



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

CIRCULATED SCHEDULE NO. 13/10

Date to Members: 09/04/10

Member's Deadline: 15/04/10 (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 you request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

Dates and Deadlines for Circulated Schedule
Over the May Bank Holiday Period 2010

Schedule Number	Date to Members 9am on	Members Deadline 5pm on
16/10	Thurs 29 April 2010	Thurs 06 May 2010
20/10	Thurs 27 May 2010	Thurs 03 Jun 2010

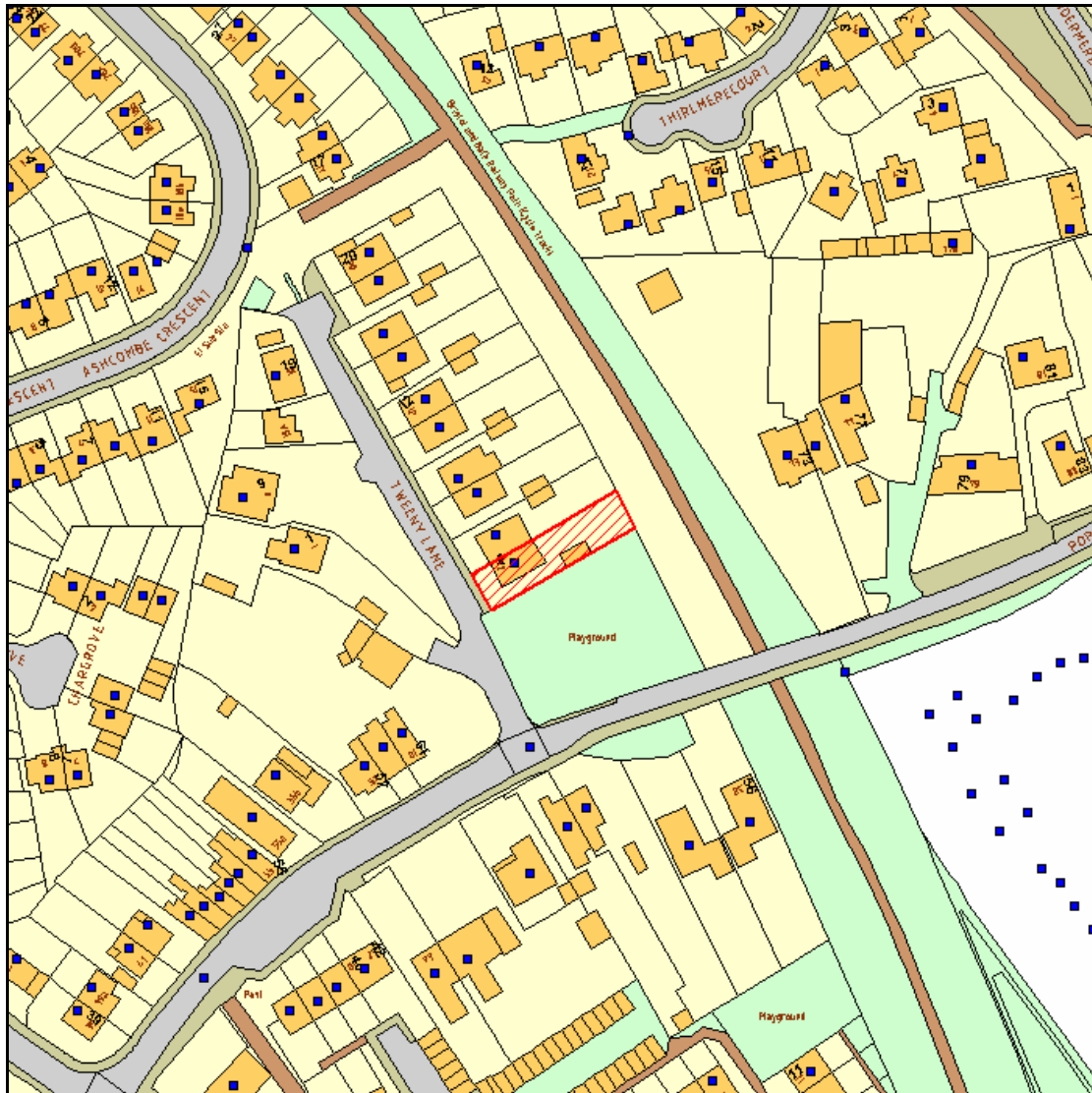
CIRCULATED SCHEDULE – 9 APRIL 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/0103/F	Refusal	2 Tweeny Lane North Common South Gloucestershire BS30 5JT	Oldland	Bitton Parish Council
2	PK10/0177/F	Approve with Conditions	St George Promotions Kennington Avenue Kingswood South Gloucestershire	Kings Chase	None
3	PK10/0303/CLP	Refusal	7 Amberley Close Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
4	PT10/0047/CLP	Approve with Conditions	The Birches New Passage Road Pilning South Gloucestershire BS35 4LZ	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
5	PT10/0294/CLP	Approve with Conditions	The Nook 40 Rudgey Park Rudgey South Gloucestershire BS35 3RU	Thornbury South And	Alveston Parish Council
6	PT10/0295/F	Approve with Conditions	1st Floor Grovesend House Thornbury Motors Grovesend Road Thornbury South Gloucestershire BS35 2EG	Thornbury South And	Thornbury Town Council
7	PT10/0366/CLP	Approve with Conditions	37 Watch Elm Close Bradley Stoke South Gloucestershire BS32 8AL	Stoke Gifford	Bradley Stoke Town Council
8	PT10/0405/F	Approve with Conditions	Land At Tortworth Road Tortworth Wotton Under Edge South Gloucestershire GL12 8AE	Charfield	Cromhall Parish Council
9	PT10/0410/ADV	Approve with Conditions	Georgian House High Street Thornbury South Gloucestershire BS35 2AQ	Thornbury North	Thornbury Town Council
10	PT10/0435/F	Approve with Conditions	Unit 8a Ram Hill Business Park Ram Hill Coalpit Heath South Gloucestershire BS36 2TX	Westerleigh	Westerleigh Parish Council
11	PT10/0441/F	Approve with Conditions	33 Eastland Road Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council
12	PT10/0452/LB	Approve with Conditions	Georgian House 6 High Street Thornbury South Gloucestershire BS35 2AQ	Thornbury North	Thornbury Town Council
13	PT10/0477/CLP	Approve with Conditions	4B Worthing Road Patchway South Gloucestershire	Patchway	Patchway Town Council

ITEM 1

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.: PK10/0103/F	Applicant: Mr Williams
Site: 2 Tweeny Lane North Common Bristol South Gloucestershire BS30 5JT	Date Reg: 21st January 2010
Proposal: Erection of detached double garage.	Parish: Bitton Parish Council
Map Ref: 367597 172680	Ward: Oldland Common
Application Category: Householder	Target Date: 15th March 2010



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100023410, 2008. **N.T.S.** **PK10/0103/F**

INTRODUCTION

This application appears on the Circulated Schedule as representations have been received contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a large detached garage in the rear garden of a semi detached two storey property.
- 1.2 The application property is an extended two storey semi detached dwelling located on the eastern side of Tweeny Lane, North Common. The property has a single detached garage in the rear garden, sited approximately 3 metres from the rear elevation of the dwelling. This will be demolished to allow for access to the proposed garage. At the rear of the garden there is a small shed and a small greenhouse, which will also be demolished to make way for the garage. The property benefits from a single storey rear extension.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Documents
The South Gloucestershire Design Checklist SPD (Adopted Aug 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 No history.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Councillors supported this application recognising that the height of the proposed garage would be shielded by the hedge behind, a tiled roof is preferable to a flat one and matches the house. They felt the proposals were an improvement over the existing situation.

Other Representations

- 4.3 Local Residents
Five letters of objection have been received, (three from one household), raising the following points.

- The inclusion of a basin and w.c. looks like plans for a commercial/semi-industrial building and could be used to repair cars etc – especially as next to childrens’ playground
- Trees on the cycle path and neighbouring garden would have to be cut back/uprooted – damaging them
- The access for cars in Tweeny Lane is narrow and is close to the childrens’ playground
- The garage would be totally inappropriate for the location
- Parking problems in Tweeny Lane – driveway may not be wide enough to get car into garage
- The garage will overshadow garden of No. 4
- The proposed hardstanding will create large surface runoff – causing problems to the sewer system
- Concern raised over height of garage – will be overbearing with large floor area
- Garage will be out of character with the area – incongruous appearance to the streetscene
- Access to property directly adjacent to access to playground

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows for the principle of development within residential curtilages providing it is within keeping with the character of the area and subject to considerations of design, residential amenity and highway safety.

5.2 Residential Amenity

The proposed garage will measure 6.4 metres in width by 8.1 metres in depth. It will have a monopitch roof with a height to eaves at the front of 2.5 metres, rising to a maximum height of 4.0 metres at the rear. The garage would be sited 0.2 metres from the rear and both side boundaries. The walls would be rendered and there would be concrete tiles. On the front elevation there would be a pedestrian door and a large roller-shutter door.

5.3 The dwellings to the east side of the cul-de-sac of Tweeny Lane are situated along a straight line, with long gardens leading down towards the Bristol to Bath Cycle Path that is sited to the rear of the gardens. There is a childrens’ playground adjacent to the application property. The area is open in character.

5.4 Concern has been raised over the size of the proposed garage, especially in relation to its setting in a residential curtilage. From the submitted plans the garage is capable of holding at least two cars, with room to spare. It has a maximum height of 4.0 metres at the rear. Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 requires that the scale, height, massing of new development must respect and enhance the character, distinctiveness and amenity of both the site and the locality. Additionally, the South Gloucestershire Design Checklist (Adopted Aug 2007) requires that development must “be informed and shaped by the characteristics of the site”. The site is residential in nature, and additionally, being located directly adjacent

the childrens' playground is a prominent location that is relatively open in character. It is considered that the proposed garage, with a proposed height at the rear of 4.0 metres, with a monopitch roof will lead to a building that is very large and bulky in nature which will be incongruous to the residential street scene. It is therefore considered that the proposed garage due to its size and massing, is excessive for the setting and will be detrimental to the visual amenity of the site and its wider locality.

- 5.5 Support has been received for the garage by the Parish Council, who state that the height of the garage will be shielded by the trees at the rear. However, Officers consider that any ameliorating effect of the trees will not overcome the height and massing of the proposed garage. The Parish Council also supported the application as an improvement over the existing situation. However, the existing shed and greenhouse is very small and is not considered to be having a detrimental effect on visual amenity.
- 5.6 Concern has been raised over the overbearing effect of the proposed garage. Although the garage might create some overshadowing in the adjacent gardens, it is considered that due to the distance of the garage from the dwelling, it is considered that the garage will not have an overbearing effect on the occupiers of the adjacent dwellings.
- 5.7 Design
Policy H4 requires development within residential curtilages to respect the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area. It is considered the design of the proposed garage with a monopitch roof and roller-shutter doors does not respect the character of the site and locality, which is residential in nature. It is considered the design is not sympathetic to the existing houses and garages, which have pitched roofs. It is therefore considered that the proposed garage will be detrimental to the visual amenity of the site and the wider area, and therefore does not accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006
- 5.8 Other Matters
The inclusion of a washbasin and w.c. have lead to concerns over its use, however, no application for a change of use has been received, therefore the proposed garage can only be used for purposes incidental to the enjoyment of the dwelling.
- 5.9 The proposed garage is directly adjacent trees on the Bristol/Bath Cycle Path. These trees are owned by the Council, and no tree protection measures were submitted with the application. If the application were to be recommended for approval, full tree protection measures would need to have been submitted to the Council before work could commence.
- 5.10 A large area of hardstanding is proposed. If the application were to be recommended for approval, a suitable sustainable drainage scheme would need to be submitted.

5.11 Highway Matters

The proposals do not include any alteration to the existing access. As the proposed development is residential, it is considered that there will be no impact on highway safety.

5.12 Amenity Space

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be **REFUSED** for the following reason.

Contact Officer: Elizabeth Dowse
Tel. No. 01454 862217

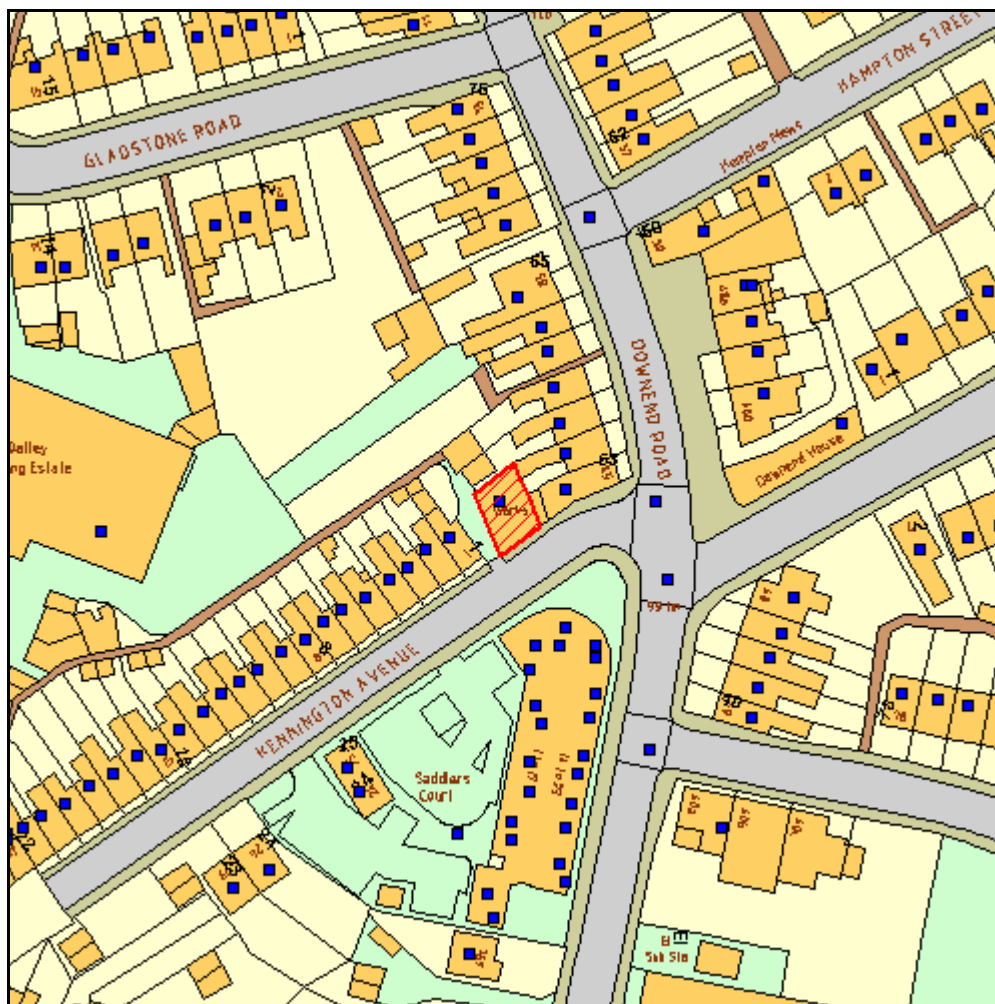
REASON

The proposed garage, by reason of its scale, height, design, appearance and materials would result in a development that would be detrimental to the visual amenity of the site and the local area, contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

ITEM 2

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PK10/0177/F	Applicant:	Mr Dickson
Site:	St George Promotions Kennington Avenue Kingswood Bristol South Gloucestershire	Date Reg:	2nd February 2010
Proposal:	Change of use from Workshop (Class B1) to Residential (Class C3) (as defined in the Town and Country Planning (Use Classes) Order 2005) to facilitate the formation of 2no. dwellings. Erection of front dormer and alteration of rear roofline.	Parish:	None
Map Ref:	364602 174254	Ward:	Kings Chase
Application Category:	Minor	Target Date:	24th March 2010



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100023410, 2008.

N.T.S.

PK10/0177/F

INTRODUCTION

This application has been referred to the Circulated Schedule because objections have been raised by a local resident which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a workshop (92 sq.m.) building located at the north-eastern end of Kennington Avenue and to the rear of nos.53 & 55 Downend Road, Kingswood.
- 1.2 It is proposed to demolish part of the building and convert the remainder to form 2no. two-bedroom dwellings.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG13 - Transport

2.2 Development Plans

Joint Replacement Structure Plan

Policy 1 - Principles
Policy 2 - Location of Development
Policy 17 - Landscape
Policy 33 - Housing Provision and Distribution
Policy 54 - Car Parking Provision

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
H2 - Residential Development within the Existing Urban Areas
H5 - Re-Use of Buildings for Residential Purposes
H6 - Affordable Housing
RT9 - Primary Shopping Frontages
LC1 - Provision for Built Sports, Leisure and Community Facilities (Developer Contributions)
LC2 - Provision for Education Facilities (Developer Contributions)

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD (Adopted) 23 Aug 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 K6925 - Retention of use of existing workshop premises for sign manufacture.
Approved 9 Jan 1992
- 3.2 P91/4009 - Application for established use – Light Industrial (B1) Use
Approved 8 Apr 1991
- 3.3 PK05/1398/O - Demolition of existing industrial site to facilitate the erection of 4no. self-contained flats (Class C3) (Outline) with siting and means of access to be determined. All other matters reserved.
Withdrawn 6 July 2005
- 3.4 PK05/2275/O - Demolition of existing industrial site to facilitate the erection of 2no. two-bedroomed houses (Class C3) (Outline) with siting and means of access to be determined. All other matters reserved.
Withdrawn 19 Feb 2008.

4. CONSULTATION RESPONSES

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

Other Representations

- 4.3 Local Residents
1no. letter of objection was received from the occupant of no.59 Downend Road. The concerns raised are summarised as follows:
- Overlooking of neighbouring garden from rear velux windows.
 - Increased on-street parking may block access to garage of no.59.
 - Would result in more fly-tipping of rubbish in the area.
 - The access should be suitably surfaced and kept clear at all times.
 - The lane should be kept clear of rubbish and vehicles during the construction phase.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The site relates to an existing building within the Urban Area and as such is previously developed land and can therefore be assessed as a brownfield windfall site. In this respect alone there is no in-principle objection to the development of the site for residential use.
- 5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, the locational

strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres.

- 5.3 Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes.
- 5.2 The proposal falls to be determined under Policy H5 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 which permits the conversion of non-residential properties for residential use subject to the following criteria:
- 5.3 **A. Would not prejudice the character of the surrounding area; and**
- 5.4 The existing building is a single-storey construction comprising brick and rendered walls with an asymmetrical, 3 x dual pitched roof covered in asbestos sheeting. The building, which is currently vacant, sits among predominantly two-storey residential properties, most of which are early 20th C terraced houses with traditional Pennant Sandstone frontages and tiled roofs; Sadlers Court located directly opposite the site is a modern red brick apartment complex. The workshop building itself exhibits some age but is not considered to include any heritage features worthy of retention.
- 5.5 The design rationale is to retain the existing character of the workshop and to minimize the impact on the existing street scene. The proposed conversion to a residential use would conform to the residential character of the location. The rear third of the building would be demolished to provide amenity areas to the rear. The existing industrial style roof would be modified to create a mansard style roof with two modest flat roofed dormers to the front and a series of velux roof-lights to the rear. The roof covering would be re-constituted slate and the walls would be covered in oatmeal through coloured render. Windows would be white upvc and the doors upvc Oak effect.
- 5.6 The overall scale and form of the building would not significantly change and would still appear subservient to the terraced houses on either side. Whilst the appearance of the old workshop exhibits some charm, the proposed conversion would enhance the street scene. On balance therefore the character of the surrounding area would not be prejudiced.
- 5.7 **B. Would not prejudice the amenities of nearby occupiers; and**
- 5.8 A rough driveway separates the building from the side elevation of no.1 Kennington Avenue, which is a blank elevation. To the north-east of the application site are the rear elevations and gardens of nos.53 & 55 Downend Road. These properties have blank gable ended extensions to the rear, although there is a first floor rear window in the main body of no.53. A single-storey lean-to extension takes up much of the area to the rear of no.53 and there are some rough single-storey outbuildings to the rear of nos.57 & 59.

- 5.9 Given that the overall bulk and mass of the building would not significantly change, there are no concerns about loss of light or overbearing impact. In terms of loss of privacy from overlooking or inter-visibility, there would be no windows in the side elevations of the proposed dwellings. The only windows to the rear would be velux roof-lights serving bedrooms. Whilst these windows may allow some limited overlooking of the rear gardens and outbuildings of nos. 57 & 59, this is not considered to represent such a significant loss of privacy as to justify refusal of planning permission. There are existing windows in the rear of the workshop and given the high density of residential development in this central location, some overlooking of gardens from neighbouring first floor windows is considered to be a ubiquitous situation. At ground floor level the proposed 1.8m high walls and fences would provide an adequate sense of enclosure, privacy and security.
- 5.10 Concerns have been raised that the proposal would result in increased fly-tipping, presumably within the driveway. Officers consider that the presence of occupied residential properties in place of the redundant workshop would provide increased passive surveillance, which would be more likely to deter would be fly-tippers. Furthermore in terms of noise, the proposed residential use of the building is preferred to a potentially uncontrolled and noisy industrial use. On balance therefore officers are satisfied that the proposal would not have a significant adverse harm on residential amenity.
- 5.11 **C. Would identify an acceptable level of off-street parking; and**
- 5.12 The existing workshop does not have any designated car parking as such, although the roller shutter door and dropped kerb to the front would allow vehicles to access the building, which was at one time used for vehicle repairs. The rough lane to the side is in joint ownership and there are access rights to the rear of the building. In support of the application, the applicant has commissioned a Transportation Statement from a suitable consultant.
- 5.13 No off-street parking is proposed for the development and concern has been raised by a local resident about a possible increase in on-street parking in Kennington Avenue where car parking is currently unrestricted.
- 5.14 The Council's adopted car parking standards are outlined in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and these are maximum standards. In certain cases, Policy T8 permits car free developments where locations have:
- Good accessibility by non-car modes.
 - Where there is adequate public off-street or shared parking available.
- 5.15 The application site lies within a sustainable area only 450m from the centre of Kingswood with all of its shopping and service facilities. The nearest bus stop is only 100m away in Downend Road and there are a number of bus services in the location.
- 5.16 The potential re-use of the workshop would in itself generate traffic and most likely on-street parking. Whilst the proposed residential use may result in some on-street parking, this would to some extent be compensated for by the loss of

the workshop use and any further need to access the building via the existing roller shutter door and dropped kerb. Given the above and that secure cycle parking would be provided for each dwelling, officers raise no objection on highway grounds.

5.17 Bin storage would be within the private amenity areas to the rear and the applicant's agent has confirmed his willingness to accept a condition to secure a re-surfacing of the lane to the side, from where bins could be collected.

5.18 **D. Would provide adequate amenity space.**

5.19 The rear third of the existing building would be demolished to provide adequate private amenity space for the use of future occupants.

5.20 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Council's Drainage Engineer has raised no objection to the proposal. All foul sewage and surface water disposal would be to the mains sewer.

5.21 Landscape

There is no vegetation within the site or none that would be affected. Furthermore there are no features of the landscape that would be adversely affected.

5.22 Ecology

Officers have inspected the existing building and found no evidence of bird nests. There is however legislation to prevent the disturbance of nesting birds that is best covered by an informative attached to any permission granted.

5.23 Affordable Housing

The proposal is for 2no. dwellings only, which is below the Council's threshold (15) for affordable housing provision.

5.24 Education Service

The proposal is for 2no. dwellings only, which is below the Council's threshold (5) for contributions to the Education Service.

5.25 Community Services

The proposal is for 2no. dwellings only, which is below the Council's threshold (10) for contributions to Community Services.

5.26 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.

5.27 Use of Energy and Sustainability

The applicant has indicated that the development would be carried out to a high standard of Eco homes construction although no specific code level has been quoted. It is proposed to improve the thermal performance of the building and to use dual flush toilets and high efficiency appliances.

5.28 Improvements Achieved to the Scheme

Re-surfacing of the side lane, secured by condition.

5.29 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED subject to the following conditions:

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. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other

than those expressly authorised by this permission] shall be inserted within the roof or side elevations of the dwellings hereby approved.

Reason

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

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

Reason

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

4. The hours of working on the site for the period of construction of the development hereby approved, shall be restricted to 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

In the interests of residential amenity and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.

5. Prior to the first occupation of either of the dwellings hereby approved, the cycle parking arrangements shall be provided in full accordance with the details shown on the approved Proposed Block Plan.

Reason

To encourage the use of sustainable forms of transport and to accord with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.

6. Prior to the first occupation of either of the dwellings hereby approved the boundary fences and walls shall be erected in full accordance with the plans hereby approved.

Reason

In the interests of residential amenity and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.

7. Prior to the first occupation of either of the dwellings hereby approved, the lane on the south-western side of the existing workshop shall be re-surfaced with a bound material.

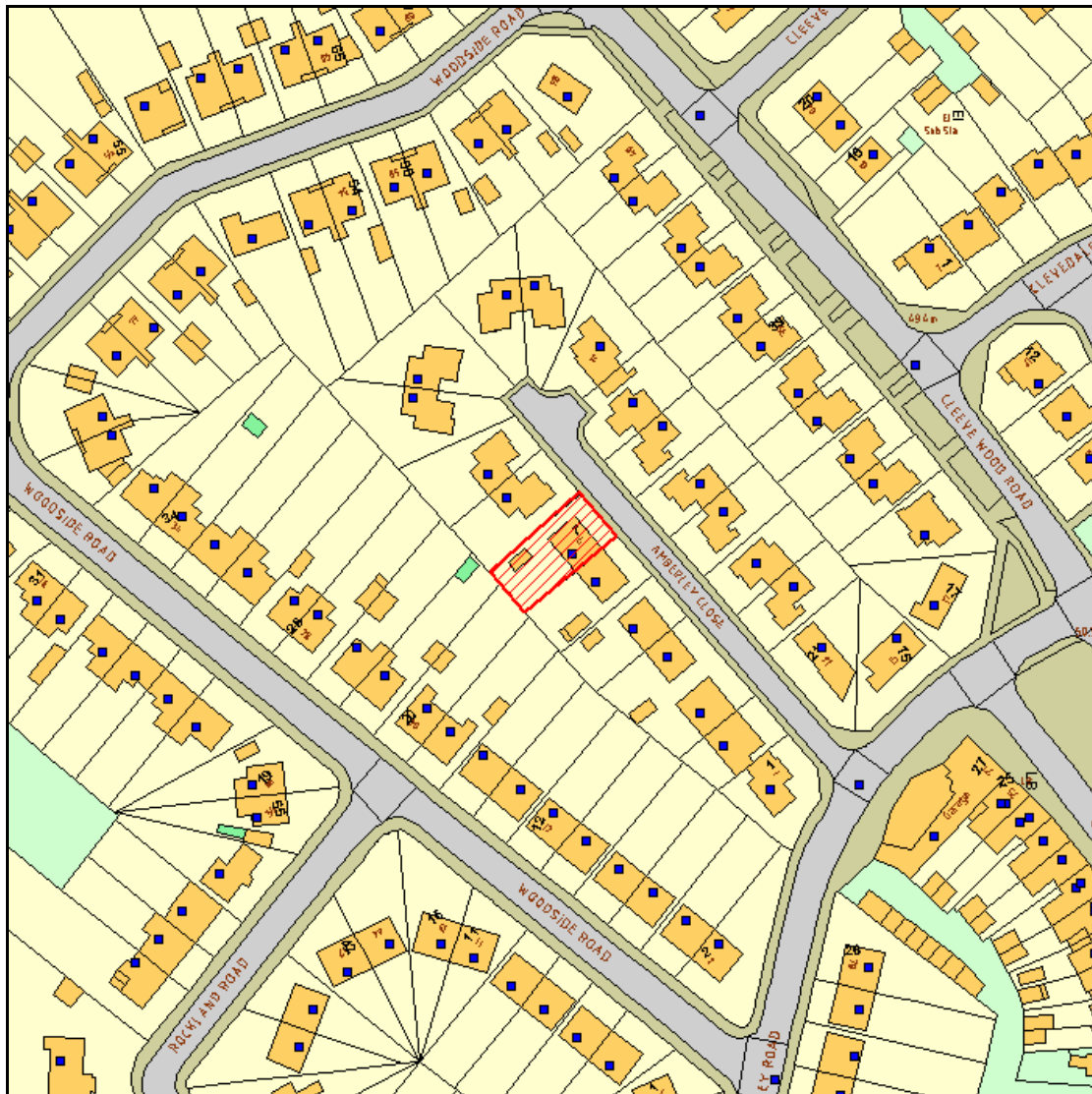
Reason

To prevent stone scatter onto the highway and in the interests of visual and residential amenity to accord with Policies D1, H5 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

ITEM 3

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PK10/0303/CLP	Applicant:	Mrs Jones
Site:	7 Amberley Close Downend Bristol South Gloucestershire BS16 2RR	Date Reg:	19th February 2010
Proposal:	Installation of rear dormer with Juliette balcony to facilitate loft conversion.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364545 177354	Ward:	Downend
Application Category:	Minor	Target Date:	16th April 2010



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100023410, 2008. **N.T.S.** **PK10/0303/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 A certificate of Lawfulness for a proposed development has been applied for in relation to the installation of a rear dormer with a Juliette balcony. The application property is a two storey semi detached dwelling and is located within Downend.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission. Accordingly there is no consideration of planning merit; the decision is based on the facts presented.

2. POLICY CONTEXT

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

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- 3.1 No history.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No comment.

Other Representations

- 4.2 Local Residents
One letter has been received, although stating no objection does raise concerns over party wall issues.

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 lawfully 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 The proposed development consists of the installation of a rear dormer with a Juliette Balcony. This development would fall under the criteria of Schedule 2, Part 1, Class B of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (Development within the curtilage of a dwelling house), which allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof provided that it meets certain criteria.

5.3 Under the provisions of Class B, developments which fail any of the following criteria would not be permitted:

B1 Development is not permitted by Class B if—

(a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

The proposed dormer will not exceed the height of the highest part of the existing roof.

(b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

The proposed dormer will be on the rear elevation, which is not a principal elevation and does not front a highway.

(c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case;

The dwelling is semi detached and the cubic content of the proposed dormer is 30 cubic metres, according with the requirements of (ii) above.

(d) it would consist of or include—

(i) the construction or provision of a veranda, balcony or raised platform, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

The proposed dormer will have a Juliette balcony. Therefore, as stated in (i) above, the development is not permitted under this Class.

(e) the dwellinghouse is on article 1(5) land.

The application site is not located on article 1(5) land.

5.3 Use of Energy and Sustainability

No measures proposed

5.4 Improvements Achieved to the Scheme

None necessary

5.5 Other Issues

This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit and the Development Plan is not of relevance to the determination of this application. A letter of representation has been received raising concerns over Party Wall issues; this is not a planning matter.

5.6 Conclusion

Due to the proposed Juliette balcony attached to the proposed rear dormer, the proposed rear dormer does not comply with schedule 2, Part 1 Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 and is not permitted development.

6. RECOMMENDATION

6.1 That a Certificate of Lawfulness for Proposed Development is refused for the following reason;

The proposed rear dormer includes the installation of a Juliette balcony and as such the proposal does not comply with schedule 2, Part 1 Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008.

Contact Officer: Elizabeth Dowse
Tel. No. 01454 862217

REASONS FOR REFUSAL

1. The proposed rear dormer includes the installation of a Juliette balcony and as such the proposal does not comply with schedule 2, Part 1 Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008.

ITEM 4

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PT10/0047/CLP	Applicant:	Mr M Exon
Site:	The Birches New Passage Road Pilning Bristol South Gloucestershire	Date Reg:	18th January 2010
Proposal:	Application for Certificate of Lawfulness for the proposed installation of rear dormer window to facilitate loft conversion.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354460 186204	Ward:	Pilning And Severn Beach
Application Category:		Target Date:	22nd April 2010



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100023410, 2008. **N.T.S.** **PT10/0047/CLP**

INTRODUCTION

This application is being circulated to Member's as a matter of standard procedure because it comprises of a Certificate of Lawfulness submission

1. THE PROPOSAL

- 1.1 The application is for a Certificate of Lawfulness for a first floor rear dormer window with Juliette balcony.
- 1.2 The application site consists of a large two storey detached house located in a well-established residential area of Pilning. This property has permitted development rights in tact.

2. POLICY CONTEXT

- 2.1 Town and Country Planning (General Permitted Development) Order 2008

3. RELEVANT PLANNING HISTORY

- 3.1 P86/2511 Erection of a single storey rear extension.
Approved. 12 November 1986.
- 3.2 PT09/5955/CLP Application for a Certificate of Lawfulness for the proposed installation of rear dormer window to facilitate loft conversion. **Withdrawn.**
8 January 2010.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No objection.

Other Representations

- 4.3 Local Residents
1 letter received raising concerns about the proposal resulting in overlooking of rear garden.

5. ANALYSIS OF PROPOSAL

- 5.1 Introduction
This application is seeking a Certificate to state that the proposed use is lawful. It is not a planning application where the relative merits of the scheme are assessed against policy, rather it is an evidential test of whether it would be lawful to proceed with the proposal. Accordingly, the key evidential test in this case is whether proposals fall within the recently amended permitted development rights afforded to householders.

It must be ascertained whether the proposed dormer falls within the limits set in The Town and Country Planning (General Permitted Development) Order 2008, Schedule 2, Part 1, Class B by means of size and positioning.

5.2 Rear Dormer Window with Juliette Balcony

Class B allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. Development would not be permitted by Class B if-

Any part of the dwellinghouse would as a result of the works exceed the height of the highest part of the existing roof;

The proposed dormer window would not be higher than the highest part of the existing roof apex as shown on plan 'Proposed Plans & Existing & Proposed Elevations job no.2245 Drg No. 001/A'.

Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

The dormer window would be located on the south-west side of the property and would not extend beyond a roof slope which forms the principle elevation of the dwellinghouse.

The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case;

The proposed dormer window would have a volume of approximately 4 square metres. A previous roof extension equates to approximately 42.6 metres squared (see 'Roof Volume Calculations' submitted with the application). As such including the proposed dormer, this would equate to 46.6 metres squared overall which is less than the 50 metres squared permitted for a detached house.

It would consist of or include—

(i) the construction or provision of a veranda, balcony or raised platform, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

The proposal would include a Juliette balcony. Previous planning appeal decisions have indicated that Juliette balconies are permitted development (see cases: 'Site at Eagles park Horsely (24/11/2009) & 25 Minster Road, Oxford (26/11/2009). Moreover informal guidance from the Communities and Local Government department suggests that where there is a balustrade but no external access, this would be permitted development.

(e) the dwellinghouse is on article 1(5) land.

The host dwelling is not situated within a Conservation Area.

Conditions

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

The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
Construction of the proposed dormer window is underway and it is evident to the officer that the materials used in the construction of the proposal are similar in appearance to those used in the construction of the existing dwellinghouse.

Other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof; and
Given that the proposal faces on to a flat roof, the edge of the enlargement closest to the eaves would be more than 20 centimetres from the eaves of the original roof.

Any window inserted on 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.

No windows are proposed in either side elevation of the proposed dormer window.

6. RECOMMENDATION

6.1 That a Certificate of Proposed Lawful development is GRANTED for the following reason:

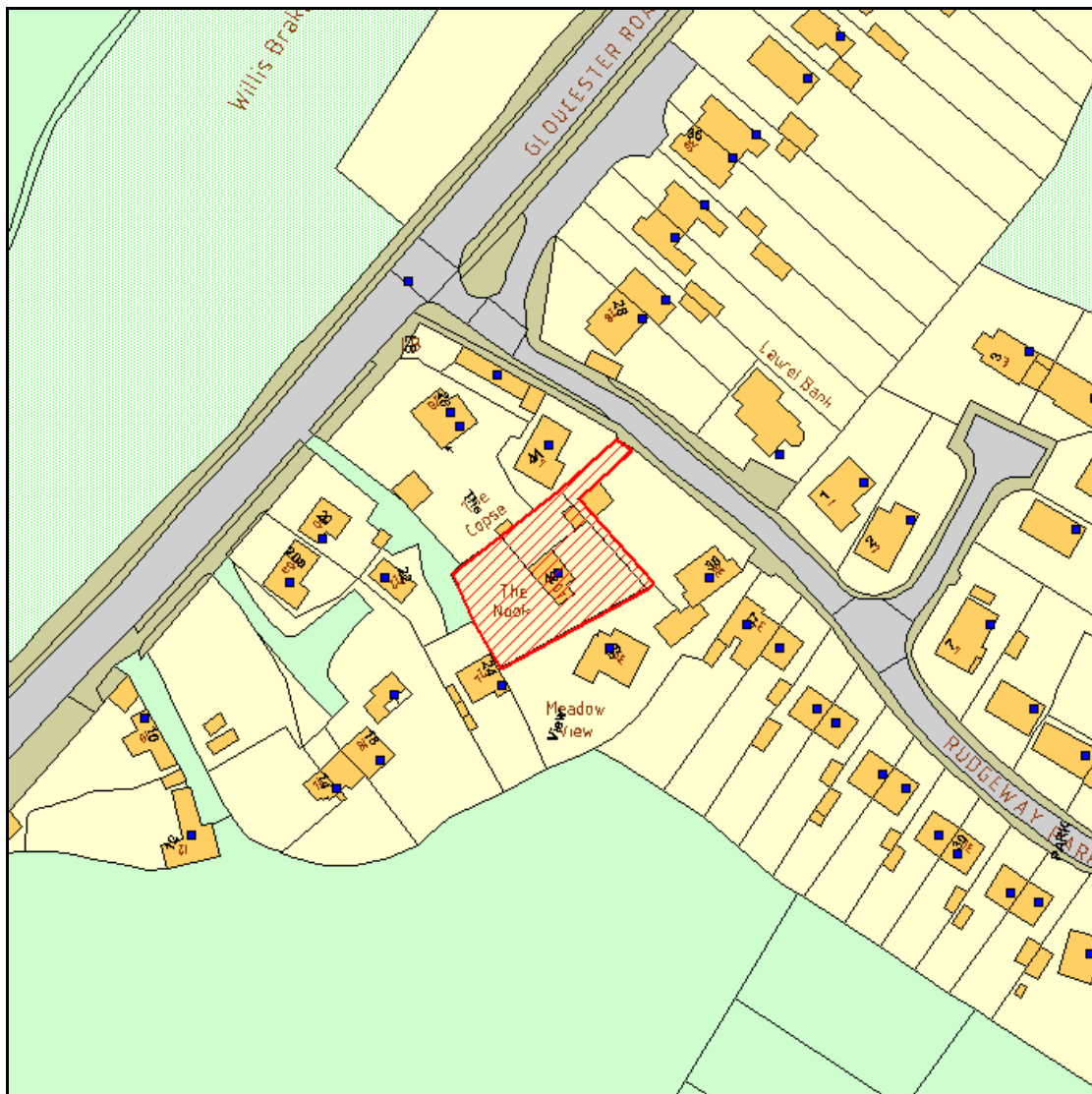
Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of a dwellinghouse under Part 1 Class B of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

ITEM 5

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PT10/0294/CLP	Applicant:	Mr K Bunting
Site:	The Nook 40 Rudgeway Park Rudgeway Bristol South Gloucestershire	Date Reg:	16th February 2010
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a two storey extension	Parish:	Alveston Parish Council
Map Ref:	362474 186325	Ward:	Thornbury South And Alveston
Application Category:		Target Date:	8th April 2010



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INTRODUCTION

This application appears on the Circulated Schedule as it is for a Certificate of Lawfulness for a Proposed Development.

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether a proposal to construct a two storey extension within the residential curtilage of The Nook (40 Rudgeway Park) is lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.
- 1.2 The proposed extension would be approximately 2.0 m deep, 2.3 m wide and 5.9 m in height. Materials would be to match existing.

The site lies within the existing urban area of Rudgeway.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 1995 Article 24
Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class A. (referred to in this report as GPDO 2008)

3. RELEVANT PLANNING HISTORY

P92/2278 – Erection of two storey side extension to form enlarged lounge, utility room and cloakroom with two bedrooms and bathroom above. Approved 23/12/1992.

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

No objection.

Other Representations

4.2 Local Residents

One letter stating 'no objection'.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Site plan, existing and proposed plans and elevations drawing.

6. **EVALUATION**

The application for a Certificate of Lawfulness is purely an evidential test. The test of evidence to be applied is whether the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence. As has been set out already the case made here is that the proposed two storey extension falls within the permitted development rights enjoyed by householders under the GPDO 2008. Accordingly, if this case is made successfully there is no consideration of planning merit nor an opportunity for planning conditions. The development is simply lawful or not lawful according to the evidence.

The key issue here is the operation of the permitted development rights, namely Part 1, Class A which allows householders "The enlargement, improvement or other alteration of a dwellinghouse". There is no evidence that permitted development rights have been removed in this instance and there is no dispute as to the extent of the residential curtilage put forward. Accordingly, it is accepted that the permitted development rights apply to this site which is in use as a single dwelling house. The remaining issues are whether the proposed development falls within the remit. The limitations on the operation of Class A in respect of single storey rear extensions are as follows:

- Extensions (including previous extensions) and other buildings must not exceed 50% of the total area of land around the original house. The submitted plans demonstrate this.
- Materials used in exterior work to be similar in appearance to those of the exterior of the existing house. The submitted plans demonstrate this.
- If extension is within two metres of a boundary maximum eaves height should be no higher than 3 metres. The proposed extension does not fall within two metres of a boundary.
- Extension must not extend beyond the rear of the original house by more than 3 metres or be within 7 metres of any boundary of the dwellinghouse opposite the rear wall of the dwellinghouse. The submitted plans demonstrate this.
- Maximum eaves and ridge height of extension no higher than existing house. The submitted plans demonstrate this.
- The proposed development is not on "article 1(5)" land eg within a conservation area or within the curtilage of a listed building. This is not the case.

Accordingly, on the balance of probability the evidence points to the proposed development falling within Schedule 2, Part 1, Class A, of the GPDO 2008.

7. **RECOMMENDATION**

- 7.1 That a Certificate of Lawfulness of Proposed Use be granted as it has been shown on the balance of probability that the proposal would fall within Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted

Development) (Amendment) (No. 2) (England) Order 2008. Therefore the proposal does not require planning permission.

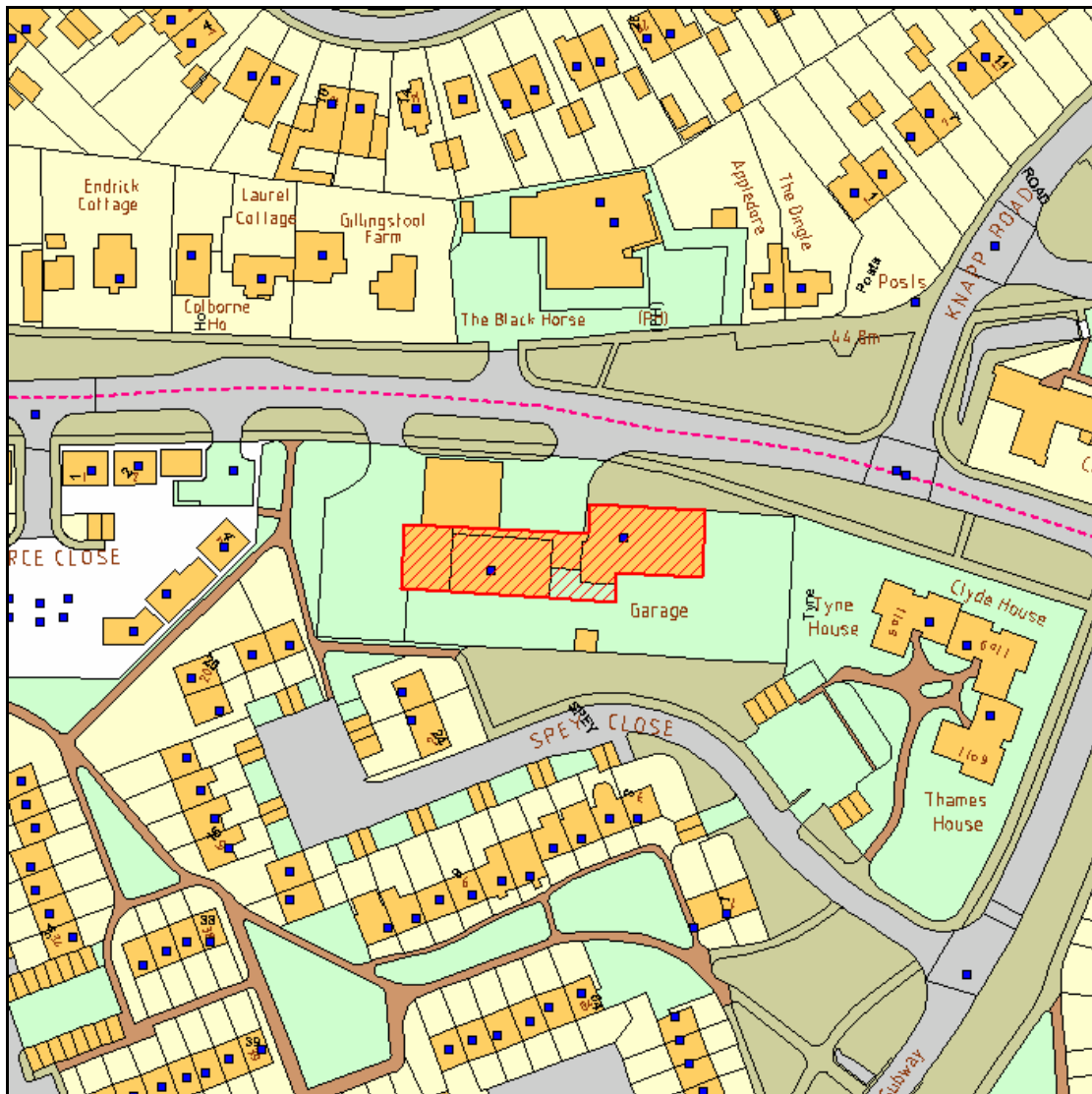
Contact Officer: William Collins
Tel. No. 01454 863819

CONDITIONS

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

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PT10/0295/F	Applicant:	Mr R Kingscott
Site:	1st Floor Grovesend House Thornbury Motors Grovesend Road Thornbury Bristol	Date Reg:	26th February 2010
Proposal:	Change of Use of first floor from office use (Class B1) to body art studio and art studio (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Thornbury Town Council
Map Ref:	363999 189901	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	22nd April 2010



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 100023410, 2008. **N.T.S.** **PT10/0295/F**

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of a representation from Thornbury Town Council that was contrary to the Case Officers recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the change of use of the first floor office use (Class B1) to a body art studio and art studio (Sui generis).
- 1.2 The applicant has explained that the use would involve a tattoo parlour and an ancillary art studio.
- 1.2 The application site relates to an existing office above a car sales showroom. The site is situated within a well established residential area within the Thornbury settlement boundary.

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 in New Development
- T12: Transportation Development Control Policy for New Development
- E3: Employment Development within Defined Settlement Boundaries

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

2.4 Emerging Policy

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

3. RELEVANT PLANNING HISTORY

- 3.1 N1427 Change of use of part of premises from accessory shop to office in connection with driving school (104 square feet)
Approved 12.06.1975
- 3.2 N1427/1 Erection of extension to existing shop premises.
Approved 22.01.1981
- 3.3 P85/1891 Installation of 6000 gallon underground petroleum tank and additional pump.

Approved 28.12.1986

- 3.4 P87/1047 Installation of 8,000 gallon underground petroleum storage tank
Approved 04.03.1987
- 3.5 P91/2386/A Display of non-illuminated fascia signs and box sign (in accordance with additional details received by the council on 11TH october 1991)
Approved 11.11.1991
- 3.6 PT04/2157/F Erection of side extensions to form additional workshop and valeting space.
Approved 05.08.2004
- 3.7 PT04/3991/F Erection of side extensions to form additional workshops and valeting space. (Resubmission of PT04/2157/F dated 05 August 2004).
Approved 31.01.2005
- 3.8 PT05/0422/ADV Display of 8 no. fascia and 1 no. free standing illuminated and non-illuminated signs.
Approved 19.05.2005

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
OBJECT – Insufficient detail provided on the type of business to be carried out on these premises.
- 4.2 Sustainable Transportation
No objection
- 4.3 Local Residents
One letter of support has been received. The main points are summarised below: -
A. Create jobs.
B. Attract people to Thornbury.
C. Expand

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission to change the use of an existing office (Class B1) to a body art studio (sui generis). The key issues to address in the assessment of this proposal are:
- (1) Is the principle of the proposed development acceptable in this location?
- (2) Is the impact of the development on the residential amenity of local residents acceptable?

(3) Are the transportation implications of the development acceptable?

(4) Would the proposal have acceptable environmental effects?

5.2 Principle of Development

It is considered that that the proposed body art studio and art studio use would be classified as 'economic development'. This is because the development would fall within the definition given within Paragraph 4 of PPS4. This highlights that a proposal that satisfies at least one of the following objectives would be classified as 'economic development'

1. Provides employment opportunities

2. Generates wealth or

3. Produces or generates an economic output or product

5.3 On this basis the most relevant policy in the adopted Local Plan would be Policy E3. This policy allows for economic development providing that the proposal would not have unacceptable effects on residential amenity, transportation, and the environment.

5.4 Residential Amenity

The proposed use would be situated within the first floor of an existing car showroom. The site is detached from surrounding residential area and therefore it is considered that the proposal would not materially harm residential amenity.

5.4 Transportation

It is considered that the proposal would not give rise to unacceptable levels of vehicular traffic, and the proposal includes satisfactory access and parking arrangements. The Council's Transportation Engineer has assessed the proposed development and has raised no objection.

5.5 Environmental

It is considered that the proposed use would not result in any adverse environmental effect and would be appropriate for an established urban area.

5.6 Use of Energy and Sustainability

None.

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 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 use is considered to be economic development and therefore the principle of the proposed use within the Thornbury Settlement Boundary would be acceptable. The proposal development accords with Policy E3 of the South Gloucestershire Local Plan (adopted) January 2006.
 - a) The impact of the proposed development on the residential amenity of nearby occupiers has been fully considered in this application. It was concluded that the proposed development would not give rise to material levels of noise and disturbance. On this basis the proposed development would accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) The transportation effects of the proposed development have been considered in this application. It was concluded that the proposed development would not have an unacceptable effect on highway safety. On this basis the proposed development would accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - c) The environmental effects of the proposed development have been considered in this application. It was concluded that the proposed development would unacceptably harm the environmental. On this basis the proposed development would accord with Policy E3 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.

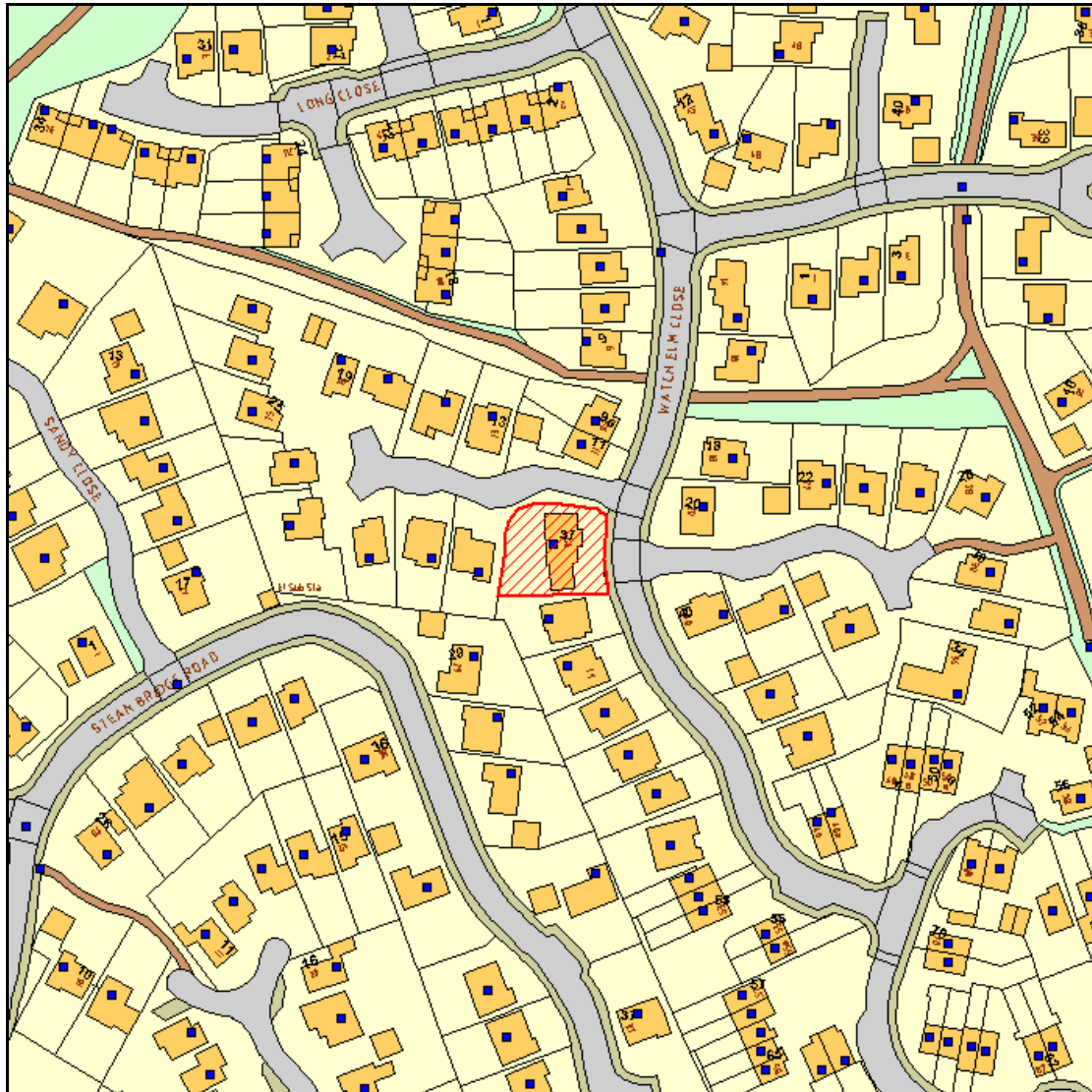
Reason

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

ITEM 7

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PT10/0366/CLP	Applicant:	Mr N Todd
Site:	37 Watch Elm Close Bradley Stoke Bristol South Gloucestershire BS32 8AL	Date Reg:	26th February 2010
Proposal:	Application for Certificate of Lawfulness for the proposed erection of rear conservatory.	Parish:	Bradley Stoke Town Council
Map Ref:	362219 180757	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	16th April 2010



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INTRODUCTION

This application is being circulated to Members as a matter of formal procedure as it consists of a request for a Certificate of Proposed Lawful Development.

1. THE PROPOSAL

- 1.1 The applicant seeks clarification that a proposed rear conservatory does not require planning permission. The application site relates to a detached two-storey dwelling situated in a well established residential area of Bradley Stoke. The House has its permitted development rights in tact.

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 Frampton Cotterell Parish Council
Not in a position to respond

- 4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 This application is seeking a Certificate to state that the proposed development is lawful. It is not a planning application where the relative merits of the scheme are assessed against policy, thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. It is an evidential test of whether it would be lawful to proceed with the proposal. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

Accordingly, the key evidential test in this case is whether proposals fall within the permitted development rights afforded to householders.

It stands to be ascertained whether the proposed development falls within the limits set in The Town and Country Planning (General Permitted Development) Order 2008, Schedule 2, Part 1, Classes A, B, C and D by means of size and positioning.

- 5.2 Conservatory

Class A allows for the enlargement, improvement or other alteration of a dwellinghouse. Development is not permitted by Class A if—

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 Block Plan shows that the host property benefits from a modest curtilage and the proposed development, together with the existing dwelling would not exceed 50% of the total area of the curtilage.

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 ‘Proposed Ground Floor Plan and Elevations’ Plan (Sheet 2 of 3) submitted with the application, demonstrates that the proposed conservatory would not exceed the height of the roof apex of the existing dwellinghouse.

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 ‘Proposed Ground Floor Plan and Elevations’ Plan (Sheet 2 of 3) submitted with the application, demonstrates that the eaves heights of the proposed conservatory would not exceed that of the existing dwellinghouse.

*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 eastern elevation, which fronts onto Watch Elm Close. The proposed conservatory would not extend past the front building line of the property as can be seen on the Block Plan.

*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 conservatory would be an addition to a detached dwellinghouse and does 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.

*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 proposed conservatory would not be more than one storey tall.

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 proposed conservatory would be more than 2 metres from the boundary of the curtilage of the dwellinghouse and the height to eaves of the proposed conservatory would be circa 2 metres above ground level.

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*
- (iii) have a width greater than half the width of the original dwellinghouse;*

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

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 proposed conservatory would not comprise any of the above.

Conditions

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

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;

Given that the development consists of a conservatory this condition is considered to be met.

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*

No upper-floor windows are proposed. This condition is considered to be met.

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 conservatory. This condition is also considered to be met.

6. RECOMMENDATION

6.1 A Certificate of Lawfulness for Proposed Development be **GRANTED**

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

ITEM 8

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PT10/0405/F	Applicant:	Four Pillars Hotels Limited
Site:	Land At Tortworth Road Tortworth Wotton Under Edge South Gloucestershire GL12 8AE	Date Reg:	26th February 2010
Proposal:	Installation of 4m high sewer monitoring column with antennae.	Parish:	Cromhall Parish Council
Map Ref:	369816 191125	Ward:	Charfield
Application Category:	Minor	Target Date:	20th April 2010



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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 installation of a 4m high sewer monitoring column with antenna.
- 1.2 The application site relates to a section of land that forms a highways verge on the west side of Tortworth Road. The use of the monitoring station antenna is to provide monitoring on a continual regular basis for H2S gases within the public sewer.
- 1.3 A previous application (PT10/0067/F) was withdrawn due to Officer's concerns over inaccurate plans.

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
L1 Landscape Protection and Enhancement

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

PT10/0067/F - Installation of 4m high sewer monitoring column with antennae.
Withdrawn 23/02/2010.

4. CONSULTATION RESPONSES

4.1 Cromhall Parish Council

No objection raised.

4.2 Other Consultees

Landscape

No objection.

Environmental Services

No objection.

Other Representations

4.3 Local Residents

One letter of objection received on the grounds that an antenna and mast is not necessary.

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 Design / Visual Amenity

The Council's Landscape Officer was consulted as a part of this application. Along Tortworth Road there are several columns used for both power cables and street lighting, and the proposed sewer monitoring antenna would be similar in size, scale and appearance to these columns. The antenna will be dark green in colour and this is considered acceptable. It is considered that the antenna would not compromise the visual amenity of the local area and countryside beyond. The proposal therefore accords with Policies D1 and L1 of the Local Plan.

5.3 Residential Amenity

The proposed antenna would be situated on the opposite side of Tortworth Road, away from neighbouring properties. Therefore the proposal would have no adverse impact upon the residential amenity of neighbouring occupiers. The proposal therefore accords with Policy D1 of the Local Plan.

5.4 Other Matters

A letter of objection was received on the grounds that the use of an antenna for the scheme was not necessary as an Analogue Private Circuit (APC) could be used. The agent was contacted and specified that this was not an option and that the existing wireless GPS currently underground needed to have a stronger signal above ground so that the system could be controlled remotely. Notwithstanding this information, the planning application has been dealt with on its own individual merits and is considered acceptable in its current form.

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 antenna 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 antenna is of a satisfactory size and scale and would respect the visual amenity of the surrounding area. The development therefore accords to Policy D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

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.

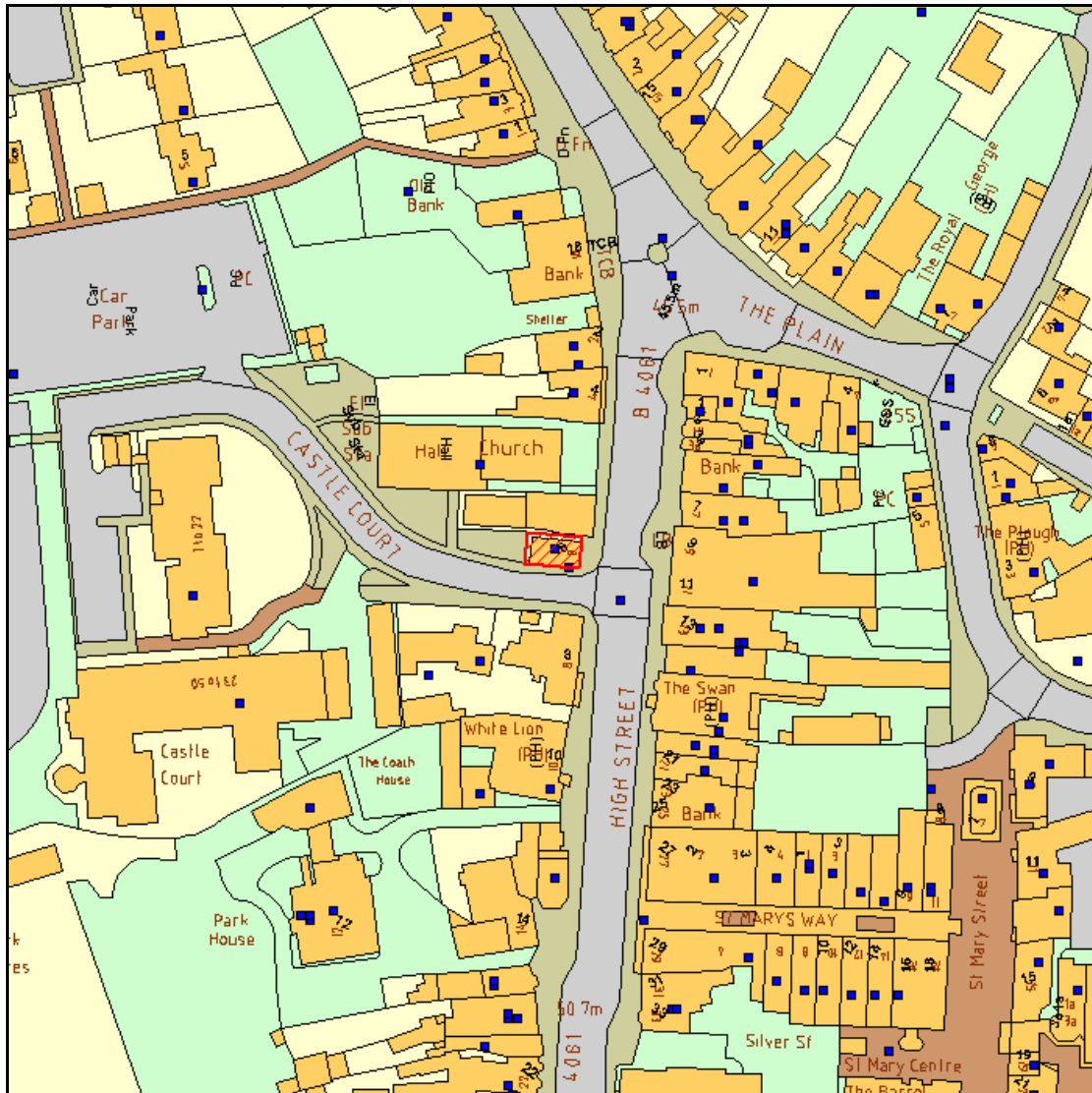
Reason

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

ITEM 9

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.: PT10/0410/ADV	Applicant: Mr D Parkhill
Site: Georgian House High Street Thornbury Bristol South Gloucestershire	Date Reg: 2nd March 2010
Proposal: Display of 1 no. hanging sign and 1 no. fascia sign	Parish: Thornbury Town Council
Map Ref: 363660 190117	Ward: Thornbury North
Application Category: Minor	Target Date: 21st April 2010



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N.T.S.

PT10/0410/ADV

1. **THE PROPOSAL**

- 1.1 The applicant seeks Advertisement Consent for the display of 1 no. hanging sign and 1 no. fascia sign.
- 1.2 This is a Grade II Listed Building located on Thornbury High Street within the Conservation Area. Under previous applications the building has been known as 'The Register Office' but in this application is referred to as 'The Georgian House'.
- 1.3 Planning permission was recently granted for the change of use of the premises from office use (B1) to hot food takeaway (A5) under applications PT09/5936/F and PT09/5937/LB.

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG19	Outdoor Advertisement Consent

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
L12	Conservation Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. **RELEVANT PLANNING HISTORY**

PT09/5936/F and PT09/5937/LB – Change of Use from Office (Class Use B1) to Hot Food Takeaway (Class Use A5) (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include installation of extractor fan, flue and roofing over rear courtyard and associated works. Approved 15/01/2010.

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council

No objection raised.

Other Representations

4.2 Local Residents

No response.

4.3 Thornbury & District Heritage Trust

Object on the grounds that the use of vinyl is inappropriate, the size of the hanging sign is too large and insufficient information has been submitted regarding colours of the proposed signage.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

PPG19 advises that advertisements should only be assessed on visual merit and impact upon public safety. It is not necessary to consider the actual need for new advertisements.

Accordingly, consent for the display of advertisements will be granted provided that the advertisements would not be detrimental to the immediate location in which it is to be displayed, by virtue of its size, siting, materials, colour or illumination, or that the cumulative effect of the proposal would be detrimental to character and visual amenity of locality. The proposal should not prejudice public safety.

The proposal is therefore considered acceptable in principle subject to the following detailed assessment.

5.2 Visual Amenity

Originally it was proposed to erect a Perspex / vinyl fascia sign set above the door in a dark blue background with gold lettering which will project approx 100mm out from the stonework. The Council's Conservation Officer commented that the use of vinyl in this location is not acceptable, as this tends to have a shiny and rather cheap appearance. The applicant therefore agreed to the use of a painted timber board sign instead as this material is deemed appropriate.

The hanging sign will be in wood with a painted blue background and gold lettering. The use of wood is considered acceptable as is the size and scale of the sign considering other examples on the High Street and the buildings location set back from the neighbouring property to the north.

5.3 Public Safety

The signs are at a suitable height and a suitable distance from the edge of the carriageway. As such, it is not considered that the signs will have any impact on existing levels of public safety. The Highways Officer raises no objection.

6. **CONCLUSION**

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

7. RECOMMENDATION

7.1 That Advertisement Consent is **GRANTED**.

Contact Officer: William Collins
Tel. No. 01454 863819

CONDITIONS

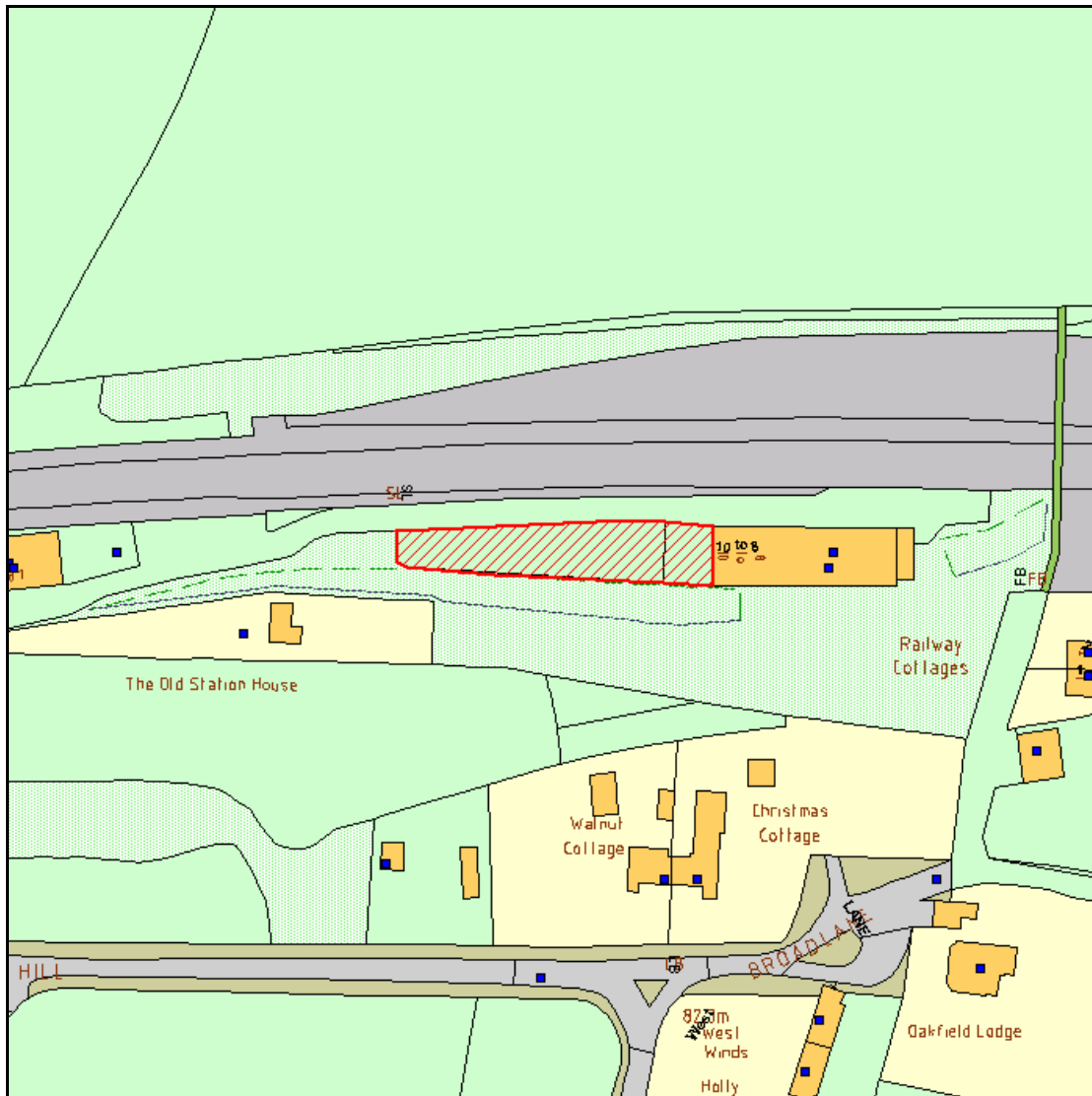
1. Notwithstanding the plans submitted the sign above the entrance door shall be constructed of timber with painted lettering. No advertisements shall be displayed until further details and samples of the facing materials (of both the hanging sign and the sign above entrance door) proposed and details of illumination to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the appearance of the Thornbury Conservation Area and to accord with Policies D1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PT10/0435/F	Applicant:	Performance Direct
Site:	Unit 8a Ram Hill Business Park Ram Hill Coalpit Heath Bristol South Gloucestershire	Date Reg:	2nd March 2010
Proposal:	Change of Use from light industrial (Class B1) to storage and distribution of cars (Class Use Sui Generis) (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (Retrospective)	Parish:	Westerleigh Parish Council
Map Ref:	367905 180295	Ward:	Westerleigh
Application Category:	Minor	Target Date:	23rd April 2010



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 100023410, 2008. **N.T.S.** **PT10/0435/F**

INTRODUCTION

This application is circulated as the recommendation conflicts with two opposing representations.

1. THE PROPOSAL

1.1 The site consists of a portal framed industrial building associated car parking and a storage compound.

1.2 This is a revised application to the planning application refused in 2009 for Change of Use from light industrial (B1(c)) to storage and distribution of cars sold via the internet (Sui generis) as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended). Retrospective application. The refusal reasons were set out as :

1) The proposed change of use involves the sale of motor vehicles to the public and associated activities on this site. This has characteristics most similar to a retail use. The use would take place in an out of centre location as defined in Policy RT5 of the South Gloucestershire Local Plan (Adopted) January 2006. The applicant has not demonstrated that this location is the most sequentially appropriate location for a retail car showroom and as such the proposed change of use is contrary to the provisions of Policy RT5 of the South Gloucestershire Local Plan (Adopted) January 2006; and PPS6.

1.3 A supporting planning statement is submitted with the application which explains how the business operates.

- The business is operated by only Mr and Mrs Thompson (no other employees), purchased vehicles which are either collected by proprietor or delivered on a transporter approximately once a month.
- The cars are cleaned by outside contractors and no repairs are carried out on site. Photographs are placed on the company's web site from where the customer is encouraged to make an appointment to 'come to view and /or test drive the vehicle'. This statement advises that appointments are to be between the working hours of 9am and 6pm dependant upon the day but closed on a Sunday. The customer may return to collect the car another day.
- All cars are stored inside a locked compound or building.
- The company expect to sell around 7 cars a week.
- The number of visitors would be around the same number as for a light industrial use.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPS4	Planning for Sustainable Economic Growth.

2.2 Adopted Joint Replacement Structure Plan

Policy 16 Green Belt

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
GB1	Development in the Green Belt
RT5	Out of town and Edge of Centre Retail Development
E6	Employment Development in the Countryside
EP4	Noise Sensitive Development
LC12	Recreational Routes
T6	Cycle and Pedestrian Routes
L4	Forest of Avon

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD Adopted August 2007
Development in the green Belt SPD Adopted May 2007

3. RELEVANT PLANNING HISTORY

3.1 PT08/2366/F Change of Use from light industrial (B1(c)) to storage and distribution of cars sold via the internet (Sui generis) as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended). Retrospective application. Refused for the following reason:

1) The proposed change of use involves the sale of motor vehicles to the public and associated activities on this site. This has characteristics most similar to a retail use. The use would take place in an out of centre location as defined in Policy RT5 of the South Gloucestershire Local Plan (Adopted) January 2006. The applicant has not demonstrated that this location is the most sequentially appropriate location for a retail car showroom and as such the proposed change of use is contrary to the provisions of Policy RT5 of the South Gloucestershire Local Plan (Adopted) January 2006; and PPS6.

3.2 PT06/2062/F Change of use from General Industrial Use (Class B2) to Car Sales (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (Retrospective). Refused April 2007 for the following reasons:

1) The proposed change of use would result in a retail use (sale of motor vehicles) that would take place in an out of centre location as defined in Policy RT5 of the South Gloucestershire Local Plan (Adopted) January 2006. The applicant has not demonstrated that this location is the most sequentially appropriate location for a retail car showroom and as such the proposed change of use is contrary to the provisions of Policy RT5; and PPS6.

2) The proposed change of use would result in unacceptable levels of vehicular traffic at the junction with Henfield Road and Ram Hill which is a sub-standard junction in visibility terms; and would result in unacceptable levels of vehicular traffic on a rural highway network that is part of the South Gloucestershire Quiet Lanes Initiative and as such would have a negative impact upon the objectives of that initiative and the safety and amenity of the

surrounding highway. The proposed change of use is therefore contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 3.3 PT02/0760/F Extension to existing industrial building for light industrial use. Recladding of existing building. Approved with conditions including the removal of rights to use the building for uses other than that proposed.
- 3.4 P97/1943 Use of Land for Industrial Purposes Approved January 98

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No objection

- 4.2 Sustainable Transport
In 2006 a previous application, PT06/2062/F was refused in part due concerns over poor visibility at the Ram Hill / Henfield Road junction. However, industry standards have subsequently been relaxed and the junction complies with current guidelines. There have been no reported accidents at the junction over recent years.

The overall level of development traffic is likely to be below average (for the use class) given that the business is internet based and not visible from the road, reducing the potential for passing trade. Whilst a slight increase in vehicles movements is anticipated, it would be difficult to demonstrate that this increase will be significant when considered against the other traffic generated by the business park. It would be even harder to demonstrate that the additional traffic will compromise highway safety given that no specific problems have been identified with the network in the locality.

On this basis no transportation objection is raised.

- 4.3 Local Residents
Letters and emails have been received from 2 residents during the consultation period associated with this planning application. The comments are made in objection and can be summarised as follows;

- Flouting planning restrictions
- Type of cars sold, area used as a trial speed area, is a hazard to all users making a mockery of the Quiet Lanes Concept. Used by walkers, dogs cyclists and horse riders.
- There is significant traffic after 6pm of weekdays and in general through the weekends and this continues to be the case. Advertised in the local press as well as internet as being an open show room.
- Existing customers and continued display of cars on the forecourt means a great deal of spontaneous traffic (ie without appointments).

- Nature of cars being high performance causes loud and fast entrance and exit from the site causing nuisance and traffic danger at the exit to writers property.
- accuracy of transport report questioned.
- do not want to a change from the existing use or hours of operation in this residential area.
- Lack of enforcement of actual sales and times of operation.
- The left turn ban is ignored by this unit and others causing extra traffic around Ram Hill.
- The site is in a residential area.
- This use does not produce as many jobs as its permitted use allows.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development details the change of use of an existing industrial unit for the purpose of car sales. The development does not propose to extend the existing buildings.
- 5.2 There is no difference between the previous proposal and the current application but it is resubmitted as there has been a change in policy in that PPS4 has been issued.

The application claims that the use is wholly for internet car sales whereas the previous use was for general car sales. However in reality cars are marketed on the website but not sold without being seen and tested in person (at least in general) so the business is not a 'wholly internet based car sales business' as suggested in the Supporting Planning Statement. The internet appears instead to be used to market the product, perhaps with more detail than other car sales garages offer on-line. Viewings are by appointment only between 9am and 6pm Monday to Friday and 9.30am to 3.30pm.

5.3 Principle of Development

The proposed use, i.e. a showroom for the sale of motor vehicles, falls within a *sui generis* use although it is considered that, as prospective purchasers do visit the site to view and test drive cars it is retail in character with customers coming to site to consider purchasing a vehicle. The development does not include any mechanical/body repair or servicing element. It is therefore considered that the proposed use is retail and policy RT5 of the South Gloucestershire Local Plan (Adopted) January 2006 is the most appropriate policy by which to assess this planning application.

- 5.4 Policy RT5 indicates that retail uses are not acceptable outside of defined town centres unless it can be demonstrated that it complies with the sequential tests as defined within the policy. In this instance customers are drawn to a rural location in the green belt where the site is not accessible to forms of transport other than the private car and the applicant has not demonstrated that the proposed development would meet the sequential tests. The proposed development fails in principle in relation to the Local plan policy. However the new PPS4 is a material consideration which offers a more positive approach as the proposal provides employment facilities. In particular policy EC12(d) of

PPS4 sets out that planning authorities should approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, particularly those adjacent or closely related to towns or villages. In this instance, the subject building is within an established industrial estate/business park. Although it is located within the rural area, it is within a short distance of the Village Development Boundary associated with Coal pit Heath. Policy EC12(d) goes on to set out the criteria for assessment of each individual case. In this instance, the subject building is suitable for the use proposed without compromising its integrity for other types of uses in the future. Given that the building exists within an established industrial estate/business park, it is considered that the proposal would provide a valuable business opportunity that would benefit the economic viability of the locality; and the pattern of existing development would remain unchanged. There would be no material impact in respect of the countryside, landscape and wildlife. Furthermore the use applied for can be tightly conditioned to prevent general retail use. On this basis, it is considered that the proposed development is now consistent with planning policy and is acceptable in principle.

5.5 Notwithstanding the above, it is necessary to consider the detailed elements of this proposal. These are as follows.

5.6 Green Belt.

In Line with PPG2, policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the limited categories of development that are appropriate within the Green Belt. The policy indicates that the re-use of existing buildings is appropriate provided that the new use would not itself have a materially greater impact upon the openness and character of the green belt; the buildings are of permanent construction and capable of conversion without major or complete reconstruction; and that the buildings are in keeping with their surroundings.

5.7 The existing use of the building is for business uses and it is located within an industrial park. The proposed use would not require any changes to the building and would not require any additional construction. The proposed development is therefore appropriate within the terms of Policy GB1. Having regard to the authorised use and the implications that this would entail, it is not considered that the proposed development would have any material impact upon the openness and character of the Green Belt.

5.8 Design

The appearance of the building nor yard and enclosure would not be changed as no building works are proposed.

5.9 Residential Amenity

There is concern raised as to the impact of noise from demonstrations of vehicles from this building. The extant consent permits limited operational hours which are more limiting on a Saturday and it is considered necessary to limit any new consent to these hours in order to protect the amenity of neighbours and the surrounding area.

Residential properties are located within the vicinity Ram Hill Business Park in which this building is located. The nearest dwellings to this building are located approximately 50 metres to the south and west. The topography of this location is such that these dwellings are located on considerably higher ground than the building subject to this application. Given this relationship and the nature of the approved use of this building compared to the proposed use, it is considered that there would be no material impact upon the privacy and residential amenity of the occupants of nearby dwellings as a result of an appropriate time condition when using this building for the sale of motor vehicles.

Furthermore no adverse comments have been raised by the Environmental Protection Team.

5.10 Transportation

Given the Transport Comments above which advise that the transport industry standards have been relaxed since the last application, there is no accident record it is difficult to demonstrate that the additional traffic would compromise highway safety. As such no refusal reason can be justified in the determination of this application. Whilst concern has been raised that vehicles leave the site and use the 'quiet lanes' at speed and by disregarding traffic signs this is a matter of Road traffic regulation Enforcement and is not a matter that the planning authority have jurisdiction over. As such it is considered that the application is acceptable in highway terms.

5.11 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.

5.12 Use of Energy and Sustainability

Not applicable.

5.13 Improvements Achieved to the Scheme

None required

5.14 Section 106 Requirements

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

6. CONCLUSION

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

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

The concerns of nearby residents in relation to opening hours has been properly considered. And through conditioning opening times the proposals will not harm the amenities of neighbouring properties by reason of noise - Policies D1 South Gloucestershire Local Plan (adopted) January 2006.

The proposal does not involve development and would have no more visual impact than the extant use of the site Policy GB1 South Gloucestershire Local Plan (adopted) January 2006; Development in the Green Belt SPD.

The proposed operation will not harm the amenities of the residents outside of the site. As such the proposal is acceptable. Policies D1 South Gloucestershire Local Plan (adopted) January 2006.

The concerns of nearby residents in relation the manner of driving in the locality is not a matter controlled under The Town and Country Planning Act 1991.

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

7. RECOMMENDATION

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

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

1. The premises shall be used for the storage and distribution of cars (sui generis use of the Schedule to the Town and Country Planning (Use Classes) Order 1987); and for no other purpose.

Reason

The use hereby permitted has been granted as a result of its particular internet based business formula and another operation would require further assessment, and to accord with policy T12; of the South Gloucestershire Local Plan (Adopted) January 2006.

2. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site, nor shall there be public access outside the

following times: 8am to 6pm Monday to Friday and 8.00am to 13.00; nor at any time on Sunday or Bank Holidays.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 11

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PT10/0441/F	Applicant:	Mr And Mrs J Motuel
Site:	33 Eastland Road Thornbury Bristol South Gloucestershire BS35 1DS	Date Reg:	2nd March 2010
Proposal:	Erection of single storey rear extension to form utility area and two storey side extension to form integral garage and additional living accommodation.	Parish:	Thornbury Town Council
Map Ref:	364435 190555	Ward:	Thornbury North
Application Category:	Householder	Target Date:	21st April 2010



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100023410, 2008. **N.T.S.** **PT10/0441/F**

INTRODUCTION

This application is being circulated to Member's because of a response from a neighbour, which could be contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a two-storey side and single storey rear extension to form a replacement garage with additional living accommodation above and a utility room respectively.
The two-storey side extension would sit on the western side of the host dwelling. It would measure approximately 8 metres in depth, 4 metres in width with a ridge height of circa 6.8 metres the same as existing falling to the current eaves height of approximately 4.5 metres. The proposed single storey rear extension would extend from the rear wall of the proposed two-storey extension by approximately 1.7 metres and would be circa 4 metres in width with a ridge height of approximately 3.8 metres falling to 2.5 metres at the eaves. The proposed development would replace the existing detached dilapidated garage situated on the western side of the main dwelling.
- 1.2 The application site consists of a two-storey semi-detached grey rendered dwelling with red double roman tiles and white uPVC windows and doors. It is located in the well-established residential area of Thornbury with vehicular access onto Eastland Road.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design
H4: Development within Existing Residential Curtilages
T12: Transportation in New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007
- 2.4 Emerging Policy
South Gloucestershire Core Strategy (Pre-Submission Publication Draft) March 2010:
CS1: High Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection.

- 4.2 Transportation
No objection.

Other Representations

- 4.3 Local Residents
1 letter received from 31 Eastland Road. They have no objection provided a) the development does not result in loss of privacy; and
b) they can have a similar development if they wish in the future.

The first concerns regarding loss of privacy will be addressed in the main body of the report. The second issue relating to future development is addressed in 'Other Matters' towards the end of the report.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The proposal consists of residential development within an existing residential curtilage. Policy H4 permits development within existing residential curtilages and as such the proposal is acceptable in principle subject to the following considerations.
- 5.2 Residential Amenity
The dwelling is set back from the main road with a modest front garden. Given that the proposed two storey extension would be located on the opposite side of the host dwelling to that of the other half, it is considered that the proposed two storey would not have an impact on the residential amenity of these neighbouring occupiers. Moreover the eastern boundary treatment to the rear is an approximately 2 metre tall mature hedge which would screen the proposed single storey rear extension. 31 Eastland Road to the western side of the main dwelling would face onto the side elevation of the proposed two storey. The western boundary is defined by a 1-metre tall timber fence and detached garage. This boundary treatment will remain in situ. The main side access of No.31 would be situated approximately 10 metres from the proposed development. Concern has been raised by the occupiers of No.31 about the proposal resulting in a loss of privacy. Notwithstanding this, there are no windows proposed on the upper floor side elevation with a single oblong shaped window measuring approximately 1 metre in width and 0.5 metres in height on the ground floor side elevation. This window should be obscure glazed as it would be part of a wet-room and a condition ensuring this is recommended. As such it is considered that there would be no inter-visibility between principle rooms and consequently no loss of privacy. Given the distance of the proposal from the road and the neighbouring occupiers it is considered that it would not result in an overbearing impact or loss of light. The rear garden is large with mature trees at the end. There will be sufficient space remaining to serve the main dwelling and the proposal does not raise any highway safety issues. As such it is not considered that the proposal would result in a detrimental impact on the residential of neighbouring or future occupiers. Accordingly the proposed development meets criteria contained in Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.3 Design and Visual Amenity

The existing property has grey render with double roman tiles and white uPVC windows and doors. The proposed development would match this and a condition to this effect is recommended to ensure the additions are subtle and remain in keeping with the host dwelling. The proposed development would replicate the existing rooflines and roof pitch. The proposed two-storey extension would be in line with the existing ridge height and eaves height. The rear of the two-storey would have a gable end to remain in keeping with the existing character and style of the house and others in the locality. Similar development is evident in neighbouring properties. As such it is considered that the proposed two storey extension and single storey rear extension would respect the character of the existing dwelling and surrounding area in terms of size, style and scale. Materials would match and the proposal would remain in keeping with the appearance of the main dwelling and surrounding street scene. Accordingly the proposal meets criteria in Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 and South Gloucestershire Design Checklist (Adopted) August 2007.

5.4 Transportation

The transportation officer is satisfied with the parking arrangements. The proposed development does not raise any issues in terms of highway safety. Accordingly it is considered to meet criteria contained within policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.

5.5 Other Matters

A neighbour raised a concern that should the proposed development be permitted, this would preclude them from being granted permission for a similar development in the future. Notwithstanding this, each application is assessed on a case-by-case basis on its own merits. Any future applications for development on adjoining sites would be assessed on their own merits at this time.

5.5 Design and Access Statement

A Design and Access Statement is not necessary for this application.

5.6 Use of Energy and Sustainability

Will be in accordance with Building Regulation standards.

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 There would be no inter-visibility between principle rooms and no loss of privacy. Given the distance of the proposal from the neighbouring occupiers it is considered that it would not result in an overbearing impact or loss of light. There will be sufficient space remaining to serve the main dwelling and the proposal does not raise any highway safety issues. As such the proposal would not result in a detrimental impact on the residential of neighbouring or future occupiers. Accordingly the proposed development meets criteria contained in Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The proposed extensions would respect the character of the existing dwelling and surrounding area in terms of size, style and scale. Materials would match and the proposal would remain in keeping with the appearance of the main dwelling and surrounding street scene. Accordingly the proposal meets criteria in Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 and South Gloucestershire Design Checklist (Adopted) August 2007.
- 6.4 The proposed development does not raise any issues in terms of highway safety. Accordingly it is considered to meet criteria contained within policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.5 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. The proposed ground floor window on the west elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

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

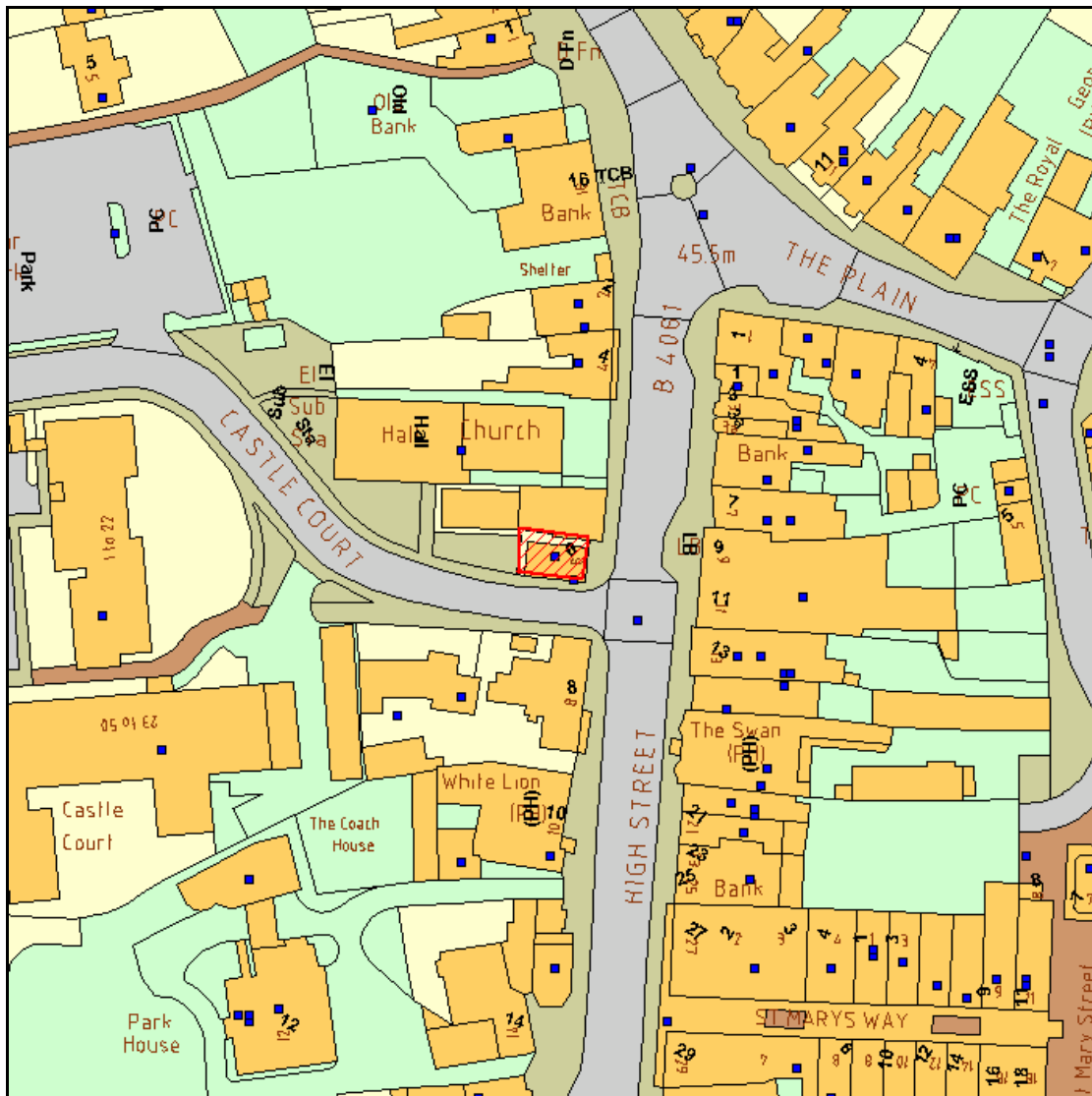
Reason

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

ITEM 12

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.: PT10/0452/LB	Applicant: Mr Parkhill
Site: Georgian House 6 High Street Thornbury Bristol South Gloucestershire	Date Reg: 4th March 2010
Proposal: External alterations to facilitate the display of 1no. fascia sign and 1no. hanging sign.	Parish: Thornbury Town Council
Map Ref: 363660 190117	Ward: Thornbury North
Application Category: Minor	Target Date: 27th April 2010



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100023410, 2008.

N.T.S.

PT10/0452/LB

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 Listed Building consent for external alterations to facilitate the display of 1no. fascia sign and 1no. hanging sign.
- 1.2 This is a Grade II Listed Building located on Thornbury High Street within the Conservation Area. Under previous applications the building has been known as 'The Register Office' but in this application is referred to as 'The Georgian House'.
- 1.3 Planning permission was recently granted for the change of use of the premises from office use (B1) to hot food takeaway (A5) under applications PT09/5936/F and PT09/5937/LB.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990
PPS1 Delivering Sustainable Development
PPS5 Planning for the Historic Environment

2.2 Development Plans

Joint Replacement Structure Plan – Policy 19

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
L12 Conservation Areas
L13 Listed Buildings

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

PT09/5936/F and PT09/5937/LB – Change of Use from Office (Class Use B1) to Hot Food Takeaway (Class Use A5) (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include installation of extractor fan, flue and roofing over rear courtyard and associated works. Approved 15/01/2010.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

No objection raised.

Other Representations

4.2 Local Residents

No response.

4.3 Thornbury & District Heritage Trust

Object on the grounds that the use of vinyl is inappropriate, the size of the hanging sign is too large and insufficient information has been submitted regarding colours of the proposed signage.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The only matter under consideration is the impact upon the special architectural and historic character of the listed building.

The Planning (Listed Buildings and Conservation Areas) Act 1990 seeks to ensure that new development involving curtilage listed buildings will not result in a harmful impact to the setting of the listed building or the loss of historic fabric. The proposal will therefore be acceptable subject to the following detailed assessment.

5.2 The Listed Building and its Setting

Originally it was proposed to erect a Perspex / vinyl fascia sign set above the door in a dark blue background with gold lettering which will project approx 100mm out from the stonework. The Council's Conservation Officer commented that the use of vinyl in this location is not acceptable, as this tends to have a shiny and rather cheap appearance. The applicant therefore agreed to the use of a painted timber board sign instead as this material is deemed appropriate in Listed Building terms.

The hanging sign will be in wood with a painted blue background and gold lettering. The use of wood is considered acceptable as is the size and scale of the sign considering other examples on the High Street and the buildings location set back from the neighbouring property to the north.

6. CONCLUSION

6.1 The recommendation to approve Listed Building Consent has been made having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas)

Act 1990 and Government advice contained in PPG15 (Planning and the Historic Environment).

7. **RECOMMENDATION**

7.1 That Listed Building consent is **GRANTED** subject to the following conditions.

Contact Officer: William Collins
Tel. No. 01454 863819

CONDITIONS

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

Reason

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

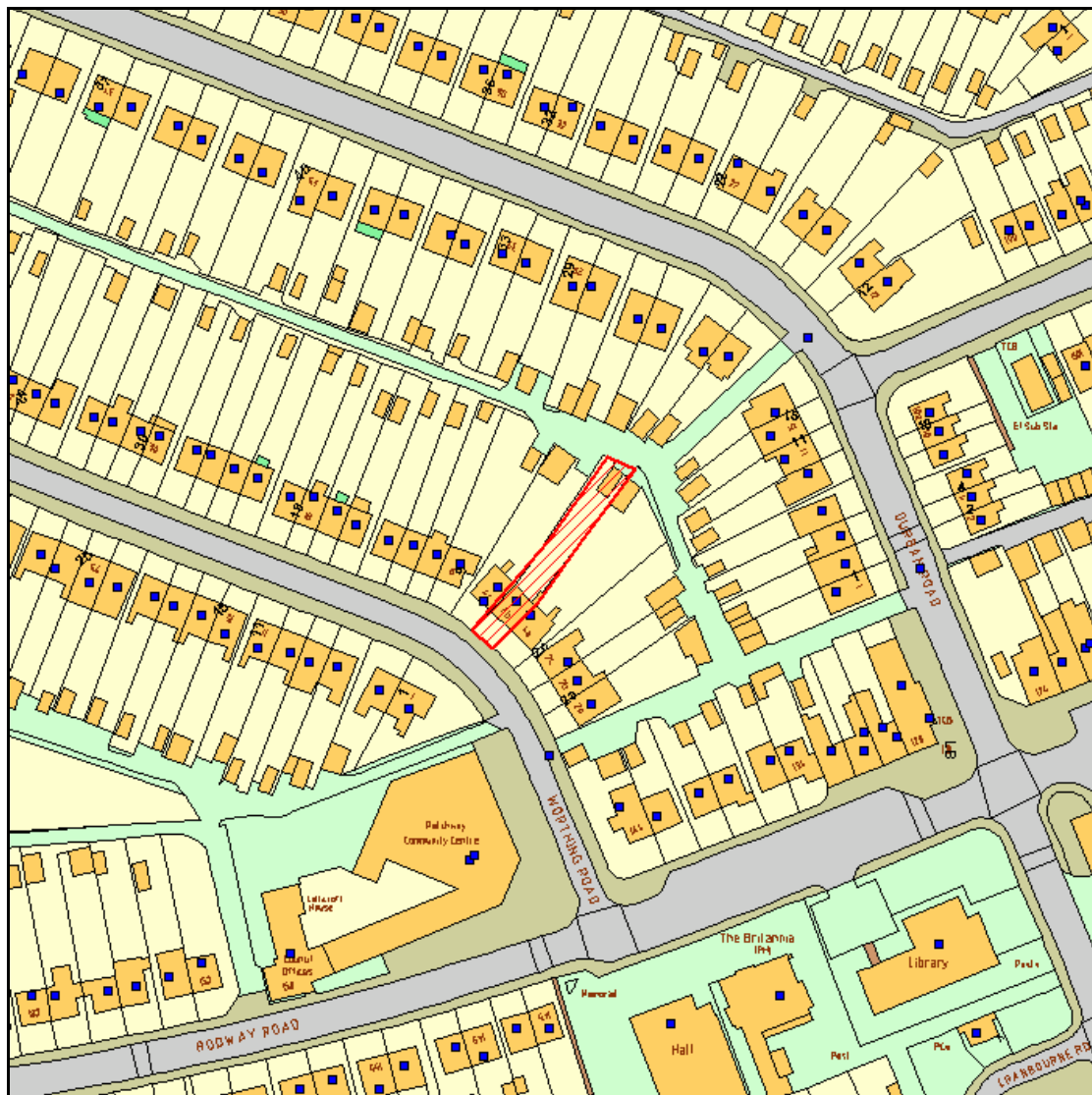
2. Notwithstanding the plans submitted the sign above the entrance door shall be constructed of timber with painted lettering. No works shall take place until further details and samples of the facing materials (of both the hanging sign and the sign above entrance door) proposed and details of illumination to be used have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15.

CIRCULATED SCHEDULE NO. 13/10 – 9 APRIL 2010

App No.:	PT10/0477/CLP	Applicant:	Mr Nigel Cousins
Site:	4B Worthing Road Patchway Bristol South Gloucestershire BS34 5HX	Date Reg:	9th March 2010
Proposal:	Erection of rear gazebo	Parish:	Patchway Town Council
Map Ref:	359996 181608	Ward:	Patchway
Application Category:		Target Date:	28th April 2010



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 100023410, 2008. **N.T.S.** **PT10/0477/CLP**

INTRODUCTION

This application appears on the Circulated Schedule, as it is an application for a Certificate of Lawfulness for a Proposed Development.

1. DESCRIPTION OF DEVELOPMENT

1.1 The applicant is seeking a formal decision as to whether a proposal to construct a single storey outbuilding (gazebo) within the residential curtilage of 4B Worthing Road, Patchway is lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

1.2 The proposed rear outbuilding would stand next to an existing garage/patio store and garden shed and be 4.9 m deep, 4.5 m wide and 2.4 m in height.

The site lies within the existing urban area of Patchway.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 1995 Article 24
Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class E. (referred to in this report as GPDO 2008)

3. RELEVANT PLANNING HISTORY

No relevant history.

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

No objection raised.

4.2 Other Consultees

None.

Other Representations

4.3 Local Residents

No response.

5. **SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION**

5.1 Site plan, existing and proposed plans and elevations drawing. Received 3rd March 2010.

6. **EVALUATION**

The application for a Certificate of Lawfulness is purely an evidential test. The test of evidence to be applied is whether the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence. As has been set out already the case made here is that the proposed rear outbuilding falls within the permitted development rights enjoyed by householders under the GPDO 2008. Accordingly, if this case is made successfully there is no consideration of planning merit nor an opportunity for planning conditions. The development is simply lawful or not lawful according to the evidence.

The key issue here is the operation of the permitted development rights, namely Part 1, Class E which allows householders “The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure”. There is no evidence that permitted development rights have been removed in this instance and there is no dispute as to the extent of the residential curtilage put forward. Accordingly, it is accepted that the permitted development rights apply to this site which is in use as a single dwelling house. The remaining issues are whether the proposed development falls within the remit. The limitations on the operation of Class E in respect of single storey outbuildings are as follows:

- Extensions (including previous extensions) and other buildings must not exceed 50% of the total area of land around the original house. The submitted plans demonstrate this.
- No part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse. The submitted plans demonstrate this.
- The height of the building would not exceed – 4 metres in the case of a building with a dual-pitched roof, 2.5 metres in the case of a building within 2 metres of the boundary of the dwellinghouse or 3 metres in any other case. The submitted plans demonstrate this.
- The height of the eaves must not exceed 2.5 metres. The submitted plans demonstrate this.
- The building must not have more than one storey. The submitted plans demonstrate this.
- The building would not include the construction or provision of a veranda, balcony or raised platform. The submitted plans demonstrate this.
- The proposed development does not relate to a dwelling or microwave antenna, or the capacity of a container. The submitted plans demonstrate this.

- The proposed development is not on land within the curtilage of a listed building. This is not the case.
- The proposed development is not of any land which is within a World Heritage Site, a National Park, an Area of Outstanding National Beauty or the Broads.

Accordingly, on the balance of probability the evidence points to the proposed development falling within Schedule 2, Part 1, Class E, of the GPDO 2008.

7. RECOMMENDATION

- 7.1 That a Certificate of Lawfulness of Proposed Use be granted as it has been shown on the balance of probability that the proposal would fall within Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. Therefore the proposal does not require planning permission.

Contact Officer: William Collins
Tel. No. 01454 863819

CONDITIONS

1. The proposal would fall within Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.