



**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. 34/11**

**Date to Members: 02/09/11**

**Member's Deadline: 08/09/11 (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](mailto: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:

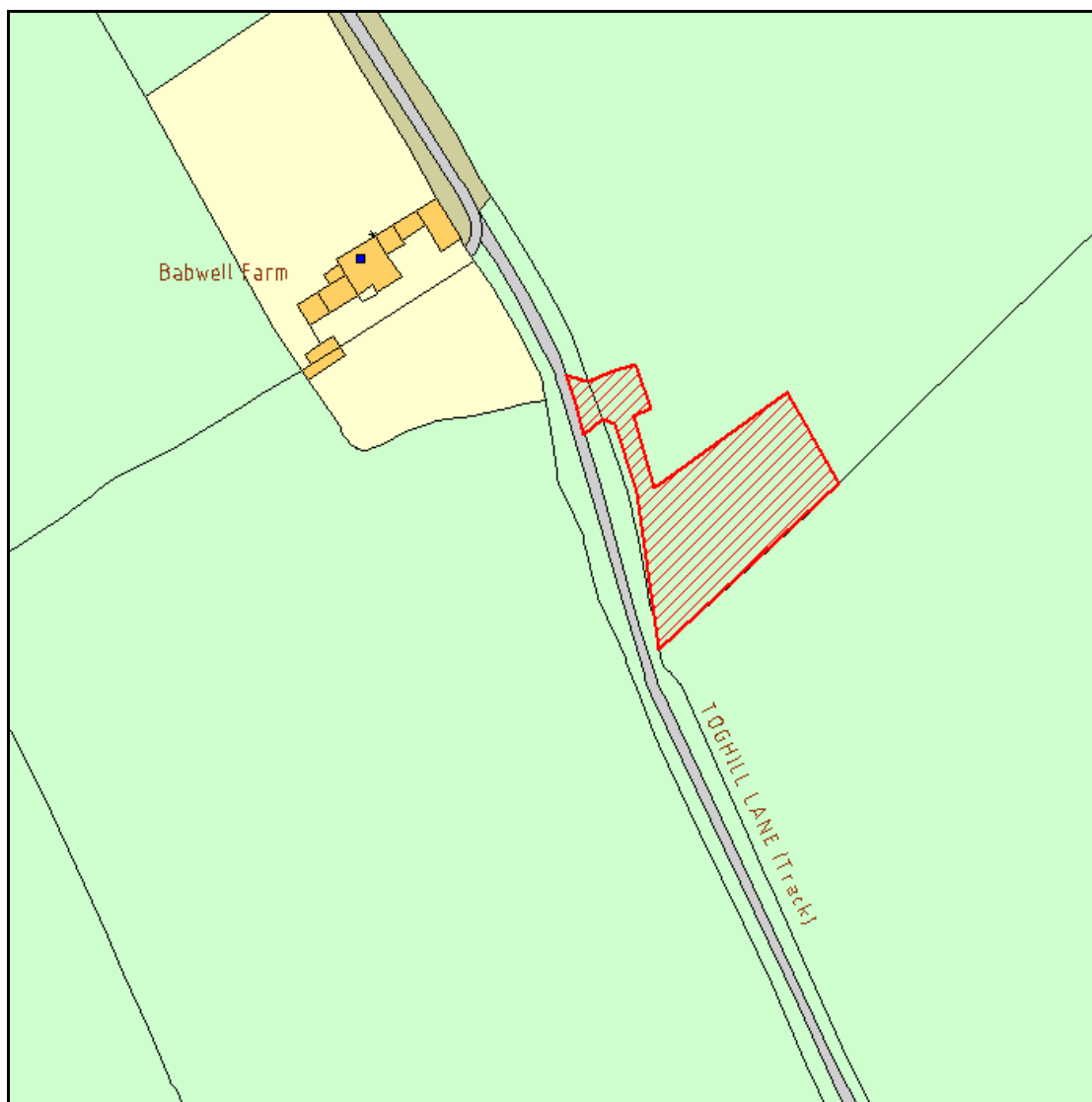
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail your request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

# CIRCULATED SCHEDULE – 02 SEPTEMBER 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/1761/F	Approve with Conditions	Oxleaze Toghill Lane Doynton South Gloucestershire BS30 5TE	Boyd Valley	Doynton Parish Council
2	PK11/2135/CLP	Approve with Conditions	Pool Farm Dyers Lane Iron Acton South Gloucestershire BS37 9XU	Ladden Brook	Iron Acton Parish Council
3	PK11/2489/R3F	Deemed Consent	Bromley Heath Junior And Infant School Quakers Road Downend South Gloucestershire BS16 6NJ	Downend	Downend And Bromley Heath Parish Council
4	PT11/1449/F	Refusal	165 Henfield Road Coalpit Heath South Gloucestershire BS36 2UH	Westerleigh	Westerleigh Parish Council
5	PT11/1980/F	Approve with Conditions	Baileys Court Activity Centre Bailey's Court Road Bradley Stoke South Gloucestershire	Bradley Stoke South	Bradley Stoke Town Council
6	PT11/2007/F	Approve with Conditions	Land Rear Of 58 Park Road Thornbury South Gloucestershire BS35 1HS	Thornbury North	Thornbury Town Council
7	PT11/2193/RM	Refusal	22 Down Road Winterbourne Down South Gloucestershire BS36 1BN	Winterbourne	Winterbourne Parish Council
8	PT11/2194/F	Approve with Conditions	Land Adjacent To 1 Grove Bank Frenchay South Gloucestershire BS16 1NY	Frenchay And Stoke Park	Winterbourne Parish Council
9	PT11/2199/O	Approve with Conditions	The Conifers Wotton Road Rangeworthy South Gloucestershire BS37 7LZ	Ladden Brook	Rangeworthy Parish Council
10	PT11/2206/PAD	No Objection	60 Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Charfield	Charfield Parish Council
11	PT11/2304/F	Approve without conditions	The Brambles Wotton Road Rangeworthy South Gloucestershire BS37 7LZ	Ladden Brook	Rangeworthy Parish Council
12	PT11/2403/F	Approve with Conditions	Applegate Bibstone Cromhall Wotton Under Edge South Gloucestershire GL12 8AF	Charfield	Cromhall Parish Council

## CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011

<b>App No.:</b>	PK11/1761/F	<b>Applicant:</b>	Golden Valley Paddocks
<b>Site:</b>	Oxleaze Toghill Lane Doynton Bristol South Gloucestershire	<b>Date Reg:</b>	5th July 2011
<b>Proposal:</b>	Installation of concrete yard, retaining walls and 2 no. feed hoppers.(Retrospective)	<b>Parish:</b>	Doynton Parish Council
<b>Map Ref:</b>	372291 173258	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th August 2011



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 100023410, 2008. **N.T.S.** **PK11/1761/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule following the receipt of objections from Doynton Parish Council and local residents; the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This a retrospective application for the retention of 2no. feed hoppers and associated installation of a concrete yard and retaining walls at Oxleaze, Doynton. The development is required in connection with a proposed duck egg production enterprise to form part of the applicant's larger existing duck egg production enterprise located at sites in north Somerset and Bitton.
- 1.2 The site is located to the south of the village of Doynton, within the open countryside, Bath & Bristol Green Belt and the Cotswold Area of Outstanding Natural Beauty. The applicant states that the site is 14.53 hectares in area and is currently laid to pasture. The site is accessed via a track (Toghill Lane) out of Doynton, which is also a Restricted Byway; this track also serves Babwell Farmhouse, which is located opposite the site, and to the west of the track and main access to Oxleaze.
- 1.3 The silos/hoppers are located just to the west of an existing agricultural building/barn recently granted permission under prior notification (see PK09/1413/PNA). The hard-standings have already been laid around the barn and retaining walls erected along the southern and western edges of the yard.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

- |      |  |
|------|--|
| PPS1 | Delivering Sustainable Development     |
| PPS7 | Sustainable Development in Rural Areas |

#### 2.2 Development Plans

##### Joint Replacement Structure Plan (Adopted Sept. 2002)

Policy 1 - Sustainable Development Objectives.

Policy 2 - Location of Development.

Policy 16 – Green Belt

Policy 17 - Landscape Areas AONB.

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

D1 Achieving Good Quality Design in New Development

L1 Landscape Protection and Enhancement

L2 Cotswold Area of Outstanding Natural Beauty

L12 Conservation Areas

L13 Listed Buildings

L17&18 The Water Environment

GB1 Development within the Green Belt

EP1 Environmental Pollution

EP2 Flood Risk and Development

T8 Parking Standards

T12            Transportation Development Control Policy  
E9             Agricultural Development

South Gloucestershire Core Strategy, Submission Draft Dec. 2010

CS1   High Quality Design

CS9   Managing the Environment

2.3   Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

South Gloucestershire Landscape Character Assessment as adopted Aug 2005. Landscape Character Area 6:- Pucklechurch Ridge & Boyd Valley.

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

**3.   RELEVANT PLANNING HISTORY**

3.1   PK09/1413/PNA - Prior notification of the intention to erect an agricultural building.

No objection 24 Aug 2009.

3.2   PK11/1765/F - Siting of temporary agricultural workers dwelling for the period of three years.

Refused 12 August 2011 for the following reasons:

- Functional need not demonstrated.
- Visually intrusive feature in the landscape and Green Belt.
- Visually intrusive feature to detriment of the natural beauty of the Cotswolds AONB.

Enforcement History

3.3   COE/08/0735 - Erection of huts on concrete bases, in field opposite farm.  
Closed

3.4   COE/09/0511 - Sub-division of land and creation of accesses.  
Closed

3.5   COE/09/0419 - Created new access, cut down hedge & trees, put in water supply.  
Closed

**4.   CONSULTATION RESPONSES (including internal consultees of the Council)**

4.1   Doynton Parish Council

Objects on the following grounds:

- These proposals should have been included in the application for the barn.
- The applicant has changed the nature of the enterprise stated in the application for the barn.
- Adverse impact on the Cotswolds AONB.
- Such applications will lead to a dwelling house on the site.

- 4.2 Public Rights Of Way (PROW)  
No comments.
- 4.3 Landscape Officer  
No objection subject to a detailed planting plan being submitted and agreed.
- 4.4 Listed Buildings Officer  
No objections
- 4.5 The Open Spaces Society  
No response
- 4.6 The Ramblers Association  
No response
- 4.7 Technical Support Street Care  
No objection

### **Other Representations**

- 4.11 Local Residents  
4no. letters of objection have been received, the concerns raised are summarised as follows:
- There is an ulterior motive to obtain a house in the countryside.
  - Adverse impact on residential amenity.
  - Adverse impact on AONB.
  - Adjacent to footpath.
  - Additional traffic in lane.
  - Local community not consulted.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The proposal seeks to regularise unauthorised development on agricultural land in the open countryside. Policies D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and CS1 of the South Gloucestershire Core Strategy Submission Draft Dec. 2010 seek to secure good quality designs in new development. Policy E9 permits agricultural 'buildings' subject to criteria discussed below. Policy L1 seeks to conserve and enhance the character, distinctiveness, quality and amenity of landscapes. More specifically Policy L2 seeks to preserve or enhance the natural beauty of the Cotswolds AONB. In the first instance however the scheme must be considered in relation to the latest Green Belt Policy contained in PPG2 and reflected in Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.2 Green Belt Issues  
PPG2 confirms that the most important attribute of Green Belts is their openness. There is a general presumption against development which would be harmful to Green Belt objectives, other than for the purposes set out in Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Within the Green Belt the construction of new buildings for agriculture is not inappropriate and is therefore by definition not harmful to the Green Belt. Although not buildings as such, officers are satisfied that the development, the subject of this application, is associated with an agricultural building and is reasonably necessary for the purposes of agriculture, and can therefore be assessed under this policy.

### 5.3 Impact on the Landscape and Cotswolds AONB

The site lies to the south of the village of Doynton within gently sloping fields. The extensive hard-standing, retaining walls and feed hoppers cover a substantial area of ground and this, combined with the large agricultural building and stoned access and parking area, are significant within the landscape. The agricultural building is visible from the Cotswold Way, which runs along the escarpment to the east of the site. The site is also visible from the approach along Toghill Lane via the wide site access, however the roadside hedgerow helps to screen direct views along the remainder of this boundary and the hoppers are to some extent hidden behind the large agricultural building. Furthermore the retaining walls are set down within the site below the level of the surrounding fields. The hoppers are 5.4m high and 2.85m wide and constructed from light green GRP material, which is translucent to allow the farmer to see how much feed is left in the hopper. Such hoppers are to be found on many farms within the countryside.

5.4 The fields surrounding the building have been subdivided and contain duck houses and mobile poultry units. The supporting information states that all the existing hedges will be retained and enhanced; however no information confirming new planting proposed has been submitted. There are many opportunities to introduce planting within the site, by planting native hedgerows, copses and supplementary planting to the roadside hedgerow, however nothing is indicated on the plans.

5.5 The visual impact of the development on this site needs to be assessed cumulatively and officers conclude that the overall visual impact within the landscape is significant. The mobile poultry units however do not require planning permission and the Barn is already authorised. Notwithstanding this, it is acknowledged that the concrete yard, hoppers and retaining walls could be made acceptable in visual terms if new planting is undertaken to provide mitigation. Officers consider that this can reasonably be secured by condition. Subject to an acceptable scheme of planting being secured and implemented within the next available planting season, there are no objections in landscape terms. The proposal therefore accords with Policies L1, L2 and GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

### 5.6 Conservation Issues

The application site is sufficiently distant from the boundary of the Doynton Conservation Area to have no impact on its character or setting. There are no views of the site from within the Conservation Area due to the topography and the presence of various field boundaries. The proposal therefore accords with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.



### 5.7 Transportation Issues

The hard-standing areas provide adequate turning and parking facilities on the site. The existing access lane is utilised for what is already an agricultural use of the land. The lane is shared by only one other property i.e. Babwell Farmhouse. With no objections from the Council's Transportation Officer the proposal is considered to accord with Policies T8, T12 and E9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

### 5.8 Impact Upon Residential Amenity

Babwell Farmhouse lies approximately 100m away to the west and there is a reasonable amount of high vegetation between the house and the hoppers. Given the position and orientation of the farmhouse and its distance from the application site, officers do not consider that the development would result in a significant adverse impact for the occupiers of the farmhouse. In this respect the proposal would accord with Policy E9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

### 5.9 Environmental Issues

The loose hardcore for the hard-standing areas provide a sustainable form of drainage on the site. The hoppers do not result in any adverse environmental impacts as they are only used to contain feed for the poultry. The proposal therefore accords with Policies EP1, EP2, L17, L18 and E9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

### 5.10 PROW

The access track is a restricted by-way but is not designated as a major recreational route within the South Gloucestershire Local Plan (Adopted) 6th Jan 2006. Traffic along the lane is relatively light and the development the subject of this application would not directly affect the PROW, neither would it significantly affect the amenity for users of the lane. Subject to standard informatives relating to PROW there are no objections to the scheme.

### 5.11 Other Concerns Raised

Of the concerns raised that have not been addressed above:

- An application relating to the stationing of a mobile home on the site was the subject of a separate application PK11/1765/F (Refused) and does not form part of this retrospective application.
- Consultations were carried in accordance with the Council's Statement of Community Involvement. This included consultation with neighbours, the Parish Council and the posting of a site notice at the site for all to see.

## 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.

1. Consideration has been given to the proposal's scale and design and is considered to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2011.
2. The scheme is not considered to adversely affect residential amenity in terms of loss of outlook or overbearing impact and therefore accords with Policies D1 and E9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
3. The proposal would have no adverse highway implications in accordance with Policy E9, T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
4. Subject to a condition to secure an appropriate scheme of planting, the development would not adversely affect any features of the landscape and accords with Policy L1 and GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
5. Subject to a condition to secure an appropriate scheme of planting, the development would preserve the character and appearance of the Conservation Area in accordance with Policy L12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
6. Subject to a condition to secure an appropriate scheme of planting, the natural beauty of the Cotswolds AONB would not be compromised in accordance with Policy L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
7. Subject to a condition to secure an appropriate scheme of planting, the visual amenity of the Green Belt would not be compromised, the proposal therefore accords with Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
8. The development is for the purposes of agriculture and is not therefore inappropriate within the Green Belt and therefore accords with Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6.2 The recommendation to grant retrospective 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 retrospective planning permission be GRANTED subject to the conditions listed on the Decision Notice.

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

## **CONDITIONS**

1. Within 28 days of the date of this permission, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained; 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 1

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

Reason 2

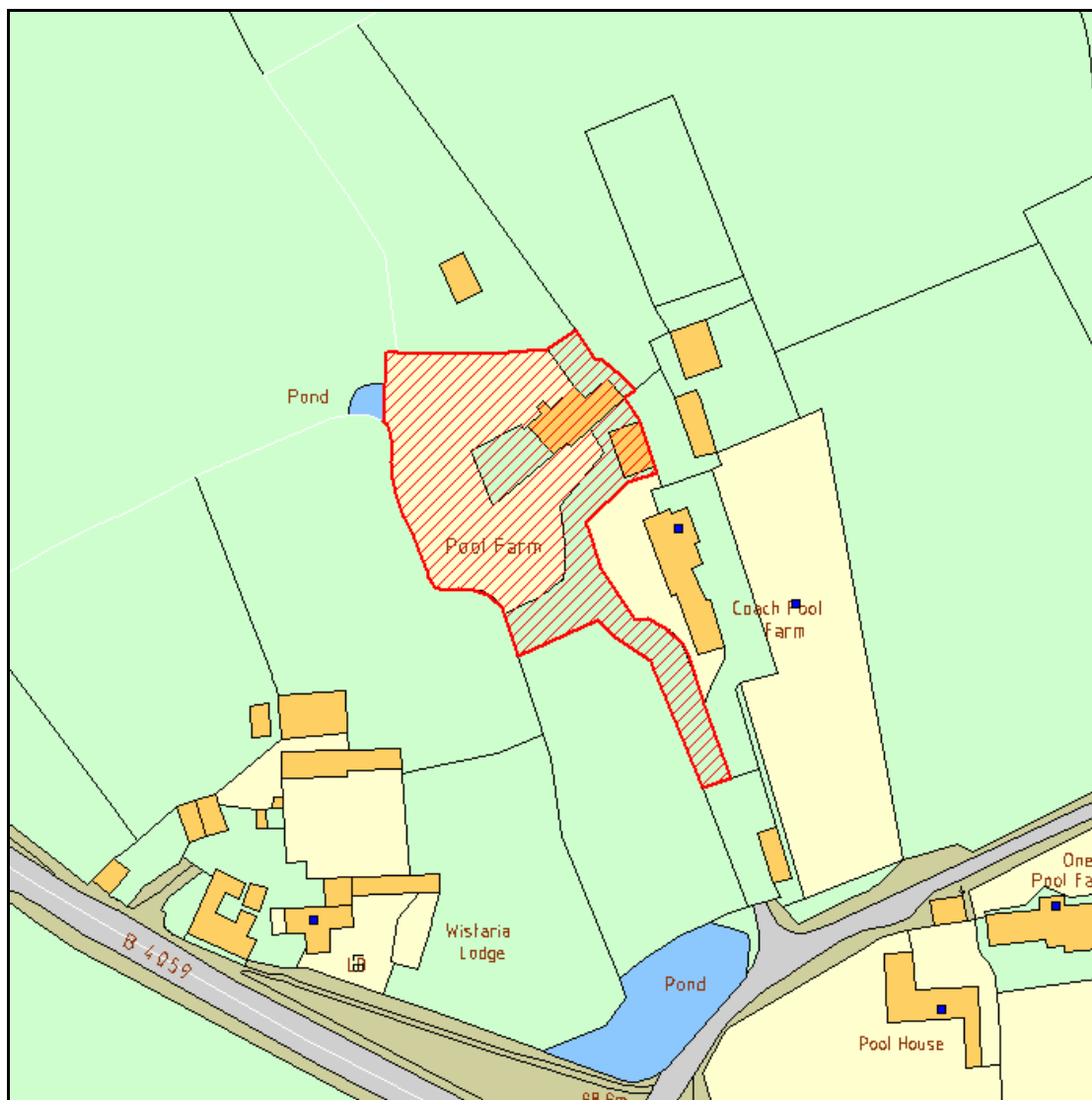
To screen the development and to conserve and enhance the natural beauty of the Cotwolds AONB to accord with Policy L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 3

To screen the development and to protect the visual amenity of the Green Belt to accord with Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b>	PK11/2135/CLP	<b>Applicant:</b>	Mr Gingell
<b>Site:</b>	Pool Farm Dyers Lane Iron Acton Bristol South Gloucestershire	<b>Date Reg:</b>	7th July 2011
<b>Proposal:</b>	Application for Certificate of Lawfulness for the proposed erection of a rear single storey extension.	<b>Parish:</b>	Iron Acton Parish Council
<b>Map Ref:</b>	369119 183299	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Minor	<b>Target Date:</b>	29th August 2011



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 100023410, 2008. **N.T.S.** **PK11/2135/CLP**

## **REASONS FOR REFERRING TO CIRCULATED SCHEDULE**

This application is for a Certificate of Lawful Development, which under the Council's current Scheme of Delegation must appear on the Circulated Schedule.

### **1. THE PROPOSAL**

- 1.1 This application seeks a Certificate of Lawfulness for the proposed erection of a single-storey rear extension to form additional living accommodation at Pools Farm.
- 1.2 The application relates to an isolated, two-storey, detached dwellinghouse. The house is located in open countryside to the north of Dyers Lane, Iron Acton.

### **2. POLICY CONTEXT**

- 2.1 The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

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

- 3.1 None

### **4. CONSULTATION RESPONSES**

- 4.1 Iron Acton Parish Council  
No objection

#### **Other Representations**

- 4.3 Local Residents  
No responses received

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

- 5.1 Principle of Development  
This application is seeking a Lawful Development Certificate to formally establish that the proposed development can be erected under permitted development rights. It is not a planning application where the relative merits of the scheme are assessed against policy; it is an evidential test of whether or not it would be lawful to proceed with the proposal. The key evidential test in this case is whether the proposal falls within the permitted development rights afforded to householders. The main test is whether or not the proposal falls within the criteria of Part 1, Class A of the General Permitted Development Order 2008 in terms of size and positioning. The host property has its permitted development rights in tact.

#### **Proposed Single-Storey Extension**

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

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

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

**The proposed works would not exceed 50% of the total area of the curtilage as shown by the submitted block plan.**

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

**The elevation plans submitted demonstrate that the extension would be 3.0m high and would not exceed the height of the existing roof apex at 7.8m.**

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

**The elevation plans submitted show that the eaves would be set at 3.0m, which is lower than the existing eaves height which is 4.6m.**

- (d) The enlarged part of the dwellinghouse would extend beyond a wall which –

- (i) fronts a highway, and

- (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;

**The extension would be entirely to the rear of the dwelling and would not front a highway.**

- (e) The enlarged part of the dwelling house would have a single storey and -

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

- (ii) exceed 4 metres in height;

**The extension would be single-storey and would project beyond the rear wall by approximately 4.0 metres only and does not exceed 4 metres in height.**

- (f) The enlarged part of the dwellinghouse would have more than one storey and -

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

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

**The extension would be single storey only.**

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

**The eaves height of the extension would not exceed 3 metres.**

(h) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would -

(i) exceed 4 metres in height,

(ii) have more than one storey, or

(ii) have a width greater than half the width of the original dwellinghouse; or

**The extension would not extend beyond the side wall of the original dwellinghouse.**

(i) It would consist of or include—

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

(ii) the installation, alteration or replacement of a microwave antenna,

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

(iv) an alteration to any part of the roof of the dwellinghouse.

**The proposal would not include any of the above in relation to I ii or iii but would clearly require the removal of part of the roof to the rear. This is however permitted under Class B.**

5.3 In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if—

(a) It would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;

- (c) The enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

**The proposal would not be located on Article 1(5) land.**

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

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

**The materials to be used for the extension would be of similar appearance to those used in the construction of the dwelling house.**

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

**The proposed extension would be single-storey only.**

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

**The proposed extensions would be single-storey.**

**7. RECOMMENDATION**

7.1 That a Certificate of Proposed Lawful Development is GRANTED for the following reason:

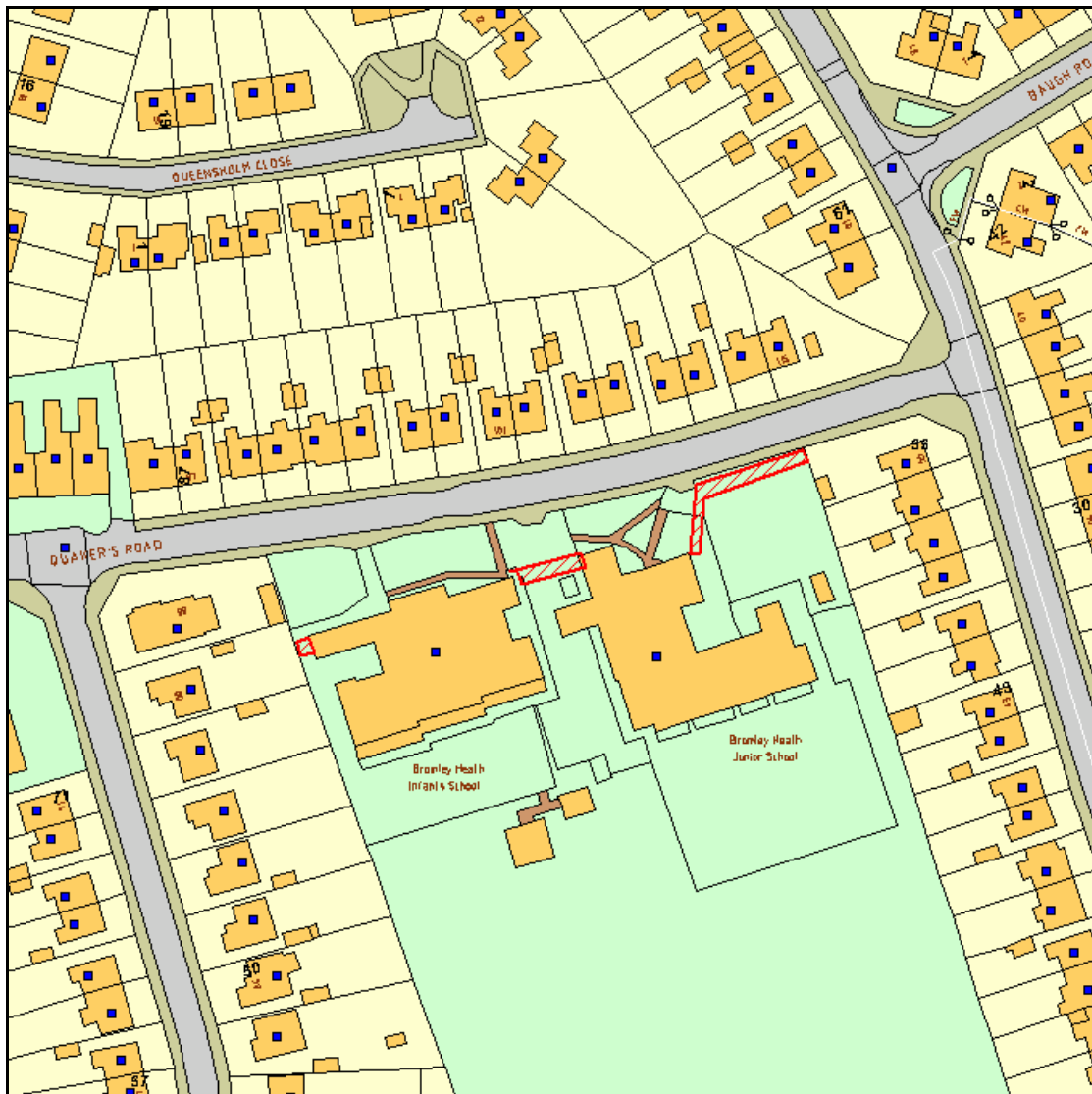
Evidence has been submitted to demonstrate that the development falls within permitted development within the curtilage of a dwellinghouse under Part 1 Classes A, B, D & E of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

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



**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b>	PK11/2489/R3F	<b>Applicant:</b>	S G Council
<b>Site:</b>	Bromley Heath Junior And Infant School Quakers Road Downend South Gloucestershire BS16 6NJ	<b>Date Reg:</b>	8th August 2011
<b>Proposal:</b>	Erection of 2.4m high boundary security fencing and gates	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365304 177919	<b>Ward:</b>	Downend
<b>Application Category:</b>	Minor	<b>Target Date:</b>	28th September 2011



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 100023410, 2008. **N.T.S.** **PK11/2489/R3F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule as the proposal was submitted by South Gloucestershire Council.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a 2.4 metre high boundary security fencing and gates.
- 1.2 The school is situated within a primary residential area of Downend.

### **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
- LC4 Proposals for Educational and Community Facilities
- T12 Transportation Development Control

South Gloucestershire Core Strategy -Submission Draft (December 2010)

- CS1 High Quality Design
- CS23 Community Buildings and Cultural Activity

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007.

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

- |     |                           |   |
|-----|---------------------------|---|
| 3.1 | PK02/0580/R3F<br>Approved | Erection of single storey extension<br>22 <sup>nd</sup> April 2002  |
| 3.2 | PK04/0642/R3F<br>Approved | Erection of single storey extension to form<br>extended staff room and office<br>4 <sup>th</sup> May 2004         |
| 3.3 | PK08/1280/R3F<br>Approved | Installation of replacement windows to<br>assembly hall, dining room and staff room<br>13 <sup>th</sup> June 2008 |

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
No objections

4.2 Other Consultees [including internal consultees of the Council]

Sustainable Transport

**Other Representations**

4.3 Local Residents

None received

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy D1 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met. Policy T12 refers to transportation development control and Policy L12 deals with development within conservation areas which must preserve or enhance the character or appearance of the area.

Policy LC4 of the adopted South Gloucestershire Local Plan allows proposals for development within existing schools subject to the following criteria.

5.2 **A. The proposals are located on sites which are, or will be, highly accessible by foot and bicycle;**

The application site is located in a residential area and is easily accessed by foot or bicycle, furthermore there are no proposed changes to the existing access points. As such the proposal is considered acceptable with regard to this criterion.

5.3 **B. Development would not unacceptably prejudice residential amenities;**

The development is related to works around the existing boundary of the school and as such would not interfere with existing residential amenities of the local area. Therefore, the proposal is acceptable with regard to this criterion.

5.4 **C. Development would not have unacceptable environmental or transportation effects;**

The proposal is for fencing and gates only and as such is unlikely to have any detrimental environmental impacts. With regards to transportation effects, the access would be as existing and no extensions to the school are proposed. As such it is not considered that the proposal would result in any detrimental impact on highway safety, further with no objections from the Council's Transportation Officer, the proposal is considered acceptable.

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

The development would not have an effect on the existing parking arrangement. It would not result in any change in the numbers of existing

parking spaces and as such would not give rise to any additional or unacceptable levels of on street parking.

#### 5.6 Design and Visual Amenity

The application seeks planning permission for the erection of 2.4 metre high security fencing and gate. The fencing and gate will be located on the northern side of the school. Part of an existing lower level boundary fence and gates immediately adjacent to Quakers Road will remain in place. The fence and gates will enclose a playground, the main vehicular entrance to the school and a small side entrance.

The fencing will comprise polyester coated steel rigid mesh flat panels and matching gate. These will be coloured blue. The fence and gates are of high quality materials and the development is considered to be of an appropriate scale. Given the above it is considered that the proposal accords with Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006.

#### 5.7 Highway Issues

There are no highway objections to the proposal and therefore it is judged to comply with Policy T12 of the South Gloucestershire Local Plan (Adopted) 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 proposed erection of 2.4 metre high security fencing and gates is considered to be in-keeping with the overall character of the school and surrounding area in terms of its scale, design and the materials used. Furthermore, the site is highly accessible by foot and bicycle and would not unacceptably prejudice nearby residential amenities. In addition it is considered that the development would not have unacceptable environmental or transportation effects or give rise to unacceptable levels of on street parking to the detriment of the surrounding area and highway safety. As such the proposal accords with Policies D1, LC4 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

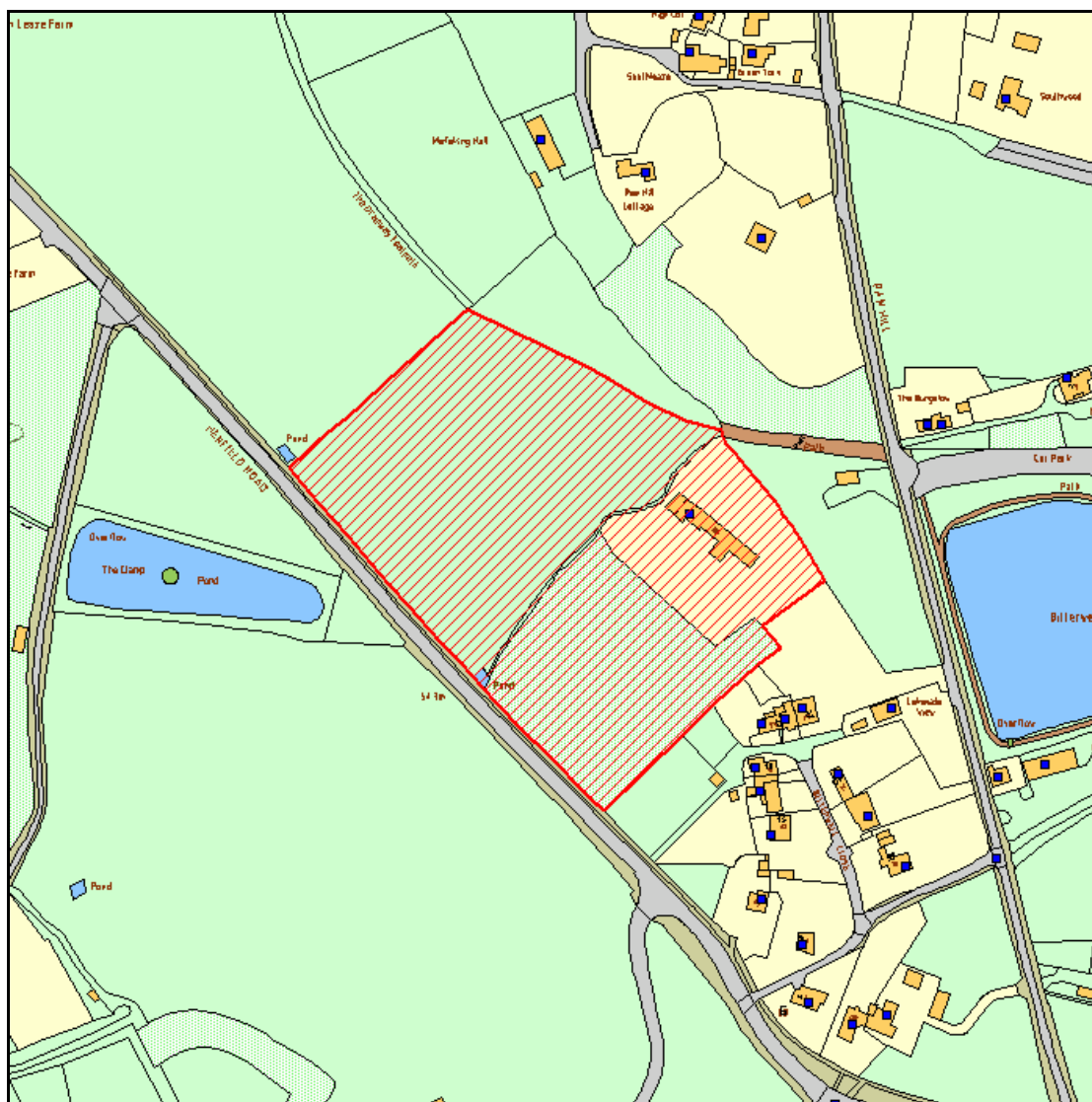
6.3 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions written on the decision notice.

**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b>	PT11/1449/F	<b>Applicant:</b>	Abbeywood Tots Ltd
<b>Site:</b>	165 Henfield Road Coalpit Heath Bristol South Gloucestershire BS36 2UH	<b>Date Reg:</b>	24th May 2011
<b>Proposal:</b>	Change of use from Residential (Class C1) to Childrens Day Nursery and Forest School (Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Revised access to Henfield Road.	<b>Parish:</b>	Westerleigh Parish Council
<b>Map Ref:</b>	367756 179552	<b>Ward:</b>	Westerleigh
<b>Application Category:</b>	Major	<b>Target Date:</b>	13th September 2011



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 100023410, 2008. **N.T.S.** **PT11/1449/F**

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule in view of the letters of support that have been received.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the change of use of an existing dwelling and an adjoining woodland and field to provide a pre-school nursery and forest school. The proposal would accommodate 60 children. The proposed operating hours and breakdown of age groups to be catered for has not been provided.
- 1.2 The application relates to a detached dwelling on the north east side of Henfield Road, Henfield. The application site includes a wooded area to the front of the property with the dwelling set back from the road and the adjoining field to the north. The site is located within the open Green Belt beyond any settlement boundary.
- 1.3 The supporting Design & Access statement advises that a forest school is an 'innovative educational approach to outdoor play and learning' with children participating in tasks and activities in a woodland environment. It is advised that Forest Schools have demonstrated success with children of all ages 'who visit the same local woodlands on a regular basis and through play, have the opportunity to learn about the natural environment, how to handle risks and most importantly to use their own initiative to solve problems and co-operate with others'. It is advised that Forest Schools run throughout the year utilising the woods in all weathers (except in high winds) with the aim of developing self awareness, self regulation, intrinsic motivation, empathy, good communication skills, independence, a positive mental attitude, self-esteem and confidence.
- 1.4 The Design & Access Statement also provides a history of forest schools which, it is advised, have been developed and adapted from the original concept that was implemented in Sweden in the 1950s and developed throughout other Scandinavian and European Countries. In this regard, it is advised that a 13 month study carried out in Sweden found that children attending forest schools are happier, more balanced with greater socially capability, have fewer days off sick and better able to concentrate and have better co-ordination. It appeared that the principle reason was due to the greater range of opportunities present for play in nature where children played for longer at a time, with less annoyance or interruption of each other compared to the children in the city nursery.
- 1.5 In the light of the above, given that forest schools are able to provide 'a pleasant, natural, fun and less stressful environment', children arrive at school with stronger social skills, greater ability to work in groups, with high self-esteem and confidence in their own capabilities. All these attributes proved to be an effective foundation that raised academic achievements.

- 1.6 The Design & Access Statement further advises that the application site is considered to present an ideal opportunity to develop these concepts with the mixed woodland providing an opportunity 'to explore, play and learn' whilst the open field 'will present the opportunity for such activities as riding for the disabled, and many other facilities and activities which will be researched and developed to the benefit of visitors and the wider community'.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

PPS1: Delivering Sustainable Development  
PPG2: Green Belts  
PPS4: Planning for Sustainable Economic Development  
PPS9: Species Protection  
PPG13: Transport

### **2.2 Development Plans**

#### **Emerging Policies: South Gloucestershire Core Strategy**

CS1: High Quality Design  
CS9: Environmental Resources and Built Heritage  
CS23: Community Buildings and Cultural Activity  
CS34: Rural Areas

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

D1: Achieving Good Quality Design in New Development  
LC4: Educational and Community Facilities  
GB1: Development for Growth  
T7: Cycle Parking  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development  
L1: Landscape Protection and Enhancement  
L9: Species Protection  
LC12: Recreational Routes

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted)  
Trees on Development Site (Adopted)  
Development in the Green Belt (Adopted)  
Planning for Growth (Ministerial Statement for Growth March 2011)

## **3. RELEVANT PLANNING HISTORY**

- 3.1 N5135: Erection of side extension to provide recreation room. Permitted: 7 December 1978
- 3.2 N5135/1: Erection of single-storey side extension to form enlarged garage, utility room and oil storage tank enclosure; erection of dormer windows and chimney; erection of stable block. Permitted: 11 August 1983

- 3.3 P88/3176: Construction of golf course driving range. Withdrawn: 4 November 1988
- 3.4 PT10/0683/CLP: Application for a Certificate of Lawfulness for the proposed erection of a rear conservatory, single-storey side extension, single-storey rear extension, front extension and detached garage. Permitted: 5 May 2010

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

##### **4.1 Westerleigh Parish Council**

Objection:

- o The site is situated within the quiet lanes scheme; there would be unacceptable levels of traffic movements in such a residential area; there is insufficient parking and drop off facilities.

##### **4.2 Other Consultees**

Highways DC: objection

Tree Officer: no objection subject to condition

Landscape Officer: no objection

Technical Services (Drainage): no objection in principle

PROW Officer: no objection in principle

Ecology Officer: objection

Childcare Department: no comments received

Fisher Germain: Esso Petroleum pipeline in vicinity- no objections as long as 'Special Requirements for Safe Working Booklet' and the covenants contained within the Deeds of Grant are adhered to

#### **Other Representations**

##### **4.3 Summary of Local Residents Comments**

One letter received raising the following concerns:

- o The Council will soon have to decide whether to retain, maintain and manage the 'quiet lanes' or whether to allow more development;
- o It will add to the conflict between traffic and the 'quiet lanes' concept;
- o Concerns are raised about child safety;
- o Children will trample the established fauna and flora whilst some of the trees are in a precarious state- woodland management is required.

Three letters received in support of the proposal;

- o It's a shame nurseries like this are rare because they are an enormous benefit to children (owner of similar nursery in Lincolnshire);
- o If the Scandinavian approach is followed, more children would be able to reach the desired levels in primary school education- there are sufficient town nurseries but these do not given parents the choice of outdoor provision (owner of similar nursery in Stockbridge);
- o It would be a valuable resource in this area;
- o Transporting children by minibus can be unsettling;



- o It is widely acknowledged as an ideal environment for young children- especially those with special/ additional needs;
- o Many children do not have access to fresh air and outdoor spaces.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

In its statement for growth, the Government issued a call to action on growth with a set of proposals to help rebuild the Country's economy. As such, it is the Government's top priority to promote sustainable economic development and jobs with a clear expectation that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

5.2 In this instance, the proposed development would provide a nursery and forest school, which would have benefits in terms of childcare provision and would also provide a form of economic development. However, the Governments call to growth seeks sustainable forms of development and in this regard, planning policy LC4 of the adopted local plan seeks to steer educational and community facilities to the urban areas and settlement boundaries with no policy provision for this form of development within the open countryside. Accordingly, whilst policy LC4 is not directly applicable, it is considered that the spirit of this policy is relevant in that it allows for development where:

- o Proposals are located on sites that are highly accessible by foot/ bike;
- o It would not unacceptably impact upon residential amenity;
- o It would be acceptable in environmental/ transportation terms;
- o It would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the area and highway safety.

5.3 In view of the above, whilst there are factors that weigh in favour of this proposal (economic development and childcare provision) that the Council would be supportive of, there is also an objection this proposal given the unsustainable location of the application site. Whilst these issues need to be carefully balanced, it is considered that the site's location outweighs the further benefits that would be provided. Accordingly, there is an in principle objection to this proposal.

5.4 This conclusion has regard also to the requirements of policy T12 which advises that development will only be permitted provided that, in terms of transportation, (considered relevant to this case) it:

- o Provides adequate, safe, convenient and attractive access;
- o Provides safe access capable of accommodating the traffic generated;
- o Would not create, or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety;
- o Would not generate traffic that would unacceptably affect residential amenity or other environmentally sensitive areas.

- 5.5 Policy GB1 is also relevant to this application given the position of the site within the open Green Belt. However, given the lack of physical changes proposed as part of this scheme, the proposal is considered to be broadly compliant with this policy. Nevertheless, there is an element of concern given the intensified use of the site and the likely need for additional parking/ access facilities that might be required (policy GB1 advises that the change of use of land or buildings should not have a materially greater impact than the present authorised use). Nevertheless, it would be unreasonable to object to the application on this basis given that these changes are not currently proposed.
- 5.6 Highway Safety  
The application site is located beyond any settlement boundary and is not on a commuter route; accordingly it is considered that there is limited direct pass by traffic that might otherwise allow shared trips. Further, as noted by the Parish Council, the site is within the Henfield designated quiet lanes area (as defined under 'The Quiet Lanes and Home Zones (England) Regulations 2006'), which, the Councils Highways Officer has advised is due to be enhanced further this financial year. The purpose of the quiet lanes is to reduce traffic and 'open' up the lanes for more vulnerable users such as cyclists, walkers and horse riders.
- 5.7 The Design & Access Statement provides a link to a 'Forest Schools' website. Therefore, following further investigations into Forest Schools it has become clear that there is not a requirement for these schools to be located within rural areas, with many utilising transport to bus children to/ from woodland sites. This would negate the need to locate the proposal in this out of settlement location with a single bus journey replacing the multiple numbers of parental trips that would be required.
- 5.8 In view of the above, comments from the Councils Highway Officer advise that if permitted, the proposal would lead to an intensification in the number of vehicle movements within this 'quiet lanes' area that would be to the detriment of all road users and against the 'spirit' of the quiet lanes initiative. Further, the site does not fall within walking distance of many dwellings and given its rural location the proposal is likely to be largely reliant on car use. PPG13 aims to deliver the Government's objectives for transport and encourages the integration of planning and transport; as such it clearly states that one of its key objectives is to reduce the need to travel by car. Accordingly, the remoteness of this site combined with the lack of any viable and suitable alternatives to the car as the principle form of access dictates that the proposal would be contrary to PPG13 and the provisions of T12; planning refusal is recommended on this basis.
- 5.9 In the light of the above, the Councils Highways Officer also advises that whilst a Travel Plan forms part of the application and whilst it would be able to influence the means of transport used by employees, it is unlikely to have much impact in respect of the parents. Its submission does not override the principle objections in relation to the location of the site.
- 5.10 Further, there are concerns in respect of the proposed access and dropping off arrangements. In this regard, the existing site access forms a lengthy single track and although limited widening would be provided, this is unlikely to

overcome the potential issues in relation to providing a safe and secure access particularly during drop off and pick times when dwell times for parents can vary significantly. To this extent, whilst the dwell times for drop off can be short, in the evening dwell times can be significantly longer thus the pick up and drop off area is likely to become congested which would adversely impact on the suitability of the single passing bay and the limited widening at the site entrance. This would also be detrimental to highway safety and might be likely to result in parents parking on the adjacent highway and walking up the access track that isn't suitable for vehicles and pedestrians to safely pass without pedestrians being forced onto the wooded area; given the age of children this provides cause for concern. Planning refusal is also recommended for these reasons.

5.11 Lastly, it is noted that a speed survey has been conducted and the necessary visibility splays have been shown; this would require a length of hedgerow to be cut back to the east of the site access. This is possible given that this area of land falls within the applicant's control although in the event that planning permission were granted, it would be necessary to add a condition to ensure that this visibility splay is maintained. A further condition in respect of cycle parking would also be required which, despite the associated refusal reason suggested by the Councils Highways Officer; it is not considered necessary given that this issue could be conditioned in the event that planning permission was granted.

5.12 Design/ Visual Amenity

The application does not propose any physical alterations (with the exception of modifications to the site access and entranceway) thus it is not considered that there can be any reasonable objection to the proposal on this basis; this is despite concerns regarding the number of children that would be accommodated which would in any event, be adequately controlled by separate legislation (i.e. OFSTED). Nevertheless, further to comments from the Councils tree officer, in the event that permission were granted, it would be necessary to condition the proposed passing bay given that this would be within the root protection area of a number of adjoining trees.

5.13 Residential Amenity

It is acknowledged that this out of settlement location is advantageous in one respect given that it dictates a relatively low number of neighbouring properties. Accordingly, it is noted that there is only a handful of dwellings surround the site all of which are positioned at an appreciable distance away and which are also well screened given the wooded nature of area. Accordingly, despite the large number of children that this facility would cater for and the absence of opening hours (which could be conditioned in the event that planning permission is granted), on balance it is not considered that any significant adverse impact in residential amenity would be caused.

5.14 Ecology

The application site is not covered by any statutory/ non-statutory nature conservation designations and as received, didn't include any supporting ecological information.

- 5.15 In view of the above, comments from the Councils Ecology Officer advise that the application needs to include an extended Phase 1 habitat survey. This would demonstrate that the sward within the field is improved or species-poor and does not comprise species-rich, semi-improved or unimproved grassland, a type of habitat included on both the UK and South Gloucestershire Biodiversity Action Plans (BAP) and which would be damaged/ diminished by the proposed activities. The application also needs to clarify the length of hedge to be cut back to facilitate the requisite visibility; any proposal to remove all or part of the hedge would necessitate a removal notice under the Hedgerow Regulations 1997.
- 5.16 Further, part of the site comprises broadleaf woodland (plantation) and the application is not specific as to the activities proposed here; as such it needs to demonstrate that the woodland ground flora is capable of supporting play activities and would not be damaged/ diminished by the activities (i.e. trampling, building structures, equipment etc.) and, because of the use of the woodland, how it would be managed to maintain its ecological value and biodiversity. Recent aerial photos of the site also suggest there is a pond adjacent to the roadside entrance thus the Phase 1 survey would need to indicate whether this is still present and, if so, suitability for herpetofauna including great crested newts.
- 5.17 Finally, comments from the Councils Ecologist also refer to the possibility of bats with the roof of the building, slowworms within the garden area and how the application would contribute towards the relevant targets of the South Gloucestershire Biodiversity Action Plan. In this instance, this information has not been pursued given the further objections to the proposal although it is understood that the applicant is in the process of addressing these issues. Nevertheless, given the absence of this information at the time of writing, there is an objection to the application at this present time in view of the lack of ecological supporting information.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

7.1 Planning Permission is **REFUSED** for the following reasons:

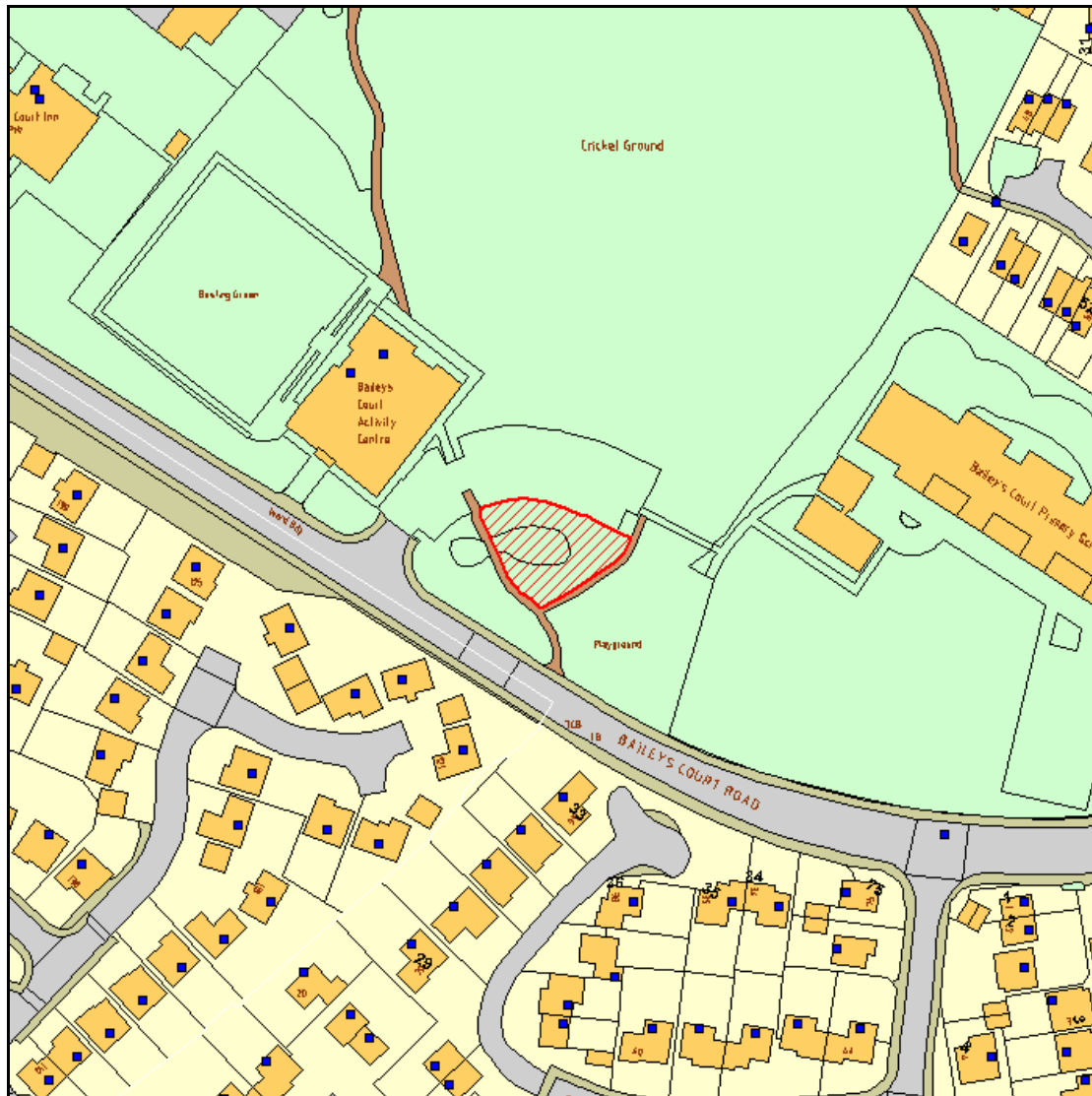
**Contact Officer: Peter Burridge**  
**Tel. No. 01454 865262**

### **REASONS FOR REFUSAL**

1. The application would result in a significant increase in car borne journeys through a designated 'quiet lanes' area to a site occupies which occupies an isolated out of settlement position that is remote from any form of integrated transport link. The proposal would therefore be detrimental to the principles of the quiet lanes and would be detrimental to the safety and enjoyment of the vulnerable users of the quiet lanes area. The proposal is therefore considered to be contrary to Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.
2. The remoteness of the application site which occupies an out of settlement location and which suffers a lack of more sustainable transport modes to allow a choice about how to travel would encourage a significant increase in car borne vehicle movements in direct contravention of the stated principles and key aims of PPG13. Accordingly, the proposal is considered to be contrary to the aims and objective of PPG13 and the Planning Policies LC4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.
3. The proposed development would suffer inadequate pickup/ drop off facilities which would be likely lead to unacceptable vehicle/ vehicle and vehicle/ pedestrian conflicts. The proposal is therefore considered to be contrary to Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.
4. The application does not include an extended Phase 1 habitat survey of the application site to demonstrate that the proposal would not have an unacceptable impact on protected species. In the absence of these details, the proposal is considered to be contrary to Planning Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b>	PT11/1980/F	<b>Applicant:</b>	Mrs Carolyn Stutter
<b>Site:</b>	Baileys Court Activity Centre Bailey's Court Road Bradley Stoke South Gloucestershire BS32 8BH	<b>Date Reg:</b>	29th July 2011
<b>Proposal:</b>	Construction of play area with associated works. Erection of steel shipping container and 1m high fence and gates.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	362698 180794	<b>Ward:</b>	Bradley Stoke South
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd September 2011



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 100023410, 2008. **N.T.S.** **PT11/1980/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the construction of a play area with associated works, the erection of a steel shipping container and 1 metre high fence and gates.
- 1.2 The application site comprises approximately 500 square metres of grass/amenity land located on the northern side of Bailey's Court Road within the established residential area of Bradley Stoke. The application site forms part of the Baileys Court Activity Centre and abuts a playground to the east, whilst a cricket ground and bowling green are located to the north and west of the site respectively. The proposal would function as ancillary to an existing pre-school group at the Baileys Court Activity Centre.
- 1.3 The grass site slopes down in the middle forming a bowl shape; trees and vegetation are located around the edges of the site.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG13 Transportation
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
D1 Achieving a Good Standard of Design in New Development  
L1 Landscape Protection and Enhancement  
LC4 Proposals for Education and Community Facilities within the Existing Urban Area and Boundaries of Settlements  
T12 Transportation Development Control Policy for New Development  
L17/L18 The Water Environment  
  
South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)

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

- 3.1 P94/1916, Northavon Sports and Social Club, Use of land as play area, approval, 09/02/95.
- 3.2 P96/1663, Northavon Sports and Social Club, Use of land as play area, approval, 29/07/96.

- 3.3 PT06/3062/F, erection of extension to existing clubhouse and associated works, approval, 30/11/06.
- 3.4 P89/0020/170, erection of sports pavilion. Construction of new vehicular access and car parking area. Construction of bowling green and cricket square on some 2.2 hectares (5.4 acres) (in accordance with the amended plans received by the council on the 31ST august 1989), approval, 13/09/89.

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

4.1 Bradley Stoke Town Council  
No objection

4.2 Transportation  
No highway safety objection

4.3 Tree Officer  
There are no objections to this application

4.4 Environmental Protection  
No adverse comments

4.5 Drainage Engineer

I examined this area yesterday, having previously discussed the site by telephone with representatives of Bradley Stoke Town Council. The information offered by BSTC representative was that over a period of years the area has not retained water under extreme rainfall conditions.

There is no apparent pipeline outfall within this grassed basin and from examination of the car park drainage system there did not appear to be a pipeline connection link from this system.

My concern is that there may be a drainage-grating outlet in the base of the basin and this has been covered by the grass growth. I would expect an area of ground of this shape and depth to hold water under rainfall conditions, therefore I have a suspicion that there is a buried drainage connection.

I have not been able to locate any construction drawings for this site (Building Regs: B98/1136 and BT07/05170/IN) and therefore cannot confirm the previous use of this area.

I am advised that the planning application will not alter the profile of this basin and therefore if it is a surface water attenuation area the capacity of the basin will be retained. I would not therefore object to this application, subject to the intended construction not reducing the volumetric capacity of the bowl.

If the area fills with rainwater or surface water overflow under an extreme rainfall event there will certainly not be play activity occurring. If the application is approved and no drainage provision found in the basin there may be the need to incorporate a drain connection (throttled discharge) to ensure extended use of the area.

#### **Other Representations**

4.3 Local Residents



Two letters of support and one letter of objection have been received from local residents.

The following is a summary of the letters received in support of the application:

- It is a well needed project;
- Important for children to have access to safe and education equipment to be able to learn and burn energy;
- The pre-school does not have access to a designated and secure outside area;
- The proposal would significantly enrich the learning experience for future children at the pre-school;
- The space currently has no aesthetic or added value to the Baileys Court Activity Centre;

The following is a summary of the letter received in objection to the application:

- Already a playground available and widely used for pre-teen children and families;
- The existing playground gets abused and teenagers frequent the area after dark causing noise and havoc;
- The proposed play area built next to the existing will only be like a magnet for more trouble as it will remain open to all 24 hours a day as the pathway running through it remains open to the public.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Planning policy LC4 of the South Gloucestershire Local Plan (adopted) January 2006 supports proposals for the development, expansion or improvement of education or community facilities within the existing urban area. The main issues to consider are whether the proposal would achieve a high standard of design and be sympathetic to the character of the area (policy D1 of the Local Plan); the accessibility of the site by foot and bicycle (policies T12 and LC4 of the Local Plan); the impact on the residential amenity of neighbouring occupiers (policy LC4 of the Local Plan); the impacts on trees and vegetation (policy L1 of the Local Plan); the impact on highway safety, congestion and parking (policies T12 and LC4 of the Local Plan).

### **5.2 Appearance and Environmental Considerations**

The proposal comprises several layers of timber decking with steps, two digging and growing zones, a grass 'running free' area with buried concrete pipes to form dens, a sitting lawn beneath a new tree specimen, a bark surfaced story telling area and a steel shipping container for storage, which will be surrounded by a compacted gravel path. The applicant has indicated that the existing trees on the site will be retained and are integral to the design of the proposal. Additional trees are proposed, as well as the planting of a new native species hedgerow along the eastern boundary of the site. A 1 metre high galvanised steel fence to match the existing would be erected around the perimeter of the site with a self closing swing gate to allow for access from the existing pathway to the southwest. An objection has been received on the basis of security concerns. However, it is considered that the proposed fence and

gate would help to secure the site, and if permission is granted, a condition is recommended to ensure that the site is kept locked when the site is not in use.

The most prominent part of the scheme is the proposed steel shipping container with a green roof to be sited in the northeastern corner of the site, which is required for storage purposes. The storage container proposed originally measured approximately 4.6 metres in length, 2.4 metres in width and 2.6 metres in height and there were concerns regarding the scale of the container, as well as its utilitarian appearance given the context. The applicant pointed out that there are existing steel shipping containers to the north of the site, which function as part of the use of the cricket pitch, however these are unlikely to have planning permission and it was considered that a higher quality design is required. Amended plans have been received, which have reduced the size of the container to approximately 3 metres in length, 2.4 metres in width and 2.6 metres in height. The applicant has also proposed to position the container partially in the ground in order to reduce its bulk and mass by excavating the ground level on which the container stands and re-grading the ground level to the sides and rear. The applicant has also proposed painting the shipping container as a means to improve its appearance and encouraging fast growing climbing plants around the sides of the container.

The site is set back from the street and vegetation would ensure that the proposal is not prominent from views from the public realm. As such, it is considered that there would not be any significant visual amenity issues to the character of the area.

### 5.3 Residential Amenity

The nearest neighbouring property is located on the opposite side of the street approximately 25 metres from the application site and this is considered to be a sufficient distance to ensure that there would be no significant adverse residential amenity impacts through loss of natural light or privacy. A local resident has objected on the basis that an existing playground is located next to the site and the proposal would be likely to lead to further anti social behaviour causing disruption to local residents. A refusal reason on the basis that an existing playground is located next to the site is not considered to be a sound refusal reason, moreover, the proposal is aimed towards pre-school children that are likely to be too young for the existing playground. Notwithstanding this, it is clear that there are issues relating to the existing playground and antisocial behaviour, and it is necessary to consider the potential cumulative impact of the proposal on local residents. The site will be secured by railings around the perimeter of the site, as well as a swing gate; no public footpaths intersect the site. In addition, the proposal includes provision for a storage container so that play equipment can be stored securely when it is not in use. If permission is granted, a condition is recommended to ensure that the access gate is kept shut and locked when the site is not in use. As such, it is not considered that the proposal would be likely to give rise to any significant antisocial behaviour issues to the detriment of the amenities of the surrounding area.

### 5.4 Transportation

The site is situated within a large residential area where there are opportunities for access by foot and bicycle. The proposal would function as ancillary to the existing) Pre-School at the Baileys Court Activity Centre. Therefore, it is considered that the proposal would not result in a significant increase in

vehicular traffic to the detriment of highway safety or the amenities of the area. There is sufficient off-street parking provision to serve the proposal.

#### 5.5 Drainage

According to the applicant the bowl shape of the proposed activity centre is due to the fact that its original use was an attenuation pond. The applicant has also stated that the site rarely floods under extreme rainfall conditions. The original intended use of the area as an attenuation area cannot be confirmed. However, the Council's Drainage Engineer has no objections to the application provided that the proposal would not alter the profile of the basin such that the capacity of the basin will not be affected. The applicant states that the existing landform and embankment will be retained as existing other than localised regarding where necessary in relation to the forming of the dens. The cross section plan submitted demonstrates that the bowl profile of the site will be retained; therefore, it is considered that the site could still function as an attenuation pond in extreme weather if this were its original intended use. The play pitch would function as part of the existing pre-school group, therefore, the play pitch would not be used by the group if the site were to flood; therefore, there are no health or safety issues with regards to this. The site will be secured and the play equipment can be stored away when not in 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:

Amended plans have been received, which have reduced the size of the storage container and provided screening. On balance, the scheme achieves a high enough standard of design. The existing trees on the site will be retained and supplemented, therefore, the proposal would not adversely affect the character and visual amenity of the area – policies D1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

The concerns of the neighbouring occupier are noted. However, provided that the site is kept secure when not in use, it would not have a significant adverse impact on the residential amenity of neighbouring occupiers – policy LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

The site is situated within a large residential area where there are opportunities for access by foot and bicycle. The play pitch would function as ancillary to an existing playgroup at the site, therefore, there would not be significant changes in terms of traffic generation or parking – policies T12 and LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

Whilst the site rarely floods, the bowl profile of the site will be retained through the proposal; therefore, the site will still be able to attenuate surface water in periods of extreme weather policies LC4, L17 and L18 of the South Gloucestershire Local Plan (adopted) January 2006.

## **7. RECOMMENDATION**

7.1 Planning permission is GRANTED subject to the following conditions.

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

### **CONDITIONS**

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

Reason

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

2. Prior to the commencement of development details and samples of the external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. (For the avoidance of doubt, the details of a high quality treatment for the external walls of the storage container shall be provided) Development shall be carried out in accordance with the approved details.

Reason

To ensure an acceptable standard of external appearance and to accord with policy D1 of the South Gloucestershire Local Plan (adopted) January 2006.

3. 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 preserve the character and appearance of the area and to accord with policies D1 and L1 of the South Gloucestershire Local Plan (adopted) January 2006.

4. The access gate shall be kept shut and locked when the site is not in use.

Reason

To prevent unauthorised access to the site to prevent vandalism and disturbance to neighbouring occupiers and to accord with policies D1 and LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

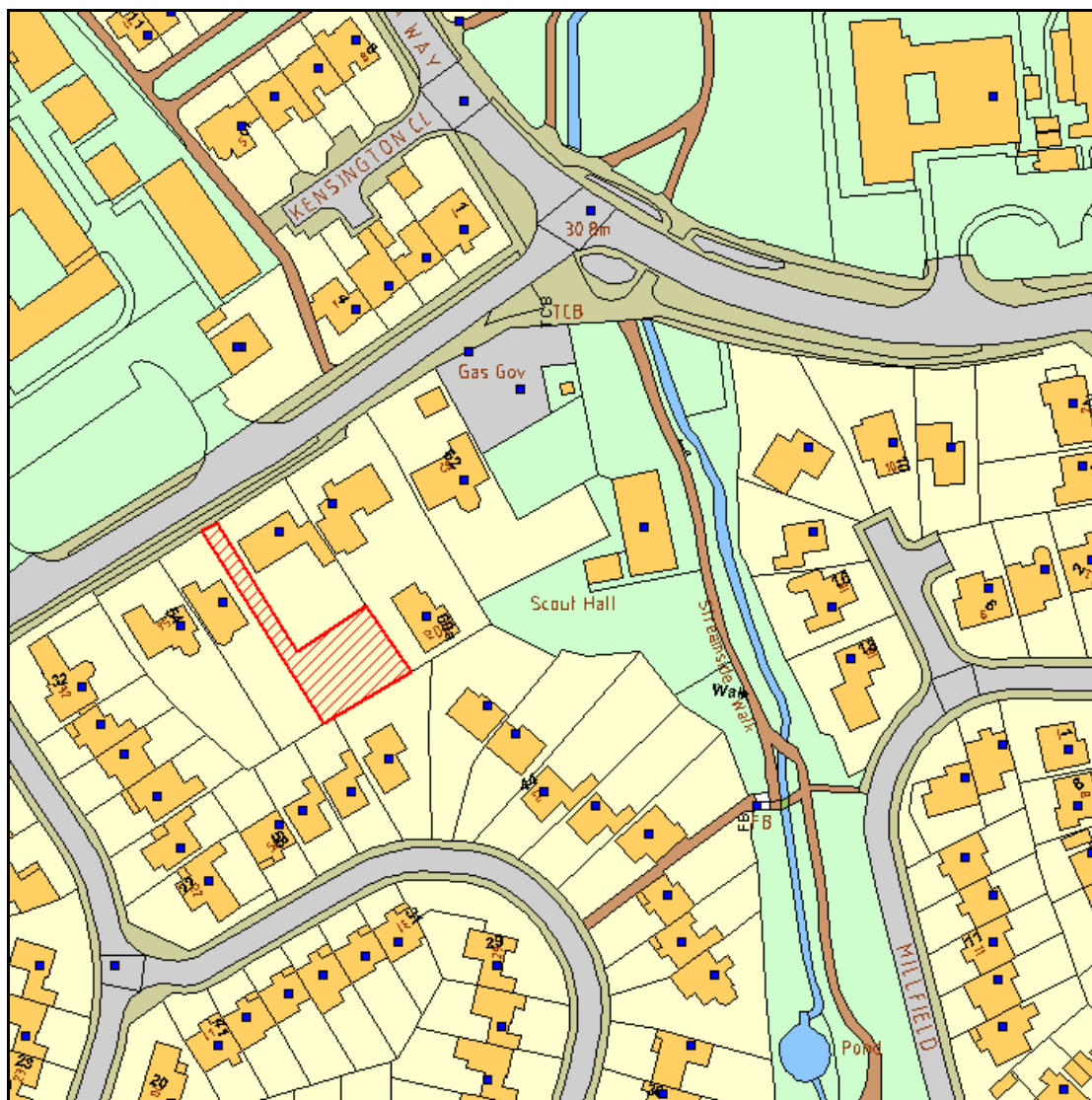
5. The green roof shown on the storage container plan received on 16th August 2011 shall be implemented within a month of siting the storage container and thereafter retained, maintained and replaced where necessary.

Reason

To ensure an acceptable standard of external appearance and to accord with policy D1 of the South Gloucestershire Local Plan (adopted) January 2006.

## CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011

<b>App No.:</b>	PT11/2007/F	<b>Applicant:</b>	Mr C Brightman
<b>Site:</b>	Land Rear Of 58 Park Road Thornbury Bristol South Gloucestershire BS35 1HS	<b>Date Reg:</b>	5th July 2011
<b>Proposal:</b>	Erection of 1 no. detached dwelling with new access and associated works.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	363890 190831	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	23rd August 2011



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**PT11/2007/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

The application has been referred to the Circulated Schedule in view of the letters of objection that have been received.

### **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of a detached chalet-style three bedroom dwelling with an integral garage.
- 1.2 The application relates to the end of the rear garden currently serving 58 Park Road, Thornbury.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

#### 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

H2: Proposals for Residential Development

H4: Development within Existing Residential Curtilages

T8: Parking Standards

T12: Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1: High Quality Design

CS17: Housing Diversity

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

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

- 3.1 N6895: Formation of new access. Permitted: 2 October 1980
- 3.2 PT08/2132/O: Erection of one dwelling (outline) with all matters reserved. Permitted: 29 August 2008
- 3.3 PT10/2177/O: Erection of one dwelling (outline) with all matters reserved (resubmission of PT08/2132/O). Permitted: 17 November 2010

### **4. CONSULTATION RESPONSES**

- 4.1 Thornbury Parish Council  
No objection

#### 4.2 Other Consultees

Technical Services (Drainage): no objection in principle  
Highways DC: no objection  
Tree Officer: no objection

### **Other Representations**

#### 4.3 Summary of Local Residents Comments:

Five letters (four households) received expressing the following concerns:

- Reasons for objecting to the original outline application still apply;
- It will not be possible to screen the proposal- it will be incongruous;
- A dampener should be used when cutting materials to avoid spreading grit;
- The new access should be disabled friendly;
- It is not possible to keep the leylandii hedge between the proposal and 60A Park Road due to its poor condition- can it be removed?/ further comments suggest its height should be reduced with a landscaping conditions added;
- The planning permission for 60A Park Road has a planning condition requiring obscure glass to first floor rear windows- this should apply to the bathroom window with the bedroom window changed to a dormer;
- The proposal would introduce a brick wall and chimney to the rear extremely close to the property boundary behind;
- Allowing new houses in established rear gardens is having a detrimental effect on surrounding properties/ the local environment;
- Velux roof lights in lieu of dormers would reduce side facing views;
- Will the access allow for emergency vehicles?
- Building works should be restricted at weekends/ evenings.

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

#### 5.1 Principle of Development

The principle of residential development in the position has already been established by the grant of planning permission in respect of the previous outline applications the latter of which was only granted late last year. As such, despite the changes to PPS3 (which removed rear gardens from the definition of brown field land), it is not considered that planning permission could be reasonably withheld.

5.2 Further, it is noted that the proposal would stand alongside a new dwelling recently built to the rear of the adjoining 60 Park Road. This provides further reason as to why it would be unreasonable to withhold planning permission and also helps ensure that the proposal would reflect, in part, the pattern of surrounding residential development as required by PPG3.

5.3 Notwithstanding the above, it is also noted that the application relates to an area of land that falls within the settlement boundary and thus where new residential development is considered acceptable in principle subject to considerations of design, residential amenity and highway safety.



5.4 Design/ Visual Amenity

The application relates to the end of the rear garden serving 58 Park Road, Thornbury; a two-storey detached dwelling which fronts the main road. The application seeks approval for a detached chalet style unit that would face westwards and which would be accessed via a new driveway that would run to the west side of the existing property.

5.5 As originally submitted, the proposal would have formed a rectangular shaped dwelling with an integral garage encompassed under a pitched roof with three front and two rear dormer windows. In response, it was considered that the size, massing and scale of this dwelling would have been too large for this relatively small plot with the property dominated by its top heavy roof bulky structure. Despite forming a 'full' application, it was also noted that the size of the dwelling would have slightly exceeded the scale parameters set by the recent outline planning permission further suggesting that the size of the proposed dwelling was too large.

5.6 In forming the above conclusions, it was also noted that the new dwelling to the rear of 60 Park Road is smaller in terms of its bulk, massing and scale encompassed under a series of smaller roof shapes/ structures. This design approach was suggested to the agent/ applicant in attempt to address these aforementioned concerns in respect of this scheme.

5.7 In the light of the above, amended plans have been received which have eroded the massing of the proposal through a reduction in ridge height above the garage with this element of the building set back. Further, the eaves height of the dwelling has been raised so as to further help reduce the massing of the roof structure. In view of these changes, on balance the proposal is now considered to be acceptable with no objection raised on design/ visual amenity grounds.

5.8 Residential Amenity

Given that the principle of residential development in this position has already been established, the general relationship between this additional dwelling and the neighbouring properties has also been confirmed. Notwithstanding this, the changes made were also requested to help reduce the impact of this proposal on these neighbouring residents and in response to the third party comments that have been received.

5.9 The proposal would stand within close proximity of the new dwelling to the rear of 60 Park Road that backs onto the application site. Windows within the rear of this existing new dwelling are noted to comprise kitchen, dining and utility rooms at ground level with two bathroom windows above. As such, as part of the changes made to this current scheme, a revised first floor layout now also provides the two first floor bathroom windows at the rear with the bedrooms to the front. For this reason, and with ground floor openings to mirror those of this existing neighbouring property (and with views obscured by boundary treatments), it is not considered that any significant adverse impact in residential amenity would be caused.

- 5.10 The changes made to the proposal (with the height of the roof above the garage reduced) would help to reduce its impact on the host dwelling where, the distance between this existing unit and proposal would reflect that of the outline permission and the relationship between the two dwellings next door. On this basis, and with no side windows proposed (facing this host dwelling), it is again not considered that any significant adverse impact in residential amenity would be caused.
- 5.11 The proposal would be inset from the flank boundary adjoining 56 Park Road (currently well screened by coniferous tree screening) with the first floor bedroom windows overlooking the end of this rear garden and only allowing oblique views (not uncommon within a residential area) towards this neighbouring property. On this basis, and in view of the extant outline permission, it is not considered that any associated refusal reason would prove sustainable.
- 5.12 Dwellings to the rear are currently also well screened from the application site by coniferous tree screening with the properties beyond facing away from the application site. Having regard to any impact on these dwellings, these properties stand to the south of the site whilst the garden serving that property behind would help to maintain a degree of spacing. On this basis and with no side facing windows proposed, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.13 All other neighbouring dwellings stand at an appreciable distance from the application site thus it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.14 Highway Safety  
The site is located off Park Road, an unclassified road that serves a largely residential area and Castle School. There is no transportation objection to this application subject to conditions requiring that any access gates are set back a minimum of 6m from the edge of the footway and open inwards whilst a further condition is required to ensure a minimum of two off street parking spaces are maintained together with a turning area to allow the cars to enter and leave in forward gear.
- 5.15 Trees/ Landscaping  
Comments received from the Councils Tree Officer advise that there are no significant trees that would be affected by the proposal although there is a semi-mature Weeping Willow in the centre of the site which is a good garden tree but which offers no visual amenity to the wider area.
- 5.16 Further, the garden is bordered by a mature Cypress hedge that is in a relatively poor condition, appears not to have been maintained and is considered to be overgrown for this location. Accordingly, this hedge is not considered to be worthy of retention and thus should not be seen as a constraint to the development and on this basis (and given the comments received from the neighbouring residents), an amended landscape plan has now been received showing the removal of this hedge replaced by a 1.8m high fence. This is considered to be acceptable whilst retention of the Weeping

Willow would also help soften the appearance of the scheme when viewed from the host dwelling.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to grant permission is for the following reasons:
1. The design, massing and scale of the dwelling proposed would be in keeping with the general character of the area and thus would accord with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Proposals for Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
  2. The proposal would not cause any significant adverse impact in residential amenity and would accord with Planning Policy H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
  3. The proposal would be acceptable in highway safety terms and would accord with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

## 7. RECOMMENDATION

- 7.1 Planning Permission is **GRANTED** subject to the following conditions:

**Contact Officer: Peter Burridge**  
**Tel. No. 01454 865262**

## **CONDITIONS**

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

Reason

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

2. Prior to the commencement of development 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 Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The glazing on the rear first floor elevation (bathroom and ensuite windows) shall at all times be of obscured glass to a level 3 standard or above with any opening 1.7m above floor level.

Reason

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

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the dwelling hereby approved.

Reason

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

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

Reason

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

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

Reason

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

7. Notwithstanding the details submitted, any vehicle entrance gates shall be set back a minimum of 6m from the carriageway and shall be inward opening. Details of these entrance gates shall be submitted to and approved in writing by the Local Planning Authority with development to accord with these approved details.

Reason

In the interests of visual amenity and highway safety and to accord with Planning Policies D1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. 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, 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

In view of the size of plot any extension/ alteration would require further detailed consideration in order to safeguard the amenities of the surrounding occupiers and to accord with Planning Policies D1, H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The hours of working on the site during the period of construction shall be restricted to 07.30 to 18.00 Monday to Fridays and 08.00 to 13.00 on Saturdays and no working shall take place on Sundays and Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of 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 the site.

Reason

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

10. Notwithstanding the details received, 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 Planning Policies H2, H4, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of

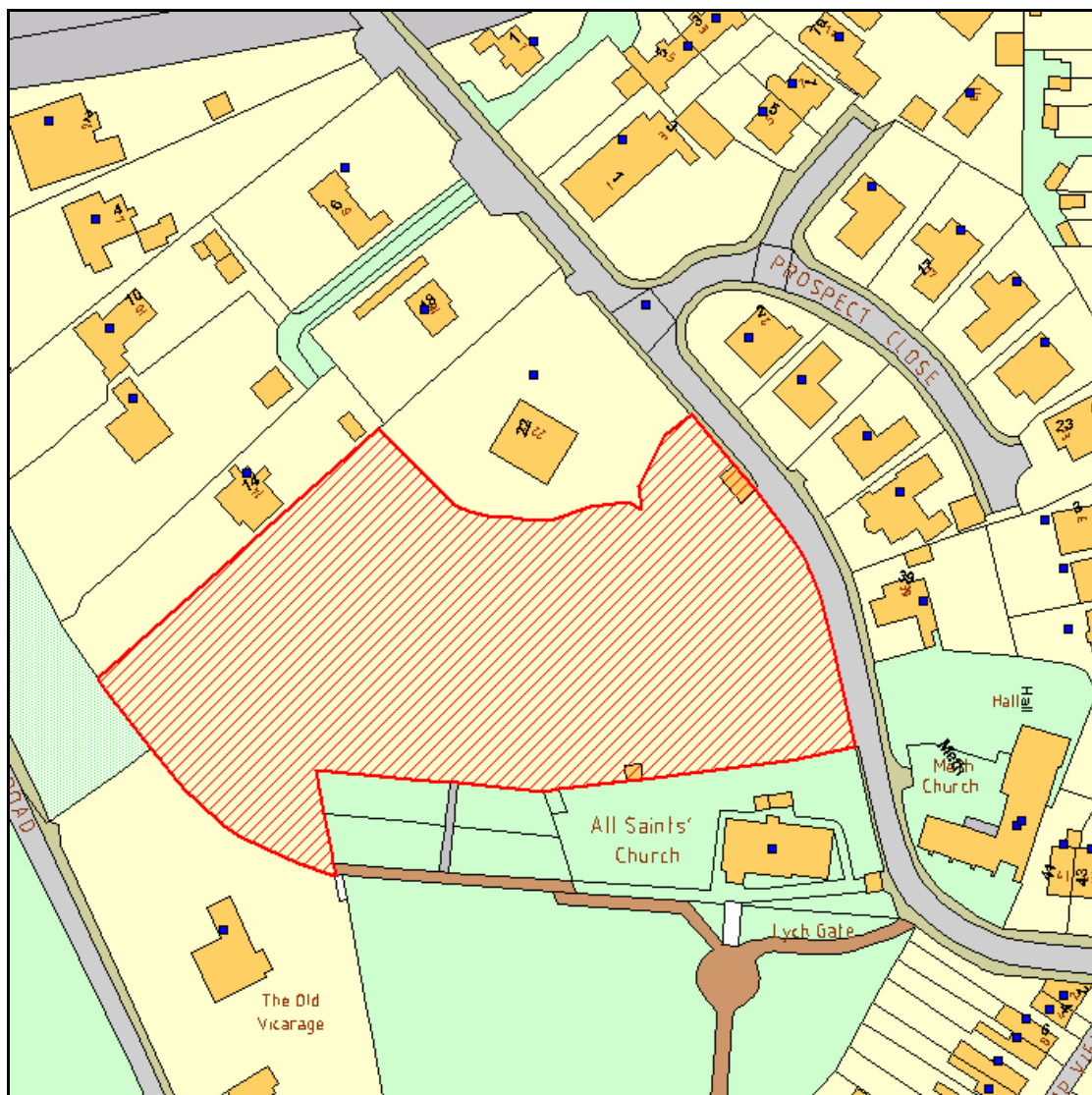
the development or in accordance with the programme agreed with the Local Planning Authority.

Reason

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

## CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011

<b>App No.:</b>	PT11/2193/RM	<b>Applicant:</b>	Benson Bros
<b>Site:</b>	22 Down Road Winterbourne Down Bristol South Gloucestershire BS36 1BN	<b>Date Reg:</b>	22nd July 2011
<b>Proposal:</b>	Erection of 4no. dwellings. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT07/2277/O).	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365026 179784	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	14th September 2011



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**PT11/2193/RM**

## **REASONS FOR REFERRAL TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule in view of the letter of support that has been received from a neighbouring resident.

### **1. THE PROPOSAL**

- 1.1 The application forms a reserved matters submission for the erection of four dwellings approved under outline application PT07/2277/O.
- 1.2 The application site relates to the substantial curtilage of 22 Down Road, Winterbourne. The existing dwelling is excluded from the application site although is noted to be derelict with the application site overgrown and with much of the land resembling that of woodland.
- 1.3 The site lies within the Winterbourne settlement boundary beyond the Green Belt or Conservation Area. The southern site boundary adjoins the Grade II listed All Saints Church and the southwest boundary is shared, albeit at a substantially lower level, with the Grade II listed Old Vicarage.
- 1.4 Within the site there are significant changes in level with a small historic quarry to the south of the dwelling. Nonetheless, levels across the site generally fall gradually from north to south with a far steeper fall adjoining the southern site boundary. A large number of trees within the application site are subject to Tree Preservation Orders (individual, group and woodland orders).

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPS5: Planning for the Historic Environment  
PPS9: Species Protection  
PPG13: Transport  
PPG14: Unstable Land  
PPS25: Development and Flood Risk

#### 2.2 Development Plans

Joint Replacement Structure Plan (Adopted)  
Policy 35: Housing

South Gloucestershire Core Strategy (Proposed Changes) Dec 2010  
CS1: High Quality Design  
CS9: Environmental Resources and Built Heritage  
CS17: Housing Diversity

South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development  
H2: Proposals for Residential Development



H4: Development within Residential Curtilages  
H6: Affordable Housing  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development  
L9: Species Protection  
L11: Archaeology  
L13: Listed Buildings  
L15: Buildings/ Structures, which make a Significant Contribution

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)  
Trees on Development Sites (Adopted)  
Affordable Housing (Adopted)  
Biodiversity and the Planning Process (Adopted)  
Landscape Character Assessment (Adopted)  
Local List (Adopted)  
Biodiversity (Adopted)

### 3. RELEVANT PLANNING HISTORY

- 3.1 PT99/0078/F: Erection of four 4-bedroom houses, two 5-bedroom houses together with garages, landscaping and access road. Withdrawn: 15 December 1999
- 3.2 PT07/2277/O: Erection of 4 detached dwellings (outline) with siting/ layout, access and landscaping to be considered; all other matter reserved. Refused: 12 October 2007- Appeal Allowed: 24 July 2008
- 3.3 PT09/068/SCR: Screening Opinion issued in respect of current planning application. Decision: Environmental Impact Statement not required- 24 December 2009
- 3.4 PT09/5961/O: Erection of 64 bedroom nursing care home, 4 single-storey sheltered homes and single-storey warden house with associated parking and new vehicular access (outline). Access to be considered with all other matters reserved. Refused: 19 March 2010
- 3.5 PT10/2266/O: Erection of 48 bedroom two-storey nursing home and ten single-storey homes and single-storey warden house with associated parking and new vehicular access (scale and access to be considered). Refused: 1 December 2010. Appeal Dismissed.

### 4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council  
Objection:
- Although the appeal was allowed, there are deep concerns about the dangerous access;
  - There is a nursery opposite the site and since planning permission was granted, traffic has increased considerably.

#### 4.2 Other Consultees

Highways DC: no objection

Conservation Officer: mixed comments

Urban Design Officer: no objection subject to condition

Tree Officer: no objection

Technical Services (Drainage): no objection in principle

Affording Housing Officer: no objection

Archaeology Officer: no objection subject to condition

### **Other Representations**

#### 4.3 Summary of Local Residents Comments

One letter received in support of the application:

- This is a sympathetic use of the site;
- The ideally placed new entrance should improve road safety;
- The proposal is consistent with the Village Design Statement;
- A condition should be imposed requiring refurbishment of the existing house.

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

#### 5.1 Planning History

There is a recent history of planning application for a nursing home on this site that has so far failed. Prior to this, outline planning permission was granted (at appeal) for the erection of four detached dwellings. This reserved matters application has been submitted to avoid the lapse of this planning permission.

#### 5.2 PT07/2277/O was originally refused for the following two reasons:

*The proposed new access will have an unacceptable and detrimental impact upon the street scene due to the impact on local character and distinctiveness at this point. This is contrary to policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006, and the South Gloucestershire design checklist Supplementary Planning Document.*

*In the absence of a section 106 agreement to provide for subsidised affordable housing at the site, there is inadequate provision of affordable housing at the site contrary to policy H6 of the South Gloucestershire Local Plan (adopted) January 2006.*

#### 5.3 At appeal, the Inspector noted that the street scene was characterised by the tall trees and walling that enclose this part of Down Lane but stated that 'change does not necessarily equate to harm and, in my view, the loss of enclosure resulting from the proposed realigned wall and removal of mature trees would not harm the character and appearance of the street scene.' The Inspector also noted that Down Road 'is more open than it would have been prior to Prospect Close being developed, although I do not find that this harms its character and appearance'.

#### 5.4 Further, one affordable unit of accommodation was provided by means of a S106 agreement. This S106 was available to the Inspector at the time of the

appeal and the Council confirmed that this addressed the second refusal reason.

5.5 Principle of Development

The principle of residential development has already been established by the grant of planning permission in respect of PT07/2277/F. Accordingly, it is noted that the site falls within the settlement boundary where the principle of new residential development is considered to be acceptable.

5.6 Design/ Visual Amenity

The application site forms a prominent tree covered escarpment that combines with Bury Hill to the south to form a distinctive landscape of wooded hilltops with the site characterised by dense landscaping and the listed buildings that adjoin the lower peripheries of the site. As such, this locally prominent escarpment can be seen from a wide area to the west across the Green Belt and provides a tree-lined backdrop to dwellings along Down Road when approached from the east and the listed church below.

5.7 Planning permission PT07/2277/O concerned the siting/ layout, access and landscaping of the site and introduced a low density form of development through the erection of four dwellings set within the spacious woodland setting of the site. This low density form of development was primarily in view of the constraints imposed by the site that are noted to include its topography (including a small quarry to the south of the site), the sensitive/ prominent nature of the site within the wider landscape, its relationship with the adjoining listed buildings and with much of the tree coverage protected by various preservation orders.

5.8 This current application concerns the design/ appearance and scale of the previously approved dwellings which is noted, would be loosely grouped around a cul-de-sac that would access the site from a new more central entranceway onto Down Road. This new access road would also serve the existing dwelling with the existing driveway serving this property to be closed (this was the subject of a condition attached to the outline planning permission).

5.9 In view of the above, the proposed plans show two-storey dwellings with a conventional pitched roof that would benefit from a relatively shallow but wide footprint as per the details previously approved. Further, materials are shown to comprise a mix of buff brick and timber cladding with the Design and Access Statement advising that these aim to both reflect the neighbouring properties whilst being 'respectful of the wooded nature of the site'. The use of render has been avoided given that this would 'stand out and be seen from a distance through the trees'.

5.10 In response, proposals should respond to local distinctiveness and in this regard, it is considered that Winterbourne Down is characterised by local pennant stone and render; it is therefore not evident how the proposals respond to local distinctiveness. In this regard, comments from the Councils Urban Design Officer advise that contemporary designed buildings need not slavishly copy historic buildings but should take cues from them, perhaps through proportions, detailing and materials. In this instance, the buildings are

simple and crisp in appearance and the cedar panelling arguably responds to the woodland setting. However, the buff brickwork does not reflect the traditional materials used in the historic settlement and may appear discordant in the setting of the stone-built villa that is to be retained and refurbished. On this basis, given that the materials could form the basis of an appropriately worded condition on balance, it is considered that there can be no sustainable objection to this application on design/ visual amenity grounds. (This recommendation concurs with the conclusions of the Councils Urban Design Officer.)

5.11 Listed Building Considerations

The wooded application site forms an important backdrop which positively contributes to the setting of the grade II listed All Saints' Church, the grade II lychgate, the grade II listed Old Vicarage and the locally listed Methodist Church (all located on the peripheries of the site). Comments from the Councils Conservation Officer advise that All Saint's church, built in 1858, is an important landmark on Down Road, occupying a prominent position beside the road that terminates the views on the approach from the south. Its three tall gables create a strong feature that is echoed by the gabled roof structure of the lychgate that forms the pedestrian entrance from the pavement. Further, the setting is also enhanced by the adjacent locally listed Methodist Church and together; these structures form an important historic and architectural group (viewed against the verdant backdrop of the application site).

5.12 The Design and Access Statement provides a very brief description of the development and the adopted design approach. However, as above, it is not considered to be readily evident as to how the proposals would respond to or enhance local distinctiveness and the design and in this regard, the Conservation Officer has also raised concern in respect of the materials which are proposed. A design that incorporates natural stone rather than brick would therefore provide a preferred solution.

5.13 In view of the above, again on balance there is no objection to the proposal subject to a condition in respect of the materials.

5.14 Residential Amenity

The siting of the buildings has already been established and in this regard, they would be set within a spacious woodland setting separated from both each other and the existing neighbouring dwellings. On this basis, and with tree cover helping also to limit views, it is considered that there can be no reasonable objection on residential amenity grounds.

5.15 Highway Safety

There is no highways objection to this application. Accordingly, whilst the concerns of the Parish Council are noted, the entrance reflects that which has been previously approved by the outline planning permission.

5.16 Affordable Housing

Plot 1 would comprise an affordable unit in line with the S106 agreement. Comments from the Councils Enabling Officer advise that unit is to be built in line with the same standards as the market units (if higher) whilst the agent has

confirmed that the unit will meet Level 3 of the Code for Sustainable Homes, Lifetime Homes standard and Secured by Design. It does not appear that a Registered Provider is involved however and the unit will need to fully comply with the design brief of the Registered Provider.

5.17 In the light of the above, there is no objection to this application having regard to the affordable housing provision.

5.18 Archaeology

As part of the original application an archaeological assessment was carried out which showed that no significant archaeological structures or deposits were to be found in the area proposed for development but outside this area is a mound which may be a post-medieval garden feature or just possibly a prehistoric burial mound. Therefore, in order to prevent damage to the known area of archaeological remains this area should be fenced off prior to development with an archaeological condition attached to the planning permission if approved (missing from the conditions attached to the outline permission).

5.19 Ecology

At the time of the recent planning applications in respect of the proposed nursing home, an updated (August 2010) ecological assessment of the site was undertaken; associated comments from the Councils Ecologist advised that the site is not covered by any statutory or non-statutory conservation designations and it is not known to support protected species. However the site incorporates long-standing woodland that is known to support a range of woodland bird species two of which (dunnock and song thrush) are listed as 'birds of conservation concern'.

5.20 In view of the above, whilst there was no associated refusal reason in respect of the second nursing home scheme, it was suggested that a condition could be attached to any planning permission in respect of offsetting measures and sufficient mitigation for the loss of any woodland nesting bird habitat. This condition might be applied to this permission in the event that planning permission is granted.

5.21 Trees

The siting and landscaping of the site has already been considered and this application only relates to the design of the dwellings. On this basis, the Councils Tree Officer has raised no objection to this application.

5.22 Outstanding Issues

Condition 16 of the outline planning permission stipulates that:

*'Reserved matters shall include an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3, or better, of the Code submitted to, and approved in writing by, the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.'*

5.23 This information has not been received and in response the agent has advised:

*'A initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3, or better, of the Code shall be submitted to you under a separate application, once the issues of condition 1 have been approved. This is to avoid a situation if the current design is not approved, then we have to reassess the design under code 3. We understand that this will incur an additional application fee.'*

5.24 In the absence of this information, this reserved matters application does not comply with the requirements of the outline planning application thus there is an objection to the application on this basis; it is not possible to submit this under a separate reserved matters application given that the time limit imposed by the outline permission has now lapsed. Therefore, planning permission is recommended for refusal on this basis.

## 6. **CONCLUSION**

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

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

## 7. **RECOMMENDATION**

7.1 Planning Permission is **REFUSED** for the following reason:

**Contact Officer: Peter Burridge**

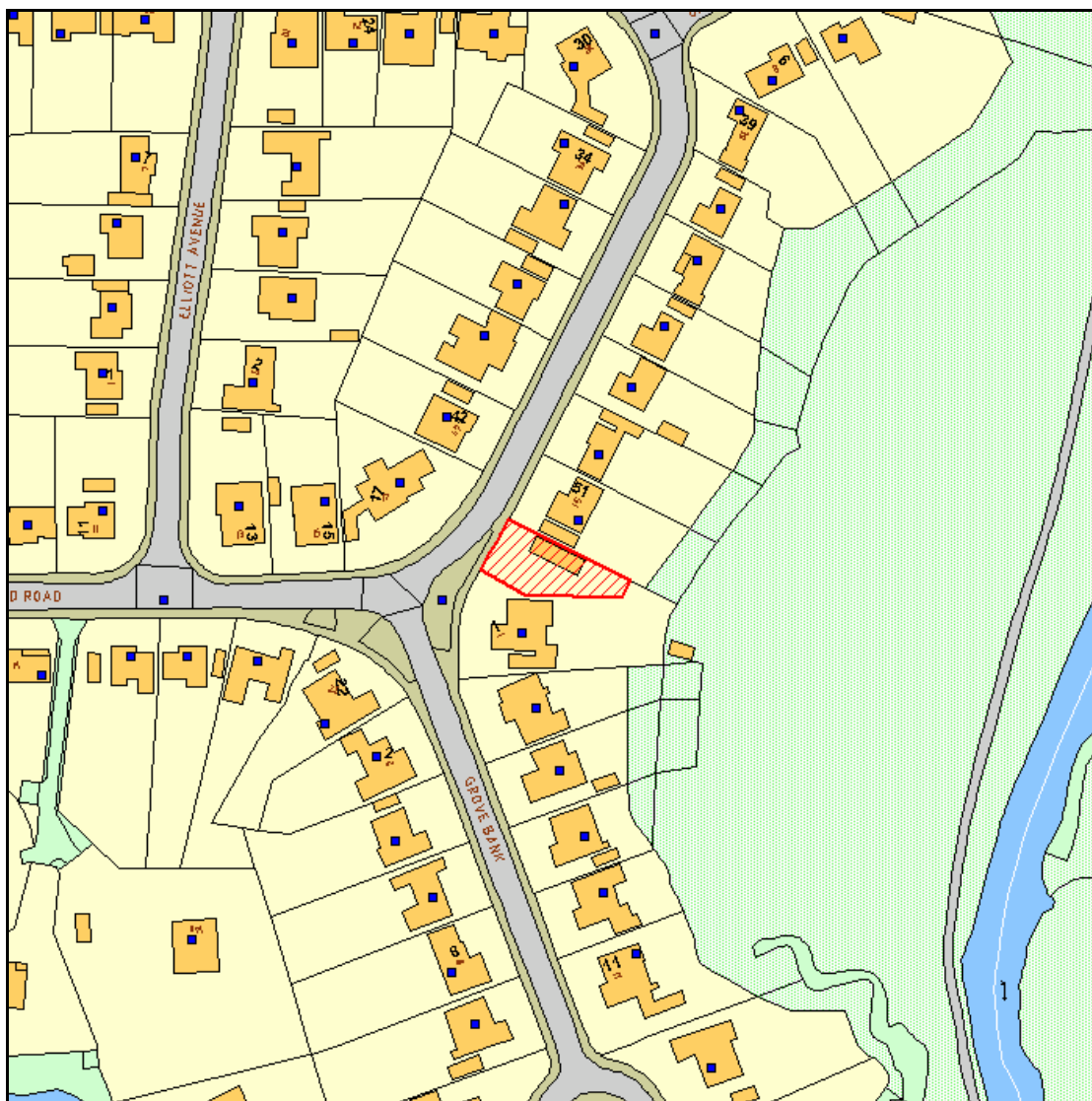
**Tel. No. 01454 865262**

### **REASONS FOR REFUSAL**

1. The application is not supported by an initial design stage assessment (by an accredited assessor) and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 or better of the Code for Sustainable Homes as required by condition 16 of the outline planning permission (reference PT07/2277/O). The application is therefore not in accordance with the requirements of the outline planning permission and is contrary to Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b>	PT11/2194/F	<b>Applicant:</b>	Mr And Mrs Johnson
<b>Site:</b>	Land Adjacent To 1 Grove Bank Frenchay South Gloucestershire BS16 1NY	<b>Date Reg:</b>	14th July 2011
<b>Proposal:</b>	Erection of 1no. detached dwelling with access and associated works.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	364395 178087	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Minor	<b>Target Date:</b>	6th September 2011



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 100023410, 2008. **N.T.S.** **PT11/2194/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule as representations were made contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of 1no. detached dwelling with access and associated works.
- 1.2 The application site relates to land currently within the residential curtilage of no. 1 Grove Bank, Frenchay. The site has a detached garage adjoining the northern boundary. To the south lies the large detached dwelling of no. 1 Grove Bank and to the north a smaller detached property, no. 51 Park Crescent. The application site is located within the defined settlement boundary of Frenchay and outside the Frenchay Conservation Area.
- 1.3 Following Officer's concerns regarding the design of the proposed dwelling, amended plans were received.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

Written Ministerial Statement: Previously Developed Land and Density (9 June 2010)

Draft National Planning Policy Framework: Published 25 July 2011

Written Ministerial Statement: Planning for Growth (23 March 2011)

#### **2.2 Development Plans**

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

D1	Achieving Good Quality Design
EP1	Environmental Pollution
H2	Proposals for Residential Development within the Defined Settlement Boundaries
H4	Development within Existing Residential Curtilage
L1	Landscape Protection and Enhancement
T8	Parking Standards
T12	Transportation Development Control Policy for new Development

##### **Emerging Development Plan**

##### **Core Strategy Proposed Changes Submission Publication Draft (December 2010)**

CS1	High Quality Design
CS5	Location of Development



CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007

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

- 3.1 N3914/1 – Erection of boundary wall. Approved.

### 4. **CONSULTATION RESPONSES**

#### 4.1 Winterbourne Parish Council

Objection - The proposed development would seriously obstruct light to no 51, in relation to neighbouring properties the proposed dwelling would be an over development of the site. The finish of the dwelling should be Bath stone on three sides to match all other properties in the area. There is only parking for one car, which would result in parking on a dangerous bend.

#### 4.2 Other Consultees

##### Transportation

No objection.

##### Drainage

No objection subject to condition.

##### Environmental Protection

No objection subject to condition.

### **Other Representations**

#### 4.3 Local Residents

Five letters of objection from local residents were received raising the following concerns:

- Lack of parking proposed
- Parked cars on street will reduce visibility
- Proposal would be overbearing on no. 51 Park Crescent
- No other properties in locality are 3 storeys
- Infilling on large scale / overdevelopment of site
- Rendering on three sides is out of character
- Doors/windows on rear overlook
- Overbearing/loss of light to garden
- Impact on visual environment
- Riverwood estate residents have previously requested area is included in Conservation Area
- Glass and timber rear elevation is out of character

- 4.4 Two letters of support and one letter raising no objection were received raising the following points:
- Development would compliment and sit well within the neighbouring properties
  - Proposal will enhance the Riverwood development
- 4.5 One letter of further objection was received following reconsultation on the revised plans, raising these further concerns:
- Adjacent property will be devalued as a result of the proposal
  - Dormer on side may lead to loss of privacy
  - Property would be larger, more overshadowing

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application site is situated within the defined settlement boundary of Frenchay, as shown on the South Gloucestershire Local Plan Proposal Maps (Adopted) January 2006. PPS3 (Housing), the Joint Replacement Structure Plan and Policy H2 of the Local Plan allows for new residential development within settlement boundaries. On this basis the proposed development would be acceptable in principle.

- 5.2 PPS3 expects schemes to make an effective use of the site by achieving the maximum density compatible with the sites accessibility, environmental constraints, and its surroundings. The expectation under Policy H2 of the Local Plan states that all developments will achieve a minimum density of 30 dwellings per hectare.
- 5.3 Notwithstanding this policy context in June 2010 the Coalition Government issued a Ministerial Statement under the title of *'New Powers for Local Authorities to Stop 'Garden Grabbing'*. The Ministerial Statement has raised some important points regarding the design and density of new residential development. Firstly the statement reiterated the need to ensure that residential development does not result in the overdevelopment of neighbourhoods, the loss of green space, and impact upon local character. These matters can be reasonably resisted on the basis of existing policies (D1, L5, and H2) within the South Gloucestershire Local Plan.
- 5.4 The second point relates to the requirement in PPS3 for all new residential developments to achieve the national indicative density target of 30 dwellings per hectare. This policy objective was reflected in Policy H2(b) of the South Gloucestershire Local Plan which stated that the maximum density compatible with the sites location should be achieved, but with an expectation that it will achieve a minimum density of 30 dwellings per hectare. The Ministerial Statement has removed the requirement for new residential development to achieve the national indicative minimum density, and thus very limited weight should be given to Policy H2(b).

5.5 On this basis in this application the need to achieve an efficient use of land is still an important material consideration. However this need should be carefully balanced against the requirement to consider the character of the area and whether the proposal is good quality design. Policy D1 of the South Gloucestershire Local Plan recognises this, and density is one of the design factors that this policy requires to be assessed.

#### 5.6 Density

The proposed site extends to approximately 0.028 hectare, giving a density of approximately 35 dwellings per hectare. Other properties on Grove Bank and Park Crescent are set within larger plots and so the proposed development would have a fairly high density in this respect. Nevertheless, it is considered that the plot size can accommodate a detached dwelling with sufficient amenity space for occupiers. The density is therefore considered appropriate given the characteristics of the application site, and would respect the character of the development pattern in the surrounding context.

#### 5.7 Design

##### *Siting and Overall Layout*

5.8 It is proposed to position the new dwelling to the front of the application site, between no. 1 Grove Bank and no. 51 Park Crescent. The new dwelling would be aligned with no. 51 Park Crescent although it would respect the building line of both this property and no. 1 Grove Bank. Officers raised concern over the size of the plot as it was not consistent with the surrounding plot sizes and this may have a detrimental impact upon the size of garden space. As a result the applicant revised the plot size to incorporate more garden space to the rear and this results in a plot size more similar to the neighbouring ones. The footprint of the dwelling is slightly deeper than the neighbouring dwellings however its overall size is consistent with the size of neighbouring property footprints. The proposed siting and layout is therefore considered acceptable.

##### *Size, Scale and Massing*

5.9 The applicant reduced the ridge height of the front of the dwelling following Officers advice. The previous front ridge height exceeded that of no. 51 Park Crescent and this was not considered acceptable as this was the dwelling that is most closely associated with the new dwelling in a visual sense. The original scheme also proposed a very narrow dwelling that bore no resemblance to the adjacent dwellings in terms of size and scaling. A wider frontage was suggested and the applicant made alterations to extend the width of the property at two storey level from 6.2 m to 8.6 m and this is more consistent with the size of dwellings along Grove Bank and Park Crescent. The rear element of the property extends to 8 m in height, is higher than the ridge height of the front of the dwelling and is three storeys. No. 1 Grove Bank extends to over 8 m in height as do other properties off Park Crescent and so there is built form in the locality of a similar size and scale.

##### *Appearance, Detailing and Visual Impact*

- 5.10 The locality contains a mixture of two storey and single storey houses faced with reconstructed Bathstone ashlar. The roofs are generally pitched and covered with clay plain tiles with some gables and dormers. It is considered that the most important aspect of the proposal in terms of appearance is the front elevation and this will be very prominent from public views. The original proposal was for a tall, narrow dwelling with a gable end that poorly related to the neighbouring properties.
- 5.11 The revised proposal widens the front elevation and incorporates detailing seen in properties in the locality. The front and side elevations of the property will be faced with Bathstone and the fenestration details are also similar to nearby dwellings with label mould lintels over the windows and with materials consisting of metal frames. There is a very strong local vernacular in terms of materials and so a condition will be attached to the decision notice requesting samples of all external materials prior to the commencement of development.
- 5.12 Design detail to the front incorporates a gable end and a dormer sat on the eaves, design which is seen on adjacent properties. The rear elevation sees a more modern approach with glazing on the ground floor up to ridge height and this is considered to be acceptable. A small dormer is proposed which would barely be seen from public view and is of a style of which there are other examples in the locality. The rear three storey element of the proposal would be 8 m in height, approximately 0.7 m higher than the front ridge height. Whilst it may be preferable for this part of the dwelling to be at the same height as the rest of the building, it would be located approximately 7 m back from the front elevation of the property and in the context of viewing the property from the streetscene unlikely to be visible or have any material harm. The proposal is therefore considered acceptable in terms of design.

5.13 Residential Amenity

*Overbearing / Loss of light*

The most significant impact this dwelling will have is on no. 51 Park Crescent to the north east. It is accepted that there would be some degree of loss of light into the neighbouring properties rear garden as a result of the proposal however it is not considered to be of such significance as to warrant a refusal of the application. It is unlikely there would be a loss of light into rear elevation windows of the property and the garden of no. 51 would still benefit from sunlight for the first half of the day. It is also noted that the rear garden must also suffer from some loss of light, particularly in winter months, due to the position and height of no. 1 Grove Bank which is taller than the proposed new dwelling. It is not considered the proposal would be overbearing on neighbouring occupiers.

*Overlooking / Loss of Privacy*

- 5.14 To the rear elevation glazing is proposed on three levels however the elevation does not directly face any neighbouring habitable rooms and so there would be no undue overlooking here. To the north east facing elevation a 'dormer' is

proposed but with no windows. A condition will be attached to the decision notice ensuring no windows are constructed on this elevation. To the south west elevation two rooflights are proposed and it is not anticipated there would be any undue overlooking from these. At first floor level a bathroom window is proposed and this should be obscure glazed by way of condition. At ground floor level French windows are proposed however there will be adequate boundary treatment (also conditioned) between the new dwelling and no. 1 Grove Bank for there to be no overlooking.

#### *Amenity Space*

- 5.15 It is considered that ample private amenity space is provided for both no. 1 Grove Bank and the new dwelling.

#### *Construction*

- 5.16 The Council's Environmental Protection Officer has requested a condition restricting hours of working during construction due to the close proximity of neighbouring occupiers, and this is considered reasonable.

#### 5.17 Transportation

One off street car parking space is to be provided for the new dwelling and this is considered sufficient for a 3no. bedroom house and complies with Policy T8 of the Local Plan. No. 1 Grove Bank will retain parking provided off a second access to the property off Grove Bank. It is clear from observations on site that both access points are in regular usage and are considered to offer appropriate visibility. Whilst this proposal will increase the number of vehicle movements from both access points, it is not considered that this will create or exacerbate any existing highway safety hazard, consequently no transportation objection is raised to this proposal.

#### 5.18 Drainage

No drainage details were submitted with the scheme and so a condition will be attached to the decision notice requesting information regarding sustainable drainage systems (SUDS).

#### 5.19 Other Matters

##### *Conservation Area*

Concern was raised in respect of the future potential of the estate to be included in the Frenchay Conservation Area. The site is not in the Conservation Area and this application can only be assessed against current relevant policy and therefore the impact on the Conservation Area cannot be considered in this instance.

##### *Property Values*

5.20 The impact of the proposal on property values is not considered to constitute a material planning consideration.

## **6. CONCLUSION**

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

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

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

1. The proposed layout has been configured to allow a form of development that would be in keeping with the general pattern of residential development within the locality. As such, the proposal would be compliant with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal would provide an appropriate level of density having regard to the site, its location and accessibility. As such, the proposal is considered to be compliant with the requirements of planning policy H2 (Residential Development) of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of PPS3.
3. The proposal would not cause any significant adverse impact to residential amenity. The proposal is therefore considered to accord with Planning Policies H2 (Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The proposal is considered to be acceptable in highway safety terms and compliant with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.
5. The proposal has considered all environmental issues associated with the site and there are no constraints to granting planning permission on this basis. The proposal is therefore considered to accord with Planning Policy EP1 (Environmental Pollution) of the South Gloucestershire Local Plan (Adopted) January 2006.

## 7. RECOMMENDATION

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

Reason

To minimise disturbance to occupiers of nearby buildings and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason

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

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north east elevation of the property.

Reason

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

5. Prior to the first occupation of the dwellinghouse hereby permitted, and at all times thereafter, the proposed first floor window on the south west elevation shall be glazed with obscure glass to level 3 standard or above.

Reason

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

6. 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 Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

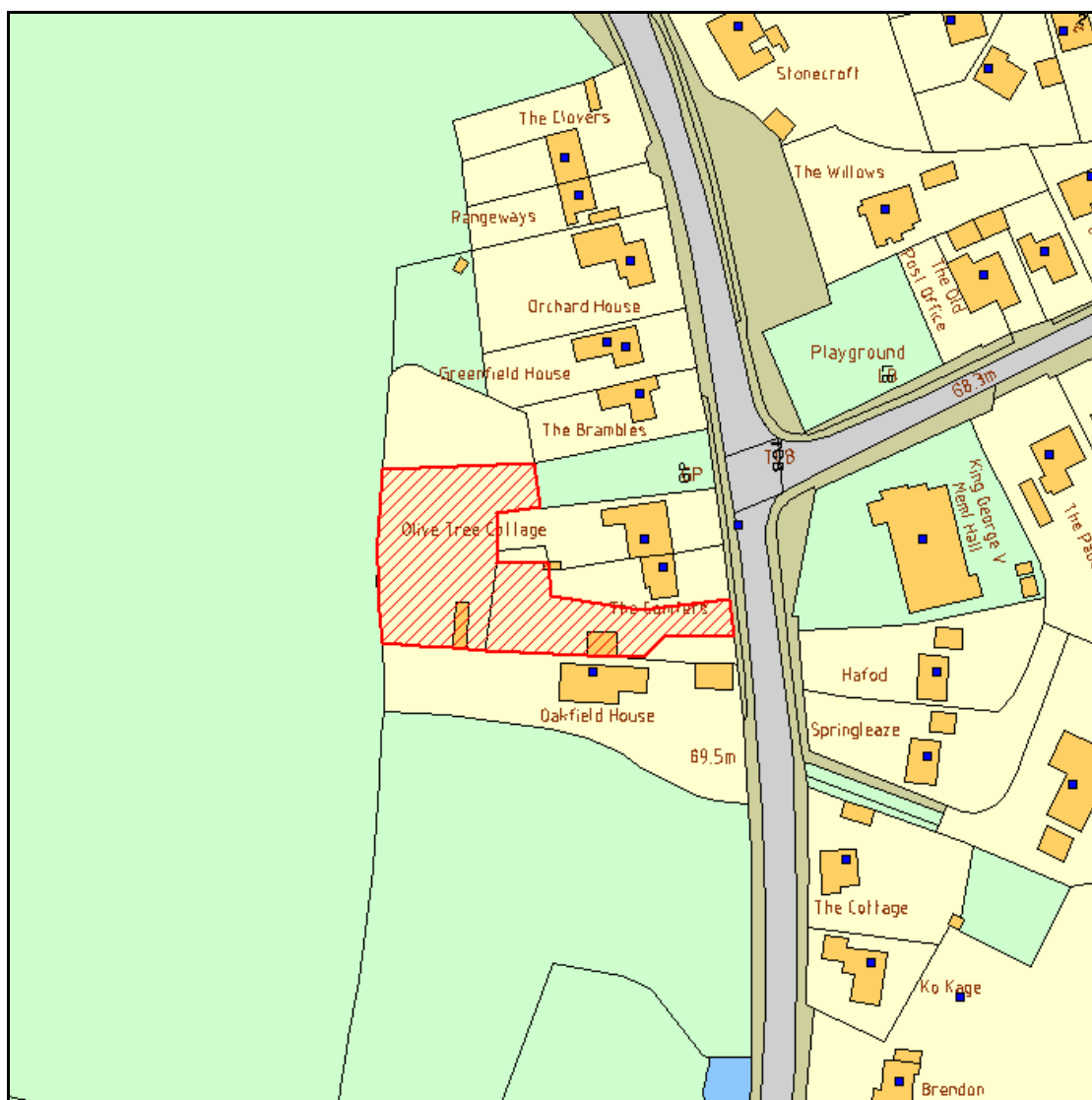
Reason

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



**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b>	PT11/2199/O	<b>Applicant:</b>	Mr And Mrs J Alvis
<b>Site:</b>	The Conifers Wotton Road Rangeworthy Bristol South Gloucestershire	<b>Date Reg:</b>	20th July 2011
<b>Proposal:</b>	Erection of 3no. detached dwellings and garages with associated works (Outline) with access to be determined. All other matters reserved.	<b>Parish:</b>	Rangeworthy Parish Council
<b>Map Ref:</b>	369127 185750	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th September 2011



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 100023410, 2008. **N.T.S.** **PT11/2199/O**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Councils Circulated Schedule in view of the letters of objection from the Parish Council and neighbouring residents.

### **1. THE PROPOSAL**

- 1.1 The application seeks outline planning permission for the erection of three dwellings. Only issues related to access are to be considered with all other matters reserved for future consideration.
- 1.2 The application relates to land associated with The Conifers, a semi-detached two-storey cottage style dwelling on the west side of Wotton Road, Rangeworthy. The application site lies within the Rangeworthy settlement boundary, which runs close to the southern site boundary and along the rear boundary of the application site.
- 1.3 The application forms a resubmission of PT10/3197/O that was refused earlier this year for the following reasons:
  1. The application fails to demonstrate that the proposed development can be satisfactorily accommodated without the loss of significant landscape features that make a significant contribution to the rural character of the locality. The proposal would therefore be detrimental to the character and appearance of the rural locality and the visual amenities of the area. The proposal is therefore considered to be contrary to PPS1, PPS3, Planning Policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.
  2. The application fails to demonstrate that the development proposed can be satisfactorily accommodated without significantly detracting from the residential amenities of the neighbouring occupiers. The proposal is therefore considered to be contrary to PPS1, PPS3, Planning Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPS9: Biodiversity and Geological Conservation  
PPG13: Transport

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006  
D1: Achieving Good Quality Design in New Development

H2: Proposals for Residential Development  
H4: Development within Residential Curtilages  
L1: Landscape Protection and Enhancement  
L9: Species Protection  
T7: Cycle Parking  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development  
L18: The Water Environment

South Gloucestershire Core Strategy (Proposed Changes Version) December 2010

CS1: High Quality Design  
CS9: Managing the Environment and Heritage  
CS16: Housing Density  
CS17: Housing Diversity  
CS34: Rural Areas

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)  
Trees on Development Sites (Adopted)  
Biodiversity (Adopted)  
Landscape Character Assessment (Adopted)

**3. RELEVANT PLANNING HISTORY**

- 3.1 P96/1229: Alterations to roofline to facilitate conversion of attic space to bedroom. Permitted: 18 March 1996
- 3.2 PT08/0782/F: Creation of vehicular access. Permitted: 2 May 2008
- 3.3 PT10/0954/O: Erection of three dwellings (outline) with access to be determined; all other matters reserved. Withdrawn: 7 June 2010
- 3.4 PT10/3197/O: Erection of three detached dwellings (outline) with access to be determined; all other matters reserved. Refused: 13 January 2011

**4. CONSULTATION RESPONSES**

- 4.1 Rangeworthy Parish Council  
Objection:
- o Three dwellings would be an over development of the site;
  - o The access is inadequate and would be a traffic hazard aggravated by its proximity to the New Road junction;
  - o The Council, in consultation with Wessex Water, has agreed that no further development should take place until the inadequate foul sewer problem has been resolved;
  - o It would be detrimental to residential amenity.
  - o

#### 4.2 Other Consultees

Highways DC: no objections subject to conditions

Drainage Officer: no objection in principle

Landscape Officer: no objection subject to conditions

Tree Officer: no objections subject to condition

### **Other Representations**

#### 4.3 Summary of Local Residents Comments:

Seven letters (four households) expressing the following concerns:

- o The application will create a precedent of back filling;
- o Originally the site was an orchard until the owners removed most trees and created a builders yard;
- o Previous refusal reasons for PT06/3453/O could be used in respect of this application;
- o The narrow access comes out opposite a bus stop;
- o It is a busy road and the new speed limit is not being adhered to;
- o The proposal will detract from the rural feel of the area;
- o There is inadequate parking;
- o The proposals will not be in keeping with the character of the area;
- o It will be detrimental to residential amenity overlooking gardens;
- o Trees have been removed thus this application should consider landscaping;
- o Information on the application form appears incorrect;
- o It still proposes the loss of significant features of the rural locality;
- o The living environment for future residents will be unacceptable;
- o It comprises access to the host dwelling;
- o This part of the village is characterised by properties fronting the road with large rear gardens;
- o The application indicates that TPO protected trees will be removed;
- o Enforcement action should be taken to ensure that the access built under PT08/0782/F adheres to the approved plans (3.6m wide- built access is 6m +);
- o The proposal will affect the roots of neighbouring trees;
- o If recommended for approval, it should be referred to committee.

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

#### 5.1 Principle of Development

The application site lies within the Rangeworthy settlement boundary as identified by the South Gloucestershire Local Plan thus the principle of new residential development (having regard to planning policies H2 & H4) is considered acceptable. This is subject to considerations of design, residential amenity and highway safety.

- 5.2 Subsequent planning policy guidance in the form of PPS3 explains that previously developed land now excludes urban land such as residential gardens. However, this does not preclude development in garden areas provided that proposals do not prejudice the existing pattern and layout of development. In this instance, it is not considered that the case for the proposal rests on whether the land has been previously developed given the location of the site within the settlement boundary; accordingly the principle of development is considered to be acceptable subject to those considerations listed above.
- 5.3 The revisions to PPS3 also remove the minimum density requirement that sought to achieve a density in new residential development of 30 units per hectare; there is still a requirement to make the most efficient use of land. This policy advice is echoed by planning policy CS16 of the emerging Core Strategy that states *'Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.'* In this instance, it is considered that three dwellings would comprise an efficient use of the land but, having regard to the general pattern of residential development within the locality, would not comprise an over development of the site. Nevertheless, it is considered that a further intensification of the site with four dwellings would comprise an over development of the site.
- 5.4 Planning policy CS34 of the emerging Core Strategy advises that local development documents and development proposals will maintain the settlement boundaries defined on the proposals map around rural settlements for the first five years of the Core Strategy.
- 5.5 Design/ Visual Amenity  
The application seeks outline approval for three detached dwellings with all matters except for 'access' reserved future consideration. However, it is necessary for any outline submission to demonstrate that the proposal has been properly considered having regard to the relevant policies, site constraints and opportunities thus must include details related to amount (scale); the approximate location of buildings (i.e. indicative layout) and 'fix' principles with regard architectural appearance, and landscaping. As such, the design & access statement must demonstrate how the applicant has considered the proposal and understand what is feasible for the site in its context. Any development permitted by the outline application would be constrained by the parameters described within the design & access statement.
- 5.6 In this instance, as before, a brief Design & Access statement has been submitted with an indicative site layout plan provided; combined these are considered to provide a reasonable indication of the development. As such, the scheme would comprise three chalet style units that would be informally positioned towards the rear of the site facing the road. Unit 1 would benefit from a detached garage to the front of the property with an attached single garage serving unit 2. Unit 3 would be devoid of any covered parking facilities with two car parking spaces instead provided.

- 5.7 In response, dwellings within the locality generally front the highway albeit on differing shaped plots and with some closer to the road. One notable exception is Fircroft on the opposite side of the highway that sits behind neighbouring properties whilst Gifford Close cul-de-sac close by also differs from this more conventional layout. On this basis, and in view of the settlement location of the application site, on balance it is considered that there could be no sustainable objection to the principle of further residential development on this site. The positioning of the settlement boundary would help alleviate concerns in respect of any precedent this proposal might set.
- 5.8 Notwithstanding the above, the site contains a significant number of trees that were raised as a concern at the time of the previous applications and which formed the basis of the previous first refusal reason. Accordingly, to help address these concern's an arboriculture report now forms part of this application; the Councils Tree Officer has considered this document and now raises no objection to this application. In this regard, it is noted that the application would retain the existing significant trees with the recommendations contained within this report helping to ensure the safe retention of the trees and reduce any possible impact that the development might have (including also any impact on the neighbour's trees). Nonetheless, in the event that permission is granted, a detailed method statement would be required whilst new tree planting would also be required given that the site is covered by an area tree preservation order. Further, given the constraints imposed on the site by these trees, it is considered that the position of the dwellings should be 'fixed' by condition to that shown on the submitted plan.
- 5.9 In view of the above, it is considered that the submission of these details does address the first refusal reason attached to the previous scheme. In this regard, the comments of the Councils Landscape Officer are also noted with it advised that the site is sufficiently distant from the Green Belt so as not to adversely impact its visual amenity whilst full boundary treatment details for the site will also be required which should include the retention and improvement of the rear hedgerow.
- 5.10 Residential Amenity  
As before, the entrance serving the host dwelling would be altered to facilitate access to the proposals with parking/ turning space for the applicant's dwelling provided at the front of their property; this reflects the current situation with the front garden having been given over to parking. The host unit would also retain a reasonable level of private amenity space with garden land directly behind the dwelling retained.
- 5.11 Concerning the level of separation shown, it considered that the proposals would be positioned sufficiently far away from the host dwelling so as not to have any significant adverse impact on the residential amenities of these neighbouring residents. This is having regard also to the chalet style nature of the proposals and with any refusal reason in respect of the intensified use of the driveway and its proximity to the host dwelling considered unsustainable.
- 5.12 Notwithstanding the above, at the time of the previous application an objection to the proposal on residential amenity grounds was raised with this primarily

- related to the impact on Oakfield House to the south. In this regard, there are a number of side facing windows overlooking the application site although the majority are at ground level and screened by boundary fencing. Rear windows and a rear Juliet balcony allow oblique views into the application site.
- 5.13 To help address this concern, the position of this neighbouring dwelling has now been shown on the layout plan whilst plot 1 (that adjacent to the southern site boundary), has been reoriented to face away from the application site. Accordingly, and with the flank elevation of this dwelling shown to face this boundary, this relationship is now considered to be acceptable thus overcoming this previous reason for refusal.
- 5.14 Olive Tree Cottage adjoins the site to the north; the impact of this revised proposal would be slightly reduced given omission of the detached garage serving plot 3. Therefore, as before, it is considered that given the level of separation, any associated refusal reason would be unlikely to prove sustainable with the same also true in respect of 'The Brambles' with the proposals also orientated away from this neighbouring dwelling.
- 5.16 Highway Safety  
There was no highway refusal reason in respect of the last application. Similarly, the Councils Highways Officer has raised no objection to this application with the comments received advising that the access has been widened to facilitate two-way vehicle movements and with adequate space provided to manoeuvre into parking areas. Further, each dwelling would benefit from two parking spaces whilst the site could accommodate a medium sized delivery vehicle or an ambulance. Finally, roadside refuse collection is considered acceptable and a bin store has been provided close to the frontage with this in mind.
- 5.17 In the event that planning permission is granted, conditions are required in respect of the provision (prior to occupation) and retention of the pedestrian/ vehicular access and the off street parking places.
- 5.18 Ecology  
There was no objection to the previous application on ecological grounds. In this regard, an ecological report accompanied the previous application, which concluded that the site was unsuitable for reptiles and limited as a habitat resource for hedgehog. Accordingly, the Councils Ecology Officer raised no objection to this previous scheme. For these reasons, it would now be unreasonable to object to the proposal on this basis.
- 5.19 Outstanding Issues  
Development of the site might preclude development of a parcel of land to the north that adjoins the north site boundary and which also falls within the settlement boundary. However, further intensification of the access would be undesirable in residential amenity/ highway safety terms whilst access might possibly be gained via the vacant parcel of land between 'Olive Tree Cottage' and 'The Brambles'. As such, as before, there is no objection to the application on this basis although in the event that this parcel of land came forward for development in the near future, it might be necessary to ascertain whether an

- element of affordable housing would be required (for the site areas combined). (The current proposal falls below the threshold of 0.2Ha/ five units as detailed by H6 (Affordable Housing) of the adopted local plan and CS18 (Affordable Housing) of the emerging Core Strategy.
- 5.20 The Councils Drainage Engineer has raised no objection in principle to the proposal although a drainage condition would be required to ensure submission of full drainage details. Further, Wessex Water has been consulted on the application and should an objection be raised, then it might be necessary to refer the application back to the Circulated Schedule.
- 5.21 PT08/0782/F allowed the formation of a new access with the report noting that *'the proposed new access will be a significant improvement on the existing access in terms of visibility'*. The permission did not restrict use of this access that has been fully considered as part of this submission.
- 5.22 The Council will seek an element of affordable housing in rural settlements where the proposal would provide 5 or more dwellings or where the site area would measure 0.2 Hectare. In this instance the site measures 0.17 Hectares whilst the proposal would provide 3 dwellings. Accordingly, there is no requirement for affordable housing in this instance.
- 5.23 In response to the neighbour comments received, PT06/3453/O (Erection of 4 dwellings at West View, Wotton Road) was refused for two reasons related to highway safety and a lack of affordable housing. These issues have been addressed by this report and accordingly, it is not considered that planning permission could be refused for the same reasons in this instance.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to GRANT permission is for the following reasons:
1. The application site occupies a settlement location and the layout and number of dwellings proposed would reflect the general character of the locality. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Proposals for Residential Development) and H4 (Development within Existing Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.



2. The proposal would not cause any significant adverse impact in residential amenity and thus would accord with Planning Policies H2 (Proposals for Residential Development) and H4 (Development within Existing Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposal would be acceptable in highway safety terms and would accord with Planning Policy T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

7.1 Planning Permission is **GRANTED** subject to the following conditions:

**Contact Officer: Peter Burridge**  
**Tel. No. 01454 865262**

### **CONDITIONS**

1. Approval of the details of the layout, scale and appearance of the buildings, 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 layout, scale and 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. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

5. On submission of the subsequent 'Reserved Matters' application, the parameters set out in the Design and Access Statement as submitted with this application shall be adhered to with the ridge height of the proposed buildings not to exceed 6.5m and the siting of the proposed buildings to reflect that shown on the layout plan hereby approved.

Reason

In view of the edge of settlement position of the application site, the protected trees on the site and to protect visual and residential amenity all to accord with Planning Policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. 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, E and F), 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

Due to the edge of settlement position of the application site and the position of the neighbouring properties, any further extensions or outbuildings will require the further consideration of the Local Planning Authority to ensure accordance with Planning Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The Reserved Matters shall include a plan indicating the positions, design, materials and type of boundary treatments to be erected . The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

8. The Reserved Matters shall include drainage details incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Planning Policy L8 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The Reserved Matters shall include a detailed Method Statement containing precise details of any construction within the root protection area (RPA) of the retained trees

as indicated on the Tree Constraints Plan hereby approved. All development shall accord with these approved details.

Reason

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

10. The buildings hereby approved shall not be occupied until a means of access for pedestrians and vehicles has been provided in accordance with the approved plan. Thereafter, this means of access shall be permanently retained.

Reason

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

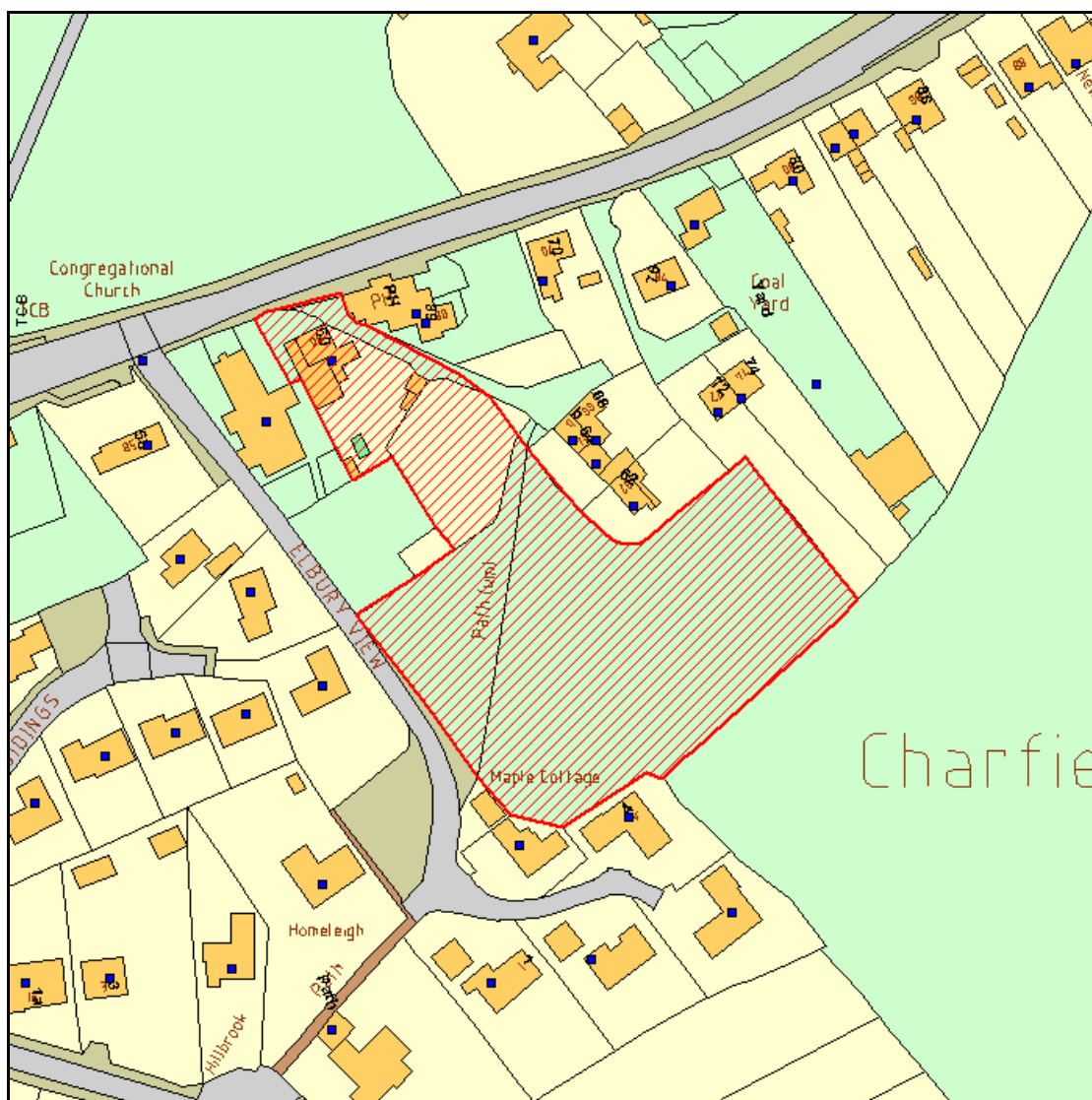
11. The off-street parking places hereby permitted shall be provided before the dwellings hereby permitted are first occupied and shall thereafter be retained for that purpose.

Reason

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

**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b>	PT11/2206/PAD	<b>Applicant:</b>	Woodstock Homes
<b>Site:</b>	60 Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	<b>Date Reg:</b>	13th July 2011
<b>Proposal:</b>	Prior approval of details submitted as to the method of demolition and any proposed restoration of the site at no. 60 Wotton Road.	<b>Parish:</b>	Charfield Parish Council
<b>Map Ref:</b>	372585 192377	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	31st August 2011



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 100023410, 2008. **N.T.S.** **PT11/2206/PAD**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule as representations were made contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks prior approval of details submitted in respect of the method of demolition and any proposed restoration of the site at no. 60 Wotton Road (also known as "The Kings Hall").
- 1.2 The applicant has already made a prior notification application (PT11/1615/PND) under the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 31) seeking a determination of whether the prior approval of the Local Planning Authority (LPA) was required for the proposed method of demolition and any proposed restoration of the site. It was determined that prior approval was required as the proposed demolition would be likely to have a significant impact on its surroundings due to its cumulative and individual effect upon visual amenity, trees, residential amenity and ecology.
- 1.3 No. 60 Wotton Road is a two-storey building with a single storey rear projection. The building fronts onto Wotton Road and is constructed from red brick and has a slate roof. The building is locally listed and it sits beside the Congregational Church (also locally listed) and The Plough Public House. Furthermore the site is situated adjacent to a public right of way.
- 1.4 The applicant has also submitted a separate planning application (Ref: PT11/1634/F) for the erection of 16no. detached dwellings on a field situated to the rear of No. 60 Wotton Road. This application has shown that the building subject to this prior notification would be demolished to enable an access to the development site. This planning application has yet to be determined.
- 1.5 An amended site restoration plan was received following Officers concerns.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

Town and Country Planning (General Permitted Development) Order 1995  
Circular 10/95: Planning Controls over Demolition

#### **2.2 Development Plans**

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

D1: Achieving Good Quality Design In New Development  
L1: Landscape Protection and Enhancement  
L9: Species Protection  
L15: Building and Structures Which Make a Significant Contribution to the Character and Distinctiveness of Locality

### 2.3 Emerging Development Plans

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1: High Quality Design

### 2.4 Supplementary Planning Guidance

South Gloucestershire Local List SPD (Adopted)

South Gloucestershire Trees on Development Sites SPD (Adopted)

## 3. **RELEVANT PLANNING HISTORY**

- 3.1 P97/1141 - Use of land for extension to burial ground and the layout of car park (in accordance with amended plans received by the Council on 25 April 1997 and letters from the applicant dated 25 April 1997 and 2 May 1997). Approved.
- 3.2 P97/2649 - Use of land for extension to burial ground and car parking area. Approved.
- 3.3 PT00/0466/O - Erection of five detached dwellings. Refused. Dismissed on appeal.
- 3.4 PT11/1615/PND - Prior notification of the intention to demolish 60 Wotton Road. Prior approval required.
- 3.5 PT11/019/SCR - Residential development - 16no. dwellings. EIA Not Required 25.05.2011
- 3.6 PT11/1634/F - Erection of no.16 dwellings, landscaping and associated works. New vehicular access. Pending decision.

## 4. **CONSULTATION RESPONSES**

### 4.1 Charfield Parish Council

Following on from parish council meeting on 25th July 2011 when the above application and details were considered the Parish Council decided that they wanted it noted (minute ref 9150/11) that previous concerns regarding the demolition of Kings Hall (commented on 20th June 2011) still stand. The Parish Council don't feel safety has been taken into enough consideration. It is felt that it is going to be difficult to knock building down without blocking highway. Root protection area of the protected willow is still an issue. Health & Safety and public safety is a real issue and security of site prior to and after demolition as well as maneuvering of vehicles and rubble, local issue of the dust. Parish Councils main concern is the safety of local residents, pedestrians and road users.

### 4.2 Other Consultees

Public Rights of Way Officer

Having seen the risk assessment and mitigation measures to ensure public safety during demolition I have no objection in principle to this application.

#### Conservation Officer

Originally objected to the use of a tarmac finish for the parking area but lifted objection when amended site restoration plan was received showing the area to instead be landscaped.

#### Environmental Protection

No objection.

#### Ecologist

No objection.

#### Transportation

No objection in principle however would have liked to see further information in respect of safety fencing, machinery working areas, site security and skip location.

#### Tree Officer

No objection subject to all works being in accordance with the recommendations contained within the arboricultural report to ensure the protection of the adjacent Willow tree.

### **Other Representations**

#### 4.3 Local Residents

Five letters of objection were received raising the following concerns:

- The risk assessment is poor
- There is a lot of ecology in the area that has not yet been found
- A redevelopment of the Kings Hall itself would provide the church with what they need and maintain a local amenity site
- The building to be taken down is not in such a state that it warrants demolition
- Loss of the original historic structure
- This site is NOT accessible to lorries - there is insufficient access on either side of the King's Hall to accommodate heavy goods vehicles of any description
- It is likely that the dust and noise arising from the proposed demolition will be sufficient to require a full assessment of the environmental impact and details of mitigation measures
- Kings Hall could be renovated
- Kings Hall is locally listed

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

5.2 Part 31 of the Schedule 2 to the Town and Country Planning (General Permitted Development Order 1995 gives permitted development rights for the demolition of buildings. Accordingly the demolition of No. 60 Wotton Road does not require planning permission. Therefore the principle of demolishing the building is established and cannot be questioned by Officers, but an application to the Local Planning Authority is required to check whether the authority requires prior approval of the method of demolition, and any proposed restoration of the site. The purpose of this control is to give local planning authorities the opportunity to regulate the details of demolition in order to minimise the impact of that activity on local amenity. It was determined under application PT11/1615/PND that prior approval was required as the proposed demolition would be likely to have a significant impact on its surroundings due to its cumulative and individual effect upon visual amenity, trees, residential amenity and ecology.

5.3 This application is required for the prior approval of full details of the proposed method of demolition and proposed restoration of the site, which have been submitted by the applicant as part of this application. Circular 10/95 gives guidance to Local Planning Authorities on determining prior approval applications for the demolition of buildings. It is noted in paragraph no. 19 that 'The Secretaries of State attach great importance to the prompt and efficient handling of applications for determinations. The procedures adopted by authorities should be straightforward, simple and easily understood'. The local authority does not have the power to attach planning conditions to this application and so it is left for the authority to be reasonably satisfied that the information submitted by the applicant would result in an acceptable method of demolition and proposed restoration of the site, addressing the issues brought up in the prior notification of demolition application. It is worth clarifying that this process is not intended to duplicate or substitute any other more specific legislation that the applicant must adhere to such as Health and Safety legislation or Road Traffic legislation.

### 5.4 Prior Approval Determination

With this application the applicant submitted the following information; an ecology and bat survey, a site restoration note (with amended site restoration plan), a risk assessment plan, a construction management plan and an arboricultural report. This information is acceptable subject to the following detailed assessment.

#### *Visual Amenity*

5.5 The building is locally listed and it lies within a prominent location within the street scene along a main road. Furthermore the adjacent building is locally listed and it is therefore important that the setting of that building is sensitively protected in order to minimise impact on local amenity. In view of these characteristics it is considered that the site is particularly sensitive and



therefore the restoration of the site following the demolition of the building is an important consideration in this application

- 5.6 A site restoration note has been submitted giving two options for the restoration of this site following the demolition of No. 60 Wotton Road. In the event of planning permission for the redevelopment of the whole site (currently being considered under application PT11/1634/F) being granted the site will form part of this development, providing a new access road and junction with Wotton Road, footpath, parking area for the church and landscaping. The parking area would be of a bound aggregate which would be sympathetic to the setting of the locally listed Congregational Church.
- 5.7 If planning permission is not granted for the above mentioned planning application for the redevelopment of the wider site, No. 60 Wotton Road will still be demolished. The site will then be landscaped and a stone boundary wall erected on the boundary of the site. Again, this is considered to be a sympathetic development to the setting of the locally listed Congregational Church.

#### *Trees*

- 5.8 It is noted that the building is situated in close proximity to a Willow tree that is protected by a Tree Preservation Order. This tree is significant feature in the landscape and contributes to the visual amenity of the area. The tree protection and arboricultural method statement contained within the supporting arboricultural report details measure to ensure the safe retention of the trees during the demolition. Providing all works are undertaken in accordance with the arboricultural report the proposed demolition should have no impact on the protected Willow tree and the proposal is therefore acceptable.

#### *Residential Amenity*

- 5.9 The building is located near to a number of existing dwellings. The applicant has submitted a risk assessment and construction management plan that demonstrates how the environmental effects of the development will be minimised:
- Mitigation measures for members of the public accessing the working area, objects falling outside the working area, dust in the air and vehicular movements.
  - Times of working 8am -6pm Monday to Friday. No weekend working
  - On site issues
  - Waste removal, storage of debris, vehicle assessment/waiting areas
  - Details of wheel washing
  - Safe working railings for demolition
  - The building will be demolished in one phase
  - Maintenance of access with both Public Right Of Way and residents of No 62 & 66 Wotton Road

- 5.10 It is considered that these details are acceptable and demonstrate that the impact of the demolition on local amenity would be minimised. The Council's Highways Officer requested some further details in respect of safety fencing, machinery working areas, site security and skip location. As stated in Circular 10 / 95 great importance is attached to the promptness and efficiency of dealing with applications for determinations. It is considered that sufficient information has been supplied by the applicant and it would be overly onerous to request further information from the applicant when Officers are satisfied that it has been demonstrated that the impact of the demolition on local amenity would be minimised.

#### *Ecology*

- 5.11 The application includes the results of an ecological survey of both 60 Wotton Road and land to the rear subject to application PT11/1634/F dated 3<sup>rd</sup> June 2011 (report dated July 2011). The Council's Ecologist has assessed this survey and there are no outstanding concerns in regard to ecology and the demolition of Kings Hall.

#### *Public Rights of Way*

- 5.12 The site is situated adjacent to a public right of way reference OCH10, which runs adjacent to the site. The applicant has provided a risk assessment and mitigation measures to ensure public safety during demolition and therefore the PROW officer has no objection to this application.

## **6. CONCLUSION**

- 6.1 In view of the above, it is considered that the proposed method of demolition, and proposed restoration of the site would be acceptable whilst minimising the impact of that activity on local amenity. On this basis, prior approval is granted for the method of demolition and the restoration of the site.

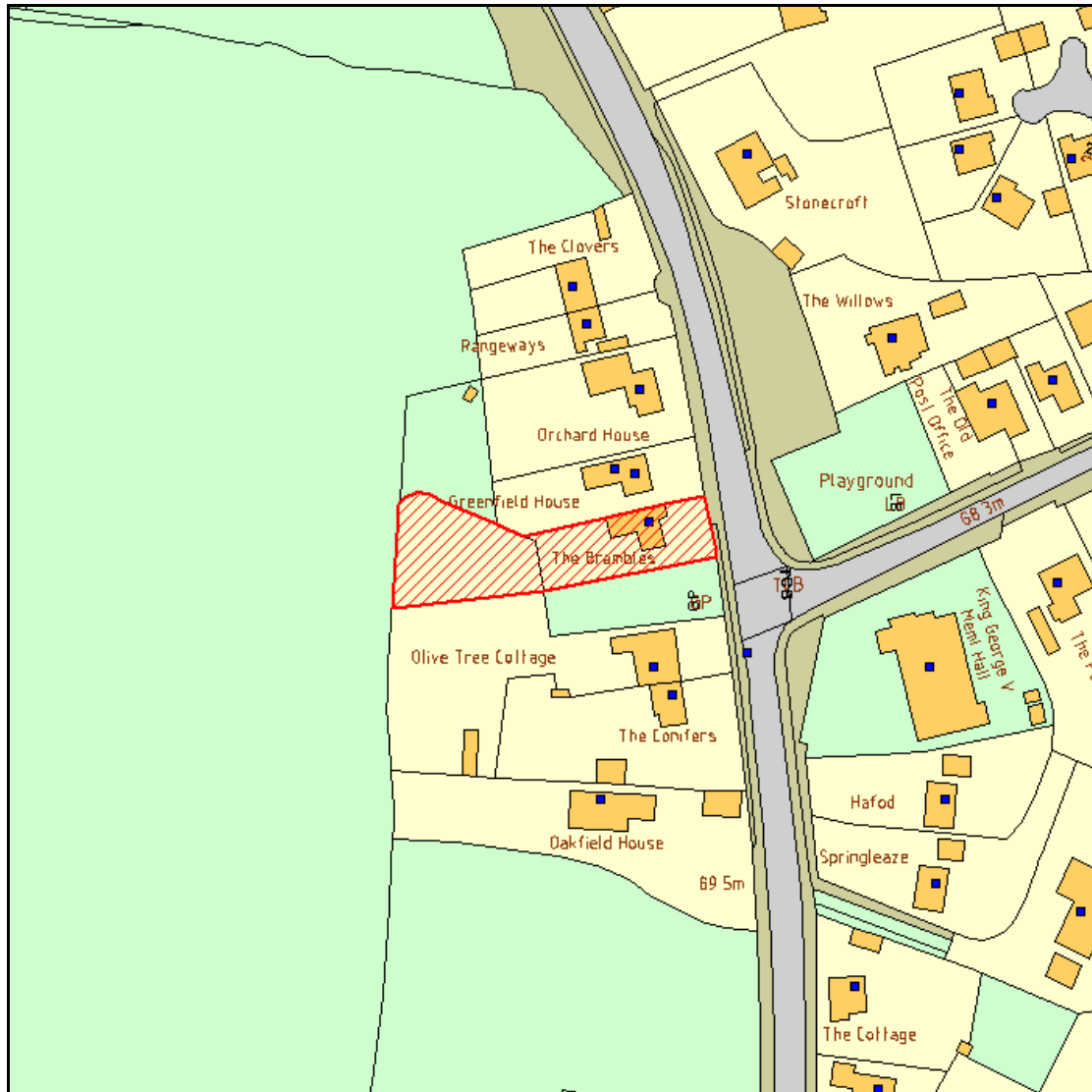
## **7. RECOMMENDATION**

- 7.1 That the application for prior approval is **GRANTED**.

**Contact Officer: William Collins**  
**Tel. No. 01454 863425**

**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b> PT11/2304/F	<b>Applicant:</b> Mr Dennis Lucioli
<b>Site:</b> The Brambles Wotton Road Rangeworthy South Gloucestershire	<b>Date Reg:</b> 29th July 2011
<b>Proposal:</b> Erection of tree house. (Retrospective).	<b>Parish:</b> Rangeworthy Parish Council
<b>Map Ref:</b> 369122 185787	<b>Ward:</b> Ladden Brook
<b>Application Category:</b> Householder	<b>Target Date:</b> 21st September 2011



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 100023410, 2008. **N.T.S.** **PT11/2304/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule due to a letter of objection contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This full retrospective application relates to the erection of a tree house in the rear garden of The Brambles, Wotton Road, Rangeworthy. The tree house consists of a platform some 3.6m in length by 2.4m in width. The actual tree house itself measures some 1.8m by 1.2m. The platform is approximately 1.8m above ground level and the tree house itself has a maximum height of 3.8m. The structure is free standing.
- 1.2 The application site lies within the settlement boundary of Rangeworthy, the rear boundary of the garden forming the settlement boundary. To the north and south of the site lie other gardens and to the west open countryside.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
L1 Landscape Protection and Enhancement  
H4 Development Within Existing Residential Curtilages,  
Including Extensions and New Dwellings  
  
South Gloucestershire Core Strategy -Submission Draft (December 2010)  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted)

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

- 3.1 None.

### **4. CONSULTATION RESPONSES**

- 4.1 Rangeworthy Parish Council  
No objection.
- 4.2 Other Consultees [including internal consultees of the Council]  
Tree Officer  
No objection.

## **Other Representations**

### 4.3 Local Residents

3 letters have been received, 2 in support of the application and the other objecting to the proposal on the following grounds:-

- a) loss of privacy;
- b) tree is unsafe for children and probably rotten;
- c) unsafe for children to play around due to falling apples;
- d) tree house has been built by an amateur;
- e) major health and safety issues such as the child is too young to be left unattended; apples falling on the child and tree house; no barriers around the tree house so the child could fall and hurt himself; the area below should have a protective surface such as wood mulch; Council should send out the health and safety and a structural engineer; falling branches.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

In assessing applications for development within existing residential curtilages, planning policies D1 and H4 of the adopted local plan are particularly relevant. Policy D1 is a general design policy and cites that development will only be permitted where good standards of site planning and design are achieved. In particular, proposals will be required to demonstrate that siting, scale, height, detailing, colour and materials respect and enhance the amenity, character and distinctiveness of both the site and the locality. Policy H4 specifically relates to residential development, including development within residential curtilages, and considers issues such as design, residential amenity and highway safety. As a final point, as the proposal relates to a tree house, the Council's Tree Officer's comments have been sought.

### 5.2 Design

The design of the proposal is considered acceptable. It is rustic in nature, as befits the nature of the proposal. It is of wooden construction and supported by a platform and wooden posts. It is not obtrusive is erected well below the tree canopy which softens its appearance.

### 5.3 Residential Amenity

The proposal is located within a very large rear garden. It is located some 25m from the applicant's property and some 22m from the nearest property of Greenfield House. Due to the limited height of the tree house and its distance from adjacent properties, no material loss of privacy will result from the development. In addition, due to the small nature of the proposal, no material loss of visual amenity will result from the scheme.

### 5.4 Transportation

There are no transportation implications with regard to this application.

### 5.5 Tree Issues

The application has been assessed by the Council's Tree Officer . The tree house is built within the canopy of a mature Apple tree. The tree appears to be in a health condition with no signs of decay or disease. As the tree is in the rear

garden of the property it is not visible from the surrounding area and would not fulfil the criteria for an individual Tree Preservation Order

5.6 The tree house has been constructed within the canopy of the tree but is not reliant on the tree for support as it is built on a self-supporting platform created around the tree. None of the tree house has been fixed to the tree and it should therefore be considered a free-standing structure with a tree growing through it.

5.7 Encouraging children to play in or around trees is considered a positive approach to them learning about the natural world and the value of trees.

5.8 Other Issues

With regard to the health and safety issues raised by a local objector, it is considered that these do not constitute reasonable or material planning grounds having regard to the nature of 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.

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

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

1. The proposal due to its limited size and location is considered to be acceptable in terms of visual and residential amenity. The proposal therefore accords with Planning Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The proposal is a free standing structure and is acceptable in terms of its effect on the tree. As such the proposal is considered to be compliant with Planning Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

## 7. RECOMMENDATION

7.1 Retrospective planning permission be granted.

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

**CIRCULATED SCHEDULE NO. 34/11 – 2 SEPTEMBER 2011**

<b>App No.:</b>	PT11/2403/F	<b>Applicant:</b>	Mr Mark Cosh
<b>Site:</b>	Applegate Bibstone Cromhall Wotton Under Edge South Gloucestershire	<b>Date Reg:</b>	3rd August 2011
<b>Proposal:</b>	Erection of 2 no. detached dwellings with associated works (Resubmission of PT11/1084/F)	<b>Parish:</b>	Cromhall Parish Council
<b>Map Ref:</b>	369842 190937	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th September 2011



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 100023410, 2008. **N.T.S.** **PT11/2403/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule List because an objection has been received from the Parish Council contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of 2no. detached dwellinghouses and associated works.
- 1.2 The application site comprises approximately 0.19 hectares of domestic garden land associated with the dwelling Applegate, which is situated on the eastern side of the B4058. The site is situated within the defined Cromhall settlement boundary; the extent of the site forms the southern boundary of the site.
- 1.3 The host dwelling benefits from a large garden area, which would be subdivided to provide two separate curtilages to the south of the host dwelling and the northwest. A large detached garage to the northwest of the existing dwelling would be removed to facilitate the proposal. The existing and proposed dwellings would use the existing access off Bibstone Road.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Transportation

Ministerial Statement on Previously Developed Land and Density and Revised PPS3 Housing issues 9<sup>th</sup> June 2010

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

D1 Achieving a Good Standard of Design in New Development  
H2 Proposals for New Residential Development within Existing Residential Areas and Boundaries of Settlements  
H4 Residential Development within Existing Residential Curtilages  
L1 Landscape Protection and Enhancement  
L17/L18 The Water Environment  
EP1 Environmental Pollution  
T8 Parking Standards  
T12 Transportation Development Control Policy for New Development

#### South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)

CS1 High Quality Design  
CS5 Location of Development  
CS9 Managing the Environment and Heritage  
CS16 Housing Density  
CS18 Affordable Housing  
CS34 Rural Areas



- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)

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

- 3.1 PT11/1084/F, erection of 2 no. detached dwellings with associated works, withdrawn, 23/05/11.
- 3.2 PT03/0275/F, erection of rear extension to form additional bedroom and en suite facilities, 21/03/03, approval.
- 3.3 P95/1139, erection of one dwelling (outline), approval of outline permission, 12/04/95.
- 3.4 P95/2255, erection of detached dwelling and garage, 31/10/95, approval.
- 3.5 N68, erection of dwelling house for agricultural worker, approval, 12/08/76.

### 4. **CONSULTATION RESPONSES**

- 4.1 Cromhall Parish Council  
Cromhall Parish Council is most concerned at the number of trees that will have to be felled to accommodate the new dwellings. The plans as proposed will necessitate major change in the 'street scene' (viewed from the Leyhill Road) from rural leaf shaded wall hiding domestic grounds to totally exposed walling with yet another wall behind, to the height of a building, of one of the proposed new properties.  
Council does not object to the proposal of new dwellings (which does fall within the village development boundary), but would suggest that if the proposals were reduced in size, the footprint of one could be further away from the boundary wall and allow more trees to remain. Smaller dwellings would also be more in line with what the village, and South Glos. Enabling Officers have identified as needing – properties which younger people can afford.
- 4.2 Transportation DC Officer  
No objection
- 4.3 Drainage Engineer  
No objection
- 4.4 Environmental Officer  
No objection
- 5.5 Tree Officer  
No objection subject to condition

#### **Other Representations**

- 4.3 Local Residents  
No comments received

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The principle of the development is acceptable by virtue of policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006. The main issues to consider are the appearance and form of the dwellings and whether they would integrate acceptably with the character of the area (policies D1 and H2 of the Local Plan), the impact on the residential amenity of neighbouring occupiers (policies H2 and H4 of the Local Plan), the impact on the health and amenity of trees and vegetation (policies L1 and H2 of the Local Plan) and the transportation impacts in terms of highway safety, congestion and parking (policies T12, T8, H2 and H4 of the Local Plan).

5.2 Both dwellings proposed would be two storeys in height and provide 4no. bedrooms and 1no. integral garage each. There is a general mix of architectural styles of dwelling in the area and no defined pattern in terms of siting. To the north, the listed building The Old Smith directly fronts the street, comprises a traditional narrow form and render finish. To the south the properties are set further back from the highway and do not immediately address the streetscene and have a more modern wider form; the properties in Drew's Orchard are large modern three storey properties. The surrounding dwellings generally sit within spacious curtilage plots, however, the modern properties in Drew's Orchard sit relatively tight to the curtilage boundaries. The area is rural in character and the immediate site is characterised by stone boundary walls and mature hedgerows, which extend almost the entire length of the boundaries on either side of Bibstone Road.

### 5.3 Density and Mix

The Parish Council have raised concerns that the proposal would not meet the needs of the local area in terms of providing affordable housing. The site area is stated in the application form as being 0.19 hectares in area, which is close to the 0.2 hectare trigger in rural areas for the requirement to provide affordable housing. Whilst there is still a requirement for development to make the most efficient use of the land, the minimum density targets have been removed in PPS3. The main reason being that development should make the most efficient use of land that is compatible with the site, with particular regard to the impact on the character of the area. The surrounding area is characterised by dwellings that sit within relatively spacious curtilage plots and it is considered that a higher density of dwellings in this instance would likely be considered to be an over development of the site and be detrimental to the character of the area. It is noted that the modern properties in Drew's Orchard are of higher density, however, each application is required to be assessed on its own merits. In this instance, the application site is far more constrained than the Drew's Orchard site by reason of its awkward shape and by the siting of the existing dwelling Applegate. A high density would also likely lead to adverse residential amenity impacts.

The Parish Council's comments with regards to housing mix are noted. The proposal is for two four-bedroom properties within large curtilage plots. Given that the proposal is for two dwellings, there is not a significant scope for providing a mix of dwellings. Providing a housing mix needs to be balanced

against the impact on the character of the area. In this instance providing larger and fewer units of housing would have less of an impact on the character of the area than smaller scale units of higher density. Given the small scale of the proposal and taking into account the character of the surrounding area, the lack of housing mix is acceptable.

### 5.3 Appearance/Form

The Parish Council has objected on the basis of the scale of the dwellings and the loss of trees. In the previously withdrawn application the Officer initially had concerns regarding the size of the footprint of the dwellings proposed, which were significantly larger in size than neighbouring properties. However, amended plans were received, which reduced the footprint of the dwellings to a size that fits more comfortably in the proposed curtilages. The submitted scheme retains the reduced footprint of the dwellings, which although large, is not considered to be adversely out of keeping with the size of the surrounding built form.

The host dwelling has a render and stone finish and this is reflected in the materials proposed. Features of the proposed dwellings such as the steep gabled roof pitches and lean to porch further reflect the character of the host dwelling. The proposed dwelling A is approximately 28 metres from Bibstone Road to the west and approximately 17 metres from the B4058 to the south, therefore, it is considered that it would not be significantly adversely prominent from the surrounding area. The proposed dwelling B is located closer to the B4058, with the northwestern elevation situated within close proximity to the boundary with Bibstone Road. Although this is considered to be acceptable in principle given the ad hoc pattern of the surrounding built form (the dwellings The Old Smithy and Kingscote are situated within close proximity to the street), there are concerns that the end elevation of the dwelling would be adversely prominent from the street given its bulk and massing. Amended plans have been received, which have reduced the ridge and eaves height of the projecting front elevation of the dwelling, which will reduce the impact on the street.

The concerns of the Parish Council are noted, however, the tree survey submitted identifies that only low quality trees will be removed to facilitate the proposal. These trees are not be worthy of retention by a Tree Preservation Order given their poor quality; therefore, it is not considered that their removal will significantly adversely harm the character of the area. If permission is granted, a condition is recommended to ensure that the boundary hedge is supplemented with appropriate native species to provide an adequate level of screening of the proposal and to retain the green aspect of the streetscene in the interests of the visual amenity of the area.

### 5.4 Residential Amenity

The site is relatively constrained due to the location of the neighbouring and host dwellings; the proposal has been designed to reduce the impacts on the existing dwellings. The front elevation of Applegate faces the northern end elevation of the proposed dwelling A, however, no windows are proposed in the northern elevation of dwelling A, which would ensure that no significant adverse inter-visibility issues would be introduced. Views from the first floor windows in Applegate into the garden area of dwelling A would be at an oblique angle and on this basis, given the size of the garden area proposed for dwelling A, it is considered that any overlooking would not be to a degree which would

significantly adversely affect the living conditions of future occupiers. In addition, the proposed dwelling A is orientated so that the northern end elevation is be angled away from the front of Applegate, which would help to reduce the impacts on the occupiers of Applegate in terms of loss of natural light and privacy. Although some of the front facing windows in Applegate face the front of the proposed House A, it is considered that there will be no significant adverse inter-visibility issues due to the oblique siting of House A.

In the previously withdrawn application, an objection was received from the occupiers of Guilderdale to the south of the site on the basis that the first floor windows in the front and side elevations of the proposed dwelling A overlook their property. Amended plans were received which orientated dwelling A so that it was more in line with the position of the dwelling Guilderdale; the amended orientation of dwelling is proposed in this resubmitted scheme. The amended location of the dwelling is such that it does not overhang the rear of the neighbouring dwelling significantly and the first floor windows do not directly face across the front of the property. Any views from the front of dwelling A into the garden of Guilderdale will be oblique and it is considered that this degree of overlooking would not adversely affect the residential amenity of the occupiers.

A distance of approximately 21 metres separates the proposed House B from the neighbouring dwelling Kingscote to the north. As such, and with vegetation along the rear boundary, it is considered that there would be no a significant adverse impacts on the neighbouring dwelling in terms of loss of privacy or natural light.

#### 5.5 Tree Impacts

The Tree Officer has inspected the site and considers that the trees to be removed are not worthy of a Tree Preservation Order. The Tree Officer considers that if the development is carried out in accordance with the recommendations contained in the submitted arboricultural report, there should be no adverse affect on the long-term health of the retained trees. The Officer requires further details regarding the actual methods of construction of the driveway and other works. A condition is recommended to ensure that these details are submitted.

#### 5.6 Transportation

The existing access from the classified B4058 road will be shared by the proposed and existing dwellings. This will lead to the gated entrances of the individual properties. The existing dwellings garage will be removed to facilitate the proposal and a new garage is to be located to the east of the existing property. Integral garages will provide parking for the proposed dwellings and there will also be parking space to the front of the dwellings. The Council's Highway Officer has inspected the proposal and considers that the access, turning and parking provision is acceptable for the scale of the development.

## 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 proposal is sympathetic to the character of the surrounding built form in terms of scale, form, materials, density, massing and siting. The majority of the vegetation along the western boundary of the site is to remain through the development and the removal of low quality trees identified in the tree survey to facilitate the proposal would not have a significant adverse affect on the character or visual amenity of the area – policies D1, L1 and H2 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would not have a significant adverse impact on the residential amenity of the neighbouring properties through loss of natural light or privacy – policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The parking, access and turning provision for the proposed dwellings are considered to be acceptable for the scale of the development – policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

## **7. RECOMMENDATION**

- 7.1 Planning permission is GRANTED subject to the following conditions.

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

### **CONDITIONS**

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

Reason

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

2. Prior to the 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 a satisfactory means of drainage is achieved and to acord with policies L17, L18 and EP1 of the South Gloucestershire Local Plan (adopted) January 2006.

3. 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. (For the avoidance of doubt the submitted plan should demonstrate that the existing vegetation along the western boundary will be supplemented with an appropriate native species to provide adequate screening from the B4058). 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 H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of the development a detailed method statement for the construction of the driveway shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved method statement.

Reason

In the interests of the health of the trees and the visual amenity of the surrounding area to accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

6. The hours of working on site during the period of construction shall be restricted to:

07:30am to 6:00pm Mondays to Fridays

08:00am to 13:00pm Saturdays

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 preserve the residential amenity of the neighbouring occupiers and to accord with policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.