



**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. 14/10

Date to Members: 16/04/10

Member's Deadline: 22/04/10 (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:

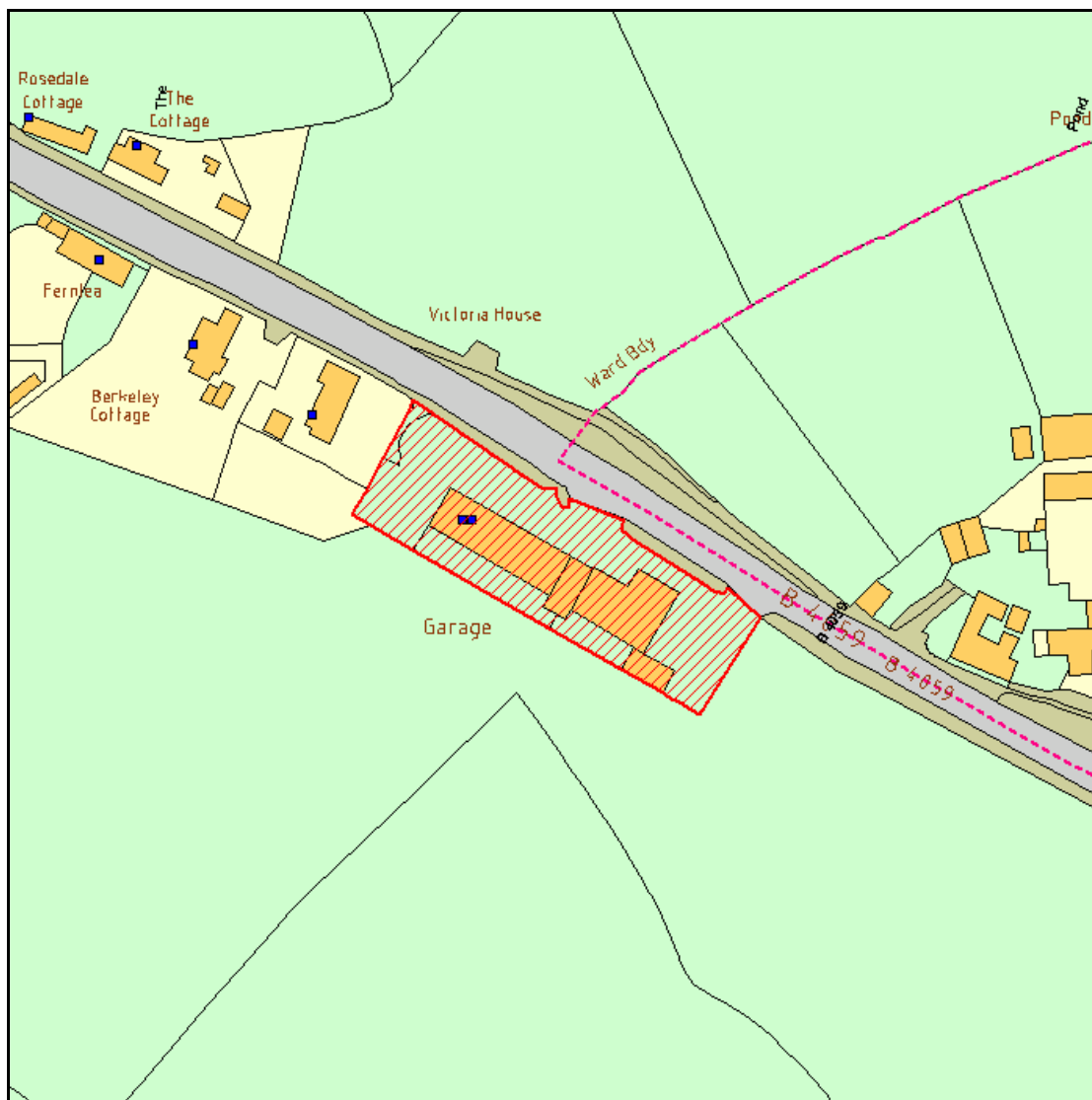
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 your 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 – 16 APRIL 2010

| ITEM NO. | APPLICATION NO | RECOMMENDATION | LOCATION | WARD | PARISH |
|-----------------|-----------------------|----------------------------|---|----------------------------|--|
| 1. | PK10/0198/AD | Approve | Texaco Yate Road Iron Acton South Gloucestershire | Frampton Cotterell | Iron Acton Parish Council |
| 2. | PK10/0259/R3F | Approve with Conditions | Kingswood Health Centre Alma Road Kingswood South Gloucestershire BS15 4EJ | Kings Chase | None |
| 3. | PK10/0335/F | Approve with Conditions | 18 Grampian Close Oldland Common South Gloucestershire BS30 8QA | Oldland | Bitton Parish Council |
| 4. | PK10/0486/CLP | Refusal | 8 Wincanton Close Downend South Gloucestershire | Emersons | Downend And Bromley Heath Parish Council |
| 5. | PK10/0511/F | Approve with Conditions | 15 Rectory Close Yate South Gloucestershire BS37 5SB | Yate North | Yate Town |
| 6. | PK10/0518/F | Approve with Conditions | 30 Meadow Court Drive Oldland Common South Gloucestershire BS30 9SU | Oldland | Bitton Parish Council |
| 7. | PT10/0387/F | Approve with Conditions | The Churchyard St John The Baptist Church Frenchay Common Frenchay South Gloucestershire BS16 1LJ | Frenchay And Stoke Park | Winterbourne Parish Council |
| 8. | PT10/0398/F | Approve with Conditions | One Hundred Acrewood Day Nursery 149 Church Road Frampton Cotterell South Gloucestershire BS36 2JX | Frampton Cotterell | Frampton Cotterell Parish |
| 9. | PT10/0423/F | Approve with Conditions | Land To The Rear Of 22 Harcombe Hill Winterbourne Down South | Winterbourne | Winterbourne Parish Council |
| 10. | PT10/0505/F | Approve with Conditions | Tree Tops Charfield Hill Charfield Wotton Under Edge South Gloucestershire GL12 8LH | Charfield | Charfield Parish Council |
| 11. | PT10/0553/CLE | Approve with Conditions | Patch Elm Farm Patch Elm Lane Rangeworthy South Gloucestershire BS37 7LT | Ladden Brook | Rangeworthy Parish Council |

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|----------------------------------|--|-------------------------|------------------------------|
| App No.: | PK10/0198/ADV | Applicant: | Primesight Ltd |
| Site: | Texaco Yate Road Iron Acton Bristol South Gloucestershire | Date Reg: | 4th February 2010 |
| Proposal: | Erection of 2no. internally illuminated single sided display units. | Parish: | Iron Acton Parish Council |
| Map Ref: | 368912 183242 | Ward: | Frampton Cotterell |
| Application Category: | Minor | Target Date: | 27th April 2010 |



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PK10/0198/ADV

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of one letter of objection from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking retrospective advertisement consent for the erection of 2 No. internally illuminated pole mounted display unit. The proposed advertisement boards would measure 1.3 metres in width by 1.9 metres in height and each would be supported by a steel pole measuring 1.8 metres in height.
- 1.2 The application site which is located to the southern side of Yate Road, Iron Acton is situated within the Bristol/Bath Green Belt and consists of a petrol filling station and an attached MOT station/ repair area.
- 1.3 It is important to note that this application initially showed the sign to be located in the wrong position. The applicant is seeking retrospective consent for 2no. existing signs that are located adjacent to the eastern boundary of the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPG19 Control of Advertisements

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
GB1 Development within the Green Belt
L1 Landscape Protection and Enhancement

South Gloucestershire Core Strategy, Pre-submission Publication Draft March 2010

CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 PK00/1791/ADV Installation of internally illuminated fascia
Approved November 2000
- 3.2 PK05/0780/ADV Display of 7 internally illuminated signs
Refused April 2005
- 3.3 PK05/1630/ADV Display of 7 internally illuminated signs
(Re-submission of PK05/0780/ADV)
Approved July 2005
- 3.4 PK07/2072/F Installation of 1no. free standing ATM

Approved July 2007

- 3.5 PK08/2633/ADV Display of 1no. internally illuminated fascia sign, 1no. internally illuminated letter fascia sign, 1no. non-illuminated wall mounted sign and 1no. internally illuminated freestanding totem. Spilt decision, free standing totem refused, rest approved October 2008

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
No objections.

- 4.2 Sustainable Transport
No objections.

Other Representations

- 4.3 Local Residents
After the first consultation, which showed the sign located in the incorrect position, one letter of objection was received from a local resident raising the following concerns:

- Visual impact of the sign, there are already several signs on the site.
- The proposed sign would add to the proliferation of signage which already clutter the area
- Concern about highway safety, as the signage would be a distraction to drivers entering and exiting the garage.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
As outlined in PPG19, the display of outdoor advertisements can only be controlled in the interests of amenity and public safety. Accordingly the display of advertisements will be assessed with regard to its effect on the appearance of the building and visual amenity in the immediate neighbourhood. In addition consideration must be given to the cumulative impact of the advertisement. Furthermore the proposal should not prejudice public safety.

- 5.2 Visual Amenity
The application site is located within the Bristol/Bath Green Belt outside of any settlement boundaries. The proposed signs would measure 1.3 metres in width by 1.9 metres in height and each would be supported by a steel pole measuring 1.8 metres in height. As such the overall height of the signage would be 3.7 metres. This application is retrospective, as such the signage is already in place and has been for some time. The signage is located to the edge of the site against the backdrop of an existing mature hedgerow. The signage is considered acceptable given its location within the forecourt of a filling station and MOT garage, and set to the edge of the site.

There are several existing signs at the site, however given the location of the signs subject to this application set to the side of the site, against the backdrop of some existing hedgerows it is not considered that the cumulative impact of the signage results in any demonstrable harm to the visual amenity of the site and surrounding area.

5.3 Public Safety

The proposed signage would not interfere with pedestrian movement, furthermore the Councils Highway engineers are satisfied that the proposal would have no adverse impact on levels of highway safety and raise no objection to the application. Therefore it is not considered that the signs would have any impact in the existing levels of public safety.

5.4 Public Rights of Way

It is not considered that the proposal would affect the nearest recorded public right of way, footpath reference LIA23 which runs to the south of the site.

5.5 Design and Access Statement

None submitted.

5.6 Use of Energy and Sustainability

No measures proposed.

5.7 Improvements Achieved to the Scheme

None required.

5.8 Other Issues

With regard to concerns raised regarding the proliferation of signs and the visual impact of an additional sign, it should be noted that the application when first submitted did not show the location of the signs correctly as such the application appeared to be proposing the addition of 1no. extra sign rather than applying for the regularisation of 2no. existing signs.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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

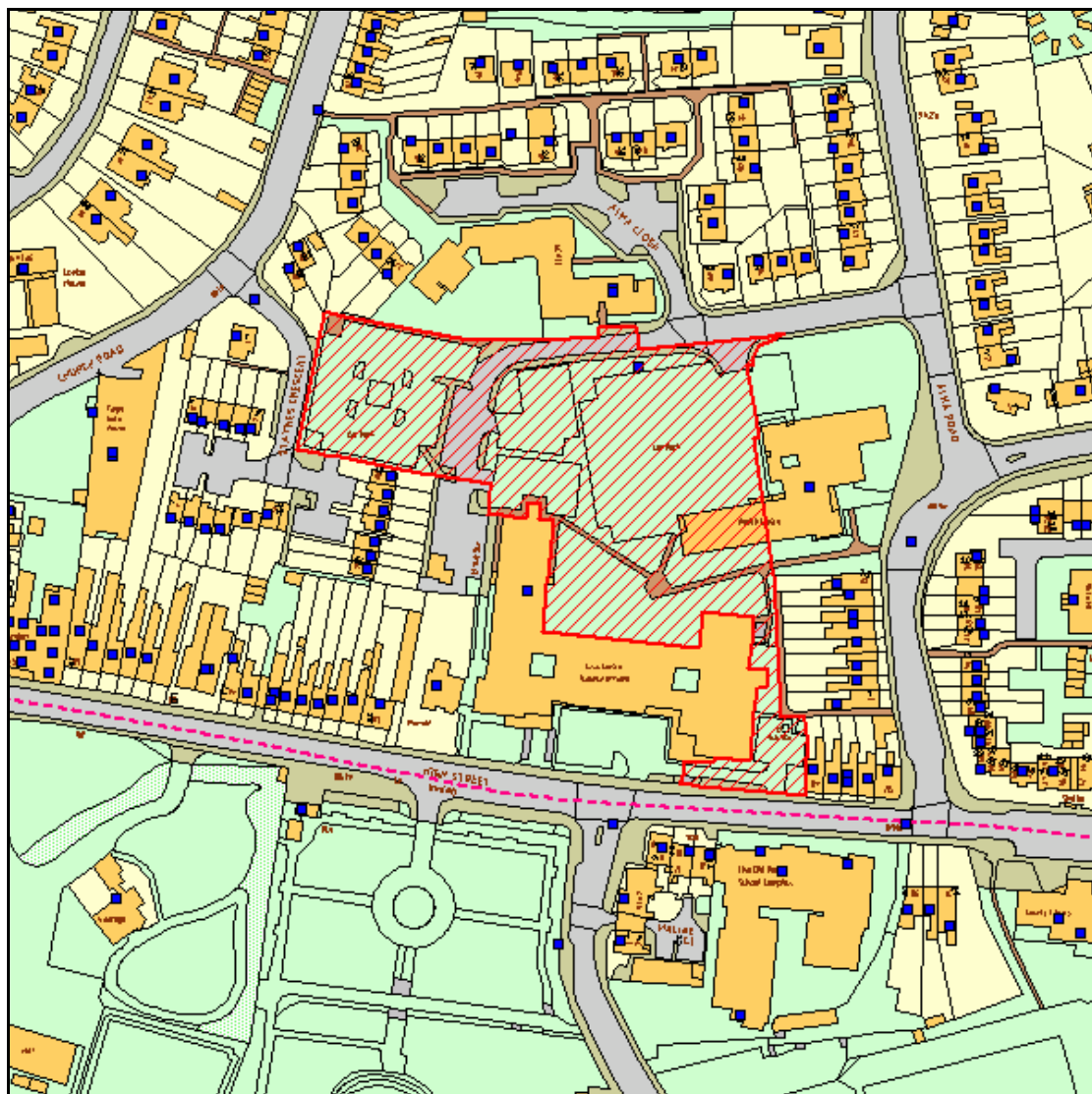
7. RECOMMENDATION

7.1 That the application be approved.

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|------------------------------|--|---------------------|-------------------------------|
| App No.: | PK10/0259/R3F | Applicant: | South Gloucestershire Council |
| Site: | Kingswood Health Centre Alma Road Kingswood Bristol South Gloucestershire | Date Reg: | 16th February 2010 |
| Proposal: | Demolition of existing Health Centre and erection of three storey building for use as children and young persons locality hub. | Parish: | None |
| Map Ref: | 365352 173895 | Ward: | Kings Chase |
| Application Category: | Major | Target Date: | 12th May 2010 |



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PK10/0259/R3F

INTRODUCTION

This application is referred to the Circulated Schedule to Members in accordance with procedure as the applicant is South Gloucestershire Council

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the erection of a three storey 'locality hub', (to be located on the site currently occupied by the western wing of Kingswood Health Centre), and an area of associated car parking to the north of this building with areas of landscaping. The hub will integrate National Health Service services with Council Services (Children and Young People's Department). The applicant indicates in the submitted Design and Access Statement that the hub will provide a central base for the range of professionals who work with children and young people in the Kingswood locality.
- 1.2 The building will be located on the southern side of the site and have an east/west orientation forming a courtyard/green space between the new building and the existing South Gloucestershire Council Civic Centre. In terms of materials the upper floor offices on the western wing (comprising most of the building) are denoted by horizontal larch cladding with the corresponding part of the eastern wing being of vertical larch cladding. The top floor will have an element below the overhanging roof that is metal clad. The main entrance and ground floor on the northern elevation combines a continuous strip of windows with a rendered plinth. In terms of scale the building will have an approximate height of between 11 and 12 metres across the bow roof.
- 1.3 To the north of the proposed building, the site will provide 43 car parking spaces for both staff and visitors with 18 secure and sheltered cycle stands. Access will be via the existing vehicular access from Alma Road.
- 1.4 Within context to the immediate north of the site lies the Health Centre Car Park beyond which lies Alma Road and residential buildings beyond. To the east of the proposed building lies the site of the approved new Health Centre with residential properties to the south-east fronting onto Alma Road. To the south and west lies the Kingswood Civic Centre and its associated car park.
- 1.5 In support of the application, the applicant has submitted a Framework Travel Plan, Ecological Survey, Tree Survey, Arboricultural Implications Assessment, Energy use Statement and following negotiations External Lighting Details. The applicant has indicated that it is their intention that the building will achieve a 'Very Good' BREEAM rating.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transport

2.2 Development Plans

South Gloucestershire Core Strategy Pre-Submission Publication Draft (March 2010)

Policy CS1 High Quality Design
Policy CS3 Renewable and Low Carbon Energy Generation
Policy CS8 Improving Accessibility

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L1 Landscape Protection and Enhancement

L17/L18 The Water Environment

EP1 Environmental Pollution

EP2 Flood Risk and Development

T7 Cycle Parking

T8 Parking Standards

T12 Transportation Development Control Policy for New Development

LC4 Proposals for Educational and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist August 2007

Trees on Development Sites 2005

3. **RELEVANT PLANNING HISTORY**

PK10/006/SCR (Screening Opinion under the Town and Country Planning – Environmental Impact Assessment – Regulations 1999) Demolition of existing Health Centre and erection of three storey building for use as Children and Young People Locality Hub. – It was determined that an Environmental Impact Assessment was not required

On the adjoining site (Kingswood Heath Centre) planning consent has recently been given for the Erection of a new three storey replacement health centre with associated parking and ancillary retail pharmacy. (PK09/5969/F)

4. **CONSULTATION RESPONSES**

4.1 Parish/Town Council

The area is unparished

4.2 Other Consultees

Sustainable Transport

The proposed locality hub is basically an office (building) that will provide a central base for range of professionals who work with children and young people in Kingswood locality. The new building would be constructed on part of the existing health centre site /car park and it would enable NHS children's services to be

integrated with the Council's services provided through the SGC Children and Young People's department. The proposal would utilise the existing vehicular access to the site from Alma Road to the north, together with the existing Health Centre car park, which will be reconfigured as part of reconstruction of a new Health Centre on site. The existing vehicular access to the site is considered acceptable and there is acceptable visibility from the site access onto the public highway. A separate pedestrian access would be provided which would link this site to High Street and this would improve access to site on foot.

Based on total floor area of 2183m² of the building and based on the SG parking standards of 1space per 35m² of office development- the parking requirement for this office is 62 spaces. The applicant is proposing 44 spaces including 3 disable spaces. No transportation assessment has been submitted but a framework travel plan has been included with this application. The level of parking envisaged at some 43 spaces is reliant on a significant modal shift of users of the building away from the private car. To achieve this, the applicant is suggesting implementation of a 'travel plan' similar to that already approved for other South Gloucestershire Council's offices (namely Badminton Road offices). On sustainability issues, the location of the building scores well in relation to access to public transport facilities in the area. Closest bus stop to the site is on Alma road a distance of 100m. Further bus stops are also available on High Streets approximately 150m from the site. Kingswood District Centre is a distance of 550m from the site approximately seven minute walk with range of different bus services to and from different part of the district and Bristol City from this location.

No objection is raised subject to the following conditions:

- 1) Prior to occupation of the building, submit a full travel plan for approval and subsequently implement such travel plan in full. There would be a fully funded Plan Co-ordinator on site whose responsibility it shall be to promote, co-ordinate and provide assistance for staff in devising alternative methods of commuting to work and managing work based travel. The travel plan co-ordinator shall carry out regular monitoring surveys, at least annually to determine travel trends. Realistic targets to reduce the reliance on the car for travel to work and work generated trips shall be identified each year. Provide pool cars for use by employees based at the site for council business.
- 2) Provide car and cycle parking on site in accordance with submitted and approved details.

Other Representations

4.3 Local Residents

There have been no objections received

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The applicant is seeking consent for a three-storey locality hub. The details are set out in Section 1 of this report above.

In terms of the principle of development, Policy LC4 of the South Gloucestershire Local Plan Adopted January 2006 considers proposals for Education and Community facilities within the Urban area, indicating that development will be permitted subject to a number of criteria as follows:

A. Proposals are located on sites which are or will be highly accessible on foot and by bicycle

The site is situated within the urban area, and is well served by access ways and the road network as well as the residential area that it serves. It is considered that the site is highly accessible to those going to the building on foot, by bicycle (or public transport). In summary the site is in a sustainable location close to the population that it serves reducing the need to travel by car.

B. The development would not unacceptably prejudice residential amenities

The site is situated at distance from the nearest residential properties located to the north along the northern side of Alma Road (and Poplar Gardens within Alma Close) and south-east of the property (No's 1 to 15 Alma Road). The former being sited approximately 40 metres from the new building and No.15 Alma Road being sited approximately 27 metres from the south-east corner of the new building. Other residential buildings to the west lie at a distance of 55 metres and are not considered to be materially affected by the development.

In terms of the physical impact of the building (ie whether it would appear oppressive or overbearing), while it is acknowledged that the building is a significant new structure, it is not considered given the distances between the proposed and existing buildings that the impact upon the residential amenity of neighbouring occupiers.

Consideration must be made as to whether the development would have any impact upon the available light or whether there would be overshadowing to neighbouring properties in Alma Road/Close to the north of the site. It is considered that the location of the building to the south of the site maximises the distance to neighbouring properties ensuring that there will be minimal impact upon the nearest windows. It should also be noted that any impact in this regard is likely to be from the existing Civic Centre set to the rear of the new building, it being a taller structure as well as having a greater mass and it being set at a higher level given ground topography which slopes from south to north. In terms of the impact upon properties to the south-east at No.1 to 15 Alma Road, these are set to the south of the building and this there would be no loss of sunlight as a result of the building.

In terms of privacy, it is considered that the distance to neighbouring properties ensures that there would be a material impact in terms of overlooking. The new building is set at an angle such as views to the south would be towards the Civic Centre rather than to the properties to the south-east in Alma Road. A small terrace is proposed at the south-east corner of the building but given distances to neighbouring properties and ground level differences it is not considered that this will have an adverse impact upon the residential properties to the south-east.

In summary the relationship, given the location of the proposed building it is not considered that the development would either result in loss of privacy or that the building would appear oppressive or overbearing.

C. The development would not have unacceptable environmental or transportation effects

It is not considered that the proposed development given its use will have any adverse impact upon the environment. A condition will be attached to the decision notice to control the working hours during the construction phase of the project in order to protect the amenity of neighbouring occupiers.

In accordance with the regulations a screening opinion was undertaken (Screening Opinion under the Town and Country Planning – Environmental Impact Assessment – Regulations 1999) prior to the registration of the application. Having regard to the criteria set out in the regulations it was not considered that the proposal required the submission of a formal Environmental Statement.

Transportation considerations are discussed in detail below.

D. Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety

Transportation considerations are considered in detail below

Subject to consideration of the issues set out below the application is considered acceptable in principle.

5.2 Design

Policy D1 seeks to secure high quality design for all development. The policy requires that development demonstrate that in particular siting, density, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality. Policy CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft (March 2010) also reiterates the requirements of Policy D1 and will eventually replace it upon final adoption.

With respect to siting of the building, this is considered appropriate having regard to a number of constraints. The proposed location allows the retention of a courtyard (and associated landscaping/trees) between the new building and the existing Civic Centre to the south as well as maintaining an appropriate

distance so as not to affect light to either building. The location also ensures that as much of the existing car parking as possible is maintained. The east/west orientation maximises light within the building but the location also ensures that any impact upon neighbouring properties is reduced. The impact upon residential amenity is considered in more detail in Section 5.1B above, however the location further to the front of the site would impact upon the nearest residential properties to the north. It is considered that the siting ensures that the new building will relate well to the new Heath Centre to the east and the existing Civic Centre.

The form, scale, massing and height of the building responds to that of the Civic Centre and approved Health Centre. The backdrop to the building will be the Civic Centre to the immediate south and the Health Centre will be located to the east. The form of the building is appropriate within this context. The mass of the building is reduced through the use of different materials such as timber cladding, render and brickwork and in particular the pitched roof and inserted upper windows below the roof and the strategic use of glazing elsewhere in particular on the ground floor. The roof itself is of a minimal design with overhanging edge and it is considered that this reduces the 'visual bulk' of the building, in a way that a fully hipped roof such as that found on the Civic Centre does not. It is considered that the building responds well to the difference in ground level from south to north. The form, scale, massing and height of the building are considered appropriate within the context of the location.

Policy D1(D) also requires that access into and through development is safe, secure, convenient and attractive to pedestrians, cyclists and people with disabilities. The proposed development will create an additional route for pedestrians through the site to run through from the High Street to Alma Road along the eastern side of the Civic Centre. There are also routes around the building. Secure cycle storage is provided for staff and visitors, to a standard and quantity that has been agreed with Highways officers.

Access arrangements for disabled staff and visitors will exceed that required by the Disability Discrimination Act, with the scheme incorporating wide corridors, larger lifts and a number of other internal features. Externally disabled parking spaces are provided near the ramped access. CCTV will be located around the site to enhance security, and a lighting scheme has been proposed. It is considered that the proposal fully accords with Policy D1(D). The site also incorporates appropriate facilities for waste storage.

Policy D1G considers the energy conservation and the protection of Environmental Resources and requires these factors to be built into the design of new development. This issue is considered in detail in Section 5.9 of this report.

In summary the proposed development is considered acceptable in design terms and accords with the aims and objectives of Policy D1 of the South Gloucestershire Local Plan Adopted January 2006.

5.3 Transportation

Policy T12 indicates that new development will be permitted providing it provides safe, convenient, attractive and secure access for all users. The paramount objective of the Policy in accord with PPG13 is that new development makes adequate, safe and appropriate provision for the transportation demands which it will create and minimises the adverse impact of motorised traffic.

The proposal would utilise the existing vehicular access to the site from Alma Road to the north, together with the existing Health Centre car park, which will be reconfigured as part of reconstruction of a new Health Centre on site. The existing vehicular access to the site is considered acceptable and there is acceptable visibility from the site access onto the public highway. In addition a separate pedestrian access would be provided that would link this site to High Street improving access on foot.

Officers consider that having regard to the total floor area of 2183m² of the building and the parking standard of 1 space per 35m² as is set out in Policy T8 that the maximum parking requirement for this office will be 62 spaces. The applicant is proposing 43 spaces which is clearly less than the maximum level set out above. Three disabled parking spaces will be provided. It should be noted that the operation of the site with this level of parking provision will be reliant on a significant modal shift of users of the building away from the private car. In order to achieve this, the applicant is suggesting the implementation of a 'travel plan' similar to that already approved for other South Gloucestershire Council's offices (Badminton Road offices). It should also be noted that in terms of its location the building scores well in relation to access to public transport facilities in the area. The closest bus stop to the site is on Alma road a distance of 100m. Further bus stops are also available on High Street approximately 150m from the site. Kingswood District Centre is a distance of 550m from the site approximately seven minute walk with range of different bus services to and from different part of the district and Bristol City from this location.

A condition is recommended to secure the submission of a full travel plan prior to the first occupation of the building and to ensure that this travel plan is subsequently implemented in full. Finally a condition is recommended to ensure the provision of car and cycle parking on site in accordance with submitted and approved details prior to first use of the building.

In summary subject to the above conditions the proposed development is considered to be in accord with the aims and objectives of Policy T12 of the South Gloucestershire Local Plan Adopted January 2006.

5.4 Landscape

Policy D1 requires landscaping to be an integral part of the development. Policy L1 seeks to ensure that the character, distinctiveness, quality and amenity of landscapes are conserved and enhanced.

The Case Officer has negotiated alterations to the landscaping treatment on the northern boundary of the site as originally the existing post and rail was to be retained. It was not considered that this was appropriate given its poor

condition. The applicant will install a low rendered wall approximately 450mm in height above pavement level.

To the south of the building a landscaped courtyard is proposed between the new building and the existing Civic Centre. The trees are to be retained in this location (see Section 5.5 below). No objection is raised to the removal of small trees along the edge of the Civic Centre car park.

The Council Landscape Officer has viewed the proposals in detail and raises no objection subject to a condition to secure a full landscaping scheme to include details of all existing and proposed levels, planting and plant maintenance specifications, boundary treatments and surface finishes. Subject to this condition the proposed development is considered to be in accord with Policy D1 and L1 of the South Gloucestershire Local Plan Adopted January 2006.

5.5 Trees

Policy L1 seeks to conserve and enhance important aspects of the landscape.

A detailed tree survey and a draft arboricultural assessment have been submitted with the application. The Council Tree Officer has examined the proposals and does not consider that the trees to be removed are worthy of a tree preservation order. It is noted that the draft arboricultural assessment highlights several details regarding the protection of the trees to be retained during both the demolition of the existing building and the construction of the new building.

No objection is raised to the proposal subject to a condition to secure a detailed Arboricultural Method Statement. The statement will include details of how the trees are to be protected during demolition and removal of existing services to include erection of protective fencing and ground protection as well as other necessary protection measures.

5.6 Ecology

Policy L9 of the South Gloucestershire Local Plan Adopted January 2006 indicates that any development that would directly or indirectly have an adverse effect on protected species will not be permitted unless any damaging effects are capable of being avoided, overcome or offset by mitigation measures.

The site has recently been surveyed by a recognised Ecological Consultancy and these findings have been viewed by the Council Ecologist. It is considered that the site is of minimal nature conservation value.

No objection to the proposal is raised subject to conditions being attached to the decision notice to require a landscape planting and management plan, the removal of a stand of Japanese Knotweed using a suitable methodology and contractors and the siting of a series of nest boxes as agreed by the Council to offset the loss of habitat for nesting birds. Furthermore a condition is recommended to ensure that if tree surgery is instigated to the Holm Oak situated on the site, as per the submitted tree survey recommendation, a bat survey shall be carried out (at an appropriate time of year) prior to that work.

Subject to the above conditions the proposed development is considered acceptable in ecological terms and in accord with the aims and objectives of Policy L9 of the South Gloucestershire Local Plan Adopted January 2006.

5.7 Drainage

Policy EP1 indicates that development will not be permitted that among other criteria causes harm to the ground water environment by reason of pollution. Policy EP2 of the South Gloucestershire Local Plan Adopted January 2006 indicates that development which generates surface water run-off or water discharge will not be permitted where the development increases the risk of flooding. Policies L17 and L18 also consider the water environment and indicate that development will not be acceptable that has an unacceptable effect on that environment. Policy L18 is more specific, requiring development proposals to incorporate sustainable drainage systems (Suds) for the disposal of surface water wherever practicable.

Subject to a condition requiring the submission of surface water drainage details to include Sustainable Drainage Systems (Suds) and a further condition requiring the submission of a mining report (given that the site is situated in a former mining area) the Council Drainage Engineers raise no objection to the proposal. An informative to the applicant will also notify them of their responsibilities in relation to run-off in relation to the public highway.

Subject to the above conditions the proposed development is in accord with Policies EP1, EP2, L17 and L18 of the South Gloucestershire Local Plan Adopted January 2006.

5.8 Security/Lighting

Lighting proposals have to consider the needs of the users of the buildings both within the building itself and within the surrounding car park and access areas, having regard to the effective use of the building and the safety and security of both the building and surrounding areas. These needs have to be balanced against the residential amenity of neighbouring occupiers and against the requirements of BREEAM in terms of energy use and sustainability.

Officers have secured details of a full lighting scheme which is considered to balance the above needs acceptably and a condition is recommended to secure this lighting scheme.

5.9 Public Art

Discussions have taken place prior to the submission of the application and the applicant has indicated in the submitted design and access statement that it is their intention to include this within the scheme and to consult locally regarding the final design.

A condition is recommended to secure a strategy, timescale and agreed scheme for public art prior to the commencement of development.

5.10 Use of Energy and Sustainability

Policy D1 of the South Gloucestershire Local Plan Adopted January 2006, indicates buildings should seek to achieve energy conservation and the protection of environmental resources. Policy CS3 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft (March 2010) indicates that in assessing proposals weight should be given to the wider economic benefits associated with increased production of energy from renewable sources.

The building will comply with the latest Building Regulation standards. The site is situated in a sustainable location. The site incorporates recycling facilities for all waste.

It is the aim of the project to achieve a BREEAM 'Very Good' rating. BREEAM is the leading and most widely used environmental assessment for buildings, setting the standard for best practice in sustainable design. Credits are achieved in a number of areas for example sustainable sourcing of materials and durability but also the continuing environmental performance of the building and its use of finite energy resources.

The Sustainability Officer has viewed the proposed development and considers that though the use of combined heat and power, natural ventilation and day lighting and solar shading the building can meet the BREEAM target. The scheme may exceed this target if Solar Photovoltaic panels are used, however this will be depend upon future grant funding.

A condition is recommended to secure a rating of BREEAM very good.

5.11 Improvements Achieved to the Scheme

Improvements have been made to the proposed northern boundary off the site to secure the removal of a chain and post barrier and replacement with a low retaining wall.

Appropriate external lighting levels have been secured to protect the amenity of neighbouring occupiers.

The removal of Japanese Knotweed within the site will be secured by condition. Nesting boxes for birds in appropriate locations will be secured by condition

The inclusion of a condition to secure Public Art at the site has been agreed between the Case Officer and Applicant.

Discussions/negotiations have taken place and information has been received to confirm that the scheme will be able to achieve the BREEAM standard of 'very good'.

5.12 Design and Access Statement

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

6. CONCLUSION

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

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a methodology for the eradication of the stand of Japanese Knotweed shown on Drawing No. 1101 B shall be agreed with the Council. All work shall be undertaken by appropriate contractors and follow the approved methodology.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the ecology of the area and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006

3. Prior to first occupation details of nesting boxes for birds, to include their design and location shall have been submitted to and approved in writing by the Local Planning Authority. The nesting boxes shall be erected in accordance with the approved scheme.

Reason

To protect the wildlife and ecology of the site and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006

4. Prior to any works to the Holm Oak identified in the submitted Tree Survey, a survey for bats shall be carried out (at an appropriate time of year) and submitted to the Local

Planning Authority for approval. All works shall be carried out in accordance with the approved details.

Reason

To protect the wildlife and ecology of the site and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006

5. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full accordance with the approved details.

Reason

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

6. No development shall take place until a Mining Report has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason

To prevent non-point source pollution and flooding, and to accord with Policies EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manhole); retained historic landscape features and proposals for restoration where relevant.] Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme/plant maintenance specifications.

Reason

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

8. Prior to first occupation of the development a detailed public art strategy (including details for commissioning the artists, artists briefs, timescale for completion and estimated budget) shall be submitted to and agreed in writing by the Local Planning Authority. Final designs for artwork shall be submitted to and agreed in writing with the Planning Authority prior to installation.

Reason In the interest of achieving a high quality distinctive design to accord with Policies D1 and LC13 of the South Gloucestershire Local Plan (Adopted) January 2006

9. No works shall commence until a Detailed Arboricultural Method Statement in accordance with BS5837:2005 'Trees in Relation to Construction – Recommendations' has been submitted to and approved in writing by the Local planning authority. In particular, the Method Statement shall address the following:
- (i) Protection of retained trees during the demolition of the existing building and removal of existing services and hard surfaces
 - (ii) Erection of protective fencing prior to the construction phase of the project
 - (iii) Installation of any temporary ground protection.
 - (iv) Remedial tree works, in particular to T1 Oak, in relation to working space for construction and any issues identified in relation to fenestration of building/lighting.
 - (v) Construction of retaining wall
 - (vi) Construction of footpaths
 - (vii) Installation of drainage runs to the rear of the proposed building.

Reason

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

10. The development hereby approved shall be constructed to a BREEAM standard of 'very good'. A formal assessment pre-construction or following construction, shall be undertaken by a licensed BREEAM assessor and a copy of the assessors report and the certificate shall be submitted to the Local Planning Authority prior to the first occupation of the building.

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

11. Prior to the first occupation of the building, a full travel plan shall be submitted to and approved in writing by the Local Planning. The travel plan shall be implemented in full thereafter.

Reason: To encourage means of transportation other than the private car, to accord with Policies T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006

12. 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 (unless otherwise agreed in writing), 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.

13. Lighting shall be installed, unless otherwise agreed in writing, in accordance with the External Luminaire Schedule and External Plan L(93) 01 P1 received 13th April 2010.

Reason

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

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|----------------------------------|---|-------------------------|--------------------------|
| App No.: | PK10/0335/F | Applicant: | Mr M Foley |
| Site: | 18 Grampian Close Oldland Common Bristol South Gloucestershire BS30 8QA | Date Reg: | 4th March 2010 |
| Proposal: | Installation of 2no. front dormer windows. Conversion of garage to additional living accommodation. | Parish: | Bitton Parish Council |
| Map Ref: | 367310 171932 | Ward: | Oldland Common |
| Application Category: | Householder | Target Date: | 28th April 2010 |



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PK10/0335/F

INTRODUCTION

The application has been referred to the circulated Schedule due to an objection raised by a local resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of 2no. front dormers to the existing garage and the conversion of the garage into additional living accommodation. The proposed dormers would measure 1.5 metres wide by 2 metres in depth and would have an overall height to ridge of 2 metres. The existing garage to the west of the property has been converted into a study.
- 1.2 The property is a two storey link-detached dwelling and is located within a residential area of Oldland Common.
- 1.3 On visiting the site it was apparent that the dormer windows had been mostly constructed.

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
T8 Parking Standards

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 P98/4697 Erection of two storey side extension
Approved November 1998

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objection but noted that the works have been completed.

Other Representations

4.2 Local Residents

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

- Strongly object to the proposal
- Surrounding houses are typical 1970's construction with flat windows and a clean building line
- Dormers are no in keeping with the area and they protrude the front building line
- The aspect overlooks property and could be intrusive
- Construction has already started

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that development 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 proposal involves the addition of two front dormers to facilitate the conversion of the first floor of the garage to additional living accommodation at 18 Grampian Close. In addition the existing garage, adjoining No. 17 Grampian Close would be converted to living accommodation which involves the replacement of a garage door with a ground floor window. The application property is located at the end of Grampian Close cul-de-sac, with the garage upon which the dormers are located, situated to the eastern side elevation of the property, partially screened from the highway by the main dwelling. Whilst partially screened from views from Grampian Close the site is however highly visible from Cloverlea Road.

The proposed dormers are of an appropriate standard in design, and are of modest size in comparison to the bulk of the main dwelling and are suitably subservient to it. Furthermore, the proposed dormers would incorporate materials to match those of the existing garage, assisting the successful integration of the dormers with the host dwelling. Whilst dormers are not a common feature within the area, given the location of the dwelling set within a modern estate and given the variety of dwelling size and design along Cloverlea Road, it is not considered that the design of the proposal would cause any demonstrable harm to the character and appearance of the principle dwelling and street scene.

With regard to the conversion of the other garage into living accommodation, the effect of this aspect of the proposal in design terms would be the replacement of the existing garage door with a ground floor window.

The materials used for the wall and window would match the existing, assisting the successful integration. 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

With regard to the conversion of the existing garage into a study, this element of the proposal is linked to the neighbouring property, No. 17 Grampian Close. It is not considered that change from a garage to a study would cause any significant increase in overall noise and disturbance. The Building Regulations (Part E), would cover the issue of sound insulation between the study and the neighbouring property. As this issue is covered by the Building Regulations (ie other legislation), legal advice has indicated that it is not appropriate to impose a condition requiring insulation details. Furthermore, the addition of a window to the front of the property, in place of the existing garage door is not considered to have any impacts upon existing residential amenities in the vicinity.

Given the location of the dormers, set away from any neighbouring residential properties, and given the fact that there would be no increase in footprint, it is not considered that the proposal would have any overshadowing or overbearing effect on the neighbouring dwellings.

The proposed front dormers would overlook the front garden area of the property and an open green space to the side of Cloverlea Road. The dormers would be located over 13 metres away from front garden area of the nearest neighbouring property, No. 19 Grampian Close. Given the location of the main first floor windows, which are located closer to No. 19 Grampian Close, it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above the levels of overlooking from the existing first floor windows. As such it is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Highways Implications

The application proposes the conversion of the garage adjoining No. 17 Grampian close, the other garage would be retained as existing. Furthermore, it is considered that there is space for several cars to park on the driveway. Therefore the parking provision would remain in compliance and within the Councils required parking standards. Further, with no objections from the Councils Transportation Officer the proposal is considered acceptable.

5.5 Design and Access Statement

None required.

5.6 Use of Energy and Sustainability

No additional measures proposed.

5.7 Improvements Achieved to the Scheme

None required.

5.8 Section 106 Requirements

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

6. **CONCLUSION**

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

6.2 The proposal is of an appropriate standard in design and would incorporate the use of materials to match the existing dwelling, as such it is considered that the proposal would respect the character and appearance of the principal dwelling and street scene in accordance with Policy D1. The proposal would not have any impact on neighbouring residential amenities and the resultant parking provision would remain in compliance with Policy T8 of the South Gloucestershire Local Plan (Adopted) January 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 for subject to the following conditions:

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CONDITIONS

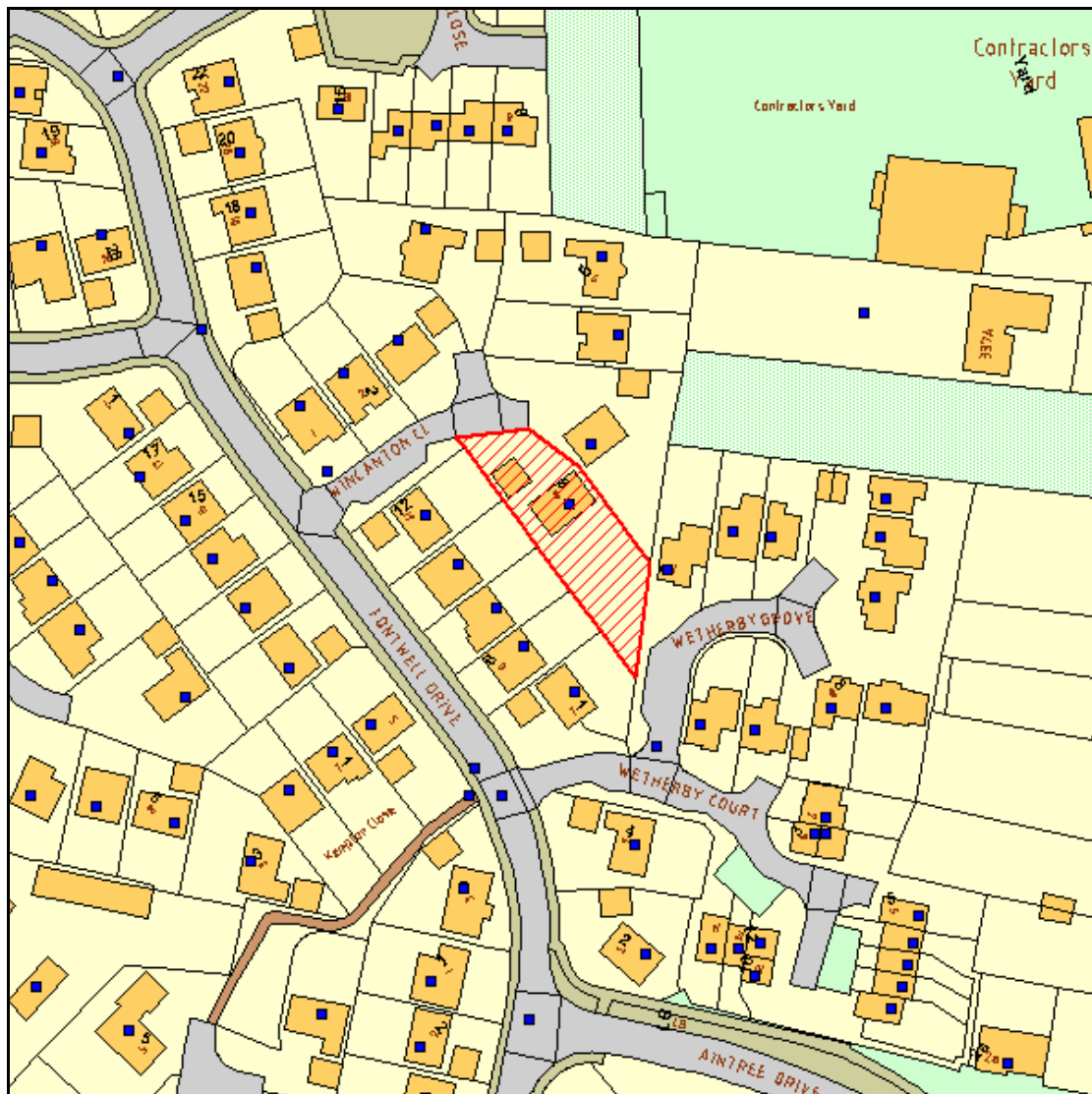
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|----------------------------------|---|-------------------------|--|
| App No.: | PK10/0486/CLP | Applicant: | Mr Honeywell |
| Site: | 8 Wincanton Close Downend Bristol South Gloucestershire BS16 6SW | Date Reg: | 8th March 2010 |
| Proposal: | Application for Certificate of Lawfulness for the proposed erection of a rear conservatory. | Parish: | Downend And Bromley Heath Parish Council |
| Map Ref: | 365934 178374 | Ward: | Emersons Green |
| Application Category: | Minor | Target Date: | 28th April 2010 |



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PK10/0486/CLP

INTRODUCTION

This application appears on the Circulated Schedule in accordance with the standard procedure for the determination of such applications.

1. THE PROPOSAL

1.1 This application seeks clarification that a proposed single storey rear extension does not require planning permission. The applicant is of the opinion that the proposed works are permitted development. The application site relates to a two storey detached property in Downend.

2. POLICY CONTEXT

2.1 Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Downend Bromley Heath Parish Council
No objection

Other Representations

4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The purpose of this application for a Certificate of Lawful Development is to establish whether or not the proposed development can be implemented without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 do not apply in this instance. It stands to be ascertained whether the proposed development falls within the limits set out in Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

5.2 As the proposed development consists of a single storey rear extension. This development would fall to be assessed under the criteria of *Schedule 2, Part 1, Class A*, of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 1995 (The enlargement, improvement or other alteration of a dwellinghouse)

5.3 Development is not permitted by Class if:

- (a) *As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*

The submitted site location plan shows that the host property benefits from a large curtilage and the proposed development, together with the existing dwelling would not exceed 50% of the total area of the curtilage.

- (b) *The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;*

The submitted plan demonstrates that the rear extension would not exceed the height of the roof apex of the existing dwellinghouse.

- (c) *The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;*

The submitted plan demonstrates that the eaves heights of the extension would not exceed that of the existing dwellinghouse.

- (d) *The enlarged part of the dwellinghouse would extend beyond a wall which—
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;*

The principal elevation of the property is the north elevation, which fronts onto Wincanton Close. The proposed rear extension would not extend past the front building line of the property.

- (e) *The enlarged part of the dwellinghouse would have a single storey and—
(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height;*

The proposed extension would be an addition to a detached dwelling and would not exceed 4 metres in depth, nor would any part of it be of a height greater than 4 metres above ground level. The proposal therefore meets this criterion.

- (f) *The enlarged part of the dwellinghouse would have more than one storey and—
(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or*

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

The rear extension would not be more than one storey tall.

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

The rear extension would be within 2.0 metres of the boundary of the curtilage of the dwellinghouse, but the height to eaves of the extension would be under 3 metres (in this case 2.30m) above ground level.

- (h) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—*
(i) exceed 4 metres in height,
(ii) have more than one storey, or
(ii) have a width greater than half the width of the original dwellinghouse;

The proposal is not for a side extension. The proposed rear extension would not extend beyond a side wall of the original dwellinghouse.

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

The extension would not comprise any of the above.

Conditions

Development is permitted by Class A subject to the following conditions—

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

The facing materials of the existing dwelling are that of brick and the submitted plans illustrate the use of brick. This would be similar to the wall of the property and therefore this condition is considered to be met.

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

As the proposal relates to a single storey dwelling no upper-floor windows are proposed. This condition is considered to be met.

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

The proposal is only for a single storey extension. This condition is also considered to be met.

- 5.4 However notwithstanding the above, as the application site has had its permitted development rights removed under Condition 08 of planning permission K4989/22 dated the 28th June 1993, any proposed development on this site will require the submission of a formal planning application:

Condition 08 of K4989/22

Notwithstanding the provisions of the Town and Country Planning General Development Order 1998, as amended, (or any Order revoking and re-enacting that Order), the dwelling house shall not be extended without the prior permission of the Local Planning Authority

- 5.5 So despite the fact the Planning Officer concurs with the applicant that that the proposed works satisfies the criteria as set down in the General Development Order as considered above, as the permitted development rights have been removed planning permission will be required.

5.6 Conclusion

It is considered that although the proposed single storey rear extension satisfies the requirements of the General Development Order, as the application site has had its permitted development rights removed under condition 08 of N4989/22 planning permission is required.

6. RECOMMENDATION

- 6.1 A Certificate of Lawful Development be refused for the following reason.

Background Papers PK10/0486/CLP

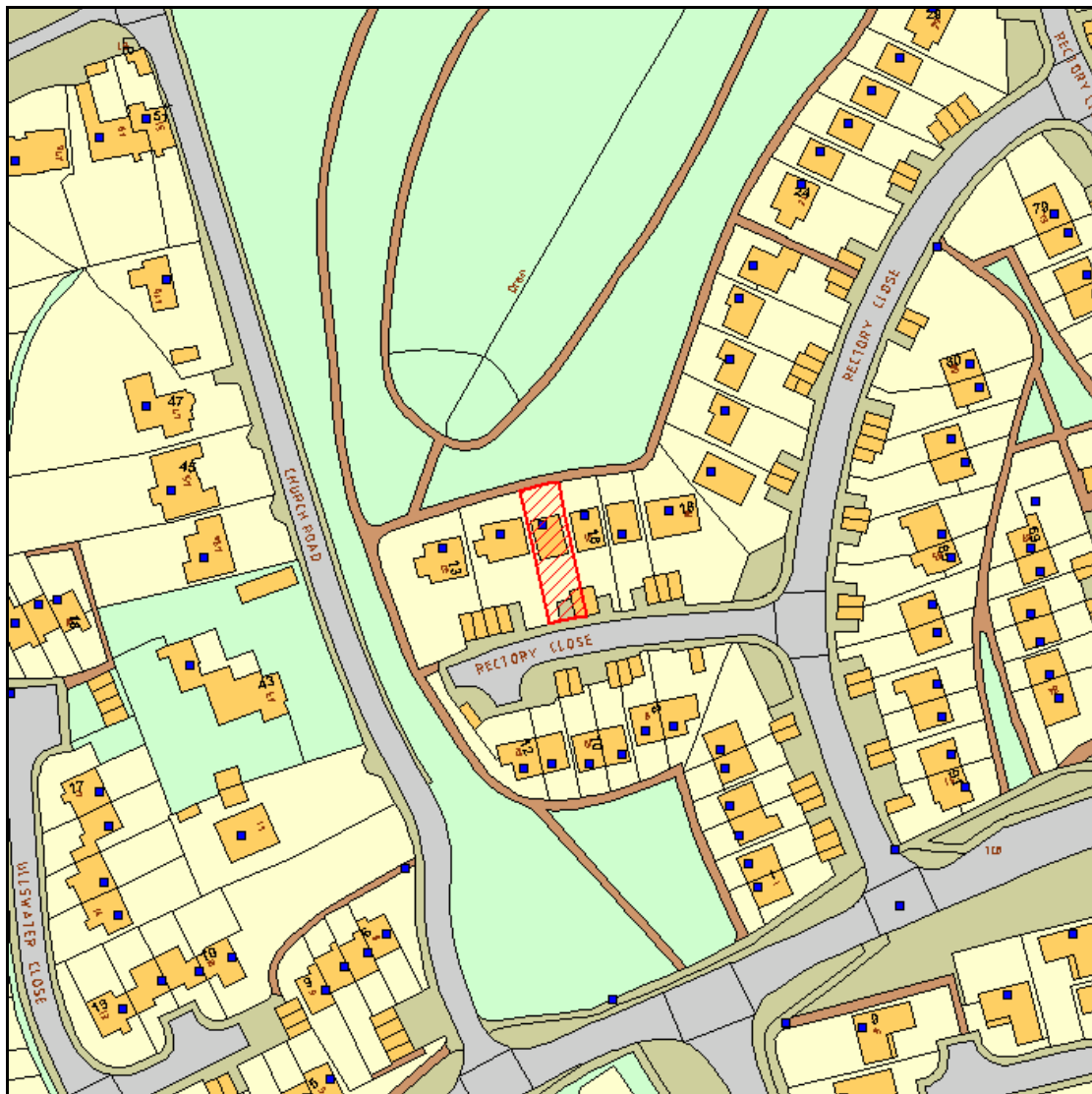
Contact Officer: Tracey Price
Tel. No. 01454 863424

REASONS FOR REFUSAL

1. Planning permission is required for the proposed single storey rear extension as the permitted development rights relating to this property have been removed under Condition 08 of the original planning permission K4989/22 dated the 28th June 1993.

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|----------------------------------|--|-------------------------|-------------------|
| App No.: | PK10/0511/F | Applicant: | Mr Alan Lewis |
| Site: | 15 Rectory Close Yate Bristol South Gloucestershire BS37 5SB | Date Reg: | 9th March 2010 |
| Proposal: | Erection of single storey side and rear extension to form additional living accommodation. | Parish: | Yate Town Council |
| Map Ref: | 371485 183319 | Ward: | Yate North |
| Application Category: | Householder | Target Date: | 29th April 2010 |



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PK10/0511/F

INTRODUCTION

This application has been referred to the circulated schedule due to the receipt of letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a single storey side and rear extension at 18 Rectory Close, Yate. The proposed extension would measure 7.5 metres wide by a maximum of 4.4 metres in depth, extending 2.9 metres beyond the rear elevation of the building and would have an overall height to ridge of 3.7 metres.
- 1.2 The property is a two storey detached dwelling and is located within a residential area of Yate.
- 1.3 During the course of the application amended plans were received, hipping the roof at the sides to reduce the impact of the proposal on the neighbouring residents.

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

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 Yate Town Council
Object to the proposal due to the width of the extension which would have a detrimental affect on the amenity of the neighbours.

Other Representations

4.2 Local Residents

Two letters of objection have been received raising the following concerns:

- No issues with the rear extension but object to the side extension as this would be too close to their property and would reduced daylight to dining room
- Side extension would be overpowering.

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 extension has a greater width than the main dwelling, however it is of modest size in comparison to the bulk of the main dwelling and is suitably subservient to it. Furthermore, the appearance of the resultant building is well proportioned and would remain in keeping with the scale of the surrounding dwellings within Rectory Close. In addition the proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling. Whilst the design of the proposed extension is unusual it is considered that the proposed extension is of an appropriate standard in design and would not result in any demonstrable harm to the character of the main dwelling house and surrounding properties. This is particularly the case given the variety of rear extensions in the vicinity and the location of the extension to the rear of the property, partially screened by the existing boundary treatments in place and the existing detached rear garage. It is therefore considered that the proposal is acceptable in terms of design and visual amenity.

5.3 Residential Amenity

The rear of the property is bound on both sides by neighbouring residential properties and is enclosed and screened by 1.8 metre high closed board fencing. The proposed extension would only extend 3 metres beyond the rear elevation of the dwelling and would have height to eaves of 2.4 metres and the roof design has been revised so that it now hips away from the neighbouring properties. Whilst the proposed extension would be located only 200mm away from the boundaries of the neighbouring properties either side, given the existing boundary treatments in place, combined with the depth and height of the proposal, and the fact the roof hips away from the neighbouring dwellings, it is not considered that the extension would have any significant overshadowing or overbearing effect on the neighbouring dwellings. Furthermore, the neighbouring property to the east, No. 16 Rectory Close has an existing single storey rear extension and conservatory that would be adjacent to the proposed extension.

No windows are proposed on the side elevations of the extension, as such it is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Parking and Highway Implications

The access and parking to the rear of the dwelling would not be affected by the proposal. Therefore the parking provision would remain in compliance and within the Councils required parking standards. Further, with no objections from the Councils Transportation Officer the proposal is considered acceptable.

5.5 Design and Access Statement

None submitted.

5.6 Use of Energy and Sustainability

No additional measures proposed.

5.7 Improvements Achieved to the Scheme

During the course of the application, amended plans were received, hiping the roof of the proposed rear extension away from the neighbouring properties.

5.8 Section 106 Requirements

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

6. CONCLUSION

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

6.2 The proposed extension is of an appropriate standard in design and respects the character of the main dwelling house and surrounding properties. Furthermore the extension would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies D1 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).

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|------------------------------|---|---------------------|--------------------------|
| App No.: | PK10/0518/F | Applicant: | Mr C Punter |
| Site: | 30 Meadow Court Drive Oldland Common Bristol South Gloucestershire BS30 9SU | Date Reg: | 9th March 2010 |
| Proposal: | Erection of rear conservatory. | Parish: | Bitton Parish Council |
| Map Ref: | 367070 171191 | Ward: | Oldland Common |
| Application Category: | Householder | Target Date: | 30th April 2010 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK10/0518/F**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The proposal is to erect a conservatory on the rear (south-west) elevation of the property. The conservatory would have a maximum height of 3.40m, with a depth of 4.5 m and a width of 3.00m.
- 1.2 The property is a semi-detached dwelling house lying within a Radburn style residential cul-de-sac. Properties of a similar age, scale and design lie adjacent to the site. The location is entirely residential in character.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) 6th January 2006
D1 Design
H4 Development within Existing Residential Curtilages
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
- 2.4 Supplementary Planning Guidance
The South Gloucestershire Design Check List SPD (Adopted) 23rd Aug 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Bitton Parish Council
Councillors objected to the proposed development because of the undue length of the conservatory.

(b) Other Representations

- 4.2 Local Residents
No replies received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 states that house extensions will be permitted subject to issues relating to massing, scale, proportions, materials, design, highways, and impact upon residential amenity.

5.2 Design and Scale

The conservatory is of an appropriate design in relation to the characteristics of the main dwellinghouse and surrounding properties. The proposed addition uses sympathetic materials i.e. brick to match existing with a polycarbonate roof and is considered to adequately integrate within the existing built form. The conservatory would be served by the existing patio door and would be built off only half of the rear elevation of the house and adjacent to the boundary with adjoining no.31. The scale and design are therefore considered to be acceptable.

5.3 Visual Amenity

It is considered that the addition would not have a detrimental impact upon the character and appearance of the area. The site is well screened from the public domain by existing detached garages to the rear and high boundary walls and fences. There would therefore be no adverse impact on visual amenity.

5.4 Residential Amenity

As the rear garden is enclosed by 1.8m high close-board fences and brick walls, there would be no significant loss of privacy from overlooking or inter-visibility. There would be adequate distance to other habitable room windows or the gardens of neighbouring properties, there would therefore be no significant loss of privacy in this respect. No windows are proposed for the south-eastern side elevation next to the adjoining property. Adequate private amenity space would be retained to serve the property. Having regard to the height, position and depth of the proposed conservatory, officers are satisfied that the proposal would not result in a significant overbearing impact for the occupiers of the adjoining property where an existing conservatory, albeit only 3 metres deep, is already located. Furthermore since the eaves of the proposed conservatory would be set at 2.3m, only a small section i.e. 0.5m of the side-wall would be visible above the boundary fence with no.31; the lightweight polycarbonate roof would slope steeply away from the boundary. There would therefore be no significant adverse impact on residential amenity to result from this proposal.

5.5 Highways

Parking and access are not affected. There are therefore no highway objections to this application.

5.6 Use of Energy and Sustainability

Not applicable

5.7 Improvements achieved to the scheme

None

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 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the adopted South Gloucestershire Local Plan (Adopted) 6th January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

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. The bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

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. 14/10 – 16 APRIL 2010

| | | | |
|------------------------------|---|---------------------|---|
| App No.: | PT10/0387/F | Applicant: | St John The Baptist Frenchay Parish Council |
| Site: | The Churchyard St John The Baptist Church Frenchay Common Frenchay Bristol | Date Reg: | 9th March 2010 |
| Proposal: | Erection of detached storage shed and associated access. (Resubmission of PT09/5305/F). | Parish: | Winterbourne Parish Council |
| Map Ref: | 364039 177537 | Ward: | Frenchay And Stoke Park |
| Application Category: | Minor | Target Date: | 29th April 2010 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008.

N.T.S.

PT10/0387/F

INTRODUCTION

This application appears in the Circulated Schedule List because a local resident has raised concerns with regards to the location of the proposed shed.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a detached timber shed and a concrete access path.
- 1.2 The application site comprises the Grade II listed St John the Baptist Church situated within Frenchay Common. The shed would be located within the Church graveyard at a distance of approximately 60 metres south of the building.
- 1.3 This application is a resubmission of application no. PT09/5305/F, which was withdrawn.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS5 Planning for the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
L1 Landscape Protection and Enhancement
L12 Conservation Areas
L13 Listed Buildings
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
The Frenchay Conservation Area SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/5305/F, erection of storage shed, withdrawn, 08/12/09.
- 3.2 PT09/5307/LB, demolition of existing lean-to structure, approval, 08/12/09.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection.
- 4.2 English Heritage
No objection.
- 4.3 Transportation DC
No objection.

Other Representations

4.4 Local Residents

One letter has been received from a local resident. The resident does not object to the siting of the shed but questions the wisdom of placing a shed in a remote location where it cannot be observed since it might be vandalised.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning Policy D1 requires that development achieves a good standard of design. Planning Policy L1 only allows for new development where attributes of the landscape, which make a positive contribution to the character of the landscape and surrounding area are conserved and, where possible, enhanced. Planning Policy L12 only allows for development within or affecting a Conservation Area where it would preserve or enhance the character of the Conservation Area. Policy L13 states that development to or affecting a listed building would only be permitted where the character of the listed building and its setting would be preserved.

5.2 Design and Impact on Conservation Area and Listed Building Setting

This application seeks planning permission for the erection of a detached shed, which would measure approximately 3.66 metres in length, 3.05 metres in width and have an apex of 2.59 metres at ridge height falling to 1.86 metres at the eaves. The shed would be constructed of timber with a felt roof and would be situated adjacent to the southern boundary of the site amongst existing vegetation and would be accessed via a 4 metre long access path. The applicant has proposed to stain the wood a green colour, which would help the building blend with the surroundings. The proposed location is considered to be an improvement over the previous withdrawn application since it would provide improved screening without the need for additional planting or the removal of vegetation. As such, and given that a 2 metre (approx) stone wall would screen the majority of the building from views from the south, it is considered that the proposal would not be adversely prominent in terms of views from the Conservation Area or the setting of the listed Church. Whilst this lack of visibility has raised concerns regarding possible theft and vandalism from a local resident, it is considered that the shed would be sufficiently sturdy in terms of construction and be more secure than the existing lean-to storage building. Conditions will be applied to obtain further details in respect of the colour finish of the shed and materials for the access pathway.

5.3 Residential Amenity

The proposed shed would be located at a distance of approximately 15 metres from the neighbouring properties to the southeast. On this basis, given the modest scale of the proposal, it is considered that it would not have a significant adverse impact in terms of loss of daylight or privacy.

5.4 Transportation

Given that the existing parking and access arrangements would not change, it is considered that the proposal would not be adversely more harmful than the existing situation in terms of highway safety or congestion.

5.5 Impact on Trees

The shed would be located within close proximity to mature vegetation and trees therefore, whilst the Council has no objections to the proposal in principle, method statements for the construction of the shed base and footpath were requested to ensure the well being of the existing trees and their rooting systems. The applicant has discussed the construction of the footpath and shed base with the Council Tree Officer, who considers the proposed method to be acceptable. The information is however, required to be submitted and agreed in writing, therefore, a condition will be applied in this respect.

5.6 Design and Access Statement

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

5.7 Use of Energy and Sustainability

N/A

5.8 Improvements Achieved to the Scheme

Relocation of shed to an area, which would be better screened from the surrounding area.

5.9 Section 106 Requirements

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

6. CONCLUSION

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

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 for the following reasons:

- The proposed shed would be constructed of materials, which would be in keeping with the character of the area. In addition, it would be sited in an area, which would provide effective screening to ensure that it would not adversely impact on the character of setting of the Conservation Area or listed building – Policies D1, L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

- The laying of the pathway and erection of the shed will be carried out in a way that would not adversely affect the health of trees and vegetation nearby. The Council Tree Officer has not objected to the proposal – Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

2. Prior to the erection of the new storage shed, the existing timber lean-to store attached to the southern elevation of St John the Baptist Church shall be removed in its entirety and in accordance with the listed building consent reference PT09/5307/LB.

Reason

To preserve the special historic and architectural interest of the listed building and its setting, and the character and appearance of the Conservation Area, in accordance with sections 72(1) and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out in PPS5 and Policies L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

3. Notwithstanding the previously submitted details, prior to the erection of the new storage shed, full details, including materials of the foundations, base and ground surfacing of the new store and pathway shall be submitted and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To preserve the special historic and architectural interest of the listed building and its setting, and the character and appearance of the Conservation Area, in accordance with sections 72(1) and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out in PPS5 and Policies D1, L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

4. Prior to the commencement of the development, representative samples of the new pathway materials and colour finish for the proposed shed shall be submitted and agreed in writing by the Local Planning Authority. The development will be carried out in accordance with the agreed details.

Reason

To preserve the special historic and architectural interest of the listed building and its setting, and the character and appearance of the Conservation Area, in accordance with sections 72(1) and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out in PPS5 and Policies D1, L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

5. Notwithstanding the submitted details, prior to the commencement of the development, a method statement for the construction of the shed base and footpath shall be submitted in writing to the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To ensure that the development does not have an adverse impact on the health of the trees nearby and to comply with Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|------------------------------|---|---------------------|--------------------------------------|
| App No.: | PT10/0398/F | Applicant: | Mr S Woodman |
| Site: | One Hundred Acrewood Day Nursery 149 Church Road Frampton Cotterell Bristol South Gloucestershire | Date Reg: | 9th March 2010 |
| Proposal: | Erection of rear conservatory. Construction of new pedestrian access. | Parish: | Frampton Cotterell Parish Council |
| Map Ref: | | Ward: | Frampton Cotterell |
| Application Category: | Minor | Target Date: | 3rd May 2010 |



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PT10/0398/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a rear conservatory and construction of new pedestrian access.
- 1.2 This is a former dwelling house that underwent a change of use in 2001 to a day nursery for children. The proposal consists of the removal of an existing conservatory at the rear of the building and its replacement with a similar structure. The application also seeks permission for the creation of a pedestrian access into the rear of the property.

2. POLICY CONTEXT

2.1 National Guidance

| | |
|-------|---|
| PPS1 | Delivering Sustainable Development |
| PPS4 | Planning for Sustainable Economic Development |
| PPG13 | Transport |

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

| | |
|-----|---|
| D1 | Achieving Good Quality Design |
| T12 | Transportation Development Control Policy for New Development |

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

PT00/2627/F – Change of use from residential to day nursery. Approved 17/04/2001.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

No objection raised.

4.2 Other Consultees

Transportation

No objection.

Other Representations

4.3 Local Residents

One letter raising the following concerns:

- The current wall is made of pennant stone but the proposed side conservatory wall is to be rendered. This would not be in keeping and would attract graffiti.
- The footpath to the side is used by vehicles, could a restriction be imposed to stop this being used by parents and children?

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy D1 of the Local Plan states that development will only be permitted where good standards of site planning and design are achieved. The proposal is therefore acceptable subject to the following detailed assessment.

5.2 Residential Amenity

The rear amenity space of no. 149 Church Road is very enclosed and there is a 2.5 m high fence on the boundary with the neighbouring property. The wall adjacent to the footpath is also 1.8 m high and no side windows are proposed so therefore there would be no loss of privacy as a result of the proposal. The proposed extension is of a similar size to the existing and is of a suitable height that there would be no overbearing impact on neighbouring occupiers.

5.3 Highway Safety Analysis

The Highways Officer raised no objection to the scheme and it is not considered that the proposal would lead to a significant increase in vehicle movements. To the rear a pedestrian entrance is proposed. It is stated in the Design and Access statement that the pedestrian gate would be used for access to garden maintenance equipment and to facilitate as an emergency exit. Concern has been raised that the gate may be used by parents and children, however it is considered that the front of the building still serves as the main entrance and it is not considered that a planning condition is appropriate in this instance.

5.4 Design / Visual Amenity

The proposed conservatory would have the same footprint as the current one. The lean to roof structure would also be very similar to the existing. Materials consist of concrete block with rendering and UPVC roof. The proposed structure would largely not be visible from the public realm, the only exception being a section of stone wall which would be replaced with the new rendered side wall of the proposed conservatory. It is considered that this small loss of wall is not significant enough to warrant a refusal reason and overall no harm is caused to the visual amenity. Concern has been raised by a local resident regarding the development's potential to attract graffiti. It is not considered that this is something that can be controlled through the planning system in this instance as the proposal consists of a replacement wall.

5.5 Design and Access Statement

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

5.6 Improvements Achieved to the Scheme

None deemed necessary.

5.7 Section 106 Requirements

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

6. CONCLUSION

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

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

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

- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.
- c) The proposal would not prejudice highway safety. The development therefore accords to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: William Collins
Tel. No. 01454 863819

CONDITIONS

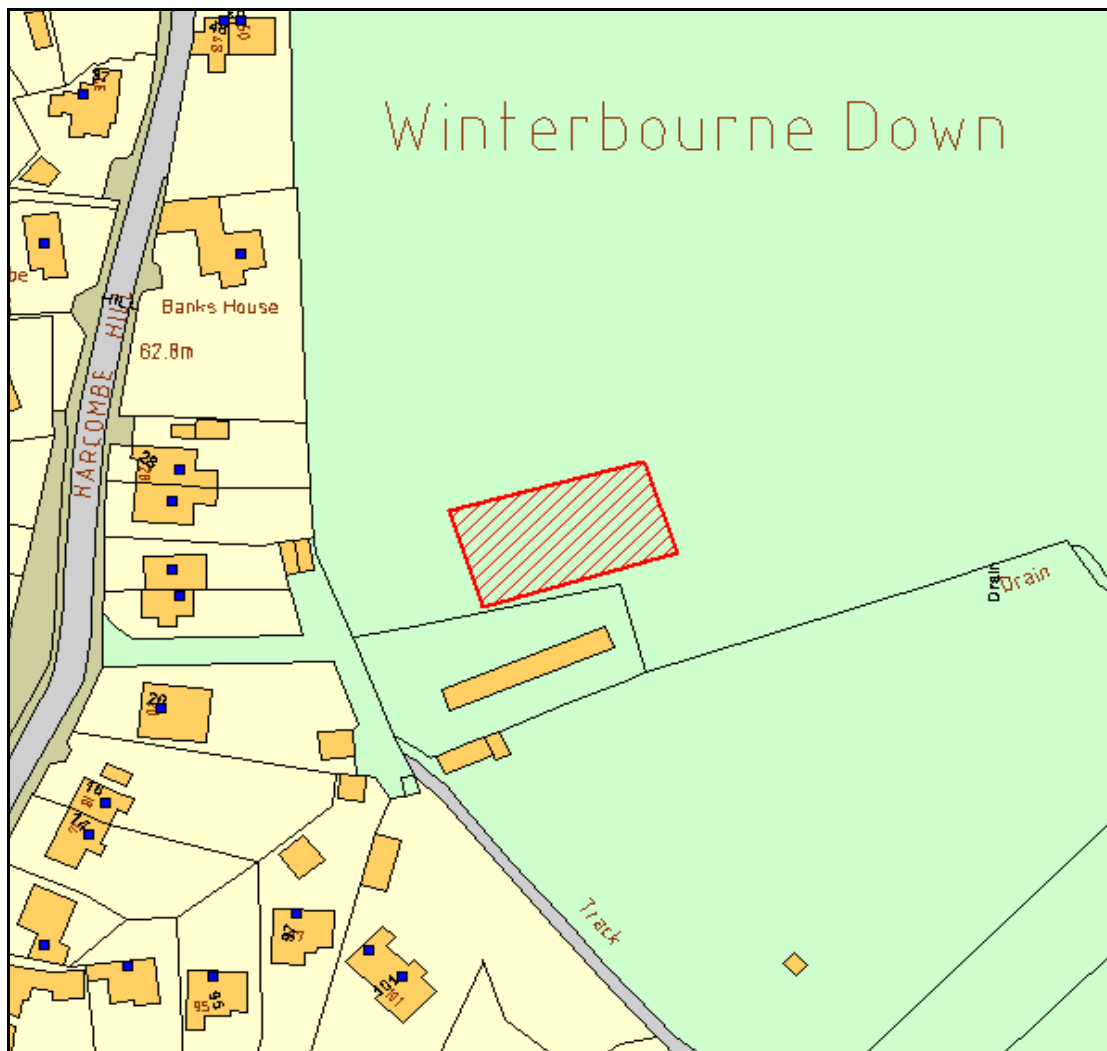
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|----------------------------------|--|-------------------------|--------------------------------|
| App No.: | PT10/0423/F | Applicant: | Miss N Bessell |
| Site: | Land To The Rear Of 22 Harcombe Hill Winterbourne Down Bristol South Gloucestershire BS36 1DE | Date Reg: | 8th March 2010 |
| Proposal: | Change of use of land from agricultural to land for the keeping of horses. Construction of equestrian arena with associated fencing. (Resubmission of PT09/1322/F) | Parish: | Winterbourne Parish Council |
| Map Ref: | 365466 179730 | Ward: | Winterbourne |
| Application Category: | Minor | Target Date: | 29th April 2010 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT10/0423/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from Winterbourne Parish Council that were contrary to the Case Officers recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the following:
- The change of use of land from agricultural to land for the keeping of horses.
 - Construction of equestrian arena with association fencing.
- 1.2 The application site relates to an open field, which has an established equestrian use given the existing stabling block on the site. The topography of the land is steeply sloped and there is a mature hedgerow running along the southern boundary.
- 1.3 The application site is situated outside of the Winterbourne Settlement Boundary and is designated as Green Belt, as defined in the South Gloucestershire Local Plan Proposal Maps (adopted) January 2006.
- 1.4 This application is a resubmission of the previously refused application PT09/1322/F, which was refused for the following reasons: -
- (1) It is considered that the proposed siting of the arena has the potential to be visually significant in the landscape. It is therefore considered that the siting of the arena in this location would result in harm to the visual amenity of the landscape/green belt and would adversely affect the health and ecology of important landscape features, namely the existing trees and hedgerows along the south-east boundary of the site. The proposal is therefore considered contrary to Policy D1, L1, L9, GB1 and E10 of the South Gloucestershire Development in the Green Belt SPD (Adopted) January 2002, and the South Gloucestershire Landscape Character Assessment - Character Area 13, Frome Valley.
 - (2) The plans and supporting information submitted with the planning application are insufficient to allow the full assessment of the proposed development. As such the Local Planning Authority is unable to fully assess the impact of the proposal on; landscape character, the openness of the Green Belt, trees and hedgerows, ecology, waste disposal, residential amenity and highway safety. The proposal is therefore considered likely to be contrary to Policy D1, L1, L9, GB1, T12, E10 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy 9, 43 and 44 of the South Gloucestershire Minerals & Waste Local Plan (Adopted) May 2002, South Gloucestershire Development in the Green Belt SPD (Adopted) January 2002, and the South Gloucestershire Landscape Character Assessment - Character Area 13, Frome Valley.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
- PPG2: Green Belts
- PPS7: Sustainable Development in Rural Areas
- PPS24: Development and Flood Risk

2.2 South Gloucestershire Local Plan (Adopted) January 2006

- D1: Achieving Good Quality Design in New Development
- L1: Landscape Protection and Enhancement
- L9: Species Protection
- L16: Protecting the Best Agricultural Land
- GB1: Development within the Green Belt
- E10: Horse Related Development
- LC5: Sport and Recreation Outside Settlement Boundaries
- T12: Transportation Development Control Policy for New Development

2.3 South Gloucestershire Minerals & Waste Local Plan (Adopted) May 2002

- Policy 9: Waste Development in the Green Belt
- Policy 43: Inert, Construction and Demolition Waste
- Policy 44: Agricultural Land Improvement.

2.4 Supplementary Planning Guidance

- South Gloucestershire Design Checklist SPD (Adopted) August 2007
- South Gloucestershire Development within the Green Belt SPD (Adopted) June 2007
- South Gloucestershire Landscape Character Assessment - Character Area 13, Frome Valley.

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/1322/F Change of use of land from agricultural to land for the keeping of horses. Construction of equestrian arena with associated fencing.
Refused 10.09.2009

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Objection. Horses have been kept on this land for many years. The Parish Council can see no reason to change this from agricultural to the keeping of horses. The Parish Council is concerned that if permission is granted the land could be developed in the future.

4.2 Local Residents

None.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the change of use of land from agriculture to the keeping of horse and the construction of an equestrian arena. The main issues to consider in the determination of this application are: -

(1) Is the principle of the proposed change of use and the proposed arena acceptable?

(2) Would the proposal unacceptably harm landscape character and the openness of the Green Belt?

(3) Would the proposal unacceptably harm the ecology and health of nearby trees and hedgerows?

(4) Would the proposal have unacceptable transportation effects?

(5) Would the proposal harm residential amenity?

5.2 Principle of Development

National Government advice in PPS7 (Planning Policy Statement 7: Sustainable Development in Rural Areas) supports equine development, which maintains environmental quality and the character of the countryside. This is reiterated though Policy E10 and L1 of the South Gloucestershire Local Plan, which gives provision for horse related development such as stables, field shelters and riding schools, outside of settlement boundaries. This is on the basis that there is; no unacceptable environmental effects, no adverse impacts on residential amenity; adequate vehicular access and parking provision and the design of buildings, number of horses and size of the site should have proper regard to the safety and comfort of horses.

5.3 The application site is situated within the Green Belt, as such the appropriateness of an equine use and equestrian arena within the Green Belt needs to be considered. PPG2 (Planning Policy Guidance 2: Green Belts) and Policy GB1 gives provision for essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it are not inappropriate. It is considered that this small scale equestrian arena which would be used in connection with the existing stabling on the site would be an essential facility and therefore would be an appropriate use within the Green Belt.

5.4 Policy L16 of the Local Plan seeks to protect agricultural land. It is considered that this land would not be classed within Grades 1, 2, or 3A and therefore the development would not be precluded by this policy.

5.5 Landscape/Green Belt

The previous planning application (PT09/1322/F) was considered unacceptable because the arena would have been sited in an area that had the potential to be visually significant in the landscape. This was because the site was steeply sloping, the contour map indicating a 4 - 5metre fall.

- 5.6 The applicant has overcome this objection by relocating the proposed arena to a relatively level part of the site, which is less visually sensitive. The Council Landscape Architect has assessed this development and has confirmed that the proposal would not adversely affect landscape character in this location.
- 5.7 A further distinct advantage of the revised scheme is that the new location of the arena effectively eliminates the need to import material onto the site. This is because the 'cut' is comparable in volume to the 'fill'. On this basis Officers consider this to be a significant improvement on the previous scheme which involved a considerable amount of material being brought onto the site.
- 5.8 In view of the above, it is considered that the proposed arena would be acceptable in terms of landscape character and the openness of the Green Belt. It is therefore considered that the proposed development would accord with policy D1, L1 and GB1 of the adopted Local Plan.
- 5.9 Trees/Hedgerows
In the previous application the proposed arena would have been situated alongside an existing and established hedgerow. It was considered that the proposed arena would have been likely to be unacceptably harmful to the health and ecology of the hedgerow. In this application the arena has been moved away from this hedgerow, and therefore it is considered that the proposal would not materially harm its health. It is therefore concluded that the development would accord with policy L1 and L9 of the adopted local plan.
- 5.10 Waste Issues
Officers are satisfied that the applicant has demonstrated that the amount of 'cut' would be comparable in volume to the 'fill'. On this basis, any importation of material would be negligible and clearly would not be a waste operation. On this basis, it is considered that the development would comply with Policy 9, 43 and 44 of the adopted Minerals & Waste Local Plan.
- 5.11 Transportation
The Council Transport Engineer has assessed the proposed development and is satisfied with the proposed access and parking arrangements. However the Engineer does have some concern with regard to potential HGV movements if the development were to include substantial importation or exportation soils. On this basis it is recommended that a condition is attached to prevent such movements.
- 5.12 Residential Amenity
It is considered that the proposal is situated in an isolated from nearby residential properties and therefore would not harm their amenity.
- 5.13 Drainage
The Council Drainage Engineer are satisfied with the proposed drainage arrangements. The proposed development therefore accords with Policy L17/L18 of the adopted local plan.

5.14 Design and Access Statement

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

5.15 Use of Energy and Sustainability

None.

5.16 Improvements Achieved to the Scheme

None.

5.17 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.

- a) The proposed development constitutes a horse related development outside of the Winterbourne Settlement boundary. It is considered that this is an appropriate location for the proposal. The proposed development therefore accords with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed change of use and the construction of the arena would constitute an *'essential facility for outdoor sport and recreation'*. It is therefore considered that the proposed development would constitute an appropriate development within the Green Belt and would not harm openness. The proposed development therefore accords with Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- c) The impact of the proposed development on landscape character has been fully assessed. It is therefore considered that the proposed development would not adversely affect the landscape of the site. The proposed development therefore accords with Policy L1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The revised location of the proposed development would be significantly away from the hedgerow and trees on the site. It is therefore considered

that the proposed development would not adversely affect the health and ecology of these features. The proposed development therefore accords with Policy L1 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

- e) The transportation effects of the proposed development have been fully assessed. It is considered that the proposal would have satisfactory access and parking arrangements. The proposed development therefore accords with Policy T12 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.
- f) The impact of the proposed development on residential amenity has been fully assessed. It is therefore considered that the proposed development would not adversely affect the amenities of nearby occupiers. The proposed development therefore accords with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

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** for the following reason(s):-

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

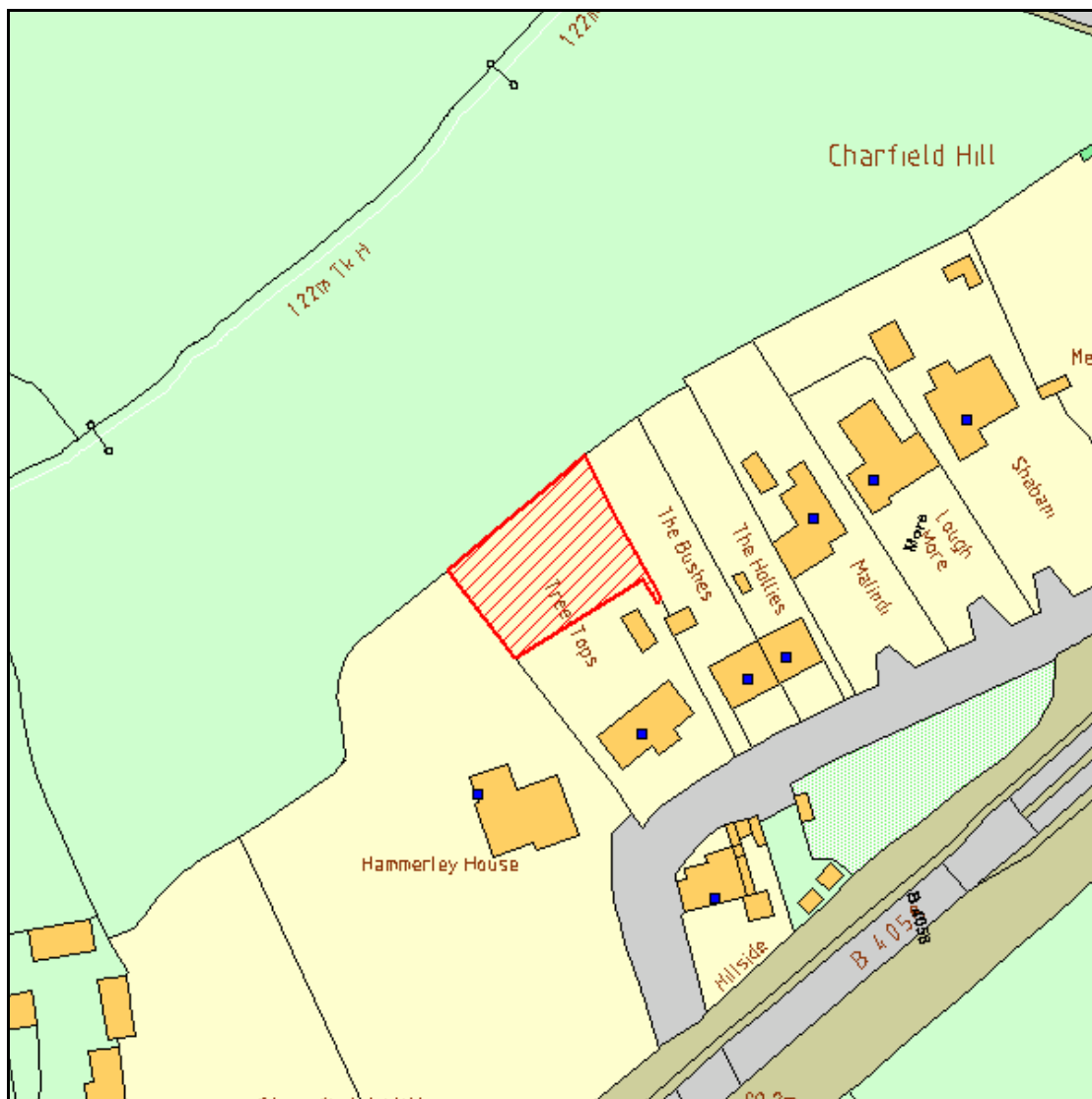
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The development hereby approved shall not include the importation or the exportation of soil to or from the site, unless otherwise approved in writing by the Local Planning Authority. For the avoidance of any doubt, the word "soil" refers solely to the material used in the primary construction of the arena, and any surface materials would not fall within this definition.

To ensure the proposed development would not prejudice the residential amenities of nearby occupiers, and to accord with Policy E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|------------------------------|---|---------------------|--------------------------|
| App No.: | PT10/0505/F | Applicant: | Mr A Edwards |
| Site: | Tree Tops Charfield Hill Charfield Wotton Under Edge South Gloucestershire | Date Reg: | 19th March 2010 |
| Proposal: | Erection of 2 no. detached dwelling and associated works.(Re-Submission of PT09/5526/F) | Parish: | Charfield Parish Council |
| Map Ref: | 371608 192048 | Ward: | Charfield |
| Application Category: | Minor | Target Date: | 29th April 2010 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT10/0505/F**

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of representations from Charfield Parish Council and a local resident that were contrary to the Case Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection two detached dwellings.
- 1.2 The application site is situated on the edge of the settlement of Charfield within the settlement boundary. The site is approximately 0.16ha in and comprises of a large detached bungalow at the front of the site, and an extensive garden to the rear. The site is situated on a hill and therefore the rear garden
- 1.3 The proposed development would comprise of two detached units that would be arranged in an L-shape. Plot 1 (known as 'The House') would be a one and a half storey dwelling and would take up a large proportion of the site. Plot 2 (know as 'The Mews/Studio) would be an ancillary building that would be much smaller in scale and massing. Both dwellings have been allocated an area of private amenity space, and a area of shared parking.
- 1.4 This application is a resubmission of the previously refused application PT10/0505/F. This application was refused for the following reason:

(1) The proposed development is not at a density that would make the most efficient use of the land compatible with the site's location. No satisfactory reasons have been forwarded to justify why this could not be achieved. As such the proposal is contrary to the guidance given within PPS3 (Housing) and Policy H2 of the South Gloucestershire Local Plan (Adopted) 2006.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPS3: Housing
PPG13: Transport

2.2 Development Plans

Joint Replacement Structure Plan (Adopted) September 2002 (Saved Policies)

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

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
H2: Residential Development within Defined Settlement Boundaries
H4: Development within Existing Residential Curtilages
L1: Landscape Protection and Enhancement

L17 & L18: The Water Environment
T8: Parking Standards
T12: Transportation Development Control Policy for New Development

Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

South Gloucestershire Development within the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|--|
| 3.1 | PT09/5526/F | Erection of 1 no. detached dwelling and associated works. Approved 22.12.2009 |
| 3.2 | PT07/2370/F | Erection of detached double garage. Approved 13.09.2007 |
| 3.3 | P90/2615 | Erection of single storey extension to provide utility room; erection of pitched roof over existing flat roof of kitchen and utility room Approved 07.11.1990 |
| 3.4 | N1952/2 | Erection of a front extension to provide enlarged living room. Approved 16.04.1981 |
| 3.5 | N1952/1 | Erection of domestic garage. Approved 13.11.1975 |
| 3.6 | N1952 | Extension to bungalow to provide two additional rooms. Approved 09.10.1975 |

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
After much discussion it was resolved by Charfield Parish Council to object to this application on the following grounds:
- a) The over-development of the site. The previously submitted plan is much preferred on this plot due to the fact that it sits lower on the site and the height of the building is therefore not overbearing onto neighbouring properties.
 - b) The Parish Council also objects to the principle that a plot must be developed to its maximum density purely because of its size and without due relevance being given to its situation. This is an excellent example of how Planning Officials wish to cram every available space (even if highly unsuitable and against the owners' wishes) in order to meet new housing approval targets

4.2 Sustainable Transport

No objection.

4.3 Local Residents

No responses have been received. It is noted that the 21 day consultation period expires on the 19th April 2010. If any new consultation responses, which raise new issues, are received between the publication of this report and this date the report shall be updated and re-circulated.

5. **ANALYSIS OF PROPOSAL**

5.1 The applicant seeks planning permission for the erection of two dwellings. The main issues to consider in the determination of this application are: -

- o Is principle of two new dwellings in this location acceptable?
- o Does the proposed development deliver an efficient use of land?
- o Is the design of the proposal, and its impact on the wider landscape acceptable?
- o Is the impact of the development on the residential amenity of local residents acceptable?
- o Are the transportation implications of the development acceptable?
- o Does the development have satisfactory drainage arrangements?

5.2 Principle of the Development

The proposed dwelling would be situated within the Charfield settlement boundary, and the curtilage of an existing dwelling. Therefore, in view of policy H2 and H4 of the adopted local plan, it is considered that the 'principle' of residential development in this location would be acceptable, subject to the proposal satisfying the other material considerations, such as density, design, residential amenity, and highway safety. These issues are examined below.

5.3 Efficient Use of Land

PPS3 sets out that a key consideration for planning is using land efficiently. In order to deliver this objective, Policy H2 of the adopted Local Plan requires new residential development to have the maximum density compatible with the site, its location, its accessibility, and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare (dph) and that higher densities will be achieved where local circumstances permit.

5.4 In the previous planning application (PT09/5526/F) the density of the development equated to 12.5 dph. It was considered by Officer's that this density did not make the most efficient use of the land compatible with the site's location, and no satisfactory reasons were forwarded by the applicant to justify

- why this could not be achieved. To overcome this issue the applicant has amended the scheme to include an additional dwelling.
- 5.5 This additional unit has increased the density of the proposed development to 25 dph. It is acknowledged that this density still falls beneath expectation to achieve 30 dph. Notwithstanding this, it is considered that the proposal would now make the most efficient use of the application site, as the density would be compatible with the site and its surrounds. If three dwellings were to be put on this site the density would be 37.5 dph, and this would not be compatible.
- 5.6 It is noted that the Parish Council objected to the proposal on two grounds. Firstly they considered the development would be over-development, and secondly they objected to the general 'principle' of PPS3 and Policy H2 to achieve the maximum density compatible with the site. Notwithstanding these points, PPS3 (Paragraph 50) is clear that:
- 'the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment'* .
- 5.7 It is considered that the applicant has demonstrated that this proposal would deliver a more efficient use of land without compromising the quality of the local environment. On this basis, it is considered that the proposal would not result in over-development. With regard to the general 'principle' of PPS3 and Policy H2 of the Local Plan, it should be noted that this is the established national and local policy framework for infill development. As such this is a material consideration for this application, and if Officer's were to defer away from the aims of this policy it would constitute a departure from the adopted Development Plan.
- 5.8 Design
Policy D1, L1, and H4 of the adopted Local Plan identifies that new development will be permitted where the development is informed by, respect, and enhance the character and distinctiveness and amenity of both the site and the surrounding area. In terms of the character of the surrounding area, Charfield Hill is a quiet residential street, which is characterised by large detached/semi-detached dwellings which are set back from the highway. The development is fairly ad-hoc and varies in age. For this reason there is not a uniform or particularly well defined architectural style or house type. The application site is situated towards the end of the street and is well screened from public view by the existing dwelling. The site itself comprises of a large detached dwelling, which is set within extensive grounds.
- 5.9 The proposed development comprises of two detached dwellings that would be laid out in a L-shape fashion. Plot 1 relates to a large detached dwelling that is one and half storeys in scale. This dwelling is situated at right angles to the existing bungalow. It is considered that the overall layout, bulk, and scale of this building would be akin to that of the host dwelling and other buildings in the locality, and thus is considered to be appropriate. Plot 2 relates to a much

smaller building that would be situated to the north of the Plot 1. The building would be one and half storey in scale, but would be read to be subservient to Plot 1.

- 5.10 In terms of landscaping, the Council's Landscape Architect considered that the existing site was well integrated into the landscape largely by reason of quantities of garden trees and shrubs. Many of these will probably be lost as a result of construction. As such it is recommended that a suitable landscape scheme should be implemented to ensure that the proposed dwellings are integrated into the landscape. This shall be attached via condition.
- 5.11 To conclude, the general design, layout, scale, massing, detailing, and materials, of both proposed dwellings would be of a high quality and therefore would offer a suitable design approach for the site. On this basis, it is concluded that the proposed development would respect the character and appearance of both the site and locality and would accord to policies D1, L1 and H4 of the adopted Local Plan.
- 5.12 Residential Amenity
The proposed dwelling would be surrounded by residential development on three sides. The effect of the development on the amenities of these occupiers is therefore considered below: -
- 5.13 *Development to the south-west*
Approximately 29m to the south west of the proposed dwelling would be 'Hammerley House'. It is considered that this distance would prevent any direct inter-visibility between the properties, and would mitigate against an overbearing effect. It is acknowledged that the proposed dwelling would back onto the garden of this property. Nevertheless there would be no material overlooking that would prejudice privacy.
- 5.14 *Development to the east*
Approximately 24m to the south east would be a semi-detached pair (The Bushes and The Hollies). It is considered that this distance would again prevent any direct inter-visibility between the properties, and would mitigate against an overbearing effect. It is noted that the proposed first floor windows in the front elevation of Plot 1. However these views would be from approximately 12m and would look into the very rear extent of the garden.
- 5.15 Plot 2 would include a large landing window on the buildings east elevation. This window would afford view into the adjacent dwellings rear garden. Nevertheless it is considered that any loss of privacy to the occupiers would be limited. Firstly, the window would serve a non-habitable room. Secondly the window would overlook the very rear extent of the garden, and thus this section of the garden is unlikely to be used on a daily basis. For reasons, it is considered on balance, that the plot 2 would not materially harm residential amenity. Moreover over this relationship would not be material different to those relationships that are often seen in established residential areas.

- 5.16 *Development to the south*
The proposed dwelling would be situated approximately 21.5m from the host dwelling, which is situated to the south of the site. It is considered that this distance would again prevent any direct inter-visibility between the properties, and would mitigate against an overbearing effect.
- 5.17 In view of the above, it is considered that the proposed development would not prejudice the residential amenity of nearby occupiers. The development would therefore accord to policy D1, H2 and H4 of the adopted Local Plan.
- 5.18 Amenity Space
The proposed development would include an area of private amenity space for both dwellings. It is considered that this a
- 5.19 Transportation
The proposed development would gain access to Charfield Hill through a shared access driveway beside the host dwelling and the adjacent dwelling. The development would also include three parking spaces to the front of the proposed dwelling. Nevertheless the site cannot accommodate larger service vehicles and so roadside bin collection would need to take place. As a consequence future occupants would have to transfer waste further than is desirable, though whilst this may not comply fully with Building Regulations, there are not any highway safety implications. On this basis, it is concluded that the proposed development would accord to policies H2, H4, T8 and T12 of the adopted Local Plan.
- 5.20 Drainage
The Councils Drainage Engineer has concluded that they had no objection to the scheme, subject to a condition ensuring the use of Sustainable Drainage Systems (SUDs) on the site. Moreover they advised that the new hard standing is required to ensure surface water run-off is retained at source. On this basis it is considered that the proposed drainage arrangement would be satisfactory and in accordance with policy L17/L18 of the adopted Local Plan.
- 5.21 Design and Access Statement
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.
- 5.22 Use of Energy and Sustainability
To be built to Building Regulations.
- 5.23 Improvements Achieved to the Scheme
None.
- 5.24 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.
- a) The proposed residential development would be situated within the Charfield settlement boundary and within the curtilage of an existing dwelling. It is considered that this is an appropriate area for residential development. It is therefore considered that the principle of the proposed development would accord with PPS3 and policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - b) The density of the proposed development would equate to 25 dwellings per hectare. It is considered that this represents the most efficient use of land that is compatible with the site and its surrounds. The proposed development would therefore accord with PPS3 and policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - c) The design and landscape impact of the proposed development has been fully assessed. It is considered that the development would achieve good standards of siting planning and design. This is because the siting, overall layout, density, form, scale, height, massing, detailing, materials, are informed by, and respect and enhance the character and appearance of the site and locality. The proposed development would therefore accord with PPS3 and policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - d) The impact of the proposed development on nearby properties has been fully assessed. It is considered that the siting and layout of proposal would not result in a material loss of privacy or an overbearing effect. The proposed development would therefore accord with Policy H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - e) The impact of the proposed development in terms of transportation has been fully assessed. It is considered that proposal would have satisfactory access and parking arrangements. The proposed development would therefore accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

- f) The drainage arrangements of the proposed development have been fully assessed. It is considered that subject to a condition securing Sustainable

Drainage Systems the proposal would be acceptable. The proposed development would therefore accord with Policy L17/L18 of the South Gloucestershire Local Plan (adopted) January 2006.

- 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 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 development hereby approved shall be retained as two separate residential units such that they are capable of independent self-contained accommodation.

Reason

To ensure that the development achieves most efficient use of land compatible with the site and its surrounds, and to accord with PPS3 and policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall take place until a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details, and shall be implemented within the first planting season following the first occupation of the development hereby approved.

Reason

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

4. No development shall commence until surface water drainage details have been submitted to, and approved in writing by the Local Planning Authority. For the

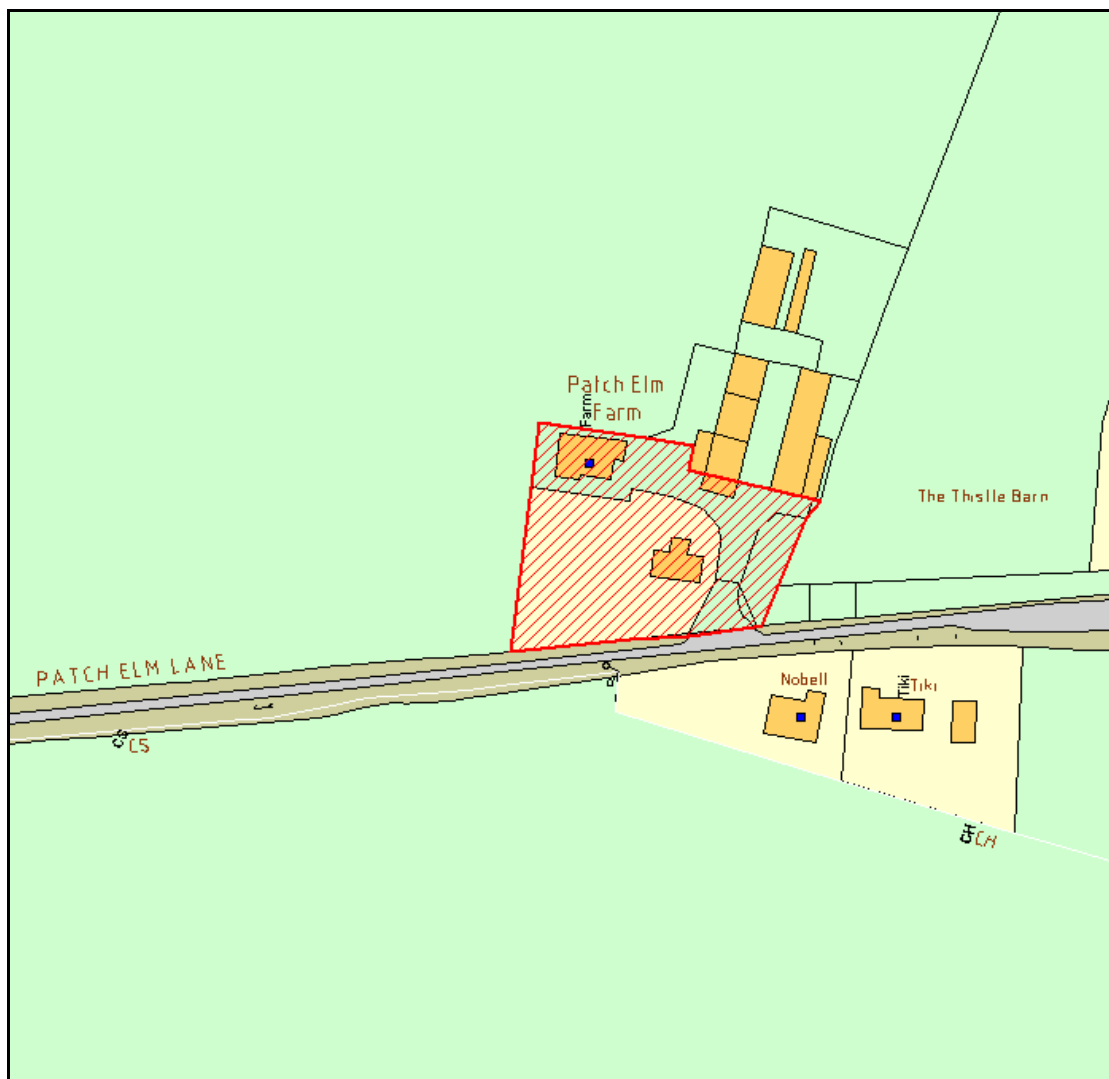
avoidance of doubt the details shall incorporate Sustainable Drainage Systems (SUDS) for the disposal of surface waters. Where this is not practicable it must be demonstrated that an acceptable alternative means of surface water disposal is incorporated. Development shall be carried out in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 14/10 – 16 APRIL 2010

| | | | |
|----------------------------------|---|-------------------------|-------------------------------|
| App No.: | PT10/0553/CLE | Applicant: | Mr And Mrs T Cox |
| Site: | Patch Elm Farm Patch Elm Lane Rangeworthy Bristol South Gloucestershire | Date Reg: | 11th March 2010 |
| Proposal: | Application for Certificate of Lawfulness for existing use as a residential dwellinghouse and for the continued use of land (outlined in red on plan) for residential purposes. | Parish: | Rangeworthy Parish Council |
| Map Ref: | 368771 185335 | Ward: | Ladden Brook |
| Application Category: | Minor | Target Date: | 5th May 2010 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT10/0553/CLE**

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application is for a Certificate of Lawfulness for the existing use of Patch Elm Farm, Patch Elm Lane as a residential dwellinghouse and for the continued use of land (outlined in red on plan) for residential purposes.
- 1.2 This is a modern detached single storey dwelling located outside the defined settlement boundary of Rangeworthy, in the open countryside.
- 1.3 It is noted that the original planning consents for the property with an agricultural workers tie P87/1590 (Outline) and P87/2476 (Reserved Matters) were never implemented as the property was built outside the 'red edge' as stipulated in these applications. This application for a Certificate of Lawfulness therefore solely relates to the use of Patch Elm Farm, Patch Elm Lane as a residential dwellinghouse and for the continued use of land (outlined in red on plan) for residential purposes.

2. POLICY CONTEXT

2.1 National Guidance

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

3. RELEVANT PLANNING HISTORY

P87/1590 – Erection of dwellinghouse and garage for farmworker (Outline). Approval 17/06/1987.

P87/2476 – Erection of detached bungalow for occupation by farmworker (Reserved Matters). Approval 21/10/1987.

PT09/0587/F - Erection of first floor extension to include 1 no front and 1 no rear dormer window and erection of single story side extension to provide additional living accommodation and attached garage. Installation of Juliet Balcony to side elevation. Single storey front extension to provide porch area. Installation of chimney. Approval 21/05/2009.

4. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION

The applicant has submitted a collection of existing photographs of the property (including aerial photographs), previous application plans, five statutory declarations, and the planning officer's delegated report for application PT09/0587/F.

5. **SUMMARY OF CONTRARY EVIDENCE**

None.

6. **OTHER REPRESENTATION RECEIVED**

Rangeworthy Parish Council

No objection.

7. **EVALUATION**

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

In this instance the applicant needs to demonstrate that the property has been in situ and in residential use for a continuous period of at least four years immediately prior to the submission of this application.

The applicants have provided evidence in the form of five signed Statutory Declarations. In addition to Statutory Declarations signed by the applicants (Mr & Mrs T Cox), three further witnesses have also signed Statutory Declarations confirming construction and occupation of the dwelling since 1990 and that this occupation has taken place on a permanent and continuous basis.

Evidence confirming the existence of the property in its current siting in excess of four years is submitted in the form of aerial photographs taken in 1999 and 2004. This is verified by the Council's own aerial photographs dated from 1999 which also clearly shows the property as being in situ and plotted on the Council's Mapping system. Indeed, the property is also visible on the Council's aerial photograph dated 1991.

Given this evidence and considering the well established appearance of Patch Elm Farm, the claim that the property has been in situ and in continuous residential use for in excess of 4 years has been demonstrated on the balance of probability. It is demonstrated that the property has been in situ and in residential use for the requisite period.

7. **RECOMMENDATION**

7.1 A Certificate of Lawfulness for the existing use of Patch Elm Farm, Patch Elm Lane as a residential dwellinghouse and for the continued use of land (outlined in red on plan) for residential purposes is **GRANTED**.

Contact Officer: William Collins
Tel. No. 01454 863819