



**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. 46/10

Date to Members: 26/11/10

Member's Deadline: 02/12/10 (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
During Christmas and New Year period 2010/2011

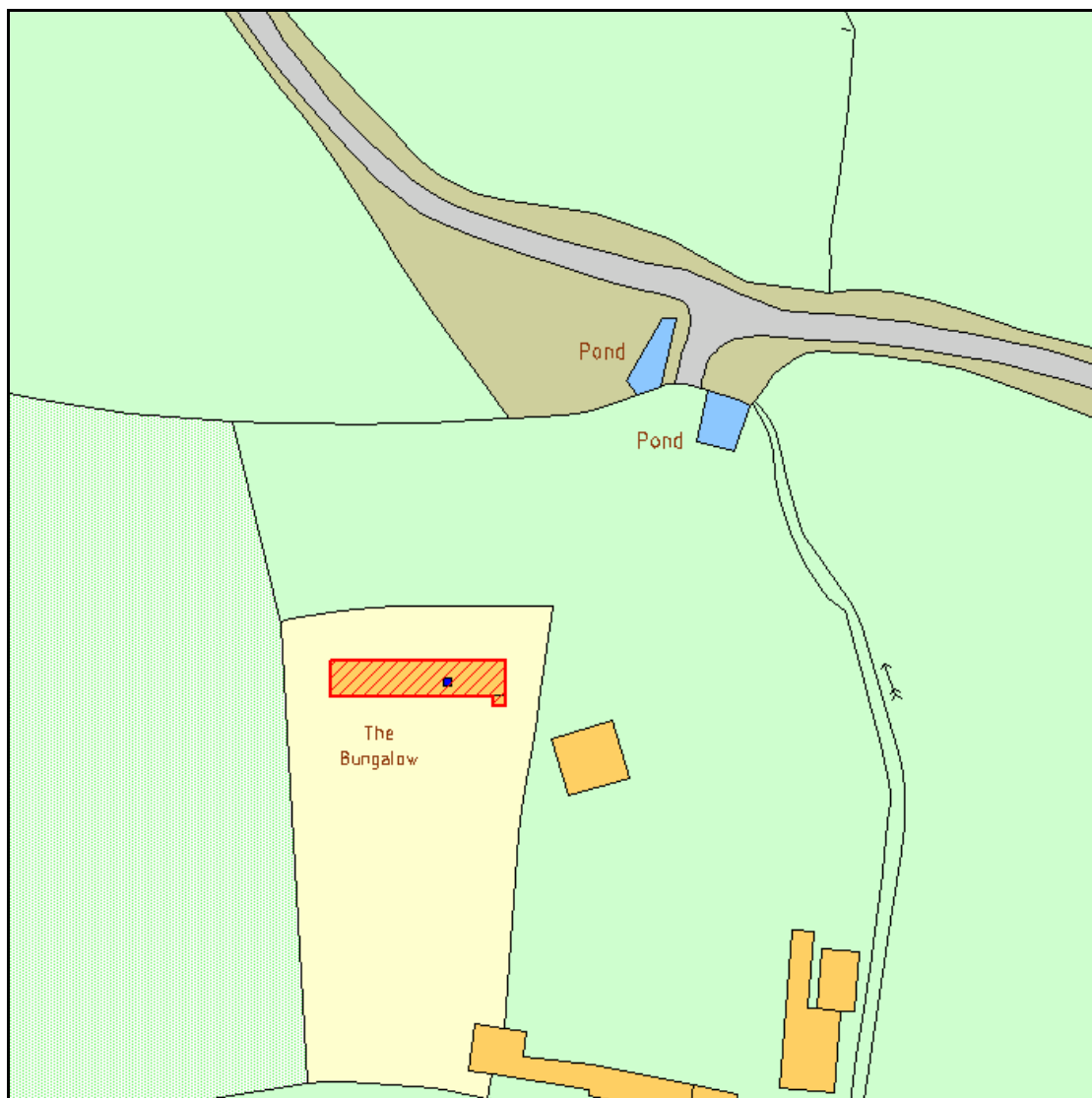
Schedule Number	Date to Members 9am on	Members Deadline 5pm on
49/10	Thursday 16 December 2010	Wednesday 22 December 2010
50/10	Wednesday 22 December 2010	Friday 31 December 2010
51/10	No Circulated Schedule production	No Circulated Schedule production
01/11	Friday 07 January 2011	Thursday 13 January 2011

CIRCULATED SCHEDULE – 26 NOVEMBER 2010

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/2248/CLE	Approve with Conditions	Chescombe Bungalow Dodington Road Chipping Sodbury South Gloucestershire BS37 6HY	Westerleigh	Dodington Parish Council
2	PK10/2492/O	Approve with Conditions	Ring O Bells Farm Pucklechurch Road Hinton Chippenham South Gloucestershire SN14 8HJ	Boyd Valley	Dyrham And Hinton Parish Council
3	PK10/2702/F	Refusal	The Old Chapel Cossham Street Mangotsfield South Gloucestershire BS16 9EN	Rodway	Mangotsfield Rural Parish Council
4	PK10/2726/F	Approve with Conditions	7 Perrott Road Kingswood South Gloucestershire BS15 4LL	Kings Chase	None
5	PK10/2742/AD	Approve with Conditions	A E Wilcox Sodbury Road Wickwar Wotton Under Edge South Gloucestershire GL12 8NR	Ladden Brook	Wickwar Parish Council
6	PK10/2944/F	Approve with Conditions	21 Tyndale Avenue Yate South Gloucestershire BS37 5EU	Yate North	Yate Town
7	PT10/2574/F	Approve with Conditions	The Nursery New Passage Road Pilning South Gloucestershire BS35 4LZ	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
8	PT10/2583/F	Approve with Conditions	Thornbury Garden Center Cuttsheath Road Milbury Heath Wotton Under Edge South Gloucestershire GL12 8QH	Thornbury North	Thornbury Town Council
9	PT10/2595/F	Approve	747 Filton Avenue Filton South Gloucestershire BS34 7JZ	Filton	Filton Town Council
10	PT10/2706/F	Approve with Conditions	Redhill Farm Elberton South Gloucestershire BS35 4AG	Severn	Aust Parish Council
11	PT10/2716/F	Refusal	Beechmount Duck Street Tytherington Wotton Under Edge South Gloucestershire GL12 8QB	Ladden Brook	Tytherington Parish Council
12	PT10/2740/F	Approve with Conditions	21 Redwick Road Pilning South Gloucestershire BS35 4LG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
13	PT10/2801/F	Approve with Conditions	Beckspool Park Ashton Harford Drive Frenchay South Gloucestershire	Winterbourne	Winterbourne Parish Council
14	PT10/2830/F	Approve with Conditions	31 Hunters Way Filton South Gloucestershire BS34 7EP	Filton	Filton Town Council
15	PT10/2838/F	Approve with Conditions	96 Hicks Common Road Winterbourne South Gloucestershire BS36 1LJ	Winterbourne	Winterbourne Parish Council
16	PT10/2931/F	Split decision See D/N	36 Boundary Road Coalpit Heath South Gloucestershire BS36 2PU	Frampton Cotterell	Frampton Cotterell Parish Council
17	PT10/2939/EXT	Approve with Conditions	Land At Severn Road Hallen South Gloucestershire	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PK10/2248/CLE	Applicant:	Mr Richard Jefferies
Site:	Chescombe Bungalow Dodington Road Chipping Sodbury Bristol South Gloucestershire	Date Reg:	31st August 2010
Proposal:	Application for Certificate of Lawfulness for the continued use of dwelling for permanent residential use (C3). (Re-Submission of PK10/1109/CLE).	Parish:	Dodington Parish Council
Map Ref:	372197 181080	Ward:	Westerleigh
Application Category:	Minor	Target Date:	21st October 2010



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and may lead to prosecution or civil proceedings.
100023410, 2008. **N.T.S.** **PK10/2248/CLE**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is for a Certificate of Lawful Use and under the Council's current scheme of delegation must appear on the Circulated Schedule.

By way of information, Members should be aware, that the test to be applied to this application for a Certificate of Lawful Use, is that the applicant has to prove on the balance of probability, that the use of the site as described, has occurred for a period of 4 years consecutively, prior to the receipt of the application on the 26th Aug 2009.

1. THE PROPOSAL

- 1.1 The application has been submitted under Section 191 (1) of the Town and Country Planning Act 1990 for a Certificate of Lawfulness for an existing use of the site.
- 1.2 The application relates to Chescombe Bungalow, located in a remote rural location to the west of Doddington Road, Chipping Sodbury. The site is accessed via a long track and comprises the Bungalow, garden, outbuildings, an orchard, a pond and track with parking and turning areas.
- 1.3 Following the death of the previous owner (Mrs Jefferies) and the length of time that it has taken to resolve the estate, the applicant seeks a Certificate of Lawfulness to confirm the continued use of the dwelling for permanent residential use; this is a 4 year test. An earlier application PK10/1109/CLE for a similar proposal, was withdrawn on officer advice pending submission of an application to include the residential curtilage.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24
Town and Country Planning (Use Classes) Order 1897 (as amended).
Circular 10/97: Enforcing Planning Control.
- 2.2 Development Plans
As the application is for a Certificate of Lawfulness, the policy context is not directly relevant, as the land use merits are not under consideration. The applicant need only demonstrate that on the balance of probability, the use has taken place for an uninterrupted period of at least 4 years prior to the receipt of the application (26th Aug 2010).

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/1109/CLE - Application for Certificate of Lawfulness for the continued use of dwelling for permanent residential use.
Withdrawn 3 August 2010
- 3.2 P92/1229 - Use of land for the parking of commercial vehicle.
Refused 1 April 1992

4. **SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF THE APPLICATION**

The applicant has submitted the following evidence in support of the application :

Statutory Declaration by Richard Jefferies – 24 Aug 2010

Mr Jefferies states that the garden, track and garage within the boundary shown red on the attached plan “RJ1” represents the boundaries of the curtilage of Chescombe Bungalow. The garden has been cultivated as a vegetable garden, the track provides access to the residential dwelling and the garage building contains the generator, wood coal store, all of which have been used in association with the residential use of Chescombe Bungalow for a continuous period in excess of 4 years, commencing in approximately 1924 when the bungalow was first sited on this property.

Statutory Declaration by Juliette Clark - 24 Aug 2010

Mrs Jefferies states that the garden, track and garage within the boundary shown red on the attached plan “JC1” represents the boundaries of the curtilage of Chescombe Bungalow. The garden has been cultivated as a vegetable garden, the track provides access to the residential dwelling and the garage building contains the generator, wood coal store, all of which have been used in association with the residential use of Chescombe Bungalow for a continuous period in excess of 4 years, commencing in approximately 1924 when the bungalow was first sited on this property.

Statutory Declaration by Juliette Clark – 27 April 2010

Mrs Clarke’s Statutory Declaration is summarised as follows:

- I am the granddaughter of Mr Arthur and Kate Bane who lived at the Bungalow, Chescombe Lane, Dodington, Bristol BS37 6HY, the land registry title ref: GR2223 showing the boundaries of this property edged red on the attached plan “JC1” is provided.
- Mr & Mrs Bane purchased the timber framed bungalow in March 1924 – receipt provided; and lived at the property between 1924 and 1954 as tenants of Chipping Sodbury Council.
- In 1954 my mother Daisy Lena Jefferies (nee Bane) and daughter of Mr & Mrs A Bane, purchased the property from Chipping Sodbury Town Council and lived on site with her husband Ronald Jefferies and her Mother Mrs Kate Bane.
- Mr & Mrs Jefferies had three children including myself. Following the deaths of Mr & Mrs Jefferies in 1970 and 1976 respectively, the sole resident became Mrs Daisy Lena Jefferies who remained the sole occupant until she died on 22 Dec 2008 aged 87 years old.
- Since 1924 the building has been permanently occupied as the main residence of my grandfather, grandmother, father and mother until their respective deaths.
- Community Charge 1992/3 and Council Tax Bills 2004 to 2010 showing the address are provided.
- Copy of P60 and PAYE Coding Notices 2003-2006 showing my mothers address as The Bungalow, Chescombe are provided.
- Insurance renewal notices for the property in my mother’s name are provided for 1983 to 2009.
- There have never been mains utilities connected to the property. A diesel generator was connected in 1963, which still provides electricity to the bungalow. Coal is burnt on the stove and receipts for coal deliveries between 1971 and 2008 are provided. Water was from the well or brought onto the site and foul disposal is to a cess-pit.

- Since my mother's death, myself, husband and brother, have maintained the property and garden and cared for the geese and chickens on a daily basis.
- My mother's will was lost and probate was not granted until 9th June 2009. Myself and brother have now jointly acquired the freehold of the bungalow which we intend to continue to occupy. Copies of the probate are provided.
- The residential use of the property has not been abandoned.

Exhibits as Supporting Documentation

- Receipt for purchase of bungalow 7 March 1924.
- Copy of Land Registry Title dated 4 Sept 2009 in name of Juliette Clark.
- Community Charge and Council Tax Bills in name of Mrs Daisy Jefferies 1992/93 & 2004/2009 and Juliet Clarke 2009/2011.
- P60 Mrs D Jefferies, The Bungalow, Chescombe 5 April 2000.
- PAYE Codes for Mrs Jefferies, The Bungalow, Chescombe 2003 to 2006.
- House Insurance for The Bungalow, Chescombe in Mrs D Jefferies name Nov 1983/1987/2004 and in Executors name 2009.
- Coal Merchant receipts for Mrs Jefferies, Chescombe 1980 to 2000.
- Death Certificate for Mrs D.L Jefferies of Chescombe Bungalow dated 29 Dec 2008.
- Solicitors Letter 26 Jan 2009 confirming loss of will.

5. SUMMARY OF CONTRARY EVIDENCE

5.1 None

6. OTHER CONSULTATIONS

6.1 Doddington Parish Council
Doddington Parish Council supports the application.

6.2 The Ramblers Association
The existing PROW should be maintained if there is a change of use.

7. ASSESSMENT

7.1 The issues, which are relevant to the determination of an application for a Certificate of Lawfulness are whether or not, in this case, the use described has been carried out for a continuous period exceeding 4 years and whether or not the use is in contravention of any Enforcement Notice which is in force.

7.2 Dealing with the latter point, as noted in the 'History' section above there are no enforcement notices relating to this property. Furthermore the Council has never suggested that the residential occupation of the building has been abandoned.

7.3 The relevant test of the submitted evidence

The onus of proof is firmly on the applicant and the relevant test of the evidence on such matters is "on the balance of probability". For a certificate to

be issued, the land and buildings within the red edged application site plan, must have been continuously used for residential purposes for a 4 year period prior to 26 Aug 2010 i.e. the date of receipt of the application. Advice contained in Circular 10/97 states that a certificate should not be refused because an applicant has failed to discharge the stricter criminal burden of proof, i.e. "beyond reasonable doubt." Furthermore, the applicant's own evidence need not be corroborated by independent evidence in order to be accepted. If the Council has no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous. The planning merits of the use are not relevant to the consideration of the purely legal issues, which are involved in determining an application. Any contradictory evidence, which makes the applicant's version of events less than probable, should be taken into account.

7.4 Hierarchy of Evidence

The evidence submitted comprises a mix of statutory declarations and supporting documents. Inspectors and the Secretary of State usually value and give weight to evidence in the following order of worth:-

1. Personal appearance, under oath or affirmation, by an independent witness whose evidence can be tested in cross-examination and re-examination, especially if able to link historic events to some personal event that he/she would be likely to recall.
2. Other personal appearance under oath or affirmation.
3. Verifiable photographic evidence.
4. Contemporary documentary evidence, especially if prepared for some other purpose.
5. Sworn written statements (witness statements or affidavits), which are clear as to the precise nature and extent of the use or activity at a particular time.
6. Unsworn letters as 5 above.
7. Written statements, whether sworn or not, which are not clear as to the precise nature, extent and timing of the use/activity in question.

7.5 As noted above the evidence to support the case is in the form of 3 Statutory Declarations and a number of supporting documents. There is no evidence against.

7.5 Examination of evidence

The main issue, which needs to be resolved in the determination of this application, is whether or not, the land and buildings within the red edged application site plan have been continuously used for residential purposes for a 4 year period prior to 26 August 2010 i.e. the date of receipt of the application. Whilst a good deal of the evidence relates to historical events outside the relevant 4-year period, it is useful in providing the chronological history of the site. Evidence has been provided which relates to the 4- year period and given that there is no counter evidence, it is accepted that the evidence provided is correct.

7.6 Officers have visited the site with the applicant in attendance and noted that the house was reasonably well maintained and contained numerous personal affects, which gave every indication of continued occupation. The garden was very well tended and the referred to chicken and geese were in residence. The front lawn was well tended and a washing line was in evidence. The adjacent shed contained a generator of the age described in the Statutory Declarations and there was coal and domestic tools and clutter present.

8.0. CONCLUSION

8.1 The submitted evidence covers the relevant 4- year period prior to receipt of the application. The sworn affidavit of Juliet Clark together with the supporting documents provides compelling evidence in favour of granting a certificate and there is no counter evidence whatsoever.

8.2 The evidence indicates that for the 4 years continuous to the receipt of the application the land and buildings shown edged red on the submitted plan were used for domestic purposes (C3).

8.3 In the absence of any contrary evidence, it is the considered view therefore that on the balance of probability the applicants have provided the evidence to support the claim.

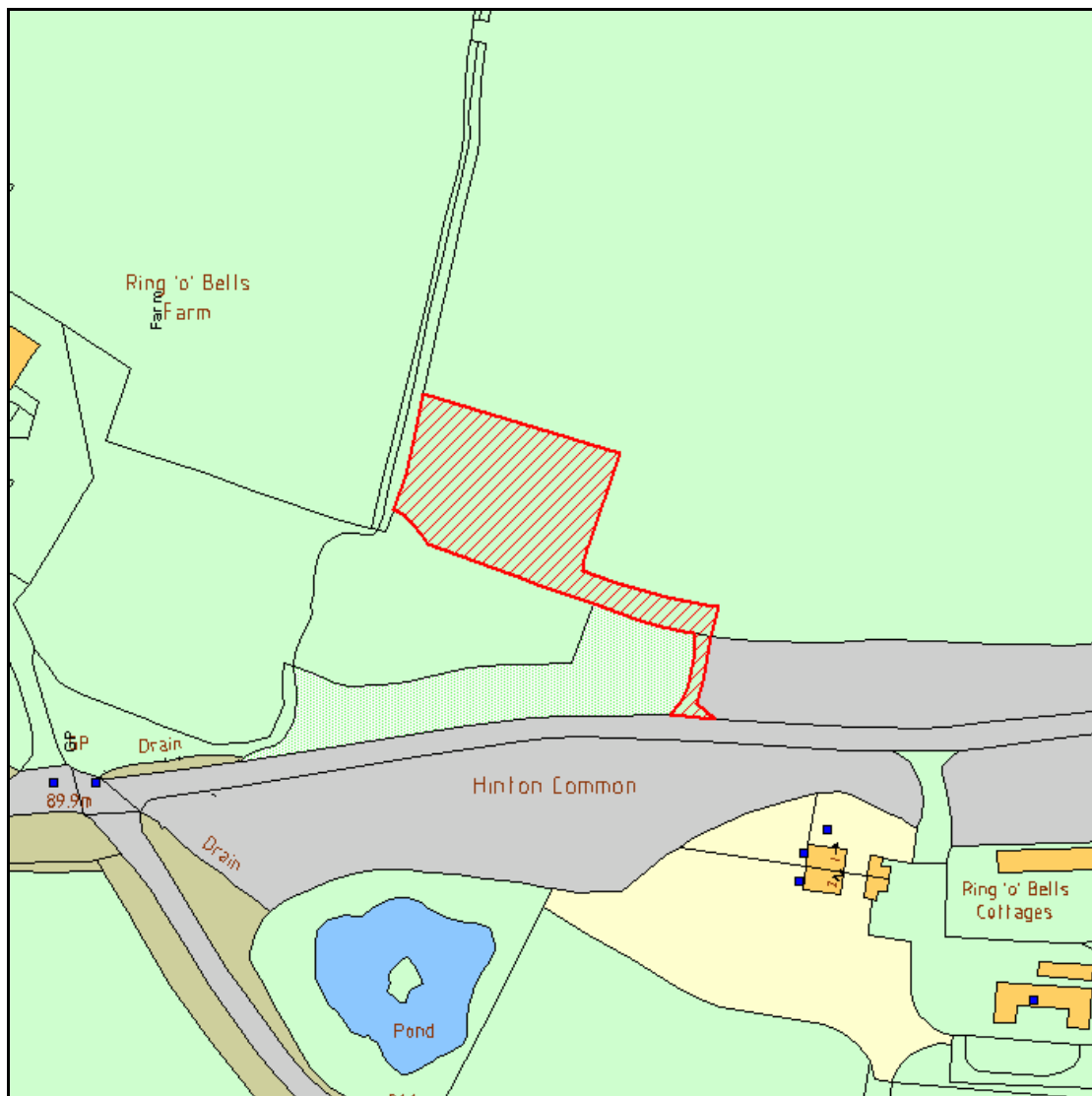
9. RECOMMENDATION

8.1 That a Certificate of Existing Lawful Use be GRANTED for the continued use of the site for residential (C3) purposes as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PK10/2492/O	Applicant:	Messrs Higgins And Sons
Site:	Ring O Bells Farm Pucklechurch Road Hinton South Gloucestershire	Date Reg:	23rd September 2010
Proposal:	Erection of agricultural workers dwelling (outline) with access, layout and scale to be considered (all other matters reserved). (Resubmission of PK10/1508/O)	Parish:	Dyrham And Hinton Parish Council
Map Ref:	372598 176744	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	16th November 2010



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100023410, 2008. **N.T.S.** **PK10/2492/O**

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application has been forwarded to the Councils Circulated Schedule as a representation has been received from the Parish Council raising views contrary to the Officer recommendation.

1. THE PROPOSAL

1.1 The application site is situated on the north side of Pucklechurch Road west of Hinton village and 140m east of Ring O Bells farmhouse. The site forms part of an open field laid to pasture forming part of the Ring O Bells Farm holding. The site is bounded by a small orchard and large hedge abutting the highway to the south, open fields to the north and east and small fence and hedge to the west.

The application site is situated outside any defined settlement boundary or the urban area as defined in the adopted Local Plan. Ring O Bells farmhouse is a Grade II Listed Building and a range of traditional byres to the west of the farmhouse which form a U shape are curtilage Listed to the farmhouse. The application site is situated within the Bristol Bath Green Belt. The site is situated approximately 750m from the edge of the AONB to the east.

1.2 The application proposes outline erection of a single agricultural workers dwelling (outline) with access, layout and scale to be considered (all other matters reserved). The application is a resubmission of PK10/1508/O.

The dwelling has been specified to have a rectangular footprint measuring a maximum of 10m width, 8m length, 5.5m to eaves and 8m to ridge. The building has been designed to accommodate three adults with guest accommodation and will comprise kitchen/diner, lounge, shower room, laundry room on ground floor, with 3 bedrooms (1 with en-suite, office and bathroom on the first floor. The building would have an integral double garage measuring 5m x 5m.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS5 Planning and the Historic Environment
PPS7 Sustainable Development in Rural Areas
PPG13 Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L1 Landscape Protection and Enhancement
L2 AONB
GB1 Green Belts
H3 Residential Development in the Countryside
T8 Parking Standards
T12 Transportation for New Development

South Gloucestershire Core Strategy Pre Submission Publication Draft – March 2010

- CS1 High Quality Design
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Environmental Resources and Built Heritage

- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007
Development in the Green Belt – June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/1508/O Erection of 1 no. agricultural workers detached dwelling (Outline) with access, scale and layout to be determined. All other matters to be reserved.
Withdrawn

4. CONSULTATION RESPONSES

4.1 Dyrham And Hinton Parish Council

Objection for reasons:

‘As there are no changes from their last application and the building is “Very Large” for an agricultural workers dwelling and as the new house is outside the building line the Parish Council rejects this application.’

4.2 Other Consultees [including internal consultees of the Council]

- | | |
|-------------------------|---|
| Sustainable transport – | No objection, subject to conditions |
| Landscape Officer – | No objection, subject to new native/semi native hedgerow on the boundary of the site, tree planting to the west and north to be included with reserved matters. |
| Drainage Engineer - | No objection |
| Conservation Officer - | No objection |
| Area Land Agent – | This is a an application in connection with a viable established business and where there now seems to be a functional need for there to be two full-time, qualified people living on site which cannot be reasonably fulfilled by the existing dwelling. |

Other Representations

4.3 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is located within the open countryside and the Bristol Bath Green Belt. National Guidance PPS7 and Policies GB1 and H3 of the South Gloucestershire Local Plan allow for the erection of permanent dwellings for agricultural purposes subject a number of criteria are satisfied.

5.2 PPS7 para 10 states that: 'Isolated new houses in the countryside will require justification for planning permission to be granted. Where the special justification for an isolated new house relates to the essential need for a worker to live permanently at or near their place of work in the countryside, planning authorities should follow the advice in Annex A to this PPS'.

Annex A of PPS7 requires that it be demonstrated that the following criteria can be satisfied:

- (i) There is clearly established existing functional need
- (ii) The need relates to a full time worker, or one which is primarily employed in agriculture and does not relate to part time requirement
- (iii) The units and the agricultural activity concerned have been established for the last 3 years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so
- (iv) The functional need could not be fulfilled by another existing dwelling on the site, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) Other planning requirements e.g. in the relation to access or impact on the countryside are satisfied.

5.3 To assess the proposals under the terms of PPS7, the views of were solicited of a specialist in this area from Gloucestershire County Council, who is regularly consulted by the Council on these types of applications, and the following is based on his assessment:

5.4 Background and History

The Higgins family originally farmed at nearby Healey Court Farm until Boots Pension Trustees (who were the landlords) sold it, and the family then purchased Ring O Bells Farm in 1992 which was, at the time, operating as a dairy farm as it is still today.

The main farmhouse is on site but there are no other available dwellings close to the farmstead, and it is felt that with the herd having been built up to its present level there is now a need for there to be another qualified stockperson permanently based on site at Ring O Bells Farm – hence the application.

5.5 Ownership and Occupation

The Higgins family own Ring O Bells Farm which totals 286 acres. The farm consists of the farmhouse and traditional and modern dairy buildings.

The family also retained 16 acres from Healey Court Farm where they were previously based, and they have taken on another 65 acres at nearby Doynton on an annual arrangement.

5.6 The Farm and Farm Business

The dairy farming business operates as an all year round calving flying herd whereby all herd replacements are purchased from local farmers or livestock markets. All progeny bred using their own Limousin and Charolais stock bulls are then sold on. About 80 calves are sold as yearling stores, with the remainder sold as rearing calves at roughly four weeks old either utilising Frome Livestock Market or Sedgemoor Auction Centre – or sell direct to neighbouring farmers. The number of milking cows on the day of the visit was around 160 but they do regularly go up to 180 cows. The milk is sold to the Co-operative Company 'First Milk'. In addition to the milking herd the applicants run a small suckler herd of 20 cows producing more store cattle.

Both Dennis and Victor, the brothers, are employed full-time in running the farm at Ring O Bells Farm. They also engage help from their sister, Teresa, and from Victor's daughter who help out in various capacities.

Officers understand that the farmhouse presently houses Dennis Higgins, one of the main active farming partners, his mother (Mrs Higgins Senior), her daughter (Teresa) and Teresa's partner plus two children. Dennis's brother, Victor, who is the other half of H G J Higgins & Sons lives in a rented cottage in Doynton which is about two miles to the south-west of Hinton on an Assured Shorthold Tenancy. It is also understood that the family do not own any other property other than the main farmhouse.

There is a range of traditional buildings which are utilised for workshop/isolation/penning/rearing and general storage. The modern buildings include a 16/16 herringbone parlour, the main cubicle building, covered yards, covered silage clamp, open maize clamp, dry cow shed etc. This is considered sufficient for the number of cows and cattle that the business runs.

5.7 PPS7 Tests

The five tests of PPS7 as outlined above are addressed in turn below.

i) Functional need:

With in excess of over 160 dairy cows calving all the year round, plus the 20 or so suckler cows, it is now just about at a level where one would consider it essential for there to be two qualified people on hand out of normal working hours, as frequently cows calve down during the night time. Most of the activities that would be related to a dairy farm would be considered routine but there are emergencies which would require two people in attendance and often calving is one of those situations. It would be considered difficult having to rely on somebody not living on site.

ii) Full Time Labour:

Clearly with the number of cows and young stock there is a labour requirement of in excess of two full-time people, hence the proposed dwelling would be in association with a full-time person.

iii) Establishment and Viability:

The latest accounts submitted demonstrate that the business is well-established and profitable, and is likely to remain so for the foreseeable future.

iv) Other dwellings:

There are no dwellings that are available to the applicants that would fulfil the functional need requirement in connection with the dairy farming business. Dennis and Victor run the farm together with other family help. It is particularly Dennis who is finding it unmanageable without his brother being on site to help him, especially out of normal working hours. The cottage rented by Victor Higgins has little security of tenure and in any case is considered to be too far away considering the regularity of the calvings.

A large traditional two storey stone built barn is situated adjacent to the main farmhouse forming part of a range of barns and byres in the U shape to the west. This building appears to be capable of conversion to residential accommodation. The buildings were at the time of writing this report fully occupied in relation to the agricultural business used for wood and agricultural sundry storage, calving, sick animals. The buildings are adjacent to more modern buildings to the north which form an enclosed courtyard. The modern buildings are used for machinery storage and workshop. Therefore in order to convert the barn to residential accommodation, new agricultural buildings would need to be erected of the equivalent size in terms of floorspace. The applicant has demonstrated that the cost of conversion of the barn would be clearly more than erection of a new dwelling. In addition a cost would be incurred through the erection of an additional agricultural building. The additional cost would be approximately £116,550. This would put a significant financial pressure on the business and could justifiably have a substantial impact on the viability of the

business as a whole. Additionally, the converted barn would be situated abutting an existing building used for livestock housing, which would create additional Environmental Health issues.

The proposed dwelling would have a total floor space of 135m² excluding the garage but including staircase, hall and landing. Former South Gloucestershire Local Plan Policy H8 (Agricultural Workers dwellings in the Countryside) stated that 140m² can be considered a maximum floorspace size for a family home. The size parameters proposed as detailed in par 1.2 above and floorspace are considered to be acceptable to meet the functional need of the farm business.

v) Other planning requirements

This is considered separately below in par 5.8-5.10

In summary:

This is a an application in connection with a viable established business and where there now seems to be a functional need for there to be two full-time, qualified people living on site which cannot be reasonably fulfilled by the existing dwelling.

5.8 Visual impact and the setting of the Listed Building

The site has a dense area of vegetation to the south that screens the site from the most immediate public view from Pucklechurch Road. The site is open to view from a PROW crossing the field to the north but the number of visual receptors is likely to be low. The site is located within an area that can be considered as forming part of the setting of the AONB and the site may also be visible from the AONB itself. However, intervening vegetation and distance will limit any views of the site. The Landscape Officer has recommended in the interest of landscape enhancement that a native / semi native hedgerow should be provided around the boundary of the dwelling. The proposal is therefore considered not to be harmful to the character and appearance of the area or the natural beauty of the AONB.

In terms of the impact on the setting of the Grade II Listed farmhouse the building would be situated approximately 120m from the farmhouse with some relatively unbroken views east to west. These are not public views and there are few public vantage points where the two buildings would be visible together. The building would be seen in isolation from the farmhouse which is read in the historic context of the farm unit and the cluster of agricultural buildings adjacent to it. Therefore considering the context and distance of the proposed building to the farmhouse and subject to detailing of materials and design which must be of a good quality and which are reserved for future consideration, the scheme is considered to preserve the setting of the Listed farmhouse.

5.9 Highway safety

The proposal would incorporate an existing agricultural access. A condition is recommended to ensure that vegetation and other obstacles are cut back and maintained to a maximum height of 0.9m. This will ensure retention of an adequate visibility splay. Therefore, subject to condition, the proposal is considered to be acceptable in highway safety terms.

5.10 Green Belt

Accounting for all of the above considerations the proposal is considered to represent a building required for agricultural purposes and as such the development falls within the limited categories of what is considered to be appropriate development within the Green Belt. The proposal is considered to be well screened from public views and would have limited visual impact. The proposal would clearly result in an impact on the openness of the Green Belt with the site being an open field to be replaced with a new dwelling, but considering the appropriateness of the development within the Green Belt, the size and scale being acceptable in relation to the functional needs of the farm business and the limited impact in relation to visual amenity, the proposal is considered to accord with the principles and aims of policy GB1 of the adopted Local Plan.

6. **CONCLUSION**

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.

a) It has been demonstrated that there is a clear established existing functional need and the need relates to a full time worker. The farm has been established for the last 3 years and has been running at a viable level, furthermore it is considered that the business should continue to thrive. There are no other dwellings in the immediate vicinity that would be available to the applicant or buildings which can be converted to dwelling without harming the viability of the business. As such the proposal meets the criteria set out in PPS7.

b) It has been assessed that the proposed dwelling have been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the surrounding area, the setting of the Listed farmhouse and the natural beauty of the AONB landscape. The development therefore accords to Policy D1, L2, L13 and H4 of the South

Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

- c) The proposal is considered to represent appropriate development in the green belt and although there would be an impact on openness, considering the appropriateness of the development within the Green Belt and the limited impact in relation to visual amenity, the proposal is considered to accord with the principles and aims of policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposal would use an existing agricultural access and subject to condition would provide adequate visibility for access and egress of vehicles related to the site. The proposal therefore accords to Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

1. Approval of the details of the appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority 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).

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

Reason

To protect the character and appearance of the area to accord with Policies D1, L1 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and Government advice contained in PPS7.

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

Reason

To protect the character and appearance of the area to accord with Policies D1, L1 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and Government advice contained in PPS7.

6. Any trees or plants which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be the same size and species as those lost, unless otherwise first agreed in writing with the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Policies D1, L1 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and Government advice contained in PPS7.

7. Prior to the commencement of development detailed plans showing the provision of car parking facilities in accordance with the standards set out in Policies T8 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the dwelling and thereafter retained for that purpose.

Reason

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

8. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

The site is not in an area intended for development and the development has been permitted solely because it is required to accommodate a person working in agriculture or forestry, to accord with Policy H3 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to occupation of the dwelling hereby permitted the visibility splays shaded green on the approved site plan received 14.10.10 shall be cleared of any obstructions greater than 0.9 metres in height and maintained as such thereafter.

Reason

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

10. Application for the approval of the reserved matters shall be in accordance with the parameters described in the design and access statement hereby approved.

Reason

To prevent over-development of the site and to ensure the dwelling meets the functional requirements of the farm business in the interest of protecting the openness of the Green Belt and the character and appearance of the area in accordance with Policies D1, GB1 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and Government advice contained in PPS7.

11. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 Classes A, B and E or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

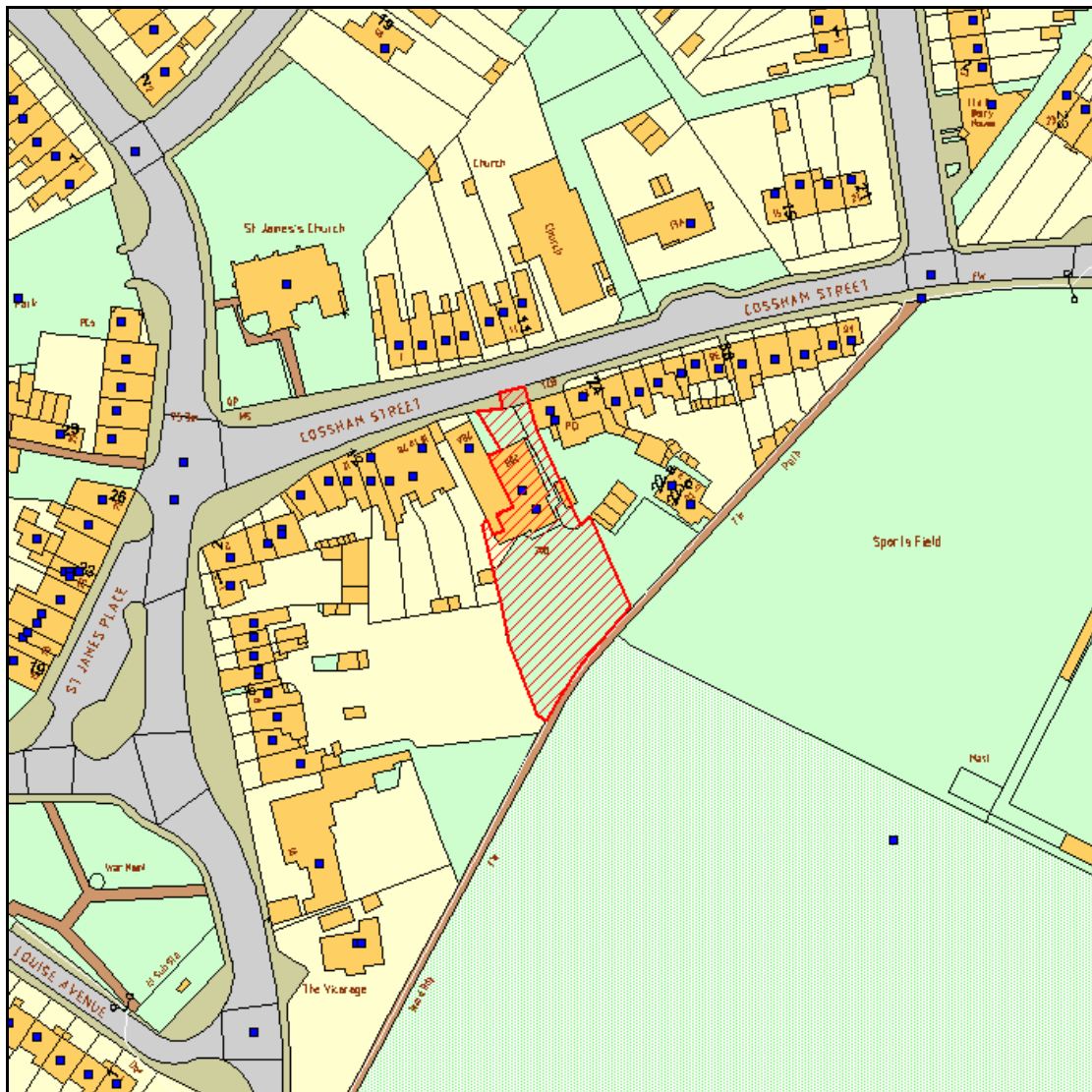
Reason

To ensure the dwelling meets the function needs of the farm business and to preserve the character and appearance of the locality in accordance with Policies D1, GB1 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and Government advice contained in PPS7.

ITEM 3

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PK10/2702/F	Applicant:	Mr & Mrs R Nichols
Site:	The Old Chapel Cosham Street Mangotsfield South Gloucestershire	Date Reg:	12th October 2010
Proposal:	Change of use from class B1 to class D1 - day nursery as defined in the town and country Planning (Use Classes order) 2005 (as amended) with associated works.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366502 176128	Ward:	Rodway
Application Category:	Minor	Target Date:	6th December 2010



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100023410, 2008. **N.T.S.** **PK10/2702/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of representations in support of the application, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to The Old Chapel, located next to the Post Office on the Southern side of Cossham Street, close to the heart of Mangotsfield. The building is a 19th century, former chapel building, that is 'Locally Listed'. The two-storey building is constructed of natural stone, with a slate roof and has a mezzanine floor inside. There is a large garden to the rear enclosed by a natural stone wall and fences. The garden is bounded to the rear by a public footpath (PROW) PMR 26, beyond which is open Green Belt land. To the front of the building is an area of hard-standing, which is open to Cossham Street and is shared with an adjacent, commercial premises. The Post Office to the east, is separated from the Old Chapel by an access lane, leading from Cossham Street to the rear of the Post Office and Chapel building. The current authorised use of the building is B1 business. Until Nov 2009 the building was occupied by a photographic business but is currently used for storage of stock in association with the Post Office.
- 1.2 It is proposed to change the use of the building from B1 business use to a D1 Day Nursery use. The only proposed works to the building that would be required to facilitate the proposed change of use, would be of a remedial nature, although it is proposed to replace the roof, doors and windows on a like for like basis. It is also proposed to remove the internal partitioning. The nursery would be staffed by 8no. persons and would cater for 30no. 3-5 year olds, 12no. 2-3 year olds and 6no. 0-2 year olds. It is proposed to provide 7no. staff car parking spaces to the rear, accessed via the existing driveway off Cossham Street currently serving the Post Office. To the front of the building the existing area of hard-standing would be cordoned off using bollards. The proposed hours of opening are 08.00hrs – 18.00hrs Mon to Friday with no opening on Saturdays, Sundays or Bank Holidays.
- 1.3 The application is supported by a Design and Access Statement and a Travel Plan. An earlier application PK10/2332/F for a similar scheme, was withdrawn on officer advice, the current proposal seeks to overcome a number of officer concerns that were previously expressed.

2. POLICY CONTEXT

- 2.1 National Guidance
PPG1 - General Policy and Principles
PPS4 - Planning for Sustainable Economic Growth
PPS5 - Planning for the Historic Environment
PPG13 - Transport

2.2 Development Plans

Joint Replacement Structure Plan – Adopted Sept 2002

Policy 1 - Sustainable Development Objectives.

Policy 2 - Location of Development

Policy 54 - Car Parking Provision (Non-Residential)

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

CS1 - High Quality Design

CS5 - Locality of Development

South Gloucestershire Local Plan (Revised Deposit Draft)

D1 - Achieving Good Quality Design in New Development

L1 - Landscape Protection and Enhancement

L15 - Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality.

L17 & L18 - The Water Environment

EP1 - Environmental Pollution

EP2 - Flood Risk and Development

GB1 - Green Belt

T7 - Cycle Parking

T8 - Parking Standards

T12 - Transportation Development Control Policy

E3 - Employment Development within the Urban Area

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

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List (SPD) – Adopted August 2007.

Local List (SPD) - Adopted Feb 2008

3. **RELEVANT PLANNING HISTORY**

3.1 K3858/3 - Retention of use of Existing Premises for the Production and Supply of Promotional Advertising Gifts.
Approved 24 Oct 1988

3.2 PK10/2332/F - Change of Use from (Class B1) to Day Nursery with associated works (Class D1) as defined in the Town and Country (Use Classes Order) 2005 (as amended).
Withdrawn 7 Oct 2010.

4. **CONSULTATION RESPONSES**

4.1 Parish Council
Not a parished area.

4.2 Other Consultees (including internal consultees of the Council)

The Coal Authority

The proposed development lies within an area which could be subject to current coal mining hazards.

Open Spaces Society

No response.

The Ramblers Association

No response.

Ofsted Early Years

No response.

Public Rights of Way

No objection subject to standard informatives.

Conservation

No objection subject to conditions to secure details of new window and door joinery, use of materials, bollard design, sample walling and landscaping/boundary treatments to the rear of the site.

Landscape

No objection in principle subject to conditions to secure prior approval of fencing details, levels to access/parking areas, additional/retained structures and a planting scheme.

Sustainable Transport

Refusal on grounds of increased standing and manoeuvring of vehicles on the public highway and increased use of substandard access.

Other Representations

4.3 Councillor Kevin Seager

"I would like to put my support behind this Planning application PK10/2702/F for a Nursery at Cossham Street, Mangotsfield in the old hall next to the post office. I feel this will bring a service and employment for the residents of Mangotsfield to have a nursery which is in walking distance is the way we should be thinking and not encouraging driving.

I have seen the Highways report about their concerns about parents parking in front of the building on double yellow lines out side of their property, I do feel Highways Dept are over reacting to a problem that will not exist. Is this not the reason why we employ Parking Attendants? to police the street and ticket or remove cars on yellow lines. it is not a business responsibility to monitor cars parking on yellow lines and the Owners of the nursery have a parking at the rear for 8 cars and a overflow parking lot less than 1 minute away. There is already five parking bays outside of the premises.

The nursery reason for setting up in the middle of Mangotsfield is to have a local nursery and to promote parents walking to a local nursery and not to drive.

I do feel strongly this planning application should be supported and planning permission given.”

4.4 Local Residents

A total of 20no. responses were received, of which 2 objected and 18 were in support.

The objections raised are summarised as follows:

- Bollards around the forecourt area together with on-street parking and bollards on opposite side of road, will make access to the adjoining parking area difficult if not impossible for the neighbouring occupier.
- Any hours of use outside normal business hours would adversely affect residential amenity for local residents.
- The building is currently let and used for storage purposes.
- Any means of preventing unauthorised parking should be in-keeping with the properties the parking area serves.

The supporting comments are summarised as follows:

- The Nursery would help meet a shortfall in full-time nursery provision in the local area.
- The proposal would make good use of the building.
- The Nursery would be of value to working families.
- The added car park is a bonus.
- It's not for the owner to monitor the on-street parking situation.
- Would be of benefit to the community.
- Good parking area nearby.
- Would encourage the walk to School/Nursery initiative.
- In safe area away from roads.
- Sufficient space for indoor and outdoor activities.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The authorised use of the building is for B1 use and in this respect the acceptance of a business use on this site has already been established. The site lies within the existing urban area and by virtue of Policy LC4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, the proposed change of use is considered acceptable in principle, subject to compliance with the following criteria :-

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

B. Development would not prejudice residential amenities: and

C. Development would not have unacceptable environmental or transportation effects: and

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

- 5.2 These criteria are discussed in the following paragraphs. Furthermore Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010, seek to secure good quality design in new development. Local Plan Policy L15 seeks to retain buildings and structures which make a significant contribution to the character and distinctiveness of the locality i.e. Locally Listed buildings.

Design and Conservation Issues

- 5.3 The Old Chapel is a 19th century former chapel building, that has been identified by the Council as being of local architectural or historic interest, and one which makes a significant contribution to the character and distinctiveness of the locality and as such the building is Locally Listed.
- 5.4 The building is two-storey, built of natural, coursed rubble pennant sandstone with dressed stone surrounds to the front elevation. The door and window surrounds comprise alternating blocks, which give the openings a distinctive appearance. To the side, the building has a cruder rubble construction with brick surrounds, indicating a subservient elevation and adding emphasis to the front of the building. The building has full height, single glazed timber windows, which are likely to be original to the building. Internally, the building has been heavily modified with the insertion of partitions and a first floor structure. Externally, a modern timber fence has been erected at the front, adjacent to the neighbouring Post Office driveway; a large rear garden extends southwards to meet a footpath that runs along the back of the plots. The garden is defined by a natural stone, boundary wall.
- 5.5 This application seeks permission for a change of use from Business Class B1 to Day Nursery D1 with associated works and is a resubmission of an earlier application. As the building has been identified as a Locally Listed building, it is classed as a heritage asset in PPS 5. Policy HE7. 2 of PPS 5 states that local planning authorities should *“take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposals.”* Furthermore, Policy HE7.5 states:

“Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.”

The adopted Local List SPD also provides guidance and advice in respect of alterations affecting Locally Listed buildings. It states that:

“It is important that special features of a building, which contribute to its importance are retained. Historic architectural features such as windows, doors, roof pitch and cladding etc are all important elements, which, if lost or significantly altered, can devalue the historic importance of a building.”

In addition, the SPD states:

“Careful consideration should be given to the landscape treatment surrounding buildings on the Local List. Historic boundary treatments and surfacing contribute to the setting and to the wider landscape and should be preserved.”

- 5.6 The proposed internal alterations are generally acceptable, and the proposed change of use to a Day Nursery is also acceptable in principle. The current application has omitted the replacement of the windows and doors with uPVC which is a welcome improvement, although the D&A statement still refers to the replacement of doors and windows without being very specific. The historic windows should be repaired where possible by a skilled joiner and if beyond repair should be replaced **exactly** like for like. This is important to maintain the character and appearance of the building and thus the contribution it makes to the character and local distinctiveness of the locality. The use of natural slate for the roof repairs is also acceptable, although the application does suggest a complete re-roofing. The lack of certainty with regards the replacement of the windows, doors and roof means that a condition securing details of joinery and samples of slate should be attached to any permission granted. The replacement of the timber fence at the front of the building with a 900mm high stone wall is also welcomed.
- 5.7 The landscaping to the rear of the plot is intended to address Highways objections to the lack of sufficient off-street parking for staff. The scheme now proposes 7 parking spaces behind the chapel, bounded by a proposed 1.8m high timber close-boarded fence. The site boundary adjacent to the public footpath still proposes a new ‘fence’, the detail of which is still subject to approval but this should be an unobtrusive form of enclosure to avoid having a modern timber fence erected over the traditional stone boundary wall. It would be preferable to extend this boundary treatment around the parking area.
- 5.8 Subject to conditions to secure the details of the new window and door joinery, the use of materials, the bollard design, sample walling and boundary treatments, there are no objections on design or conservation grounds. The scheme would therefore comply with Policies D1 and L15 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policy CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010 and requirements of the Local List SPD.
- 5.9 Impact Upon Residential Amenity
The site lies in the heart of Mangotsfield Village but is in close proximity to a number of dwelling houses within Cossham Street, as well as first floor residential accommodation above the nearby commercial properties. The occupants of these dwellings are already likely to experience a certain level of disturbance from the daily comings and goings to the village centre, both day and night; from children walking to the nearby school at Rodway Hill or people

attending matches at Cleeve Rugby Club and Mangotsfield United Football Club. The proposed hours of use 0800hrs – 18.00hrs Mon – Fri are not excessive for a Day Nursery and could be controlled by condition; there would be no working on Saturdays, Sundays or Bank Holidays. There may be some noise disturbance from children playing in the garden but given the age of the children, the size of the rear garden, the proposed boundary treatments, the presence of commercial properties to either side and level of existing background noise, this should not have a significant impact.

- 5.10 The scale and form of the building would not alter and there would be no new issues of loss of privacy from overlooking. Any disturbance caused by parents dropping off or picking up children would most likely be confined to short periods at the beginning and end of the working day. Officers are also mindful that a Day Nursery in this location would make a positive contribution to the community and provide employment for 8no. full-time members of staff. The Old Chapel can already be used for a B1 business use, so officers are satisfied that on balance, the proposed change of use would not result in a significant adverse impact on residential amenity and would therefore accord with Policy LC4(B) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.11 Sustainable Transport
The current application is a resubmission of a previous planning application no. PK10/2332/F for change of use from Class B1 to Day Nursery (Class D1) with associated works. (The earlier application was recommended for refusal on highway grounds). The proposal is seeking to provide a 48 place day nursery which would be staffed by 8 persons.
- 5.12 Since the earlier proposal, the applicant has sought to provide alternative staff parking arrangements, although there is still no proposal to provide an on-site pick up/set down facility, which is part of the requirement under the Council's parking policy for a day nursery (see Local Plan Policy T8).
- 5.13 The main transportation issue relating to this proposed development is parking. Although there are some parking restrictions on Cossham Street, it is evident from the site inspection that short-term, on-street parking is common at this location.
- 5.14 The proposal does not provide any on site drop off/pick up area for the parents coming by cars to the nursery but instead, the applicant prefers to rely on the use of on-street parking and use of the public car park located on St. James's Place. In his "design and access assessment", the applicant states that '*due to the site constraints there is no on-site parking for parents provided however there is 5no. public parking spaces on Cossham Street and another 34no. spaces within the public car park off St. James Street.*'
- 5.15 With regards to on-street parking on Cossham Street, it must be noted that on-street parking facilities along Cossham Street are very limited and these are often taken up by the existing residents or the visitors to the existing businesses nearby, which include the Post Office next to the application site. Due to extensive traffic calming measures on Cossham Street, it is considered that a further increase in parking on this road, at this location, would result in more

conflicts/obstructions on this road. Given the nature of the proposed use and resultant greater demand for short-term parking, there would be additional parking on Cossham Street, which would be problematic for the travelling public. Given the scale of the proposal; officers consider that the impact would be significant.

5.16 St. James Place public car park is some 130m walking distance from the proposed nursery. In order for the visitors to the nursery to use this car park and then walk to the nursery, they would be required to cross a signalised crossing at a relatively busy road (i.e. St. James Street) and then they would further have to cross the junction between St. James Place and Cossham Street. All persons using this car park taking children to the new nursery, would be required to take this route twice (walking the child to the nursery and then walking back to the car, a total walking distance of 260m. In this context, officers consider this car parking to be remote in its location in relation to the nursery. Whilst, some visitors may choose to park in the car park, it is more likely that the majority of the visitors to the day nursery would instead decide to park on the road outside the new day nursery.

5.17 With the current scheme, the applicant proposes to provide staff parking to the rear of the property, using the adjoining Post Office access. This access is currently used by the Post Office (i.e. staff and delivery vans). The width of the access varies but at its entrance gate, the access measures approximately 3.5m wide. There is insufficient space at the junction of this access with the public highway to allow two vehicles to pass each other. In relation to this access, the applicant makes the following statement in his submission.

'For safety reasons can drivers give right of way to cars entering from the road to avoid any reversing onto Cossham Street and possibly endangering pedestrians outside the nursery.'

This statement in itself suggests that the applicant is aware of the shortcomings in the existing "Post Office" access. With this in mind, officers do not support increased use of this access in its current form.

5.18 The current parking demand on Cossham Street is high, particularly outside the "Post Office". In terms of its operation, a day nursery would have similar characteristics to other educational establishments, such as schools and would create short-term parking on the road. The traffic associated with the proposed nursery would tend to concur within the morning peak hour traffic and would often take place with parents dropping off their children on the way to work. Given the scale of the proposal, it is considered that on-street parking would rise on Cossham Street.

5.19 Officers do acknowledge that the site does lie within a sustainable location and would for some, be highly accessible by foot and bicycle in accordance with Policy LC4(A). Given the size of the proposed Day Nursery however, it is likely that it would draw on a wider population and this is reflected in the locations of those residents supporting the scheme, which include addresses as far away as Winterbourne, Kingswood and Downend. Furthermore, officers consider that, during periods of inclement weather, it is likely that even local residents would

use their cars to drop off and pick up children from the nursery.

5.20 Cossham Street is part of a “route to school” and officers are anxious that additional pedestrian/vehicle conflict should not arise at this location. In view of all the above, the application is considered to be contrary to Policy LC4(C) and LC4(D) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and is therefore recommended for refusal.

5.21 Landscape Issues

Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 seeks to conserve and enhance the character, quality, distinctiveness and amenity of the landscape. The site lies adjacent to the Green Belt and Policy GB1 does not permit development that would be conspicuous from the Green Belt and which adversely affects the visual amenity of it. Whilst it is considered there is no ‘in principle’ landscape objection in the context of Policies D1, L1 and GB1 of the adopted local plan it is considered that in event of consent being granted, conditions should be attached requiring both the prior submission and approval of the fencing details and the existing and proposed levels to the access and parking areas and details of any retaining or other structures that may be required. The fencing details should also include details of how any level changes may affect the elevations of the fencing. It is further considered that a landscape condition be attached requiring the submission and approval of a planting scheme to aid assimilation of the car parking into the landscape. Subject to these conditions there is no landscape objection.

5.22 Drainage and Environmental Issues

The proposal would utilise an existing building, which does not lie within a flood zone. It is proposed to utilise the existing sewer and surface water drainage systems. The site lies within an area that could be affected by past coal mining activities and given the sensitive nature of the proposed use, officers consider it justifiable to impose a condition to secure the submission of a coal Mining Report to ascertain if there are any old mine shafts on the site. Subject to this condition the scheme would accord with Policies EP1, EP2, L17 & L18 and LC4(C) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be REFUSED for the reasons listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

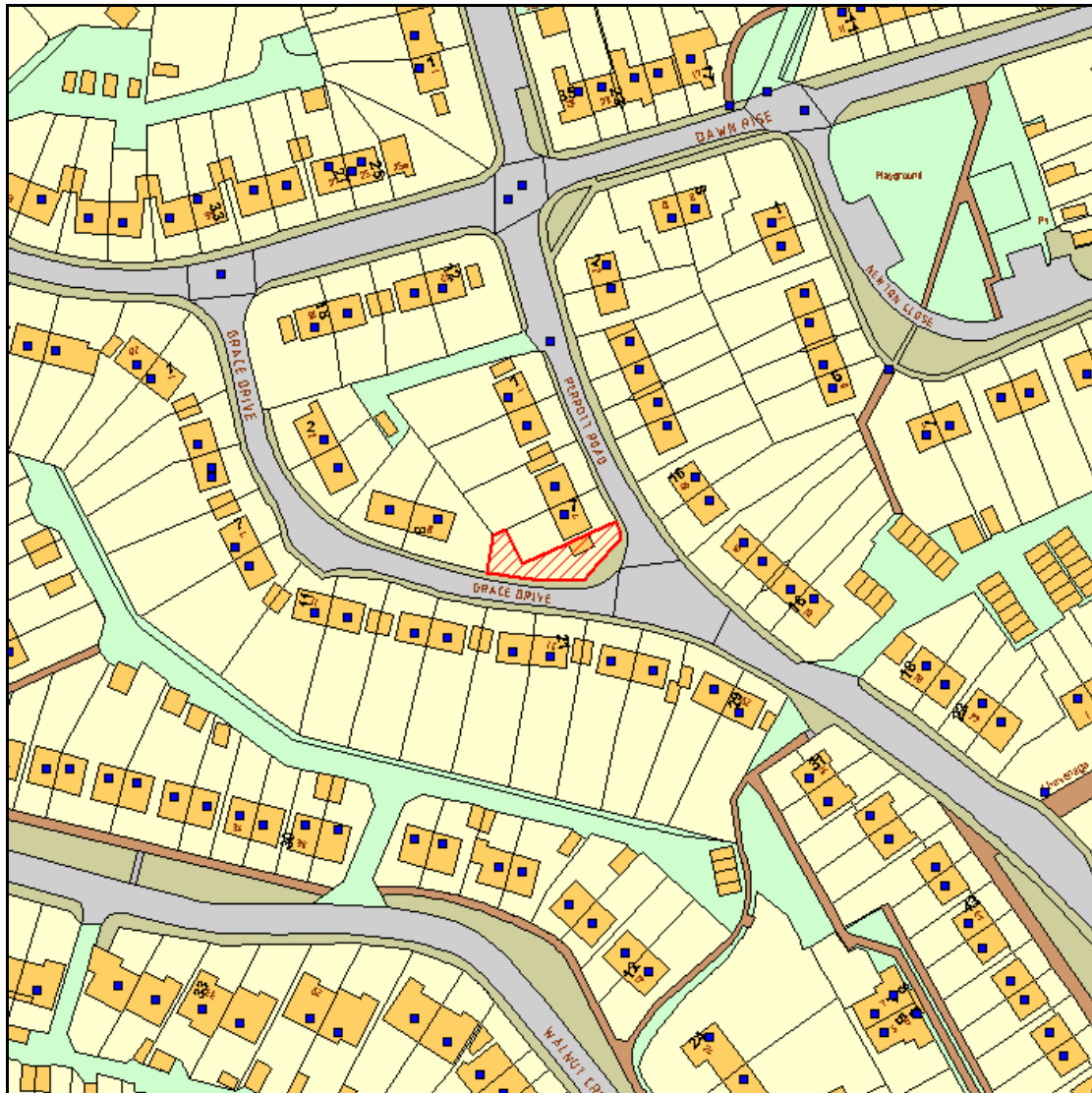
REASONS FOR REFUSAL

1. The proposal provides no on-site drop off/pick up area and as such would lead to increased standing and manoeuvring of vehicles on the public highway, thereby increasing on-street congestion, which would add to hazards faced by the travelling public. This would be contrary to Policies T12 and LC4(D) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
2. The increased use of the existing access with substandard width, for two-way traffic and lack of footway facility, together with the generation of additional conflicting movements, resulting from the proposed development, would be prejudicial to road safety and as such would be contrary to Policies T12 and LC4(C) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

ITEM 4

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PK10/2726/F	Applicant:	Mr Paul Gingell
Site:	7 Perrott Road Kingswood Bristol South Gloucestershire BS15 4LL	Date Reg:	18th October 2010
Proposal:	Erection of 1 no. attached dwelling with parking and associated works.	Parish:	None
Map Ref:	366063 174046	Ward:	Kings Chase
Application Category:	Minor	Target Date:	8th December 2010



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100023410, 2008.

N.T.S.

PK10/2726/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of end terrace two storey dwelling at 7 Perrott Road, Kingswood. The proposed dwelling would measure metres 6.1 wide by a maximum of 7.5 metres in depth and would have an overall height to ridge of 7.3 metres.
- 1.2 The application site is within the residential curtilage of No. 7 Perrott Road, this property is a two storey semi-detached dwelling and is located within a residential area of Kingswood.
- 1.3 During the course of the application amended plans were requested to change the proposed detached dwelling to a property that is more in keeping in design terms with the surrounding properties. Amended plans were received as requested changing the proposal from a detached dwelling to an end terrace dwelling and amending the height of the proposal so that it accords with the existing dwellings on site. .

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG3 Housing as revised June 9th 2010
PPG13 Transport
Ministerial Statement 9th June 2010
- 2.2 Development Plans
D1 Achieving Good Quality Design in New Development
H2 Residential Development within the Urban Area
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Parking Standards
T12 Development Control Policy
EP1 Environmental Protection
L17 & L18 The Water Environment

South Gloucestershire Core Strategy, Pre-submission Publication Draft March 2010
CS1 High Quality Design
CS16 Housing Density
CS17 Housing Diversity
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
Site falls outside of any parish boundaries.

4.2 Sustainable Transport
No objections subject to the attachment of a condition to ensure adequate drainage.

4.3 Coal Authority
No objections subject to the attachment of a standard informative.

Other Representations

4.4 Local Residents
Two letters of objection have been received from local residents raising the following concerns:

- The 2 metre high fence on top of the existing wall will block views for oncoming traffic when leaving Grace drive.
- Grace drive is only one way with limited parking.
- No room for turning vehicles into the proposed driveway
- Grace Drive and Perrott Road and main routes for school children.
- Do not want such a large parking area close to boundary (no. 5 Perrott Road)
- Anyone walking on the parking area would have an immediate view and simplified access to land of No. 5 Perrott Road.
- A tall fence would restrict light
- If parking area is not levelled this would cause run off onto neighbouring land, No mention of drainage of parking area
- Would the boundary between no. 5 and no.7 be changed?

Following the re-consultation, one letter of objection was submitted stating the following:

- Plans turn No. 5 Perrott Road into an end terrace, which could undermine the value of the property.
- Parking would be a hindrance to traffic on Grace Drive
- Parking space would block light to property

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposed new dwellings within the existing residential curtilage, providing that the design is acceptable, highway safety would not be compromised, adequate parking and amenity space is provided and that there is no unacceptable impact on residential and visual amenity.

PPS3 has been reissued on 9th June 2010 to reflect concerns regarding the redevelopment of neighbourhoods, loss of Green Space and the impact upon local character. The changes involve the exclusion of private residential gardens from the definition of previously land and the removal of the national indicative density target of 30 dwellings per hectare. The existing policies in the local plan, policies H2, H4 and D1 already require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land.

The South Gloucestershire Plan (Adopted) 2006 identifies the site as lying within the urban area. With the exception of design, Policy H2 of the adopted Local plan encompasses all the relevant issues of the above policies. Policy H2 allows for new residential development providing that the following criteria are complied with:-

5.2 **(a) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

In the interests of clarity these two issues will be discussed in turn.

Transportation Issues

The application proposes the erection of a two storey end terrace dwelling with two off street parking spaces at 7 Perrott Road, Kingswood. The application property currently has no off street parking, the proposed parking would be to the rear of the dwelling and accessed off Grace Drive.

Concern has been raised by neighbouring residents that the proposed development which includes a 2 metre high fence on top of the existing wall will block views for oncoming traffic when leaving Grace Drive. Furthermore there is concern that Grace Drive is a one way street with limited parking spaces and that there will be no room to turn into the proposed driveway. The councils Sustainable Transport officer has assessed the proposal and has no objections to the principle of the proposed development. However, given the level differences across the site, it is recommended that a planning condition is imposed so that a drainage scheme is prepared by the applicant and be submitted for the approval by the Council to prevent run-off water from the parking area on the adjoining plot or the public highway.

Residential Amenity

The proposed dwelling would be attached to No. 7 Perrott Road adjacent to the junction of Grace Road with Perrott Road. Given the location of the proposal it is not considered that the dwelling would result in any overbearing or overshadowing effect on the neighbouring dwellings.

The proposal includes the addition of three new first floor windows one on the front elevation and two on the rear elevation. Given the location of these windows, it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above the levels of overlooking from the first floor windows of No. 7 Perrott Road.

Concern have been raised by a neighbouring resident that the proposed parking area would have an immediate view of the rear of No. 5 Perrott Road and that the proposed hardstanding would cause run off on to neighbouring land. The boundary treatments between No. 5 and No.7 Perrott Road would remain as existing, furthermore, whilst the rear garden of No. 7 Perrott Road is at a gradient sloping up away from the rear of the property, the proposed car parking area would be located over 10 metres away from the rear of the existing dwellings, as such it is not considered that the proposal would result in any significant loss of light to the rear of No.5. The proposed hard standing would be designed so that run of is directed into a soakaway, a condition would be attached to ensure a satisfactory drainage scheme.

It is acknowledged that the proposed handstanding area will result in an increased level of activity to the rear of the property. However, given the gradient of the land, there are already views of the rear of No. 5 from Grace road, furthermore, the rear and side garden of No. 8 Grace Road over looks this property. As such it is not considered that the proposal would significantly increase the levels of overlooking over and above the existing situation and as such it is not considered that a refusal on loss of privacy or overlooking grounds could be substantiated or justified at appeal.

The plans show adequate private and useable amenity space would be provided to serve both the existing and proposed dwelling. The impact on residential amenity is therefore considered to be entirely acceptable.

5.3 **(b) The maximum density compatible with the sites location, it accessibility and surroundings is achieved.**

Under new government guidance whilst there is no longer a national minimum density target, PPS3 seeks to ensure the most efficient use of land. Officers are satisfied that having regard to the sites constraints, the pattern and scale of existing development, access and impact on residential amenity, no more than one additional dwelling as proposed could be accommodated on the site.

5.4 **(c) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.**

The new dwelling would be subjected to no greater levels of noise, dust, pollutants etc than the existing dwellings in the vicinity.

5.5 (d) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal.

The proposal is only for 1 dwelling and therefore would not have a significant impact on the area in terms of service provision.

5.6 Design / Visual Amenity

The proposed dwelling has been re-designed so that it is now an attached dwelling with a height and depth to match the existing dwellings on site. The proposed dwelling is of an appropriate standard in design and reflects the character of the existing dwelling house and surrounding properties. It is considered that the appearance of the proposed dwelling is well proportioned and would remain in keeping with the scale of the surrounding dwellings. Furthermore, the proposal would incorporate materials to match those of the adjoining dwelling, assisting the successful integration of the proposal within the street scene.

The lack of a first floor window above the porch is unusual, however it is not considered that this small element of the proposal is of sufficient concern to warrant the refusal of the application.

The plans show that there will be a 2 metre high fence above the existing wall along the side boundary of the property, adjacent to the road. Given that there are only low boundary walls in the immediate vicinity there are concerns that the fencing proposed, 2 metres in height above an existing wall, would be out of keeping with the surrounding area. However it is accepted that the application site is orientated in such a way that the rear garden is highly visible and such it is considered reasonable and acceptable to allow a boundary treatment of a sufficient height to ensure a degree of privacy can be enjoyed in the rear garden of the proposed dwelling. Therefore a condition will be attached to any permission to ensure full details of boundary treatments are submitted and approved.

Overall, it is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.7 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by attaching an informative outlining the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Councils Drainage Engineer has raised no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme for approval before development could commence.

5.8 Other Issues

With regard to concern raised that the proposal could decrease property values, it should be noted that private property values are not considered a material planning consideration as applications are determined in the public interest, not private interests.

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 A) The proposal would incorporate the use of materials to match the existing dwelling, as such it is considered that the proposal would respect the character and appearance of the principal dwelling and street scene in accordance with Policy D1.
- B) The proposal would not have any impact on neighbouring residential amenities by way of overbearing impact or loss of privacy and the resultant parking provision would remain in compliance with Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006. As such the proposal accords with Policies D1, T8, H2 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies H2, L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the details shown on the submitted plans, prior to the commencement of development full details of all boundary treatments shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

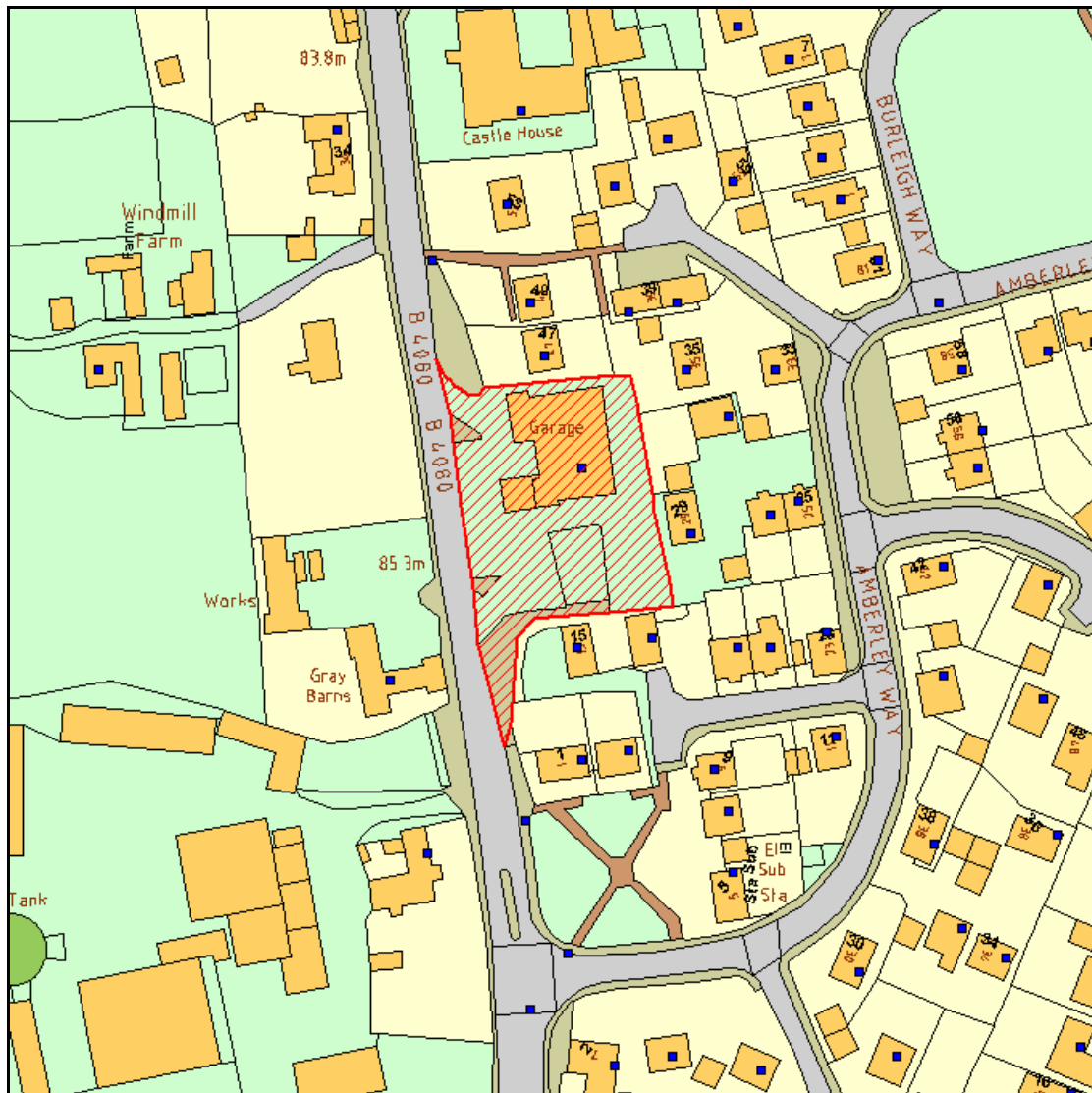
Reason

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

ITEM 5

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PK10/2742/ADV	Applicant:	Citroen UK Ltd
Site:	A E Wilcox Sodbury Road Wickwar Wotton Under Edge South Gloucestershire	Date Reg:	15th October 2010
Proposal:	Display of 2no. illuminated totems 4.3m and 2.2m high, 1no. non illuminated totem 1.350m high, 2no. non illuminated 5M flagpole signs and 3no. illuminated fascias,	Parish:	Wickwar Parish Council
Map Ref:	372521 187987	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	8th December 2010



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REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of concerns raised by Wickwar Parish Council.

1. THE PROPOSAL

- 1.1 The applicant is seeking full advertisement consent for the display of 2no. illuminated totems of 4.3 metres and 2.2 metres in height, 1no. non illuminated totem measuring 1.3 metres in height, 2no. non illuminated 5m flagpole signs and 3no. illuminated fascias.
- 1.2 The application site is currently a car showroom and petrol garage. The proposed signage is to be displayed on and surrounding a replacement garage, workshop and show room which was approved in 2008, application reference PK08/2868/F. The site falls within the settlement boundary of the village of Wickwar but is located outside of the Conservation Area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG19 Control of Advertisements
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
L19 Control of Advertisements

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/2868/F Erection of replacement garage and associated works with car showroom (sui Generis) and workshop (class B2) at ground floor and offices (class B1) and managers flat (Class C3) at first floor level.
Approved November 2008

4. CONSULTATION RESPONSES

- 4.1 Wickwar Parish Council
The site was visited by Councillors Proffitt and Summers on Monday 25th October 2010. In principle the signage is acceptable to promote the business dealership. Of the signs to be installed, where we have had to imagine the layout of a newly constructed premises, we query the following:
- Signs 1, 3 and 4 would seem to be excessively high in relation to the locality.
 - Signs 3 and 4, we believe, should be subservient to sign 1.
 - Sign 2 whilst we have no issue with this one the views of the occupants of 47 Amberley Way need to be sought.

- Sign 5 might be a hazard if sited close to the corner of the building. It would be better if it were to be the other side of the door.

4.2 Sustainable Transport
No objections

Other Representations

4.3 Local Residents
No response received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Visual Amenity

The application seeks approval for 8no. signs to be displayed on and around a new garage and showroom which was approved under PK08/2868/F. The consent for the replacement garage and showroom has yet to be implemented, however the proposal is to replace the existing building with a building that is essentially of the same footprint and situated in the same location. The proposed signage is considered to be of an appropriate form and style within the context of a commercial garage and showroom, in addition the signage would not clutter the proposed building and the colour scheme of the signage is considered acceptable. There are various signs in place in association with the existing garage on site, sign 1 the large illuminated totem would predominantly replace an existing totem on site. Whilst it is accepted that sign 1 is large, measuring 4.3 metres in height, the height and design of the totem would be in proportion and in keeping with the scale and design of the proposed replacement garage. It is accepted that signs 3 and 4 have a greater height than sign 1, however it is still considered that sign 1 is the more visually dominant sign, this is especially the case given that this sign is illuminated and the fact that the sign is a solid rectangular structure rather than a flag design.

The illuminated signs are illuminated to an acceptable luminance level, furthermore, the hours of illumination will be limited via a condition to between the hours of 07.00 – 22.30 Monday – Saturday and 07.00 – 18.00 Sundays and Bank Holidays, as such it is not considered that the proposed illuminated signage would result in any demonstrable harm to the visual amenity of the site or affect the residential amenity of the neighbouring properties.

Overall it is not considered that the signage would have any detrimental impacts on the character of the surrounding area, furthermore, it is considered that the proposal would be in keeping with the scale and design of the proposed garage and showroom approved under PK08/2868/F.

5.3 Public Safety

Given the scale and location of the proposed signage it is not considered that the proposed signage would be distracting or confusing for motorists nor would it be physically hazardous to pedestrians. Further, with no objection from the Transportation Officer the proposal is considered acceptable in terms of public safety. With regard to concern raised regarding sign No. 5, whilst the sign does project forward of the building the signage is located away from the public highway and is an entrance sign, and consequently highly visible, therefore given the scale of the sign, it is not considered that the proposal would result in any demonstrable harm to public safety.

5.4 Other Issues

With regard to the concerns raised regarding sign 2. The owners of No.47 Amberley Way have been consulted on the application and have not raised any objections to the proposal.

6. CONCLUSION

6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992, 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 scale, location and luminance levels of the proposed signage are considered acceptable given the context of the site. The proposal is not considered to be detrimental to the visual amenity of the site or to public safety, as such the proposal accords with policy D1 of the South Gloucestershire Local Plan and the advice contained within PPG19.

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions.

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CONDITIONS

1. The signage hereby approved shall only be illuminated between the hours of 07.00 - 22.30 Monday to Saturday and 07.00 - 18.00 Sundays and Bank Holidays.

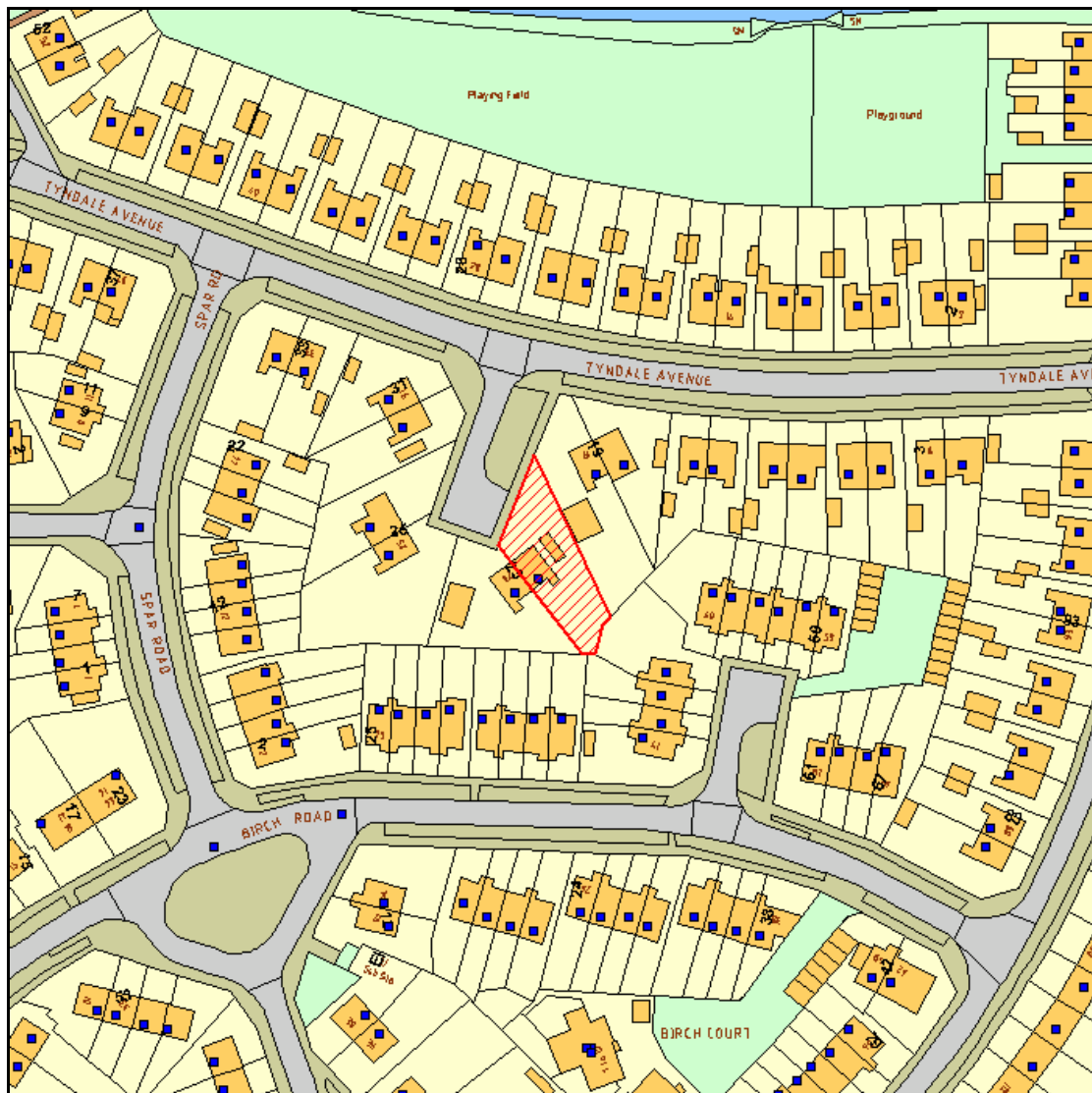
Reason

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

ITEM 6

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PK10/2944/F	Applicant:	Mr G Fuller
Site:	21 Tyndale Avenue Yate Bristol South Gloucestershire BS37 5EU	Date Reg:	1st November 2010
Proposal:	Erection of two storey side extension to form garage and residential annexe ancillary to main dwelling.	Parish:	Yate Town Council
Map Ref:	370907 182948	Ward:	Yate North
Application Category:	Householder	Target Date:	22nd December 2010



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Other Representations

- 4.2 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design / Visual Amenity

The proposed extension would predominantly replace an existing detached double garage. The extension is very large in scale and concern was raised that given the large width of the extension the proposal does not appear subservient to the main dwelling and appears as a very dominant feature. The applicant provided information of several large two storey extensions within the immediate vicinity, in particular, No. 9 Spar road, No. 103 Milton Road and No. 42 Birch Road. Given the presence of these large extension close to the application site, whilst it is accepted that the proposal is very large, it is not considered that the proposal would result in any harmful impact on the character and appearance of the area. Furthermore it is not considered that a refusal could be justified or substantiated at appeal. The proposed extension would be finished in materials to match the main house and the resultant building would be well proportioned. In addition, the front roof lights have been removed from the plans to simplify the appearance of the proposal, as such, in this instance the proposal is considered acceptable.

5.3 Residential Amenity

The siting of the proposed extension is predominantly adjacent the detached garage of the neighbouring property, No. 19 Tyndale Avenue. Furthermore, this neighbouring property is significantly set forward from the proposed extension. As such it is not considered that the proposal would have any overshadowing or overbearing effect on the neighbouring dwellings.

The proposal includes the addition of five new first floor windows two on the front elevation, one obscurely glazed side window and two on the rear elevation. Given the location of these windows, it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above the levels of overlooking from the existing first floor windows. It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Parking and Highway Safety

The proposal is for a one bedroomed annex and integral garage. The garage would be large enough to accommodate one car and there is space on the driveway to park several more vehicles. The proposed level of parking is therefore considered acceptable and in line with the Councils Parking Standards.

5.5 Other Issues

The Town Council have raised concerns that the proposal is for a new dwelling, the application is for an annex only. Permission would need to be sought if the annex were to be used as a separate residential unit, however to avoid any doubt, an informative would be attached to any permission to ensure the applicant is aware of this.

The roof lights have been removed from the front elevation of the extension, as such when viewed from the cul-de-sac, the use of the roof as living space would not be apparent, it is not therefore considered that the use of the roof as living space is of sufficient concern to warrant the refusal of the application.

6. CONCLUSION

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

6.2 The proposed extension is of an acceptable standard in design given the scale and appearance of existing two storey side extensions in the vicinity. Furthermore the extension would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact and the parking provision would remain in compliance with Policy T8. As such the proposal accords with Policies D1, T8 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions

Contact Officer: Kirstie Banks
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

ITEM 7

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2574/F	Applicant:	Mr Gary Sheppard
Site:	The Nursery New Passage Road Pilning Bristol South Gloucestershire	Date Reg:	12th October 2010
Proposal:	Erection of agricultural and livestock building. (Resubmission of PT10/0346/F).	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354777 185981	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	6th December 2010



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100023410, 2008. **N.T.S.** **PT10/2574/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of an agricultural and livestock building (resubmission of PT10/0346/F).
- 1.2 The application site relates to a former plant nursery accessed off New Passage Road, Pilning. The land is located to the north west of the Pilning and Redwick settlement boundaries, in open Green Belt. The proposal consists of the erection of an agricultural building measuring approximately 9.5 m in height, 23.6 m in length and 11.7 m in width. The site forms part of an area of land extending to some 5.2 hectares adjacent to the site of the proposed building. The land is currently in permanent pasture and this building is required to provide secure storage for agricultural plant and equipment.
- 1.3 The applicant has submitted another application on an adjacent site for the erection of a glasshouse. The livestock enterprise is to be operated together with the plant production in the glasshouse and will primarily involve the keeping of rare breed sheep and free range poultry for the production of breeding both stock for sale. Both applications are resubmissions following concern raised in regard to ecological surveys.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS4	Planning for Sustainable Economic Growth
PPS7	Sustainable Development in Rural Areas
PPG13	Transport
PPS25	Development and Flood Risk

2.2 Development Plans

Joint Replacement Structure Plan

Policy 16 Green Belts

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
E8	Farm Diversification
E9	Agricultural Development
EP2	Flood Risk and Development
GB1	Development Within the Green Belt
L1	Landscape Protection and Enhancement

L9	Species Protection
RT5	Proposals for Out of Centre and Edge of Centre Retail Development
T12	Transportation Development Control Policy for New Development

Emerging Development Plan

Core Strategy Pre-Submission Publication Draft (March 2010)

CS34 Rural Areas

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)
South Gloucestershire Development in the Green Belt (Adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 N6884 – Erection of two dwellings/garages, new access and improvements to existing access. Withdrawn 09/09/1980.
- 3.2 N6884/1 – Erection of two dwellings and garages. Construction of vehicular and pedestrian access (Outline). Refused 04/12/1980.
- 3.3 N6884/2 – Change of use of horticultural land to domestic garden. Refused 24/01/1985.
- 3.4 PT05/2272/F – Construction of noise bund. Refused 06/02/2006.
- 3.5 PT07/1384/F - Construction of noise bund. Refused 15/06/2007.
- 3.6 PT07/3605/F – Construction of noise bund. Approved 03/03/2008.
- 3.7 PT10/0344/F – Erection of replacement glasshouse. Withdrawn 14/06/2010.
- 3.8 PT10/0346/F – Erection of agricultural and livestock building. Withdrawn 14/06/2010.
- 3.9 PT10/2573/F - Erection of replacement glasshouse (resubmission of PT10/0344/F). To be determined.

4. **CONSULTATION RESPONSES**

4.1 Pilning and Severn Beach Parish Council

No objection in principle. The Council would only have concern if the development is intended to facilitate future business use. Should this be so then a business use application would be required.

4.2 Other Consultees

Drainage

No objection.

Environment Agency

No objection subject to conditions.

Transportation

No objection subject to condition.

Ecology

No objection subject to conditions.

Landscape Architect

No objection.

Other Representations

4.3 Local Residents

No response.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Green Belt Policy

The application site lies outside the defined settlement boundary of Redwick/Pilning and is also within the Green Belt. The proposal is for an agriculture and livestock building to provide secure storage for agricultural plant and equipment together with loose boxes for animal housing at times when they are required to be removed from the land or for veterinary procedures. In accordance with Policy E9 of the Local Plan for agricultural development, there are no existing suitable underused buildings available.

5.2 Advice contained within PPG2 and reflected in GB1 of the Local Plan sets out the limited categories of development normally considered appropriate within the Green Belt. New buildings are only permitted provided they are for agriculture/forestry; relate to essential facilities for outdoor sport/recreation; cemeteries; limited householder extensions and limited infilling within the boundaries of settlements.

5.3 It is considered that the proposed use of the building would secure an agricultural use of the site and this is considered acceptable. However, the use of the site would also have a retail aspect to it in the form of the sale of some of the stock produced on site.

- 5.4 The proposal relates to the erection of an agricultural building. The primary use of the building would be for the secure storage for agricultural plant and equipment together with loose boxes for animal housing at times when they are required to be removed from the land or for veterinary procedures. However it is proposed there would also be an element of retail sales taking place at the adjacent site where it is proposed a glasshouse would be erected (application PT10/2574/F). Within the glasshouse produce from the breeding of animals, as well as from plants grown on the site would be sold to members of the public. It is recognised that there is a sales element to the use of the overall Nursery site but it is considered the sale of items grown/produced on site is ancillary to the primary use of the site for agricultural purposes. A condition will be imposed ensuring sales from the site are ancillary to the agricultural business. Overall, it is considered that the proposal would constitute appropriate development in Green Belt terms that would not harm its 'openness'.

Retail Policy

- 5.5 Due to the intended sale of produce in connection with the proposed agricultural building, Policy RT5 of the Local Plan requires consideration. As does the recently adopted PPS4 which provides guidance on determining planning applications for economic development in rural areas. Policy EC12 contained within PPS4 states that 'local planning authorities should support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres'. Policy RT5 specifically relates to 'retail uses appropriate to a town centre'. Policy E8 of the Local Plan is also deemed significant and this policy supports proposals for farm diversification for such uses as plant nurseries and farm based food processing. As mentioned in section 5.4 of this report, the sales element of this proposal would be ancillary to the primary use of the site which is for agricultural purposes. It is considered that a suitable condition can be imposed restricting sales within the building and within the sites curtilage to be ancillary to the primary agricultural use of the site.

5.6 Assessment of Proposal

5.7 Design / Visual Amenity

The proposed building is deemed to be agricultural in appearance with materials consisting of fairfaced blockwork, metal sheeting, powder coated metal windows and timber/metal doors. Full details of the colours and types of materials to be used can be secured via a suitable planning condition. The size and scale of the building is considered acceptable and overall this is an appropriate addition within a rural context.

5.8 Residential Amenity

The nearest properties to the proposed agricultural building are those to the south of New Passage Road. There are also a couple of outbuildings to the rear of Myrtle Cottages which lie to the north east. However, there is mature boundary treatment in the form of 4 m + high vegetation to ensure there would

be no loss of privacy to neighbouring occupiers. The use of the building and site itself is not expected to generate unacceptable levels of noise pollution/disturbance to nearby occupiers.

5.9 Flood Risk

A Flood Risk Assessment (FRA) compiled by DG Engineering Consultancy Limited was submitted with the planning application. The application site lies within Flood Zone 3a which is categorised as having a 'high probability' of flooding. PPS25 'Development and Flood Risk' states that a building for the intended use for agricultural purposes has a flood risk vulnerability classification of 'less vulnerable'. The type of development proposed is therefore considered compatible but to be appropriate a sequential test must be satisfied. A sequential test is included within the FRA, the area of coverage being Severnside. It is considered that the proposed development passes the sequential test and the provisions of PPS25. The Environment Agency raise no objection subject to conditions and informatives which will be attached to the decision notice. The Council's Drainage Engineer raises no objection to the scheme.

5.10 Transportation

The Council's Highways Officer was consulted as a part of this application. Under the previous application (PT10/0344/F) concern was raised in respect of the existing access to the site, which was considered to be sub-standard due the lack of visibility in both directions. The Highways Officer is now satisfied that the proposed access incorporates the visibility splays necessary to serve the development. The site access also includes improved radii, which will enable larger service vehicles to comfortably turn into the site. The level of additional traffic is unlikely to have an impact on road conditions and therefore the parking and turning arrangements are considered acceptable. A condition will be attached to the decision notice requiring the access be provided in accordance with the approved plans prior to occupation of the new building.

5.11 Ecology

The Council's Ecology Officer was consulted as a part of the application process. A reptile and great crested newt survey and assessment, prepared by CTM Wildlife, was submitted with the application. Protected slow-worms occur on site and there is also a very low risk of protected great crested newts being present on site. Given the sub-optimal habitat situation for great crested newts and the low number of slow-worms likely to be present the 'Assessment and Recommendations' section of the ecology report is accepted as pragmatic in terms of the recommendations made. With the implementation of the measures suggested in the CTM report, which can be conditioned, there is no objection to the proposal.

6. CONCLUSION

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

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

The 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 building would represent appropriate development in Green Belt terms that would not harm the 'openness' of the Green Belt. The development therefore accords to Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of PPG2.
- b) The proposed building has been designed to respect and maintain the character of the surrounding area and would not prejudice the amenity of neighbouring occupiers. 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.
- c) The proposed development would not have any adverse environmental impacts in terms of flood risk, drainage or ecology. The development therefore accords to Policy E9 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposed development would not prejudice highway safety. The development therefore accords to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 That planning permission is **GRANTED** subject to the conditions attached to the decision notice.

Contact Officer: William Collins
Tel. No. 01454 863425

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. All work shall be subject to the recommendations made as a result of the survey and in the ecological report carried out by CTM Wildlife and dated 20th September 2010.

All works shall be carried out in accordance with said recommendations. For the avoidance of doubt, these recommendations are as follows:

1. A drainage system that is not harmful to newts and other amphibians.
2. Protecting and retaining the dry ditch at the eastern end of the site.
3. Creation of a pond 100 to 300m², not stocked with fish, after all proposed works are complete.
4. Implementation of reptile mitigation strategy undertaken by a qualified ecologist with results submitted to the Council and Bristol Regional Environmental Records Centre.

Reason

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

3. The building shall not be occupied until a means of access has been provided in accordance with the approved plans (specifically drawing LDC.1429.0022B).

Reason

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

4. Prior to the commencement of development details 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 a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. For the avoidance of doubt, any retail sales within the building hereby permitted and/or its curtilage shall be ancillary to the primary agricultural use of the site. The term 'ancillary' is defined as goods produced on the agricultural land edged in blue on the submitted Location Plan.

Reason

To ensure that any retail use is ancillary to the agricultural use of the site and to ensure that the development accords to Policies GB1, E8 and RT5 of the South Gloucestershire Local Plan (Adopted) 2006 and the provisions of PPG2.

6. Finished floor levels must be set no lower than 7.17mAOD (metres above Ordnance Datum).

Reason

To protect the development from flooding and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of PPS25.

7. No development approved by this permission shall be commenced until such time as a scheme for incorporating flood resilience has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

Reason

To protect the development from flooding and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of PPS25.

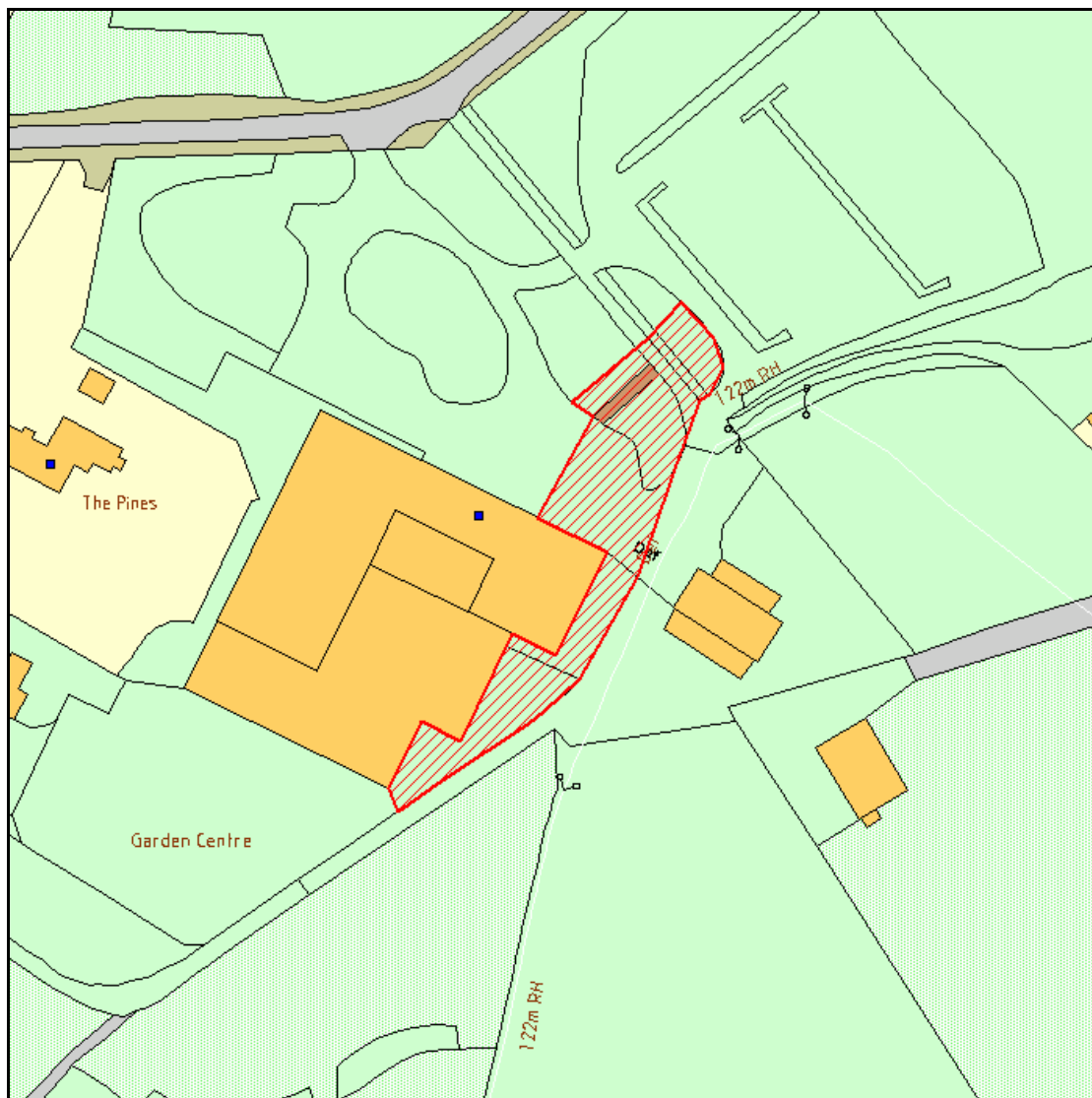
8. No development approved by this permission shall be commenced until such time as a scheme for the provision and implementation of surface water drainage works has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

Reason

To prevent the increased risk of flooding through the satisfactory disposal of surface water and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2583/F	Applicant:	Thornbury Garden Centre
Site:	Thornbury Garden Centre Cuttsheath Road Milbury Heath Wotton Under Edge South Gloucestershire	Date Reg:	20th October 2010
Proposal:	Retention of canopy and walkways for the sale and display of plants and associated goods. Retention of additional walkways and the erection of side single storey extension to form restaurant cold store.	Parish:	Thornbury Town Council
Map Ref:	366307 189962	Ward:	Thornbury North
Application Category:	Minor	Target Date:	3rd December 2010



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule List because an objection has been received from a local resident, which is contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the retention of a canopy and walkway for the sale and display of plants and associated goods. Permission is also sought for the retention of an additional walkway and the erection of an ancillary cold store.
- 1.2 The application site comprises the Thornbury Garden Centre located on the southern side of Cuttsheath Road. The site is situated within the open countryside outside the defined settlement boundary.
- 1.3 The canopy to be retained has an area of approximately 185 square metres in area, the walkways have an area of approximately 467 square metres and the cold store would comprise an area of approximately 30 square metres. The cold store would be located on the southeastern side of the building. The canopy and main walkway wrap around the southern corner of the building and, according to the applicant, cover an area of ground previously used for the outdoor display of plants and other landscape materials. A smaller walkway is located to the north of the building and forms a covered walkway from the car park to the front grounds of the garden centre.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPS7 Sustainable Development in Rural Areas
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
T12 Transportation Development Control Policy for New Development
RT5 Proposals for Out of Centre and Edge of Centre Retail Development
L1 Landscape Protection and Enhancement
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RECENT PLANNING HISTORY

- 3.1 PT00/2846/F, erection of extension to shop and erection of horticultural plant shade, 06/03/01, approval.
- 3.2 PT03/1447/F, use of land for the sale and display of landscape materials (renewal of temporary consent), 14/07/03, approval.

- 3.3 There is a long planning history for the site covering the past 30 years. Only applications within the past 10 years have been listed.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection
- 4.2 Transportation
No objection
- 4.3 Landscape
No objection
- 4.4 Tree Officer
No objection

Other Representations

- 4.3 Local Residents
A local resident has objected to the proposal on the basis that it encroaches onto and partially obstructs an agricultural right of way.

The applicant has signed Certificate A to certify that all the land to which the application relates is within their ownership and the applicant has confirmed in writing that they are the owners of all land which is the subject of the application and that the correct notice has been served. It is considered that the issues regarding encroachment and the obstruction of an agricultural way are beyond the remit of this planning application and should be negotiated by the relevant parties.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The main aims of policy EC14.3 of PPS4 and policy RT5 of the South Gloucestershire Local Plan (adopted) January 2006 are to enhance and protect the viability and vitality of Town Centres and to encourage sustainable travel. Therefore, National and Local policy seeks to direct new retail development into town centres unless it can be demonstrated that there are no more sequentially preferable sites available. The smaller canopy and cold store are considered to be ancillary to the existing use of the garden centre and would not conflict with Policies RT5 of the South Gloucestershire Local Plan (adopted) January 2006 or EC14.3 of PPS4. Permission is sought for the retention of the canopy and walkway adjoined to the side and rear of the building for the sale and display of plants and associated goods. Notwithstanding this, the applicant has stated in writing that 'the new canopy and walkways are located in an area that was previously used for the external display of plants, pots and other hardstanding landscaping materials and therefore, covering the area with a walkway does not increase the extent of the retail floor space'. Given that the canopy is sited within the curtilage of the garden centre, it is considered that there is no reason to dispute this. In addition, overhead satellite photos of the site before the

canopy and walkway were erected appear to show outdoor items situated in the corresponding locations. Although partially enclosed, the walkways have an open feel due to the lightweight materials of timber and polythene used in their construction and the fact they have been placed directly over an area of hardstanding. Plant and landscape materials were being displayed on outdoor wooden tables within the walkway and canopy when the Officer visited the site and it is considered unlikely that any other items apart from landscape or plant materials could be displayed given their open nature. On this basis, given the open design of the canopy and walkways, the use of lightweight materials and the fact that they cover an area previously used for outdoor display of materials, it is considered that they have not generate a significant number of additional trips or harm the vitality or viability of existing town centres. Given the above, it is considered that the proposal is not in conflict with the main aims of policy EC14.3 of PPS4 or policy RT5 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposed walkways and canopies will be assessed on their physical merits as opposed to as retail extensions and the main issues to consider are design and the impact on the surrounding landscape (Policies D1 and L1 of the Local Plan), residential amenity (Policy RT5 of the Local Plan) and transportation (Policies T12 and RT5 of the Local Plan).

5.4 Appearance/Form

The timber construction and simple form of the canopy and walkways is considered to be sympathetic to the rural context. The location of the main walkway and canopy to the rear and side of the building is such that they do not adversely affect its appearance. Moreover, the canopy is not adversely prominent from the wider landscape given its scale as well as surrounding vegetation. The proposed cold store would be functional in appearance and would not bring about any significant design or landscape issues given that it would be relatively small in scale and well screened from the surrounding area.

5.5 Residential Amenity

The walkways and canopies are sited well clear of surrounding properties and would not have a significant adverse impact in terms of residential amenity.

5.6 Transportation

Given that the canopies cover an area previously used for the display of plant and landscape materials it is considered that they do not generate a significant amount of additional traffic to the detriment of congestion of highway safety. The existing parking provision is sufficient for the use.

6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

January 2006 set out above, and to all the relevant material considerations set out in the report for the following reasons:

The canopies and walkways extend onto an area of hardstanding previously used for the outdoor display of plants and other outdoor landscape materials. On this basis, given their lightweight construction and open nature, it is considered that they do not represent a material increase in retail floor space since they are only suitable for the display of outdoor type materials. The proposal is not therefore, in conflict with the main aims of Policies RT5 of the South Gloucestershire Local Plan (adopted) January 2006 or EC14.3 of PPS4.

The proposal does not have a significant adverse impact in terms of transportation to the detriment of congestion or highway safety – Policies T12 and RT5 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would not have a significant adverse impact in terms of residential amenity – Policy RT5 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal is considered to be acceptable in terms of scale, form and siting and would not have a significant adverse impact on the character of the wider landscape – Policies D1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following condition.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

ITEM 9

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.: PT10/2595/F
Site: 747 Filton Avenue Filton Bristol South Gloucestershire BS34 7JZ
Proposal: Conversion of existing dwelling to form 2no. self contained flats with associated works. Erection of raised decking area to rear. Construction of hardstanding and creation of new vehicular access. Installation of 1no. rear dormer window. (Retrospective).
Map Ref: 360907 178827
Application Category: Minor

Applicant: Mr A Masalski
Date Reg: 21st October 2010
Parish: Filton Town Council
Ward: Filton
Target Date: 15th December 2010



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PT10/2595/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The applicant seeks retrospective planning permission for the following:

- i) Conversion of existing dwelling to form 2no. self-contained flats with associated works.
- ii) Installation of 1no. dormer window.
- iii) Erection of raised decking area to rear.
- iv) Construction of hard standing and creation of new vehicular access.

1.2 The application site relates to an existing terrace dwelling and its associated residential curtilage. The site is situated within a well-established residential area of Filton and lies within the Bristol North Fringe urban area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design In New Development
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
H2: Proposals for Residential Development within the Existing Urban Area
H4: Development within Existing Residential Curtilages
H5: Residential Conversions

2.3 Emerging Development Plans

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

CS1: High Quality Design
CS5: Location of Development
CS9: Environmental Resources and Built Heritage
CS15: Distribution of Housing
CS16: Housing Density
CS17: Housing Diversity
CS25: Community of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

3.1 None.

4. CONSULTATION RESPONSES

4.1 Filton Town Council
Object to retrospective applications. Serious concerns over front parking reversing onto main road. Object to family homes being converted into flats.

4.2 Drainage Engineer Comments
No objection subject to a SUDS condition.

4.3 Environmental Protection
No objection.

4.4 Highway's Authority
No objection.

4.5 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 The applicant seeks retrospective planning permission for the conversion of an existing dwelling to form 2no. self-contained flats with associated works. The key issues to address in the assessment of this application are:

(1) Is the principle of the development acceptable?

(2) Does the development prejudice the character and appearance of the surrounding area?

(3) Does the development provide good quality living accommodation?

(4) Does the development prejudice the amenities of nearby occupiers?

(5) Does the development have acceptable transportation effects?

(6) Does the development have a acceptable effect upon the water environment?

5.2 Principle of Development

Policy H5 of the adopted local plan allows for the conversion of residential properties into smaller units of accommodation. On this basis, it is considered that the principle of the proposed development would be acceptable providing that the development would not: prejudice the character of the surrounding area, prejudice the amenities of nearby occupiers; identify an acceptable level of off-street parking; and would provide adequate amenity space.

5.3 The principle of the sub-division of existing dwellings would also be acceptable under Policy CS17 of the emerging Core Strategy. This policy states that the sub-division of existing dwellings to form flats will be allowed where, cumulatively, it would not unacceptable localised traffic congestion and pressure on parking. Such development will be allowed where each home has adequate private/semi-private and/or communal outdoor space and where occupiers have access to adequate open and play space within the immediate vicinity.

5.4 As the proposed development would relate to an existing dwelling within the Bristol North Fringe urban area, it is considered that the principle of the conversion and the extension would be acceptable.

5.5 Housing Diversity

It is acknowledged that Filton Town Council have raised concerns with regard to the conversion of family homes into flats. This issue has been identified within Policy CS17 (Housing Diversity) of the emerging Core Strategy:

“Many localities in the district are suffering from the cumulative impact of residential conversions to flats. This can lead to problems of congestion, parking conflict, and loss of green space which threatens the health and well-being of existing residents. However some intensification, if carried out sensitively can contribute to the local mix and affordability of housing, viability of local services, vitality of local areas and contribute to the Council’s housing delivery targets.” (para. 10.23)

5.19 It is noted that there have been a number of flat conversions within the Filton residential area in recent years. Nevertheless, according to planning history, none of the houses within the terrace have been converted to flats, and only one house has been converted in the two adjacent terraces. On this basis, Officers are satisfied that the conversion would contribute towards the objective of achieving mixed communities and would not give rise to an over concentration of flats.

5.6 Design

The main alterations to the design of the building have been the formation of a hard standing at the front of the property, the installation of a dormer window within the rear roof plane, and the erection of a raised deck. The impact of these separate developments on the character of the surrounding area has been assessed below: -

5.7 *Hardstanding*

The applicant has laid a dropped kerb and an area of hardstanding to the front of the existing dwelling to provide parking for two vehicles. It was noted during the Case Officer’s site visit that a number of dwellings within the street scene have constructed similar parking areas. On this basis, it is considered that these works have not materially harmed the character and appearance of the surrounding area.

5.8 *Dormer Window*

The applicant has installed a 'box style' dormer within the rear roof slope. The dormer window would be visible from the access lane at the rear of the application site and also from the windows in the rear elevations of houses along Mortimer Road, which back onto the lane. It is considered that this feature is somewhat large and does stand out. Nevertheless, this type of extension generally falls within the scope of householder permitted development rights, and accordingly the neighbour could install a similar extension without the need for planning permission. In view of this material circumstance it is considered to be unreasonable to refuse this part of the scheme on design grounds.

5.9 *Raised Decking*

The applicant has installed an area of raised timber decking. It is considered that this structure would not materially harm the character and appearance of the existing dwelling and the surrounding area.

5.10 Amenity Space

It is acknowledged that the ground floor unit would have access to private amenity space, however the first floor flat would not. Nevertheless it is considered that the proposal would have good access to public open space and leisure facilities within Filton – walking distance from Elm Park and the Filton Leisure Centre. Due to the size of the units they are unlikely to house a family with children. Therefore it is considered that the access to public open space would be sufficient for the outdoor needs of the occupiers. On this basis, it is considered that the proposal would provide a satisfactory level of living accommodation.

5.11 Quality of Living Accommodation

In terms of living conditions of the proposed flats, it is considered that the size of the accommodation would be sufficient for the health and well-being of the occupiers. Furthermore the existing dwelling benefits from a rear garden. This area has been allocated to the ground floor flat. The proposed first floor flat would have no access to amenity space, however it is considered this size of accommodation would not be a family unit and there is sufficient open space in the surrounding area to satisfy the occupier. In view of the above, it is considered that adequate private amenity space is provided for basic outdoor needs.

5.12 Residential Amenity

The host dwelling relates to a terrace building, which is adjoined by a dwelling to either side. The proposed conversion to flats would not involve any extensions. As such any impact to residential amenity would only result from the use of the building. The existing building has an established use as a residential dwellinghouse (Class C3). The plans do not include details of sound proofing between the converted flats and the adjoining dwellings. However, this issue would be dealt with during a Building Regulations application. As such, it is considered that the conversion to flats would not materially harm the residential amenity of the adjoining occupiers.

5.13 Transportation

It is acknowledged that Filton Town Council have strong concerns with regard to the potential for cars to reserve onto the highway. Notwithstanding these concerns the Highway's Authority have considered the application and have confirmed that the access and parking arrangements would not give rise to unacceptable highway safety conflicts in this area.

5.14 Water Environment

The applicant has blocked paved the front of the application site to provide a parking area. Officers are satisfied that any run-off water would drain within the curtilage of the dwellinghouse and would not run onto the public highway.

6. CONCLUSION

6.1 To conclude, it has been assessed that the conversion of the existing dwelling to 2no. self-contained flats, the dormer window, the erection of a raised decking area, and a construction of a hard standing and vehicular access would accord with the policies within the South Gloucestershire Local Plan (adopted) January 2006 for the following reason(s):

- a) The residential conversion would take place within an existing dwelling and within the Bristol north fringe urban area. It is considered that this is an appropriate area for such a residential development. It is therefore considered that the principle of the proposed development would accord with PPS3 and policies H2, H4, and H5 of the South Gloucestershire Local Plan (adopted) January 2006.
- b) The design of the residential conversion has been fully assessed. It is considered that the development respects the character and appearance of the existing dwelling. The proposed development would therefore accord with policies D1, H2, H4, and H5 of the South Gloucestershire Local Plan (adopted) January 2006.
- c) The impact of the residential conversion on nearby properties has been fully assessed. It is considered that the siting and layout of proposal would not result in a material loss of privacy or an overbearing effect. The proposed development would therefore accord with Policy H2, H4, and H5 of the South Gloucestershire Local Plan (adopted) January 2006.
- d) The impact of the residential conversion in terms of transportation has been fully assessed. It is considered that proposal would have satisfactory access and parking arrangements. The proposed development would therefore accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.
- e) It has been concluded that the residential conversion would not materially harm the water environmental. The proposed development would therefore accord with Policy L17 and L18 of the South Gloucestershire Local Plan (adopted) January 2006.

6.2 The recommendation to grant planning permission has therefore 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**.

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 46/10 –26 NOVEMBER 2010

App No.:	PT10/2706/F	Applicant:	Mr A FordT/A I F Ford & Partners
Site:	Redhill Farm Elberton Bristol South Gloucestershire BS35 4AG	Date Reg:	14th October 2010
Proposal:	Erection of an agricultural building for housing livestock.	Parish:	Aust Parish Council
Map Ref:	359926 188824	Ward:	Severn
Application Category:	Minor	Target Date:	7th December 2010



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

An objection has been received from a neighbour which runs contrary to the recommendation. The size of the proposed building has been reduced since first submission and in order to meet the national 8 week target for determining applications, the seven day re-notification of the reduction in size of the building runs alongside this report being circulated. If the re-consultation results in new material matters being raised the report will be amended and circulated again to take those comments into account.

1. THE PROPOSAL

- 1.1 Planning permission is sought to erect a new agricultural building on this farm holding. The building has been reduced in size/floor area since the application was submitted and would measure 13.7m wide by 16.8m deep creating around 230 square metres of floor area. The building is proposed to allow accommodation for existing cattle stock.
- 1.2 The barn is located between the existing cattle shed and the main body of buildings at Redhill Farm. A number of the original agricultural buildings at this farm holding were converted to commercial uses in 2001. The 2005 consent for a different agricultural building removed the agricultural permitted development rights in order that the incremental agricultural development at the site could be closely monitored. A further barn was converted in 2007 following application PT06/3530/F.
- 1.3 The site is located in the Green Belt and outside of any development boundary.
- 1.4 The application is supported by a Design and Access Statement and a Planning Appraisal by the Farm Consultancy Group which includes a financial appraisal of the business. The latter report is confidential as it contains sensitive financial data but both of these reports have been scrutinised by the Councils Agricultural Consultant.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable development
PPG2 Green Belt
PPS4 Planning for sustainable economic growth
PPS7 Sustainable development in rural areas.
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
GB1 Green Belt
E9 Agricultural Development
L1 Landscape
- 2.3 South Gloucestershire Core Strategy (Pre-submission draft)

2.4 Supplementary Planning Guidance
Development in the Green Belt SPD
South Gloucestershire Design Checklist SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT01/1728/F Planning permission granted for B1 use of former agricultural buildings. 19.7.2001.
- 3.2 PT05/0531/F Erection of agricultural buildings for the housing of livestock and storage of animal feedstuff. 13.10.05. Condition 2 removed agricultural permitted development rights – to enable the LPA to monitor the cumulative impact of agricultural buildings in the interests of visual amenity of the landscape.
- 3.3 PT06/3530/F Conversion of existing agricultural building for Class B1 use as defined in the Town and Country Planning (Use Classes) Order 1987 as amended. Demolition of timber agricultural building to facilitate provision for car parking. (Resubmission of PT06/2747/F). Approved 2/2/2007
- 3.4 PT07/2036/F Erection of extension to existing agricultural building. Refused 28/08/2007
- 3.5 PT08/0903/F Erection of agricultural livestock building (23 by 15m). Refused and Dismissed at appeal.
- 3.6 PT10/0197/CLE Application for Certificate of Lawfulness for existing agricultural building Approved as it is considered that the building is that permitted under PT05/0531/F.

4. CONSULTATION RESPONSES

4.1 Aust Parish Council

Object –similar to an earlier application.

- History of conversion of agricultural buildings and refusal for previous similar building at appeal. Very special circumstances would need to be shown.
- Nothing has changed in the last two years to alter this decision. TB is a temporary issue and should not be used to justify new buildings.
- Correlation is made between the 194 head of cattle quoted for the 2008 application and the current application.
- The stocking level should be at a level the holding can accommodate.
- The building is large and would have a significant visual effect on the landscape and whilst there are no footpaths adjacent to the site there are footpaths nearby and further away. The proposal will also be visible from the B4461 through Elberton and also from the road into Littleton-upon-Severn between Haywood House and Elmonger

4.2 Sustainable Transport

There is no transportation objection to this current proposal.

4.3 Other Consultees

4.4 Streetcare /Drainage

No objection has been received.

4.5 Landscape team

No objection if the proposal is justified within the Green belt but a condition to increase landscaping would be required.

4.6 External Agricultural Consultant, Gloucestershire County Council

This is a genuine application from a farming business that does require further livestock accommodation however a more modest building of 18 m x 14m or an extension to the existing covered yard equivalent to c250 sq m would appear to cover the long term livestock accommodation need based on the present system.

Other Representations

4.7 Local Residents

One letter of objection has been submitted in relation to the following concerns:

- cumulative impact of piecemeal development
- encroachment in the green belt. No very special circumstances have been demonstrated.
- Proposal is in breach of Local Plan policy.
- A similar building was refused permission and an appeal dismissed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Normally the principle of agricultural development in the Green belt is considered appropriate development. Furthermore, policy E9 of the adopted local plan sets out the criteria whereby further agricultural development is permitted. This states that new buildings will normally be permitted provided there are no existing suitable underused buildings available. Policy CS34 of the emerging Core Strategy is generally supportive of developments that would assist in benefiting the rural economy.

However, the particular planning history of this farm holding is considered material to this decision. At least half of the original agricultural buildings were granted consent to change use in 2001 to B1 and other commercial activities. Clearly this restricted the number of agricultural buildings available that remained for the housing of cattle. This barn was granted consent in 2005 after very careful consideration by the Members of the Planning Committee in terms of the impact on the landscape and the appearance of the Green Belt. There were concerns that the agricultural permitted development rights were open to

abuse and that the agricultural activities were resulting in further development to the north west. Permitted development rights have been removed from this farm holding such that any agricultural building will require planning permission.

- 5.2 Whilst this does not alter the position that agricultural buildings remain a form of appropriate development in the Green Belt (that is to say a case of very special circumstances need not be demonstrated), it does mean that the agricultural need for a further building should be closely scrutinised.

The proposal has been scrutinised by the Council's Agricultural Consultant who suggests that a floor area of around 250 square metres is justified to cover the long term livestock accommodation need, based on the current farming system. The Consultant suggests that this based on the existing 65 cow system and that those cows require in the region of 480 square metres with a further 200 square metres to house the young stock from 6 to 12 months old over their first winter. The following spring the young cattle are normally grazed outside and later sold on to be housed under cover for the second winter and 'finished' for sale. It is considered that the acreage of land owned by the farm does sustain a 65 cow stocking level. The current cow shed is not sufficient for the current operation of a 65 cow system and a further housing of around 250 square meters is justified. This would allow half of the shed size initially submitted with this application, or three of the six bay building shown.

Part of the case for further built form is that the farm would like to finish the cattle themselves as this would make the enterprise more robust. However the information provided does not satisfy the Council that 'finishing' the cattle is sufficiently profitable.

The farm is also under Bovine TB lockdown regulations at present as a result of testing and the buildings would enable the farm to house all of the animals which can not, under the regulations, be moved on to the finishing farm. This TB argument is not considered to be sufficient reason to allow the erection of permanent buildings.

Given that only half of the building size sought at the start of this application is considered to have been justified the applicants have accordingly decreased the size of the building sought to a three bay cow shed.

On this basis a condition is suggested that is similar to one found in the permitted development rights that would normally pertain to agricultural development (as these have been removed in this instance). The condition effectively states that should the building cease to be used for the purposes of agriculture within 10 years from its substantial completion then it should be removed from the land. This would act as a protection measure to ensure that the building may only be retained (at least for the first 10 years) if it is genuinely being used for the purposes of agriculture. This is thought necessary given the specific history of this site.

- 5.3 Green belt/ very special circumstances.

Agricultural buildings are not inappropriate development in the Green belt but they do not have the less impact on the openness of Green belt and affect the visual amenity of the area. The visual amenity issue is considered further below.

5.4 Residential Amenity

It is not considered that the proposal would have any material impact on residential amenity.

5.5 Transportation

There is no highway objection to the proposal.

5.6 Design and Landscape

The proposed development is one of the forms of development normally considered appropriate in the Green Belt although in this instance permitted development rights have been removed.

In terms of visual amenity the chosen site is probably the most reasonable being located between an existing agricultural building and a hedgerow, is close to a group of existing buildings and having areas of tree planting to the south and east. However, there is a fairly large concentration of buildings in the locality and in the event of consent being granted further tree planting would aid assimilation into the landscape. The existing building also has a brown cladding that is a recessive colour in the landscape. It is proposed the new building be clad in the same materials and this will further aid assimilation. Furthermore a condition can be attached to ensure that a scheme of landscaping is planted and it is anticipated that this would be a line of native trees adjacent to a nearby fence line.

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 proposal is appropriate development in the Green Belt, and the supporting justification demonstrates that it is genuinely required for the purposes of agriculture – Policy E9 and GB1 South Gloucestershire Local Plan (adopted) January 2006; Development in the Green Belt SPD.

The proposal has been designed to be in keeping with the character of the area taking into account the design, siting, height and materials of the existing agricultural shed and surrounding area. The visual amenity of the Green Belt and landscape can be mitigated sufficiently with conditions to cover materials and additional planting – Policies D1, L1 and GB1 of the South Gloucestershire Local Plan (adopted) January 2006; South Gloucestershire Design Checklist SPD.

The proposed amendments will not harm the amenities of the residents outside of the site - Policy D1 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 That planning permission is granted subject to the following conditions.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting, times of planting and a maintenance specification covering a period of five years following the completion of the planting; boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 06.

3. The materials to be used in the construction of the external surfaces of the building shall match those used in the adjacent cow shed granted consent under planning reference PT05/0531/F.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policies GB1, L1 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

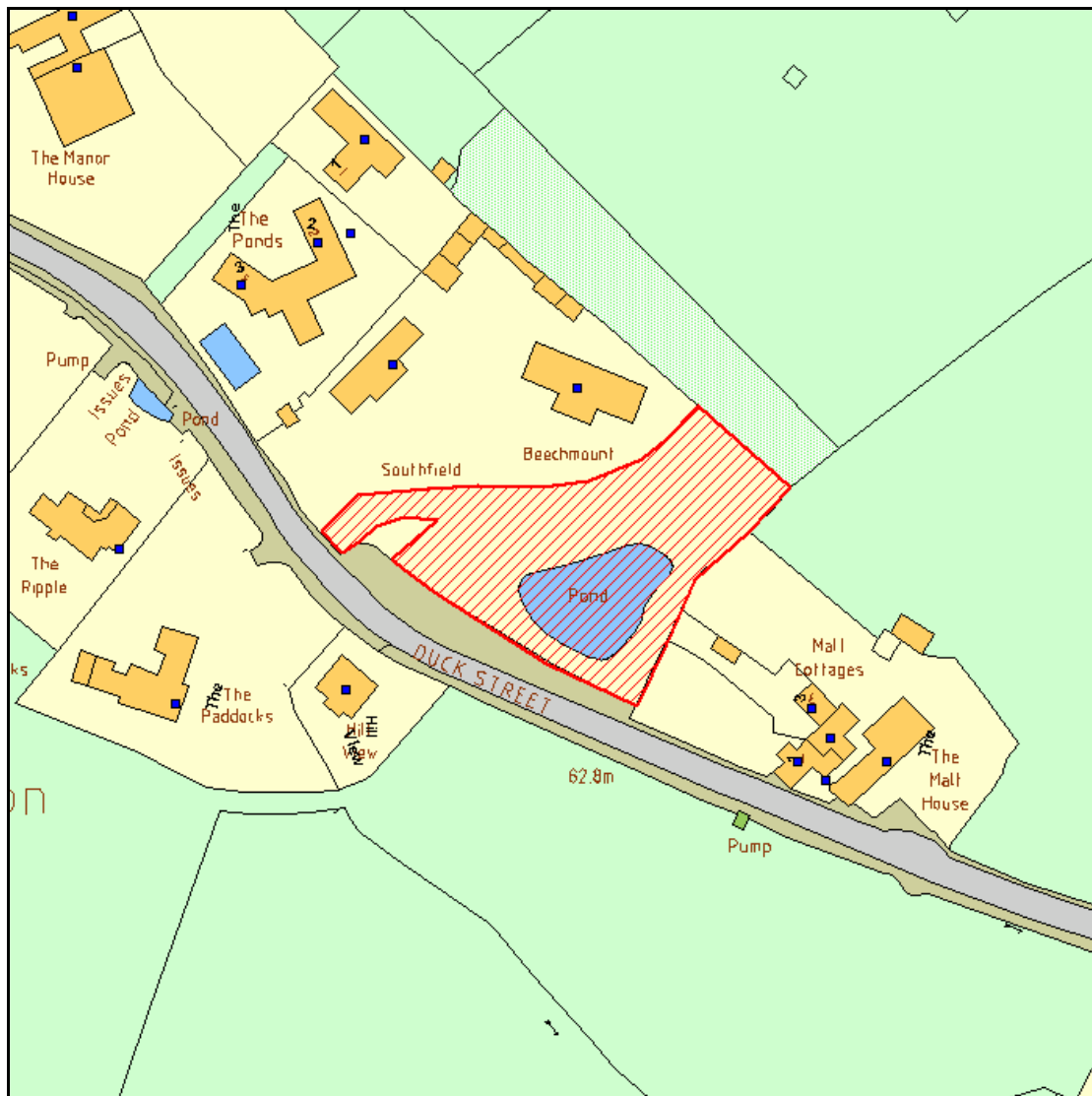
4. Should the use of the building hereby permitted for the purposes of agriculture within the unit permanently cease within 10 years from the date on which the development was substantially completed then the building shall be removed from the land, and as far as is practicable, the land restored to its condition before the development took place.

Reason

Given the specific history and circumstances of this site, the additional building has only been permitted on the basis that it is genuinely required for the purposes of agriculture which is an appropriate development within the Green Belt. On-going monitoring and protection is required to ensure that there is not an over-accumulation of buildings in this part of the Green Belt unless they are genuinely required for the purposes of agriculture, this is to protect the openness of the Green Belt in accordance with policies GB1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2716/F	Applicant:	Mr And Mrs C Winkworth
Site:	Beechmount Duck Street Tytherington Wotton Under Edge South Gloucestershire	Date Reg:	12th October 2010
Proposal:	Erection of 3 no. detached dwellings and garages with access and associated works	Parish:	Tytherington Parish Council
Map Ref:	367089 188242	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	6th December 2010



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule as there is a comment in contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The site consists of a large domestic garden associated with Beechmount. The site is located within the Tytherington Village Settlement Boundary
- 1.2 The proposed development consists of the construction of three new dwellings and associated development. The development would be served via a shared access from Duck Street.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS5	Planning for the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	New Residential Development within the defined settlement Boundaries
H4	New Residential Development within existing residential curtilages
H6	Affordable Housing
L12	Conservation Areas
T8	Parking Standards
T12	Transport Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist Supplementary Planning Document (Adopted)
Affordable housing Supplementary Planning Document (Adopted)

2.4 South Gloucestershire Core Strategy (Pre-Submission Publication Draft)

CS1	High Quality Design
CS5	Location of Development
CS9	Environmental Resources and Built Heritage

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/1252/F Demolition of existing wall and poly-tunnel to facilitate the erection of 2 no. detached dwellings and 2 no. detached garages with associated works.
Construction of new access.
Refused

4. CONSULTATION RESPONSES

4.1 Parish Council

Support the application

4.2 Other Consultees

Conservation Officer

The proposed development fails to preserve or enhance, and is harmful to the character appearance of Tytherington Conservation Area. This is due to the number of the dwellings combined with the size, massing and locations of the dwellings; and the reduction of the green planting screen at the road side.

It is noted that revisions subtle revisions have been received in respect of this application in response to these concerns. However, the Conservation Officer response remains one of objection.

Cross sections are required to allow better understanding of the relationship of the development with the frontage of the site.

Landscape Officer

No objection in principle. Cross sections of the proposed development to demonstrate how the development relates to the existing levels within and adjoining the site. A full landscape scheme will be required in the event of approval.

Tree Officer

No Objection

Highways Development Control Officer

The proposed development is acceptable subject to a condition requiring that the proposed visibility splays are maintained to a height of not more than 900mm above ground level.

It is considered that given the nature of the highway network in this location, the proposed number of dwellings is the maximum number compatible with this site in highway safety terms.

Other Representations

4.3 Local Residents

Four letters of objection have been received. The comments can be summarised as follows;

Loss of privacy and residential amenity

The development will encroach onto adjacent gardens

Existing boundary treatments should be maintained

The proposed access is unsafe as it is located close to a bend.

The development would introduce additional noise to an otherwise peaceful location

The development would cause unacceptable noise during its construction.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the construction of three dwellings. The site is located within Tytherington Village Development Boundary, and is within the Tytherington Conservation Area.
- 5.2 Principle of Development
Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this application. The policy indicates that new residential development within the defined village settlement boundaries is acceptable in principle subject to the following considerations.
- 5.3 Design, Conservation Area and Landscape Considerations
The proposed development consists of the construction of three dwellings with associated garages and access. The dwellings are proposed to be arranged with two (Plots 1 and 2) being positioned at the front (Southwest) of the site and set back from Duck Street by approximately 8 metres. The third dwelling (Plot 3) is proposed to be positioned to the rear (Northeast) of the site. A new 4.5 metre wide access is proposed to be introduced approximately 15 metres to the Southeast of the existing access onto this site. The existing access would be retained for the benefit of Southfield (the adjacent dwelling to the West of the site). It is proposed to retain the existing trees and shrubs along the front of the existing property as part of this proposal. Although this area is outside of the application site is currently in the ownership of the applicant.
- 5.4 Since submitting the application, the applicant has made minor amendments to the proposal. This consists of a revision to the dwelling proposed for plot 3 such that it now has full height eaves rather than part dormers. Indeed this dwelling now matches that which is proposed for plot 2. Other amendments consist of the replacement of proposed timber fencing with hedging and the use of semi-detached garages instead of two separate garage buildings.
- 5.5 In this instance, it is considered that the existing site offers an important transitional zone of 'semi-rural' character within the conservation area, at the edge of the village, before opening up to fully rural landscape beyond. The site as existing plays an important role in providing a 'green buffer' at the edge of the village development, and thereby enhancing the rural character of the village. Any removal of the vegetation to the South of the site and to the North of the site would undermine this characteristic.
- 5.6 It is considered that, in general terms, the position of Plot 3 is acceptable, and the amendments to the building itself are also acceptable. However, the

proposed development would introduce built form to the frontage of the site with Duck Street. Whilst this characteristic is a traditional building pattern in the village officers are of the opinion that the scale of the proposed development at this location would be harmful in visual terms. There is no information submitted with this planning application so to allow officers to understand whether or not ground levels would be altered and what the height of the buildings would be in relation to Duck Street. This would involve a detailed cross section of the proposed development within the site. This information has been requested, however, given that there is significant objection in relation to the scale of development being proposed the applicants agent has advised officers verbally that it is not the intention to provide it on the basis of additional and potentially abortive cost to the applicant. On this basis it is considered that the proposed scale, potential height in relation to Duck Street would result in the proposed buildings becoming extremely prominent in the street scene. When combined with the loss of the landscape screening it is considered that the development would have a harmful impact upon the character of Tytherington Conservation Area.

- 5.7 The area of land to the front of the application site is to remain in the control of the applicant. This would allow for the imposition of conditions intended to require the provision of additional landscaping in the area to mitigate the impact of the proposed development. Whilst this can be of value, the provision of additional landscaping should not be relied upon alone to mitigate against or hide otherwise unacceptable development. It is therefore essential that the proposed development would stand up on its own merits. In this instance, there would be a requirement to provide visibility splays which would be relatively clear of vegetation at the proposed access onto Duck Street. As such the introduction of new landscaping to an acceptable standard would be unlikely.
- 5.8 Residential Amenity
Objections have been received in respect of the impact of the development in terms of noise levels and the privacy of the occupants of the adjacent development.
- 5.9 The proposed dwellings associated with Plots 2 and 3 of the proposed development would be positioned approximately 2 metres and 5 metres from the Eastern boundary of the site. It should be noted that the buildings at this point would be single storey in height. The separation between the nearest residential dwelling to the East is approximately and this boundary is approximately 35 metres. This separation is considered acceptable in residential amenity terms. Similarly, the separation between plots 1 and 2 of the proposed development and the nearest dwelling to the South is approximately 35 metres and at an oblique angle. Again this separation is considered acceptable in residential amenity terms.
- 5.10 The proposed development is domestic in nature and it is not anticipated that such development would generate unacceptable levels of noise as a family home. In the event that anti-social levels of noise are generated by the occupants of individual dwellings, then this would be a matter for resolution under the appropriate Environmental Health legislation; and is not a matter for consideration under this planning application. Nonetheless, it is inevitable that

- higher levels of noise would be experienced during the construction of this development should it be approved. In this instance, should approval be granted, it is appropriate to apply a suitably worded condition restricting working hours to reasonable times of the day.
- 5.11 Subject to the use of the suggested condition, it is considered that the proposed development is acceptable in residential amenity terms.
- 5.12 Transportation
The proposed development includes the provision of a new 4.5 metre wide access approximately 15 metres to the Southeast of the existing access onto this site. This would provide access to the Beechmount and the proposed dwellings. The existing access would be retained for the benefit of the dwelling at Southfield which is adjacent to this site.
- 5.13 It is acknowledged that the highway alignment in this location is such that visibility from the existing access is limited. The submission shows that it is possible to provide sufficient visibility at the proposed access for a maximum of four dwellings (existing together with the proposed dwellings). It is considered that the proposed development would provide sufficient off street parking and turning facilities for domestic vehicles. A bin store is to be provided at the access to the site which would remove the need to provide refuse vehicle access. This is considered acceptable. Subject to a condition that would secure the provision of a minimum visibility splay at the proposed access, it is considered that the proposed development is acceptable in highway safety terms.
- 5.14 Affordable Housing
The previous planning application was refused (in part) because it failed to provide for affordable housing in accordance with Policy H6 of the South Gloucestershire Local Plan. In that instance the site area was in excess of 0.2 hectares and as such triggered the requirement for affordable units in the rural areas.
- 5.15 In this instance the application site area is has been reviewed by the applicant and areas of the previous site have been excluded as there is no reasonable prospect of developing new dwellings upon them. In addition, the applicant argues that the development now proposed would also include non-developable area due to the requirement to provide a shared access drive through the site and that the net developable site area is less than 0.2 hectares. Notwithstanding this argument, Policy H6 of the South Gloucestershire Local Plan and the South Gloucestershire Affordable Housing Supplementary Planning Document does not support this as a basis for removing the requirement for affordable housing. On this basis, the site area is such that it will trigger the requirement for affordable housing. In this instance the planning application doe not propose this and as such it is contrary to Policy H6 of the South Gloucestershire Local Plan.
- 5.16 Notwithstanding the above, it is acknowledged that the site area is only marginally over the threshold for affordable housing in the rural areas. A revised submission may well seek to reduce the site area further in order to

address this matter. In these circumstances and in the event of an approval, officers will apply an appropriately worded condition requiring that any additional development within the current Beechmount curtilage would be subject to affordable housing provision.

5.17 Other Issues

Concern has been raised in respect of the encroachment of the application site onto adjacent properties. This is technically a civil matter and in the event of an approval this would not imply that development can occur over third party land ownership. Nonetheless, in this instance, the block plan demonstrates that the proposed development is clearly within the boundary of the applicants ownership and would not encroach onto the adjacent properties.

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 In this instance, it is concluded that, by virtue of the scale and position of the proposed development in relation to Duck Street together with the loss of important landscaping, the proposed development would have a detrimental impact upon the character and visual amenity of Tytherington Conservation Area. The development is therefore contrary to Policy L12 and D1 of the South Gloucestershire Local Plan; the South Gloucestershire Design Checklist, and PPS5.
- 6.3 The site is in excess of 0.2 hectares and is located within the rural areas. The proposed development therefore triggers the requirement to provide affordable housing as part of the development. This is not proposed. As such the development is contrary to Policy H6 of the South Gloucestershire Local Plan and the Affordable Housing Supplementary Planning Document.
- 6.4 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 Planning Permission is refused for the following reasons;

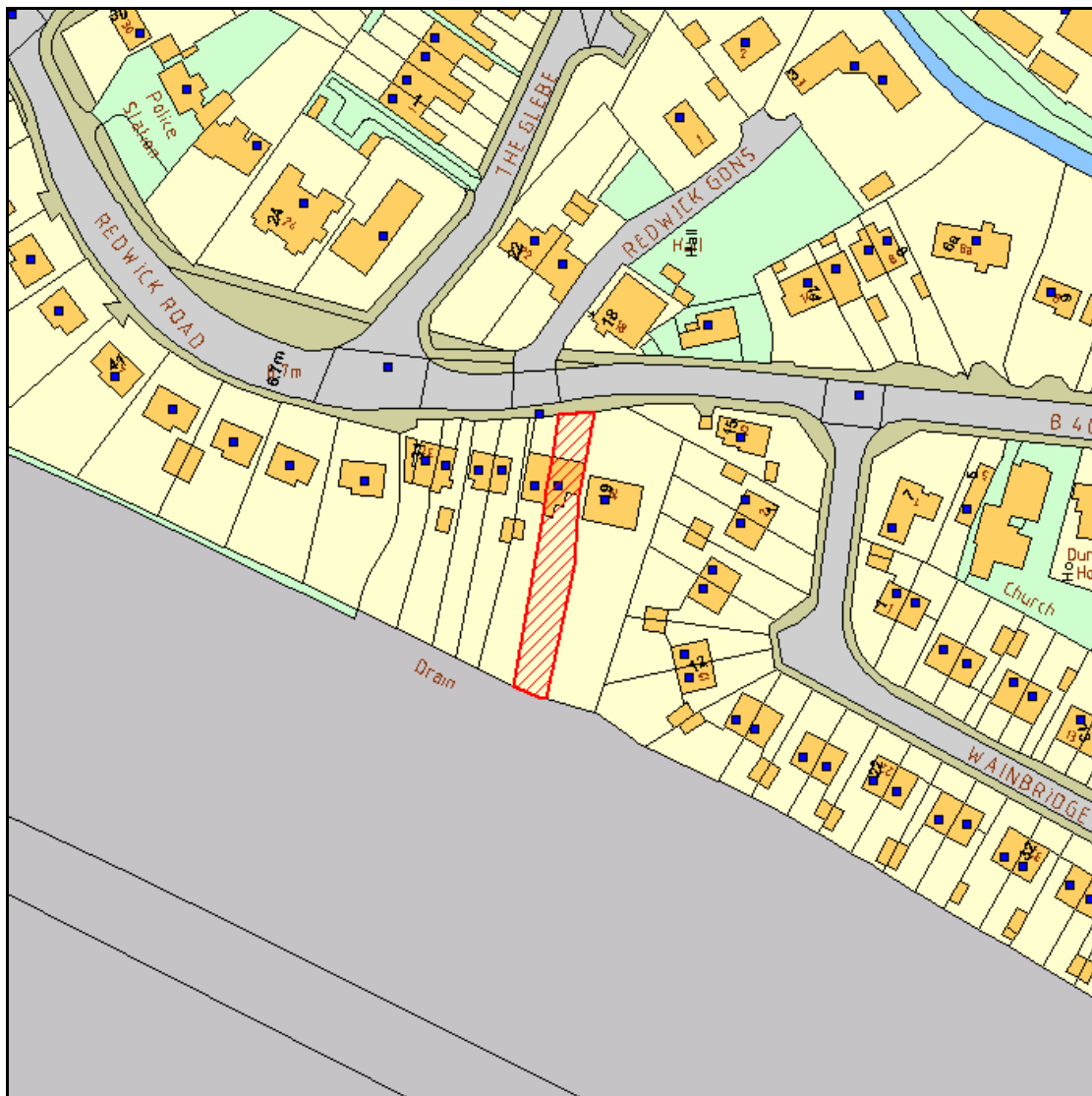
Contact Officer: Simon Penketh
Tel. No. 01454 863433

REASONS FOR REFUSAL

1. The site is located within Tytherington Conservation Area. Although insufficient information regarding the proposed levels of plots 1 and 2 has been submitted as part of the application, in order to demonstrate the height of these buildings above the road, and the full impact on the wider streetscene. Based upon the information that is submitted, the proposed development, by virtue of the number of dwellings at the size, massing and locations proposed, and the reduction in the green planting screen at the roadside, would harm the character and appearance of Tytherington Conservation Area. Accordingly the development is contrary to Policy L12 and D1 of the South Gloucestershire Local Plan; The South Gloucestershire Design Checklist (Adopted Supplementary Design Checklist) and PPS5.**REASONS FOR REFUSAL**
2. The development site is such that it would trigger a requirement for affordable housing provision as set out in Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006. It is not proposed to provide any affordable housing which would meet this requirement. As such the proposed development is contrary to Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2740/F	Applicant:	Mr And Mrs D Reynolds
Site:	21 Redwick Road Pilning Bristol South Gloucestershire BS35 4LG	Date Reg:	14th October 2010
Proposal:	Erection of two storey and single storey rear extension to provide additional living accommodation.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355396 185135	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	6th December 2010



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 100023410, 2008. **N.T.S.** **PT10/2740/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is submitted to the Circulated Schedule as the proposal conflicts with the comments of Pilning and Severn Beach Parish Council.

1. THE PROPOSAL

- 1.1 The proposal seeks planning permission to erect a part ground floor, part two storey rear extension. The house is an unusual semi-detached house as the party wall falls off centre. The proposed development will join onto the attached neighbours extension and will be built hard up to the party boundary with the non-adjointed neighbour to the east.
- 1.2 The house is currently finished in painted render and this would be used on the proposed works.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving good quality design in new development
H4 Development within existing residential cartilages, including extensions and new dwellings.
T12 Transportation development control policy for new development
EP2 Flood risk and development
- 2.4 South Gloucestershire Core Strategy
CS1 Design
- 2.5 Supplementary Planning Document
South Gloucestershire Design Checklist (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None at the site but an extension was granted to the attached house as follows:
PT09/5319/F Erection of first floor rear extension. Approved January 2010.
This has not been built according to the plans as the plans showed a wider extension than the proportion of the building owned by the applicants and a proposed gable was changed to a hipped roof. It is understood from the Planning Enforcement Team that a revised application is expected.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Town Council

No objection providing it does not impair the visual amenity of neighbours and that all building operations are kept within the property boundaries and do not encroach upon the normal activities of those neighbours.

4.2 Other Consultees

4.3 Drainage Officer

No objection subject to Flood Risk Mitigation Measures.

Other Representations

4.4 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Extensions to residential dwellings are generally acceptable subject to guidance set out in Policies D1 and H4 of the Local Plan. As such the main issues to consider are the implications of the development for neighbours and the appearance of the proposal in relation to the existing house and surrounding area. In addition matters of transport and retained garden area are relevant issues to consider.

5.2 Residential amenity

Policy H4 seeks to protect the neighbour from overbearing proposals or proposals which overlook neighbouring properties. The extension which is located at the rear of the dwelling is located between existing built form on either side at least in respect of the two storey element. The further projection of a 1.6m deep ground floor extension reflects the location of an existing structure adjacent to the adjoined neighbour and would not harm the residential amenities of those neighbours. There would be no impact on the non-adjoined neighbour due to the limited scale of the ground floor proposal and the two storey element is located alongside that neighbouring house. As such no harm to the neighbours amenity is caused. Policy H4 also seeks to ensure that there is adequate amenity space retained for the existing dwelling. In this case there is a large rear garden which is not compromised by the proposal.

As such there would be no material harm to neighbours.

The Parish Council would like to see all development completed within the boundaries of this property but the application clearly shows that it is the intention to join onto the attached neighbours extension. The applicant has notified both neighbours appropriately using Certificate B of the planning form and as such there is no procedural reason to object to the application. Additionally, whilst planning permission is granted the neighbours retain control over development which would be built on their land, and the applicant's would need all the relevant landowners permission in addition to any planning consent.

5.3 Visual Amenity & Design

Policy D1 seeks to ensure that such proposals are acceptable in appearance. In this respect the proportions of the extension proposed respects the massing,

scale and proportions of the original house form creating a satisfactory form of development which respects the tall gable form of the house and deals with the unusual central part of the house by adding a modest area of shallower roof to link into a joint gutter with the neighbour. The materials proposed match those of the house and would also have an acceptable appearance. As such the proposal is acceptable overall.

5.4 Transportation

There is no transportation implication.

5.5 Flood Risk

The site is located in flood zone 3. The agent has confirmed that floor levels will be set no lower than the existing development and that flood proofing has been incorporated where appropriate. This declaration is sufficient to satisfy the Environment Agency Standing Advice and this complies with Policy.

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 proposal has been designed to be in keeping with the character of the dwelling and the wider area taking into account the design, siting, height and materials of the existing house and surrounding area – Policies H4 and D1 South Gloucestershire Local Plan (adopted) January 2006; South Gloucestershire Design Checklist SPD.

The proposal will not harm the amenities of neighbouring properties by reason of loss of privacy or natural light - Policies H4 and D1 South Gloucestershire Local Plan (adopted) January 2006.

Reasonable precautions against flooding will be incorporated in the extension - Policies EP2 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 That planning permission is granted subject to the condition set out in the decision notice.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

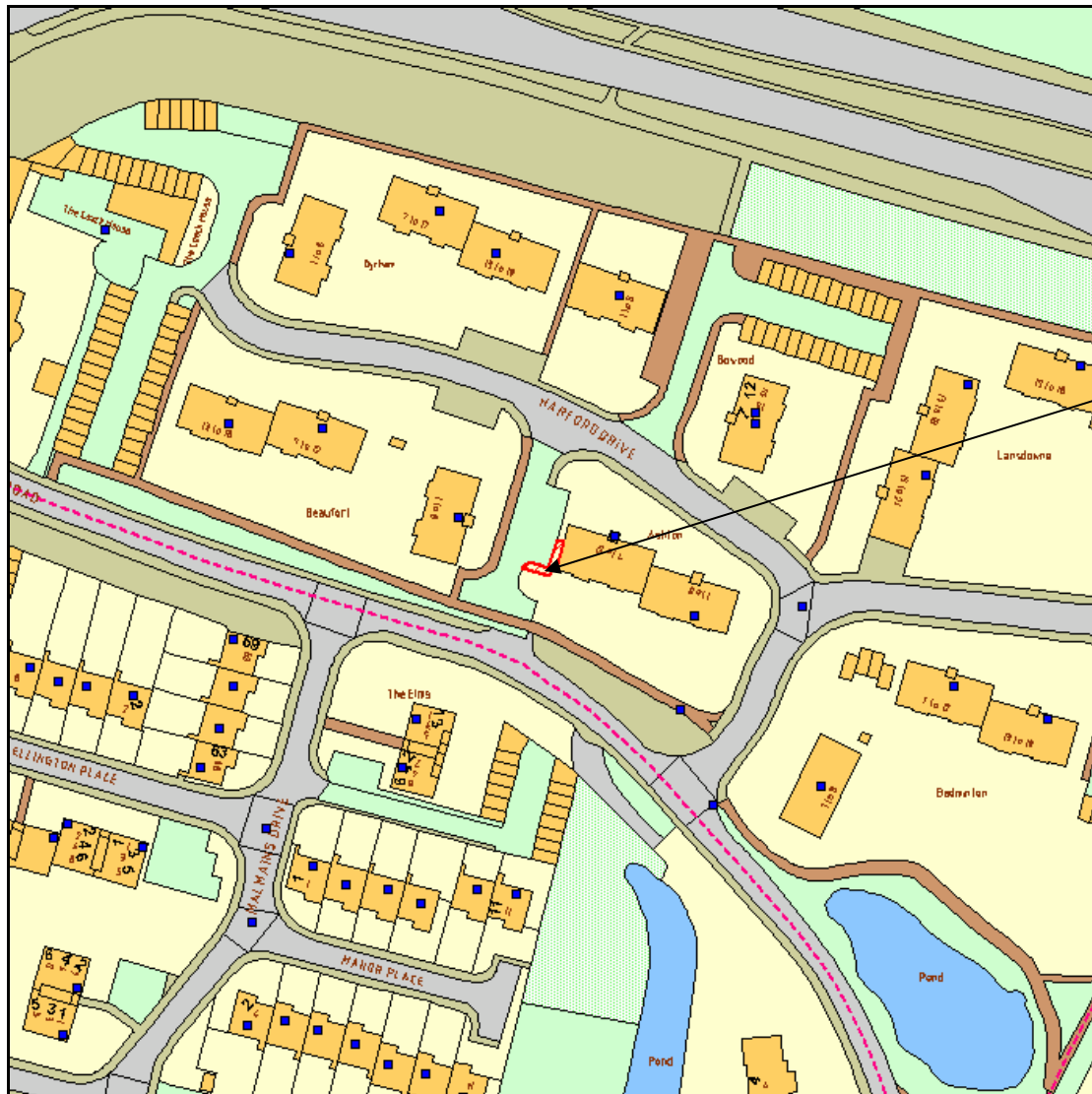
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2801/F	Applicant:	Beckspool Park (Ashton) LTD
Site:	Beckspool Park Ashton Harford Drive Frenchay South Gloucestershire	Date Reg:	19th October 2010
Proposal:	Erection of bin store	Parish:	Winterbourne Parish Council
Map Ref:	364111 178311	Ward:	Winterbourne
Application Category:	Minor	Target Date:	13th December 2010



Site

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 100023410, 2008. **N.T.S.** **PT10/2801/F**

This application is being circulated to Members because the Officer's recommendation is contrary to written representations received from local residents.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a bin enclosure with associated path. The enclosure would measure approximately 1.8 metres in width, 6 metres in length and approximately 1.8 metres in height. It would accommodate two standard wheelie bins and four recycling bins to serve the Ashton Block Harford Drive flats. This is a resubmission of a previously withdrawn application (PT10/1544/F).
- 1.2 The application site relates to a block of flats located within the defined settlement boundary of Frenchay. It is proposed that an enclosure is constructed for the storage of bins, consisting of a 1.8 metre close-boarded timber fence with concrete base. It is not located within the Frenchay Conservation Area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transport
- 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 Supplementary Planning Document 2007
- 2.4 Emerging Policy
South Gloucestershire Council Core Strategy Pre-Submission Publication Draft March 2010:
CS1: High Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/1544/F Erection of bin store. Withdrawn.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection

Other Representations

4.2 Local Residents

Five letters were received from local residents objecting to the proposal on the following grounds:

- a) health hazard;
- b) smell;
- c) detrimental to visual amenity
- d) would encourage flies and other undesirable pests including rat infestations;
- e) noise on collection;
- f) would result in a loss of parking spaces;
- g) would be unattractive to other tenants/buyers;
- h) would result in fly tipping;
- i) no notification of application received by flat 2 Beaufort drive;
- j) poor location – should be built at the other end of the block.

These concerns will be addressed in the relevant sections of the following report. Where the concerns fall outside the remit of these sections the concerns will be addressed in the section entitled 'Other Matters' to be found towards the end of the report.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Residential Amenity

The proposed development will be located on the West elevation of the Ashton block of flats. The West elevation is a windowless side elevation of the block. It would be located some 18 metres from the porch entrance to the Beaufort block of flats on the other side of a car parking area, footpaths and highway. Numerous concerns relating to residential amenity have been raised by residents of this block such that the bin enclosure in this location would result in bad smells, noise on collection, fly tipping and would represent a health hazard as it would give rise to flies and other undesirable pests including potential rat infestations.

With regards to smells and noise it is considered that given the small scale of the development and the distance away from Beaufort block that any pervading smell or noise from collection would be minimal especially given that standard bin collections are fortnightly and do not last for long. Moreover bin collections are currently undertaken and as such this proposal would not materially alter the existing arrangements.

With regards potential fly tipping and pests, this is something that the management company of the flats will have to monitor and deal with at that time should the situation arise. Whilst it is an understandable concern such a possibility is not considered a sufficient basis for refusal of the application.

5.3 Given the scale, size and location of the proposal it is considered the proposed development would not result in a detrimental impact on or materially harm the existing residential amenity afforded to neighbouring or future occupiers of the flats in the locality. Accordingly it meets criteria contained in policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.4 Design/Visual Amenity

The proposed bin storage area is to be located to the West of Ashton Block at Harford Drive on a grassed piece of land adjacent to an area of hardstanding used for resident parking.

Concerns have been raised regarding the proposal being unsightly and a detriment to the visual amenity of the location and people in the flats opposite. Suggestions have been made to locate the enclosure at the other end of the Ashton block on Harford Drive where it meets Penn Drive. The proposal is considered to be of a modest size and scale, the sustainable materials suit the environment and it is a standard unit generally associated with flats. Moreover it is preferable to have bins enclosed in a purpose built storage area rather than left on the public footpath.

With regards to the location, the previously withdrawn application proposed the bin store to be located at the other end of Ashton Court where Harford Drive meets Penn Drive. It was advised that this location was unacceptable in terms of highway safety. In the current location it is not considered to result in an impact on highway safety. On balance therefore it is considered acceptable in terms of visual amenity and accords with Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 and South Gloucestershire Design Checklist Supplementary Planning Document 2007.

5.5 Transportation

The proposal would not give rise to an increase in traffic. The bins would be accessible for refuse vehicles. The proposal would therefore not prejudice highway safety.

Concern has been expressed that the proposal would result in the loss of parking. It is difficult to see how this could happen given that the bin store will be located on an existing grassed area adjacent to the parking facilities and would not encroach on these parking spaces. The parking currently afforded to residents would remain as existing. The highways engineer has visited the site and raises no objection.

5.6 Other Matters

5.6.1 Concerns have been raised that the proposed development would result in a resident vacating the Beaufort block of flats and the development would be unattractive to potential tenants or buyers. Whilst such concerns are understood, the potential occupation of the flats and consequent subjective opinion of prospective tenants and buyers cannot be taken into account within the remit of this planning application.

5.6.2 It has been noted that Flat 2 Beaufort did not receive notification of this planning application. However records indicate that a consultation card was sent to every resident of Beaufort, Bowood and Badminton blocks among other consultees. Furthermore, the Officer put up a site notice detailing the application on a lamppost on the public highway immediately opposite the application site. This is in accordance with the South Gloucestershire Statement of Community Involvement Adopted May 2008.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed bin storage area would not prejudice highway safety or residential amenity and would cause no harm to the visual amenity. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That 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).

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2830/F	Applicant:	Mr N Giles
Site:	31 Hunters Way Filton Bristol South Gloucestershire BS34 7EP	Date Reg:	27th October 2010
Proposal:	Erection of two storey side extension to form 1no. end terrace dwelling with associated works.	Parish:	Filton Town Council
Map Ref:	360926 179196	Ward:	Filton
Application Category:	Minor	Target Date:	17th December 2010



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 100023410, 2008. **N.T.S.** **PT10/2830/F**

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application is being circulated to Members because the Officer's recommendation is contrary to written representations received from local residents.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a two-storey side extension in order to create a new end terrace dwelling house located in the residential curtilage of an existing dwellinghouse in the well-established residential area of Filton.
- 1.2 The application site occupies a spacious corner plot. The proposed development would measure approximately 7.5 metres in depth and 5.5 metres in width with a ridge height of approximately 7.5 metres falling to circa 5.5 metres at the eaves. The design of the proposal would match the existing house in terms of height, scale, architectural style and materials.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS 3 Housing
PPS13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design
H2: Residential Development within Existing Urban Areas
H4: Development within Existing Residential Curtilages
T8: Parking Standards
T12: Transportation in New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist Supplementary Planning Document 2007
- 2.4 Emerging Policy
South Gloucestershire Council Core Strategy Pre-Submission Publication Draft March 2010:
CS1: High Quality Design
CS16: Housing Density

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No objection

4.2 Transportation
No objection.

4.3 Drainage
No objection subject to sufficient information being provided regarding surface water and SUDS proposals.

Other Representations

4.4 Local Residents

Two letters of objection were received raising the following concerns:

- a) The proposal will exacerbate difficulty in parking;
- b) The occupier is removing current boundaries;
- c) Noise and dust during the day during the construction;
- d) The proposal should not be used for multiple occupancy due to concerns of noise but be occupied by a single family.

These concerns will be addressed in the relevant sections of the following report. Should any fall outside the remit of the sections they will be addressed in the section entitled 'Other Matters' to be found towards the end of the report.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

5.2 Residential Amenity

The proposed development would be located on a spacious corner plot to the East of an existing end terrace dwellinghouse. Dwelling houses opposite are located some 25 metres away on the other side of the road from the proposed development. The house to the North (No. 746 Filton Road) is set at a 90 degree angle to the proposal, separated by an approximately 1.8 metres tall timber fence currently running diagonally at 45 degrees through the corner plot acting as a boundary treatment.

This fence will be relocated from its current position to run parallel with No. 746 Filton Road thereby creating space for off street parking for 2 cars to serve both existing and proposed dwellings.

The proposed development will have similar dimensions as the original existing property in terms of height, width and depth. The existing dwelling has a rear extension and as such the rear elevation of the proposed dwelling will be set

back from the rear elevation of the existing. Given the above it is considered that the proposed development would not result in overlooking or inter-visibility between principal rooms or an overbearing impact on neighbouring occupiers or material loss of privacy. In relocating the fence sufficient space would remain to serve both existing, proposed and neighbouring dwellings.

- 5.3 Concerns have been raised that the proposed new dwelling should not be used for multiple occupation for students but by a single family given that there have been issues with noise from student houses in the area. Given a recent change to planning law, the use of dwelling houses can be changed from Residential (Class C3) to a House in Multiple Occupation (Class C4) under permitted development rights and therefore would not be subject to a planning application. Permitted development rights may only be restricted in exceptional circumstances. Whilst concerns are expressed at potential noise for possible future occupiers, it cannot be assumed that one category of occupier will cause noise whilst another would not. Should noise prove to be a problem then Environmental Health controls would assist with unreasonable noise abatement.

Accordingly the proposal meets criteria contained in policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.4 Design/Visual Amenity

The proposed development would be rendered and finished with concrete roof tiles to match the existing dwelling. All materials would match. The proposal would match the height, scale and architectural details of the existing property and other properties in the vicinity. The proposal would remain flush with the existing building line and accordingly would be in keeping with the surrounding locality.

Waste and recycling facilities will be provided to the front and rear of the proposed development. Accordingly the proposal is acceptable in terms of design and meets criteria in Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 and the South Gloucestershire Design Checklist Supplementary Planning Document 2007.

5.5 Density

In this instance, the total site area equates to 0.067ha as opposed to the stated 0.01ha on the application form. This provides for a density of some 44 dwellings per hectare. It is not considered that any more dwellings could be provided for given the design, access and transportation issues which would arise from more dwellings on this site and as such this does represent an efficient use of land inline with Policy H2 and PPS3. As such, there is no objection to the proposal on this basis.

5.6 Transportation

The proposed development will involve the removal of an existing garage and relocating the existing diagonal boundary fence between 31 Hunters Way and 746 Filton Road. The repositioned fence would run parallel on the south elevation of 746 Filton Road. This will provide space for 2 off street parking spaces.

Concerns have been raised about the proposal resulting in an increase of on street parking. Whilst these are appreciated, it is considered that the parking provisions are satisfactory given the size of the dwelling and the relatively sustainable location (in close proximity to shops, schools and public transport). Notwithstanding this a condition ensuring the two off street parking spaces shown on the submitted plans are provided (See 'Existing and Proposed Block Plan Drg. No. PL0220/01 dated 21 September 2010') is recommended to be attached to any grant of planning approval. Any additional on street parking is unlikely to be problematic.

Accordingly no transport objection is raised subject to an informative requiring that any dropped kerbs shall be constructed to the specification of the Council's Highway Maintenance team. As such the proposal is acceptable in terms of Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

5.7 Drainage

The applicant has indicated that foul drainage would be connected to the main sewers and the drainage engineer has raised no objections. However details regarding provision of surface water run off and proposals for SUDs are required prior to the works commencing; a condition to this effect is recommended on any grant of planning approval.

5.8 Other Matters

5.8.1 Concerns have been raised regarding the relocation of the fence.

The applicant owns both 31 Hunters Way and 746 Filton Road. The use of both parcels of land is and will remain residential. Permitted development rights remain exercisable and given that the fence is not adjacent to a highway used by vehicular traffic, can be erected up to 2 metres in height in the proposed location without planning permission.

5.8.2 Concerns have been raised by neighbours about noise and dust disturbance emanating from construction works during the day. Given the minor nature of the development together with the location it is considered that any noise or dust disturbance would be temporary and of a moderate scale in this instance. Whilst it is acknowledged this may disturb neighbours temporarily, this would be true of any development project and would not be a sufficient reason to prevent the proposal in principle. It is not possible to prevent construction during the day but it is possible to restrict works hours in order to attempt to minimise any disturbance. Accordingly a condition restricting construction hours to certain times is recommended in the event of a grant of permission.

Moreover, recourse to this type of disturbance should be sought from Environmental Health and an informative to this effect is recommended on any grant of approval.

6. CONCLUSION

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

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

- 6.2 The proposed dwelling would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policies H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 6.3 The proposed dwelling respects and maintains the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The proposal achieves an acceptable density. The development therefore accords with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.
- 6.4 The proposed dwelling would provide an acceptable level of off street parking and would not prejudice highway safety. The development therefore accords to Policies H2, H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 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 off-street parking facilities shown on the plan hereby approved (Existing and Proposed Block Plan Drg. No. PL0220/01 dated 21 Sept 2010 received by South Gloucestershire Council on 22 October 2010) shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies H2, H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. A detailed development layout showing surface water and SUDS proposals is required. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies L17, L18 EP1 and EP2 of the South Gloucestershire Local Plan and national policy PPS25 (Adopted) January 2006.

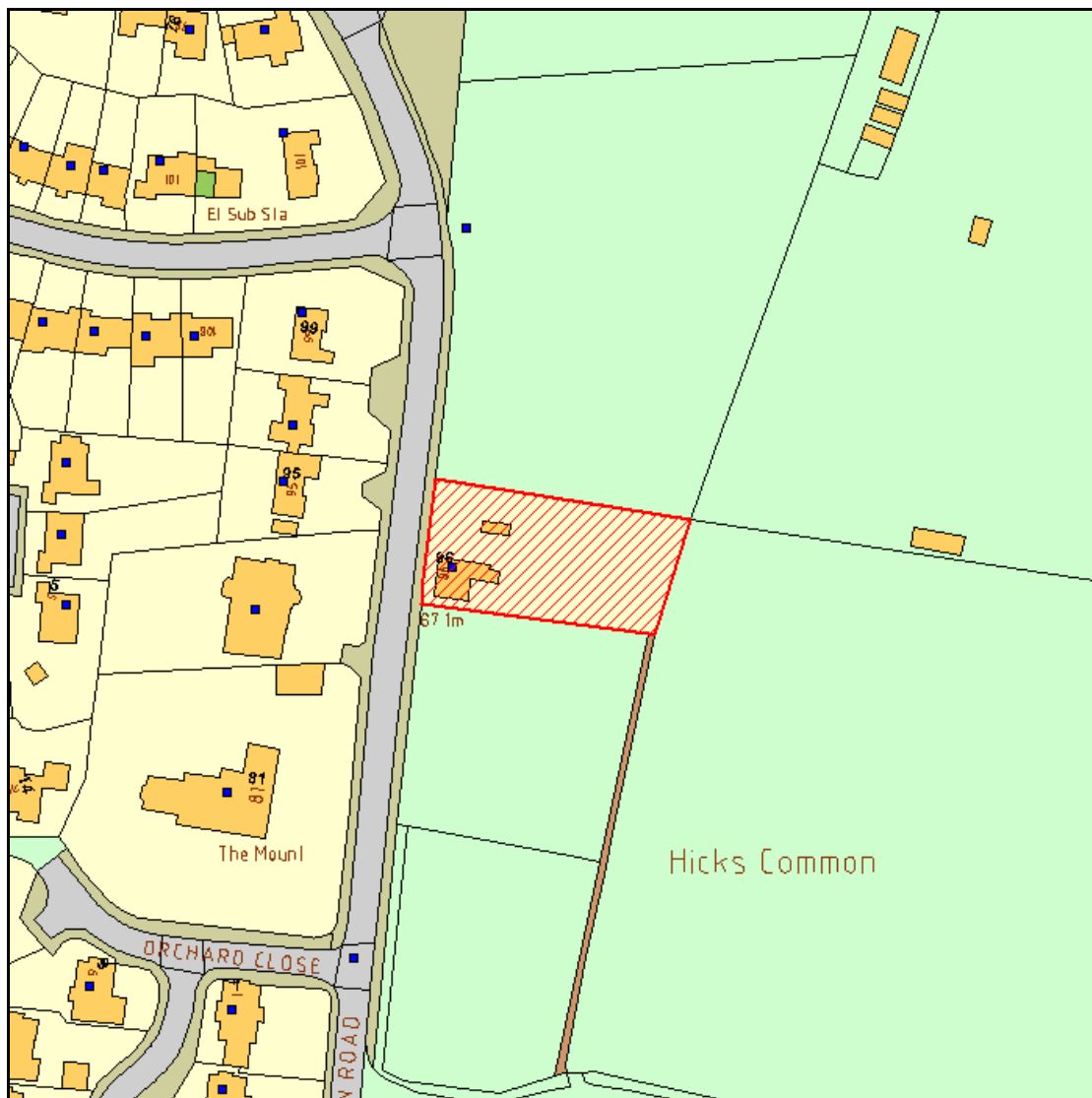
4. The hours of working on site during the period of construction shall be restricted to 08.00 - 18.00 Mondays to Fridays, 0800 - 12.00 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2838/F	Applicant:	Mr And Mrs D Drew
Site:	96 Hicks Common Road Winterbourne Bristol South Gloucestershire BS36 1LJ	Date Reg:	25th October 2010
Proposal:	Erection of 1no. detached dwelling and attached garage with associated works. (Resubmission of PT10/1045/F).	Parish:	Winterbourne Parish Council
Map Ref:	365457 180568	Ward:	Winterbourne
Application Category:	Minor	Target Date:	15th December 2010



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for one detached dwelling and garage. This proposal would replace the existing bungalow on the site.
- 1.2 The proposed dwelling would be two storey in scale and would be situated adjacent to the existing dwellings footprint. The proposed garage would be situated to the front of the site. The development would be finished in local 'Pennant' stone, oak cladding, and double roman tiles.
- 1.3 The application site relates to existing detached bungalow and its associated curtilage. This dwelling is traditional in appearance and it pre-dates the nearby modern residential development. The condition of this property is deteriorating and the standard of accommodation does not meet modern standards. The site gains vehicular access onto Hicks Common Road.
- 1.4 The application site is situated beyond the Winterbourne settlement boundary and within the Bristol & Bath Green Belt.
- 1.5 This application is a resubmission of the previously withdrawn application PT10/1045/F.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
Planning and Climate Change – Supplement to PPS1
- PPG2: Green Belt
- PPS3: Housing
- PPS7: Sustainable Development within Rural Areas
- PPG13: Transport
- DETR Circular 03/99: Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1: Achieving Good Quality Design In New Development
- L1: Landscape Protection and Enhancement
- L17 & L18: The Water Environment
- GB1: Development within the Green Belt
- T8: Parking Standards
- T12: Transportation Development Control Policy for New Development

- H3: Residential Development within the Countryside
- H4: Development within Existing Residential Curtilages

H11: Replacement Dwellings in the Countryside

2.3 Emerging Development Plans

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

CS1: High Quality Design
CS5: Location of Development
CS9: Environmental Resources and Built Heritage
CS15: Distribution of Housing
CS16: Housing Density
CS17: Housing Diversity
CS34: Rural Areas

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

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

3. RELEVANT PLANNING HISTORY

3.1 PT10/1045/F Erection of 1 no dwelling and attached garage with associated works
Withdrawn.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council
No objection.

4.2 Highway's Authority
No objection.

4.3 Tree Officer
No objection.

4.4 Drainage Engineer
No objection.

4.5 Local Residents
One response has been received from a local resident. The resident stated that they had no objection providing that there was no alteration to the height of the roof, the size of windows, or changes to the position of staircase that face onto their property.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of a replacement dwelling. The key issues are:

(1) Is the principle of the proposed development acceptable?

- (2) Would the proposed development constitute inappropriate form of development within the Green Belt, and would its openness?
- (3) Would the proposed development achieve good quality site planning and design?
- (4) Would the proposed development harm the amenity and health of trees within the development site?
- (5) Would the proposed development prejudice the residential amenity of nearby occupiers?
- (6) Would the proposed development give rise to unacceptable transportation effects?
- (7) Would the proposed development have suitable drainage and sewerage arrangements?

5.2 Principle of Development

Policy H3 of the South Gloucestershire Local Plan sets out that new houses will not be permitted with the exception of the following: affordable housing on rural exception sites; housing for agricultural or forestry workers; and replacement dwellings. Accordingly, the proposed replacement dwelling would be acceptable in “principle”, providing that the development meets the criteria identified under Policy H11 of the South Gloucestershire Local Plan:

5.3 **A. The residential use has not been abandoned; and**

The application site relates to an existing dwelling and its residential use has not been abandoned.

5.4 **B. The existing dwelling is incapable of retention in its current state; and**

The applicant has submitted a Structural Appraisal with their application. This report has identified that the existing property was constructed without any proper foundations or damp course, the south-west corner of the property is suffering from minor subsidence, and the house has limited insulation. The report concluded: “...*This property has been very poorly constructed and would take extensive remedial measures to even bring it up to a reasonable standard of repair for habitation. The cost of the known (and possibly unknown) defects in this property is likely to make rebuild both sensible and possibly essential*”.

Furthermore, it should be acknowledged that the poor design and construction of existing house has led to particularly poor energy efficiency. The applicant has argued that the proposed dwelling would exceed current Building Regulations and would provide a far more energy efficient dwelling. The applicant has demonstrated this through an ‘Energy Efficiency Statement’.

Given the structural state of the existing dwelling, Officers are satisfied that the existing dwelling is incapable of retention in its current state. Furthermore it is considered that considerable weight should be attributed to the environmental

gain that the proposed dwelling would achieve through sustainable construction. The applicant has demonstrated that the proposed development would exceed current Building Regulation requirements and has indicated that the development would be likely to achieve, at least, a Code for Sustainable Homes Level 3 (If assessed). On this basis, it is clear that the replacement dwelling would provide long-term environmental benefits that would not be achieved if this building were not replaced. It is acknowledged that replacing a dwelling can be argued to be unsustainable. However the applicant has demonstrated that the materials from the existing dwelling would be re-cycled in the construction of the new dwelling.

5.5 C. The replacement dwelling is of a similar size and scale to the existing dwelling, within the same curtilage, and of a design in keeping with the locality and which minimises intrusion in the countryside.

The proposed replacement dwelling would be sited within the same curtilage as the existing dwelling. In terms of its size and scale, the proposed dwelling would be same height as the existing dwelling. It is noted that building would be larger in volume. Nevertheless, it is considered that the proposed 49% addition would be reasonable. This is because the applicant would be likely to gain a similar volume if they were to extend the existing bungalow. Furthermore, it is considered that the design of the building would be in keeping with the locality and would not harm the countryside. Nevertheless, it is conceded that further extensions to the building could harm the character of the countryside and openness of the Green Belt. On this basis it is recommended that permitted development rights are removed.

5.6 In view of the above, it is concluded that the proposed development would satisfy the criteria of Policy H11 of the South Gloucestershire Local Plan.

5.7 Green Belt

Policy GB1 of the South Gloucestershire Local Plan allows for the replacement of existing dwellings provided that it does not result in a disproportionate addition over and above the size of the original building.

5.8 Whether an addition is considered 'disproportionate' or not depends on the individual circumstances of the site, and what type of addition is proposed. The Council will assess this on a case-by-case basis. However, to aid the assessment of whether an extension is a disproportionate, the Council have prepared a Development within the Green Belt SPD. This document identifies the 'Disproportionate Test'. As a general guide

- An addition resulting in a volume increase less than 30% of the original dwelling would be likely to be acceptable.*
- House extension additions that exceed 30% will be carefully assessed with particular regard to the second test in the box above - i.e. whether the proposal would appear out of scale and proportion. The larger a house becomes in excess of 30% of its original size, the less likely it is that new extension(s) will be considered acceptable.*

- *An addition resulting in a volume increase of 50% or more of the original dwelling would most likely be considered in excess of any reasonable definition of 'limited extension.' Such a proposal would normally therefore be viewed as a disproportionate addition, contrary to Policies GB1 and H4 of the South Gloucestershire Local Plan.*
- 5.9 In this instance, the applicant has demonstrated that the proposed replacement dwelling would result in 49% volume increase over and above the original development on the site. The SPD advises that in these circumstances, where additions exceed 30%, the proposal will be carefully assessed to determine whether the development would appear out of scale and proportion. It has been assessed that the proposed development would be well related to the settlement of Winterbourne and would not materially encroach into the openness of the Green Belt. Furthermore the proposed development would not significantly increase the scale and proportions of the development on the site. Accordingly, it is concluded that the proposed development would not result in a disproportionate addition that would be harmful to the openness of the Green Belt. The proposed development therefore accords with PPG2, Policy GB1 of the South Gloucestershire Local Plan, and the South Gloucestershire Development within the Green Belt SPD.
- 5.10 Design
A key objective of PPS1, the South Gloucestershire Local Plan, and the emerging South Gloucestershire Core Strategy is to promote high quality design that responds to its context, the distinct assets of the district and creates a 'sense of place' and civic pride. The Council approach to design is set out under policy D1 of the South Gloucestershire Local Plan and the Design Checklist SPD.
- 5.11 Before assessing the quality of the design of the proposed development it is important to understand the context of the site and its surrounding area. The application site comprises of a tired 1920's bungalow and its associated residential curtilage. The site is situated on the edge of Winterbourne and therefore is situated adjacent to a well-established residential area to the west and open countryside to the east. The buildings in the surrounding area are a mixture of modern residential dwellings and more traditional agricultural buildings and dwellings.
- 5.12 The proposed replacement dwelling would be located on a similar footprint to the existing dwelling and garage. Although the position of the dwelling has been sited slightly further away from the road to reduce the noise impact and allow for a garage to be positioned to the front of the dwelling. It is considered that the proposed siting and layout would be acceptable and would respect the character and appearance of the surrounding area.
- 5.13 The proposed replacement dwelling would be one and half storeys in scale and would be no greater in height than the existing bungalow. In terms of appearance, the proposed building has adopted an agricultural style that reflects characteristics of other buildings in the surrounding area. Furthermore the proposed dwelling would use natural stone and timber windows on the principal elevation. It is considered that the use of these material would ensure

- a high quality finish that would enhance the character and amenity of the application site and the street scene.
- 5.14 On this basis it is concluded the erection of a replacement dwelling in this location would not materially harm the local character of the site and surrounds. The proposed development therefore accords with policies D1, L1, H4 and H11 of the South Gloucestershire Local Plan.
- 5.15 Trees
The application site is surrounded by a number of mature trees. It is noted that these are not protected, however it is considered that they make a contribution to the site's character and are worthy of retention. The applicant has submitted a tree constraints plan to demonstrate how this would be achieved. The Council's Tree Officer has reviewed this and has confirmed that the proposed development would not harm the health or amenity of these trees. On this basis it is considered that the proposed development would accord with Policy L1 of the South Gloucestershire Local Plan.
- 5.16 Residential Amenity
It is noted that a local resident to the west of the site has made comment with regard to the height of the proposed dwelling and the potential for inter-visibility between properties. Notwithstanding these comments, it should be noted that the proposed dwelling would be at least 35 metres from the nearest neighbouring property. Officers are satisfied that the proposed development would not give rise to a material overbearing effect or loss of privacy that would be detrimental to residential amenity. On this basis, it is considered that the proposed development would accord with Policy H4 of the South Gloucestershire Local Plan.
- 5.17 Transportation
The Highway's Authority has considered the transportation implications of the proposed development. The Engineer concluded that the level of traffic generated by the existing and proposed dwelling would be comparable and existing access arrangements are unchanged. Parking is accommodated within the proposed garage and the existing hardstanding could be used for turning. On this basis, it is considered that the proposed development would have acceptable transportation effects and would accord to Policy H4, T8, and T12 of the South Gloucestershire Local Plan.
- 5.18 Drainage & Sewerage
DETR Circular 10/99 identifies that non-mains drainage sewerage and sewage disposal proposals are unsatisfactory and are sufficient to justify refusal of planning permission. In this application the applicant initially proposed a new treatment system to replace the existing septic tank. This form of foul drainage was considered unacceptable, however following discussion with the applicant it has been established that the applicant could connect to an existing public sewer. This type of foul drainage was considered to represent an enhancement over the existing arrangements and was deemed to be acceptable. This enhancement shall be secured via a condition. With regard to surface water drainage, the applicant has demonstrated that the development would incorporate sustainable drainage systems. On this basis, it is considered that

the proposed development would accord with Policy L17 and L18 of the South Gloucestershire Local Plan.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- a) The applicant has demonstrated that the proposed replacement dwelling would satisfy the criteria set out under Policy H11 of the South Gloucestershire Local Plan (adopted) January 2006 and therefore would be acceptable in principle.
 - b) The proposal would not result in a disproportionate addition over and above the size of the original dwelling and would not prejudice the openness of the Green Belt. The development therefore accords to policies H4 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Development in the Green Belt SPD (Adopted) 2007.
 - c) The design and landscape impact of the proposed development has been fully assessed. It is considered that the development would achieve good standards of siting planning and design. This is because the siting, overall layout, density, form, scale, height, massing, detailing, materials, are informed by, and respect and enhance the character and appearance of the site and locality. The proposed development would therefore accord with PPS3 and policies D1, L1, and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - d) The impact of the proposed development on nearby properties has been fully assessed. It is considered that the siting and layout of proposal would not result in a material loss of privacy, an overbearing effect, or adverse levels of air, light and noise pollution. The proposed development would therefore accord with Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - e) The impact of the proposed development in terms of transportation has been fully assessed. It is considered that proposal would have satisfactory access and parking arrangements. The proposed development would therefore accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.
 - f) The foul and surface water drainage arrangements of the proposed development have been fully assessed and are deemed to be acceptable. The proposed development would therefore accord with Policy L17/L18 of the South Gloucestershire Local Plan (adopted) January 2006.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Notwithstanding the submitted details, the dwelling hereby approved shall connect to the public sewer.

Reason

To ensure the development provides a system of foul drainage discharging into a public sewer, and to accord to DETR Circular 10/99 and Policy L17/L19 of the South Gloucestershire Local Plan (adopted) January 2006.

3. The dwelling hereby approved shall not be occupied until the existing dwelling has been entirely demolished.

Reason

To ensure the existing dwelling is removed in order to maintain the openness of the Green Belt, and to accord to Policy GB1 of South Gloucestershire Local Plan (Adopted) January 2006.

4. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, & G), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason 1

To protect the rural character of the surrounding area, and to accord to Policy D1, L1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

Reason 2

To maintain the openness of the Green Belt, and to accord to PPG2 and Policy GB1 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2931/F	Applicant:	Mr Shane Osborne
Site:	36 Boundary Road Coalpit Heath Bristol South Gloucestershire BS36 2PU	Date Reg:	1st November 2010
Proposal:	Erection of two storey side extension, alterations to existing roof. Erection of front porch. (Resubmission of PT10/1778/F)	Parish:	Frampton Cotterell Parish Council
Map Ref:	367611 181166	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	22nd December 2010



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following the receipt of representations from a local resident that is contrary to the Case Officer's recommendation to issue a split decision.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a two-storey side and rear extension, and the erection of a front porch. This application is a resubmission of the previously refused application PT10/1778/F. The applicant has amended the development by reducing the height of the wall on the rear extension from 4m to 3.3m.
- 1.2 The previous application was refused under delegated powers for the following reason:
 1. The proposed two storey rear and side extension, by reason of its height and relationship with No. 9 Main View, would result in adverse overbearing effect and a loss of light that would prejudice the amenities of nearby occupiers. The proposed development would therefore be contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 1.3 The application site relates to a small cottage and its associate residential curtilage. The site is within a well-established residential area and lies within the Coalpit Heath settlement boundary.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/1778/F Erection of two storey side extension, alterations to existing roof. Erection of front porch.
Refused 08.09.2010

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council
No objection.

4.2 Local Residents

In response to this application one letter of objection has been received from local residents. The main points are summarised below: -

- a) Loss of privacy
- b) Loss of light into garden and home.
- c) Overbearing effect upon property, outlook, and quality of life.
- d) The proposed extension would dominate surrounding properties and impact local amenity.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extension to residential dwellings. This is subject to the proposal:

- respecting the character and appearance of the existing dwelling and the surrounding area;
- not prejudicing the amenities of nearby occupiers,
- maintaining highway safety; and
- providing adequate amenity space.

5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

5.3 Residential Amenity

It is acknowledged that one local residents have raised concerns that the proposed would result in an adverse overbearing effect and a loss of privacy. Policy H4 of the South Gloucestershire Local Plan is clear that extension should only be permitted where they would not prejudice the amenities of nearby occupiers. On this basis, the impact of the proposed development on nearby occupiers in assessed below:

5.4 Overbearing Effect

Due to the layout of the application site, the rear wall of the host dwelling forms the boundary with 9 Main View. As per the previous application, the existing boundary wall would be extended in width and its height would be increased. However under this new application the height of the wall has been reduced from 4m to 3.3m. Furthermore the pitch of the existing 'catslide roof' would be increased to match the front of the cottage.

5.5 The proposed extended wall would be situated to the south west of 9 Main View and would be separated from the dwelling by approximately 8.8m. Moreover, due the land levels, 9 Main View is sited below the host dwelling. Notwithstanding the amendments to the previous application, it is considered

- that the combination of; the height of the proposed side and rear extension; the differences in land levels; the proximity of the two properties; and the orientation of the wall to the south of the adjacent dwelling; would result in a material loss of light and an overbearing effect that would be detrimental to the residential amenity of the occupiers of No. 9 Main View. On this basis it is considered that the proposed rear and side extension would remain to be contrary to policy H4(b) of the South Gloucestershire Local Plan.
- 5.5 The proposed side extension would be situated to the south-east of the rear elevation of 5 Main View and would be separated by approximately 14.4m. It is acknowledged that the occupiers of this dwelling have raised concerns that the development would result in an overbearing effect due to the building elevated position. Notwithstanding this representation it is considered that the height of the cottage is relatively modest and thus a distance of 14.4m would be adequate to mitigate any material overbearing effect. It is therefore considered that the relationship between the proposed side extension and 5 Main View would be acceptable and would not prejudice residential amenity.
- 5.6 Loss of Privacy
The proposed development would feature four new roof lights. The proposed roof lights would be above head height and therefore would not afford direct views into 9 Main View, and therefore would not result in a loss of privacy. The proposal includes two existing windows in the rear elevation. It is noted that these are already *in situ*, however they afford direct views into the rear amenity space of this property. Therefore if this application had been approved this matter could have been overcome by a condition to ensure that the window was fixed and glazed with obscured glass.
- 5.7 It is acknowledged that the occupiers of 5 Main View have raised concerns with regard to potential for overlooking from the private amenity space of the host dwelling. It is noted the proposed development would reduce the size of the existing private amenity space, however the existing boundary treatments would remain. Notwithstanding the reduction to the size of garden the relationship with 5 Main View would not change. On this basis, it is considered that the proposed development would not result in a loss of privacy to 5 Main View.
- 5.8 Design
The existing property relates to a small 'two up – two down' cottage. The proposed development seeks to alter the existing 'cat slide roof' to form a second gable to the rear of the property. The development also includes a subservient side extension and a front porch. The applicant has also proposed to finish the property in nature stone.
- 5.9 It is considered that this proposal is a sympathetic and appropriate design approach that would respect the character and appearance of the host dwelling. Furthermore it is considered that the development would respect the character of the surrounding residential area. On this basis the proposed development would accord with policies D1 and H4 of the South Gloucestershire Local Plan.

5.10 Outstanding Matters

It is noted that the proposed development also includes a front porch. It is considered that this proposal would be acceptable in terms of design and residential amenity. It is therefore recommended that planning permission be granted for this part of the scheme under a split decision.

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

7. RECOMMENDATION

a) Planning permission to be **REFUSED** for the erection of a two storey side and rear extension for the following reason: -

1. The proposed two storey rear and side extension, by reason of its height and relationship with No. 9 Main View, would result in adverse overbearing effect and a loss of light that would prejudice the amenities of nearby occupiers. The proposed development would therefore be contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

b) Planning permission to be **GRANTED** for the erection of a front porch for the following reasons:

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

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

1. The front porch 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).

REASONS FOR REFUSAL

1. The proposed two storey rear and side extension, by reason of its height and relationship with No. 9 Main View, would result in adverse overbearing effect and a loss of light that would prejudice the amenities of nearby occupiers. The proposed development would therefore be contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 46/10 – 26 NOVEMBER 2010

App No.:	PT10/2939/EXT	Applicant:	Quicksons Ltd
Site:	Land At Severn Road Hallen Bristol South Gloucestershire BS10 7SA	Date Reg:	3rd November 2010
Proposal:	Erection of 4 no. dwellings and 4 no. garages. Alterations to existing vehicular access. (Consent to extend time limit implementation for PT07/3047/F).	Parish:	Almondsbury Parish Council
Map Ref:	355042 180105	Ward:	Almondsbury
Application Category:	Minor	Target Date:	28th December 2010



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks consent to extend the time of the planning permission PT07/3047/F. This permission granted consent for the erection of 4no. dwellings and 4no. garages and alterations to existing vehicular access.
- 1.2 The application site is approximately 0.11 hectares in area and forms part of the parking area. The site is broadly rectangular in shape and fronts onto Severn Road.
- 1.3 The site situated within the Hallen settlement boundary and lies within the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPS3: Housing
PPS25: Development and Flood Risk
Greater Flexibility For Planning Permission (CLG, 2009)

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
L1: Landscape Protection and Enhancement
L17/L18 Water Environment
EP2: Flood Risk and Development
GB1: Development within the Green Belt
H2: Proposals for Residential Development within Settlement Boundaries
T8: Parking Standards
T12: Transportation Development Control Policy for New Development

2.3 Emerging Development Plans

South Gloucestershire Core Strategy (Pre-Submission Publication Draft) March 2007

CS1: High Quality Design
CS3: Renewable and Low Carbon Energy Generation
CS5: Location of Development
CS9: Environmental Resources and Built Heritage
CS34: Rural Areas

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Development within the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/3047/F Erection of 4 no. dwellings and 4 no. garages.
Alterations to existing vehicular access.
Approved 10.12.2007.
- 3.2 PT07/2442/F Erection of 4 no. dwellings and 4 no. garages.]
Alterations to existing vehicular access.
Approved 28.09.2007.
- 3.3 P99/1427 Change of use from offices to training centre
Approved 11.05.1999

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection.
- 4.2 Highway's Authority
No objection.
- 4.3 Severn Drainage Board
No objection.
- 4.4 Drainage
No objection.
- 4.5 Local Residents
Two letters of objection have been received from local residents. The main issues have been summarised below:
- A. Proximity to drainage Rhine.
 - B. The Severn Drainage Board does not appear to have been consulted.
 - C. No consultation with adjacent properties.
 - D. The refusals of PT09/0407/F and of PT08/1546/O would have many aspects in common with this application.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks an extension of time for the implementation of an existing planning permission (PT07/0783/F). This procedure was introduced under Town and Country Planning (General Development Procedure) (Amendment No. 3) Order 2009 and allows applicants to apply to their Local Planning Authority for a new planning permission to replace an existing permission which is in danger of lapsing. This enables the applicant to obtain a longer period in which to begin the development.

- 5.2 The guidance from CLG outlines that LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission.
- 5.3 This report shall review each of material considerations that were identified under the previous planning application against national planning policies and emerging development plan policies that have been published since the grant of planning permission for PT07/3047/F on the 10th December 2007. The report shall then assess whether these changes have materially affected the decision made on the previous application, and whether it is appropriate to grant a further planning permission to allow the time limit to be extended for a further three years.
- 5.4 Principle of Development
The principle of development was accepted as a part of the previous application. Since the determination of the previous application the South Gloucestershire Core Strategy (Pre-Submission Publication Draft) has been issued and the principle of the development would be compliant with this document
- 5.5 With regard to the changes in circumstances, PPS3 was reissued on 9th June 2010 to reflect concerns regarding the redevelopment of neighbourhoods, loss of Green Space and the impact upon local character. The general thrust of PPS3 however has remained the same. The previous application was assessed against policies D1, L1 and H2, and these already require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land.
- 5.6 Density
The proposed development would achieve an average density of 36 dwellings per hectare (dph), which is in line with the advice within PPS3 and Policy H2 of the South Gloucestershire Local Plan.
- 5.7 It is acknowledged that the draft Policy CS16 in the emerging Core Strategy seeks an average density of 40 dph. To achieve this density, at least, one additional dwelling would need to be provided on the site. In view of the rural green character of the surrounding area it is considered that a greater density would harm the visual amenity of the site and its surrounds. On this basis, Officers are satisfied that a density of 36 dph represents the most efficient use of land.
- 5.8 Green Belt
It was established under the previous application that the proposed development would constitute an appropriate form of development within the Green Belt. This was because the development was considered to be 'limited infill' because it was situated between existing buildings within the road frontage and therefore did not materially harm openness of the Green Belt. Officers are satisfied that there have been no material changes of circumstance and thus the development remains acceptable in Green Belt terms.

5.9 Design

Careful consideration of the design of the proposal was made during the previous application and it was considered that the proposal would not adversely affect the character and appearance of the site and the surrounding area. Given that there have been no material changes in the immediate vicinity of the site, the proposal is still considered to fully accord with policies D1, L1 and H2 of the South Gloucestershire Local Plan.

5.10 Residential Amenity

During the previous application it was concluded that there was sufficient distance between the development and the neighbouring property to prevent any loss of privacy or overbearing impact. Given that there have been no material changes in the immediate vicinity of the site, the proposal is still considered to maintain residential amenity and would fully accord with policy H2 of the South Gloucestershire Local Plan.

5.11 Flood Risk and Drainage

The application site is situated within Flood Zone 1 and therefore the proposed development would not give rise to significant levels of flood risk.

5.12 It is acknowledged that a local resident has objected to the proposal on the grounds of the proximity to the Drainage Rhine and consultation with the Internal Severn Drainage Board. This matter was considered during the previous application and it was agreed that no development should exist within 8 metres of the drainage ditch at the rear of site. Furthermore, the Internal Severn Drainage Board has been consulted on this application and no comments have been received. Given that there have been no material changes in the immediate vicinity of the site, the proposal is still considered to fully accord with PPS25 and policies L17, L18 and EP2 of the South Gloucestershire Local Plan.

5.12 Planning History

It is acknowledged that a local resident has identified that a number of applications have been refused on an adjacent site. Notwithstanding this, it must be noted that the circumstances relating to the refused applications were materially different to this application site.

5.13 Consultation

It is acknowledged that a local resident has raised issues regarding the consultation of this application. Notwithstanding this point, Officers are satisfied that the consultation was carried out in accordance with the South Gloucestershire Statement of Community Involvement.

5.14 Schedule of Conditions

The original planning permission included 8 conditions. These have been reviewed and it is considered that these are still relevant to the proposed development, and therefore shall be reattached to this consent.

6. CONCLUSION

- 6.1 The material considerations that were identified under the original planning application have been reviewed against the national planning policies and emerging development plan policies that have been published since the grant of planning permission on the 4th May 2007. Furthermore the proposal has been assessed to ensure that no further material consideration have also arisen in this period.
- 6.2 The recommendation to grant permission to extend the time limit of the original planning application has therefore been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 On this basis, planning permission is granted for the following reason(s): -
- a) The proposed residential development would be situated within the Hallen settlement boundary. It is considered that this is an appropriate area for residential development and thus the principle of the proposed development would accord with PPS3 and policies H2 of the South Gloucestershire Local Plan (adopted) January 2006.
 - b) The density of the proposed development would equate to 36 dwellings per hectare. It is considered that this represents the most efficient use of land that is compatible with the site and its surrounds. The proposed development would therefore accord with PPS3 and policies H2 of the South Gloucestershire Local Plan (adopted) January 2006.
 - c) The proposed development would fall within the definition of 'limited infilling' and thus would constitute an appropriate development within the Green Belt. The proposed development would accord with PPG2 and the policies GB1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - d) The design and landscape impact of the proposed development has been fully assessed. It is considered that the development would achieve good standards of siting planning and design. This is because the siting, overall layout, density, form, scale, height, massing, detailing, materials, are informed by, and respect and enhance the character and appearance of the site and locality. The proposed development would therefore accord with PPS3 and policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - e) The impact of the proposed development on nearby properties has been fully assessed. It is considered that the siting and layout of proposal would not result in a material loss of privacy or an overbearing effect. The proposed development would therefore accord with Policy H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - f) The impact of the proposed development in terms of transportation has been fully assessed. It is considered that proposal would have satisfactory access and parking arrangements. The proposed

development would therefore accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

- g) The drainage arrangements of the proposed development have been fully assessed. It is considered that subject to a condition securing Sustainable Drainage Systems the proposal would be acceptable. The proposed development would therefore accord with Policy L17/L18 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, and G), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason 1

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 to Policy D1, H2, and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

To ensure the development retains satisfactory access to the watercourse, and to accord to Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

4. The finished floor levels of the buildings hereby permitted shall be set at a minimum of 500mm above existing surrounding ground level.

Reason

To minimise the effect of any flooding which may occur and to comply with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

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

Reason

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

7. Prior to the commencement of development, detailed plans showing the provision of cycle parking facilities in accordance with the standards set out in Policies T8 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

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

8. No development shall take place until details of the junction between the proposed access road and the highway have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied nor the use commenced until the junction has been constructed and is available for use in accordance with the approved plans. There shall be no obstructions to visibility exceeding 0.9 metres in height within the splayed areas.

Reason

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