



**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. 38/10

Date to Members: 01/10/10

Member's Deadline: 07/10/10 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

To refer an application(s) members are asked to email MemberReferral@southglos.gov.uk providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

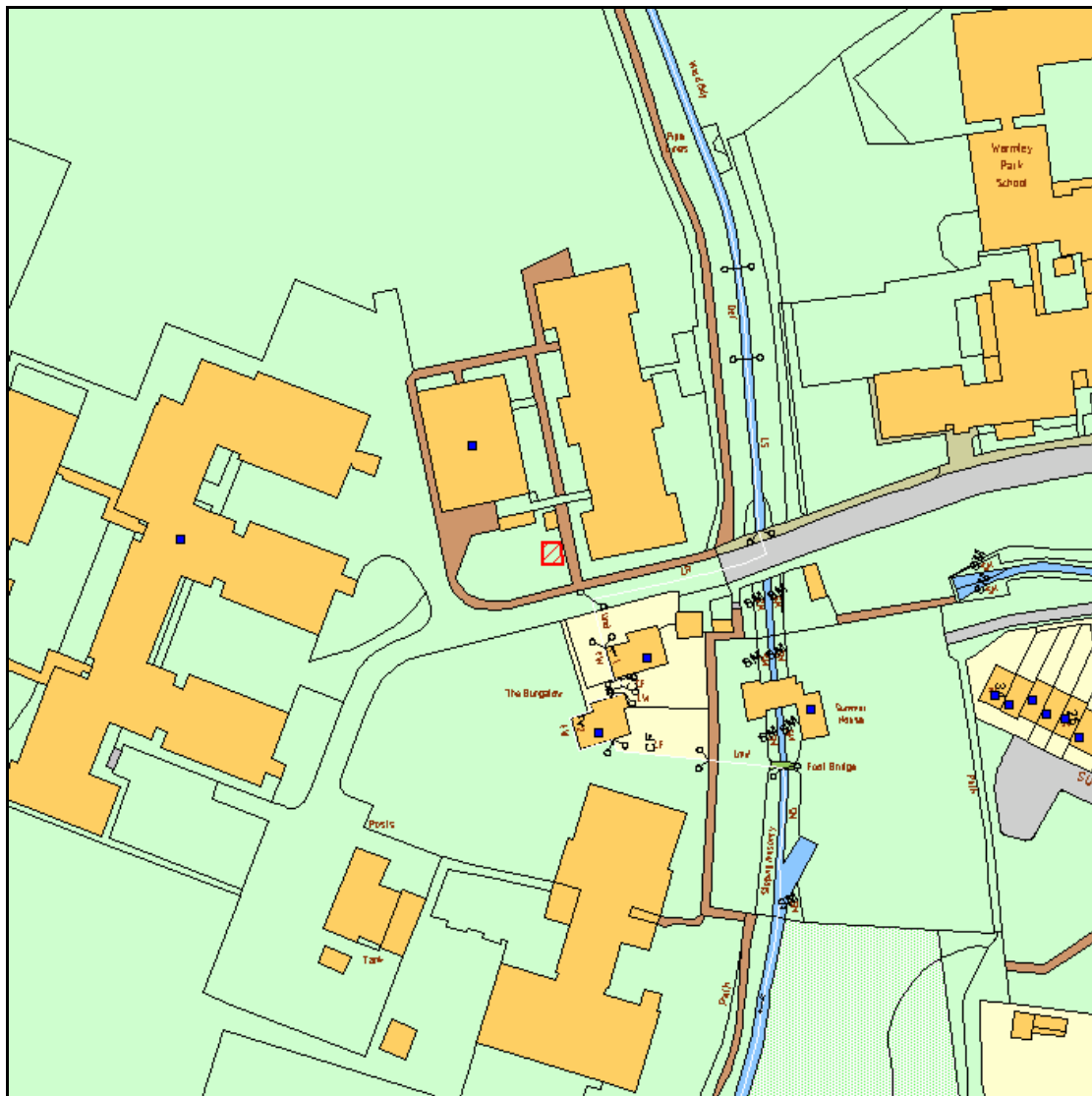
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

CIRCULATED SCHEDULE – 01 OCTOBER 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/1265/R3F	Deemed Consent	Grange School Tower Road North Warmley South Gloucestershire BS30 8XL	Parkwall	Oldland Parish Council
2	PK10/1893/F	Approve with Conditions	14 Queensholm Crescent Downend South Gloucestershire BS16 6LR	Downend	Downend And Bromley Heath Parish Council
3	PK10/1903/F	Approve with Conditions	75 Marshfield Road Tormarton Badminton South Gloucestershire GL9 1JF	Cotswold Edge	Tormarton Parish Council
4	PK10/1968/F	Approve with Conditions	Land At Coombs End Old Sodbury South Gloucestershire BS37 6SQ	Cotswold Edge	Sodbury Parish Council
5	PK10/2128/F	Approve with Conditions	115 Memorial Road Hanham South Gloucestershire	Hanham	Hanham Abbots Parish Council
6	PK10/2132/F	Approve with Conditions	38 Cassell Road Staple Hill South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
7	PK10/2153/F	Approve with Conditions	17 High Street Warmley South Gloucestershire BS15 4NE	Siston	Siston Parish Council
8	PT10/1001/F	Approved Subject to	Premier Inn Catbrain Lane Almondsbury South Gloucestershire BS10 7TQ	Patchway	Almondsbury Parish Council
9	PT10/2108/F	Approve with Conditions	10 Bourton Close Patchway South Gloucestershire	Bradley Stoke Central And Stoke Lodge	Patchway Town Council
10	PT10/2133/TRE	Approve with Conditions	Neathwood New Road Tytherington Wotton Under Edge South Gloucestershire GL12 8UP	Ladden Brook	Tytherington Parish Council
11	PT10/2140/F	Approve with Conditions	136 Bristol Road Frampton Cotterell South Gloucestershire BS36 2AX	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PK10/1265/R3F	Applicant:	South Gloucestershire Council
Site:	Grange School Tower Road North Warmley Bristol South Gloucestershire	Date Reg:	24th August 2010
Proposal:	Installation of containered heating plant room.	Parish:	Oldland Parish Council
Map Ref:	366748 173193	Ward:	Parkwall
Application Category:	Minor	Target Date:	15th October 2010



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 100023410, 2008. **N.T.S.** **PK10/1265/R3F**

Reasons for Referral to the Circulated Schedule

This application is a Regulation 3 application submitted by South Gloucestershire Council. Under the Council's current scheme of delegation, Reg. 3 applications must appear on the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application relates to the Grange School, Warmley, located to the west of Tower Road North and east of The Avon Ring Road. The School comprises a complex of generally two-storey buildings; vehicular access is from Tower Road North.
- 1.2 It is proposed to erect a packaged boiler plant room to replace the School's existing boilers, which are no longer serviceable.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development
PPG13 - Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

D1 - Design in New Development

LC4 - Educational and Community Facilities within the Urban Area and Defined Settlement Boundaries

L1 - Landscape Protection and Enhancement

The South Gloucestershire Core Strategy Pre-Submission Publication Draft
March 2010

CS1 - Design

2.3 Supplementary Planning Document

The South Gloucestershire Design Checklist (Adopted) 23rd August 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 There have been numerous planning applications relating to the overall site but none are specific to this proposal.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

No objection

4.2 Sustainable Transport

No objection

- 4.3 Local Residents
No responses

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy LC4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 permits the expansion or improvement of community or education facilities within the existing urban area, subject to criteria that are discussed below. Policy D1 seeks to secure good quality designs in new development and this policy is carried forward into Policy CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

5.2 Scale and Design

The proposed plant would be housed in a prefabricated structure, which is to be located adjacent to the buildings being served. The plant room would be utilitarian in appearance but would be modest in scale, being only 4m long by 3m wide with a mono-pitch roof with a maximum height of 2.93m sloping down to 2.45m. Given that the structure would be located adjacent to larger buildings and would be well screened from wider views, officers are satisfied that the both the scale and design of the proposal would be acceptable in this location.

5.3 Impact Upon Residential Amenity

The new development would be located entirely within the perimeter of the school and would not be immediately adjacent to residential properties. Officers are therefore satisfied that there would be no adverse impact on residential amenity to result from the proposal.

5.5 Transportation Issues

The proposed extension would be modest in scale. The number of employees on the site would not increase as a result of the development. There are therefore no highway objections to the proposal.

5.6 Landscape Issues

There are no landscape implications to result from the scheme.

5.7 Environmental Issues

The Council's Environmental Health officer has raised no objection to the proposal.

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise. The following is a summary of the reasons for granting planning permission:

1. Consideration has been given to the overall design of the proposal in relation to Policy D1 of the South Gloucestershire Local Plan (Adopted) 6

Jan 2006 and Policy CS1 of The South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

2. The proposal will not have an adverse impact on neighbouring residential amenity in accordance with Policy LC4 of The South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 3. There will be no adverse transportation implications to result from the scheme, in accordance with Policies T8 and T12 of The South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 4. There will be no adverse landscape implications to result from the scheme, in accordance with Policy L1 of The South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 5. There will be no adverse environmental implications to result from the scheme, in accordance with Policy EP1 of The South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission be GRANTED subject to the conditions listed on the decision notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

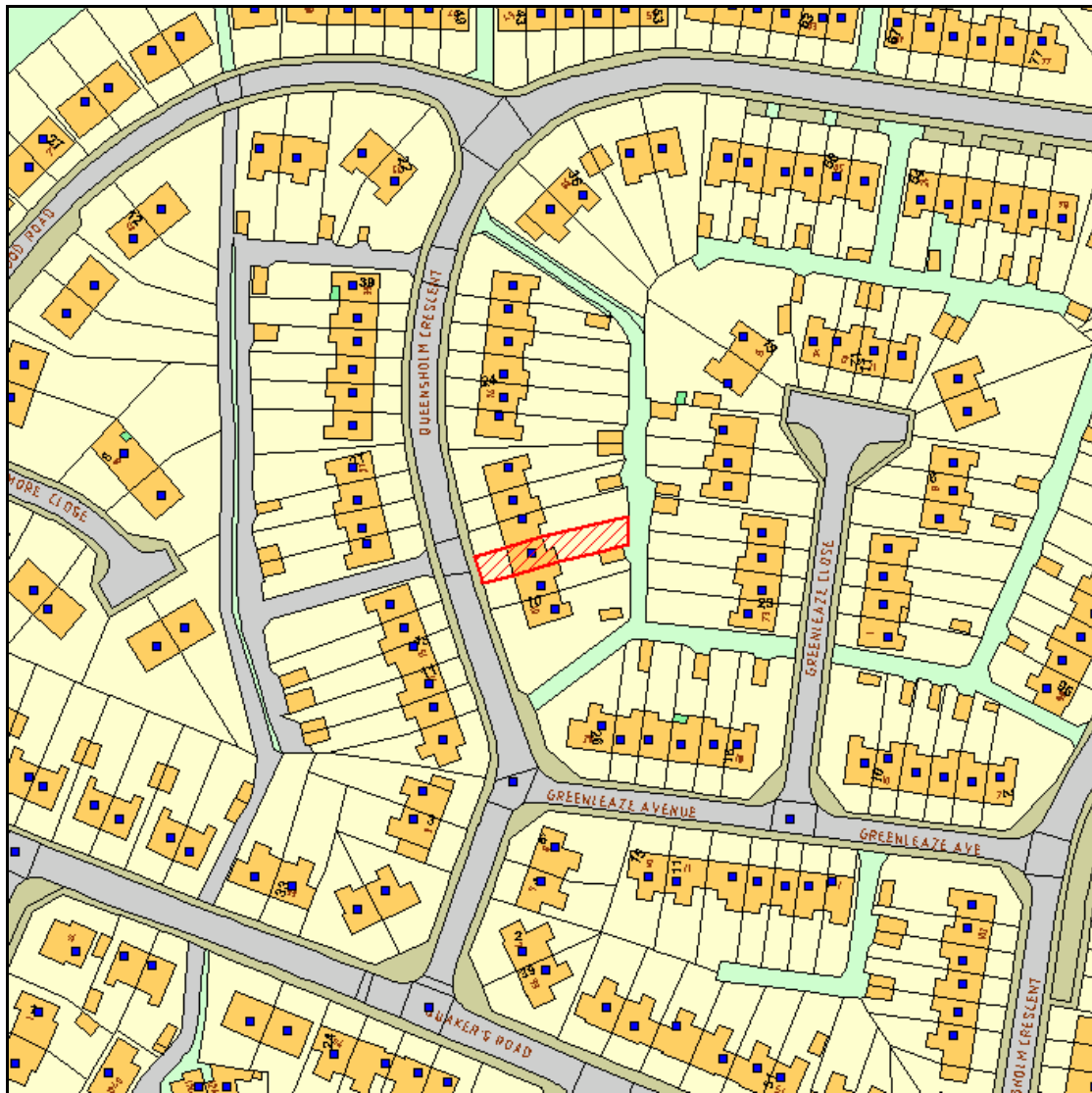
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PK10/1893/F	Applicant:	Miss Helen McDonagh
Site:	14 Queensholm Crescent Downend Bristol South Gloucestershire BS16 6LR	Date Reg:	27th August 2010
Proposal:	Change of Use from residential (Class C3) to multiple occupancy (Class C4) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364931 178077	Ward:	Downend
Application Category:	Minor	Target Date:	20th October 2010



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of an objection contrary to the officer recommendation.

1. THE PROPOSAL

1.1 This application seeks planning permission for the change of use of a two storey pebbledash and tile terraced dwelling (C3) into a house in multiple occupancy (C4). This would consist of the landlord living in the loft and the lowers floors forming a separate dwelling with three bedrooms let separately but the ground floor in shared use. The plans submitted are entitled existing/proposed and show that no room would change from its current use under this proposal.

1.2 There is a detached garage accessed by a private lane to the rear of the site and the applicant has informed that she has permission to drop the kerb at the front of the site and intends to provide parking in the front garden for two vehicles, although the new parking is not made clear on the plans accompanying this application.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transportation

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H5 Subdivision of dwellings
T7 Cycle parking
T8 Parking standards
T12 Highway safety

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council
Objection - A 4-bed let without any off road parking seems totally inappropriate to this mid-terraced property in a family orientated area.

4.2 Other Consultees [including internal consultees of the Council]
The proposal is for internal conversion of an existing residential building to enable it to be changed to multiple occupancy dwelling. The proposed conversion would not extend the existing dwelling although the total numbers of bedrooms would be increased. The footprint of the building remains unchanged.

No formal parking spaces are available to this existing property. However, access is available to the rear of the property and a vehicular access can be created in front. The officer is satisfied that provision of some off-street parking

can be made for this property. It is possible, by removing the front lawn in front garden, to create two parking spaces in the front of the property. Similar parking can also be provided to the rear with access via the rear private lane.

The site is close to public transport routes. The closest bus stop is approximately 170m walking distance on Quaker's Road. It is noted that the Parish Council is objecting to the application on basis of the parking issue. In this context, it must be noted that South Gloucestershire Council parking policy T8 accords with Government advice in Planning Policy Guidance Note 13: Transport (PPG13) in setting only maximum standards for parking spaces. PPG 13 also says that developers should not be required to provide more spaces than they themselves wish, other than in exceptional circumstances, such as where there are significant implications for road safety. Provision of car parking on site can be made a condition to planning consent if consent is being considered in this case.

In view of the above, I do not wish to raise highway objection to the proposal but I recommend the following planning condition.

1) prior to occupation of the any part of the dwelling, provide two parking spaces in front of the dwelling by removing the front lawn and turning it into hard standing area. The said parking area shall then be maintained satisfactory thereafter.

Other Representations

4.3 Local Residents
No replies received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The proposal is broadly covered by policy H5, which sets 4 criteria to be met in the case of sub-dividing existing residential properties. These criteria form the following four headings:

5.2 H5A: The proposal would not prejudice the character of the surrounding area

The dwelling as it is at present would not alter under this proposal in terms of its built form. Provided that the hardstanding at the front of the property is a permeable surface, the front garden could be turned over to parking provision without planning permission being required. On that basis, it is considered that the proposal, even including the condition proposed below, would not alter the character of the surrounding area. The property could be occupied by four people in the same family and it is considered that this would have the same level of impact on the character of the locality as the development proposed. It is considered that the proposal satisfies criteria A of policy H5.

5.3 H5B: The proposal would not prejudice the amenity of nearby occupiers

For the reason given above as justification for the effect on the character of the area, it is not considered that the proposed development would have any prejudicial impact on the amenity of nearby occupiers. The house could accommodate a large family without planning permission being required and the use of each room would not change under this proposal, therefore it is

considered that the effect on residential amenity of this proposal would be neutral and that the proposal accords with criterion B of policy H5.

5.4 H5C: The proposal would identify an acceptable level of off street parking
The proposal at present offers only one parking space – in a detached garage to the rear. The highway comments above suggest a condition to be imposed which would ensure the provision of three off-street car parking spaces in total. The applicant has confirmed the intention to provide off-street car parking within the front garden. Subject to compliance with this suggested condition it is considered that the proposal would accord with criterion C of policy H5, along with policies T8 and T12 of the adopted Local Plan.

5.5 H5D: The proposal would provide adequate amenity space
The site has a front and rear garden at present, of a size similar to other three bedroom dwellings in this street. Some of these dwellings have had loft conversions to create fourth bedrooms. It is considered that the rear, more private, amenity space is adequate to serve a dwelling of this size, regardless whether it is occupied by a family or a group of individuals effectively living together as a family, i.e. sharing the existing facilities, including the garden. There proposal is therefore considered to accord with criterion D of policy H5 of the adopted Local Plan.

6. CONCLUSION

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

6.2 This proposal would create a house in multiple occupation within a street of family housing and it is considered that this would go some way towards providing a range of types of dwelling to promote a mixed and balanced community in this location. The site could provide a suitable level of off-street parking to accord with policies H5 and T8 of the adopted Local Plan and the proposal is considered to have an overall neutral impact on existing levels of residential amenity as the dwelling would have the same level of use under this proposal as if it were to be occupied by a large family, utilising the same level of accommodation as exists at present.

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

7. RECOMMENDATION

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

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

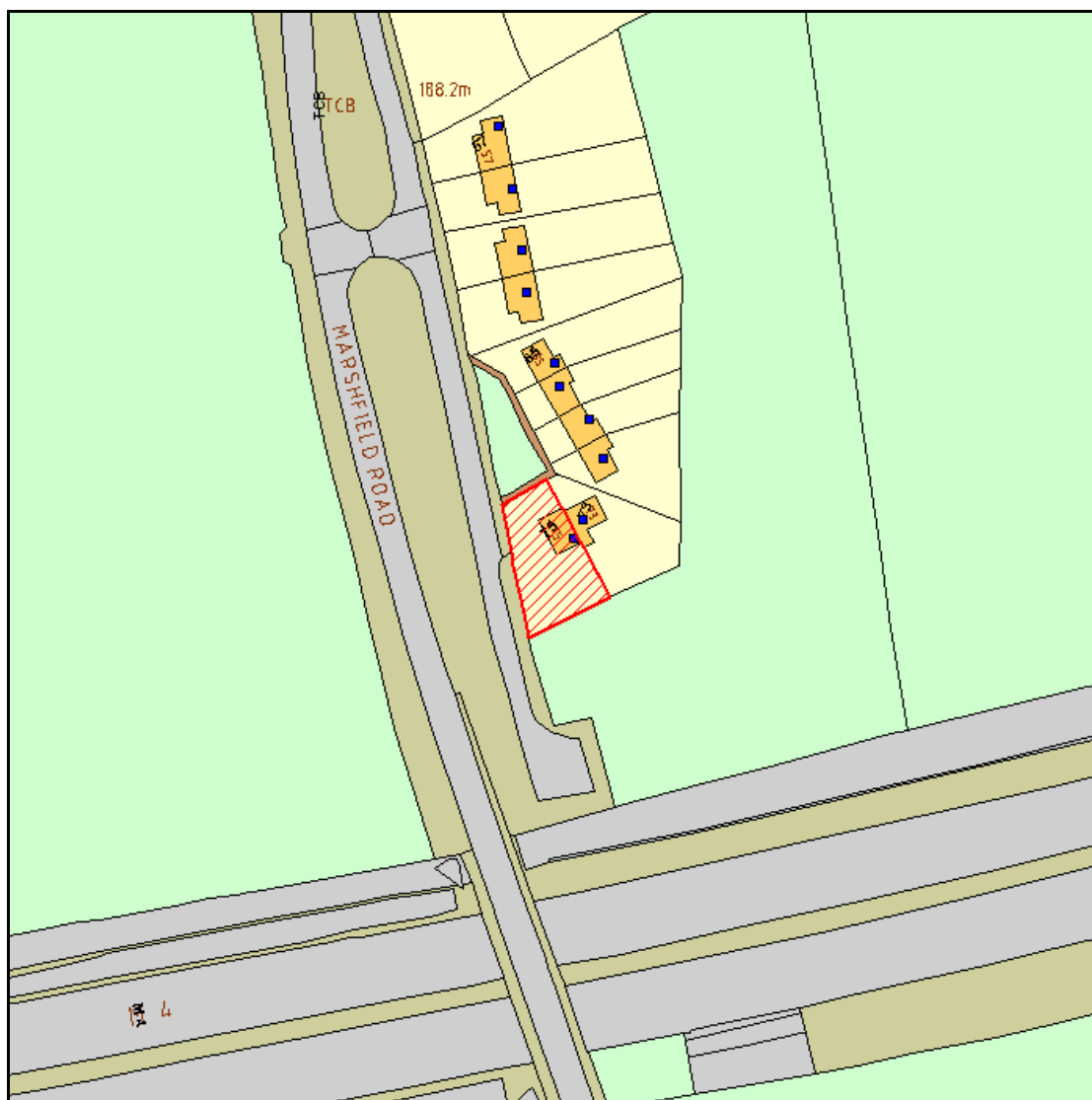
2. Prior to the commencement of development detailed plans showing the provision of (car and cycle parking facilities) in accordance with the standards set out in Policies (T7 and T8) of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for 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

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PK10/1903/F	Applicant:	Mr William Player
Site:	75 Marshfield Road Tormarton Badminton South Gloucestershire GL9 1JF	Date Reg:	17th August 2010
Proposal:	Alterations to roofline to facilitate the erection of two storey front and side extensions to provide additional living accommodation. Construction of new vehicular access.	Parish:	Tormarton Parish Council
Map Ref:	377099 178317	Ward:	Cotswold Edge
Application Category:	Householder	Target Date:	7th October 2010



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REASONS FOR REFERRAL TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to concern raised by the Parish Council and due to one letter of objection from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a two storey front and side extension and the creation of a new vehicular access at 75 Marshfield Road, Tormarton. The proposed front extension would measure 12.5 metres wide by 1.5 metres in depth and would have an overall height to ridge of 6.1 metres. The side extension would measure a maximum of 3.5 metres in width.
- 1.2 The application property is a two storey semi-detached dwelling and is located within the settlement boundary of Tormarton. The property is also located within the Cotswolds Area of Outstanding Natural Beauty.
- 1.3 During the course of the application amended plans were requested to omit the front gables which were considered to be out of keeping with the character and appearance of the area, and to reduce the width of the proposed side extension. The proposal has been amended so that there are no front gables but the width of the proposed side extension has remained as initially proposed.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
L2 Cotswolds Area of Outstanding Natural Beauty
T8 Parking Standards
T12 Transportation Development Control

South Gloucestershire Core Strategy, Pre-submission Publication Draft March 2010
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Tormarton Parish Council

Raised concern that the proposed extension may reduce light received by adjacent property. In addition it is unclear whether the existing conservatory will be re-erected.

4.2 Drainage

No objection subject to the attachment of a SUDs condition.

4.3 Sustainable Transport

No objections.

Other Representations

4.4 Local Residents

One letter of objection has been received from a local resident, raising the following concerns:

- Restricted light to kitchen, bathroom and toilet
- Will need to turn lights on sooner, resulting in more expense in power bills.
- Concern about the drainage system with the new bathroom on the north side.
- Will catchpit remain in same location in his rear garden?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

5.2 Design / Visual Amenity

The proposed extensions are considered to be of an appropriate standard in design and reflect the character of the main dwelling house and surrounding properties. Cumulatively the extensions are quite large however it is considered that the proposal which incorporates the addition of first floor front elevation windows is considered to be a positive improvement on the existing situation. The proposal would be constructed of materials to match the main existing dwelling which would result in the successful integration of the proposed extensions with the main dwelling and adjoining property. The proposal would involve alterations to the existing roofline, resulting in a lower pitch of the main roof. Given the orientation of the property it is not considered that the proposal would appear out of keeping with the surrounding properties, as such it is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The proposed front extension is set away from the neighbouring residential dwellings, as such this aspect of the proposal is not considered to have any detrimental impacts on the residential amenity of neighbouring properties.

The proposed side extension would measure 3.4 metres in width, projecting a maximum of 4.2 metres beyond the rear elevation of the adjoining property, No. 73 Marshfield Road. The proposal would have a height to eaves of 4.2 metres and the roof would hip away from this neighbouring dwelling. Whilst it is accepted that the proposal does have quite a deep projection from the rear of the neighbouring property, and would inevitably result in some additional overshadowing of the rear of this property, given that the closest first floor windows serve a bathroom, a toilet and a landing, in combination with the fact that the closest ground floor window is already located adjacent to a small rear extension, it is not considered that the proposal would result in such a significant level of overshadowing of habitable room windows to justify the refusal of this application.

The adjoining property, No. 73 Marshfield Road has a large rear garden which is mostly open on all sides, with open countryside to the rear. As such whilst it is acknowledged that the proposed extension is quite large, given the orientation of this neighbouring dwelling and its location within a reasonably large plot, it is not considered that the proposal would result in any significant overbearing impact on No. 73 Marshfield Road.

No windows are proposed on the eastern elevation of the dwelling and all new front and side windows would overlook the garden of the property and open countryside. It is considered that there are no issues of inter-visibility or loss of privacy. Therefore on balance, the impact on residential amenity is subsequently deemed acceptable.

5.4 Highway and Parking Implications

The proposal has been assessed by the Councils Transportation Officer. The proposed access to the existing dwelling is off an unclassified highway. It is considered that the proposed extension would not increase traffic generation at this location, and the parking provision would remain in compliance and within the Councils required parking standards. Permission is required from the Council's Streetcare Department as any dropped kerb should be constructed to the specifications of the Council's Highway Maintenance Team, as such, an informative would be attached to any permission ensuring the agent/applicant is aware of this. Overall, with no objections from the Councils Transportation Officer the proposal is considered acceptable in terms of parking and highway safety.

5.5 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. Whilst a neighbouring resident has raised some concerns regarding the addition of a new bathroom, and the location of the catchpit in his rear garden,

in terms of drainage the Councils Drainage Engineer has raised no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme for approval before development could commence. It should also be noted that access onto the neighbouring property is a civil matter which would be addressed under non planning legislation. However, for the avoidance of doubt, three informatives would be attached to the decision notice to ensure that the applicant / agent is aware that planning permission does not grant rights to carry out works on land outside of the control of the applicant; consent must be sought from the owner of the land; and, that the Building Regulations must be complied with.

5.6 Other Issues

There is some confusion as to whether or not the existing conservatory would be re-erected. The proposed plans do not show a conservatory, therefore a conservatory does not form part of the current application. Furthermore, planning permission would be required if the applicant seeks to rebuild a conservatory in the future.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extensions are of an appropriate standard in design and reflect the character of the main dwelling house and surrounding properties. Furthermore the extensions are not considered to significantly harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact and the parking provision would remain in compliance with Policy T8. As such the proposal accords with Policies D1, T8 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to Monday - Friday 07.30 - 18.00, Saturday 08.00 -13.00; 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 occupiers of nearby buildings and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

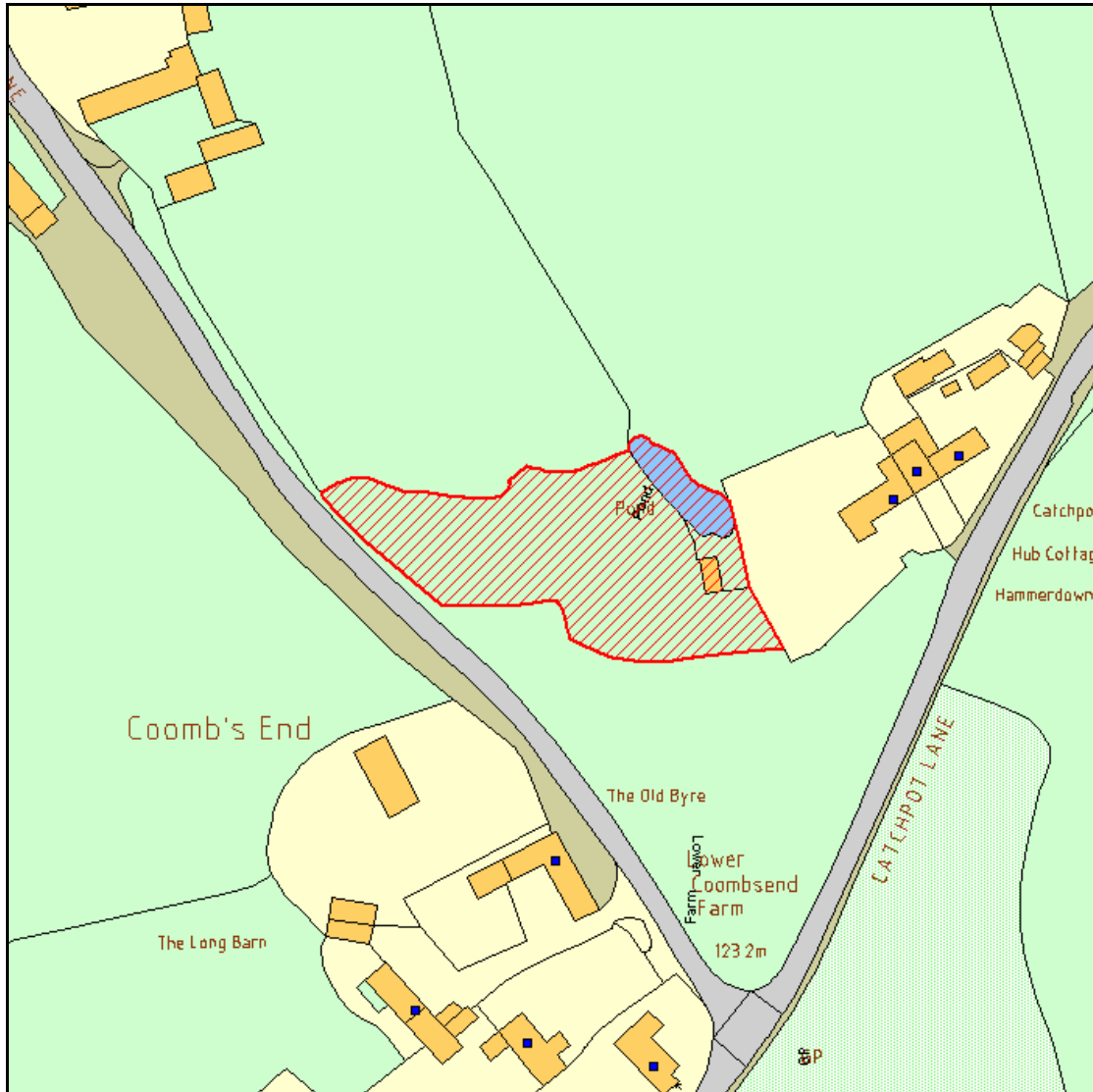
3. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning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

Reason

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

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PK10/1968/F	Applicant:	Miss Sarah Millman
Site:	Land At Coombs End Old Sodbury Bristol South Gloucestershire BS37 6SQ	Date Reg:	27th August 2010
Proposal:	Change of use of land from agricultural to land for the keeping of horses. Erection of stable block. Retention of access track.	Parish:	Sodbury Parish Council
Map Ref:	375422 180685	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	18th October 2010



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 100023410, 2008. **N.T.S.** **PK10/1968/F**

Reasons for Referral to the Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of objections from local residents, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a small (0.26ha) field located to the east of Chapel Lane, Old Sodbury. The land slopes down from the east to Chapel Lane. Within the field, at its eastern end, is a small natural stone building. Until recently the field and building have been used for keeping a pony, although this does not appear to have ever been authorised; officers therefore consider the existing authorised use of the field to be agricultural. Residential dwellings lie on higher ground immediately to the east, otherwise the location is rural in character. The site lies within the Bristol/Bath Green Belt and Cotswolds Area of Outstanding Natural Beauty (AONB). Despite the presence of an existing access gate off Common Land to the south, a new access track from Chapel Lane and associated hard-standing area, have recently been introduced.
- 1.2 It is proposed to change the use of the field from agricultural to land for the recreational keeping of horses. It is also proposed to utilise the existing build for a hay store, tack and feed store. Stabling for 2no. brood mares would be provided in a new building to be located adjacent to the northern end of the existing building. The new building would be modest in scale measuring 3.5m wide, 8.5m long and 4m to the roof ridge; eaves would be set at 2.1m. Permission is also sought to retain the existing rubble stone access track.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPG2 - Green Belts
- PPG13 - Transport
- PPS7 - Sustainable Development in Rural Areas
- PPS9 - Biodiversity and Geological Conservation.
- PPS25 - Development and Flood Risk

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

- GB1 - Development within the Green Belt
- T8 - Parking Standards
- T12 - Transportation
- D1 - Design
- L1 - Landscape Protection and Enhancement
- L2 - Cotswolds AONB
- L9 - Species Protection
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- E10 - Horse related development

- LC5 - Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary
LC12 - Recreational Routes

2.3 Supplementary Planning Guidance

Advice Note 9 - Development Involving Horses

Development in the Green Belt (SPD) – Adopted June 2007

The South Gloucestershire Design Checklist (SPD) – Adopted August 2007

3. RELEVANT PLANNING HISTORY

3.1 PK07/3332/F - Change of use of land for the keeping of horses to residential curtilage. Erection of single storey extension to facilitate the change of use of stables to mixed residential (Class C3) and Film Editing suite (Class B1). Creation of new access.

Refused 11 Dec. 2007 for reasons of:

- Unsuitable access
- Inappropriate development in the Green Belt. No very special circumstances.

3.2 PK08/1314/F - Change of use of land from the keeping of horses and erection of single storey extension to facilitate the change of use of stables to 1no. holiday let (Class C1). Construction of new vehicular access.

Refused 11 June 2008 for reasons of:

- Inappropriate development in the Green Belt. No very special circumstances.
- New build, not conversion.
- Not in keeping.
- Intensify use of sub-standard access.
- Introduction of additional vehicular movements onto local highway network not suitable to accommodate the increase.

3.3 PK10/1037/F - Erection of agricultural building for storage of fodder.
Withdrawn 14 July 2010

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council

No response

4.2 Other Consultees

The Open Spaces Society

No response

The Ramblers Association

No response

Cotswolds Conservation Board

If the Council is minded to grant this application, the Cotswolds Conservation Board would suggest that, inter alia, conditions regarding the following issues are applied:

- The number of horses permitted to be kept on the land is restricted to the density advised by the British Horse Society.
- A pasture and waste management plan is approved by the Council.
- Permitted development rights for the erection of shelters, fences, jumps etc. on the land are restricted.
- Any external lighting is time limited.

Public Rights of Way

PROW LSO 69 runs to the south of the site and is unlikely to be affected.

Technical Support - Street Care

No objection subject to condition to secure SUDS drainage scheme.

Sustainable Transport

No objections

Other Representations

4.3 Local Residents

5no. responses have been received from local residents; three of the responses specifically objected whilst two were generally not against the scheme in principle but did still raise concerns. The concerns raised are summarised as follows:

- The paddock is not big enough for more than 1 horse.
- The existing stone building has been previously used as a stable.
- The gateway and access track are new.
- The application is the start of a development to get permission for a house.
- Previous refusals.
- Blot on views.
- Increased traffic on Chapel Lane.
- Dangerous access.
- Would set a precedent for similar proposals.
- The track should be grassed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In the first instance the proposal must be considered in the light of current Green Belt Policy. Guidance contained in PPG2 states that, the change of use of land or the re-use of existing buildings in the Green Belt is not inappropriate, where it would not have a materially greater impact on the openness of the Green Belt than the present authorised use. Furthermore the construction of new buildings inside the Green Belt is not inappropriate development if it is an essential facility for outdoor sport and recreation. Paragraph 3.5 of PPG2 states that essential facilities should be genuinely required for the uses of the land, which preserve the openness of the Green Belt and gives an example of '*small stables*' as possible essential facilities, the PPG does not however define what

is meant by 'small'. This is supported by Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, which states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.

5.2 Furthermore, PPS7 generally supports equine related developments in the countryside, provided that they maintain environmental quality and countryside character. Policy E10 of the South Gloucestershire Local Plan reinforces the view that '*proposals for horse related development .. such as stables, will be permitted outside the urban boundaries of settlements*', subject to the following criteria being met:

- A. Development would not have unacceptable environmental effects; and
- B. Development would not prejudice the amenities of neighbouring residential occupiers; and
- C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
- D. Safe and convenient access to bridleways and riding ways is available to riders; and
- E. There are no existing suitable underused buildings available and capable of conversion; and
- F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

The analysis of the proposal in relation to these criteria is considered below.

5.3 Green Belt Issues

As stated above '*small stables*' are not inappropriate within the Green Belt. In assessing whether or not a stable is small, officers have taken note of recent appeal decisions relating to similar proposals at Langton Farm, Siston Lane, Siston. It was established in the appeal decision (APP/P0119/A/02/1090067) relating to application PK02/2237/F (for the erection of a stable with a footprint of 52sq.m. on Lot 4 Langton Farm), that '*the keeping of horses for recreational purposes is a use of land that is compatible with preserving the openness of the Green Belt*'. The appeal relating to PK02/2237/F also established that, '*..in terms of its overall floorspace and height, the proposed stable would be small.*' This accorded with guidance given in PPG2 and with the supporting text of Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which indicates that small stables are not inappropriate within the Green Belt. The inspector concluded that the proposal was an essential facility required for the use of the land, which retained the openness of the Green Belt and would not therefore be inappropriate development within the Green Belt.

5.4 It should be noted however that in relation to another proposal at Langton Farm, the Inspector for the appeal relating to application PK01/3392/F i.e. APP/P0119/A/02/1090067, considered that a stable with 5 individual stores and 2 storage areas and a floor area of over 136sq.m. was not small and was therefore inappropriate development within the Green Belt. In another application PK03/0076/F relating to Langton Farm, officers considered that a

stable with a footprint of 96 sq.m. was small. In a more recent application PK08/0036/F, relating to land at Webbs Heath, a proposed American Barn with a foot-print of 250.7 sq.m. and a height of 4.88m with eaves at 3.66m was ‘..not remotely considered to be *‘small’*’.

- 5.5 Notwithstanding the above-mentioned developments, officers consider that each application should be considered on its individual merits and especially in relation to the character and location of the application site. In this instance the stable/store would have a total floor area of 63.78sq.m. and consist of a Hay Store and a Fodder/Tack Room in the existing building (34.03sq.m.) and 2no. stalls in the new build (29.75sq.m.). Officers consider that the proposed stable building has been kept to a reasonable size and in the context of the proposed use can be considered to be small. Furthermore the stable building has been designed to minimise its impact in the landscape with the new build element being subservient to the existing building and set down within the landscape. The overall scale of the building is therefore considered to be sufficiently small and would not be inappropriate development within the Green Belt; by definition therefore the stable would not cause harm to the openness of the Green Belt and furthermore the building would be genuinely needed for the use that retains the openness of the Green Belt.
- 5.6 Impact on the Visual Amenity of the Green Belt and Landscape in General
- 5.7 The planting of hedgerows and introduction of a new access from Chapel Lane would not require planning permission and neither would the use of temporary mobile field shelters. In this respect officers would rather see the use of existing buildings or erection of more permanent stables, the siting and design of which, can be suitably controlled via the planning process, to minimise the impact on the landscape.
- 5.8 The proposed new stable would have a traditional design with the existing stone building being retained and the new build constructed of Cotswold stone and clay tiles to match those of the existing building.
- 5.9 It is proposed to keep 2 brood mares on the site for breeding purposes and this can be restricted by condition. It is proposed to retain the existing natural stone rubble track and hard-standing adjacent to the building. It is acknowledged that the paddock is small 0.26ha for the number of horses proposed but the applicant does have access to additional grazing land on adjacent Upper Coombes End Farm. Officers consider that with good management, the existing field would be big enough for the number of horses proposed, without resulting in any unsightly poaching of the land. In time grass would be allowed to grow through the rubble track which would help to reduce its visual impact.
- 5.10 The existing hard-standing areas adjacent to the building would be used for parking; no horse-boxes are proposed to be kept on the application site and this could be secured by condition.
- 5.11 The new build would be appropriately located close to the existing building. Since the building would be traditional in design and screened by high hedgerows, it would not be prominent within the landscape; a new hedgerow

would be planted on the eastern boundary. A condition would also be imposed to control the erection of jumps within the field as well as any lighting that may be required. Officers are satisfied that the scheme would not adversely affect the visual amenity of the Green Belt or Cotswolds AONB; there are therefore no landscape objections.

5.12 Transportation Issues

The stables would be relatively small and traffic generation would not be significantly different than for the authorised use (horses could be grazed in the field under the authorised agricultural use). Irrespective of whether there was a gate to Chapel Lane or not, the road is not classified and therefore an access could have been introduced using permitted development rights. Subject to the number of horses to be kept on the field being limited to 2no. with foals, and there being no livery use or sub-letting of the stables, there are no highway objections. Criterion C of Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 is therefore satisfied.

5.13 Environmental Effects and Drainage Issues

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

5.14 The disposal of foul waste should be undertaken in accordance with the MAFF (now DEFRA) Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency controls. Foul wash-down would soakaway to the land. A SUDS drainage scheme could be secured by condition. Any burning of waste manure would be controlled by Environmental Health legislation. Criterion A of Policy E10 is therefore satisfied.

5.15 Buildings Capable of Conversion

The existing building within the field has previously been used to house a pony and would form part of the proposal. Criterion E of Policy E10 is therefore satisfied.

5.16 Impact Upon Residential Amenity

Residential properties adjoin the site to the east. The site has previously been used for the keeping of horses and in any event could be used for the grazing of farm animals. It is proposed to introduce additional screen planting on the eastern boundary and the proposal is not considered to have a detrimental impact on the visual amenity of the location. A condition can ensure that any muck heaps are located a satisfactory distance from the boundary with the nearest residential property. On balance therefore, there would be no significant adverse impact on residential amenity.

5.17 Ecology

The site has no special nature conservation designation. The field could already be used for grazing purposes. It is therefore considered that there would be no adverse impact upon the ecology of the area.

5.18 PROW Issues

A PROW runs across the common adjacent to the southern boundary of the site, but this path would not be affected by the proposal.

5.19 Other Concerns Raised

Of the concerns raised that have not been addressed above:

- Each application must be determined on its individual merits so any future application for e.g. a house, would be determined in relation to the relevant policies. The application is not for residential development and any perceived future development of the site should not be justification for the refusal of the scheme as applied for.

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 following is a summary of the reasons for recommending approval :

1. Careful consideration has been given as to the scale of the proposed building and to its appropriateness or otherwise in Green Belt terms - Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Development in The Green Belt (SPD) - Adopted June 2007.
2. The proposal has been designed and located so as to have minimum impact on the visual amenity of the Green Belt, Cotwolds AONB and rural landscape in general – Policies D1, L1, L2 and GB1 of the SGLP.
3. Adequate access and parking provision would be provided and the use of the site would be restricted to social and recreational use only - Policies E10, T8 and T12 of the SGLP.
4. Consideration has been given as to the possibility of converting existing buildings for the purpose proposed - Policy E10 of the SGLP.
5. Consideration has been given to the impact of the proposal on the Ecology of the area - Policy L9 of the SGLP.
6. Consideration has been given to the impact of the proposal on the PROW that adjoins the field - Policy L12 of the SGLP.
7. Consideration has been given to the drainage and environmental issues to result from the proposal - Policies E10, L17, L18, EP1 and EP2.
8. Consideration has been given to the impact of the development on residential amenity in accordance with Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

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

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and natural beauty of the Cotswolds AONB; to accord with Policies GB1, L1, L2 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. The number of horses kept on the site edged in red on the approved plans shall not exceed 2 (with foals).

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and natural beauty of the Cotswolds AONB; to accord with Policies GB1, L1, L2 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Reason

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

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

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and natural beauty of the Cotswolds AONB; to accord with Policies GB1, L1, L2 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and natural beauty of the Cotswolds AONB; to accord with Policies GB1, L1, L2 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and natural beauty of the Cotswolds AONB; to accord with Policies GB1, L1, L2 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policies E10 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and natural beauty of the Cotswolds AONB; to accord with Policies GB1, L1, L2 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. Prior to the commencement of the development hereby approved, details of the new native hedgerow to be planted on the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number and species of plants to be used, proposed spacing, methods of protection, times of planting, and 5 year maintenance schedule. The soft landscaping shall be carried out in accordance with the approved details and in accordance with a programme agreed with the Local Planning Authority.

Reason

To protect the character and appearance of the area and the visual amenity of the Green Belt and natural beauty of the Cotswolds AONB; to accord with Policies GB1, L1, L2 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

10. No waste removed from the stables shall be stored within 30 metres of the boundary with any residential property.

Reason

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policies E10 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

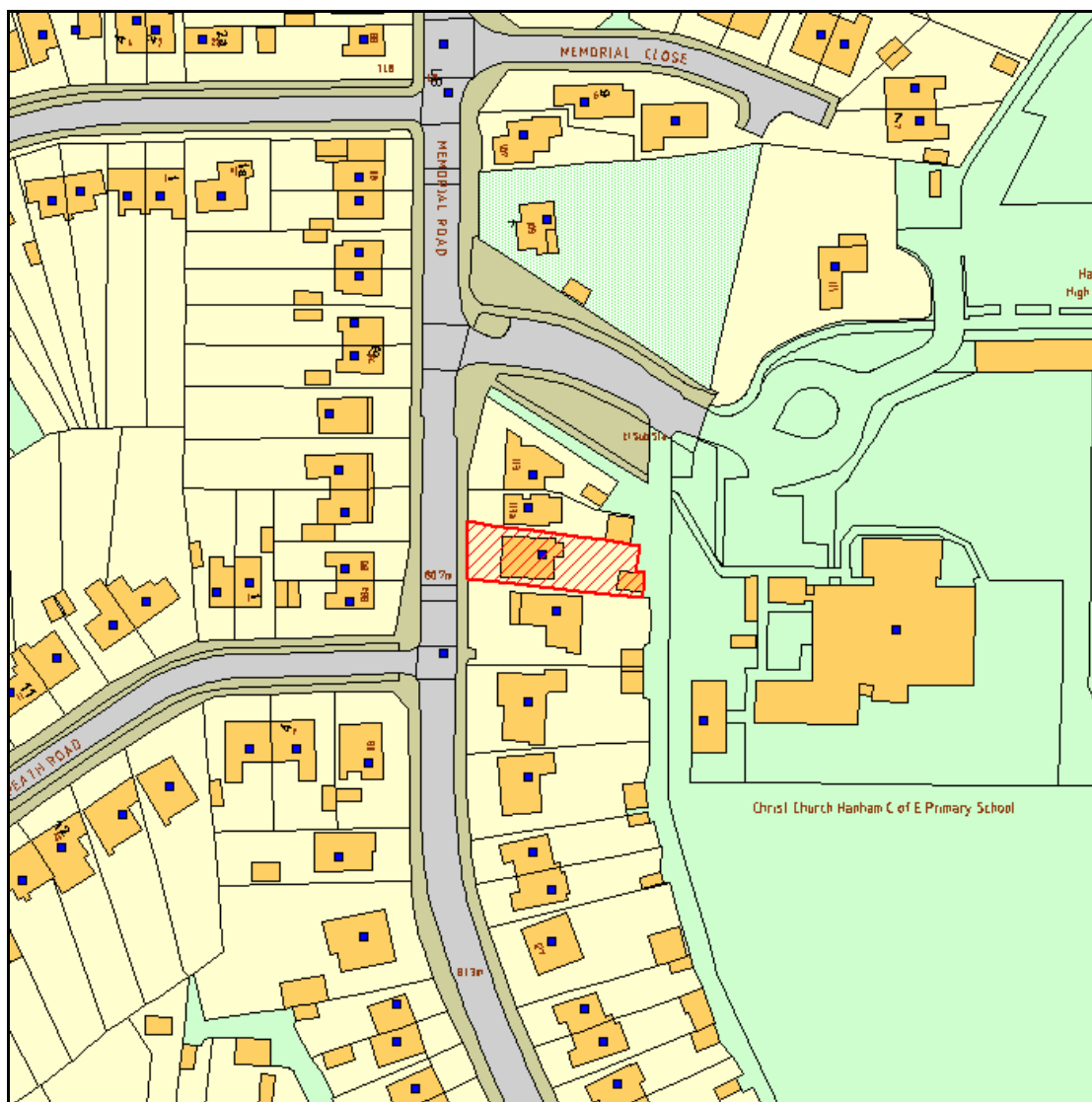
11. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning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

Reason

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

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PK10/2128/F	Applicant:	Mr Paul James
Site:	115 Memorial Road Hanham Bristol South Gloucestershire BS15 3LA	Date Reg:	18th August 2010
Proposal:	Alterations to roof to facilitate first floor rear extension and erection of single storey side and rear extension to form additional living accommodation.	Parish:	Hanham Abbots Parish Council
Map Ref:	363857 171677	Ward:	Hanham
Application Category:	Householder	Target Date:	11th October 2010



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INTRODUCTION

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

1. THE PROPOSAL

1.1 The application site is situated within Hanham on the east side of Memorial Road. The site is bounded by residential development to the north and south, Hanham High School to the east and with vehicular access onto Memorial Road to the west. The site comprises a post war detached bungalow with accommodation in the roof and large flat roofed box dormer at the rear. A modern conservatory is attached to the rear of the dwelling and a detached single garage is positioned in the south east corner of the site.

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

1.2 The application proposes alterations to roof to facilitate first floor rear extension and erection of single storey side and rear extension to form additional living accommodation.

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

South Gloucestershire Core Strategy Pre Submission Publication Draft – March 2010

CS1 High Quality Design

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

3. RELEVANT PLANNING HISTORY

3.1 P74/4107 Alterations and additions to existing bungalow to form 2 dormer bedrooms with landing (Previous ID: K250)
Approved 12.09.1974

- 3.2 PK08/1133/F Erection of a single storey rear extension to form additional living accommodation.
Approved 28.05.2008

4. **CONSULTATION RESPONSES**

- 4.1 Hanham Abbots Parish Council
No objections. However, we would comment that the plans show that the proposed extension does not appear to be flush with the existing building and therefore will have an overbearing affect on the neighbouring property.
- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
One letter received from the occupiers of 117 Memorial Road raising the following concerns:
Loss of natural light to side bedroom window.

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. The dwelling is situated within a suburban residential context with a mix of dwelling types and styles. The proposed extension would be situated entirely at the rear of the site and would be very well screened from public views from Memorial Road. Only a brief glimpse of the roof of the extension would be visible through the gap between nos 113a and 115. A service track runs along the east boundary of the site providing vehicular access to the rear of the dwellings on the east side of Memorial Road. A large 2m high gated entrance would provide a significant visual screen from any views from the track. The design and materials are considered to be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. The proposal would also result in the removal of a poorly designed flat roofed box dormer on the rear roofslope. As such it is considered that the design of the proposal accords with the criteria of Policy D1.
- 5.3 Residential amenity
Adequate rear amenity space to the property would be retained following the erection of the proposed extension. The proposed extension would measure 4.75m beyond the rear elevation of the original dwelling at a height of 2.7m to eaves and 5.7m to ridge with a 33 degree roof pitch. The extension would

replace a conservatory and flat roofed rear addition which measure 3.3m maximum rear projection, 2.7m to eaves (flat roofed addition) and 3.2m to ridge (conservatory)

No. 113a to the north has a conservatory attached to the rear elevation and is situated at a lower ground level than the application site. No.113a and the conservatory would be situated 3-4m from the side elevation of the proposal. A 1.8m closed boarded fence runs along the north boundary of the site. No.113a would also be set back from the proposal. Considering the distance of the proposal from no.113a, the height to eaves, relatively shallow roof pitch and existing fence screen, the proposal is considered not to result in a materially overbearing impact on no.113a and would create no significant shadowing or loss of light.

The neighbouring bungalow to the south (no.117) has a side dormer which faces towards the application site opposite the conservatory. The dormer would be situated at a higher level than the eaves of the extension and would be positioned approximately 8m from the ridge of no.115. Although the dormer would be situated at a lower level than the ridge of the extension, the distance from the dormer to the extension would be sufficient to ensure no material loss of outlook or loss of daylight or sunlight to the occupiers of no.117.

5.4 Other issues

The proposal would create no additional bedrooms and as such no additional off street parking provision would be required. The existing site provides 4-5 off street parking spaces and as such the proposal is considered not to have any material highway safety implications.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.
 - a) Due to its scale and position in relation to the adjacent dwellings and existing boundary screening, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) It has been assessed that the proposed extension has been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and H4 of the South

7. RECOMMENDATION

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

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

2. 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.

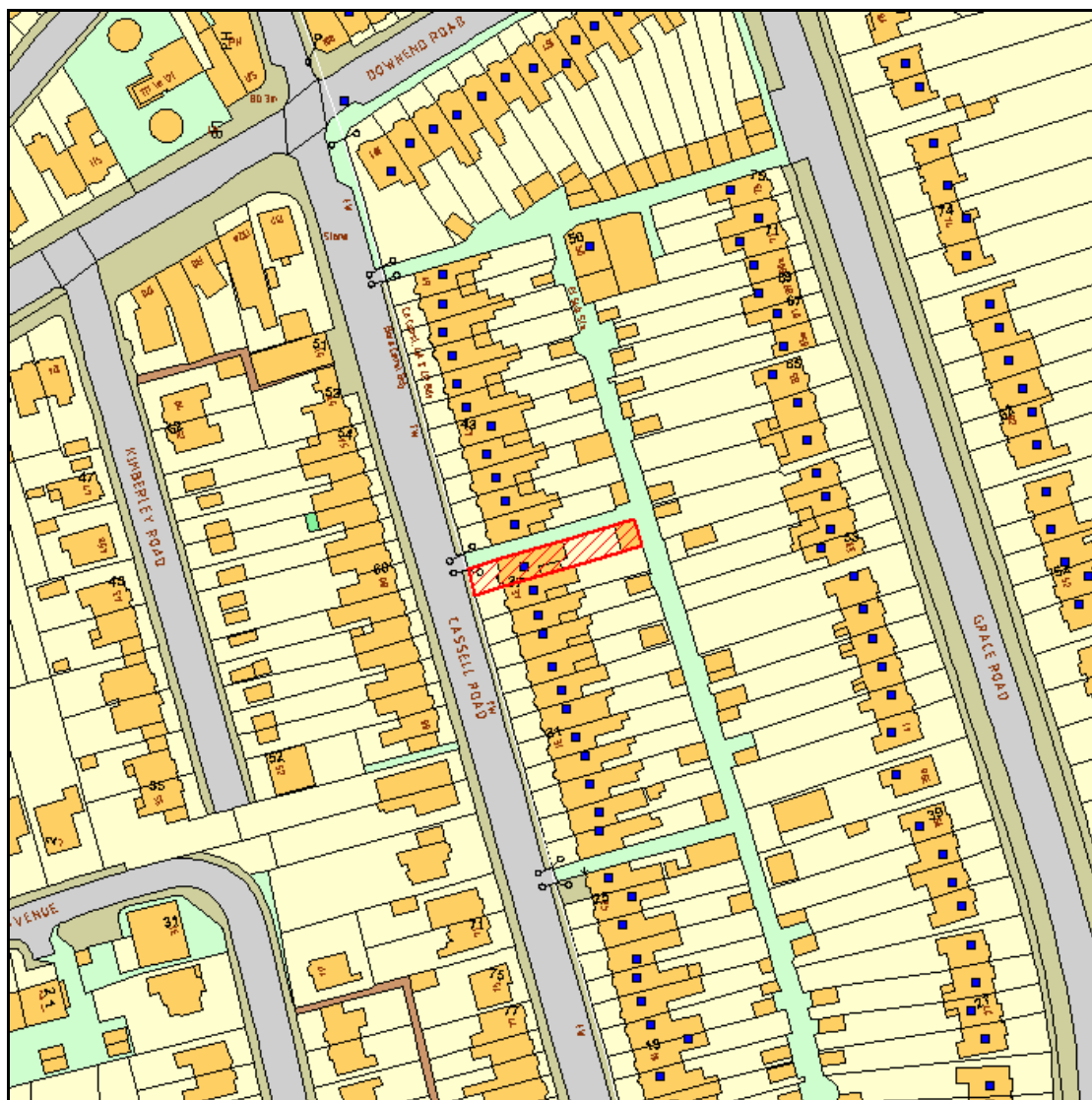
3. No windows/dormers other than those shown on the plans hereby approved shall be inserted at any time in the north and south roofslopes of the extension hereby permitted.

Reason

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

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PK10/2132/F	Applicant:	Mr G Fretwell
Site:	38 Cassell Road Staple Hill Bristol South Gloucestershire BS16 5DE	Date Reg:	24th August 2010
Proposal:	Erection of single storey rear extension to provide additional living accommodation.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364275 176209	Ward:	Downend
Application Category:	Householder	Target Date:	15th October 2010



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INTRODUCTION

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

1. THE PROPOSAL

1.1 The application site is situated on the east side of Cassell Road on the boundary between South Gloucestershire and Bristol. The site is bounded by residential development to the south with an access track to the north leading to a rear service road to the rear (east) and Cassell Road to the west. The site comprises a two storey end of terraced Victorian dwelling with large stone built outbuilding at the rear.

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

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

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

South Gloucestershire Core Strategy Pre Submission Publication Draft – March 2010

CS1 High Quality Design

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

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council
No objection

4.2 Other Consultees
None

Other Representations

4.3 Local Residents

One letter received from the occupiers of 37 Cassell Road raising the following concerns:

Concern in relation to the valley to be created between the side of the extension and the rear flat roofed extension of no.37; concern in relation to possible damp and standing water from the valley gutter; extension should be redesigned to slope to the rear of the house towards the garden.

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. The dwelling is situated within a suburban residential context typified by Victorian terraces fronting the highway. The dwelling the subject of this application is a two storey end terraced dwelling. The proposed extension would be barely visible from public vantage points and only a glimpse would be afforded through the narrow service track to the side. The design and materials would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. Conditions are recommended to ensure a good quality walling and roofing finish. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential amenity

Adequate rear amenity space to the property would be retained following the erection of the proposed extension. No.37 to the south has a flat roofed rear projecting extension. The proposal would project no further to the rear than the extension of no.37. On this basis the proposal would result in no significant bulk or overbearing impact on the occupiers of no.37 or material loss of daylight or sunlight. No.39 has a side extension with blank wall facing towards the application site, which is situated across an access track. As such the proposal is considered not to result in a material loss of daylight/sunlight to no.39 and the extension would not result in bulk or overbearing impact in relation to no.39.

5.4 Other issues

The neighbour has raised a concern that the proposal may result in standing water and damp through a roof design with a valley running alongside their extension. The technical design of the extension, damp proofing and matters

related to party walls are covered by different legislation (Building Regulations and The Party Wall Act). As such the neighbour's concerns are considered not to outweigh the planning considerations above.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.
- a) Due to its scale and position in relation to the adjacent dwellings, the proposed development is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) It has been assessed that the proposed extension has been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

7. RECOMMENDATION

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

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

2. Notwithstanding the submitted drawings and application form, the external walls of the proposed extension shall be finished in a material to be first submitted to and approved in writing by the Local Planning Authority.

Reason

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

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

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. 38/10 – 1 OCTOBER 2010

App No.:	PK10/2153/F	Applicant:	Aston Interior Contracts Ltd.Aston Interior Contracts Ltd.
Site:	17 High Street Warmley Bristol South Gloucestershire BS15 4NE	Date Reg:	25th August 2010
Proposal:	Erection of two storey link extension and three storey rear extension to facilitate conversion of offices (class A2) to 5 no. flats (class C3) as defined in the Town and Country Planning (Use Classes Order) 2005 (as amended) with access and associated works.	Parish:	Siston Parish Council
Map Ref:	366920 173584	Ward:	Siston
Application Category:	Minor	Target Date:	15th October 2010



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 100023410, 2008. **N.T.S.** **PK10/2153/F**

Reasons for Referral to the Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of objections from Councillor Valerie Lee and local residents, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to the Old Bank, 17 High Street, Warmley. The property lies to the north of High Street, and is a locally listed building. It is proposed to erect a link extension and three-storey rear extension to facilitate the conversion of offices (A2) to 5no flats (C3). In this respect the scheme is very similar to a previously approved scheme PK06/3417/F for the erection of first and second floor extensions above the existing building and to erect two and three storey extensions at the rear to facilitate conversion of offices to 5 no. one-bedroom flats.
- 1.2 To date all but the front and part side façade of the original building has been demolished and the site cleared. The current proposal seeks to improve upon the original design and provide a mix of 1 and 2 bedroom flats; the scheme comprises 2 x 1 bed studio flats, 2 x 2 bed flats and a 1 bed flat. Vehicular access would be via a driveway through a garage court to the rear of houses fronting High Street and off Chapel Lane to the east.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPG2 - Green Belts
- PPS3 - Housing as revised June 9th 2010.
- PPS5 - Planning for the Historic Environment
- PPG13 - Transport

2.2 Development Plans

Joint Replacement Structure Plan Adopted Sept. 2002

- Policy 1 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution

South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010

- CS1 - High Quality Design
- CS5 - Location of Development
- CS15 - Distribution of Housing
- CS16 - Housing Density
- CS17 - Housing Diversity
- CS18 - Affordable Housing

South Gloucestershire Local Plan (Adopted) 6th January 2006

L1	-	Landscape protection and enhancement
L5	-	Open Spaces
L15	-	Locally Listed Buildings
EP1	-	Environmental Pollution
EP2	-	Flood Risk and Development
L17 & L18	-	The Water Environment
GB1	-	Green Belt
H2	-	Residential development
D1	-	Design
T8	-	Parking standards
T7	-	Cycle Parking
T12	-	Transportation development control

Supplementary Planning Guidance

The South Gloucestershire Design Check List (SPD) Adopted Aug 2007

Local List (SPD) Adopted Feb 2008.

3. RELEVANT PLANNING HISTORY

The site has been the subject of a number of planning applications in the past; the following are the most relevant to the determination of this application.

- 3.1 P79/4003 (K2594) Erection of one dwelling and construction of new pedestrian access.
Refused 27.02.79
- 3.2 P80/4386 (K3310) extension to existing bank.
Refused 04.01.80
- 3.3 P84/4590 (K3310/1) Erection of rear extension to bank.
Refused 27.08.80
- 3.4 P85/4427 (K3310/2) Proposed rear extension to existing bank premises and parking area for eight cars.
Approved 09.04.86

The rear extension was not erected, nevertheless the land behind the principal building has already been used for parking spaces. This planning permission P85/4427 (K3310/2) was therefore partly implemented.
- 3.5 P87/4622 (K2594/1) Erection of 2 no. starter homes (outline)
Refused 26.10.87
- 3.6 P97/4266 Change of use from bank (A2) to office (B1)
Approved 07.07.97

Members are advised that the said planning permission P97/4266 did not include the parking spaces to the rear. Nevertheless a planning condition was imposed to seek for a scheme of highway improvements concerning the lay-by.

- 3.7 PK02/3583/O Erection of 1 no. bungalow (outline)
Refused 27.01.03 on the following reason:

The site of the proposed development is restricted in size and the development of the land as proposed would result in a cramped form of development to the detriment of the residential amenities of neighbouring residential properties and the future occupiers of the proposed dwelling.

Members are advised that there is a difference in the size of the sites between this historic application and the current application. The historic application included the vehicular access lane between the rear of neighbouring properties and garage blocks, but it did not include the principal building, i.e. The Old Bank and scalping area, which is approximately 7.5 metres wide by 10 metres long.

In addition, there are differences in term of the nature of the development of the two proposals.

The proposal for a bungalow was a new building, which would have been adjacent to the Chapel at the rear. As the proposal was an outline planning application, no details were submitted in terms of the siting, design and external appearance of the dwelling or the landscaping of the site.

The Council considered that any dwelling erected on the site would overlook the gardens of the neighbouring dwellings that lie to the south, west and potentially east. The bungalow would also have been overlooked from habitable room windows within the neighbouring dwellings to the south. The site is also overlooked from windows in Britton House to the north-west. It was therefore considered that the erection of the proposed bungalow would have had an adverse impact on the existing levels of privacy through overlooking and potential inter-visibility, all to the detriment of the existing levels of residential amenity. Moreover, the Council considered the proposed bungalow would only have small areas of amenity space that would be inadequate even for a modest sized bungalow.

The current proposal is a full planning application, all details are submitted.

- 3.8 PK06/3417/F - Erection of first floor and second floor extensions above existing building, including front balcony to the first floor. Erection of two and three-storey rear extensions to facilitate conversion of offices (Class A2) to 5no. flats (Class C3).
Approved 19 March 2007.

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Objection – as there is no on-site parking for the proposal which should have parking for seven vehicles. The rear windows will lose privacy for the property at No. 15. The 1937 bank and the 21st Century roof are not compatible and is out of keeping with the character of the area.

4.2 Sustainable Transport

The principal of residential development on this site was previously established by the grant of planning permission PK06/3417/F.

In transportation terms, the proposal with the current application is similar to that previously approved. The applicant proposes to provide a total of 6no. parking spaces for 5no. dwellings on site. This level of parking complies with the South Gloucestershire Council parking standards.

Subject to a condition to secure the off-street parking prior to the first occupation of the flats; there is no highway objection.

4.3 Planning and Historic Environment

The scheme proposes a contemporary extension and adaptation of this locally listed building. It is considered that the proposals preserve the original scale and massing of the former bank building, introducing a recessive link between it and the main extension to maintain its original proportions. It is considered that the scheme is in accordance with policy L15 of the local plan and is recommended for approval subject to conditions.

4.4 Urban Design

Concur with the Conservation Officers observations with regard scale, mass & appearance, subject to external materials being agreed or conditioned.

4.5 Environmental Services

No objection subject to a condition to secure a SUDS (Sustainable Drainage System).

4.6 Education

No objection. There is projected surplus capacity at both primary and secondary schools within the area of the proposed development.

4.7 Affordable Housing

None required; below threshold of 15 dwellings.

Other Representations

4.8 Councillor Valerie Lee

I have strong concerns regarding this planning application. The design of the new building would be grossly out of keeping with the character of the area.

4.9 Local Residents

2no. letters of objection have been received from local residents. The concerns raised are summarised as follows:

- Design is not in keeping with the character of the area.
- Windows in the east elevation.
- More overbearing than the previously approved scheme.
- Loss of sunlight to 19 High Street.
- Party Wall issues with no.19 High Street.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006, which permits proposals for residential development within the existing urban areas and the boundaries of settlements provided that

- 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 surrounding is achieved; and
- 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.

5.2 Density

Government advice contained in PPS3 – ‘Housing’ supports a more efficient use of land in the urban area, with provision for more intensive housing development in and around existing centres and close to public transport nodes. The site area measures approximately 0.04 hectares in total. The proposal would provide a scheme with a density of 125 units per hectare.

Officers consider that given the site’s location in the heart of Warmley, and the fact that the site is in a highly sustainable location to the High Street with its associated regular bus routes and schools, the site is well capable of accommodating a development of the density proposed.

Furthermore, there are a number of concerns with regard to the size of the extension. Officers acknowledge that the size of the existing building would be significantly extended, nevertheless there is no policy to restrict the size of the extensions or new buildings, provided that the proposals for the development would not be harmful to the visual and residential amenity of the locality.

5.3 Design / Scale / Visual Amenity

The Council’s Conservation Officer and Urban Design Officer have been consulted and the following observations are raised.

5.4 17 High Street is a small, box-like former Nat West Bank, built in the mid 20th century virtually opposite the widened junction of Tower Road North and High Street. It is a distinctive building of local architectural and historic importance, which is why it has been identified by the Council as being a locally listed building.

5.5 This application seeks to develop upon the 2006 planning permission for the redevelopment of the site in the form of 5 no. one bed flats. This scheme retained the former bank building and introduced a three-storey flat roof addition to the rear. No objection was raised to this application by the Urban Design Officer.

- 5.6 As with the earlier application, this scheme retains the former bank building, incorporating it into the ground floor accommodation. It is connected to the larger rear block by an intermediate link structure, which is slightly recessed on the side elevations to maintain the original proportions of the bank building. A low pitch roof using standing seam metal roofing, oversails the flat roof of the bank. The proposed design ensures that the locally listed building maintains its prominence in the streetscene, with the recessed nature of the link allowing the original proportions and scale of the structure to be appreciated.
- 5.7 The building to the rear of the site remains three storeys in height but the roof treatment has been substantially modified to that of a swept roof, having an eaves level lower than that of the previously approved scheme and slightly higher than the adjacent property. The high point of the roof is also lower than that of the adjoining property and the building should appear of a similar scale to the terrace to the west. The greater depth of the building does give the proposal a greater sense of mass but this was accepted as part of the previous application.
- 5.8 The contemporary approach to the roof does create a contrast with the other properties in the locality, which have traditional double pitched roofs. This approach, however, is not so different from the flat roof approach of the previous scheme and gives an interesting juxtaposition between the locally listed building and the modern additions to the rear of the site. The street elevation of the bank is retained and new windows proposed with the door being adapted to include glazed panels.
- 5.9 The local list SPD provides guidance in respect of additions and extensions to locally listed buildings and does not rule out good quality contemporary designs. It does recommend that scale of development should respect the historic building but in this instance, the original building is so small that any extension will out of necessity need to be on a larger scale. The proposed scheme seeks to maintain the perception of the former bank being a distinct structure, which it achieves with the recessed link and choice of materials.
- 5.10 It is considered that the proposals preserve the original scale and massing of the former bank building, introducing a recessive link between it and the main extension to maintain its original proportions. It is considered that the scheme is in accordance with policy L15 of the local plan and is recommended for approval subject to conditions which should cover all external materials including finishes and colours, rainwater goods, external windows and doors and a condition to secure a schedule of structural repairs to the former bank building and method of protection of the structure during the implementation of the works.
- 5.11 The flats would be designed in accordance with Part M of the Building Regulations. The new building work would be designed with an emphasis on sustainability to include:
- Local construction methods and materials
 - Passive technologies

- Energy/resource conservation, emission reduction, SUDS
- Management of the building and site
- Refuse storage including re-cycling
- Sedum or similar green roof to flat roof

Officers are therefore satisfied that the scheme accords with the design principles embodied with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy.

5.12 Impact Upon Residential Amenity

As mentioned in paragraph 3.7, a planning permission was refused for erection of a bungalow on this site, due to cramped form of development. The bungalow was proposed near the rear boundary. The current application, like that previously approved (PK06/3417/F) is to erect extensions to the existing Old Bank and to provide five units of self-contained accommodation. Officers therefore consider that the residential issues raised by the current proposal are be different from the previously refused scheme. The residential issues are therefore addressed as follows:

- 5.13 Officers consider that whilst it is normal for buildings to be in close proximity to each other in densely populated urban locations, careful consideration still needs to be given to the impact of the development on the residential amenity of neighbours and future occupiers alike.
- 5.14 For prospective occupiers of the proposed flats, an amenity area would be provided within a reasonably sized back garden. The bin store and a cycle store would be situated between the garden boundary and parking spaces. The site is within easy reach of public transport, school and local shops. Appropriate boundary treatments would provide adequate screening and privacy for both future and neighbouring occupiers and would be the subject of a condition.
- 5.15 Although the proposed rear extensions would project beyond the rear elevations of the neighbouring properties, No. 15 and No. 19, the overall projection would be less than 3 metres, which is generally considered acceptable even for terraced properties. It should also be noted that the neighbouring property, No. 19 High Street, has a non-habitable landing window on the side elevation. In this instance, officers do not consider that the siting of the proposed building would be so overbearing on the neighbouring properties or result in such a loss of sunlight as to justify refusal of planning permission.
- 5.16 In terms of overlooking, inter-visibility or any loss of privacy that might occur, it is noted that the submitted floor plans and elevations show there are some windows on the side elevations. The neighbouring property, No. 15 High Street, has a small secondary bedroom window. All windows on the flank elevations of the proposed building would be obscurely glazed and this can be secured by condition. Flat 3 does have a clear glazed kitchen window and a high level slot window but these fall below the level of the high boundary fence separating no.15 from the application site. The ground floor level amenity areas are all

lower than the adjacent properties and privacy is maintained by fencing. It should be noted that concerns have been raised about Party Wall issues, but these are civil matters not administered by the Planning System. On balance therefore officers consider that the scheme as now proposed would not have a significant adverse impact on residential amenity.

5.17 Highway Issues

The proposal is to erect a two/three storey extension to an existing single - storey building and convert it into five flats. There is a current authorised use of the site for offices.

5.18 Vehicular access for the new development is proposed from the rear via a private road off Chapel Lane. Six parking spaces are now proposed (as opposed to the previously approved 5no.). It should be noted that each parking space now measures the required 2.4m x 4.8m.

5.19 The bin stores should be large enough to accommodate the Council's current twin bin system for all the five flats, with space within the site for additional bin storage if required. The cycle store should be large enough to accommodate five cycles. Details of the type of cycle store to be used (Cyclesafe or similar) should be submitted and approved by the Council.

5.20 A number of planning conditions are imposed to ensure that the proposed parking spaces and bin/cycle stores are adequate. In addition, a condition is imposed to ensure that no vehicular access is allowed onto the High Street. There is no transportation objection to this proposal.

5.21 Environmental Services

There are no objections subject to the prior submission and approval of a SUDS drainage system.

5.22 Landscape

There is no vegetation of note growing within the site. An appropriate condition could secure a landscape scheme for the garden areas.

5.23 Education

The scheme does not meet the criteria for contributions towards education facilities.

5.24 Affordable Housing

The scheme falls below the threshold for an affordable housing contribution.

5.25 Community Services

The scheme falls below the threshold for contributions to Community Services.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

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

Reason

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

4. Prior to the use or occupation of the building hereby permitted, and at all times thereafter, the proposed first and second floor windows on the side elevations shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

5. No development shall take place until details of the proposed provision of storage for refuse bins and boxes has been submitted to and agreed in writing by the Local Planning Authority. The residential units hereby approved shall not be occupied until the bin storage areas have been provided in accordance with the agreed details.

Reason

To secure an adequate amount of bin storage to serve the development and to ensure a satisfactory standard of external appearance; to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

6. The residential units hereby approved shall not be occupied until a scheme for the management of the communal areas of the development (both internal and external) for the first 5 years of occupation has been submitted to and agreed in writing by the Local Planning Authority. The scheme should include management responsibilities and maintenance schedules. The scheme for the management of communal areas shall be carried out as approved.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

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

Reason

To protect residential amenity and the character and appearance of the area to accord with Policies H2/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010..

8. 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 residential amenity and the character and appearance of the area to accord with Policies H2/D1/L1 of the South Gloucestershire Local Plan (Adopted) January

2006 and CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

9. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To protect the character and appearance of the area to accord with Policies H2/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

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

Reason

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

11. Each flat shall be clearly designated a parking space on the site and the off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. There shall be no vehicular access to the site from High Street, Warmley.

Reason

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

13. The hours of working on site during the period of construction shall be restricted to Monday to Friday 08.00-18.00, Saturday 08.00-13.00 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 occupiers of neighbouring dwellings on adjoining sites and to accord with Policy H2 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The roof area of the building hereby permitted shall not be used as a balcony or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason

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

15. Details of the proposed secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities so approved, shall be provided in full accordance with the approved details prior to the first occupation of the flats.

Reason

To ensure the satisfactory provision of secure cycle parking facilities on the site in accordance with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

16. Prior to the commencement of development full details of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.
- (a) windows;
 - (b) rainwater goods;
 - (c) doors

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and L15 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010.

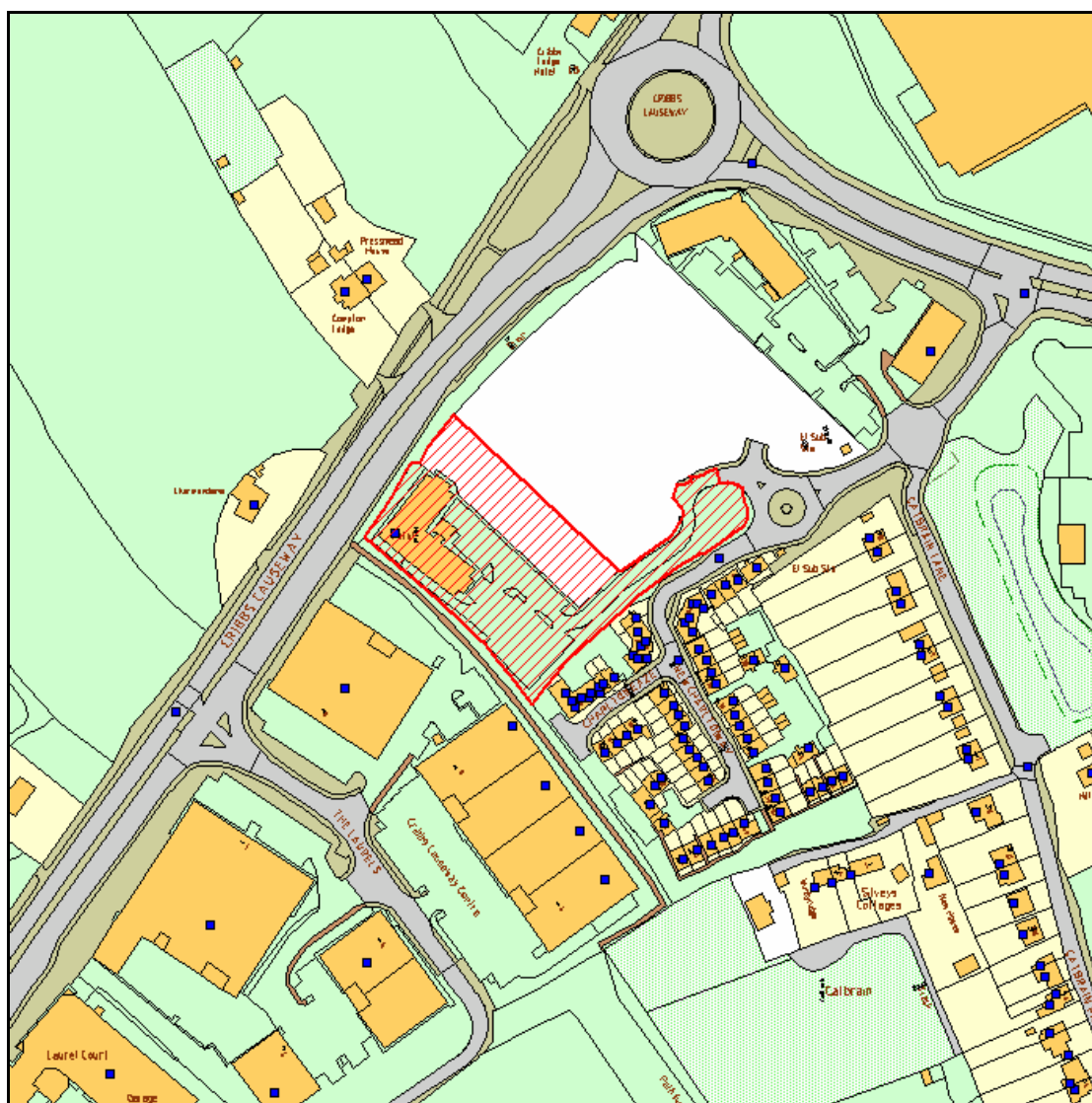
17. Prior to the commencement of the development hereby approved, a schedule of structural repairs to the remains of the former Bank building and method of protection of the structure during the implementation of the works, shall be submitted to and approved in writing by, the Local Planning Authority; thereafter the works shall be carried out in full accordance with the details agreed.

Reason

To maintain the features of the building that contribute to the character and distinctiveness of the locality, in accordance with Policy L15 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

CIRCULATED SCHEDULE NO. 38/10 – 01 OCTOBER 2010

App No.:	PT10/1001/F	Applicant:	Whitbread Group Plc And PMH Western Ltd
Site:	Premier Inn Catbrain Lane Almondsbury Bristol South Gloucestershire	Date Reg:	11th May 2010
Proposal:	Erection of four storey extension to existing hotel to form a restaurant, offices, reception area and additional guest rooms. Creation of additional car parking and landscaping.	Parish:	Almondsbury Parish Council
Map Ref:	357319 180674	Ward:	Patchway
Application Category:	Major	Target Date:	27th July 2010



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 100023410, 2008. N.T.S. PT10/1001/F

INTRODUCTION

This application has been referred to the Circulated Schedule in view of the concerns raised by the Parish Council and given the need for a S106 agreement.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a four-storey extension to an existing hotel. The proposal would provide additional bedrooms, and a replacement restaurant and entrance/ reception area. It would also facilitate the creation of an extended car park.
- 1.2 The application relates to the Premier Inn at Cribbs Causeway. The hotel fronts Catbrin Lane with its rear elevation overlooking Cribbs Causeway that runs from the M5 motorway leading towards Bristol City Centre.
- 1.3 The application site is positioned within the built up area and falls within a Safeguarded Employment Area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPS4: Planning for Sustainable Economic Growth
PPG13: Transport

2.2 Development Plans

Emerging Policies: South Gloucestershire Core Strategy Pre-Consultation Draft (March 2010)

CS1: High Quality Design
CS5: Location of Development
CS11: Distribution of Economic Employment Development Land
CS12: Safeguarded Areas for Economic Development
CS25: Communities of the North Fringe of Bristol Urban Area
CS26: Cribbs/ Patchway New Neighbourhood

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving High Quality Design in New Development
E3: Criteria for Assessing Proposals for Employment Development
E4: Safeguarded Employment Areas
E11: Tourism
T7: Cycle Parking
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
L1: Landscape Protection and Enhancement
L9: Species Protection
RT5: Proposals for Out of Centre and Edge of Centre Retail Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P97/2558: Development of 3.44 hectares for Class B8 (wholesale/ distribution), Class C1 (hotel- 131 bedrooms) and three Class A3 (restaurant) units. Permitted: 2 July 1998
- 3.2 PT00/1263/RM: Landscaping works- (reserved matters following outline permission for Class B8, C1 and A3 retail development). Permitted: 16 October 2000
- 3.3 PT01/2016/RM: Erection of 106-bedroom hotel with associated parking and landscape works- approval of reserved matters to be read in conjunction with outline permission P97/2558. Permitted: 4 April 2002
- 3.4 PT02/2342/O: Variation of condition 1 (b) to allow for extended period of time for the submission of reserved matters in respect of the erection of a new wholesale/ distribution unit (Class B8), 131-bedroom hotel (Class C1) and three restaurant (Class A3) units on 3.44 Ha attached to outline approval P97/2558. Withdrawn: 2 March 2009
- 3.5 PT03/0185/ADV: Display of one externally illuminated signs. Permitted: 24 February 2003
- 3.6 PT03/1915/ADV: Display of internally illuminated fascia sign. Permitted: 27 July 2004
- 3.7 PT04/3694/ADV: Display of two freestanding and six fascia internally illuminated signs. Permitted: 26 January 2005
- 3.8 PT07/2212/ADV: Display of four internally illuminated fascia signs, one internally illuminated totem sign, three wall mounted lighting strips and three wall mounted up-lighters. Permitted: 15 August 2007
- 3.9 PT07/3188/F: Erection of 7 two and three-storey office buildings with car parking, cycle storage, bin storage and associated works, construction of new pedestrian access. Permitted: 8 August 2008

This above planning application relates to the area of land that adjoins the north flank boundary of the application site and extends to the southern flank boundary of Lysander House; the newly built two-storey office building that replaces the former Harry Ramsden's restaurant and which fronts the Cribbs Causeway roundabout.

This permission has not been implemented with this parcel of land vacant. However, this proposal would encompass part of this site occupying the site of two approved office buildings (units 4 & 5). It is understood that the remainder of this approved development could still be implemented in the event the Premier Inn is extended in the manner currently proposed.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Objection:

- The density of the area is having a detrimental effect on the residents of Catbrain Lane and the Redrow development;
- The area is under pressure for another application for 55 dwellings and there are offices being erected next door;
- The infrastructure in the Cribbs Causeway area is not coping and there are no plans to rectify traffic problems apart from the installation of bus lanes;
- People using hotels do not come in buses, they come in cars.

4.2 Other Consultees

Drainage Engineer: no objection in principle

Environmental Protection: no objections in principle

PROW Officer: unlikely to affect the nearest public right of way

Landscape Officer: no objection subject to condition/ informative

Ecology Officer: no objection subject to condition/ informative

Planning Policy Officer: no objection

Highways DC: no objection subject to S106 Agreement and conditions

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development: Consideration of PPS4

Planning Policy Statement 4 advises that for the purposes of this policy document, economic development includes proposals within the 'B' use classes, public and community uses and main town centre uses. In this regard, the main town centre uses to which this policy document relates include retail development, leisure and entertainment facilities, offices and arts, cultural and tourism development. This latter category specifically includes hotels. This application therefore relates to a town centre use.

5.2 Accordingly, policy EC14 (Supporting Evidence for Planning Applications for Main Town Centre Uses) is applicable to this application. This advises that a sequential assessment is required for applications for town centre uses where the site is not within a town centre and the proposal is not in accordance with an up to date development plan. In this instance, the current application does not relate to a town centre location and with regards to economic development, the adopted South Gloucestershire Local Plan is not considered to comprise an up to date development plan. A sequential test is therefore required as part of this application.

- 5.3 Policy EC15 (The Consideration of Sequential Assessments for Planning Applications) advises that in considering sequential assessments, local planning authorities should:
- Ensure that sites are assessed for their availability, suitability and viability;
 - Ensure that all in centre options have been thoroughly assessed before less central sites are considered;
 - Ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations that are well connected to the centre by means of easy pedestrian access;
 - Ensure that in considering sites in or on the edge of existing centres, developers have demonstrated flexibility in terms of floor area, format, car parking and the subdivision of differing uses.
- Notwithstanding the above, local planning authorities should take account of any genuine difficulties which the applicant can demonstrate are likely to occur in operating the proposed business model from a sequentially preferable site.
- 5.4 In this instance, this application is supported by additional information that seeks to satisfy the requirements of the sequential test. This document states that there is no instruction as to the order in which availability, suitability and viability might be considered whilst it is highlighted that this application seeks an extension to an existing hotel and not for a new build; however, it is acknowledged that the size of the extension could in itself provide a new stand alone facility.
- 5.5 *Suitability-* the document advises that the applicants do not wish or need to build a new Premier Inn in or around Bristol; there are already eight such hotels. Premier Inns generally do not comprise stand-alone facilities and would generally locate next to existing pubs/ restaurants; in this instance there is already a dining facility on site. The document states that suitability is geared towards the requirements of the applicant.
- 5.6 *Viability-* the document states that it is not viable to develop a site where the restaurant facilities would need to be added when compared with the current site where this facility already exists. Further, budget hotel are unable to offer consistently low prices where land prices would be higher (which would not be the case in a town centre site) whilst the rooms are also subsidised by the associated restaurant/ pub. It is also highlighted that the main customer base for this facility would be people utilising the M5 corridor and visiting northwest Bristol. The agent does not consider that the proposal would significantly impact upon other hotels in the South Gloucestershire area with these, including the anticipated facility at Bradley Stoke, mainly accessed by persons on the M4/ M32 corridors or using the national rail network.
- 5.7 *Availability-* the document states that there is an existing demand for new rooms in the budget hotel sector with year on year figures showing a positive trend in both occupancy rates and revenue. The application site is available at short notice and negotiations regarding its acquisition are well advanced. Other sites are 'less available' than the current.

- 5.8 *Different sites*- this document identifies other South Gloucestershire sites that might provide for a hotel use with the area of search forming an arc to the northeast, east and south east of the site. In so doing, it is stated that the sites at North Field/ Filton Airfield and the former Rolls Royce are considered to be no more sequentially preferable than the application site although they have been accepted for hotels and would be available- albeit in the longer term. However, they would require the provision of new A3/ A4 facilities that would make them less viable/ if not unviable to the applicant.
- 5.9 Of the various other options addressed, of note there are two possible sites at Bradley Stoke- one within the designated new town centre. This site would be sequentially preferable but the applicant considers it to be too small to meet the identified need and again requires the provision of hotel dining facilities.
- 5.11 In response, comments received from the Councils Planning Policy Officer advise that this statement is considered to broadly address the relevant issues in respect of the sequential assessment given the scale and nature of the proposal. Accordingly, it is considered that there can be no reasonable objection to the current proposal on this basis.
- 5.12 Principle of Development: Local Plan Policies (RT5)
Planning policy RT5 relates to retail, leisure and other key uses that are appropriate to a town centre; it cites that such uses will not be permitted outside of a town centre unless a number of criterion are addressed. In this regard, this policy has to a large extent now been superseded by the more recent PPS4.
- 5.13 The first two criteria of policy RT5 relate to the need for the proposed development; these issues are addressed by the supplementary planning statement that supports the application which has been accepted by the Councils Planning Policy Officer. Notwithstanding this, it is considered that these issues are no longer directly applicable given that this 'test' has been removed from PPS4. The next criterion relates to any sequentially preferable sites and thus repeats the guidance found within PPS4.
- 5.14 On a slightly differing issue, this policy requires that the proposal, when considered with recently completed developments or outstanding planning permissions should not have an unacceptable impact on the viability or vitality of town, district, local or village centres. The aforementioned supplementary planning policy document received from the agent advises that this 'would be inconceivable'; a new Sainsbury or Tesco might but not a budget hotel. This point is accepted and with the proposal satisfying those criteria of PPS4, there is no objection on this basis.
- 5.15 The further tests of policy RT5 relate to the accessibility of the proposal and its transportation/ environmental/ residential impacts; these issues are addressed below. Finally, the proposal would in itself comprise an employment generating use thus there is no objection having regard to criterion H of this policy.

5.16 Principle of Development: Local Plan Policies (E4)

Planning policy E4 advises that permission will be given for employment generating uses subject to the satisfaction of the following criteria:

- a. It would support or would not prejudice the creation or retention of employment uses elsewhere within the defined employment area; and
- b. No suitable provision has been made elsewhere in the plan; and
- c. It can clearly be demonstrated that the site is no longer capable of offering accommodation for employment generating purposes; or
- d. It can be clearly demonstrated that the proposal would contribute to a more sustainable pattern of development; or
- e. The proposal would provide a significant improvement in the amenities of existing neighbouring residential occupiers.

5.17 In this instance, a C1 (hotel) use is included as employment development for the purposes of PPS4 whilst as detailed within the initial planning statement received, budget hotels would primarily provide for businesses travel during the working week. On this basis, it is considered that the proposal would support the creation/ retention of surrounding employment uses.

5.18 The South Gloucestershire Local Plan does not specifically allocate land for hotel uses thus on this basis, it is not considered that the proposal would conflict with the provisions of criterion 'b' of this policy.

5.19 It is unnecessary to satisfy all three further criterions although the agent has sought to do so. Notwithstanding this, having regard to criterion 'd', the transport statement received advises that the build would generate less traffic than the permitted office development and also shows that of the customer surveyed at the existing hotel, 63% of guests were there for business and 87% of guests would still have been in the area if Premier Inn were not there. The planning statement also suggests that it is appropriate to consider the degree to which the proposal would be preferable to a further separate hotel with the existing catering and servicing requirements already established.

5.20 For these reasons, the proposal is considered to be acceptable having regard to the requirements of planning policy E4 with no objection raised on this basis.

5.21 Analysis of Proposal

In considering the detailed design of the application, regard should also be had to the provisions of planning policy E11 of the South Gloucestershire Local Plan. This advises that proposal for new tourist facilities will be permitted provided that (here considered relevant):

- o It would not have an unacceptable environmental effect; and
- o It would not prejudice neighbouring residential amenity;
- o It would not give rise to unacceptable levels of traffic on unsuitable local roads and access and parking arrangements would not prejudice highway safety; and

5.22 Analysis of Proposal: Design/ Visual Amenity

- Planning policy D1 cites that development will only be permitted where good standards of site planning and design are achieved. Further, the siting, layout, density, form, scale, height, massing, detailing, colour and materials should respect and enhance the character of the site and its locality. Furthermore, considered particularly relevant to this application, the access into and through the development should be safe, secure, convenient and attractive to pedestrians, cyclists, people with disabilities and where relevant, public transport should be well integrated with the proposal. These policy requirements are generally reflected within by the appropriate criterion of planning policy E3.
- 5.23 In this instance, the application site occupies a prominent position at the entrance to Cribbs Causeway and the wider Bristol North Fringe within an area that could provide a significant new neighbourhood as part of the emerging South Gloucestershire Core Strategy. Within this context, the proposal would provide a four-storey extension to the existing hotel that would build to the more prominent north side of the building. In so doing, it would provide 73 additional bedrooms (increasing the total number of bedrooms to 179) with 21 bedrooms provided on each the upper three floors; the ground floor of the extension would provide a new restaurant, kitchen, reception and back-of-house facilities that are currently provided within the existing building. The proposal would change the footprint of the hotel from its current 'L' shape to an inverted 'U'; it would also provide an additional 62 car parking spaces.
- 5.24 As submitted, the proposed extension would have replicated the design of the existing hotel; in this regard the Design & Access Statement advises that the choice of the design approach comes in two; either a continuation of the existing so that this proposed second phase would not appear readily apparent or a total departure of the existing could be created; the applicants chose the latter albeit with no reasoning initially provided.
- 5.25 In response, the existing building is not considered to be of any significant architectural merit and the simple replication of this design approach did little to help erode the scale and massing of the resultant building; in this regard it should be noted that whilst this design approach was considered to be acceptable having regard to the size/ massing of the existing hotel when originally approved, the current proposal would allow a much larger building that would have a significantly greater visual impact; particularly when viewed from the prominent Cribbs Causeway elevation. Further, it was considered that these initial proposals would fail to enhance the character and appearance of the locality (required by planning policy D1 and the South Gloucestershire Design Checklist) whilst it would also fail to provide an appropriate design solution given the prominent location of the application site.
- 5.26 In view of the above, subsequent correspondence with the architect and involving the Councils Urban Design Officer sought to provide a 'dissimilar semi' approach with a more up-to-date design solution utilising a more up-to-date palette of materials and detailing incorporating bold colours, through render, contemporary window surrounds and detailing in addition to a differing window design/ colour/ surround detail on the prominent north corner of the

- extended building. Officers also requested windows to the ground floor rear elevation of the building and a pedestrian entrance to this side of the hotel; it was noted that an informal access had been created through to Cribbs Causeway with this providing access to local bus services (serving the City Centre and Cribbs Causeway) and the nearby Harvester pub. This would aid the vision for future development proposed by the South Gloucestershire Core Strategy that talks about the creation of 'streets' and a high quality public realm with open space and meeting places. It would also help to re-orientate the building providing a dual fronted development.
- 5.27 The amended plans that now form part of this application are considered to largely address these concerns providing an extension of contemporary appearance that differs from that of the existing building. In so doing, it is considered that this helps to erode the scale and massing of the enlarged hotel whilst also providing a building that better responds to its prominent position at the entrance to Cribbs Causeway. The increased height of the north corner and improved detailing also enhance the overall appearance and provide a feature that now exceeds the height of the roof mounted service equipment; previously the highest part of the proposal.
- 5.28 For the above reasons, the amended proposals are now considered to be acceptable and compliant with the provisions of planning policy D1 and the adopted Design Checklist. Nevertheless, in the event that planning permission is granted, it is considered that a planning condition should be attached with regards to the colour and finish of the proposed building. It is also considered that a further condition should be attached requiring an amended plan to show an enlarged pedestrian access through to Cribbs Causeway; this is considered to be reasonable given that the principle of an access to this side of the building has now been established whilst a slightly enlarged entrance would not appear to necessitate any significant changes to the internal layout of the proposal.
- 5.29 Analysis of Proposal: Landscape Impact
The site is located between Cribbs Causeway and Catbrain Lane and is presently open land; it is almost immediately alongside the Green Belt boundary that adjoins the far side of Cribbs Causeway.
- 5.30 With regards to the built context, the site is on the edge of the existing urban area and development within the immediate locality is a mixture of scales, forms and masses. The existing hotel is visible from the adjoining Green Belt but comments received from the Councils Landscape Officer cite that the area of Green Belt from which the hotel is visible is relatively small. It is therefore considered the proposed extension would not have an undue visual impact upon the adjoining Green Belt.
- 5.31 The site itself is considered to contain no landscape features of note although there is an existing overgrown Hawthorn hedge along the Cribbs Causeway frontage and the indicative landscape proposals show that this would be retained and reinforced. In this regard, the indicative landscape plans received are considered appropriate and would provide a suitable level of landscape enhancement.

- 5.32 Notwithstanding the above, further comments received from the Councils Landscape Officer advise that previous landscape works on the site had to be modified and maintained to the satisfaction of BAE Systems to ensure that the planting would not attract flocks of birds that could present a danger to aircraft using Filton airfield. Accordingly, in the event that planning permission is granted, it is recommended that an informative be attached to the planning decision notice advising the applicant of the need to consult with BAE Systems in respect of the landscape proposals.
- 5.33 In the light of the above, there is no landscape character or visual amenity objection to this current proposal in the context of planning policies D1 and L1 of the adopted local plan. It is further considered that the current proposal would not have an adverse visual impact on the adjoining Green Belt having regard to the provisions of planning policy GB1. In the event that planning permission is granted however, given that the submitted landscape proposals are only indicative, a full landscaping scheme should also be secured by a planning condition.
- 5.34 Analysis of Proposal: Residential Amenity
The host building is relatively remote from neighbouring dwellings with the closest residential properties those to the east of the site within Charlton Leaze and those on the opposite side of Cribbs Causeway.
- 5.35 Concerning the former, these predominantly comprise modern two-storey dwellings and three-storey flatted accommodation with many facing in the direction of the application site. However, given the level of separation (a minimum of 55m), it is not considered that any significant adverse impact in residential amenity would be caused with any associated refusal reason very unlikely to prove sustainable. In this regard, the increase in the size of the existing car park would not significantly alter the current relationship between the hotel and these neighbouring dwellings.
- 5.36 There are only a handful of dwellings on the opposite side of Cribbs Causeway with these separated by this four-lane highway and generally well screened by existing boundary/ front garden vegetation. As such, and as per the reasons outlined above, it is again not considered that any significant adverse impact in residential amenity would be caused.
- 5.37 Other surrounding land uses comprise adjoining commercial premises to the south of the application site (on the opposite side of a public footpath) and a new office building to the north; both of these buildings are currently understood to be empty. Nevertheless, given the nature of the proposal and the positioning of these existing buildings, this proposed relationship is again considered to be acceptable.
- 5.38 Finally, having regard to the extant planning permission for office units on and to the north of the application site, this possible relationship is also considered acceptable (albeit with the previous permission amended to compensate for the loss of two of the approved buildings).

5.39 Analysis of Proposal: Highway Safety

Policy T12 allows for development proposals (in terms of transportation) provided that it (here considered relevant):

- Provides adequate safe, convenient, attractive and secure access and facilities for pedestrians, cyclists, and people with disabilities; and
- Provides safe access capable of accommodating the motorised traffic generated by the proposal; and
- Would not create or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety; and
- Would not generate traffic that would unacceptably prejudice residential amenity or other environmentally sensitive areas in terms of noise, vibration and air quality; and
- Provides for or contributes to public transport and pedestrian and cycle links – the extent of provision or contribution will be determined by the need arising from the development and will be related in scale and kind to the development; and
- In commercial developments, provides for safe, secure and convenient on-site loading, unloading and waiting facilities.

5.40 In this instance, the proposed hotel extension would replace part of an office development that was approved as part of application PT07/3188/F; work has not commenced on this office development although the majority of the permitted buildings could still be built alongside the proposed hotel extension if approved.

5.41 The hotel would continue to use the existing vehicular access via Catbrain Lane whilst the proposal would include 62 additional car parking spaces that would equate to 143 car parking spaces in total for 179 bedrooms. This level of car parking falls within the council's maximum guidelines that allow up to 1 parking space per bedroom; as such there is no objection to the application on this basis; it would also help to address the concerns raised by the Parish Council as detailed above. Further, the Travel Plan is also considered to be acceptable whilst a level of cycle parking would also be introduced; further details could form part of an appropriately worded planning condition in the event that permission is granted.

5.42 The submitted Transport Statement compares levels of traffic that would be generated by the approved office development to traffic that would be generated by the current proposal. In this regard, the statement uses just two mid-week surveys conducted on two Premier Inn sites; comments received from the Councils Highway Officer advise that these results are considered to lack statistical significance with at least five or six comparative sites anticipated with surveys taken over the entire working week. Further, the TRICs database is the industry standard tool used for traffic generation and in the absence of a wider data set it would be expected that this would be used; TRICs indicate that approximately twice as many vehicle movements would be generated than those outlined in the Transport Assessment although it should be noted that the level of traffic estimated by TRICs is still significantly less than that likely to be generated by the approved office development.

- 5.43 Notwithstanding the above, further comments from the Councils Highway Officer advise that the road network around Catbrain Lane suffers from congestion problems during the week and at weekends; this development would add to these problems thus some form of mitigation measures are required. In this regard, traffic flows could be improved significantly if the signalised junction at the end of Catbrain Lane was upgraded to MOVA (Microprocessor Optimised Vehicle Actuation). The MOVA system would reduce delay by optimising signal timing that would offset the impact of the additional development traffic; this MOVA upgrade would cost approximately £15,000 thus in the event that planning permission is granted, this should be provided by the developer and covered by an appropriate legal agreement.
- 5.44 For the above reasons, and subject to this legal agreement, there is no transportation objection to this current proposal subject to a condition in respect of the implementation of the travel plan (within six months of full occupation) and a further condition requiring that the off-street parking facilities be provided before the building is first occupied and thereafter retained for that purpose.
- 5.45 Analysis of Proposal: Ecology
The application site currently comprises an area of overgrown and neglected land; it is not covered by any statutory or non-statutory nature conservation designations.
- 5.46 Comments received from the Councils Ecology Officer advise that areas of scrub and rough grassland offer potentially suitable habitat for a range of native species of reptile, including slowworms. Slowworms are protected against intentional or reckless killing or injury under the Wildlife & Countryside Act 1981 (as amended) and CROW Act 2000 and are included on the South Gloucestershire Biodiversity Action Plan (BAP) as a species for which the Council will require measures to be taken to conserve and enhance populations.
- 5.47 In view of the above, the application should include a survey of the site for slowworms: if found a mitigation strategy would be required with this to be agreed in writing with the Local Planning Authority. In this instance, and in view of the extant planning permission, it is considered appropriate to condition this in the event that planning permission is granted.
- 5.48 Subject to the above condition, there is no objection to this current proposal on ecology grounds. An informative should also be attached to any planning permission however in respect of nesting birds.
- 5.49 Analysis of Proposal: Use of Energy and Sustainability
The application is supported by a BREEAM assessment that shows that it can achieve a 'very good' standard of environmental performance. This is considered to be acceptable with it suggested that a condition be attached to demonstrate that the proposal has achieved this upon completion.
- 5.50 Outstanding Issues
The previously approved application for the office development at this site (PT07/3188/F) was also subject to a S106 agreement that requires a

contribution of £85,000 towards highway improvements; this money is due at the time of development with no money so far received.

5.51 This current request for £15,000 is not in addition to the £85,000 previously agreed. As such, for the purposes of this application, this money should only be received in the event that the planning permission is implemented and the drafting of the S106 Agreement will need to ensure that contributions are not taken twice for the same transportation obligation. Accordingly, should it prove the case that the previous consents (PT07/3188/F) obligation is triggered, then there will need to be provision made in this subsequent agreement to ensure the Council returns moneys paid under this agreement (if signed).

5.52 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005, and regulation 122 of the Community Infrastructure Levy Regulations 2010.

6. CONCLUSION

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

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

6.3 The recommendation to grant permission is for the following reasons:

1. The principle of the proposed development is considered to be acceptable having regard to the provisions of PPS4 (Planning for Sustainable Economic Growth) and Planning Policies RT5 (Proposals for Out of Centre and Edge of Centre Retail Development) and E4 (Safeguarded Employment Areas) of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The design, scale and massing of the proposal is considered to be acceptable and in keeping with Planning Policies D1 (Achieving Good Quality Design in New Development), E3 (Criteria for Assessing Proposals for Employment Development) and E11 (Tourism) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The proposal would not cause any significant adverse impact in residential amenity and would have an acceptable relationship with the adjoining commercial premises. As such, the application is considered to be compliant with the provisions of Planning Policies E3 (Criteria for Assessing Proposals for Employment Development) and E11 (Tourism) of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The proposal is considered to be acceptable in highway safety terms and would comply with the provisions of Planning Policies T7 (Cycle Parking) T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

- 7.1 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) within 6 months to secure the following:
 - i. The provision of £15,000 for improvements to the signalised junction at the end of Catbrain Lane in the event that the planning permission is implemented, but with clauses to ensure there is no duplicate payments towards the same transportation obligation in relation to planning consent PT07/3188/F.
- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 Should the Section 106 Agreement not be completed within 6 months of the date of determination then the application be refused or returned to the circulated Schedule for further consideration on this basis.

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to the commencement of development details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To minimise disturbance to occupiers of the surrounding dwellings and to accord with Planning Policy E3 and E4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments, areas of hardsurfacing and the new footpath to the rear of the premises 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 Planning Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. 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 Planning Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

7. Prior to the commencement of development, a site survey in respect of slowworms shall be submitted to and agreed in writing with the Local Planning Authority. If found to be present on site, a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. All development shall strictly accord with these approved details.

Reason

To protect the wildlife and the ecological interests of the site, in accordance with Planning Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Planning Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Prior to the commencement of development detailed plans showing the provision of cycle parking facilities in accordance with the standards set out in Planning Policy 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

To provide appropriate cycle parking facilities and to encourage means of transportation other than the private car, to accord with Planning Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. The travel plan hereby approved shall be implemented within 6 months of full occupation. The occupier must supply the Local Planning Authority with the name of the appointed person responsible for the implementation of the travel plan within this time frame

Reason

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

12. Prior to the commencement of development, an amended plan showing an enlarged pedestrian access onto Cribbs Causeway (at the rear of the extended hotel building) shall be submitted and approved in writing by the Local Planning Authority. Development shall accord strictly with these approved details.

Reason

To facilitate improved pedestrian access into the building and to provide an improved elevation to the rear of the proposal, all to accord with Planning Policies D1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

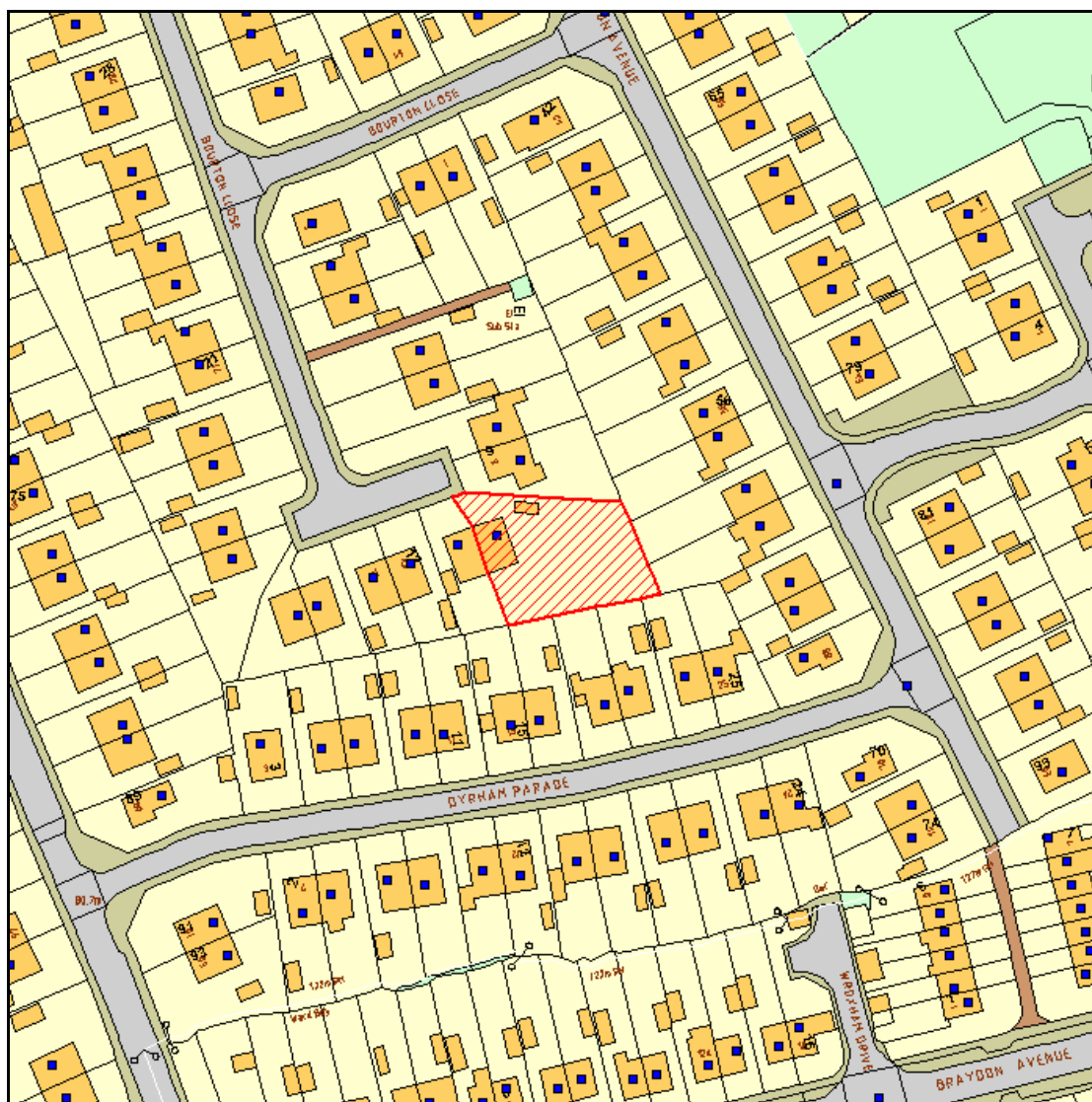
13. The development hereby approved shall achieve a BREEAM rating of 'very good'; the final code certificate shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To help achieve a sustainable form of development and to accord with Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PT10/2108/F	Applicant:	Mr A Rymarz
Site:	10 Bourton Close Patchway Bristol South Gloucestershire BS34 6EQ	Date Reg:	19th August 2010
Proposal:	Erection of single storey canopy in rear garden (Retrospective). Replacement of flat roof with pitched roof over existing single storey rear extension.	Parish:	Patchway Town Council
Map Ref:	361228 181766	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Householder	Target Date:	13th October 2010



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 100023410, 2008. **N.T.S.** **PT10/2108/F**

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of representations from local residents that are contrary to the Case Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the following development(s):
- (i) Erection of single storey canopy in the rear garden (retrospective).
 - (ii) Replacement of existing flat roof within pitched roof over existing single storey rear extension.
- 1.2 The application site relates to a semi-detached chalet bungalow and its associated curtilage. The site is situated within a well-established residential area and lies within the Bristol North Fringe Urban Area.
- 1.3 This application follows the previous refused planning application PT10/0128/F which was refused for the following reason(s): -
- 1. The proposed timber canopy, by reason of its scale, massing, and its immediate relationship with the adjacent property (No. 11 Bourton Close), would have an overbearing effect that would be detrimental to residential amenity of the adjacent occupiers. On this basis the proposed development would be contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - 2. The proposed timber canopy, by reason of its scale, massing, proportions and overall design, would not respect the character and appearance of the existing property and the character of the surrounding residential area. On this basis the proposed development would be contrary to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Design Checklist.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design In New Development
H4: Residential Development within Existing Residential Curtilages
- 2.3 Emerging Development Plan
South Gloucestershire Core Strategy (Pre-Submission Draft) March 2010
- 2.4 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/0128/F Erection of timber framed canopy in rear garden (Retrospective).(Resubmission of Pt09/5931/F). Refused 18.03.2010.
- 3.2 PT09/5931/F Erection of timbered framed canopy Withdrawn 14.01.2010.
- 3.3 N2240 Erection of single storey rear extension to provide kitchen and bathroom. Approved 15.01.1976.

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No comments receive.
- 4.2 Local Residents
Three letters has been received from a local residents in response to this application. The main concerns are summarised below: -
- a) The canopy is an unnecessary intrusion on the property.
 - b) Very visible to surrounding properties.
 - c) Roof extension would further view from nearby properties.
 - d) Overbearing and overshadowing effect on adjacent property.
 - e) Would not respect the character and appearance of dwelling and surrounding area.
 - f) Velux window would infringe privacy.
 - g) The canopy is not timber it is separately supported by a metal frame.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extension to residential dwellings. This is subject to the proposal:
- respecting the character and appearance of the existing dwelling and the surrounding area;
 - not prejudicing the amenities of nearby occupiers,
 - maintaining highway safety; and
 - providing adequate amenity space.
- 5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

5.2 Residential Amenity

The previous planning application was refused on the grounds that the combination of the height and length of the canopy was unacceptable because it would have had an overbearing impact on the occupiers of No. 11. The application has now been resubmitted, along with an accurate survey of the existing canopy. These plans have demonstrated that the height of the canopy would be reduced from 4.1m to 3.6m. Moreover the plans detail that the eaves would be approximately 2m that would be similar to the existing boundary treatment. It is acknowledged that representations have been received from local residents which have raised concerns to the proposal on the grounds that it would harm residential amenity.

5.3 It is acknowledged that the canopy would still run along the entire length of the neighbour's boundary (11 Bourton Close). However it is considered that the reduction to the ridge and eaves height would materially lessen the overbearing effect of the canopy. Moreover, as the canopy is single storey it is considered that the extension would not result in material levels of overshadowing.

5.4 It is noted that this application also includes a proposal to alter the existing flat roof to a pitched roof. It is understood that this element has been included to improve the visual integration of the canopy with the existing dwelling. It is considered that the height of the proposed pitched roof would be limited and would not result in a material overbearing or overshadowing effect. Furthermore it is considered that the proposed roof light would not harm privacy because the window would be above head height.

5.5 Notwithstanding the concerns of local residents, it is considered that the amended scheme would not materially harm residential amenity. As such it is concluded that the proposed development would accord with policy H4 of the South Gloucestershire Local Plan.

5.6 Design

In response to this amended scheme representations have been received from local residents that have raised concerns to the proposal on the grounds of its impact upon the character and appearance of the surrounding area.

5.7 The principal issue with the previous application was that the scale and massing of the proposed extension failed to integrate with the existing dwelling. In this application the height of the canopy has been reduced and a pitched roof extension has been included above the existing flat roof extension. It is considered that these amendments have significantly helped the visual integration between the canopy and the host dwelling. Therefore notwithstanding the concerns of local residents, it is considered that the amended scheme would respect the character and appearance of the existing dwelling and the surrounding area. As such it is concluded that the proposed development would accord with policy D1 and H4 of the South Gloucestershire Local Plan.

5.8 Securing Implementation

It is noted that the existing canopy is an unauthorised structure and is subject to an outstanding enforcement investigation. It is considered that this

application would represent an appropriate solution to regularise the unauthorised development within the application site. Therefore, it is recommended that a condition be attached to ensure that works approved under this application are substantially completed within 6 months from the date of the grant of planning approval.

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.

a) The proposal would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

b) The proposal would respect the overall design and character of the existing dwelling and the surrounding area. The development therefore accords to policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

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

7. RECOMMENDATION

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

1. The development hereby approved shall be substantially complete within 6 months from the date of this permission.

Reason

To ensure the removal of an unauthorised development that is harmful to the character and appearance of the existing dwelling and the surrounding area, and to accord to policy D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PT10/2133/TRE	Applicant:	Mr David Gayther
Site:	Neathwood New Road Tytherington Wotton Under Edge South Gloucestershire	Date Reg:	19th August 2010
Proposal:	Various works to 3 no Pine trees, 3 no. Silver Birch and 1 no. Eucalyptus trees covered by South Gloucestershire Tree Preservation Order 0507 dated 10th April 2008.	Parish:	Tytherington Parish Council
Map Ref:	366824 188515	Ward:	Ladden Brook
Application Category:		Target Date:	11th October 2010



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 100023410, 2008. **N.T.S.** **PT10/2133/TRE**

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule list because a neighbouring occupier has raised concerns regarding the proposed works.

1. THE PROPOSAL

- 1.1 This application seeks consent for works to 3no. Pine trees, 3no. Silver Birch trees and 1 no. Eucalyptus tree covered by South Gloucestershire Tree Preservation Order 0507 dated 10th April 2008.
- 1.2 According to the applicant the works are required to the trees for the following reasons:
 - Pine tree T1 – it is proposed to crown lift the tree to 4 metres to prevent further damage to the tree from breaking boughs and to re-balance the tree so that it retains its symmetry and stability;
 - 3no. Silver Birches – The removal of these trees is proposed because the trees offer little visual amenity and have been dropping branches;
 - Pine tree T2 – The removal of this tree is required for health and safety grounds since a large rotted trunk fell down and damaged a boundary fence;
 - Eucalyptus – The removal of this tree is proposed because it has not developed into the tree that it was intended to be probably due to its struggle for light being surrounding by the other trees.
- 1.3 The trees are growing in the garden of the dwellinghouse Neathwood, on the western side of New Road.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L1 Landscape Protection and Enhancement
L4 Forrest of Avon

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history.

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council
No comments received
- 4.2 Tree Officer
No objection to the removal of the Pine tree no.2, the Eucalyptus tree and the crown lifting to 4 metres of Pine tree no.1. Replacement trees would be

required to be planted for the Pine and Eucalyptus. Objection to the removal of the 3no. Silver Birch trees.

Other Representations

4.3 Local Residents

One letter has been received from a neighbouring occupier. The occupier objects to the removal of the 3no. Silver Birch trees and states that any trees removed should be replaced.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to conserve and enhance the character, quality and amenity of the landscape and to retain and protect trees which contribute to the overall character or distinctiveness of the area.

5.2 Consideration of Proposal

The Council Tree Officer has inspected the trees and considers that the proposed works to Pine tree T1, which is a Blue Cedar, would not significantly affect the visual amenity of the tree and is in line with good arboricultural practice. Pine tree T2 is a multi stemmed Pine growing at the edge of the garden and overhangs neighbouring properties. The tree is in a dangerous condition due to the previous failure of one stem, which has torn a large chunk of wood from the main trunk, leaving the remaining stems in a dangerous condition. It is considered that the tree should be removed to reduce the possibility of further limb failure. The Eucalyptus is a non-native tree offering little visual amenity to the area. It is also suppressing a nearby Maple, which is a more suitable tree for the location and therefore, should be removed. It is considered that the above works comply with Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006 and are acceptable.

5.3 The 3no. Silver Birch trees are fine examples of the species and offer high visual amenity to the area. The removal of these trees would have a negative impact on the visual amenity of the area and is therefore, contrary to Policy L1 of the Local Plan (adopted) January 2006. A split decision will be issued to grant consent for the works to Pine tree T1 and 2 and the Eucalyptus tree and to refuse consent for the removal of the Silver Birch.

5.4 A condition will be applied to the consent to ensure that replacement trees are planted for the Eucalyptus and Pine tree T2.

6. **CONCLUSION**

6.1 The recommendation to issue a split decision 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 A split decision is made as follows:

Consent is REFUSED for the removal of the 3no. Silver Birch trees and GRANTED for the removal of Pine tree T2, the removal of the Eucalyptus tree and the crown lifting to 4 metres of Pine tree T1.

Contact Officer: Jonathan Ryan

Tel. No. 01454 863538

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted (or other appropriate timescale).

Reason

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

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

Reason

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

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

To ensure that suitable replacement trees are planted to protect the character and visual amenity of the area and to accord with Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

4. Notwithstanding the information submitted, consent is explicitly denied for works to remove 3no. Silver Birch trees.

The loss of the trees would be detrimental to the character and visual amenity of the area contrary to Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/10 – 1 OCTOBER 2010

App No.:	PT10/2140/F	Applicant:	Mr Gay
Site:	136 Bristol Road Frampton Cotterell Bristol South Gloucestershire BS36 2AX	Date Reg:	24th August 2010
Proposal:	Erection of first floor rear extension to form additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	365836 181978	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	12th October 2010



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 100023410, 2008. **N.T.S.** **PT10/2140/F**

INTRODUCTION

This application is being circulated to Members because the Officer's recommendation is contrary to a written representation received from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a first floor rear extension. The proposed extension would build upon an existing flat roof extension. The proposal would measure approximately 4 metres in depth, 4.5 metres in width with a height of approximately 3.4 metres making the total ridge height of the rear extension some 6 metres and the eaves would be at circa 4.2 metres the same as existing on the property.
Materials would match the existing.
- 1.2 The application site consists of a two-storey semi-detached traditional cottage dwelling located within the Frampton Cotterell settlement boundary as defined on the Local Plan Proposals Map 2006.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design
H4: Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist Supplementary Planning Document 2007
- 2.4 Emerging Policy
South Gloucestershire Council Core Strategy Pre-Submission Publication Draft March 2010:
CS1: High Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 P87/2223 Erection of single storey rear extension and front entrance porch. Approved. 26 August 1987.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection.
- 4.2 Drainage
No objection.

Other Representations

4.3 Local Residents

1 letter received from a local resident objecting to the proposal on the following grounds:

- a) loss of light;
- b) detriment to residential amenity;
- c) oppressive;
- c) increased water from pitched roof could create water damage

These objections will be considered on the relevant sections of the report. If an objection falls outside any relevant section it will be considered in the section 'Other Matters' found towards the end of the report.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development consists of an extension to a dwelling within an existing residential curtilage. Policy H4 of the Local Plan permits this type of development in principle subject to the following considerations.

5.2 Residential Amenity

The proposed development will be located on an existing single story flat roof extension to the rear of the property. To the rear of the property is a modest garden with mature trees acting as a rear boundary treatment and a timber fence approximately 1.8 metres tall on both sides. There is an existing window of a principal room on the first floor at No. 138 Bristol Road close to the boundary of the application site. However the proposal would be set in from the boundary by some 2.5 metres from the occupier of No. 138 Bristol Road by virtue of part of the existing single storey extension at the application site being retained to the southeast and the proposal being located on the south west side of the existing rear extension. It is noted that the rear elevation of both 136 and 138 Bristol Road face South. After careful consideration, whilst it is acknowledged that there would be a reduction in sunlight to the first floor window, this would only occur in the late afternoon or evening. Moreover given the southern facing elevation, some light will still enter the window on the first floor. As such it is considered on balance, not to amount to a material loss of light for any reduction in light would be negligible

Given that the proposed development would have windowless side elevations it is considered that inter-visibility between principal rooms would not occur and that the proposal would not result in overlooking. The proposal would increase the existing flat roof by some 1.2 metres to the eaves and 3.4 metres to ridge height, finished with a hipped roof. It is not considered to result in an overbearing or oppressive impact on the neighbouring occupiers in either side given the scale and style and it being set well back from either boundary.

The proposal does not raise any highway issues and the existing space would be retained to serve the main dwelling. Accordingly it is considered that the proposal meets criteria contained in policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.3 Design/Visual Amenity

The existing property is rendered with timber stain windows and doors. Materials would match existing. There is currently an existing flat roof to the rear upon which the first floor rear extension would be constructed. Part of this flat roof will remain on the south east side. The proposal would be finished with a hipped roof and ridge height at some 6 metres, a metre less than that of the existing dwelling yet involving an increase in height of some 3.4 metres. The eaves height would remain the same as the existing house at approximately 4.2 metres. There would be 2 large windows on the rear elevations to provide light, as both side elevations are windowless. The proposal is considered to respect the character and appearance of the host dwelling. It is also considered that the proposal would suit the dwelling in terms of size and appearance. Whilst flat roofs are not encouraged, the retention of an element of the existing flat roof is not a sufficient basis for refusal. Accordingly it is considered that the proposal meets criteria in policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 and South Gloucestershire Design Checklist Supplementary Planning Document 2007.

5.4 Other Matters

A concern was raised by the neighbouring occupiers about water run off from the proposed development potentially resulting in water damage and undermining previous remedial works. The drainage engineer is of the opinion that this is a matter within the remit of building control under building regulations which will be necessary for such an extension. Comments received from the building control department indicate that any run off is likely to go into existing guttering and would use existing soak-away provision. Accordingly this is not considered a sufficient reason for refusal of the application.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

6.2 Given the proposed location of the development, proposed style and distance between the proposal and the neighbouring dwellings, the proposal would maintain existing residential amenity. Accordingly the proposal meets criteria contacted in policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

- 6.3 The proposal would suit the dwelling in terms of size and appearance. The proposal would respect the character and appearance of the host dwelling. Accordingly it is considered that the proposal meets criteria in policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 and South Gloucestershire Design Checklist Supplementary Planning Document 2007.
- 6.4 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CONDITIONS

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

Reason

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