flat has a parking space but both have been allocated sheltered space to store a bicycle. The site is located within the North Fringe of Bristol in close proximity to a frequent bus service, a train station and within walking distance of shops, services and employment opportunities. The conversions take place without alteration to the existing living space and as such no contribution to the Bristol North Fringe Transportation Scheme is required. No objection

#### 4.3 Building Control

No building control issues reported.

#### 4.4 Local Residents

One neighbour has written in objection in relation to the following matters:

- a) parking is awful already without the thought of more students and their friends parking their cars. This will stop the flow of traffic.
- b) we were told by the council not so long ago that no more family homes will be made into flats.
- c) have fair share of students living in Northville Road who leave rubbish in the front garden to rot. Area looking shabby now mainly from rented houses.

### 5. ANALYSIS OF PROPOSAL

#### 5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan allows for the conversion of residential properties into smaller units provided that the proposal:

- a) Would not prejudice the character of the surrounding area; and
- b) Would not prejudice the residential amenities of neighbouring occupiers; and
- c) Allows an acceptable level of off street parking provision; and
- d) Would provide adequate amenity space.

#### 5.2 Design/ Visual Amenity

The application site comprises a mid terraced house which would undergo only minor modifications to the front and rear kitchen door. The door would be blocked up in matching materials and is therefore acceptable in appearance.

A bin store is shown in the front garden for the additional dwelling which would accommodate two bins and a food recycling bin. This would be solidly built with a roof over and can be conditioned to match the house.

The retained garage in the rear garden provides good facilities for the ground floor flat with no detriment to the amenity of either neighbour. This is therefore acceptable in appearance.

- 5.3 The property is currently a three-bed house. The proposal would create two small two bed roomed flats. The proposal would allow the creation of two independent units, one above the other. Internally both properties would be accessed via a communal lobby. At ground floor the lounge would become a bedroom at the front of the property with the second bedroom being formed in the kitchen. Upstairs the two front bedrooms are retained as bedrooms. The back bedroom and rear dining room become lounge/kitchens with some remodelling of internal walls.

5.4 It is not considered the character of this residential area would be harmed by introducing smaller units for sale or rent and indeed PPS3 encourages a mix of housing types.

5.5 Residential Amenity

The supporting text to policy H5 advises that any internal alterations should be designed so as to minimise the impact of noise and disturbance on any directly adjoining residential property. In this regard, the scope for Building Regulation considerations was extended in 1991 to cover detailed requirements for sound insulation between converted flats and adjoining properties.

5.6 The internal layout of the property is not considered to cause new issues of overlooking.

5.7 Amenity Space

The dwelling has a small rear garden area, accessed directly via the ground floor flat. There would be no access to the rear garden from the first floor flat and it is not considered necessary to provide a garden for the flat as it would be unlikely to attract families. The Northville Millennium Green within Northville Park is located only 25 houses away in a westerly direction from the site which offers ample Public Open Space to the inhabitant(s) of the flats. A recent appeal decision at 7 Gifford Crescent, Little Stoke was allowed for two two bedroom flats as there was adequate communal amenity space (in local parks) for the occupants of the first floor flat.

5.8 In light of the above the layout and design of the development would facilitate the conversion of this house to two flats with adequate bin storage, car parking and cycle storage in addition to a private garden for the ground floor flat. This is achieved without detriment to the street scene and is considered to accord with the South Gloucestershire Design Checklist (SPD) and comply with policy D1.

5.9 Highway Safety/Parking

Policy T8 advises of maximum parking standards and as this is a sustainable location with good public transport it is not considered necessary that parking is provided. However cycle parking is provided for both flats and the ground floor flat has use of the existing garage. Given the sustainable location of the site and the Councils policy to have maximum parking standards this is considered an acceptable solution.

As such no transportation objection is raised.

5.10 Matters raised by the neighbour

The matter of parking standards is dealt with above but it is prudent to point out that the flats may not be let at all, to students or others, and that the habits of other neighbours in Northville Road does not dictate the habits of the proposed occupiers of the properties. Furthermore precedent in law dictates that the three bedroom house could be let to up to six people, students or otherwise, sharing five bedrooms, on conversion of the lounge and dining room to additional bedrooms, provided that they share the bathroom and kitchen facilities without the requirement for planning application.

5.11 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach

consistent with the Council's Design Checklist Supplementary Planning Document (Adopted) as it contains inaccurate information which has been resolved by the planning officer during the course of this application but this does not justify a refusal in this case.

#### 5.12 Section 106 Requirements

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the following conditions

**Background Papers**      **PT08/0992/F**

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



## **CONDITIONS**

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

Reason(s):

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

2. The materials to be used in the construction of the external surfaces of the bin store hereby permitted and the blocking up of the rear door shall match those used in the existing building.

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and H5 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 bin store 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 external appearance of the development in the interests of visual amenity and to accord with Policy D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

## CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008

**App No.:** PT08/1064/F  
**Site:** Tesco Stores Ltd, Bradley Stoke  
 District Centre, Bradley Stoke, South  
 Gloucestershire, BS32 8EF

**Applicant:** Mr A Boucher  
**Date Reg:** 18th April 2008

**Proposal:** Installation of recycling unit.

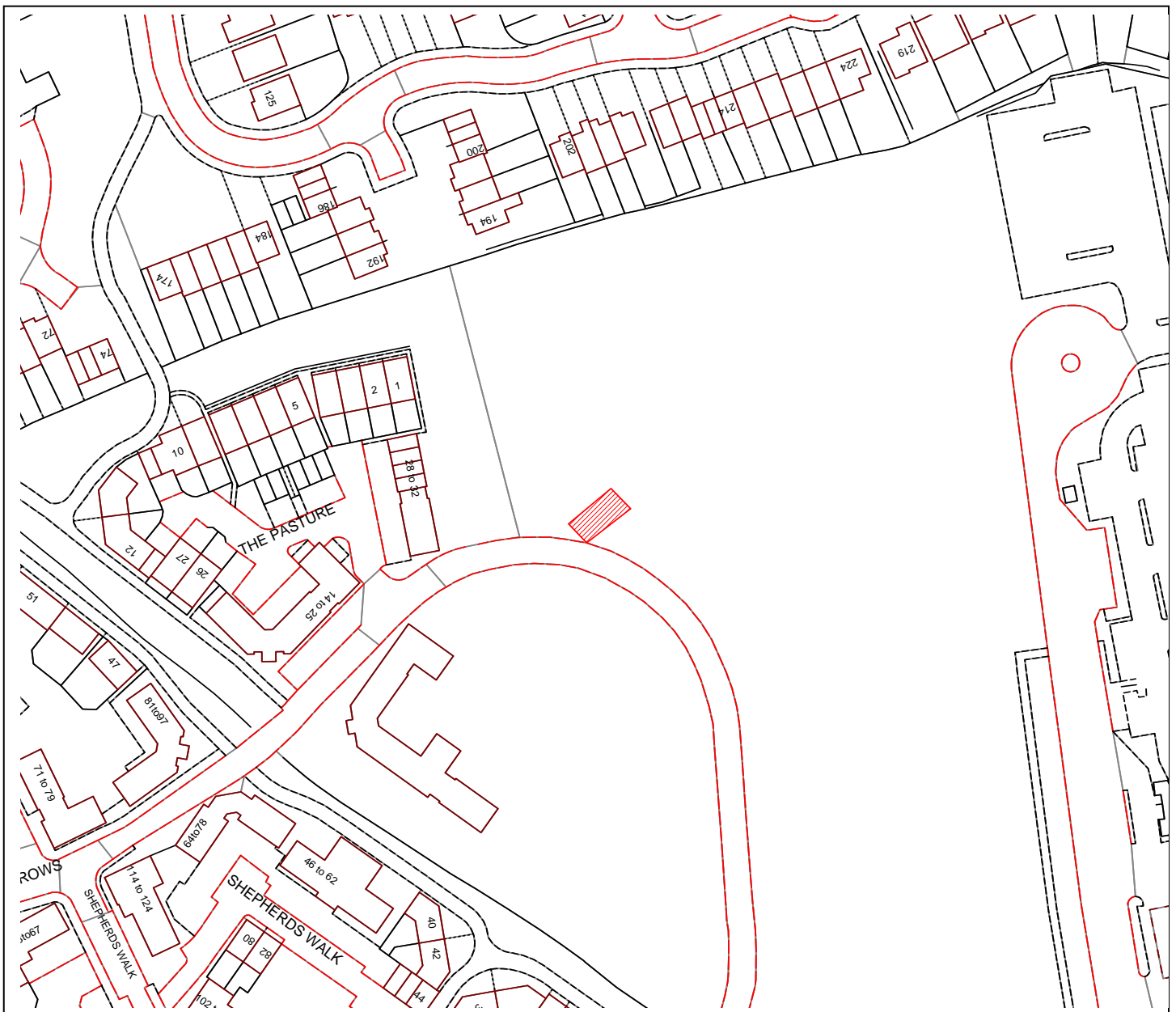
**Parish:** Bradley Stoke Town  
 Council

**Map Ref:** 61861 82124

**Ward:** Bradley Stoke  
 Central and Stoke  
 Lodge

**Application Category:** Minor

**Target Date:** 6th June 2008



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100023410, 2008.

**N.T.S**

**PT08/1064/F**

This application appears on the Circulated Schedule after the receipt of objections from the Town Council and local residents.

## 1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a TOMRA recycling unit. The unit is an integrated single recycle facility to process plastics, aluminium, steel, glass, paper and cardboard.
- 1.2 The application site relates existing recycling area at a supermarket which is situated within the centre of the settlement of Bradley Stoke.
- 1.3 This development is required in relation to the new supermarket and town centre approved under PT05/1949/F.

## 2. POLICY CONTEXT

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
T12: Transportation Development Control Policy in New Development  
EP1: Environmental Pollution
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Council Design Checklist SPD (Adopted) August 2007

## 3. RELEVANT PLANNING HISTORY

- 3.1 PT05/1949/F Demolition of existing buildings to facilitate mixed use development to include retail, leisure, community facilities, public open space, bus station, shop mobility centre, petrol filling station, new access arrangements, car parking and other associated works - Revised Layout  
**Approved 19<sup>th</sup> October 2007**
- 3.2 Various other applications, none relevant to this application

## 4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council  
Objection: Recycling units are usually noisy affairs caused by vehicular traffic and breaking glass, which in this case would be 24/7. The proposed site is too near residential properties and should be located elsewhere. The Town Council is curtaining not opposed to recycling units *per se* and this one would be acceptable in a more suitable location
- 4.2 Environmental Services  
No objection
- 4.3 Sustainable Transport  
No objection

#### 4.4 Local Residents

Two letters of objection, raising the following issues:

##### **Planning Issues**

- A. Noise pollution from breaking glass;
- B. The facility would be operated 24hrs a day; and

##### **Non-Planning Issues**

- C. Not consulted about temporary recycling bins location.

### 5. ANALYSIS OF PROPOSAL

#### 5.1 Principle of Development

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 sets out criteria for achieving a high standard of design in development proposals. In particular proposals should be informed by and respect the character, distinctiveness and amenity of both the site and locality. Features of the landscape, nature conservation, heritage and amenity value should be safeguarded and enhanced.

5.2 Policy T12 of Local Plan ensure that new development makes adequate, safe and appropriate provision for transportation demands which it will create.

5.3 Policy EP1 of the Local Plan ensures that proposals do not cause unacceptable environmental pollution. To the health and safety and amenity of users of the site or surrounding land as result of pollution to water, air or soil, or through noise, vibration, light, heat or radiation.

#### 5.4 Noise Pollution

The Town Council and local residents have objected to the proposal on the grounds of noise pollution from breaking glass and traffic. In response to this it should be noted that the proposed siting for the recycling area was agreed under PT05/1949/F. In view of this the principle of a recycling use in this location has been established. Nevertheless the Councils Environmental Health team has been consulted and have raised no objection to this proposal. Therefore, notwithstanding the objector's comments, it is considered that the proposal would be acceptable in regard to Policy EP1 of the local plan.

#### 5.5 Design and Visual Amenity

The proposed site currently relates to a building site for the new supermarket and town centre, however initial works have laid out car parking spaces. The proposed unit would be finished in light green and grey/silver and the style and layout of the proposal would be in keeping with Tesco brand seen elsewhere on the street. Furthermore, the TOMRA unit would provide one single unit to recycle all items. In comparison to traditional *ad hoc* recycling facilities, it is considered that this integrated system would simplify the area visually and make it more legible to its users. As such, the proposal would accord to policy D1 of the Local Plan.

#### 5.6 Highway Safety

The proposed recycle unit is a detailed element of wider approved scheme to redevelop the site. The Council Transport Officer is satisfied that the agreed parking arrangements will be unaffected and that adequate room has been allowed for loading and unloading.

5.7 Other Issues

The submitted drawings shows several advertisements, it is recommended that an informative note is attached to advise the applicant that advertisement consent maybe required for these.

5.8 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Adopted) August 2007.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning permission to be **GRANTED** subject to the following condition:

Background Papers      **PT08/1064/F**

**Contact Officer: Peter Rowe**  
**Tel. No.            01454 863538**

CONDITIONS

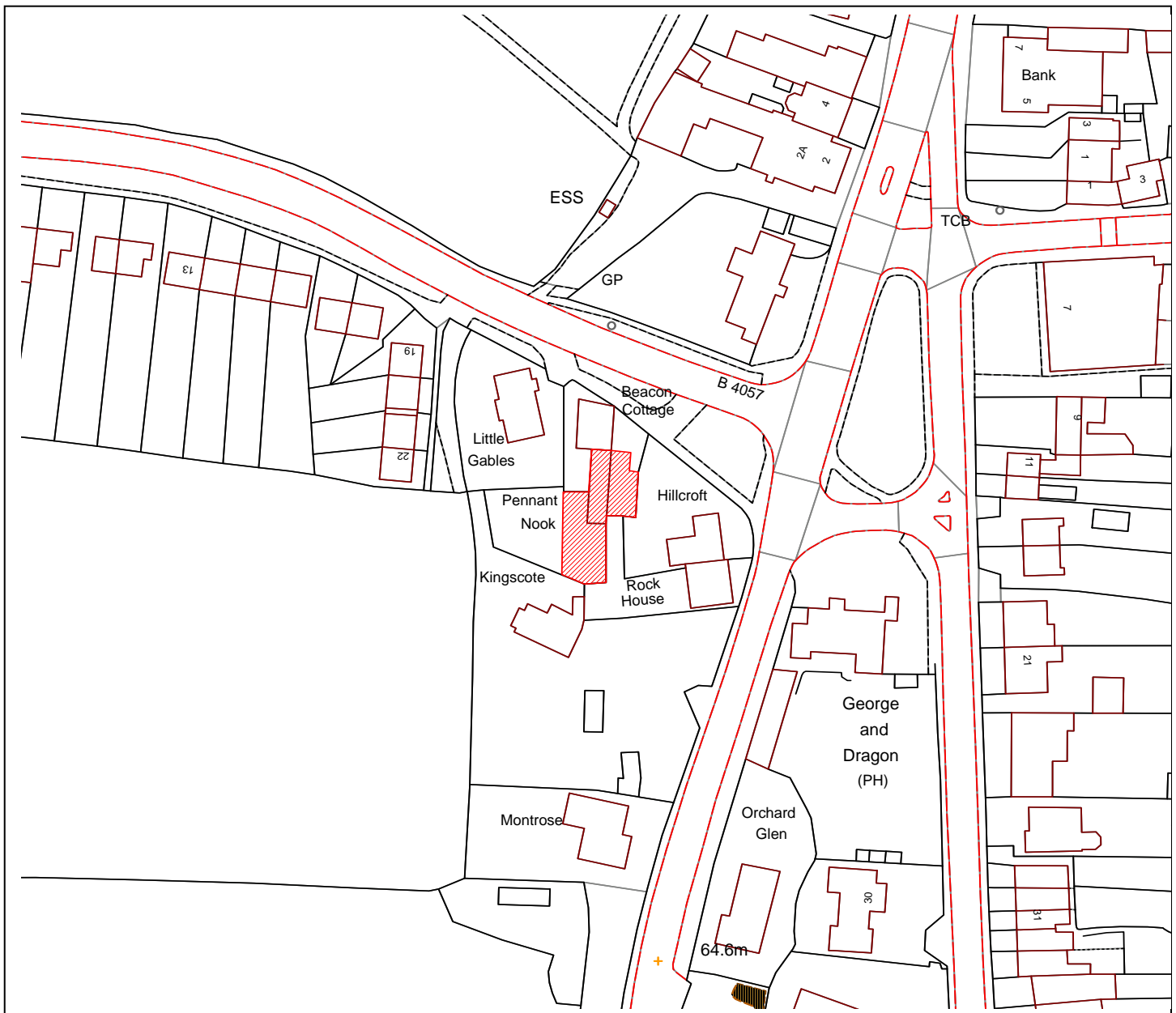
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason(s):

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

## CIRCULATED SCHEDULE NO. 21/08 – 22 MAY 2008

<b>App No.:</b>	PT08/1119/F	<b>Applicant:</b>	Mrs L Fisher
<b>Site:</b>	Pennant Nook, Beacon Lane, Winterbourne, South Gloucestershire, BS36 1JT	<b>Date Reg:</b>	24th April 2008
<b>Proposal:</b>	Erection of single storey side extension to provide additional living accommodation. (Resubmission of PT08/0221/F)	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	64720 80489	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th June 2008



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100023410, 2008.

**N.T.S**

**PT08/1119/F**

**This application appears on the Circulated Schedule as a representation was made contrary to the Officer's recommendation.**

**1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single storey extension to provide additional living accommodation. The application is a resubmission of PT08/0221/F.
- 1.2 This is a semi-detached cottage within the existing urban area of Winterbourne. The proposal consists of a single storey side extension with white render blockwork, 5.9 m deep, 4.1 m in width and 4.4 m in height. The roof is lean-to and materials consist of clay pantiles.

**2. POLICY CONTEXT**

2.1 National Guidance

PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design

H4 Development within Existing Residential Curtilage

2.3 Supplementary Planning Guidance

Design Checklist (Adopted) 2007

**3. RELEVANT PLANNING HISTORY**

PT08/0221/F – Erection of two storey extension to provide additional living accommodation with bedroom and bathroom facilities above. Refused (27/02/2008).

**4. CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

No objection raised.

**Other Representations**

4.2 Local Residents

One letter of objection received raising the following concern:

The construction of the extension, if approved, would impede access to neighbouring property.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy H4 states that *proposals for development within existing residential curtilages*, will be permitted subject to certain criteria. The principle of the development is therefore acceptable subject to the following detailed assessment.

### 5.2 Residential Amenity

#### Overbearing Analysis

Due to the overall scale and size of the proposed development the proposal would not be overbearing on the residential amenity of neighbouring occupiers. To the front (east elevation) and side (south elevation) the extension would be a sufficient distance from neighbouring properties and therefore not overbearing. To the rear (west elevation) Pennant Nook has an unusual relationship with Beacon Cottage. It is noted that the entire east side of the garden is already blocked off by the presence of Pennant Nook. The proposal would effectively see Pennant Nook extended along the same building line, away from the rear garden of Beacon Cottage. It is therefore considered that the proposed extension would not result in a further significant loss of light to the rear garden of Beacon Cottage.

#### Privacy Analysis

There would be no overlooking or loss of privacy as a result of the proposal.

#### Amenity Space

Whilst the proposed two storey extension does project into the rear garden sufficient garden space will remain to serve occupiers of the property.

#### Highway Safety Analysis

No objection was raised by the Council's Transportation Officer.

### 5.3 Design / Visual Amenity

The proposal is modest in scale and fits with the character of the existing property. Its location to the side of the building together with the chosen construction materials, which match the palette of materials displayed in the existing building, means that this is an appropriate addition to the dwelling and streetscene. Therefore there is no harm caused to the visual amenity.

### 5.4 Other Matters

A local resident raised concern that the highway leading to neighbouring properties may be obstructed during building work if the extension was approved. It is considered that this is a civil matter that is not a planning consideration.

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

## 7. **RECOMMENDATION**

- 7.1 That planning permission is **GRANTED** subject to the following conditions.

**Background Papers**      **PT08/1119/F**

**Contact Officer:**    **Will Collins**  
**Tel. No.**                **01454 863819**

## **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).