



**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. 18/11

Date to Members: 13/05/11

Member's Deadline: 19/05/11 (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 providing details of

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

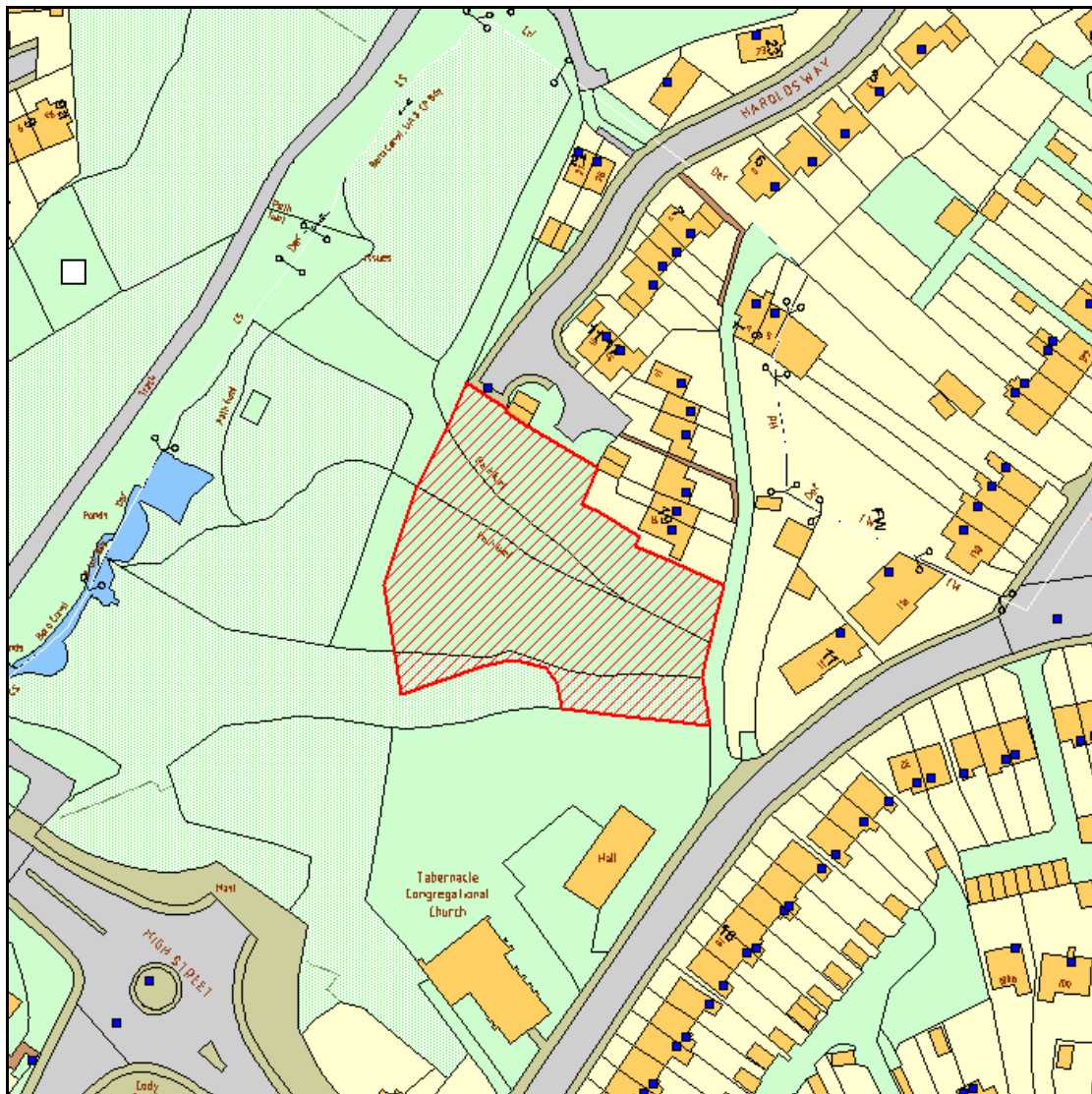
CIRCULATED SCHEDULE – 13 MAY 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/1593/O	Approved - S106 Signed	Land Off Harolds Way Kingswood South Gloucestershire BS15 8HW	Hanham	Hanham Parish Council
2	PK11/0286/F	Approve with Conditions	Briarlands Activity Site Wick Lane Upton Cheyney South Gloucestershire BS30 6NW	Bitton	Bitton Parish Council
3	PK11/0415/F	Approve with Conditions	Land At Redford Lane Pucklechurch South Gloucestershire BS16 9NS	Boyd Valley	Wick And Abson Parish Council
4	PK11/0653/F	Refusal	45 Cock Road Kingswood South Gloucestershire BS15 9SQ	Woodstock	None
5	PK11/0793/EXT	Approve with Conditions	Stanbridge Manor 23 Stanbridge Road Downend South Gloucestershire BS16 6AW	Rodway	None
6	PK11/0858/F	Approve with Conditions	Harvest Barn 5 Farlands Pucklechurch South Gloucestershire BS16 9PD	Boyd Valley	Pucklechurch Parish Council
7	PK11/0938/F	Approve with Conditions	25 Bye Mead Emersons Green South Gloucestershire BS16 7DL	Emersons	Mangotsfield Rural Parish Council
8	PK11/0939/F	Approve with Conditions	9 Graham Road Downend South Gloucestershire BS16 6AN	Rodway	None
9	PK11/1033/F	Approve with Conditions	142 Sundridge Park Yate South Gloucestershire BS37 4DX	Yate Central	Yate Town
10	PK11/1066/R3F	Deemed Consent	North Road Primary School North Road Yate South Gloucestershire BS37 7LQ	Ladden Brook	Iron Acton Parish Council
11	PK11/1075/F	Approve with Conditions	11 Stratton Place Longwell Green South Gloucestershire BS30 9AU	Longwell Green	Hanham Abbots Parish Council
12	PK11/1078/F	Approve with Conditions	165 Long Croft Yate South Gloucestershire BS37 7YU	Yate North	Yate Town
13	PK11/1079/F	Approve with Conditions	9 Fawkes Close Kingswood South Gloucestershire BS15 4LR	Siston	Siston Parish Council
14	PK11/1105/CLP	Approve with Conditions	5 Forest Edge Hanham South Gloucestershire BS15 3PP	Hanham	Hanham Abbots Parish Council
15	PT11/0764/VAR	Approve	Beechmount Duck Street Tytherington Wotton Under Edge South Gloucestershire GL12 8QB	Ladden Brook	Tytherington Parish Council
16	PT11/0779/F	Approve with Conditions	35 Touchstone Avenue Stoke Gifford South Gloucestershire BS34 8XQ	Stoke Gifford	Stoke Gifford Parish Council
17	PT11/0799/F	Approve with Conditions	Eason Court 28 Kestrel Close Patchway South Gloucestershire BS34 5RX	Patchway	Patchway Town Council
18	PT11/0831/R3F	Deemed Consent	Frampton Cotterell C Of E Vc Primary School Rectory Road Frampton Cotterell South Gloucestershire BS36 2BT	Frampton Cotterell	Frampton Cotterell Parish
19	PT11/0847/ADV	Split decision See D/N	Unit 3 Retail Warehouse Abbeywood Park Emma-Chris Way Filton South Gloucestershire BS34 7JU	Filton	Filton Town Council

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
20	PT11/0963/CLP	Approve with Conditions	81 Gloucester Road Thornbury South Gloucestershire BS35 1JH	Thornbury North	Thornbury Town Council
21	PT11/0966/F	Approve with Conditions	74 Old Gloucester Road Frenchay South Gloucestershire BS16 1QW	Frenchay And Stoke Park	Winterbourne Parish Council
22	PT11/0969/F	Approve with Conditions	Yew Tree House 142 Park Lane Frampton Cotterell South Gloucestershire BS36 2ER	Frampton Cotterell	Frampton Cotterell Parish
23	PT11/0986/F	Approve with Conditions	8 Clare Walk Thornbury South Gloucestershire BS35 1EN	Thornbury North	Thornbury Town Council
24	PT11/0998/F	Approve with Conditions	Zion United Church Upper Chapel Lane Frampton Cotterell South Gloucestershire	Frampton Cotterell	Frampton Cotterell Parish
25	PT11/1003/RVC	Approve with Conditions	Springfield 1 Townsend Almondsbury South Gloucestershire BS32 4EN	Almondsbury	Almondsbury Parish Council
26	PT11/1041/F	Approve with Conditions	43 Star Barn Road Winterbourne South Gloucestershire BS36 1NU	Winterbourne	Winterbourne Parish Council
27	PT11/1051/F	Approve with Conditions	86 Bakers Ground Stoke Gifford South Gloucestershire BS34 8GF	Stoke Gifford	Stoke Gifford Parish Council
28	PT11/1064/F	Approve with Conditions	76 Lower Chapel Lane Frampton Cotterell South Gloucestershire BS36 2RH	Frampton Cotterell	Frampton Cotterell Parish
29	PT11/1113/F	Approve with Conditions	10 Hawthorn Way Stoke Gifford South Gloucestershire BS34 8UP	Stoke Gifford	Stoke Gifford Parish Council
30	PT11/1192/F	Approve with Conditions	29 Charles Close Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK10/1593/O	Applicant:	Mr D Sutlow
Site:	Land Off Harolds Way Kingswood Bristol South Gloucestershire BS15 8HW	Date Reg:	29th June 2010
Proposal:	Erection of 12 no. dwellings (Outline) with access to be determined. All other matters reserved.	Parish:	Hanham Parish Council
Map Ref:	364134 172754	Ward:	Hanham
Application Category:	Major	Target Date:	24th September 2010



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100023410, 2008.

N.T.S.

PK10/1593/O

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of 26 letters of objection from local residents.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for the erection of twelve dwellings. The twelve dwellings will take the form of 4 no. 1 bed flats, 2 no 3 bed terrace houses, 2 no. 2 bed terrace houses and 4 no. 4 bed detached houses. Access is to be determined with all other matters being reserved. The scale parameters in the form of indicative elevation show that all of the buildings would be two storey in height with the ridge heights ranging from 7.5 to 8.3 metres in height.
- 1.2 The application site which forms part of a former nursery , is an unkempt and overgrown area of mature shrubs, self-seeded trees, brambles and tall grass crossed by a network of informal paths. The site lies on the eastern bank of Magpie Bottom which forms a narrow linear area of open space separating the densely developed areas of Hanham and East Bristol. The proposed houses would occupy the eastern part of the site, on the fairly gently sloping ground on the top of the valley side. The proposed new dwellings would be grouped around the extended head of Harolds Way (a cul-de-sac off Tabernacle Road). The East of the site is bound by a private track that runs along the rear gardens of the properties fronting onto Harolds Way.
- 1.3 There is a complicated history to the site that is set out in more detail in section 3 below. Of most importance is the latest application on the site reference PK08/1688/O that appeared before the full planning committee in summer 2008. At the committee meeting, members resolved to grant planning permission subject to the signing of a S106 agreement. As the S106 agreement was never signed, this application was written up with a recommendation for refusal due to the lack of a S106 agreement to secure contributions towards public open space and other community services requirements. Other than the S106 refusal reason, the scheme was considered acceptable by both officers and members in all other respects. The decision of the Council to refuse the application was tested at appeal and the appeal was dismissed. The appeal decision did however conclude that the monitoring costs as requested by the Council were not reasonable.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS9	Biodiversity and Geological Conservation
PPG13	Transportation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design

- L1 Landscape Protection and Enhancement
- L5 Open Areas within the existing urban area
- L8 Sites of regional and local nature conservation interest
- L9 Species Protection
- L17/L18 The Water Environment
- EP2 Flood Risk
- T7 Cycle Parking
- T8 Parking Standards
- T12 Transportation Development Control
- EP1 Environmental Pollution
- H2 Residential Development in the Urban Area
- LC1 Provision for built sports, leisure and community facilities (site allocations and developer contributions)
- LC2 Provision of Education Facilities (Site Allocations and Developer Contributions)
- LC8 Open Space and children's play in conjunction with new residential development.

2.3 Supplementary Planning Guidance
South Gloucestershire Adopted Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/1688/O Erection of 12 no. dwellings (outline) with means of access to be determined. All other matters reserved.

Application PK08/1688/O initially appeared before the full DC East Planning Committee in summer 2008 with an officer recommendation for approval subject to the signing of the S106 agreement. The proposal was discussed by members who raised no objections and recommended approval of the erection of 12 dwellings on the site subject to the signing of a S106 agreement. Unfortunately, the S106 agreement was never signed and therefore the application was finally refused by the Council for the following reason, *'In the absence of a S106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under provision of open space and other community services requirements, the proposal would be contrary to Policy LC1 and LC8 of the South Gloucestershire Local Plan (Adopted).'*¹ This decision was appeal and the appeal was dismissed as discussed in section 1.3 above.

It is important to clarify that the principle of erecting 12 dwellings on the site therefore has already been supported by officers and members in the recent past and this is a significant material consideration in the determination of this current application.

- 3.2 PK00/0684/F and PK00/0688/F were duplicate applications that were refused for the following reasons:
- *'The development would be on a Greenfield site and would thus be contrary to guidance in PPG3 and Policy H2 (A) of the South Gloucestershire Local Plan (As approved for deposit)*

- *The proposal, by reason of the proximity of built-development to the adjacent badger sett would fail to protect the welfare of badgers. The proposal would also be contrary to the Protection of Badgers Act 1992, Policy C4B of the approved Avon County Structure Plan and Policy L10 of the South Gloucestershire Local Plan (as approved for deposit).*
- *The proposed design and layout fails to have regard to the character of the area in terms of the local pattern of streets and spaces and design of dwellings. It would also be contrary to PPG3, Policy D1 of the South Gloucestershire Local Plan (as approved for deposit) and Policy KLP67 of the Kingswood Local Plan.'*

An appeal was subsequently submitted and was dismissed with the inspector only accepting refusal reason one as listed above.

- 3.3 P97/4249 Residential development (outline)
Refused
- 3.4 P85/4676 Residential Development
Approved
- 3.5 P76/4227 Outline application for Residential Development
Refused

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
Of the opinion that insufficient information is submitted.
- 4.2 Councils Landscape Architect
The development of the site will not compromise a significant open area in the context of Policy L5.
- 4.3 Councils Enabling Team
No affordable housing contributions requested
- 4.4 Councils Children and Young People Department
Require a contribution towards additional school provision
- 4.5 Councils Drainage Engineer
No Objection
- 4.6 Councils Ecologist
No objection subject to the attachment of conditions
- 4.7 Councils Community Services Department
Requires contributions towards public open space and libraries

Other Representations

- 4.8 Local Residents
26 letters of objection have been received. A summary of the main points of concern raised has been summarised below:

- Increased traffic flows and the traffic report being misleading
- This application is not for a C2 use and so traffic flows should not be compared to a C2 use
- Front doors and windows on the existing dwellings on Harolds way are only feet from the highway and an increase in traffic flows will be intolerable
- The junction into Harolds Way from Magpie Bottom Lane is narrow and extreme care must be exercised when using it.
- The area of open space provides a natural boundary between Bristol and South Gloucestershire – the development would lead to ‘Bristol creep’
- Schools are already heavily subscribed
- Access and safety issues
- Harolds Way and Magpie Bottom cannot cope with the increased volume of traffic
- Loss of land/open space
- Children won’t be able to play in the cul-de-sac – generally more dangerous for children living in the cul-de-sac
- On street parking is already a serious cause for concern
- Other brown field sites are available with better access
- Increased noise
- Impact on Magpie Bottom Nature Reserve
- Local wildlife will be disrupted – notably badgers, foxes, bats and field mice
- Direct overlooking of neighbouring properties
- Drainage concerns
- Loss of recreational land
- Too many houses are proposed
- Insufficient parking provision being provided
- Possible previous mining activity on the site
- The existing turning head would be lost
- Will affect access from the cul-de-sac to the High Street
- Disturbance during construction phase

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application proposes the erection of 12 no. dwellings in a mix of house types. Outline consent considering the means of access (with other matters reserved) is sought. The application site lies within the established urban area.

- 5.2 The most recent application on this site (reference PK08/1688/O) was refused and the refusal upheld by an inspector for one single reason – that is the lack of a S106 agreement to secure contributions towards community services. The 2008 application was for the same number of dwellings, in the same arrangement as the current proposal and using the same access. No objection was raised by the Council, members of the full DC East Planning Committee or the inspector to any aspect of the 2008 application - other than the lack of a S106 agreement. When considering this current planning application this is a

material consideration that must be taken into consideration. The 2008 application followed from two applications in 2000 as explained in section 3 of this report.

- 5.3 As the site lies within the established urban area, policy H2 of the South Gloucestershire Local Plan must be taken into consideration. Policy H2 allows for such residential development providing the development would not have unacceptable environmental or transportation effects; would not prejudice residential amenity; would achieve the maximum density compatible with its location; is not subject to unacceptable levels of noise or other disturbance; and would make provision for education, leisure, recreation and other community facilities.
- 5.4 Trees/Landscape
Policy L1 of the Adopted Local Plan indicates that new development will only be permitted where the landscape features and attributes of the area are retained and the amenity of the landscape is conserved.
- 5.5 The site is located within the existing urban area and is presently a mix of relatively open areas generally covered with Bramble with emergent woodland and scrub areas on the steeper slopes outside the application area. The site connects directly to the Magpie Bottom POS.
- 5.6 The site is located on a gently sloping area of land above Magpie Bottom POS. The steep slopes that lead down to Magpie Bottom begin immediately on the north western edge of the proposed development site. These slopes are largely covered by emergent woodland and scrub and this vegetation effectively screens most of the site from Magpie Bottom apart from a small section behind the pond in Magpie Bottom from where it may be possible to glimpse any development. The proposed development will be visible from the north and east but will appear as part of the established pattern of residential development.
- 5.7 The site meets the criteria for being considered as a significant open area within the existing urban area in the context of Policy L5 of the adopted local plan being a characteristic feature of the locality. However, it is considered the significance of the space lies in its direct link with the valley of Magpie Bottom and the valley slopes themselves. It is therefore considered loss of the flat, upper part of the site will not compromise the integrity of the open area. It is also important to note that the principle of the development of the site has been accepted by the Council and by the Planning Inspectorate in the previous 2008 application.
- 5.8 It is considered there is no landscape objection to the access in term of Policies D1 and L1 of the adopted local plan and there is no 'in principle' landscape objection to residential development on the site. It is further considered development of the site will not compromise a significant open area in the context of Policy L5. In event of consent being granted a full landscape scheme will be required under the reserved matters.

5.9 Design/Layout/Scale

This application reserves detailed consideration of the appearance, landscaping, layout and scale of the development however scale parameters have been submitted and an indicative layout is shown.

5.10 Policy D1 of the South Gloucestershire Local Plan (Adopted) indicates that development will only be permitted where good standards of site planning and design are achieved. It is required that siting, layout, density, form, scale, height, massing, detailing, colour and materials are informed by and respect and enhance the character, distinctiveness of both the site and the locality. The detailed design will be considered at the Reserved Matters stage.

5.11 As was the case in 2008, it is still considered that the indicative layout forms a natural extension to the existing development. It is considered that the 12 proposed units forms a similar layout to that deemed acceptable by the previous planning inspector in 2000.

5.12 With respect to the scale of the houses, an indicative plan indicates that the units will be two storeys in height and vary between 7.5 to 8.3 metres to ridge. It is considered that this is entirely compatible with the neighbouring properties and a condition will be attached to any consent granted to secure these parameters for future application.

5.13 Residential Amenity

Concern has been raised that the proposed development would result in loss of residential amenity for neighbouring occupiers due to impact on privacy. As was the case with the 2008 application, whilst the position of windows would be submitted with the design details at a later stage, on the basis of the indicative layout, it is not considered that the development would result in any significant loss of privacy. Given the orientation of the proposed buildings and the distance from the existing dwellings on Harolds Way (as shown on the indicative layout) no significant issues of loss of privacy, overbearing or overshadowing will arise as a result of the development. To re-iterate however, this issue would be looked and addressed in full at reserved matters stage.

5.14 Drainage and Mining

It is noted that concerns have been raised regarding the suitability of drainage in the area and the fact that the site may have been used for mining purposes in the past. The Council's drainage engineer raised no objection to the proposal subject to the attachment of a condition requiring the use of best drainage practices. Regarding the issue of mining, the principle of developing the site has been agreed in the past both by the Council and by the planning inspectorate. Whilst it is indeed true that the site may have been used for mining in the past, an informative will be attached to the decision notice to remind the developer of this possible risk.

5.15 Ecology

The application site largely comprises a mixture of dense bramble, scrub and immature hazel and buddleia off Harold's Way to the north of the Tabernacle Congregation Church and adjoining and contiguous with Magpie Bottom, an

area of public open space near Hanham. It is noted that impact on wildlife is one of the concerns raised in many of the letters of objection. The site is not covered by any statutory or non-statutory nature conservation designations. The application includes an ecological appraisal of the site (walkover survey) carried out by Hyder on 15th April 2010.

5.16 The site primarily consists of dense bramble scrub, with patches of ruderal vegetation, grassland, a small area of broadleaf woodland and an outgrown hedge containing some dead wood. A pile of debris (tyres and bricks) was also recorded, as well as several open areas in the scrub suitable for basking reptiles. The proposed development will result in a loss of the vast majority of the bramble scrub constituting a significant percentage of the scrub within the overall area of vegetated open space at Magpie Bottom. It will also entail the loss of the former hedgerow, as well as part of the area of broadleaf woodland.

5.17 Paragraphs 98 and 99 of ODPM Circular 06 05 on Biodiversity & Geological Conservation states that:-

'The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Local authorities should consult English Nature before granting planning permission. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species' protection provisions affecting the site concerned. For European protected species (i.e. those species protected under the Habitats Regulations) further strict provisions apply, as explained below, to which planning authorities must have regard.

It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted. In appropriate circumstances the permission may also impose a condition preventing the development from proceeding without the prior acquisition of a licence under the procedure set out in section C below'.

5.18 Breeding Birds. The ecological survey omitted to include a specific survey for nesting birds, even though carried out at a suitable time of the year. A variety of local nesting/breeding birds will be associated with the scrub/trees of the

application site. Bullfinch and song thrush are both species listed on the UK and South Gloucestershire Biodiversity Action Plans, as well as being listed by the Government as a species of principal importance for biological diversity under Section 74 of the CROW Act 2000.

Some species of birds likely be associated with the scrub/woodland habitat on site are also included on the RSPB's Red and Amber Lists of Species of Conservation Concern. The applicant needs to provide a survey of the site for nesting/breeding birds and this be secured via the attachment of a condition.

- 5.19 Slowworms. Whilst no specific survey was carried out, the ecological appraisal identified that some areas of habitat were suitable for slowworms (reptiles). Slowworms are protected against intentional killing or injury under the Wildlife and Countryside Act, 1981 (as amended). It is also included on the South Gloucestershire Biodiversity Action Plan (SGBAP) as a species which the Council will require measures to be taken to safeguard and enhance populations.

As indicated within the appraisal, the application needs to include a survey of the site for slowworms. If present, a mitigation strategy to safeguard the colony will need to be drawn up and agreed with the Council to prevent development impacting upon the species. This will be secured through the attachment of a condition.

- 5.20 Badgers. Two active setts - a subsidiary and an outlier – were recorded during the ecological appraisal and the objectors have also noted these. The subsidiary is located outside of the development footprint and will be unaffected by the application, although the appraisal correctly identifies that any work within 50m of any entrance hole could potentially cause disturbance. Conversely, the outlying sett lies within the application site and will require closing by licence under the provisions of the Protection of Badgers Act 1992.

A badger mitigation strategy should therefore be drawn up and agreed with the Council prior to development commencing (if approved) to protect the social group associated with the site and this will be secured via the attachment of a condition.

- 5.21 The site abuts domestic properties and includes habitat suitable for use by hedgehogs. Hedgehog is listed as a Priority Species nationally on the UK Biodiversity Action Plan and also included on the South Gloucestershire Biodiversity Action Plan. The ecological survey omitted to include a specific survey for hedgehogs.

The application needs to provide a survey of the site for hedgehogs and, if present, include a mitigation strategy to prevent development impacting upon the species and this will be secured via the attachment of a condition.

- 5.22 Whilst the above surveys should really be presented as part of an application in accordance with ODPM 06/05 and PPS9, material to the consideration of this application is the previous application to develop the site housing was granted

(PK08/1688/O) subject to Appeal relating to Section 106 contribution. As the principal of development has been established - and a substantial block of semi-natural habitat will be retained adjoining the application site, subject to the attachment of conditions, there are no ecological reasons to prevent approval of the application.

5.23 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the impact of development upon the surrounding highway network in terms of highway safety.

5.24 The proposal is the resubmission of application PK08/1688/O which was itself a resubmission of PK00/0688/F. Back with the initial application in 2000, despite Council concerns, the planning inspector considered that the proposal was acceptable in transportation terms. It is accepted that the 2000 application was only for 8 houses but the current application is for 12 units. However, the 2008 application was also for 12 units and no highway objection was raised to this 2008 application – this is a significant material consideration.

5.25 Vehicular access to the site will be off Harolds Way – an un-classified residential cul-de-sac. There is a footway on both sides of the road and all residents have the benefit of off-street parking. It is considered that the proposed development can easily be accommodated off of Harolds Way. Since the initial proposal in 2000, improvements have been made to the junction of Tabernacle Road with the High Street. In light of the previous planning history on the site, there is no transportation objection to this proposal.

5.26 Footpaths

Concern has been raised by local residents regarding the impact of the proposed development on the informal footpaths that cross the site and these concerns are noted.

5.27 It is important to note that the existing routes that run across the site itself are informal and no Public Rights of Way. On an very informal basis, the opportunity exists for similar un-adopted footpaths to be created by users accessing Magpie Bottom in a similar way to those that exist at present. This however is not for consideration as part of the application.

5.28 Community Services Contributions

Contributions towards Public Open space provision and maintenance was key to the 2008 application appeal decision. During the course of this current application, the Councils community services department have put forward their request for community services facilities and these have been discussed in length with the applicant. In line with the previous inspectors decision, no informal open space is being requested and maintenance commuted sums are requested for 5 years in line with Inspector's decision letter for APP/P0119/A/09/2112347 dated 14th December 2009.

5.29 A total of £20,511.42 is requested toward the provision and maintenance of public open space and this can be broken down as follows:

- £11,210.90 for the provision and maintenance of formal sports provision

- £8,057.06 for the provision and maintenance of equipped play
- £1,243.46 for the provision and maintenance of unequipped play

5.30 In addition, a sum of £2,304.00 is requested as a contribution towards the local library services to mitigate against the impact of the proposed development.

5.31 These total sums of money towards community facilities have been discussed with, and agreed by the applicant.

5.32 Education Contributions

At primary level there is a projected deficit of places in the local area. The proposed development of 4 flats and 8 houses will generate three additional primary school pupils based on the pupil number calculator. A contribution of £32,241 is required for additional primary provision.

There is a projected surplus of places at secondary schools in the local area. No contribution is required for additional secondary provision. The total contribution required for additional school provision is £32,241.

5.33 Whilst no education contributions were requested in 2008, due to the changing circumstances of the area and the deficit of primary school places, it is now necessary and reasonable to make such a request. These total sums of money towards education have been discussed with, and agreed by the applicant.

5.34 Section 106 Requirements

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

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.

(i) The scheme demonstrates a high quality of design, layout and density appropriate for, and informed by, its location. The application therefore satisfies the requirements of Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted)

(ii) The site meets the criteria for being considered as a significant open area within the existing urban area in the context of Policy L5 of the adopted local plan being a characteristic feature of the locality. However, it is considered the significance of the space lies in its direct link with the valley of Magpie Bottom and the valley slopes themselves. It is therefore considered loss of the flat,

upper part of the site will not compromise the integrity of the open area. The application therefore complies with the requirements of Policies D1, L5, H2, and LC8 of the South Gloucestershire Local Plan (Adopted) and Policy CS24 of the South Gloucestershire Core Strategy – Submission Draft December 2010

(iii) Adequate provision is being made to ensure that the extra impact on the library facilities is being mitigated against in accordance with the requirements of Policy LC1 of the South Gloucestershire Local Plan (Adopted)

(iv) Impact on levels of residential for both the existing neighbouring dwellings and for the future new residents (based upon the indicative elevations) has been assessed as is deemed to be acceptable. Full details will be considered at reserved matters stage. The application therefore complies with the requirements of Policies D1, H2 and LC4 of the South Gloucestershire Local Plan (Adopted).

(v) In accordance with the requirements of Policy L9, and subject to the attachment of conditions, the development will not have any adverse impact upon protected species.

(vi) The proposed access to the site is considered safe and complies with previous appeal decisions. The application therefore complies with the requirements of Policies D1, T7, T8, T12, H2 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006

(vii) Adequate provision is being made to ensure that the extra impact on the education service is being mitigated against in accordance with the requirements of Policy LC2 of the South Gloucestershire Local Plan (Adopted)

(viii) Adequate provision is being made to ensure that the extra impact on the public open space is being mitigated against in accordance with the requirements of Policy LC1 of the South Gloucestershire Local Plan (Adopted)

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

7. RECOMMENDATION

7.1 That authority be delegated to the Director of Planning, Transportation and the Strategic Environment to grant permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

i – The payment of £32,241 as a contribution towards additional primary education provision.

ii – The provision of £2,304.00 as a contribution towards the library service

iii – The provision of £20,511.42 toward the provision and maintenance of public open space and this can be broken down as follows:

- £11,210.90 for the provision and maintenance of formal sports provision
- £8,057.06 for the provision and maintenance of equipped play
- £1,243.46 for the provision and maintenance of unequipped play

The reasons for the agreement are:

i – To mitigate against the impact of the development and in order to comply with the requirements of Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006

ii – To mitigate against the impact of the development and in order to comply with the requirements of Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006

iii – To mitigate against the impact on the development and in order to comply with the requirements of Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006

7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

7.3 Should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Planning, Transport and Strategic Environment to refuse the application.

Contact Officer: Marie Bath
Tel. No. 01454 864769

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

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

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

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

5. Application for the approval of the reserved matters shall be in accordance with the scale parameters as shown on plan HW/10/03 received by the Council on 25th June 2010.

Reason

To ensure that the proposed development remain of an appropriate scale in keeping with the character of the surrounding area in accordance with the requirements of Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted).

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 policies L17 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason

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

8. Prior to the commencement of development, a badger mitigation strategy must be drawn up and submitted to the Council for written agreement. If acceptable, the Council will give written approval to the strategy. All development shall be carried out exactly in accordance with the agreed mitigation strategy. For the avoidance of doubt, the strategy shall include details of all work subject to licensing under the provisions of the Protection of Badgers Act 1992.

Reason

To comply with the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006

9. Prior to the commencement of development, the site shall be surveyed for hedgehogs and evidence of the survey submitted to the Council for written approval. If hedgehogs

are present, a mitigation strategy will need to be drawn up and submitted to the Council. If acceptable, the Council will give written agreement to the strategy. All works must take place exactly in accordance with the strategy so agreed.

Reason

To comply with the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006

10. Prior to the commencement of development, the site shall be surveyed for slowworms and evidence of the survey submitted to the Council for written approval. If slowworms are present, a mitigation strategy will need to be drawn up and submitted to the Council. If acceptable, the Council will give written agreement to the strategy. All works must take place exactly in accordance with the strategy so agreed.

Reason

To comply with the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006

11. Prior to the commencement of development, the site shall be surveyed for breeding birds (noting any species listed on the UK or South Gloucestershire Biodiversity Action Plans, any species of principal importance for biological diversity under Section 74 of the CROW Act 2000 and any species included on the RSPB's Red and Amber Lists of Species of Conservation Concern) and evidence of the survey submitted to the Council for written approval. If breeding birds are present, a mitigation strategy will need to be drawn up and submitted to the Council to ensure that there is sufficient habitat adjoining the application site to support the species in question. If acceptable, the Council will give written agreement to the strategy. All works must take place exactly in accordance with the strategy so agreed.

Reason

To comply with the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006

12. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.30 Monday to Friday; 08.00 to 13.00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to neighbouring properties during the construction period and to comply with the requirements of Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/0286/F	Applicant:	Girl Guiding Bristol And South Gloucestershire
Site:	Briarlands Activity Site Wick Lane Upton Cheyney Bristol South Gloucestershire	Date Reg:	11th February 2011
Proposal:	Erection of single storey extension to existing camping facility building to form dormitory.	Parish:	Bitton Parish Council
Map Ref:	369849 170847	Ward:	Bitton
Application Category:	Minor	Target Date:	6th April 2011



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100023410, 2008.

N.T.S.

PK11/0286/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of 7 letters of objection from local residents.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the extension of the existing facility block serving the Girl Guide camp in the open countryside and the Green Belt. The only building at present on this site is a single storey chalet-type building of weatherboarding and render, under a tiled roof – this is the building to be extended through this application. The overall site is enclosed from the road by a tall stonewall and gates of a similar height and consists of a rectangular field with mature hedgerow boundaries. Beyond those are open fields.
- 1.2 The proposal includes three separate sections. The largest extension is to the west of the existing building and will form a new bedroom block. Two much smaller extensions are then proposed on the front elevation of the existing building – one to form two small staff bedrooms and one to create a canopy over the main entrance door.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belt

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
GB1 Development in the Green Belt
L1 Landscape
L2 Cotswolds AONB
LC5 Outdoor recreation facilities
EP1 Environmental Pollution
T12 Highway safety

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 High Quality Design
CS2 Green Infrastructure

2.3 Supplementary Planning Guidance

Development in the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 PK11/0288/F Erection of detached single storey building to provide toilet facilities.
Approved March 2011

- 3.2 PK08/0196/F Erection of two wet weather shelters
Approved February 2008
- 3.3 P96/4383 Erection of facilities building in connection with outdoor activity site for Guides
Approved September 1996

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
The Parish councillors support the application.

Other Consultees [including internal consultees of the Council]

- 4.2 Technical Services
Object to the application on the following grounds:
Drainage details are required to demonstrate that the risks of flooding and pollution have been eliminated. No public foul sewers are readily available. A septic tank with an approved method of irrigation for the overflow effluent will be required. A full planning or reserved matters application requiring the use of a new septic tank must be accompanied by a report confirming proof of compliance with all the factors listed in paragraph 6 of DETR Circular 03/99. Consult the Environment Agency for the need to obtain a 'Discharge Consent'. Building Regulation approval must also be obtained.

- 4.3 Environmental Protection
No Objection

Other Representations

- 4.4 Local Residents
7 letters of objection have been received from local residents. A summary of the main points of concern raised is as follows:
- Questions over whether the present use of the site contravenes the planning consent already given
 - The site is regularly being used for outside functions that generate loud noise throughout the summer
 - No objection to an extension for use by the guides but object if it is to be used for any other purposes
 - Believe that the accommodation at present is adequate for the guides camping needs
 - The area is served by narrow single track lane and as such is not suitable for fast moving traffic heading for an evenings musical entertainment
 - The site is on a conservation area and in an area of outstanding natural beauty
 - Protected species need to be protected from loud noise
 - The site will no longer be used exclusively for the guide movement
 - Should not be allowed to rent out their premises or use it for commercial purposes

- It would make the building considerably bigger and far easier seen from the lane
- Increase in vehicular traffic
- Questions over the possible imposition of a noise condition

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The application site lies in the Green Belt and so the requirements of PPG2 and Policy GB1 of the South Gloucestershire Local Plan need to be given due weight and attention. Policy T12 seeks to ensure that levels of highway safety are maintained. Other policies relating to design and the impact of the proposal on the natural beauty of the Cotswolds Area of Outstanding Natural Beauty must also be taken into consideration. Finally, policy LC5 of the adopted local plan advises of the criteria that need to be addressed when considering applications for the expansion of recreation facilities in the open countryside.

5.2 Brief History

Before this application can be discussed in details, and in order to address some of the concerns raised by the neighbours, it is first necessary to explain the background and history to the site as mentioned briefly in section 3.

5.3 Planning permission was initially granted for the use of the site by the guides along with the erection of the existing building in 1996 under application number P96/4383. This approval was subject to 9 conditions relating primarily to the provision of landscaping and parking. It is important to note that none of the conditions restricted the use of the site or the building to the guide movement only. Therefore, in accordance with the current planning approval covering the site, there are no conditions restricting the use of the site purely to the guide movements and no restrictions on the 'hiring out' of the venue. Similarly there are also no current hours/days of operation or noise restrictions covering the site. Your officer is happy that the current use of the site operates in accordance with the existing planning approval.

5.4 Green Belt

In accordance with PPG2 and Policy GB1 of the Adopted South Gloucestershire Local Plan, there are five types of development that may be acceptable in the green belt. One of these five limited categories of development that may be acceptable includes, 'Essential facilities for outdoor sport and recreation and for other uses which preserve the openness of the green belt and which do not conflict with the purposes of including land in it.' When considering the impact of the proposal on the Green Belt it is therefore necessary to consider two separate issues – whether the extension is essential and whether the extension will have a detrimental impact on the openness of the green belt.

- 5.5 Whether the works are 'essential'
The site is currently used by the Girl Guides for outdoor activities, (principally camping) and this is considered to be a recreational use. In terms of the use of the land, this is considered to fall within the limited categories of use which are appropriate in the Green Belt and as long as the proposed building is for essential purposes.
- 5.6 The site operates successfully at present without the proposed extension. However, in order to ensure that the site is accessible to all, to meet current health and safety standards, it is necessary to extend the building. At present, there are no indoor sleeping facilities. This prevents use of the site by junior brownie members below the age of ten, disabled members, or those who find camping in a standard tent difficult. The proposed extensions will allow for the creation of three bedrooms for use by the brownies and guides and two staff bedrooms. This will allow the site to be used by young members and those with mobility issues. The extensions are essential to meet these identified needs.
- 5.7 It is therefore considered that on balance, in order to ensure that the site is accessible and useable by all, the extensions are essential to allow for the continued recreational use of the site.
- 5.8 Size of building and effect on the openness of the Green Belt
The most important attribute of the Green Belt is stated in PPG2 as its openness. It is therefore necessary to consider the impact of the proposed building on the openness of the green belt and whether it contradicts with the purpose of including land within the green belt.
- 5.9 Care and attention has been paid to the size and location of the proposed extension to ensure that the openness of the green belt is maintained. The site as whole is on a gradient with the lowest part of the site being adjacent to the access point. The proposed extension is to be located on the lowest point of the site where it will have least impact on longer views too and from the site. The main ridge height of the extension is to match that of the existing building with the front gables standing just 20cm higher. The extension has been designed to be very low key being entirely single storey in character to further reduce its impact on the openness of the green belt.
- 5.10 Whilst the extension will be clearly visible through the vehicular access gates from the public highway, the site is well screen by tall existing vegetation on all other boundaries. Other than the brief glimpse as road users pass the access gates, the extension will be very well screened from view from all other directions. It is not therefore considered that the proposed extension would have any significant or detrimental impact on the openness of the green belt sufficient to warrant the refusal of the application.
- 5.11 Design and visual amenity
As mentioned in paragraph 5.9 above, care and attention has been paid to the design of the building to ensure that the building respects the open character of the area and integrates successfully into the site. The materials to be used in

- the construction of the new building are indicated to match those of the existing building and this is considered to be an appropriate design approach, according with policy D1 and not harming the visual amenity of the Green Belt, according with policy GB1 of the adopted Local Plan.
- 5.12 The site also lies in the Cotswolds Area of Outstanding Natural Beauty where development will be expected to conserve and enhance the natural beauty of the landscape. Because of the attention to design, the extension will have a very minimal impact on the natural beauty of the landscape. The existing vegetation surrounding the site will significantly screen the extension from view and will conserve the natural beauty of the AONB. The application therefore complies with the requirements of Policy L2 of the South Gloucestershire Local Plan (Adopted).
- 5.14 Residential Amenity
Due to the distances between the proposed extension and the nearest neighbouring dwelling, it will not result in any issues of overbearing, overshadowing or overlooking.
- 5.15 It is noted however that a number of local residents are concerned about noise escaping from the site. A number of comments have been made that it appears that the site is hired out for use by those other than the girl guides and that noise can be heard in the surrounding area disturbing existing levels of residential amenity. It is important to note that as explained in section 5.3 above, there are no current restrictions on the site. The site is not limited for use by the guides, there are no noise restrictions and no restrictions on the times the site may be used.
- 5.16 In order to help to alleviate the concerns raised by the neighbours, as a gesture of good will, the applicants have agreed to a condition that will actually restrict the use over and above the current restrictions. The agreed wording of the condition reads as follows:
'No tannoy or amplified music systems may be operated at the site outside the hours of 9am to 9pm on more than 10 days in any one calendar year. A detailed record of the times when amplified music or tannoy systems were used outside of these hours must be kept and this record shall be kept and made available to the Council for full inspection at any time.'
- 5.17 At present, tannoy and amplified music systems may be operated at any time of the day or night and on every day of the year. This condition as agreed with the applicants will therefore restrict the nighttime level of noise escaping from the site and therefore potentially improving existing levels of residential amenity. Given that no restrictions were attached to the consent for the original building in 1996 restricting the use of the site solely to the girl guides, it is considered that it would be unreasonable to attach such a condition to the proposed extension.
- 5.18 Drainage
An objection has been received from Technical Services requiring full drainage details as part of the determination of this application, in order to demonstrate that there will be no flooding or pollution arising. However, it is considered that

a condition requiring these details would suffice in this instance. The condition would have to be cleared prior to the commencement of any works on the site and this should lead to a solution being found which would not result in flooding or pollution as a result of the proposal.

5.19 Transportation

The proposal includes no alterations to the existing vehicular access point. It is accepted that the proposed extensions will make the site more desirable to younger or less mobile members however the use of the site will not change fundamentally. Even without the proposed extensions, it is possible that the site may be used by other youth organisations such as the scout movement who will all need to travel to the site. The use of the site by other groups (with or without the extensions proposed) does not require the benefit of further planning permission and can take place at any time. The extensions in their own right will not necessarily encourage significant additional vehicular movement to the site sufficient to warrant the refusal of the planning application.

5.20 Policy LC5

Policy LC5 of the Adopted South Gloucestershire Local Plan, sets criteria to be met by development proposals for outdoor sports and recreation development proposals. Other than criterion F which relates to outdoor lighting and advertisement, all other criteria have been discussed in the main body of this report. Subject to the attachment of a condition to ensure that details of any external lighting and submitted and agreed, the application fully complies with the requirements of Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 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 proposal would support the recreational use of the site, raising the accommodation standards to an acceptable level, while not harming the purposes of including land within the Green Belt, the openness of the Green Belt and the visual amenity of the Green Belt. Due to the siting and design of the building and the existing landscaping surrounding the site, the natural beauty of the Cotswolds Area of Outstanding Natural Beauty will not be compromised by the development. The design of the extensions is of an appropriate standard, integrating successfully with the existing building on the site.
- 6.3 Existing levels of amenity afforded to nearby properties would be protected, and via the attachment of a condition restricting night time noise, would be improved.

- 6.4 The proposed extensions in their own right will not significantly increase levels of traffic arriving at the site sufficient to warrant the refusal of the application. Adequate off street parking is provided to meet the needs of the development.
- 6.5 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

2. No tannoy or amplified music systems may be operated at the site outside the hours of 9am to 9pm on more than 10 days in any one calendar year. A detailed record of the times when amplified music or tannoy systems were used outside of these hours must be kept and this record shall be kept and made available to the Council for full inspection at any time.

Reason

To help alleviate the concerns raised regarding noise escaping from the site and to have a positive impact on existing levels of residential amenity in accordance with the requirements of Policies EP1 and LC5 of the South Gloucestershire Local Plan (Adopted)

3. Prior to the commencement of development drainage detail proposals incorporating a septic tank compliant with paragraph 6 of DETR Circular 03/99, 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 prevent non-point source pollution and flooding, and to accord with Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the installation of any external lighting on or around the extensions hereby approved, full details of any floodlighting and external illuminations, including

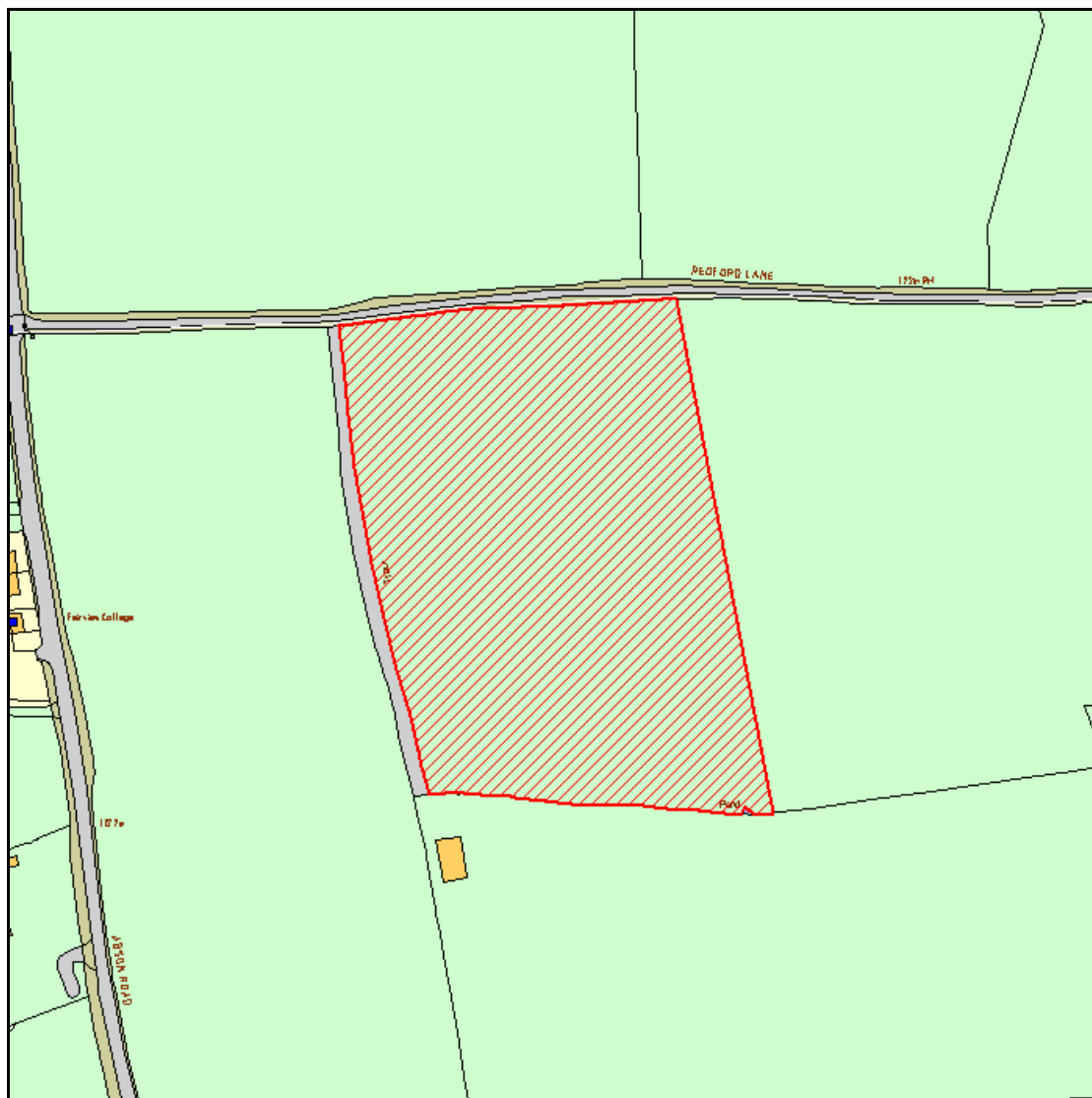
measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the development remains sensitive to its rural setting in the Cotswolds Area of Outstanding Beauty and to prevent light pollution of the night sky. In order to comply with the requirements of Policies EP1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/0415/F	Applicant:	Mrs C Ricciardi
Site:	Land At Redford Lane Pucklechurch Bristol South Gloucestershire BS16 9NS	Date Reg:	21st February 2011
Proposal:	Change of use of land from agricultural to mixed use for agriculture and the keeping of horses. Erection of building for stabling, associated storage and storage of agricultural implements. Erection of 1.2m high fencing.	Parish:	Wick And Abson Parish Council
Map Ref:	371101 175731	Ward:	Boyd Valley
Application Category:	Major	Target Date:	18th May 2011



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 100023410, 2008. **N.T.S.** **PK11/0415/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application relates to a 2.9ha field located to the south of Redford Lane near Pucklechurch. The authorised use of the field, which is currently laid to pasture, is agricultural but has been used more recently for grazing horses in association with equine uses of the land to the south. Vehicular access is via an existing track and gate off Redford Lane. The location lies within the Bristol/Bath Green Belt, in open countryside to the south-east of Pucklechurch; the location is rural in character.
- 1.2 It is proposed to erect a stable building to include 3 stalls, a tack room, implement store and hay/fodder store which would also be utilised to garage a horse box. The building would measure 18.3m x 12.2m with eaves set at 3.35m and the ridge of a low-pitched roof at a maximum height of 5.15m. It is also proposed to change the existing agricultural use of the land to a mixed use for agriculture and the recreational keeping of horses. Some 1.2m high fencing would also be erected in association with the development.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

- GB1 - Development within the Green Belt
- T12 - Transportation
- D1 - Design
- L1 - Landscape Protection and Enhancement
- L9 - Species Protection
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- E10 - Horse related development
- LC5 - Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary
- LC12 - Recreational Routes

- 2.3 Supplementary Planning Guidance
Advice Note 9 - Development Involving Horses
Development in the Green Belt (SPD) – Adopted June 2007
The South Gloucestershire Design Checklist (SPD) – Adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK01/2076/PNA - Prior notification of intention to erect an agricultural storage building.
Objection 26 July 2001
- 3.2 PK01/2473/F - Erection of an agricultural storage building.
Approved 18th Feb 2002

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

Object on the following grounds:

- The building would be located on a prominent ridge and would have a significant visual impact on the Green Belt.
- Further infill between Pucklechurch and Abson given the presence of three other stable buildings in the vicinity.
- Application PK01/2076/PNA for an agricultural storage building in a similar position was refused on the basis that it was to be located on a prominent ridge.
- The building should be located at the bottom of the field.
- The land has been used for the keeping of horses for the last three years.
- The land has poor drainage and the number of horses to be stabled should be strictly limited.
- The building is excessive in size for its need and is not consistent with other stables in the area.
- Conditions should control collection and storage of manure to prevent pollution of Feltham Brook.

4.2 Other Consultees [including internal consultees of the Council]

Public Rights of Way

PROW LWA26 and 27 cross the site and should not be obstructed. No objection subject to informatives.

Drainage Engineer

No comments

Sustainable Transport

No objection subject to a condition to prevent business or livery use.

Landscape

No objection subject to an appropriate scheme of planting to include a new hedgerow on the eastern boundary.

Ecology

No objection subject to a condition to secure a habitat creation and management plan.

The Open Spaces Society

No response

The Ramblers Association

No response

Wessex Water

No objection in principle providing that there is no impact on Wessex Water infrastructure.

Other Representations

4.3 Local Residents

No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In the first instance the proposal must be considered in the light of current Green Belt Policy. Guidance contained in PPG2 states that, the change of use of land or the re-use of existing buildings in the Green Belt is not inappropriate, where it would not have a materially greater impact on the openness of the Green Belt than the present authorised use. Furthermore the construction of new buildings inside the Green Belt is not inappropriate development if it is an essential facility for outdoor sport and recreation. Paragraph 3.5 of PPG2 states that essential facilities should be genuinely required for the uses of the land, which preserve the openness of the Green Belt and gives an example of 'small stables' as possible essential facilities, the PPG does not however define what is meant by 'small'. This is supported by Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, which states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.

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

- A. Development would not have unacceptable environmental effects; and
- B. Development would not prejudice the amenities of neighbouring residential occupiers; and
- C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and

- D. Safe and convenient access to bridleways and riding ways is available to riders; and
- E. There are no existing suitable underused buildings available and capable of conversion; and
- F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

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

5.3 Green Belt Issues

Officers consider that the proposed change of use of the land would retain the openness of the Green Belt. As regards the construction of the stable building, Policy GB1(2) permits essential facilities for outdoor sport and recreation and for other uses which do not conflict with including land within the Green Belt. In assessing the proposal, officers are mindful that a virtually identical building, albeit for agricultural use only, located in much the same position as that now proposed, was previously approved under PK01/2473/F; thus establishing the acceptance in principle of a building of this scale and design in this location. Furthermore a very similar building was also approved in the field to the south (see PK01/2262/F) although a slightly smaller building was implemented under a later permission PK02/1728/F.

- 5.4 The Parish Council have stated that, a prior notification application PK01/2076/PNA for the agricultural building on this site, was objected to by the Council on the ‘...basis that the proposed barn was to be located on a prominent ridgeline’. Whilst there were concerns about the location of the barn, the objection was raised to allow the Council to impose conditions via a full application, to secure adequate screen planting to mitigate for the visual impact; this was subsequently secured through application PK01/2473/F.

- 5.5 In the current proposal, officers do have some concerns about the scale of the building for the proposed recreational use but are also mindful that the applicant proposes some agricultural uses also, such as sheep rearing, as well as the equine use. Given that agricultural buildings as well as buildings for essential sporting facilities are not inappropriate development within the Green Belt, officers are satisfied that on balance the proposal would not represent inappropriate development within the Green Belt and by definition therefore the stable would not cause harm to the Green Belt, furthermore the building would be genuinely needed for the uses that retain the openness of the Green Belt.

5.6 Impact on the Visual Amenity of the Green Belt and Landscape in General

Negotiations have taken place with the applicant to ensure that the yard area would be kept to a minimum size and that an appropriate scheme of screen planting and hedgerow enhancement would be secured that would screen the development and help to assimilate the building into the countryside. Although located at the top of the field, this would be a similar location to the recently approved stable block in the neighbouring field to the east (see PK08/2485/F). There is however some logic in locating the proposed stable immediately next

- to the well established gated access, rather than introducing new tracks into the field or punching new access points through the established hedgerow.
- 5.7 Some concerns have been raised about over-intensification of the use of the site, especially given the clay soils within the locality and the presence of three other stable blocks in neighbouring fields south of Redford Lane. The intension is that no more than 3no. horses would be kept at the site at any one time and this could be restricted by condition. The general guidelines are that each horse should have between 1-1.5 acres of land; in this case the field is 2.9ha or 7.17 acres, which would be plenty large enough for the three horses plus a few sheep. There is no reason to suspect that the land would be poorly managed.
- 5.8 The building would have an agricultural appearance, being constructed of green colour coated cladding on a steel frame, with a green corrugated sheet roof. Officers are therefore satisfied that the visual amenity of the Green Belt or landscape in general would not be adversely affected and that the proposal would accord with Policies GB1 and L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.9 Transportation Issues
Traffic generation would not be significantly different than for the authorised use (horses have been previously grazed in the field under the authorised agricultural use). The road is not classified and there is an established access into the field. Subject to the number of horses to be kept on the field being limited to 3no. and there being no livery use or sub-letting of the stables, there are no highway objections. Criterion C of Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 is therefore satisfied.
- 5.10 Environmental Effects and Drainage Issues
All matters of external lighting, erection of loose jumps and fences and use of portable buildings or trailers, could be strictly controlled by conditions.
- 5.11 The field slopes in a south-easterly direction down to Feltham Brook. The site lies within a 'Category 1' zone of low flood risk. A Flood Risk Assessment has however been submitted to officer's satisfaction.
- 5.12 The disposal of foul waste should be undertaken in accordance with the MAFF (now DEFRA) Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency controls. Foul wash-down would soakaway to the land. Any burning of waste manure would be controlled by Environmental Health legislation. Criterion A of Policy E10 is therefore satisfied.
- 5.13 Buildings Capable of Conversion
There are no existing buildings within the field. Had the original consent for the agricultural building PK01/2473/F been implemented, this could easily have been adapted for the use proposed. The applicant and new owner, does not own any other land nearby or buildings that could be utilised for storage or stabling, so the new building is genuinely required for the uses proposed. Criterion E of Policy E10 is therefore satisfied.

5.14 Impact Upon Residential Amenity

There are no residential properties close enough to be affected by the proposal. There would therefore be no significant adverse impact on residential amenity.

5.15 Ecology

The site consists of an intensively managed agricultural field. The site is not covered by any statutory or non-statutory nature conservation designations. The field has already be used for grazing purposes. It is therefore considered that there would be no adverse impact upon the ecology of the area. Subject to a condition to secure a habitat creation and management plan, there are no objections on ecology grounds.

5.16 PROW Issues

Two PROW cross the site – LWA26 runs from west to east across the northern extent of the field and LWA27 runs diagonally from the North West corner of the field to the South Eastern corner. The proposal would not affect these PROW which should be kept open at all times.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

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

Reason

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

3. The number of horses kept on the site edged in red on the approved plans shall not exceed 3.

Reason

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

Reason

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

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

Reason

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

5. Other than within the building hereby approved, at no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses or livestock.

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

9. All hard and soft landscape works shown on the approved plan no. 7148/1A shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of any part of the development for the purpose hereby approved or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason

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

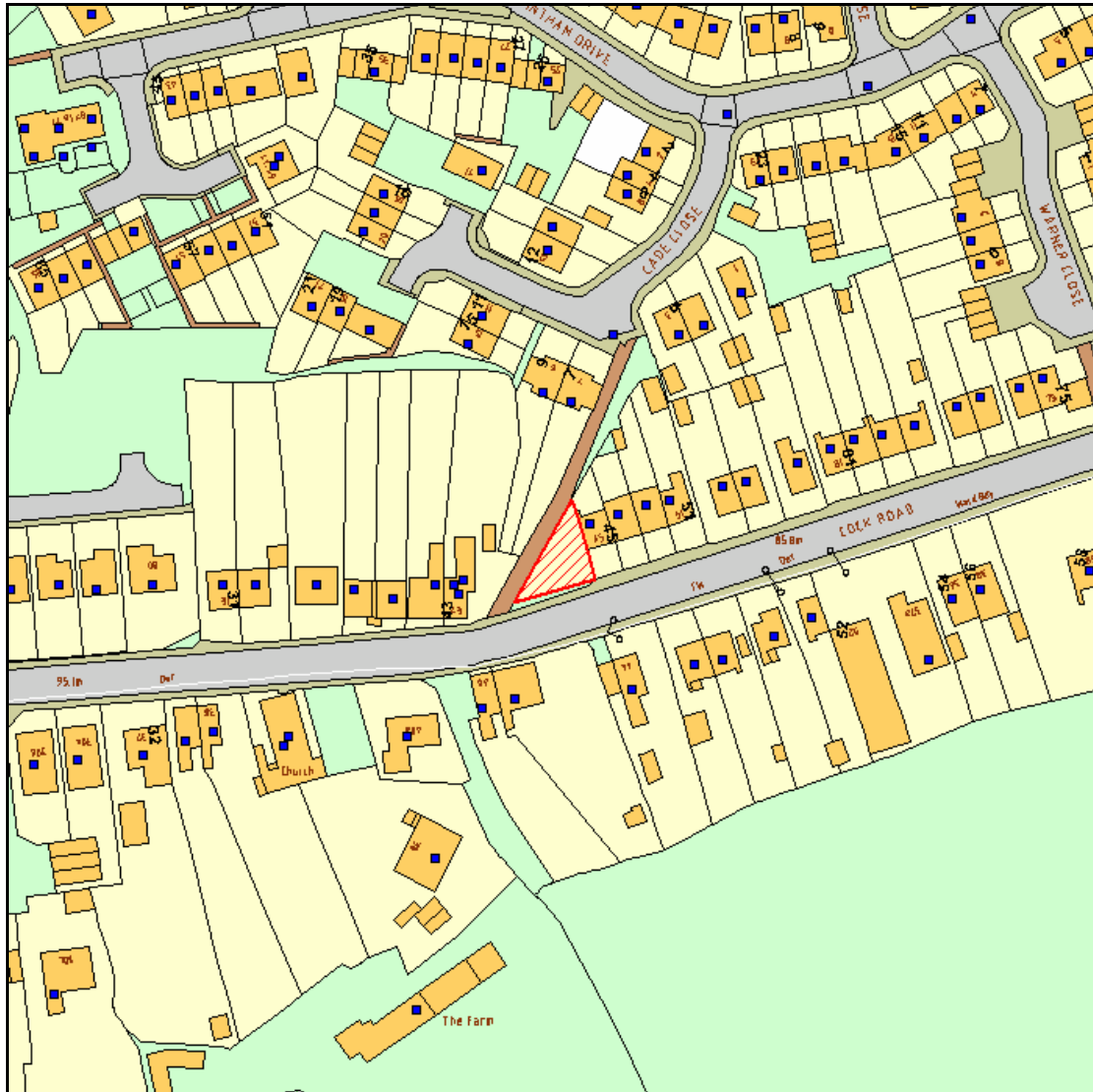
10. Prior to the commencement of the development hereby approved, an ecological habitat creation and management plan shall be drawn up and agreed in writing with the Council, to include details of the habitat to be created (or retained) and how this will be sympathetically managed to the benefit of local wildlife.

Reason

In the interests of the ecology of the area in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) Jan 2006.

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/0653/F	Applicant:	Mr A G White
Site:	45 Cock Road Kingswood Bristol South Gloucestershire BS15 9SQ	Date Reg:	25th March 2011
Proposal:	Erection of 1no. attached dwelling with access and associated works.	Parish:	None
Map Ref:	365681 172815	Ward:	Woodstock
Application Category:	Minor	Target Date:	18th May 2011



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 100023410, 2008. **N.T.S.** **PK11/0653/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of a letter of support from a local resident, which is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to an end of terrace dwelling house, located on the northern side of Cock Road, Kingswood. Triangular shaped gardens lie to the rear and side of the property, the latter being the larger of the two. Hard-standing for two vehicles lies to the front of the house and is accessed directly from Cock Road over a footpath via a dropped kerb. The site is flanked to the west by a hard-surfaced public right of way (PROW), more than 3 metres wide at this point, that gives pedestrian access from Cock Road to a housing estate to the rear. The location is generally residential in character. The land slopes down from west to east and south to north.
- 1.2 It is proposed to erect a two-storey extension to the side of the dwelling to create a separate 3-bedroom dwelling house. It is also proposed to create a new access and two-car parking spaces in the south-western corner of the site.

2. POLICY CONTEXT

National Guidance

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPG13 - Transport

PPG14 - Development on Unstable Land

Ministerial Statement by the Rt. Hon Greg Clark 9 June 2010

2.2 Development Plans

Joint Replacement Structure Plan

Policy 1 - Sustainable development objectives.

Policy 2 - Location of development.

Policy 33 - Housing provision and distribution.

South Gloucestershire Core Strategy Submission Draft (Dec 2010)

CS1 - High Quality Design

CS5 - Location of Development

CS15 - Distribution of Housing

CS16 - Housing Density

CS17 - Housing Diversity

CS18 - Affordable Housing

South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design

L1 - Landscape Protection and Enhancement

L5 - Open Areas within the Existing Urban Areas and Defined Settlements.

L17 & L18 - The Water Environment

EP1 - Environmental Pollution
EP2 - Flood Risk and Development
EP7 - Unstable Land
T7 - Cycle Parking
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
H2 - Proposals for Residential Development, Including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permissions for Residential development, within the Existing Urban Area and Defined Settlement Boundaries.
H4 - Development within Residential Curtilages
H6 - Affordable Housing
LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions).
LC2 - Provision of Education Facilities (Site Allocations and Developer Contributions).

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) – Approved 23rd August 2007.

3. RELEVANT PLANNING HISTORY

3.1 PK06/2976/F - Alterations to roofline and erection of two-storey side extension to facilitate 2 no. flats with parking and associated works.
Refused by the Council December – 2006 for the following reason:

“The proposal would lead to an increased use of two substandard accesses at the property by reason of inadequate visibility with the public highway, thereby increasing hazards faced by highway users to the detriment of all highway users and contrary to policy T12 of the adopted South Gloucestershire Local Plan”.

Appeal Ref: APP/P0119/A/07/2035613 dismissed 13 December 2007 – the Inspector upheld the reason for refusal but prior to the hearing the Council withdrew its objection to the continued use of the existing access.

3.2 PK08/1844/F - Erection of two-storey side extension to provide additional living accommodation.
Approved 7 Aug 2008 but not implemented.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
Not a parished area.

The Coal Authority

The site falls within the defined Coal Mining Development Referral Area. An appropriate informative should be added to any consent.

The Open Spaces Society

No response

The Ramblers Association

No response

4.2 Other Consultees [including internal consultees of the Council]

PROW

No objection subject to standard informatives.

Sustainable Transport

Refuse for reason of increased use of PROW with inadequate visibility with the public highway, to detriment of highway safety.

Other Representations

4.3 Local Residents

2no. letters have been received from local residents, one in support and one objecting.

The concerns raised by the objector are summarised as follows:

- The vehicular access is on a blind bend, which is shielded by parked cars.
- Would result in increased on-street parking.
- There is a shortage of parking in the area.

The comments in support of the application are summarised as follows:

- There is a shortfall of new homes being built in the country.
- The next-door house no.43 has been developed into 3 flats.
- The cycle-track is nearby.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

A similar application PK06/2976/F, albeit for two flats as opposed to a single house, was previously refused for the reason listed in paragraph 3.1 above. A subsequent appeal against that decision was dismissed. Officers consider that the Inspector's appeal decision letter is now a material consideration of significant weight in the determination of this current proposal. Application PK06/2976/F and a later permission PK08/1844/F established the acceptance in principle of extending the house to the side as proposed. The site lies within the Urban Area; there is therefore no in-principle objection to the development of the site for residential use.

5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 2, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub-regional centres.

5.3 Government advice contained in PPS3 – 'Housing' supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to

public transport nodes. However, recent changes to PPS3 mean that, residential gardens are no longer considered to be previously developed, brown field sites. That is not to say however that garden areas cannot be developed at all; any development would need to satisfy local plan policies relating to design, loss of open space and impact on the character of the area in question.

5.4 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:

- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
- B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.
- C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
- D. Provision for education, leisure, recreation and other community facilities, within the vicinity, is adequate to meet the needs arising from the proposals.

5.5 It should be noted however that in the recently revised version of PPS3 the reference to the national indicative minimum density target of 30dph has been deleted. The changes have been introduced to reflect concerns regarding over-development of neighbourhoods, loss of green space and the impact upon local character.

5.6 Also of relevance is Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, which permits new dwellings within residential curtilages subject to criteria discussed below. Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec. 2010, both seek to secure good quality designs that are compatible with the character of the site and locality.

5.7 Density

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. Whilst not prescribing any maximum or minimum figure, the PPS encourages the highest density that can be achieved within the various local considerations that need to be taken into account.

5.8 PPS3 (para.50) states that “*The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development*

can lead to a more efficient use of land without compromising the quality of the local environment.”

5.9 The proposal is considered to make efficient use of the land in what is a sustainable location. More than one dwelling could not realistically be accommodated on the plot and in this respect the proposal accords with government guidelines and in terms of its density alone, the development is not considered to be an over-development of the site. In reaching this conclusion officers have taken account of the Inspector’s Decision for PK06/2976/F and the subsequent approval of PK08/1844/F both of which were for similar scale developments.

5.10 Scale and Design

The proposed extension would be quite large but the roof ridge would, in part, be set well down in relation to that of the existing house and the eaves set at the same level as those existing. The roof would be hipped to reduce the massing. The building’s foot-print would have a maximum width of 13.6m and maximum depth of 14.6m. There would be three bedrooms and a bathroom at first floor level with a kitchen, hall, w.c. and living room on the ground floor, with no living accommodation in the roof space.

5.11 The materials to be used would be render to match the existing house and Double Roman tiles to match the existing roof. Officers are satisfied that given what was previously allowed in PK08/1844/F, the scale and design are acceptable in this setting.

5.12 PPS3 has recently been revised to take account of loss of open garden space and the impact of so-called ‘garden grabbing’ on the character of areas. The proposed dwelling would however be viewed in the context of the existing buildings, which include a variety of scale and design. The proposal would accord with the established building line on Cock Road. In terms of its contribution to the street scene, the existing garden forming the application site, has very limited amenity value, being entirely enclosed by high hedgerows and fences. On balance therefore the proposed scale and design are acceptable.

5.13 Transportation Issues

A similar scheme PK06/2976/F for 2 flats on this site was refused at appeal in December 2007. The concerns with that application related to the lack of visibility splay from the site access. In making his judgement, the Inspector considered the visibility distances against the guidance in the Manual for Streets document. The current application proposes a similar access and parking arrangement as PK06/2976/F but seeks to overcome the previous objections. The applicant submits that since the appeal was determined there have been material changes in that a) the publication of Manual for Streets 2 and b) an independent speed survey has been carried out at the proposed junction with Cock Road.

5.14 Officers consider that the submitted speed data is limited but the figures do show that the 85%ile speed value is 31.2mph with a mean figure of 26.6mph. Some speeds of 38mph are noted amongst the data.

5.15 It is generally accepted that visibility splays are based on the 85%ile speed figure. By reference to table 7.1 in Manual for Streets (1), the sight stopping distance for 31mph is 45m, adjusted for vehicle bonnet length. This is the same visibility distance, which was quoted by the Inspector in the previous appeal decision.

5.16 In his submitted Transport Statement the applicant's agent quotes a number of paragraphs from Manual for Streets 2 and refers to paragraph 10.5.9 as the key point; this paragraph states that:

"The Y distance should be based on the recommended SSD values. However, based on the research referred to above, unless there is local evidence to the contrary, a reduction in visibility below recommended levels will not necessarily lead to a significant problem"

Officers are of the view that there is local evidence and concerns in the area. There are issues in close proximity to this site and these should not be discounted. The issues are summarised as follows:

- Cock Road is a busy through road and there is an on-street parking issue at this location. This point was identified by the Inspector in the previous appeal.
- The vehicular speeds taken by the applicant remain largely the same as those presented by the Council during the earlier appeal. On the basis of the applicants own speed readings, the required visibility distance is 45m. With the earlier decision, the Inspector determined the available visibility from the site access to be 35m and considered this to be below the desirable distance.
- Since the previous appeal decision, there have been two accidents east of the site access:
 - a) In 2010 – there was an accident (nose to tail) approximately 47m east of the access.
 - b) In 2008 – there was an accident (loss of control) approximately 100m east of access.

Officers also note that the proposal would lead to vehicles crossing the existing PROW although it is acknowledged that this matter was not raised as a point of concern by the Inspector who expressed a view that the impact of this could be minimised by an appropriate planning condition.

5.17 Having regard to all of the above therefore, officers are satisfied that the Inspector's decision and his reasons for refusing the earlier application was made on a sound basis and that the new document 'Manual for Streets' part 2 does not override that decision.

5.18 The proposal therefore remains contrary to Policies T12, H2(A) and H4(C) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.19 Impact on Residential Amenity

Being to the side of the existing house and next to the PROW, the proposed development would not have an overbearing impact on neighbouring property.

- There would only be a kitchen door in the proposed side elevation and there would be no significant loss of privacy from overlooking of neighbouring property to the front or rear. Adequate amounts of private garden space would be retained to serve the existing and proposed dwellings.
- 5.20 Having regard to all of the above, officers are satisfied that no significant harm to residential amenity would result from the scheme, which accords with Policies H4 and H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.21 Landscape Issues
There is no vegetation of note within the actual application site itself. The proposal is therefore in accordance with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.
- 5.22 Given that the site is within an existing garden, an assessment of the proposal in relation to Policy L5 has been made. The site is small and has very limited amenity value in terms of the visual amenity and character of the street scene and locality in general; no objection on these grounds was raised by the Inspector for the previous appeal. For these reasons an objection on the grounds of loss of open space or loss of garden land is not in this case justified.
- 5.23 Environmental and Drainage Issues
Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. In terms of drainage the Council's Drainage Engineer raises no objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme to include SUDS, for approval before development could commence. A coal mining risk assessment has been carried out to the satisfaction of the Coal Authority. The proposal therefore accords with Policies L17, L18, EP1, EP2 and EP7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.24 Other matters raised in Support
Officers acknowledge that there is a shortfall in housing provision in South Gloucestershire but that this does not outweigh the reason given for refusal of this application. In assessing the appeal the Inspector was aware of the implementation of the scheme for flats at neighbouring no.43 but noted that the scheme did not include off-street parking.
- 5.25 Affordable Housing
The proposal is for 1no. dwelling only, which is below the Council's threshold (15) for affordable housing provision.
- 5.26 Education Service
The proposal is for 1no. dwelling only, which is below the Council's threshold (5) for contributions to the Education Service.
- 5.27 Community Services

The proposal is for 1no. dwelling only, which is below the Council's threshold (10) for contributions to Community Services.

6. CONCLUSION

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

7. RECOMMENDATION

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

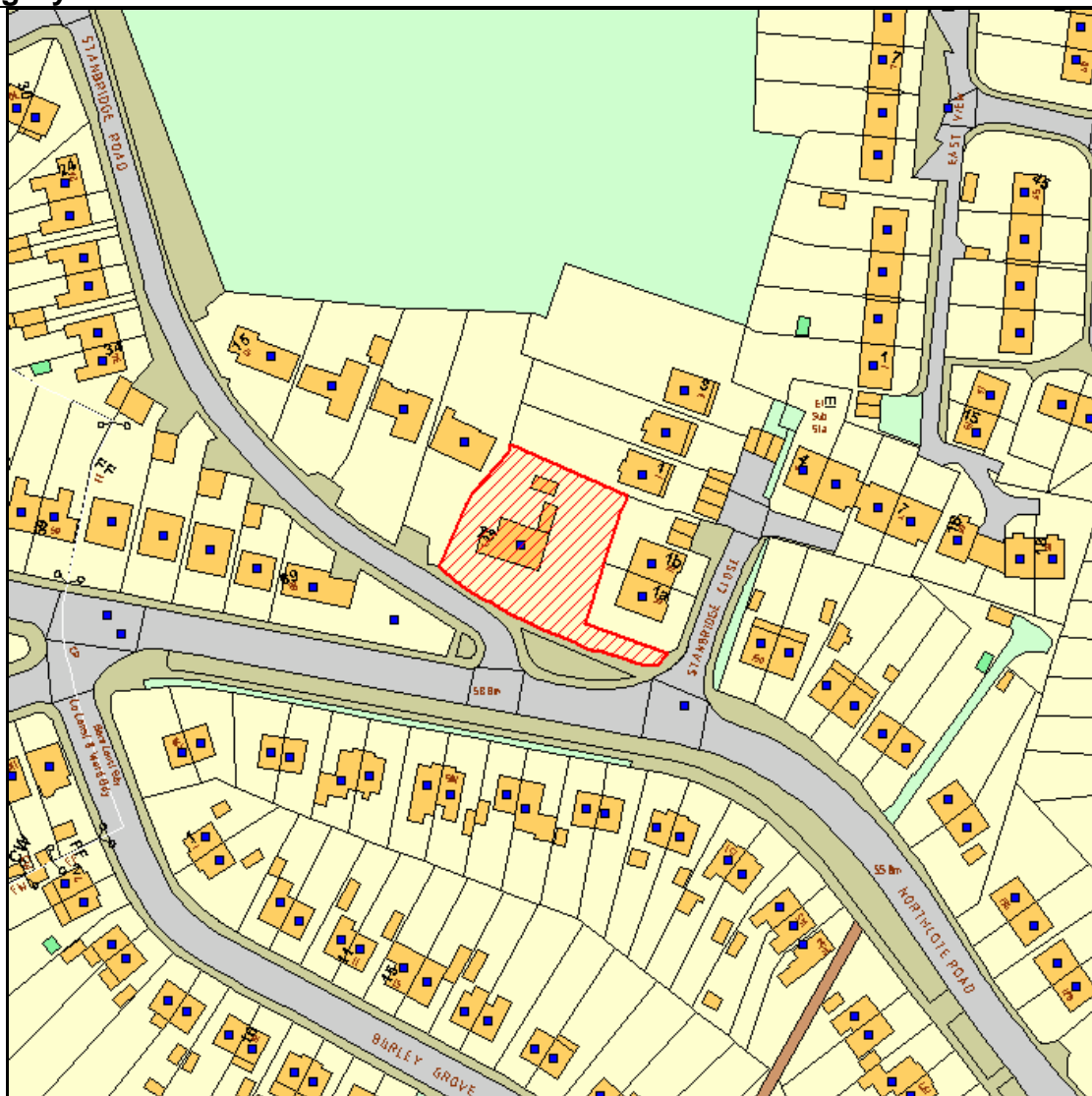
Contact Officer: Roger Hemming
Tel. No. 01454 863537

REASONS FOR REFUSAL

1. The proposal would lead to an increase in vehicular use of a PROW. At its junction with Cock Road, the existing PROW has inadequate visibility with the public highway and it is considered that its increased use by additional vehicles would increase hazards faced by highway users to the detriment of all highway users and contrary to Policy T12, H2(A) and H4(C) of the South Gloucestershire Local Plan (Adopted) Jan 2006.

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/0793/EXT	Applicant:	Mr A Javid
Site:	Stanbridge Manor 23 Stanbridge Road Downend Bristol South Gloucestershire	Date Reg:	17th March 2011
Proposal:	Demolition of existing dwelling to facilitate the erection of 12no. self contained flats with access and associated works. (Consent to extend time limit implementation for PK07/3249/F).	Parish:	None
Map Ref:	365794 176711	Ward:	Rodway
Application Category:	Major	Target Date:	13th June 2011



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 100023410, 2008. **N.T.S.** **PK11/0793/EXT**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections have been received contrary to the officer recommendation and the planning permission would be subject to a Section 106 Agreement.

1. THE PROPOSAL

- 1.1 Planning permission was approved for the demolition of an existing detached two-storey dwelling to facilitate the erection of a single block comprising 12 no. (1 bed) self contained flats on 0.113 hectare of land situated on the northern side of Stanbridge Road close to the junction with Stanbridge Close and the classified Northcote Road on 21 July 2008. The site rises above Stanbridge Close. Access (vehicular and pedestrian), 12 no. parking spaces, cycle store, bin store and landscaping were all approved as part of the development.
- 1.2 The approved building would be 3 storeys in height with a contemporary design. This application is solely to extend the life of this permission for a further three year period. Since the original permission was subject to a Section 106 Agreement, the same will apply to this application.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 South Gloucestershire Local Plan (Adopted) January 2006

H2	New Residential Development within the Urban Areas or Village Development Boundary
H4	Development within Existing Residential Curtilages
D1	Achieving Good Quality Design in New Development
T12	Transportation Development Control Policy for New Development
T7	Cycle Parking
T8	Vehicular Parking Standards
L1	Landscape Protection and Enhancement

Development Plans since the application was first approved

South Gloucestershire Core Strategy (pre-submission publication draft) 2010

CS1	High quality design
CS5	Location of development
CS6	Infrastructure and developer contributions
CS16	Housing density

2.3 Supplementary Planning Guidance

No new relevant documents. Originally:
South Gloucestershire Council Design Checklist (Adopted August 2007)
Trees on Development Sites (SPD) 2005

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/3249/F Demolition of existing dwelling to facilitate the erection of 12 no. self-contained flats, with access and associated works Approved 2008

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

Downend and Bromley Heath Parish Council replied that the site is not in their parish (unparished area).

4.2 Community Services

It is calculated that this development of 12 (equating to 11 as an existing property is to be demolished) dwellings would generate an average population increase of 15.5 people and that the site comprises sufficient on-site informal open space to satisfy Policy LC8. If this development is implemented it would create a need for extra Public Open Space. In order to offset this increased demand on community facilities we would request contributions towards the following:

Guidelines from the National Playing Field Association recommends a minimum of 24m² of public open space per person and Policy LC8 of South Gloucestershire Local Plan (Adopted) January 2006 requires provision for informal open space, we consider 5m² per person to be reasonable to improve the quality of the environment in this area. Therefore the total public open space required from this development equates to: 264.35sqm (as no space is provided this is the shortfall). The total contribution towards off-site enhancements of public open space would be £6,336.47. The developer would be required to contribute towards future maintenance of the enhancements, which equates to £5,665.02, a total requirement of £12,001.49.

4.3 Sustainable Transport

The applicant is seeking to extend the time to implement the scheme, which has already approved by the Council back in 2008. A local resident has raised an objection to this application on the grounds that there have been changes in the highway situation through the building of a new house and a new access opposite and that there is parking issue at this location.

In relation to this the following comments are made.

I confirm that both schemes (i.e. the flat development (submitted in 2007) and the new house (in 2008 adjoining no. 69 Stanbridge Road) were assessed against the relevant planning and transportation policies and these applications were subsequently granted consent by the Council. It must be noted that both schemes provide off-street parking which is in compliance to the Council's parking standards. In the case of the flat development - there would be total of 12no. parking spaces on site (i.e. one space per each flat) and in the case of the new house, two parking spaces would be provided. This meets the Council's parking guidance.

In view of all the above therefore, there can be no highway objection raised in regard to this application.

4.4 Local Residents

There have been 7 letters of objection received. The grounds of objection can be summarised as follows:

- Run-off water from the site could enter private property
- Road safety issues in proximity to school
- Insufficient off-street parking is provided
- No detailed plans published on line (none submitted with this application)

- Noise and disturbance
- Lack of turning space within site
- 36 on site parking spaces should be provided
- The development is inappropriate for the area
- If the development is not completed the result will be an eyesore
- On street parking would create problems with road safety
- The new house at 69 Peache Road changes the highway situation
- Oppose the extension of the time limit as the scheme could be unviable

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of the Development

The proposal is to allow more time for the development to be commenced. The existing planning permission lapses on 21 July 2011 and no works which required planning permission have been undertaken on this site in order to meet the requirement of the first condition on the previous permission. The extension of the lifetime of the application, as applied for, is therefore the only issue which needs to be considered in order to determine this application.

Since the scheme was originally approved, there have been no changes to the site or its surroundings. In terms of applicable policy, the only change to the framework under which the original application was assessed is the South Gloucestershire Core Strategy, which is not yet adopted. The implications of the Core Strategy policies are analysed below.

5.2 Core Strategy

Although the Core Strategy is at an early stage, it forms a material consideration in the determination of planning applications. Four policies have been identified at 2.1 which are of relevance to the proposal.

Policy CS1 High Quality Design

Much of this policy follows the principles set out in policy D1 of the adopted South Gloucestershire Local Plan and is informed by the Design Checklist (2007) which this scheme was in accordance with, as stated in the report for 3.2 above. Relevant new requirements are that (8) orientate new buildings to ensure that energy conservation is achieved and (10) Ensure that sufficient space is allowed for recycling and composting. The orientation of the proposed dwellings is set by the existing planning permission and the adopted Local Plan is considered to take precedence over the requirements of the Core Strategy until the Core Strategy is adopted.

Policy CS5 Location of Development

This policy directs development to the existing urban areas in the same manner as the adopted Local Plan does. This site is within the urban area.

Policy CS6 Infrastructure and Developer Contributions

This policy requires mitigation of the effects of development in the same way as policies in the adopted Local Plan. It makes clear, with regard to off-site effects of development, that contributions will be sought to provide for the needs of the community relating to the development. See 5.4 below.

Policy CS16 Housing Density

This policy seeks to make efficient use of land, maximise the amount of housing supplied, particularly in and around town centres. The issue of housing density was examined in the determination of the original permission and the site's location in relation to nearby facilities is considered to be a factor in achieving a suitable density of development.

It is considered that the proposal meets the requirements of the relevant Core Strategy policies, in addition to those of the existing Development Plan.

5.3 Other Issues

This proposal is for an extension of time to implement the planning permission. All but one of the objections that have been received relate to the development itself, which already benefits from planning permission, rather than what has been applied for, that is, an extension of time. The objection raised to the extension of the time limit for commencement is on the basis that the development may not be viable. It is considered that allowing a further 3 year period in which to start would allow the developer an opportunity to select the optimum time to commence, when finances are in place, which would also lead to the optimum chance of the scheme being completed.

5.4 Section 106

At the time of the original planning permission, a contribution was identified towards the enhancement and maintenance of public open space. This situation has not changed and Community Services have appropriately identified that the development would generate a population which would require the use of this public open space. The sum identified for this would be £12,001.49. This sum was agreed (and index linked) in the signed Section 106 Agreement. The Agreement has within it the provision to apply to any other development proposal which is similar to the original proposal. In this case, the proposal is identical and therefore the existing Section 106 would apply to this planning permission which allows for an extension of time to be commenced. Due to the clause ensuring that the payment is index linked, the amount would be determined at the time the development is commenced and increased in line with inflation since the Section 106 was signed.

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 extension to the time limit for the commencement of this outline development would allow for the provision of dwellings in a sustainable location, contributing towards a mixed and balanced community. The proposed development accords with policies D1, L1, H2, H4, LC8, T7, T8 and T12 of the adopted South Gloucestershire Local Plan and CS1, CS5, CS6 and CS16 of the South Gloucestershire Core Strategy (pre submission publication draft).
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

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

7. RECOMMENDATION

7.1 That planning permission is reissued with a three year time limit to commence development. The existing Section 106 Agreement would apply to the approved development. Conditions have been brought forward from that planning permission.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. Sample panels of the stonework, render and boarding shall be erected on site and approved in writing before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason

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

3. The refuse store shown on the approved plans shall be provided prior to the first occupation of the building and retained as such thereafter.

Reason

In order to ensure the provision of satisfactory refuse storage and to accord with Policy D1(H) of the South Gloucestershire Local Plan (Adoped) January 2006.

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

Reason

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

5. Prior to the commencement of development on site the applicant shall submit to and have approved in writing by the Local Planning Authority, a method statement to show

how the existing building is to be demolished and the material arising from the demolition and creation of the access is to be disposed of from the site. The method statement shall also show how safe traffic movements (including pedestrian movements) are to be maintained on the public highway during the construction period.

Reason

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

6. Prior to the first occupation of the development hereby approved the Public Footway along the site entrance shall be fully surfaced to the full and final satisfaction of the Council.

Reason

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

7. The visibility splays, (from the site access onto Stanbridge Road), shown on the drawings hereby approved shall be provided prior to the first occupation of the development and retained as such thereafter.

Reason

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

8. The access drive and the parking area shall be fully surfaced with a bound material prior to the first occupation of the development hereby approved and maintained as such thereafter.

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

9. The off-street parking facilities (for all vehicles, including cycles) and the turning area shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose. The parking spaces on the site shall be marked out such that each space is allocated (one space per dwelling).

Reason

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

10. There shall be no entrance gates at the site entrance unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

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

Reason

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

12. The site lies within a former mining area. Prior to the commencement of any works on the site a mining report shall be submitted to and approved in writing by the Local Planning Authority. Works shall proceed in accordance with the approved details.

Reason

To prevent non-point source pollution and flooding, and to accord with Policies L17, L18 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. The hours of working on site during the period of construction shall be restricted to 0800 hours to 1800 hours Monday to Friday. 0800 to 1300 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of nearby buildings and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/0858/F	Applicant:	Mr Michael Rawlins
Site:	Harvest Barn 5 Farlands Pucklechurch South Gloucestershire BS16 9PD	Date Reg:	31st March 2011
Proposal:	Erection of single storey side extension to outbuilding and increase in roof height to form additional storage area.	Parish:	Pucklechurch Parish Council
Map Ref:	369672 176714	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	23rd May 2011



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 100023410, 2008. **N.T.S.** **PK11/0858/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey side extension to outbuilding and increase in roof height to form additional storage area.
- 1.2 This application seeks permission to erect an extension to an existing small outbuilding to the south of the grade II listed barn which formerly belonged to the Grade II* listed Moat House Farm. The property lies within the Pucklechurch settlement boundary and the Conservation Area. There is a corresponding Listed Building application for the proposal under application PK11/0846/LB.
- 1.3 Revised plans were received following Officer's concerns.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS5 Planning for the Historic Environment
PPS5 Historic Environment Planning Practice Guide March 2010

2.2 Development Plans

Joint Replacement Structure Plan – Policy 19

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilages
L12 Conservation Areas
L13 Listed Buildings

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. **CONSULTATION RESPONSES**

4.1 Pucklechurch Parish Council

No objection to the application providing the Conservation Officer is happy with the detail.

4.2 Other Consultees

Conservation Officer

No objection to revised drawings subject to conditions.

Other Representations

4.3 Local Residents

One letter was received raising concern to the initial drawings citing insufficient detail and there being no detail at all of the materials and detailing that will be used on the rear and side elevations.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy L12 of the Local Plan allows for development within a Conservation Area provided that development would preserve or enhance the character or appearance of the Conservation Area having regard to design considerations.

Policy L13 of the Local Plan seeks to ensure that new development involving curtilage listed buildings will not result in a harmful impact to the setting of the listed building or the loss of historic fabric.

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

5.2 The Listed Building and its Setting

This application seeks permission to erect an extension to an existing small outbuilding to the south of the grade II listed barn which formerly belonged to the Grade II* listed Moat House Farm. This is an important collection of barns which, although converted to residential use approximately 8 years ago, retain much of their original agricultural character.

The present outbuilding is a modern construction, with a plain external appearance, being of rubble stone construction and clay tile roof. The proposal is to add a further extension and to increase the overall height of the building by approximately 30cm to provide a greater head height internally and allow the incorporation of insulation. The buildings would be used as a studio and office and the new addition as a garden store to replace the timber shed that has been erected without planning permission.

Following submission of the planning application, a number of revisions were sought and consequently received by the applicant.

The revisions have included the following items:

1. Timber lintels over all openings.
2. Simple spiked gutters with no eaves boards.
3. All new doors and windows set back into reveals by increasing depth of wall.
4. Door joinery corrected to reflect existing.
5. Confirmation of no vents/flues penetrating roof covering.

These alterations have addressed all of the points raised in the Conservation Officer's comments and the scheme should appear as a simple extension of the existing store. In terms of further details, it is suggested securing joinery details showing the new doors and window for the avoidance of any doubt and also conditions requiring all external materials and finishes to exactly match the existing.

5.3 Residential Amenity

It is not considered the proposal would have an adverse impact upon neighbouring occupiers.

5.4 Environmental Issues

The proposal would not result in any adverse environmental impact on occupiers, or neighbouring residents.

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

- a) The proposal would not give rise to an adverse impact upon residential amenity. The development therefore accords to Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposal would not adversely impact upon the architectural merit of the Listed Building nor would it prejudice the character of the Conservation Area. The development therefore accords to Policy L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

2. All new external and internal works and finishes, and works of making good, shall match the existing original building in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings (received 06/05/2011) hereby approved. For the avoidance of doubt, this includes the verge and ridge construction.

Reason

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPS5.

3. All new external rainwater and soil pipes shall be formed in cast metal and painted black.

Reason

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPS5.

4. No development shall take place until the detailed design including materials and finishes, of the following items are approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

- (a) New external shed and stable doors including glazing bar and ironmongery.
- (b) New window including cill detail.

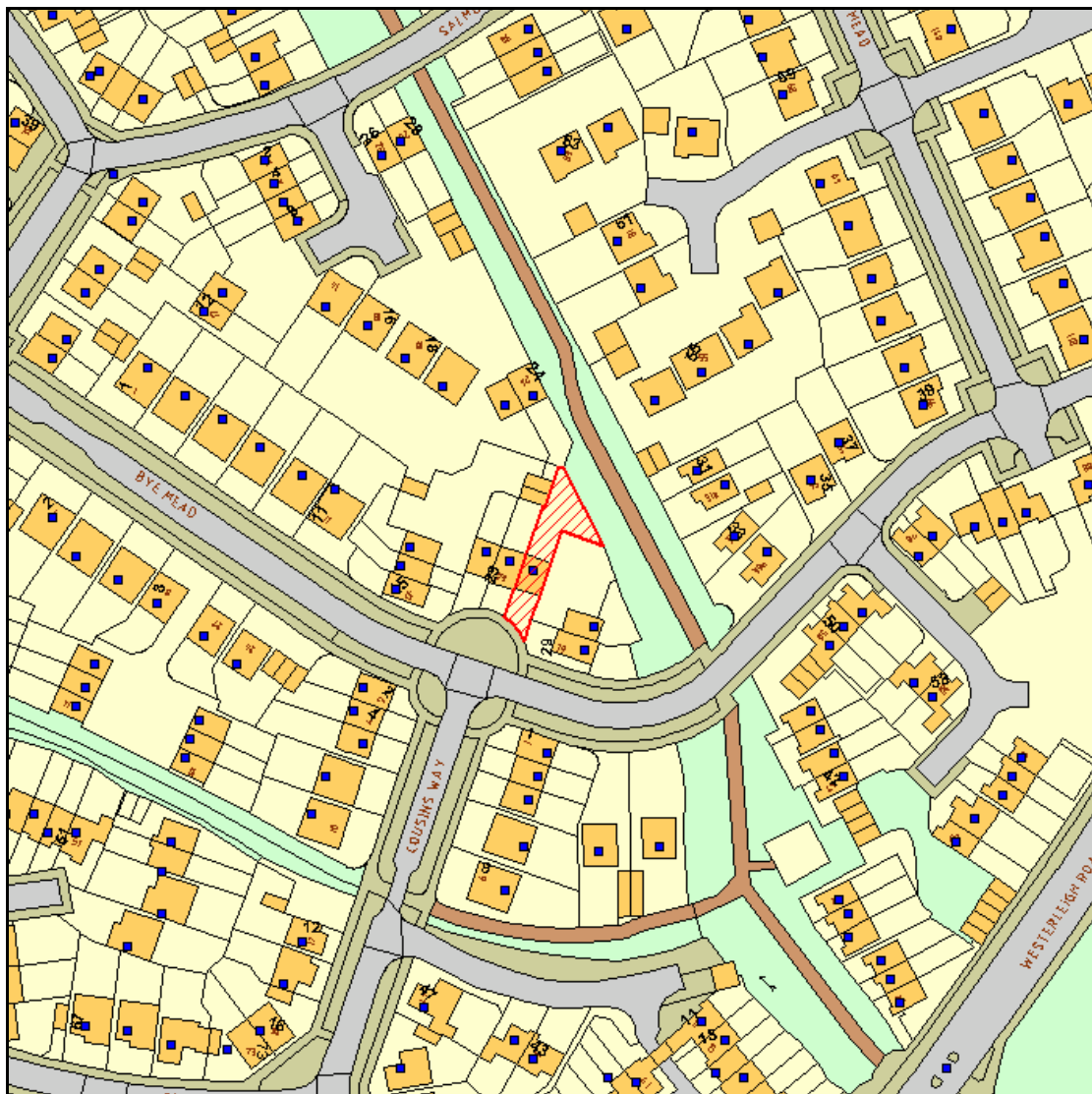
The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPS5.

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/0938/F	Applicant:	Miss S Hicks
Site:	25 Bye Mead Emersons Green Bristol South Gloucestershire BS16 7DL	Date Reg:	29th March 2011
Proposal:	Erection of single storey rear extension to provide additional living accommodation.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366539 177826	Ward:	Emersons Green
Application Category:	Householder	Target Date:	19th May 2011



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PK11/0938/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Members will recall this application appeared on Circulated Schedule no. 17/11 dated the 27th April 2011. The application was subsequently withdrawn at the request of the Planning Officer to allow a further assessment of the impact of the proposed single storey rear extension on the adjoining occupiers of no. 25 Bye Mead. This planning application has been referred to the Circulated Schedule in light of objections received from local residents regarding the proposed development.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a single storey rear extension to form additional living accommodation.
- 1.2 The application site relates to a modern two storey end terraced dwelling within the established residential area of Emersons Green.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- H4 Extensions
- L1 Landscaping

South Gloucestershire Core Strategy Pre-submission Draft March 2010
CS1 High Quality Design

- 2.3 Supplementary Planning Guidance
SPD Design

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/1652/TRE Works to trees
Refused July 2003
- 3.2 PK00/2648/TRE Removal of branch
Approved November 2000

4. CONSULTATION RESPONSES

- 4.1 Mangostfield Rural Parish Council
No objection

Other Representations

4.2 Local Residents

Three letters have been received from local residents raising the following planning objections regarding the proposed development, which have been summarised by the Planning Officer as follows:

- Visual impact and impact on outlook
- Neighbouring properties are north facing and surrounded by mature oak trees with limited light at present
- Rear of property and garden of no.23 would be in permanent shade
- Will impact on light due to length and height of proposed extension
- Length of extension exceeds planning regulations
- Submitted drawings incorrect. Dwg.162/03 fails to identify the nearby oak tree. Dwg.162/01 illustrates an outline of a doorway on the rear of 23, which gives false impression of what is actually in place.

4.3 Since this application appeared on the previous Circulated Schedule an additional letter of objection, guidance relating to good practice for daylight and sunlight has been received and a plan illustrating the extent of shadowing, all of which have been summarised by the Planning Officer as follows:

- Proposed Development fails to comply with British standards specifications for interior daylight recommendations BS8206 part 2 and the Chartered Institution of Building Services Engineers-CIBSE guidelines supports the standards outline as a minimum
- Proposed extension fails to meet required BS standard
- Significant reduction of sky lighting amenity
- Granting of permission would set a precedence, and could result in a similar application by adjoining occupier of no.21. This again would be in conflict with standards creating a tunnel effect.
- Paragraph 4.2 incorrect with reference to no.25
- Properties have a northerly aspect, especially this is 40 degrees northeasterly, with a minimal element of direct sunlight for a limited period early in the morning and proposed development would eliminate this.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Plan allows for extensions to existing dwellings, subject there being no adverse impact on existing visual and residential amenities. Policy CS1 of the Core Strategy seeks to achieve high quality design.

5.2 Visual Amenity

The application site relates to an end terraced modern two storey dwelling adjoining a central 3 storey property. The proposed single storey extension by reason of its subservient design is considered in keeping with the scale and character of the existing dwelling and the immediate surrounding area.

5.3 Residential Amenity

- This application seeks planning permission for the erection of a single storey rear extension measuring 4.20m in length x 2.10m to the eaves and 3.40m to the ridge. The extension will have a gable side elevation adjacent the adjoining neighbour.
- 5.4 Planning objections have been raised by the adjoining occupiers of no.23 and 21 on grounds the proposed extension by reason of its length and height will have an adverse impact on light and outlook especially as loss of light is an existing problem. Concerns have also been raised that the submitted plans do not accurately show next door openings on the rear elevation and extent of existing trees, which currently have an impact on light level. The Officer has visited the site and assessed the existing situation as it is.
- 5.5 The Planning officer accepts the rear elevation of these properties is north facing, with limited light at present to the rear of those properties and gardens in question. The Planning Officer is of the view however that an extension of this scale i.e. single storey and in this location would have no greater impact on existing levels of light. It should be noted that if this extension was reduced in length by 1.20m, it could be erected without the need for planning permission and also at the height as currently shown i.e. 3.20m. Whilst it is accepted the extension would result in a blank wall, the majority of this will be screened by an existing 1.80m high fence.
- 5.6 The above assessment under paragraph 5.5 formed part of the original report that was first reported to Circulated Schedule. The following assessment has been made having regard to the additional information that has been submitted and the Planning Officer's subsequent site visit. The Planning officer visited the neighbour's home and viewed the site of the proposed extension in relation to no.23's garden and house. The rear living accommodation of no. 23 comprises of an open plan kitchen and sitting area. This area is served by a kitchen window which is sited adjacent no. 21 and patio doors sited adjacent the application site. The neighbour has raised an objection on the grounds the proposed extension will fail to meet the required BS standard with regards day light.
- 5.7 The Planning Officer has considered the neighbour's findings and the submitted plan that illustrates the majority of the patio door being overshadowed. The guidance advises that *"if the centre of a main window of the next-door property lies on the extension side of both these 45-degree lines then the extension may cause a significant reduction in the skylight received by the window"*
- 5.8 For the purposes of assessing the 45 degree rule, the Officer has taken the 45 degree angle from the centre point of the proposed roofline to establish an average and in doing so is of the view this will result in a reduction of skylight to the patio windows by approximately half and not the majority of the window. However the Officer accepts there will be some impact on light to that window, but is of the view the extent to which this has a harmful impact must be fully

considered. At present there is an element of reduction in sky light to the patio window due to the existing 1.80m high fence in place along the adjoining boundary and given the orientation of the dwellings. Whilst it is accepted this will be increased as a result of the extension, it is considered this would not materially harm the existing amenities of no. 23. The Officer is if the view that regard must be had for the fact the rear living accommodation of no.23 is also served by a kitchen window, although the plan submitted by the applicant illustrates that part of the kitchen window will also be affected.

5.9 Whilst the guidance relating to light is a material planning consideration, it does not however form part of the approved development plan or is adopted supplementary planning guidance.

5.10 As previously assessed this scheme relates to a single storey rear extension where light to the rear of this terrace is limited due to the orientation of the buildings and it is considered an extension of this scale and location would not have such a material harmful impact on the living conditions of the adjacent occupiers in terms of loss of light or outlook so as to warrant refusal of the application.

5.11 Landscaping Issues

There are a number of oak trees running along the rear northern and eastern boundary of the site. It is considered the proposed extension by reason of its siting in relation to those trees will not have any adverse impact. An informative will be imposed advising the applicant not to store any building works near the root protection zone of the trees.

5.12 Other Issues

Both neighbours have expressed concern that the proposed extension exceeds planning legislation i.e. exceeds 3.0m on a terraced dwelling. Members are advised that this in fact relates to the criteria set down in the General Development Order that establishes whether or not works require planning permission. In this case as the extension extends beyond the rear wall by 3.0m then planning permission is required and is assessed accordingly.

Concerns have been raised that the extension if allowed would set precedence. Members are advised to consider that any future application would have to be assessed on its own individual planning merits.

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 decision to recommend 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.

- a) The proposed extension has been designed to positively enhance the character and appearance of the dwelling and area taking account of materials, design, siting, height and scale of the development-Policies D1 and H4.
- b) The proposed extension have taken account of neighbouring Residential amenities and through careful design, the proposal will not materially harm the amenities of neighbouring properties by reason of loss of privacy, overbearing impact or unacceptable loss of light-Policy H4
- c) The proposed extension has taken account of the nearby oak trees and through careful siting will not harm the long term health of the trees -Policy L1

7. RECOMMENDATION

7.1 Planning permission be granted subject to the following planning conditions.

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason

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

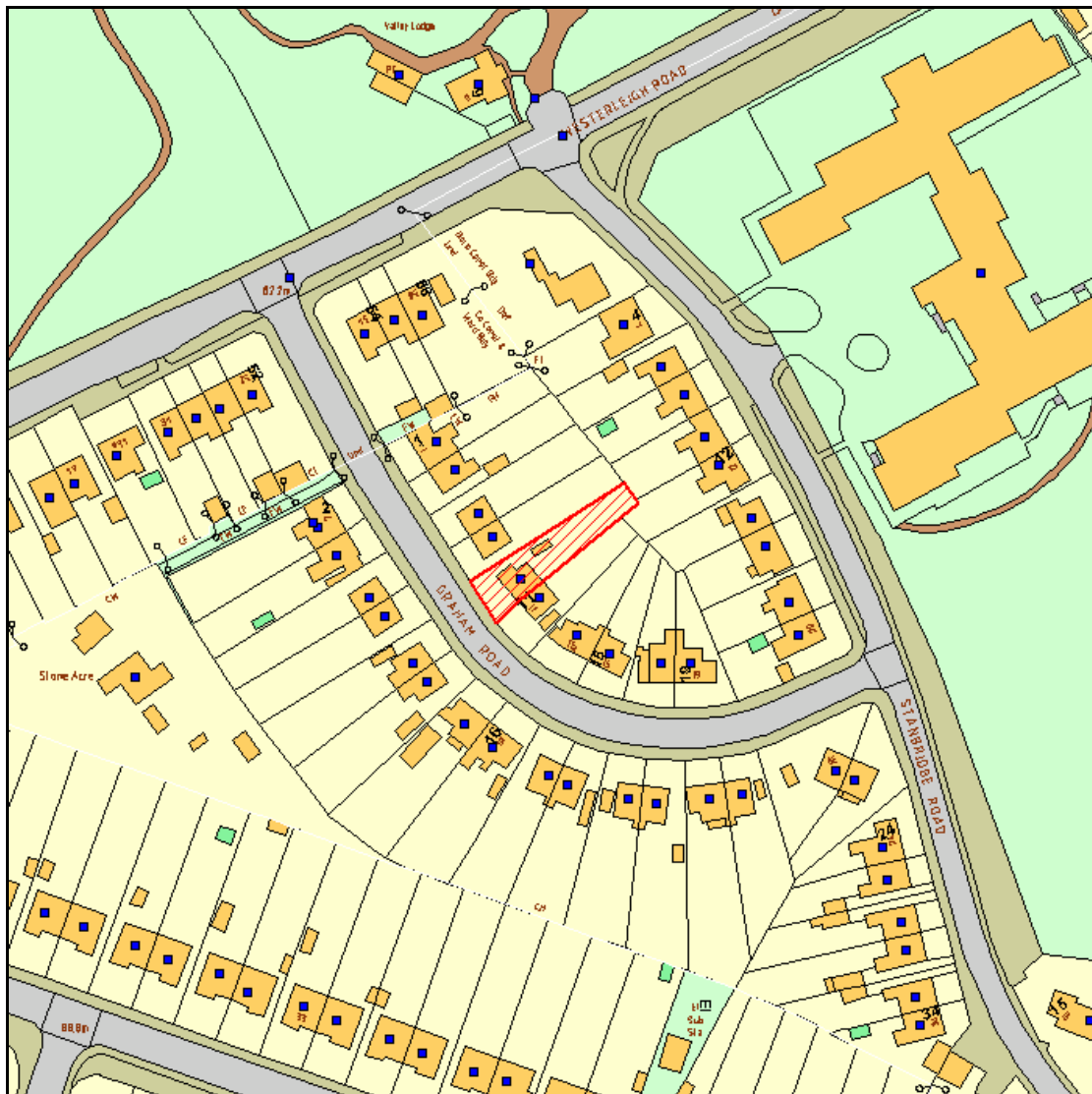
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/0939/F	Applicant:	Mr R Meek
Site:	9 Graham Road Downend Bristol South Gloucestershire BS16 6AN	Date Reg:	29th March 2011
Proposal:	Erection of first floor rear extension over existing ground floor extension to provide additional living accommodation.	Parish:	None
Map Ref:	365620 176845	Ward:	Rodway
Application Category:	Householder	Target Date:	19th May 2011



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PK11/0939/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

An objection has been received from the Parish Council, contrary to the officer recommendation.

1. THE PROPOSAL

1.1 This application seeks planning permission for the erection of a first floor extension above an existing ground floor rear extension. The house on site is a render and red Double Roman tile semi in a street of similar properties. It has been extended already with a flush two storey side extension, forming a garage, with rooms above. A further addition is a single storey rear extension along the previous width of the house, before the side extension was built. Building above this at the proposed depth of 3.2 metres would create an additional bedroom and enlarge an existing bedroom. The plans also show the existing garage being turned into living accommodation. This conversion does not require planning permission and is not in breach of any condition.

1.2 Parking is provided off the street in the former front garden, which is now covered in hardstanding.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design

South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

3.1 PK00/2061/F Single storey rear extension Approved

3.2 PK02/0431/F Two storey side extension Approved

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council
Object due to the impact on the existing amenity of the adjoining house.

4.2 Other Consultees [including internal consultees of the Council]
None.

Other Representations

4.3 Local Residents
No replies received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above in the light of all material considerations. The issues to be resolved are the impact of the proposal on residential amenity and visual amenity. A material consideration of relevance is the previously approved and constructed single storey rear extension. The first floor extension is proposed to project no further than the existing single storey one.

5.2 Design and Visual Amenity

The application forms show that the materials used would match with the host dwelling, which is considered to be appropriate. The current roof of the rear extension is a simply designed lean-to. The proposed roof for the first floor extension would have to take on a different design in order to tie in with the house's existing roof. It is proposed that this roof would be hipped to match that of the side extension. This is considered to reduce the mass of the extension in an appropriate manner. Subservience to the host dwelling is demonstrated through the extension's roof being lower than that of the host dwelling. It is considered that the design is relatively simple, using matching materials and that it is appropriate and accords with policy D1 and the relevant part of policy H4 of the adopted Local Plan.

5.3 Impact on Residential Amenity

The adjoining semi is a handed version of that on site, which means that at first floor level, next to where the extension is proposed, there is a bedroom, a habitable room. It is considered that this room would be the only one to be affected to any degree by the proposed extension. The effect on residential amenity of this proposal therefore focuses on that room. The extension would project by 3.2 metres, measured externally. The bedroom window next door is slightly offset from the proposed flank wall. A projection of 4 metres would normally be considered acceptable in these circumstances, without having any detrimental impact on residential amenity and the 3.2 metre projection is well within that. Should a more stringent approach be taken, it is considered that a less deep first floor extension, whilst feasible, would be much more difficult to build as it would have no existing end wall for the first floor extension to stand upon. Negotiating a reduction in depth is therefore considered to be impractical. In any event, with a projection of 3.2 metres, it is considered that this proposal would accord with the relevant part of policy H4 of the adopted Local Plan as it would not have a detrimental impact on existing levels of residential amenity. In order to preserve privacy, a condition appears below ensuring that no window will be inserted at a later date in either side wall of the first floor extension.

5.4 Other Issues

Off street car parking to serve the extended dwelling is still catered for, despite the loss of the garage (which it should be noted does not require planning permission) on the forecourt of the property.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extension would provide enlarged family accommodation of an appropriate design, without compromising existing levels of residential amenity. The proposal is considered to accord with policies D1 and H4 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevation of the first floor extension.

Reason

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

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/1033/F	Applicant:	Mr And Mrs R Pritchard
Site:	142 Sundridge Park Yate Bristol South Gloucestershire BS37 4DX	Date Reg:	1st April 2011
Proposal:	Erection of two storey and single storey rear extensions to form additional living accommodation and conservatory.	Parish:	Yate Town Council
Map Ref:	371288 182068	Ward:	Yate Central
Application Category:	Householder	Target Date:	24th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been forwarded to the Council's Circulated Schedule of applications as representations have been received raising views contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application site is situated within a predominantly residential suburb of Yate. The site is bounded by residential development to the north and south with vehicular access onto a service road to the west and front garden facing onto Sundridge Park to the east. The site comprises a 1960's two storey semi detached dwelling with rear conservatory addition.

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

- 1.2 The application proposes erection of two storey and single storey rear extensions to form additional living accommodation and conservatory.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Existing Residential Curtilages

South Gloucestershire Core Strategy – Submission Draft December 2010

CS1 High Quality Design

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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council

Objection. Loss of daylight/sunlight, loss of outlook and overbearing.

- 4.2 Other Consultees [including internal consultees of the Council]

None

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 144 Sundridge Park raising the following concerns:

Loss of natural light; the extension and conservatory would be too close to no.144; obscured glass and brick pillar do not resolve the issues of loss of privacy.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

The South Gloucestershire Core Strategy Pre-Submission Publication Draft was issued March 2010 and the consultation period expired on 06.08.2010. The Council's response to the representations received was considered at the Council's Cabinet meeting on 13 December 2010 and at the Full Council meeting on 15 December 2010 and the proposed changes to the Core Strategy agreed by Full Council have now been published. The South Gloucestershire Core Strategy Submission Draft was then published December 2010. The South Gloucestershire Core Strategy Development Plan Document was submitted to the Secretary of State on 31 March 2011. Whilst this document is a material consideration in the determination of planning applications, it will be afforded less weight than the adopted Development Plan at this stage.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a suburban residential context. The dwellings on the west side of Sundridge Park are positioned in a staggered pattern with the next set of semis to the south set back a distance from those to the north. The proposed extension and conservatory would be situated at the rear of the dwelling and would only be visible from views from the south on Sundridge Park looking north. As such only the side (south) elevation of the two storey extension would be clearly visible from public views. The conservatory would be similar in design and size to the existing conservatory at the rear and as such simply relocating the conservatory to the west would have little visual impact. The design and materials would be complementary to the existing dwelling in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

Adequate rear amenity space to the property would be retained following the erection of the proposed extension. With regard to neighbouring properties, the neighbour to the north (no.140), which is attached to the dwelling, would be situated 2.4m from the north elevation of the two storey extension and the nearest first floor window would be 3.2m from the extension. The extension would project 3.4m from the rear elevation. This distance and rear projection are considered to be sufficient for there to be no significant resultant loss of daylight/sunlight, overshadowing or overbearing/bulky development to the first floor windows of no.140. No.140 has a single storey flat roofed rear extension projecting approximately 2.4m from the rear elevation. The proposed single storey rear element of the proposed extension, to be situated on the boundary with no.140 would project by 3.4m from the rear elevation of no.144, measuring 2.4m to eaves, and 3.6m at its highest point. Considering the existing rear extension to no.140 the proposal is unlikely to result in a detrimental impact on the ground floor rear windows (situated within the extension facing west) of no.140 in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky presence.

The neighbour to the south no.144 is positioned set back from no.142. This set back is such that the rear elevation of no.142 is positioned 3m forward of the front elevation of no.144. As such the first floor rear bedroom window of no.142 is positioned 7m from the nearest front first floor bedroom window of no.144. As such the first floor front windows of no.144 already overlook the rear elevation, conservatory and facing windows of no.142. The proposed extension would result in the first floor rear bedroom window of no.142 moving 3.4m closer to the front elevation of no.144. The applicant has provided a screening brick pillar in the south west corner of the extension and proposes to obscurely glaze one pane of the bedroom window nearest to no.144. As such the distance between the facing bedroom windows of nos 142 and 144 would be reduced from 7m to 3.4m. But the angle of view would become significantly more acute (30-35 degrees), making the ability to look into the adjacent windows more difficult. The privacy impact from the facing windows must be assessed considering the additional or increased ability to overlook or look into windows over that which exists at present and whether that additional overlooking is sufficient for it to be harmful. In this case it is considered that although the distance of facing windows would be reduces, the resultant acuteness of angle of inter-visibility would result in an improved impact in relation to privacy. As such the proposal is considered to be acceptable in privacy terms.

The proposed extension would measure 3.4m length (3.8m including brick pillar), 5m height to eaves and 6.2m to ridge with a shallow roof pitch of 15 degrees. The extension would be situated to the north or north east of no.144 and as such no additional shadow would be cast onto no.144 as a result of the extension. Therefore the extension would not result in any significant additional shadowing/loss of daylight or sunlight to the occupiers of no.144. In terms of outlook and overbearing impact, the extension would be situated 3.5m from the nearest front windows of no.144 compared to the existing 6.5m. The outlook

from the front windows of no.144 is already obstructed by the rear elevation of no.142 due to the staggered relationship between the two. The extension at the rear which would bring no.142 3.4m closer to the front elevation of no.144 but is unlikely to result in additional loss of outlook, as the extension would not provide any new obstruction to outlook to that which exists at present. However, as the extension would bring no.142 closer to no.144 there is potential for an overbearing or bulky impact due to the increased presence of the building. The extension would be positioned 3.5m to the north/north east of no.144. Additionally the presence of the extension would be to the front garden and elevation of no.144, which would result in significantly less of an impact in terms of residential amenity than if the building impacted on the rear private space of no.144 which would be unaffected. The proposed conservatory would be modest in scale and would effectively just relocate the existing rear conservatory 3.4m to the west. As such the conservatory is unlikely to result in a material loss of residential amenity to the adjacent occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development. As such accounting for all of the above the proposal is considered to not to be materially harmful to the residential amenity of the adjacent occupiers.

5.4 Other issues

The proposed floor plan shows no increase to the existing 3 bedrooms. However, a small first floor room is shown over the stairs. An additional bedroom would require one additional off street parking space to be provided. There is ample space at the rear of the site, accessed via the rear service road to accommodate one additional parking space in accordance with the Council's adopted parking standard. The proposal is therefore considered to be acceptable in highway terms.

6. CONCLUSION

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

development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

7. RECOMMENDATION

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

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

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

Reason

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

3. The glazing on the rear (west) elevation as indicated on Drawing no. 2251/3 Rev A shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

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

4. No first floor windows other than those shown on the plans hereby approved shall be inserted at any time in the north and south elevations of the extension hereby permitted.

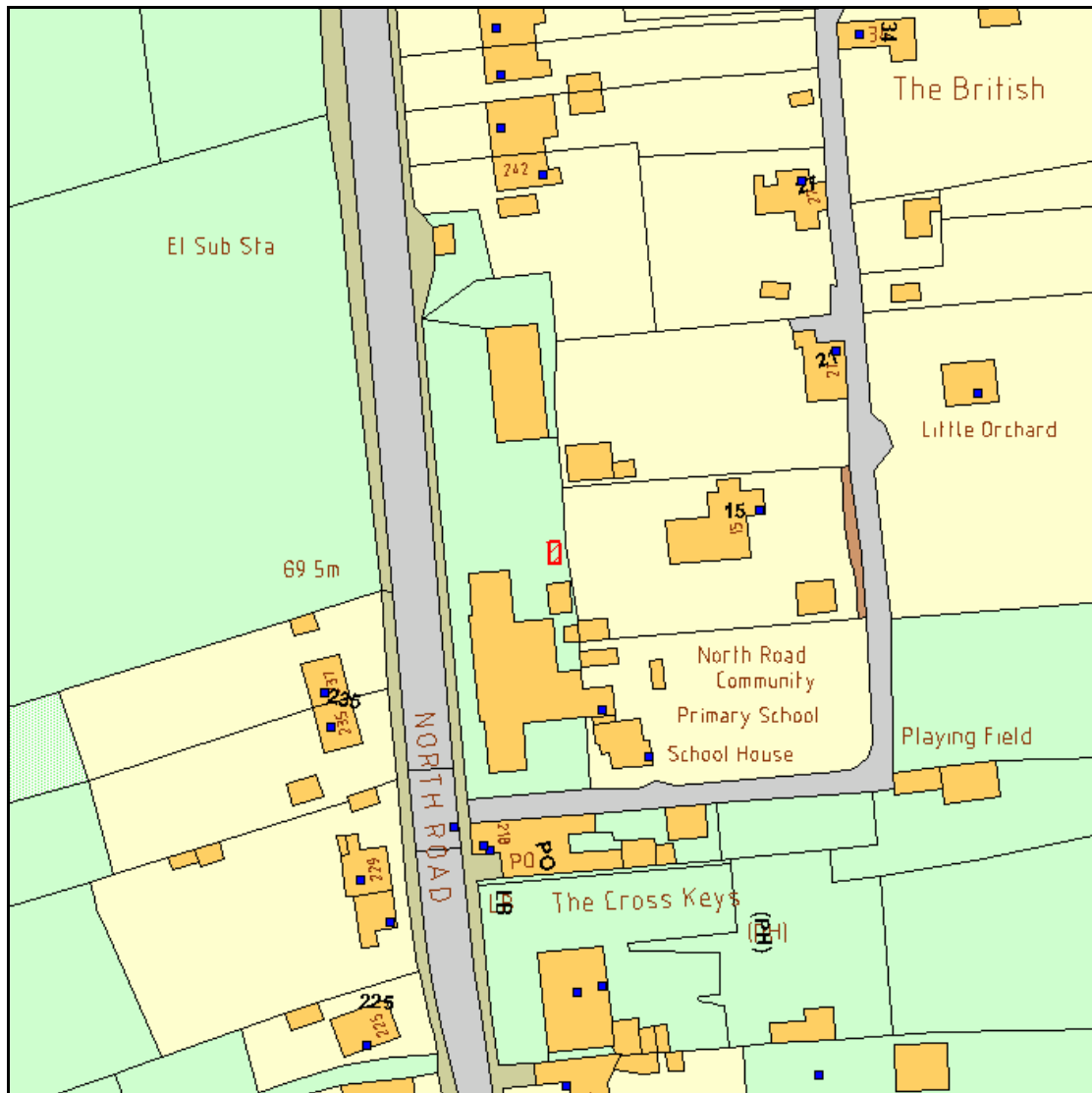
Reason

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

ITEM 10

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/1066/R3F	Applicant:	
Site:	North Road Primary School North Road Yate South Gloucestershire	Date Reg:	19th April 2011
Proposal:	Erection of containerised boiler plant room	Parish:	Iron Acton Parish Council
Map Ref:	369914 183755	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	13th June 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been submitted by the Council itself and is therefore appropriately reported on the Circulated Schedule.

1. THE PROPOSAL

1.1 This application seeks permission for a building to house a gas fired boiler to heat North Road community primary school. The building would be located within the playground, against the rear boundary of the site, where it adjoins the back gardens of properties in the British, divided by a 1 metre high wall and a 2 metre high ball fence in front of it.

1.2 The proposed building would be 4 metres long and 2.5 metres deep, with a height to eaves of 2 metres and to the monopitch roof ridge 2.6 metres. It would feature two doors in the front elevation, one leading to a plant room and the other a store. The facing materials proposed are a light grey plastic coated steel cladding. The main school building is two storey, with single storey elements and single storey outbuildings.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 Educational Facilities

South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council
No reply received

4.2 Other Consultees [including internal consultees of the Council]
Environmental Protection
No adverse comments

Other Representations

4.3 Local Residents
No replies received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
This application stands to be assessed against the policies listed above in the light of all material considerations. The proposal is for development within the

grounds of a school for purposes ancillary to the operation of the school and as such, the headings below are from policy LC4 of the adopted Local Plan, together with an assessment of design and visual impact under policy D1.

5.2 LC4A: Site Accessibility

This criterion does not apply to this proposal as it is for a purpose ancillary to the operation of an existing school.

5.3 LC4B: Residential Amenity

The proposed building would be relatively small and only readily visible from North Road from outside the site. The main issue which could potentially affect residential amenity is therefore the noise which is generated by the boiler and whether it would be adequately contained by the building housing it. Given that the school building to be heated is small, the scale of the boiler required is little larger than that which would be used to heat a domestic house. The latest models of these produce minimal noise. Insulation is proposed for the inside of the building to house it and it is considered that any noise generated would barely be appreciable from outside the site. It is considered that the proposal accords with criterion B of the Local Plan policy.

5.3 LC4C: Environmental or Transportation Impacts

For the reason given at 5.2 above, the proposal would have no transportation impact. With regard to environmental impact, this has been examined under criterion B above.

5.4 LC4D: On-Street Parking

For the reason given previously, this proposal is not considered to have any potential to create additional on street parking and therefore this criterion does not apply in this instance. The proposal is considered to accord therefore with all applicable criteria of policy LC4 of the adopted Local Plan.

5.5 D1: Design and Visual Amenity

As noted in the introduction, the existing school buildings, which set the immediate context for the proposed new building are considerably taller and bulkier. The scale of the proposed building is no larger than it needs to be to perform its function and is considered appropriate to its surroundings. The location at the rear of the site is considered to be appropriately unobtrusive. The materials are appropriate to a small building of a functional type and the colour would allow it to be read unobtrusively against a backdrop of a wall and fence. It is considered therefore that there would be no adverse visual impact arising from this proposal. The proposal is considered to accord with policy D1 of the adopted Local Plan.

6. **CONCLUSION**

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

- 6.2 The proposed development would allow the school to adopt a more up to date and energy efficient method of heating the premises without having any adverse impact upon visual or residential amenity as a result. The proposal accords with policies LC4 and D1 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 That planning permission is approved.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

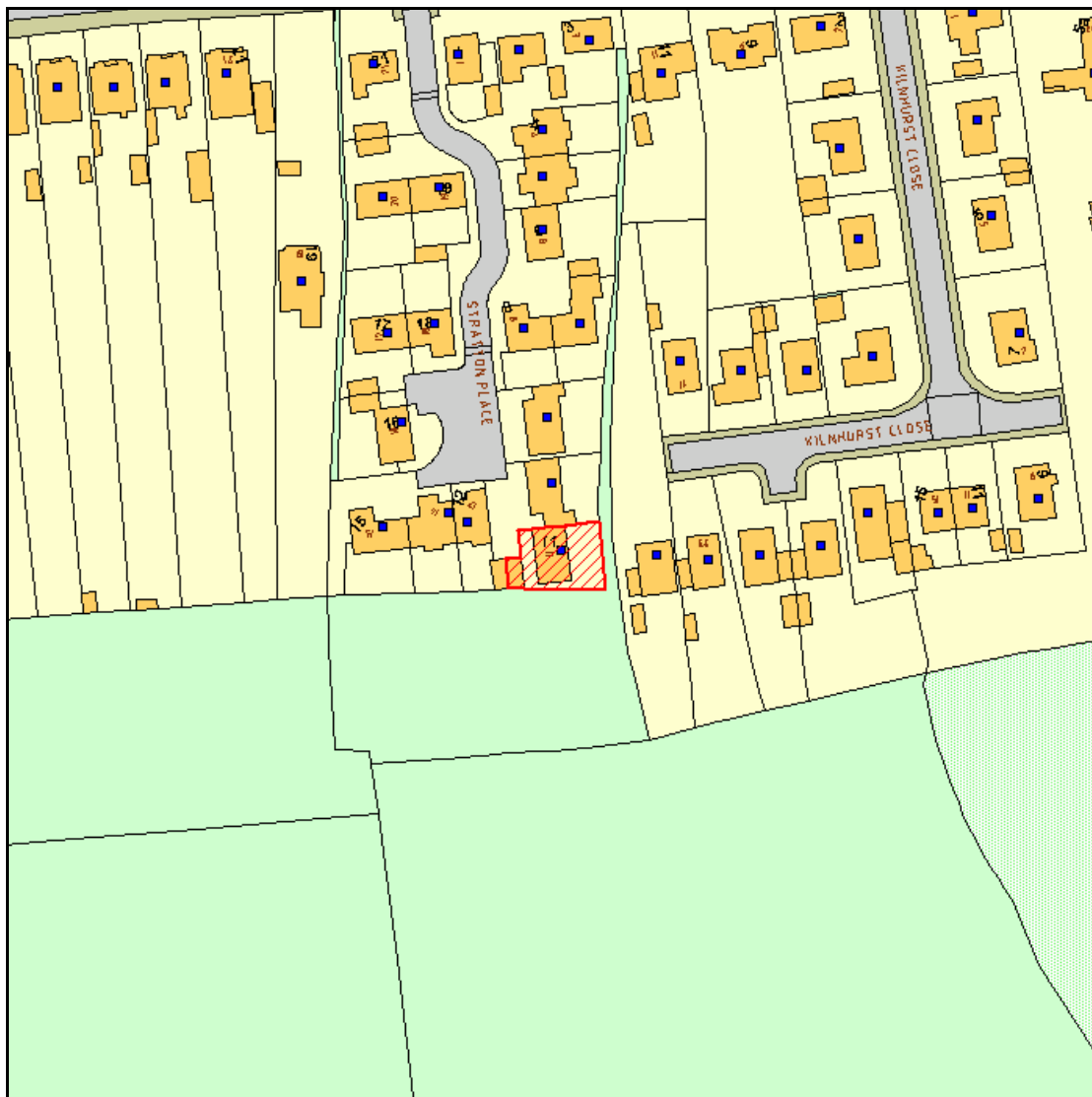
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/1075/F	Applicant:	Mr T Cross
Site:	11 Stratton Place Longwell Green South Gloucestershire BS30 9AU	Date Reg:	5th April 2011
Proposal:	Erection of single storey rear extension to provide additional living accommodation.	Parish:	Hanham Abbots Parish Council
Map Ref:	365904 170526	Ward:	Longwell Green
Application Category:	Householder	Target Date:	27th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

An objection has been received contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to erect a single storey rear extension which would replace an existing conservatory, almost matching its footprint. The house on the site is a bungalow, with render walls under a tiled roof, which stands at the end of a recently built cul-de-sac. The cul-de-sac stands on appreciably higher ground than the housing to the east of the site, about one storey higher.
- 1.2 The rear garden, which abuts the side garden of the adjoining property to the east, is enclosed by a fence which is partly trellis and has a total height of 1.8 metres above the site's ground level.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 House extensions
- South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/1632/F Erection of rear conservatory Approved

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No objection
- 4.2 Other Consultees [including internal consultees of the Council]
Technical Services
The surface water drainage proposal is for a soakaway construction. This is only acceptable if the ground conditions show the substrata to be very well draining with no detrimental effect to adjacent land or properties. The proposed position of the soakaway must be the required distance of 5 metres away from any dwelling. It appears that this is a rebuild on the same footprint, therefore there should be no change in terms of drainage disposal. You may consider this aspect of the application should be covered under a Building Regulations submission.
Although the new build footprint is similar to the original, there will be a change to the drainage provision by the inclusion of soakaway drainage disposal for surface water run-off. You may wish to include a SuDS drainage condition to ensure there is acceptable drainage provision.

Other Representations

4.3 Local Residents

One letter was received, citing the following concerns:

- a. This end of Stratton Place was originally designed as a low level development. The existing conservatory has a flat roof and is not visible. Whereas the proposed would intrude by over 3 metres from main roof towards my property and into view.
- b. The existing water drainage is towards front of property because of the non soakaway capabilities of the clay soil. Therefore proposed plans must have a facility to drain house and extension into existing drains. Otherwise the potential increase in the levels of water needing to be dispersed by the proposed soakaway at the rear of the house would increase the existing difficulties my property has with drainage, because it is 3 metres lower than 11 Stratton Place.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The main material consideration in this instance is the presence of the conservatory, the foundations of which would apparently be used to support the proposed extension, which would have a similar height to eaves. The assessment below concentrates on two issues, the effect of the proposal on visual amenity and existing levels of residential amenity.

5.2 Design and Visual Amenity

The present conservatory has a shallow, lean-to roof slope, appearing almost flat from outside the site, which exhibits a box-like shape. The proposed extension would present a tall gable to the east, with a roofslope similar to that of the host dwelling. Materials are shown on the forms as matching those of the host dwelling and the result is considered, through materials and design, to be an extension which much better integrates with the dwelling. Given the views of the rear garden of the site in its elevated position in relation to Kilnhurst Close, the extension is considered to offer a visual enhancement which accords with PPS1. It is considered that the proposal therefore accords with policy D1 and the relevant part of policy H4 of the adopted Local Plan.

5.3 Residential Amenity

The material consideration mentioned at 5.1 above is of particular relevance. The extension to eaves height is broadly similar to the existing conservatory and above that, the roof is considered to have no impact on existing levels of residential amenity enjoyed by the occupiers of neighbouring properties. The extension is partially obscured from the link-detached neighbouring dwelling by the garage, in any event.

5.3 Drainage

The comments from Technical Services appear at 4.2 above. The concerns that have been raised stem from the fact that the site is on a bank which is significantly higher than Kilnhurst Close. As such, the water table is likely to be at a level higher than the gardens in Kilnhurst Close. While it is acknowledged

that the proposal in terms of built form is virtually like for like, due to the exceptional circumstances of the relationship between the site and surroundings it is considered that it is appropriate to require drainage details by condition to ensure that the site is capable of receiving water from the extension to soakaways.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extension would provide family accommodation more readily used year round than the existing conservatory, while providing a visual enhancement to the site and not compromising existing levels of residential amenity for adjoining householders. The proposal is considered to accord with policies D1 and H4 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is approved subject to the condition shown below.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. Prior to the commencement of development 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 L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 12

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/1078/F	Applicant:	Mr And Mrs R J Robinson
Site:	165 Long Croft Yate South Gloucestershire BS37 7YU	Date Reg:	6th April 2011
Proposal:	Erection of two storey side and rear and single storey rear extension to form integral garage and additional living accommodation.	Parish:	Yate Town Council
Map Ref:	370860 184141	Ward:	Yate North
Application Category:	Householder	Target Date:	27th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of two letters of objection from neighbouring residents.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a two storey side and rear extension and a single storey rear extension at 165 long Croft, Yate. The proposed two storey extension would measure a maximum of 3.9 metres wide by 9 metres in depth, extending 2 metres beyond the rear elevation of the dwelling and would have an overall height to ridge of 7.3 metres. The single storey rear extension would measure 2 metres in depth by 7.2 metres in width and would have a height to ridge of 3.5 metres.
- 1.2 The property is a two storey detached dwelling and is located within a residential area of Yate.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Parking Standards
- South Gloucestershire Core Strategy, submission Draft December 2010
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objections

Other Representations

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

- Loss of light through side elevation window, which currently lights the hall landing and stairs.
- Current views through the window will be lost
- Loss of privacy
- A window would be 1m away from the boundary and would overlook the garden, closest window is currently 4.4m away from the boundary
- New sightline from proposed window cuts across existing patio of neighbouring property.
- Create a precedent for extensions, no existing two storey side extensions build up to the boundary
- Extensions should respect the form, siting, and character of the original property and curtilage
- Proposals should respect the characteristics of the wider area particularly where it forms part of a formal street pattern.
- Extensions should not be 'overbearing', result in loss of privacy or light.
- A conventional extension on the front elevation would normally be subservient to the original house, usually with a significant set back and lower roof ridge height.
- The gaps between detached properties are an important consideration with a side extension ideally leaving at least 1.0m between it and the adjoining boundary.
- Gap between 165 and 163 will be minimal resulting in the appearance of almost a row when viewed from the opposite house.
- Overbearing to look at
- Loss of afternoon sun to house opposite
- Loss of privacy to house opposite as upstairs windows will face bedroom windows.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Design / Visual Amenity

The proposed extensions are of an appropriate standard in design and reflect the character of the main dwelling house and surrounding properties. The extensions are significant in scale but remain of modest size in comparison to the bulk of the main dwelling and are considered to be suitably subservient to the main dwelling. This is especially the case given that the two storey extension would be set back from the main front elevation of the dwelling and the ridge height would be slightly lower than the main ridge. Furthermore, the proposed additions would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

The proposed extensions would be to the side and rear of the existing dwelling and would be visible from the public realm. Whilst concern has been raised that the proposal would be built up to the boundary with the neighbouring property leaving a minimal gap and resulting in the appearance of a row of dwellings rather than two detached properties. It is considered that the gap of approximately 1.3 metres is sufficient to ensure that the properties remain detached, furthermore given that the surrounding dwellings are of various scale and design, it is not considered that the proposal would result in any demonstrable harm to the character and appearance of the principal dwelling and street scene. Consequently the proposal is considered to be in accordance with policies D1 and H4 of the South Gloucestershire Local Plan.

5.3 Residential Amenity

The rear of the property is bound to the rear and to the north by neighbouring residential properties and is enclosed and screened by 1.8 metre high closed board fencing and a boundary wall to the south. The proposal would be on the boundary with the neighbouring property No. 167 Long Croft. The rear of this neighbouring property is slightly set back from the rear of the application property, as such the proposal would only extend approximately 1 metre beyond the rear elevation of No. 167. Consequently, it is not considered that the extension would have any significant overshadowing or overbearing effect on the rear of the neighbouring dwelling.

The neighbouring property, No. 167 Longcroft has one first floor side elevation window which faces the application site. This window serves a landing, as such, whilst it is accepted that the proposal would result in some loss of light to this window, given that it serves a non habitable room, it is not considered that this is of sufficient concern to warrant the refusal of the application. With regard to concerns raised regarding the loss of view from No. 167 and the house opposite, it should be noted that there is no right to a view and as such this is not normally a planning consideration, however whilst it is accepted that the outlook from No. 167 will be effected by the proposal, the outlook from the landing window is already adjacent to the side elevation of No. 165 and the window serves a landing and not a habitable room. As such it is not considered that a refusal reason based on loss of outlook could be justified or substantiated at appeal. Concern has been raised from the property opposite that the proposal would result in loss of sunlight, whilst it is accepted that the extension would have a small impact during late afternoon/evening, given the scale of the proposal and the distance that it is located away from this neighbouring property, it is not considered that the proposal would result in any overshadowing of sufficient concern to warrant the refusal of the application.

The proposal includes the addition of two new first floor windows, one on the rear elevation and one on the front elevation. Whilst the proposed rear bedroom window would be closer to the neighbouring property, it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above the existing situation. Furthermore the front elevation window would serve a bathroom. It is therefore considered that there are no issues of inter-visibility or loss of privacy. Further, sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Parking and Highway Safety

The proposal would involve loss of the existing detached garage and some driveway space. An integral garage is proposed and it is considered that there is space for one car on the driveway. Therefore the parking provision would remain in compliance and within the Councils required parking standards.

6. CONCLUSION

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

6.2 The proposed extension is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore the extension would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact and the parking provision would remain in compliance with Policy T8. As such the proposal accords with Policies D1, T8 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.: PK11/1079/F
Site: 9 Fawkes Close Kingswood Bristol South Gloucestershire BS15 4LR
Proposal: Erection of two storey side and single storey front and rear extension to provide additional living accommodation. Alteration to vehicular access.
Map Ref: 366705 173716
Application Category: Householder

Applicant: Mr And Mrs Hepper
Date Reg: 6th April 2011
Parish: Siston Parish Council
Ward: Siston
Target Date: 27th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following an objection from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey side and single storey front and rear extension to provide additional living accommodation. The application would also include some alteration to vehicular access to the property.
- 1.2 The application site relates to a two-storey semi-detached dwellinghouse situated in the established residential area of Kingswood.

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 Design in New Development

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

T8 Parking Standards

T12 Transportational Development Control

South Gloucestershire Core Strategy, Submission Draft December 2010

CS1 High Quality Design

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council

The area is unparished

- 4.2 Other Consultees [including internal consultees of the Council]

Drainage Comments

No objection in principle subject to an informative.

Other Representations

4.3 Local Residents

One letter has been received by a local resident who objects to the two first floor side windows of the proposed extension. The resident objects to the windows' proximity to his property, that any future maintenance would need to be conducted from his property and that any potential extension to his own property may be refused due to it blocking light to the windows of the neighbouring extension.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy D1 of the Local Plan requires all new development to be well designed and along with other criteria, respect and enhance the character, distinctiveness and amenity of both the site and locality. Policies T8 and T12 advise of maximum parking standards and seek to ensure that development will have no adverse impact on highway safety.

5.2 Design and Visual Amenity

The different aspects to the application will be covered in turn below:

Two storey side extension

The existing dwellinghouse is of red brick with decorative hanging tiles above ground floor level. The property benefits from brown roof tiles and white uPVC windows and is of a simple style. The proposed two storey side extension will incorporate an integral garage into its design and will run the full length of the dwellinghouse, being approximately 8.5 metres in length and 2.5 metres wide. The proposal will be flush with the building line of the host dwellinghouse at the rear, slightly back from the building line to the front, and its ridge line will be suitably subservient to the main property. A door in its north elevation will provide access from the main property into the rear garden. Materials used in its construction will match those of the existing dwellinghouse. Given the scale, design and proposed materials, the development is considered to be appropriate to the main dwellinghouse and the character of the area in general.

Single storey front extension

The proposed front extension will measure approximately 4.8 metres wide, 2 metres deep and 3.4 metres high. This will create a porch over the front door, the roof of which will continue across the front of the side extension. A number of porches can be seen along the road and the simple design and size of the proposal is considered to be suitable for the type and style of dwellinghouse.

Materials used in its construction will correspond to those of the main dwellinghouse.

Single storey rear extension

The single storey rear extension will measure approximately 3.0 metres deep, 5.1 metres long and 3.5 metres high. Various rear extensions of different designs and sizes are in evidence in the area. The proposed rear extension will be constructed of brick and have windows in its north facing walls and velux windows in its roof. The materials used will complement the host dwellinghouse and this along with the scale and design signifies that the proposal is acceptable in this location.

Given the amount and style of the proposal along with the matching materials to be used it is deemed that the development accords with policy D1 of the South Gloucestershire Local Plan (adopted) 2006.

5.3 Residential Amenity

Two storey side extension

The existing dwellinghouse is separated from its neighbour at No. 11 Fawkes Close by a 1 metre high brick wall extending from the front of the property for a few metres, by an open area and by a 1.8 metre high fence. The side extension would replace this fence. No. 11 has two windows in its west elevation, one at ground floor and one at landing height. The ground floor window is currently approximately 2.4 metres away from the existing fence but is not the only opening serving this kitchen space, another window faces the rear garden. It is also noted that the window at landing level does not serve a primary living space. It is therefore judged that the proposed extension would not adversely affect the main living space of No. 11 Fawkes Close.

Given the above, the fact that the proposed two storey side extension would have two obscure glazed, non-opening windows in its second storey east elevation and also that the application site is at a slightly higher elevation than No. 11 Fawkes Close it is considered that there would be no issues of inter-visibility, overlooking or loss of privacy and the affect on residential amenity is reasoned satisfactory.

Single storey front extension

The front extension will be 5 metres from the main highway with its only openings facing the road. In view of this it is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space will remain to serve the property.

Single storey rear extension

The neighbouring property of No. 7 Fawkes Close has a rear lean to structure that projects approximately 3 metres into the garden. Here the properties are

separated by a 2 metre high fence and given that the proposed extension would be of solid construction on this boundary it is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space will remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

With regard to the above it is considered that the proposed development accords with Policy H4 of the South Gloucestershire Local Plan (adopted) 2006.

5.4 Alterations to the vehicular access

To the front the property has a shingle covered area and hard standing for the parking of two cars. As part of the development a length of 1 metre high existing brick wall will be demolished to improve access to the site. As Fawkes Road is unclassified, planning permission is not required if a dropped kerb is necessary to facilitate access into the driveway. The Council's Streetcare Department have no objection but want to make the applicant aware of the requirement for appropriate permeable design features and measures to accommodate surface water run-off in the proposed development.

5.5 Other matters

The Flue

The development incorporates a flue for the wood burning stove. The height of this will be covered by Building Regulations to ensure it complies with current policy.

Comments by Neighbour

The proposed side windows are to be situated high within the extension and are to be of obscure glazing and non-opening. It is therefore considered that they will neither cause an issue of overlooking or loss of privacy for the neighbouring property at No. 11 Fawkes Close. Planning applications are assessed on a case by case basis and therefore the possibility of No. 11 Fawkes Close being extended at some stage in the future, and its potential outcome, cannot be considered within the context of this application. The concern of using a neighbour's property for maintenance etc is a civil matter and as such cannot be covered under the remit of this report.

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 a two storey side and single storey front and rear extension to provide additional living accommodation is considered to be in-

keeping with the overall character of the dwelling and surrounding area in terms of its scale, design and the materials used. Furthermore, the existing level of residential amenity afforded to neighbouring properties is protected. As such the proposal accords with Policies D1, H4, T8 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 in the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

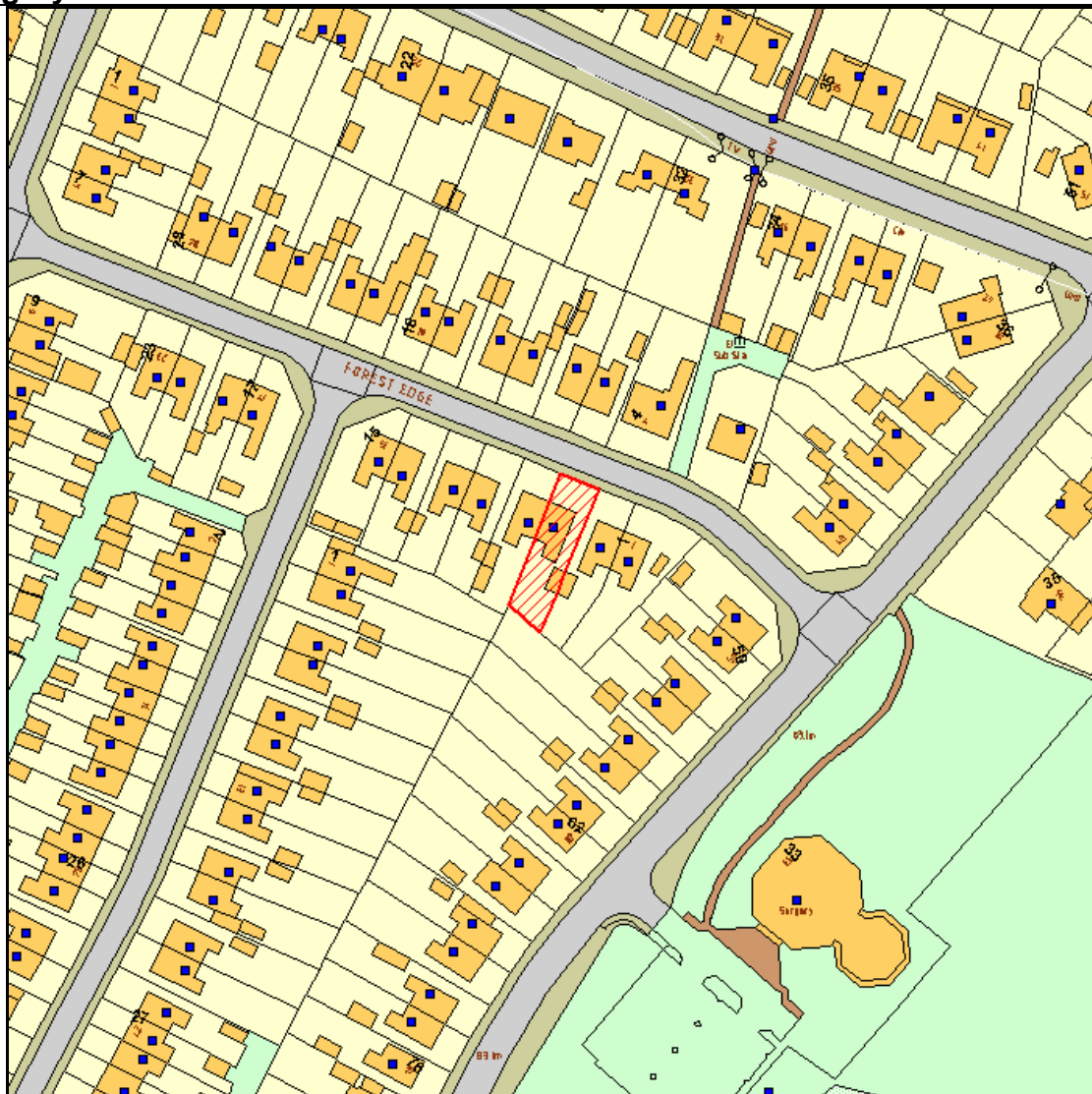
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PK11/1105/CLP	Applicant:	Mr And Mrs N Britton
Site:	5 Forest Edge Hanham South Gloucestershire BS15 3PP	Date Reg:	7th April 2011
Proposal:	Application for Certificate of Lawfulness for a proposed hip to gable roof enlargement, installation of rear dormer window to facilitate loft conversion, single storey rear extension and two storey rear extension.	Parish:	Hanham Abbots Parish Council
Map Ref:	364457 171823	Ward:	Hanham
Application Category:	Minor	Target Date:	31st May 2011



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PK11/1105/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 A certificate of Lawfulness for a proposed development has been applied for in relation to a proposed hip to gable roof enlargement, the installation of a rear dormer window to facilitate a loft conversion, a single storey rear extension and a two storey rear extension. The application property is a two storey semi detached dwelling and is located within the defined settlement boundary.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

- 2.1 The proposed hip to gable roof enlargement is assessed under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. The proposed installation of a rear dormer window to facilitate a loft conversion is also assessed under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. The proposed single storey rear extension is assessed under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. The proposed two storey rear extension is assessed under Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (amendment) (No.2) (England) Order 2008.

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council

No objections received

Other Representations

4.2 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The purpose of this application for a Certificate of Lawful Development is to establish whether or not the proposed development can be implemented lawfully without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 do not apply in this instance.

It stands to be ascertained whether the proposed development falls within the limits set out in Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

5.2 Hip to gable roof enlargement, installation of rear dormer and two storey extension

Schedule 2, Part 1, Class B of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof, provided that it meets the following criteria.

B1 Development is not permitted by Class B if—

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

The proposed rear dormer will not exceed the height of the highest part of the existing roof, neither will the two storey extension. Regarding the hip to gable, the development would follow on from the existing roof line and therefore not exceed the height of the existing roof.

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

The proposed dormer and two storey extension will be on the rear elevation, which is not the principle elevation, and does not front a highway. The hip to gable enlargement is on the side elevation of the dwelling and also will not extend beyond the plane of any existing roof slope which forms the principle elevation of the dwellinghouse and fronts a highway.

- (c) **the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—**
(i) 40 cubic metres in the case of a terrace house, or
(ii) 50 cubic metres in any other case;

The dwelling is semi-detached and the total cubic content of the proposed rear dormer, hip to gable roof and two storey rear roof enlargement, when combined, is approximately 39 m³.

- (d) **it would consist of or include—**
(i) the construction or provision of a veranda, balcony or raised platform, or
(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

The proposed development will not consist of any of the above.

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

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

5.3 **Single storey rear extension and two storey rear extension**

Schedule 2, Part 1, Class A of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (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 property has a moderate sized rear garden consequently the proposed extension would not exceed 50% of the total area of the curtilage.

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

The maximum height of the proposed single storey rear extension would be 4 metres, and the two storey rear would extension would achieve a maximum height of 5.8 metres in comparison the main dwelling has as height to ridge of 8.7 metres. As such the proposal meets this criterion.

- (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 eaves height of the existing dwellinghouse is 5.4 metres and the proposed single storey rear extension would have a height to eaves of 2.8 metres, while the two storey rear extension would achieve a height to eaves of 4.9 metres. The proposal therefore meets this criterion.

- (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 proposed extensions would be to the rear of the dwellinghouse.

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

The host dwellinghouse is a semi-detached property and the proposed single storey rear extension would measure 2.9 metres in depth and would have a maximum height to ridge of 4 metres, in accordance with this criterion.

- (f) The enlarged part of the dwellinghouse would have more than one storey and -**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;**

The two storey extension would extend beyond the rear wall by 2.9 metres and would not be within 7 metres of the boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse.

- (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 proposed single storey rear extension would be located within 2 metres of a boundary of the property and the height to eaves is less than 3 metres. As such the proposal meets this criterion.

The height of the eaves of the proposed two storey rear extension would be 4.9 metres but it would not be within 2 metres of the boundary of the curtilage and it therefore meets this criterion.

- (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
- (iii) Have a width greater than half the width of the original dwelling house.

The proposed extensions are to the rear of the dwelling.

- (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 consists of alteration to the roof of the main dwelling by changing it from a hipped end to a gable end and this is satisfactorily dealt with under Schedule 2, Part 1, Class B of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 above.

Class A.2 restricts the development on article 1(5) land.

The application site does not fall within Article 1(5) land, as such the criteria outlined in Class A.2 are not relevant to this application.

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 in the development will match those of the existing dwellinghouse.

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

The upper-floor window located on the side elevation of the property will be of obscure glazing.

- (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 roof slope of the first floor extension will be the same pitch as the existing roof slope pitch.

6. RECOMMENDATION

6.1 That a Certificate of Lawfulness for Proposed Development is granted for the following reason:

Evidence has been provided to demonstrate that the development meets the criteria set out in Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and is therefore permitted development.

Contact Officer: Anne Joseph
Tel. No.

ITEM 15

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/0764/VAR	Applicant:	Mr And Mrs Winkworth
Site:	Beechmount Duck Street Tytherington Wotton Under Edge South Gloucestershire	Date Reg:	15th March 2011
Proposal:	Discharge of Section 106 agreement dated 5th December 1990 attached to planning permission P88/1113 to remove the restriction of further development at Beechmount Tytherington.	Parish:	Tytherington Parish Council
Map Ref:	367089 188242	Ward:	Ladden Brook
Application Category:		Target Date:	6th May 2011



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N.T.S. **PT11/0764/VAR**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as the application relates to a s106 Legal Agreement.

1. THE PROPOSAL

- 1.1 The application relates to a dwelling and residential curtilage located at Beechmount, off Duck Street in Tytherington. The development was approved under planning application approval P88/113. The resolution to grant consent occurred prior to 1990 and was subject to the securing of a legal agreement which at that time would have been carried out under Section 52 of the Town and Country Planning Act 1971. However, the time elapsed between the resolution to grant consent and the actual completion of the required legal agreement meant that Section 106 of the Town and Country Planning Act 1990 applied. As such the planning consent is subject to a Section 106 Legal Agreement.
- 1.2 The application is submitted under Section 106 A (3) of the Town and Country Planning Act (as amended) 1990. The application seeks to discharge the Legal Agreement and remove the restriction in respect of the above planning consent that prevents the further development of the site.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
Circular 05/05
The Community Infrastructure Levy Regulations 2010
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
Policy D1 Achieving Good Quality Design in New Development
Policy H2 Residential Development in Urban Areas and Settlement Boundaries
Policy L12 Conservation Areas
- 2.3 Supplementary Planning Guidance
No relevant guidance
- 2.4 Other Material considerations

South Gloucestershire Council Core Strategy (Proposed Changes Version) December 2010.
Policy CS1 High Quality Design
Policy CS34 Rural Areas.

3. **RELEVANT PLANNING HISTORY**

- 3.1 P88/113 Erection of Detached Bungalow; Construction of Vehicular
Access (In accordance with the revised plans received by the
Council on 31st March 1988)

Approved (subject to Conditions and s106 Agreement) 9th January 1991

The s106 Agreement is subject of this application

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

Refused 13th August 2009

- 3.3 PT09/1253/CA Demolition of existing wall and poly tunnel.

Conservation Area Consent Granted 13th August 2009

4. **CONSULTATION RESPONSES**

- 4.1 Tytherington Parish Council
No comment has been received

- 4.2 Highways Authority
No Objection

Other Representations

- 4.3 Local Residents
No Comments have been received

5. **ANALYSIS OF PROPOSAL**

- 5.1 At the time that the Planning Application P88/113 was determined, the applicant entered into a Legal Agreement with Northavon District Council so agreeing not to develop the site further, in order to secure the consent. This application does not seek to carry out development, rather it is an application to discharge the planning obligation set out in the existing section 106 legal agreement in order to remove the restriction which prevents any further development within this site. Section 106A(3) provides that anyone against whom the planning obligation is enforceable, may at any time after the 'relevant period' expires, apply to the Local Planning Authority concerned for the obligation to be modified or for it to be discharged. The 'relevant period' is five years from the date that the obligation is entered into. In this instance the requirements of Section 106A(3) have been met and this application should now be considered.

5.2 Assessment

The existing s106 agreement sets out that in respect of the development of the bungalow on this site;

‘the Owners’....and the Owners’ successors in title and all persons deriving title.....not to carry out or permit the carrying out of any building, engineering, mining in, on, over, under the said land or the making or permit the making of any material change in the use of any buildings or other land other than in accordance with the planning consent on any part of the said land’

5.3 The reason for requiring that the above is enforced is set out as;

‘The Council is the District Planning Authority for the area within which the said land is situated and wishes to ensure that the visual amenity of the area is protected.....’

5.4 On this basis, it is clear that the reason for the legal agreement is to prevent further development on the site in order to protect the visual amenity of the site and its surroundings.

5.5 Where an application is made to modify or discharge a planning obligation under section 106 A (3), the Local Planning Authority must apply the tests as set out in Section 106 A (6). Essentially, the relevant test in this case is whether or not the obligation continues to serve a useful purpose. This need not necessarily be the same purpose as originally applied.

5.6 There is very limited evidence that demonstrates why it was considered necessary to preclude any further development on this site, other than ‘the protection of visual amenity’ that is referred to in the legal agreement as set out above. On this basis, not possible to ascertain what the purpose of applying the restriction is in the first place. In addressing whether or not a useful purpose would continue to exist in respect of the restriction it is reasonable to apply the policy tests of Circular 05/05 and the statutory tests of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) that would apply to a section 106 agreement.

5.7 Circular 05/05 sets out that a planning obligation must meet all of the following policy tests;

- i) relevant to planning
- ii) necessary to make the proposed development acceptable in planning terms
- iii) directly related to the proposed development
- iv) fairly and reasonably related in scale and kind to the proposed development; and
- v) reasonable in all other respects

5.8 Similarly, the Community Infrastructure Levy Regulations 2010 (CIL Regulations) (Regulation 122 ‘Limitation on the use of Planning Obligations’)

provides the statutory tests which set out that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

5.9 The section 106 agreement is effective in preventing further domestic development within the curtilage of the dwelling and it also prevents the further development of the site even in the event of a subsequent planning permission being obtained. This is considered to be unduly onerous and unreasonable; and on this basis is not fairly and reasonably related in scale and kind to the development. The legal agreement therefore fails to comply with the CIL Regulations as set out in c) above.

5.10 Given that the reason for the legal agreement is to protect the visual amenity of the site and its locality, this is an issue that would be correctly dealt with through the course of an assessment of a further planning application. In this case the site is located within a Conservation Area and the normal permitted development rights afforded to domestic dwellings in such areas are significantly restricted and as such any minor domestic development within the site is very likely to require planning consent in its own right. More significant development (such as the development of additional dwellings or change of use of the land) would require planning permission in its own right. On this basis, the legal agreement is not necessary to make the development acceptable in planning terms as the impact upon visual amenity would form part of the assessment of a further planning application. The legal agreement therefore fails to comply with the CIL Regulations as set out in a) above.

5.11 On the basis of the above assessment, it is considered that the subject section 106 legal agreement and planning obligation it secures does not meet the tests of circular 05/05 and the CIL regulations; and in particular does not serve a useful purpose. On this basis the planning obligation should be discharged.

5.12 Planning Conditions

The subject planning consent does not include a condition that would restrict or remove domestic permitted development rights in respect of the dwelling and its curtilage. In the light of the above assessment, officers have considered the use of a planning condition that would effectively remove the domestic permitted development rights in respect of the dwelling and its curtilage. In doing this, it is necessary to consider the tests of circular 11/95 (these are the same as the tests set out in Circular 05/05 as set out above); and in particular it should be noted that the use of such a condition should apply only in exceptional circumstances. In this instance, the site is located within the Tytherington Conservation Area. Where a domestic property is located within a conservation area the permitted development rights are reduced significantly such that any additional domestic development of any material nature is very likely to require planning permission in its own right. On this basis, it is

considered that a condition restricting permitted development rights or removing them completely is unnecessary and would not meet the tests of Circular 11/95.

5.13 Further Planning Applications

The planning history relating to this site indicates that it is the intention to develop the curtilage of the dwelling to provide additional residential development. It is acknowledged that the purpose of this application is to enable such development to proceed should planning permission be secured. It should be noted that the relinquishing of the planning obligation would not undermine the assessment of or pre-determine any further planning applications in respect of this site.

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 It is concluded that the Section 106 Legal Agreement and the Planning Obligation that it secures is not necessary as its purpose (in the interests of visual amenity) is correctly the subject for assessment under any subsequent planning application affecting the site.

7. RECOMMENDATION

7.1 That the Section 106 Legal Agreement is discharged.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

ITEM 16

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/0779/F	Applicant:	Ms D Tremlin
Site:	35 Touchstone Avenue Stoke Gifford South Gloucestershire BS34 8XQ	Date Reg:	15th March 2011
Proposal:	Erection of rear conservatory and utility room	Parish:	Stoke Gifford Parish Council
Map Ref:	362589 180138	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	6th May 2011



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PT11/0779/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a rear conservatory and utility room.
- 1.2 This is a modern detached property within the existing urban area of Stoke Gifford. The proposal also includes the conversion of the existing attached garage into a utility room.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG13 Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilage
T12 Transportation Development Control Policy for New Development

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

Concerns about reduced parking/loss of parking.

4.2 Other Consultees

Transportation

No objection.

Other Representations

- 4.3 Local Residents
No response.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Residential Amenity

Overbearing Analysis

Due to the overall scale and size of the proposed development and sufficient boundary treatment between the neighbouring properties the proposal would not be overbearing on the residential amenity of neighbouring occupiers.

Privacy Analysis

The proposed extensions are single storey and there is an existing party boundary wall approximately 1.8 m in height so therefore there would be no overlooking or loss of privacy as a result of the proposal.

Amenity Space

Whilst the proposed conservatory and utility room does project into the rear garden its modest size means that sufficient garden space will remain to serve occupiers of the property.

Highway Safety Analysis

The conservatory and utility room located at the rear of the property will not impact on the property's parking arrangements, located at the front of the house. The existing garage is being converted into additional living accommodation however two off street parking spaces would remain to the front of the property and the Council's Highways Engineer raises no objection.

5.3 Design / Visual Amenity

The proposal is considered modest in scale and fits with the character of the existing property. The rear extensions location to the rear of the building together with the chosen construction materials, which match the palette of materials displayed in the existing building, means that this is an appropriate addition to the dwelling and streetscene. The proposal is well screened from the public realm to the side and rear and therefore there is no harm caused to the visual amenity. The replacement of garage door with a window is also acceptable in visual terms.

5.4 Improvements to Scheme

No improvements considered necessary.

6. CONCLUSION

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

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

- a) The proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

7. RECOMMENDATION

- 7.1 That planning permission is **GRANTED** subject to the 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.

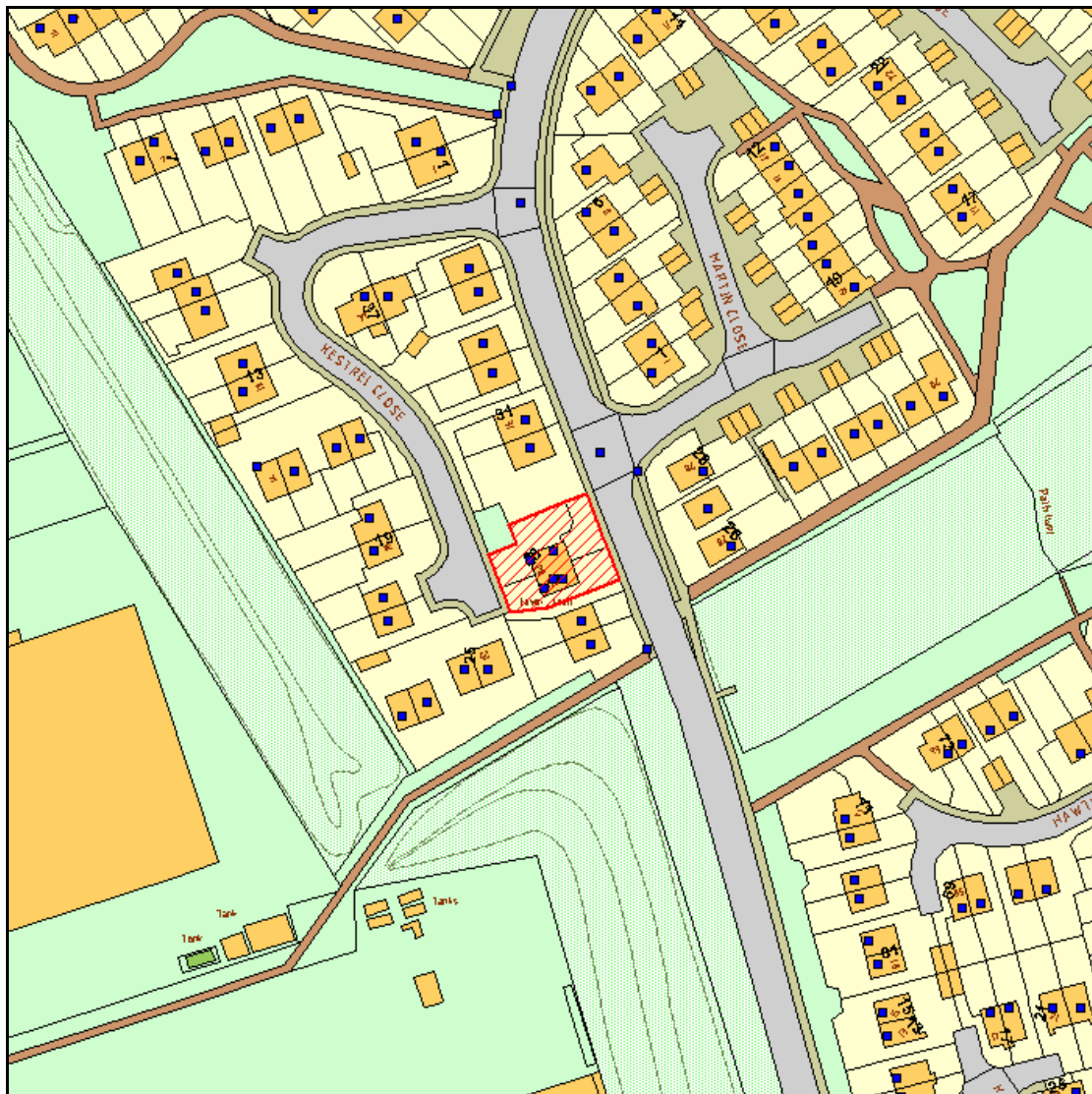
Reason

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

ITEM 17

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/0799/F	Applicant:	Mrs C Eason
Site:	Eason Court 28 Kestrel Close Patchway South Gloucestershire	Date Reg:	17th March 2011
Proposal:	Erection of two storey and 2no. single storey rear extensions to block of flats to form lobbies and additional living accommodation.	Parish:	Patchway Town Council
Map Ref:	359190 181596	Ward:	Patchway
Application Category:	Minor	Target Date:	10th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is circulated as the recommendation conflicts with the parish and neighbour consultation responses.

1. THE PROPOSAL

- 1.1 This full application relates to the extension of four flats with a two storey rear extension and two single storey porches. The building concerned began life as a pair of semi-detached houses in Kestrel Close but were converted to flats with horizontal separation after planning permission was granted in application PT07/2110/F.
- 1.2 The finished materials are proposed to be brick and tiles to match the existing building.
- 1.3 This proposal has been reduced in scale since it was first received and now takes the form of a 3.3m deep two storey extension across part of the rear elevation. Porch accesses are then provided on either side of the two storey extension which give individual access to both ground floor flats.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H2 Proposal s for residential development including residential institutions and special needs accommodation and applications to renew permission for residential development within the existing urban area and defined settlement boundaries.
H4 Development Within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development

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

3. RELEVANT PLANNING HISTORY

PT07/2110/F Conversion of two dwellings to form four self contained flats, erection of single storey rear extensions to form lobbies and associated works. Approved

4. **CONSULTATION RESPONSES**

4.1 Patchway Town Council

Objection:

- Oversize
- Overbearing to neighbours
- Not in keeping with the area.

Other Representations

4.2 Local Residents

Two letters of objection received which raise the following concerns;

- blocking of light to No 27.
- Concerned about obvious overlooking of No. 27, note there are no first floor windows.
- Concern that only three parking spaces are shown and that this will make the current situation even worse. Suggests dropping the curb off Coniston Road to facilitate parking spaces on the frontage.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

In assessing applications for residential extensions, planning policies D1 H2 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, overall massing, form, 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 extensions, and considers issues such as design, residential amenity and highway safety. Policy H2 deals generally with the location of new residential development and as such policies D1 and H4 are more useful in assessing this application.

5.2 Design

It is considered that the application accords with the above policy criteria. The extensions proposed to the existing building would take the form of a pair of extensions constructed in conjunction with one another. The size and form of the building work respects the mass and form of the original building and materials would match the brick and tiles of the original building. The proposal would bring the building closer to Kestrel Close but a gap of some four metres would remain behind the 1.8m high rear boundary wall. This relationship to the streetscene is acceptable given the close relationship of a couple of other houses on Kestrel Close to the highway.

5.3 Residential Amenity

The neighbours would not be materially affected by the proposal given that the proposal is some six metres from the side of the closest neighbour and no

windows are proposed in the side elevation of the extensions. Further, as flats have no permitted development rights no window could be installed in the side elevations of the property without planning permission.

- 5.4 In respect of pressures within the site to provide cycle and car parking, bin storage and outside space for the inhabitants of the flats, the proposal shows the same level of parking spaces (three), cycle spaces (four) within two sheds and bin storage areas as previously agreed in application PT07/2110/F when the flats were granted. It appears that these have not been fully installed in accordance with the condition and this application will therefore be conditioned such that this provision is provided within six months of the date of this consent. There is no reason to assume that the number of occupants will increase as only four bedroom remain within the flats. The proposal simply increased the living area of each flat. The outside amenity area would be reduced by the footprint of the enlarged building but an amenity area would still remain.
- 5.5 The proposal is considered acceptable and in accordance with development plan policy.
- 5.6 Other issues
A neighbour suggests dropping the curb off Consiton Road, a feeder road to much of Patchway. This does not form part of the planning application and would of itself require planning permission.

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 proposals would have no material impact on the neighbouring properties and the design is considered to be acceptable in terms of visual and residential amenity. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (Development within Existing Residential Curtilages, Including Extensions and New Dwellings) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The proposal has no impact in highway safety terms. As such the proposal is considered to be compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 Planning permission be granted subject to the planning conditions set out below.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The off-street parking facilities (for all vehicles, including cycles) and the bin storage areas shown on the plan hereby approved shall be provided before the expiry of six months from the date of this consent, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking, cycling and bin storage facilities, in the interest of highway safety and to provide adequate alternatives to the use of the private car and to protect the visual amenity of the area. Also to accord with Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 18

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/0831/R3F	Applicant:	Mr Peter Bruce, Frampton Cotterell Primary School
Site:	Frampton Cotterell C Of E Vc Primary School Rectory Road Frampton Cotterell South Gloucestershire BS36 2BT	Date Reg:	28th March 2011
Proposal:	Conversion of store rooms to provide occasional classrooms.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366334 181866	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	19th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule List because it comprises an internal submission.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of a building used as a store room to a classroom and the insertion of 2no. windows in the front elevation.
- 1.2 The application site comprises Frampton Cotterell Church of England Primary School, which is situated on the southwestern side of Rectory Road within the defined Frampton Cotterell settlement boundary. The building to be converted is of single storey brick construction situated adjacent to the northern boundary of the site shared with a neighbouring occupier.
- 1.3 The storeroom building was granted planning permission in 2001 (PT01/0179/F) subject to the condition that it would not be used for any other purposes apart from a storeroom, for the reason that another use would require further consideration by the Local Planning Authority.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
T12 Transportation Development Control Policy for New Development
LC4 Proposals for Education and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries

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 PT01/0179/F, erection of storage building, 27/02/01, approval.
- 3.2 PT03/2513/R3F, erection of covered pavilion, approval, 22/09/03.
- 3.3 P99/2338, provision of additional classroom and associated works, approval, 06/10/99.
- 3.4 P89/2828, construction of four additional car parking spaces, approval, 08/11/89.

3.5 N1125, erection of concrete building to be used as store, approval, 17/04/75.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council
No objection

4.2 Transportation
No objection

Other Representations

4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Planning policy LC4 allows for the principle of the proposed development. The main issues to consider are whether the proposal achieves an acceptable standard of appearance (policy D1 of the Local Plan), whether the site is highly accessible on 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 environmental and transportation effects (policy LC4 of the Local Plan), the impact of the proposal on the levels of on-street parking (policies T12 and LC4 of the Local Plan).

5.2 Appearance/Form
The proposal relates to a single storey brick building of rectangular form encompassed by a pitched roof. The building has a functional appearance, which does not appear adversely out of keeping with the surrounding built form, moreover, it can only be seen from within the context of the school. The only external alterations proposed to the building are the insertion of 2no. metallic or plastic painted windows in the front elevation of the building. This is considered to be a relatively minor alteration, and the scale and form of the existing building would not change. As such, it is considered that the proposal would not bring about any significant adverse visual amenity issues to the detriment of the surrounding area.

5.3 Residential Amenity
The building is situated adjacent to the northwestern boundary of the site and the rear elevation is situated within close proximity to the boundary of a neighbouring property. The only additional windows introduced would face back towards the school play area, no windows are located in the northwestern elevation of the building facing the neighbouring boundary, therefore, it is considered that the proposal would not introduce any new significant adverse privacy issues. Whilst the use of the building as an occasional classroom is likely to generate more noise than the existing storeroom, the scale of the building is such that it is not envisaged that this would be to an extent that would adversely harm the amenity of the neighbouring occupiers. Weight is

also given to the fact that any noise generated would generally be restricted to the opening hours of the school, as well as the fact that the neighbouring dwelling is situated adjacent to existing school buildings, therefore, it is considered that the proposal would not be adversely more harmful than the existing situation.

5.4 Transportation

According to the applicant, the building is to be used only for occasional use to provide additional classroom space. The applicant has specified that there will be no resulting difference in terms of the number of employees at the site, and therefore, it is not envisaged that there would be a significant impact in terms of transportation. No alterations are proposed to the existing access and parking arrangements and given that it is considered that the proposal would supplement existing facilities, it is considered that there would be no material increase in vehicular trips. The site is situated in a residential area, which is highly accessible on foot and by bicycle.

5.5 Environmental Considerations

Given the nature of the proposal, it is considered that no significant environmental issues would result from 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 for the following reasons:

The site is situated within the defined settlement boundary, therefore, the principle of the development is supported by policy LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposed external alterations proposed to the building would not adversely affect its appearance. The building is not prominent from the surrounding area and is primarily only visible from within the school context – policy D1 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would function as ancillary classroom space, therefore, it is not envisaged that there would be a material increase in terms of traffic generation. The site is situated in a residential area and is easily accessible by non-car modes of transport. No alterations are proposed to the existing parking and access arrangements – policies T12 and LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

It is considered that the proposal would not have a significant adverse impact on the residential amenity of the neighbouring occupiers through noise and

disruption or loss of privacy – policy LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

Given the nature of the proposal, it is not envisaged that there would be any significant adverse environmental affects – policy LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following condition.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

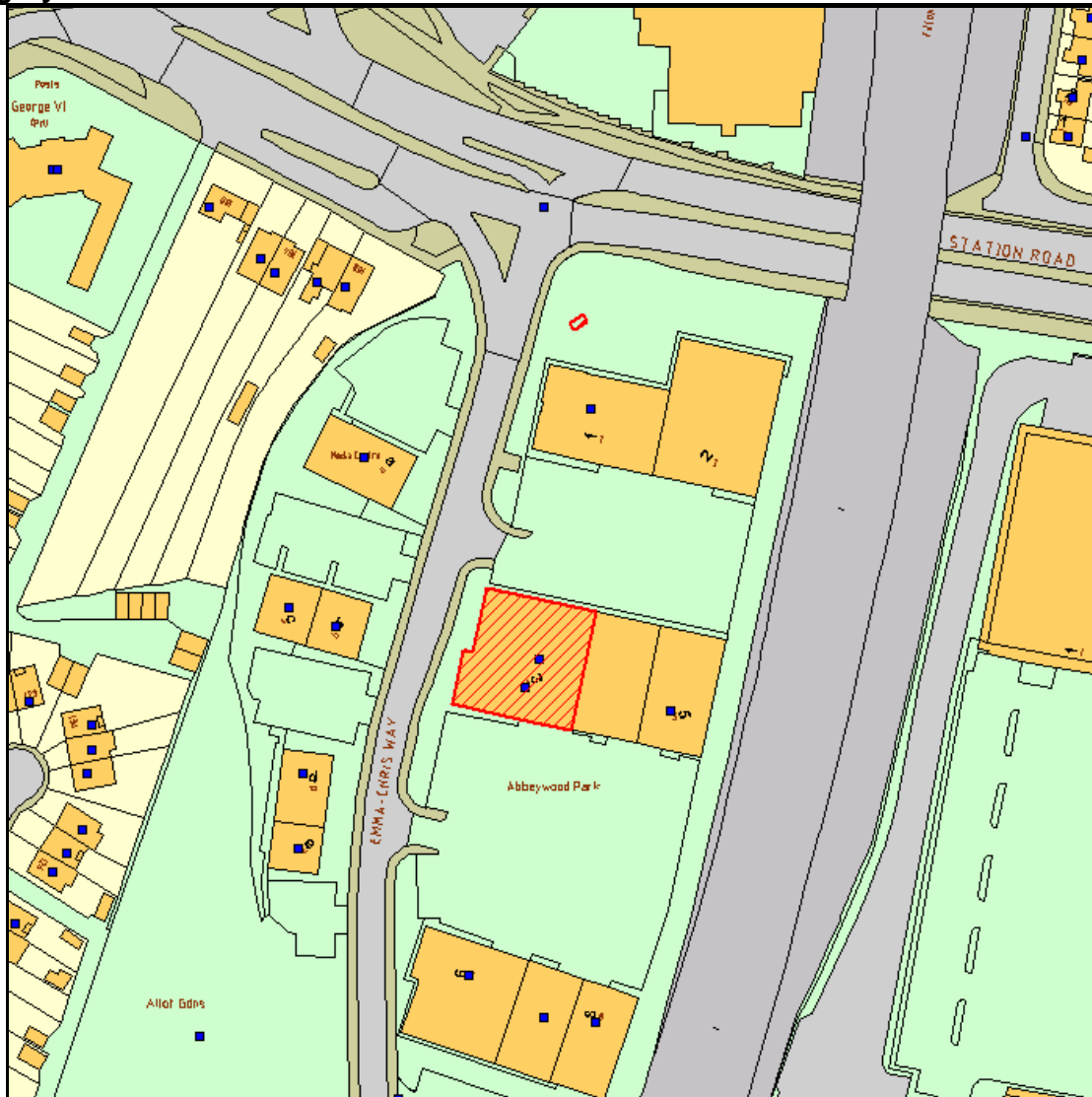
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/0847/ADV	Applicant:	Bourne Wood Partnership
Site:	Unit 3 Retail Warehouse Abbeywood Park Emma-Chris Way Filton South Gloucestershire	Date Reg:	21st March 2011
Proposal:	Display of 9no. non-illuminated fascia signs, 4no. non-illuminated panel signs and 1no. non-illuminated freestanding forecourt sign. (Retrospective).	Parish:	Filton Town Council
Map Ref:	361060 178799	Ward:	Filton
Application Category:	Minor	Target Date:	13th May 2011



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 100023410, 2008. **N.T.S.** **PT11/0847/ADV**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of 9no. non-illuminated fascia signs, 4no. non-illuminated panel signs and 1no. non-illuminated freestanding forecourt sign.
- 1.2 The application site comprises a two-storey commercial unit situated in the Abbeywood business park on the eastern side of Emma-Chris Way. Access to the site is off Emma-Chris Way onto a large parking area, which is shared with six other commercial units. The site is a safeguarded employment area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG19 Outdoor Advertisement Control
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
T12 Transportation Development Control Policy for New Development

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. RECENT PLANNING HISTORY

- 3.1 No recent planning history.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No objection
- 4.2 Transportation DC
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a residential occupier. The objector raises the following concerns:

- A number of the signs displayed are unnecessary;

- Signs J and L on the side elevation can be viewed from the occupiers house and affects the visual amenity from the occupiers property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning Policy Guidance 19 states that advertisements can only be controlled on the basis of visual amenity and public safety. It states that when assessing amenity, the Local Planning Authority should have regard to the impact of the sign on the building or in the immediate neighbourhood where it is to be displayed as well as the cumulative impact on the surroundings. With regard to public safety, Local Planning Authorities are expected to assess the impact on any traffic or transport on land (including pedestrians), water or air.

An objection has been received from a residential occupier on the basis that a number of signs that are displayed are unnecessary, however, guidance specified in PPG19 states that the Local Planning Authority can only object to a proposal on the basis of visual amenity or public safety. The Local Planning Authority cannot consider the need for the signs.

5.2 Visual Amenity

The majority of the fascia signs are situated at first floor level on the front, side and rear elevations of the building. Other smaller fascia signs are situated above ground floor windows on the front and side elevations and to the side of the main entrance door on the front elevation. A number of replaceable sign holders are also situated on the front and side elevations at ground floor level. The signs are constructed of aluminium and generally comprise the corporate orange and black colour scheme of the applicant with white and black writing. The signs have a very flat appearance with little sense of depth and the main fascia signs appear somewhat cramped between the ground floor and first floor windows. In addition, it is considered that the amount of signage on the building has a detrimental cumulative impact on its appearance. Notwithstanding this, the site is located within a commercial area, which is not significantly adversely prominent from the public realm and it is therefore, considered that a split decision should be issued to refuse consent for signs type D and E on the front elevation and G and H on the side elevation. This would reduce the amount of clutter overall on the building and also provide more sense of space between the main fascia signs and the ground floor windows, which would give less of a cramped appearance. An objection has been received from a residential occupier especially to the large fascia signs, which are visible from the objectors house, however, it is considered that the signs are small enough in scale and situated at a sufficient distance from neighbouring properties to not adversely affect their residential amenity.

- 5.3 A freestanding sign is located to the north of the site adjacent to the Emma-Chris Way/Station Road junction and is not considered to be significantly adversely obtrusive the detriment of the visual amenity of the area.

5.4 Public Safety

The signs are situated where they do not impede pedestrian or vehicular movements around the site. Signs type H and E, which comprise an email address and phone number in a very small font, which could cause some distraction to motorists and pedestrians given that the signs are visible from Emma-Chris Way. However, given the proximity of the signs to the highway and the fact that Emma- Chris Way is an unclassified road, it is considered that the proposal would not adversely affect highway safety. In addition, the Council's Transportation Officer has no objections to the proposal.

6. RECOMMENDATION

- 6.1 Advertisement Consent is REFUSED for the display of the signs type E, H, D and G for the reason stated below and GRANTED for the display of the signs type A, B, C, F, K, J, L, M, N and O.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

REASON

1. Notwithstanding the information submitted, consent is explicitly denied for the display of the signs type E, H, D and G. The signs shall be removed within 3 months of the date of this consent.

The signs have an adverse cumulative impact, appearing cluttered and cramped on the building, to the detriment of its visual amenity and that of the surrounding area contrary to policy PPG19.

ITEM 20

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.: PT11/0963/CLP	Applicant: Mr J Elsbury
Site: 81 Gloucester Road Thornbury South Gloucestershire BS35 1JH	Date Reg: 31st March 2011
Proposal: Application for Certificate of Lawfulness for the proposed installation of 2no. front velux windows and 2 no. rear dormers to facilitate loft conversion.	Parish: Thornbury Town Council
Map Ref: 364253 190848	Ward: Thornbury North
Application Category: Minor	Target Date: 23rd May 2011



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100023410, 2008. **N.T.S.** **PT11/0963/CLP**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule List because it comprises a Certificate of Lawfulness.

1. THE PROPOSAL

- 1.1 This application seeks a Certificate of Lawfulness for the proposed installation of 2no. front velux windows and 2no. rear dormers to facilitate a loft conversion.
- 1.2 The application site comprises a two-storey semi-detached property with a linked garage, situated on the western side of Gloucester Road within the established residential area of Thornbury.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objections

Other Representations

- 4.2 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The applicant is seeking a Certificate to state that the proposed development is lawful. It is not a planning application where the relative merits of the scheme are assessed against policy; it is an evidential test of whether 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 proposed development comprises the installation of 2no. front velux windows and 2no. rear dormer windows, therefore, the main consideration is whether it complies with Schedule 2, Part 1 (Development within the Curtilage of a Dwellinghouse), Class B (The enlargement of a dwellinghouse consisting of an addition or alteration to its roof) and Class C (Any other alteration to the roof of a dwellinghouse) in terms of scale and siting. The proposal would be contained within the curtilage of the host dwelling, which has its permitted development rights in-tact.

5.2 **Part 1, Class B allows for: 'The enlargement of a dwellinghouse consisting of an alteration to its roof'**

Development is not permitted by Class B if:-

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
The proposed elevation plan submitted demonstrates that the dormer would extend level with but would not exceed the existing roof apex.
- (b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
The proposed dormer windows are situated on the rear elevation of the property, as the proposed elevation plan submitted demonstrates. This elevation is not the principal elevation of the dwelling and does not front a highway.
- (c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 40 cubic metres in the case of a terrace house, or 50 cubic metres in any other case;
The proposal calculates to a volume increase of approximately 13 metres. On this basis, given that the Council has no record of the property being extended in the past, it is considered that the proposal complies with this criteria.
- (d) it would consist of or include-
 - (i) the construction of a veranda, balcony or raised platform, or
 - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or**The submitted plans demonstrate that the proposal would not comprise any of the above.**
- (e) the dwellinghouse is on article 1 (5) land.
The application site is not situated within article 1(5) land.

5.3 **Conditions**

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

- (a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
The applicant has stated in the application form that the rear dormer window would be faced with tiles to match the existing dwelling.
- (b) other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practical, be not less than 20 centimetres from the eaves of the original roof; and

The elevation plan submitted shows that the edge of the dormer would be more than 20 centimetres from the eaves of the original roof.

- (c) any window inserted on a wall or roof slope forming a side elevation of the dwelling 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 elevation plans submitted demonstrate that the proposed dormer would not include any windows in the side elevations. The plans also demonstrate that no windows would be located in the side elevation of the existing roof slope of the dwelling.

5.4 Part 1 Class C allows for: 'Any other alteration to the roof of a dwellinghouse.

Development is not permitted by Class C if-

- (a) the alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

The applicant states in the application form that the rooflights would not project more than 150mm beyond the roof plane.

- (b) it would result in the highest part of the alteration being higher than the highest part of the original roof; or

The elevation plans submitted demonstrate that the roof lights would not be higher than the highest part of the original roof.

- (c) it would consist of or include-

- (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

The proposal would not include any of the above.

5.5 Given the above, it is considered that on the balance of probability, the proposal falls within permitted development within the curtilage of a dwellinghouse under Part 1, Classes B and C of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

6. RECOMMENDATION

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

Evidence has been submitted to demonstrate that on the balance of probability the proposal falls within permitted development within the curtilage of a

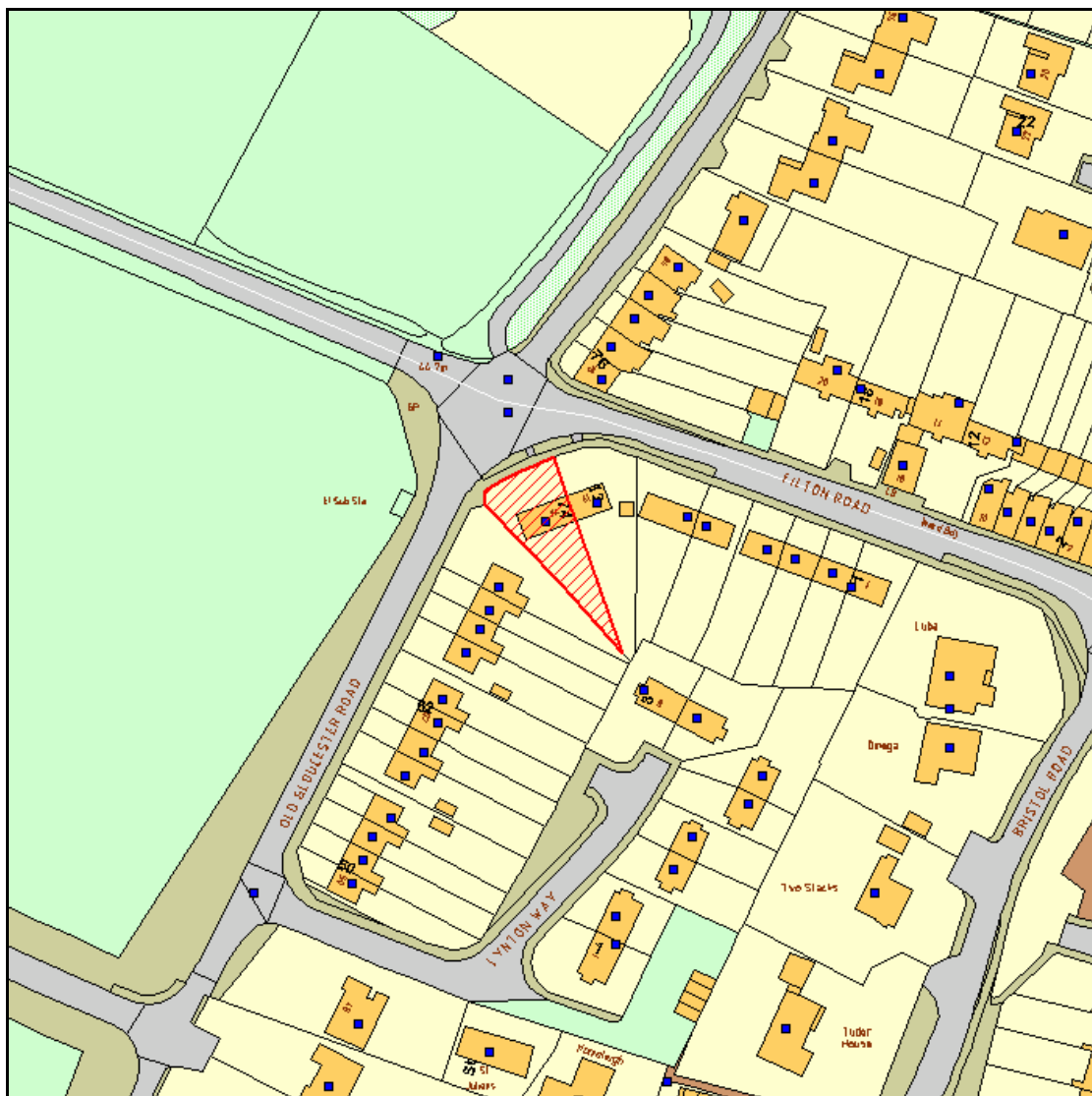
dwellinghouse under Part 1, Classes B and C of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

ITEM 21

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/0966/F	Applicant:	Mr And Mrs D Kempton
Site:	74 Old Gloucester Road Frenchay South Gloucestershire BS16 1QW	Date Reg:	31st March 2011
Proposal:	Erection of first floor side and single storey rear extension to provide additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	363673 178285	Ward:	Frenchay And Stoke Park
Application Category:	Householder	Target Date:	20th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in view of the comments received from the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a first floor side extension and a single-storey rear extension.
- 1.2 The application relates to a two-storey semi-detached dwelling fronting the junction of Old Gloucester Road and Filton Road, Frenchay. The property is located within the settlement boundary that runs along the far side of Old Gloucester Road.
- 1.3 An amended plan forms part of this application that allows a changed design to the first floor side extension and a slight reduction in size of the single-storey rear extension.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: Development within Residential Curtilages
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 None specific

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection: *'The Committee feel that this is a very large extension which extends right up to the boundary fences, it would therefore be overbearing to neighbouring properties'*.
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.
- 5.2 Design/ Visual Amenity
The application relates to a two-storey semi-detached dwelling fronting the corner of Old Gloucester Road and Filton Road, Frenchay. The host property appears of original identical design to further dwellings fronting Filton Road some of which have been extended (including a two-storey side addition); the attached dwelling does not appear to have been extended.
- 5.3 The application would allow a first floor side extension that would provide an ensuite bedroom and which would build above an existing ground floor extension. As submitted, the proposal would have extended flush with the front wall of the property (as per the existing ground floor addition below) but would have been encompassed by a slightly lower roof structure that would have been facilitated by a half dormer to the front with a catslide roof (and dormer) to the rear. Whilst this design approach would help to safeguard the balanced appearance of these semi-detached units, it was considered that the proposal was somewhat awkward in its appearance and failed to respect the character and design of the dwelling.
- 5.4 In view of the above, changes have been sought to allow the front wall to be set back at first floor but with a level eaves height; this maintains the balanced appearance of these dwellings and avoids the need for the dormer window. At the rear, the pitched roof dormer window has been amended to allow a mono-pitched roof that is considered to better reflect the character and design of the host dwelling. Accordingly, this element of the proposal is considered to be acceptable in design terms with the alterations also helping to address the concerns raised by the Parish Council.
- 5.5 The proposal also seeks permission for a single-storey rear extension that would extend near the full width of the dwelling and which, as submitted would have measured 3.9m in depth. This element of the proposal would provide a family and dining room; the amended plans submitted allow a reduction in depth of this addition to 3.5m. This element of the proposal would not appear readily visible from public viewpoints and is considered to be acceptable in design terms; again the changes made have helped to address the concerns of the Parish Council.
- 5.6 Residential Amenity
The attached unit to the north east side of the application site is devoid of any rear extension although given the reduction in length of the single-storey rear

extension; it is not now considered that any significant adverse impact in residential amenity would be caused. In the event that planning permission is granted, a condition should be attached to prevent any side facing windows within this rear extension.

- 5.7 The neighbouring dwelling to the south fronts Old Gloucester Road and stands apart from the host dwelling with this neighbouring property inset from the shared flank boundary. There is one first floor facing window within this neighbouring dwelling although this appears obscured and is set back from the boundary within what appears a rear extension. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused. It is noted that the side facing bedroom window within the first floor side extension would face away from this neighbouring dwelling given the orientation of these properties.
- 5.8 All other neighbouring dwellings are positioned at an appreciable distance from the site of the proposals. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.9 Highway Safety
The proposal would not interfere with the existing parking and turning arrangements (there is a large area of hardstanding to the front of the property which would accommodate at least two vehicles). As such, it is considered that there can be no reasonable objection to the proposal on highway safety grounds.

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, scale and massing of the proposal would respect the character and design of the host dwelling and the neighbouring properties. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New 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 thus would accord with Planning Policy H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The proposal would not interfere with the existing vehicle parking and manoeuvring space and thus is considered to be compliant 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. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

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

Reason

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north east and south west elevations of the property.

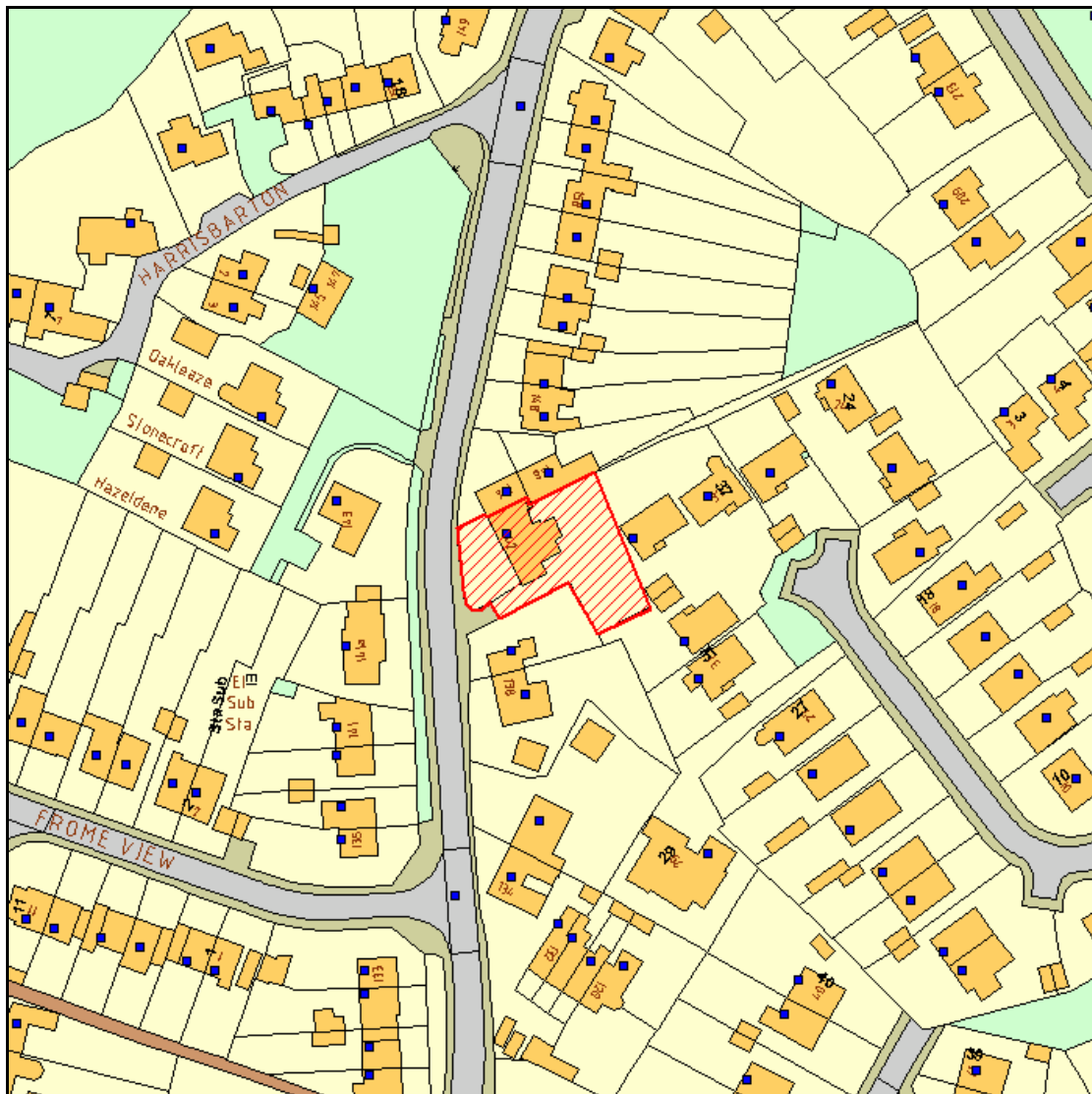
Reason

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.

ITEM 22

CIRCULATED SCHEDULE NO. 18/11 - 13 May 2011

App No.:	PT11/0969/F	Applicant:	Mr M Bell
Site:	Yew Tree House 142 Park Lane Frampton Cotterell South Gloucestershire	Date Reg:	29th March 2011
Proposal:	Erection of first floor side extension and single storey rear extension to provide additional living accommodation	Parish:	Frampton Cotterell Parish Council
Map Ref:	366668 181194	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	20th May 2011



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100023410, 2008. N.T.S. PT11/0969/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule List because an objection has been received from the Parish Council contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a first floor side extension and single storey rear extension to provide additional living accommodation.
- 1.2 The application site comprises a locally listed two-storey semi detached property situated on the eastern side of Park Lane within the established residential area of Frampton Cotterell. The western boundary of the property forms the edge of the settlement and Green Belt boundaries.
- 1.3 The existing dwelling comprises traditional appearance with long narrow proportions, low eaves height with gables at first floor level. The dwelling is finished in render with concrete roof tiles and uPVC fenestration.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS5 Planning for the Historic Environment
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H4 Residential Development within Existing Residential Curtilages
L13 Listed Buildings

South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)
CS1 High Quality Design
CS9 Managing the Environment and Heritage
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 N8161, alterations and extension to two cottages to form three cottages to form three cottages. (In accordance with plans received by the Council on 7th June 1982 and amended plans received on 26th November 1982), approval, 20/01/83.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell
The Parish Council objects to the velux window in the roof as it is not in keeping with the symmetry of the building.

- 4.2 Conservation
No objection subject to condition
- 4.3 Transportation
No objection
- 4.4 Archaeology
No comment
- 4.4 Local Residents
No comments received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policy H4 allows for the principle of the proposed development. The main issues to consider here is the form and appearance of the proposal and the impact on the character of the locally listed building (policies D1, H4 and L13 of the Local Plan); the effect on the amenity of the neighbouring occupiers (policy H4 of the Local Plan) and transportation impacts (policies T12 and H4 of the Local Plan).

The proposed alterations to the porch are considered to be permitted development by virtue of Schedule 2, Part 1 Class D of the General Permitted Development Order 1995 (amended) and do not require planning permission.

5.2 Appearance/Form and impact on the Character of the Locally Listed Building

The proposal would replace an existing single storey lean-to extension on the southern side of the property. The proposal would extend the existing eaves and pitched roof across by approximately 2.8 metres to form the build. At ground floor level, the proposal would extend past the existing rear elevation by approximately 2 metres and encompassed by a lean-to roof, while at first floor level the extension would be flush with the existing rear elevation. The plans demonstrate a roof gable containing first floor fenestration with a pitch to match the existing roof gables. The roof gable would relate to the position of an existing ground floor window. The Parish Council's concerns regarding the effect of the proposed velux window on the appearance of the dwelling are noted and amended plans have been received, which have removed the velux window from the front roofslope. A small window in the side elevation would serve the ensuite bathroom.

- 5.3 The applicant has specified clay roof tiles to match the existing dwelling and a render finish, which is considered to be acceptable. A condition is recommended to ensure that a sample of roughcast render is agreed with the Local Planning Authority prior to the commencement of the development. The Officer requested that the ridge height of the extension be stepped down lower than the existing dwelling so that the extension would be distinguishable from the original building. The agent has not acceded with this request due to issues relating to the amount of headroom that would be available. Notwithstanding this, it is considered that the proposal is acceptably in-keeping with the character of the existing dwelling in terms of scale, form, siting and materials

and would not have a significant adverse impact on the appearance of the locally listed building. The host dwelling is set back from the street and a distance of approximately 11 metres would remain to the neighbouring property to the south, therefore, it is considered that there would be no significant adverse issues to the character of the streetscene.

5.4 Residential Amenity

The proposal would not project beyond the existing front and rear building lines of the property, therefore, it is considered that the proposal would not have a significant adverse impact on the residential amenity of the adjoining occupier. The end elevation of the extension would directly face the garden area of no. 140, however, the 2no. windows proposed in this elevation would serve a bathroom and an ensuite bathroom. A condition can be applied to ensure that obscure glazing is used in the fenestration to ensure that the neighbouring property is not adversely overlooked. The host dwelling is located to the north of the neighbouring property at a distance of approximately 11 metres from the property, therefore, it is considered that the proposal would not have a significant adverse impact on the residential amenity of the neighbouring occupiers in terms of loss of natural light or outlook.

5.5 Transportation

Although the proposal would convert the existing garage to living accommodation, it is considered that sufficient parking provision would remain to the rear of the dwelling. It is not envisaged that there would be a significant increase in vehicular trips following 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 for the following reasons:

The proposal is acceptably in keeping with the character of the dwelling in terms of scale, form, siting and materials and would not have a significant adverse impact on the character of the locally listed building – policies D1, L13 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would not have a significant adverse impact on the amenities of the neighbouring residential occupiers through loss of privacy, natural light or outlook – policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

Adequate parking provision would remain to serve the dwelling following the conversion of the garage. It is not considered that the proposal would generate a significant increase in traffic to materially affect local highway conditions –

policies T12 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. Notwithstanding the previously submitted details, and prior to the commencement of the development, a sample panel of roughcast render shall be approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved panel, which shall be retained on site for consistency.

To ensure an acceptable standard of external appearance and to accord with policies D1, L13 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

3. The first floor glazing on the southern elevation shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

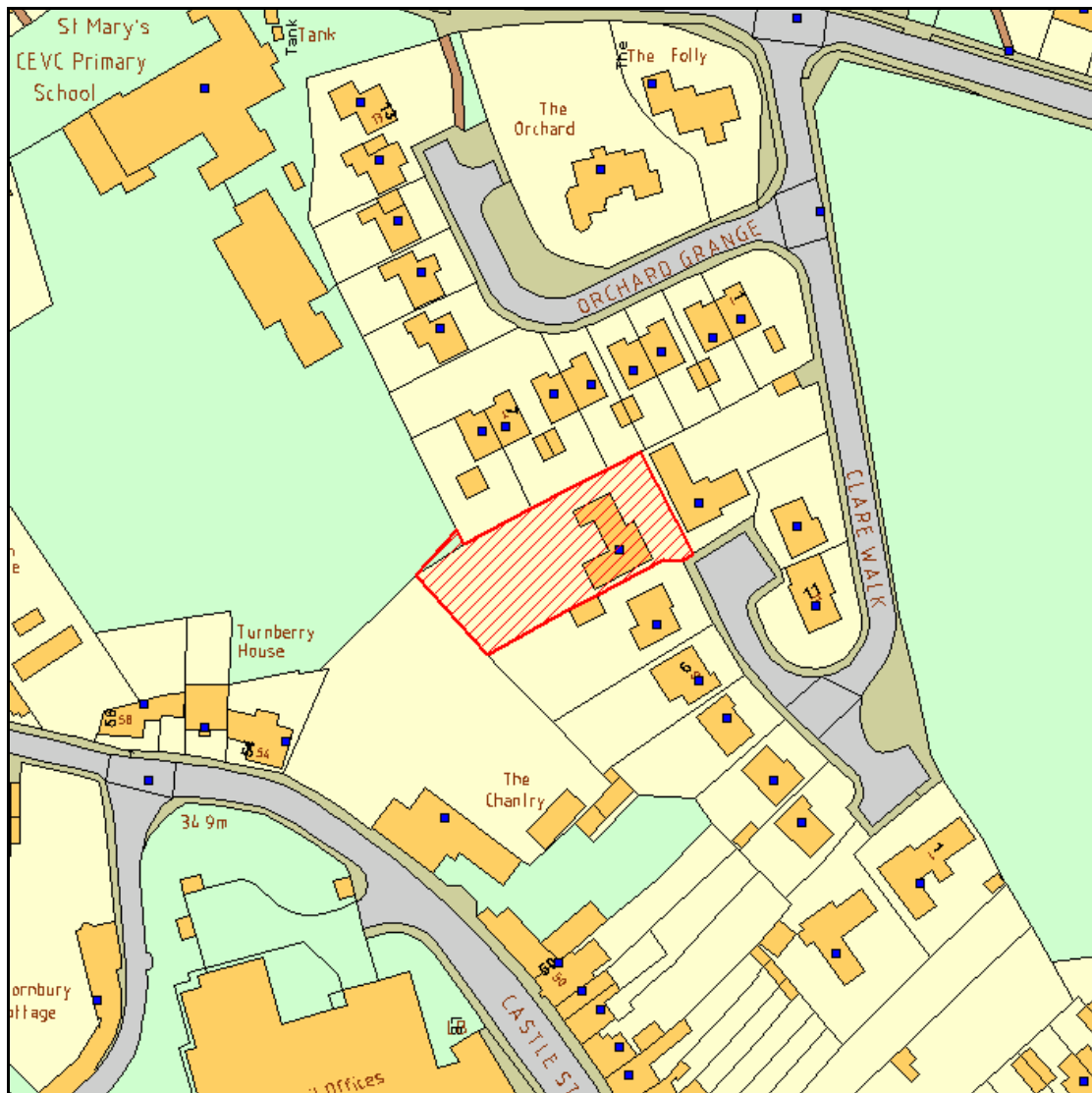
Reason

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

ITEM 23

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/0986/F	Applicant:	Mr G Neal
Site:	8 Clare Walk Thornbury South Gloucestershire BS35 1EN	Date Reg:	1st April 2011
Proposal:	Erection of 1no. single storey detached dwelling with access and associated works. (Resubmission of PT10/3266/F).	Parish:	Thornbury Town Council
Map Ref:	363587 190481	Ward:	Thornbury North
Application Category:	Minor	Target Date:	24th May 2011



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100023410, 2008. **N.T.S.** **PT11/0986/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule because objections have been received from the trustees of the Chantry contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey detached dwelling with access and associated works. The application forms a resubmission of application no. PT10/3266/F, which was withdrawn.
- 1.2 The application site comprises garden land associated with the single storey dwellinghouse Clare Walk situated to the north west of the cul-de-sac Clare Walk within the established residential area of Thornbury. The site is located outside the Thornbury Conservation Area, although the western boundary of the site forms the Conservation Area boundary and the boundary of the curtilage of the Grade II listed building The Chantry. A historic 2 metre high stone boundary wall separates the application site from the Chantry. Access to the site is off Clare Walk onto a gravel parking area to the front of the property; a flat roof garage is adjoined to the northern side of the property.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPS5 Planning for the Historic Environment
PPG13 Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H2 Residential Development within the Urban Area and Established Settlement Boundaries
H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development
L1 Landscape Protection and Enhancement
L11 Archaeology
L12 Conservation Areas
L13 Listed Buildings
L17/L18 The Water Environment
EP1 Environmental Protection

South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)
CS1 High Quality Design
CS9 Managing the Environment and Heritage
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/3266/F, erection of 1no. single storey dwelling with access and associated works, 05/01/11, withdrawn.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

No objection

4.2 Transportation

No objection

4.3 Conservation

No objection, but would recommend a condition securing details of the protective measures for the curtilage listed wall.

4.4 Archaeology

The application lies just outside the medieval town walls of Thornbury; currently there is no evidence of an associated ditch, which would be a common but not universal part of medieval town defences, however this may be due to the lack of archaeological activity in the appropriate areas. In order to confirm the absence or presence of a ditch a standard watching brief condition (HC13) should be added to any permission. A brief for the work can be supplied.

4.5 Drainage

No objection

4.6 Trees

No objection

4.7 Environmental Protection

No objection

Other Representations

4.3 Local Residents

One letter of objection has been received from the trustees of the neighbouring Chantry, which raises the following concerns:

Close proximity to the boundary wall;

Might set a precedent;

Possible glimpses of the proposed dwelling from the Chantry;

Events in the Chantry might be more difficult to organise with such a close neighbour.

With regards to the second point, the proposal is acceptable in principle due to its location within a settlement boundary, however, any proposal will still be assessed on its own planning merits.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policies H2 and H4 allow for the principle of the proposed development. The main issues to consider relate are whether the proposal achieves a good standard of design and is in-keeping with the character of the area (policies D1, H2 and H4 of the Local Plan), the transportation effects (policies T12, H2 and H4 of the Local Plan), the effect on neighbouring occupiers (policies H2 and H4 of the Local Plan), the impact on the health of significant trees (policies L1 and H2 of the Local Plan) and the impact on the character and setting of the adjacent listed building and Conservation Area (policies L12 and L13 of the Local Plan).

5.2 Design and Sustainability

The proposal would comprise an unusual design with a low, part circular form in response to the constraints of the site to reduce the impact on the neighbouring listed building and protected trees. The dwelling would comprise primarily white render for the walls, although the section of the dwelling facing the historic boundary wall would comprise a stone finish to match the wall. The proposal would be encompassed by a green roof, whilst the fenestration would comprise of powder coated aluminium. The internal layout of the dwelling would be arranged around a central column with a skylight over, and comprise an open plan living/kitchen area, utility room, w.c, and 3no. bedrooms with ensuite. The living room and bedroom 1 would comprise a significant amount of floor to ceiling glazing and open onto a patio area. The unusual low circular form of the proposed dwelling and the mix of the traditional material stonework along with smooth white render and glazing, powder coated aluminium frames and green roof, would give it a contemporary distinctive appearance. Whilst the style of the building would differ from the existing buildings in Clare Walk, policy D1 of the Local Plan is generally supportive of distinctive high quality developments.

5.3 The dwellings in Clare Walk are located in linear curtilages and front onto Clare Walk. The proposal would be situated immediately behind the existing dwelling so that it would not be visible in the streetscene. Tandem development consisting of one house located immediately behind another and sharing the same access can sometimes bring about difficulties in terms of accessing the house at the back and create issues in terms of disturbance and lack of privacy to the house in front; in this instance a long 'L' shape driveway, which would extend along the front and side of the existing dwelling would provide access into the property. Notwithstanding this, the design of the dwelling is purposely intended to reduce the impact on the surrounding neighbouring occupiers by the fact that it would be set low into the ground and comprise a low circular form.

5.4 The main outlook of the building, which contains the majority of the glazing, would face northwest, and this is integral of the design of the dwelling to reduce the impacts on the root area of the adjacent tree. The Officer had some concerns that the dwelling would be dark especially in winter months due to the proximity to the tree and the position low in the ground. However, the applicant

has stated that the amount of glazing has purposely been reduced in the southern side, as this would make the dwelling unacceptably hot for the occupiers during the summer. In addition, the main living areas would be illuminated by a significant amount of floor to ceiling glazing and combined with the skylight, on balance, it is considered that this would provide an acceptable amount of light to the occupiers of the dwelling. The proposed green roof would add a further element of sustainability to the proposal.

5.5 Impact on the Listed Building/Conservation Area

Concern has been raised regarding the impact of the proposal on the setting of the listed building the Chantry. A significant amount of excavation is proposed in order to allow the dwelling to sit approximately 1 metre below the existing ground level. This would allow the proposal to be concealed behind the existing stone boundary wall and therefore, reduce the impact on the character and setting of the adjacent listed building and Conservation Area. The Council's Conservation Officer has not objected to the proposal but has recommended that details regarding the protective measures of the historic wall be submitted before the commencement of the development. This information can be obtained by condition if permission is granted.

5.6 Residential Amenity

The application garden area is well screened by boundary hedges, fences and walls and given the single storey form of the proposal and the fact that it would be partially built into the ground, it is considered that it would not have a significant adverse impact on the residential amenity of the surrounding neighbouring occupiers through loss of natural light or privacy. The proposed 1.8 metre high fencing along the eastern boundary would ensure that the proposal would not introduce any significant adverse overlooking issues, which would be detrimental to the occupiers of the existing dwelling. A mature 2.5 metre high boundary hedge along the southern boundary would also ensure that the neighbouring property to the south would not be significantly adversely affected through loss of privacy. The plans indicate that a 1.8 metre high timber fence would be erected along the exposed northern boundary, and this would ensure that vehicles accessing the site would not overlook the neighbouring gardens to the north. Vehicles and pedestrians would be required to pass the principal elevation of the host dwelling in order to access the proposed dwelling. Nevertheless, it is not envisaged that the proposed three bed home would generate a significant amount of traffic to have a significant adverse impact on the residential amenity of the occupiers of the dwelling through loss of privacy or disruption. Given the relatively close proximity to the neighbouring dwellings, it is considered that the use of the green roof as an outdoor seating area would be likely to introduce an unacceptable degree of overlooking into neighbouring properties. Whilst no access to the roof is proposed and this is not the applicant's intentions at present, a condition is recommended to prevent this type of use of the green roof in the future.

Concerns have been raised that events will be more difficult to organise in the garden area of the neighbouring Chantry building due to the proximity to the proposed building. Notwithstanding this, it is considered that the existing 2 metre high wall is sufficient to ensure that any events would not adversely impinge on the residential amenity of the future occupiers of the dwelling. The

situation will be apparent to any future occupiers before they choose to live in the proposed dwelling.

5.7 Parking and Highway Safety

The plans demonstrate parking provision for 2no. cars for the proposed and existing dwellings, which is considered to be acceptable. The Transportation Officer is satisfied that the turning areas shown on the plans would allow for acceptable vehicular movements within the site. Whilst the proposal would be set back from the adopted turning head, the number of larger service vehicles associated with a single dwelling is unlikely to result in any significant adverse highway implications.

5.8 Environmental Impacts

The proposed dwelling would be located within close proximity to a mature Hornbeam Tree, which is covered by a Tree Preservation Order. However, the application is supported by a tree survey and method statement and the Council's Tree Officer considers that there would not be a detrimental impact on the health of the tree if the development is undertaken in accordance with the documents. The Tree Officer required clarification with regards to how the excavation would affect the root protection area of the tree and raised concerns regarding the extend of the ground protection area. A plan and section have been received to address the concerns, which the Council's Tree Officer considers to be acceptable. The relatively low form of the proposal, and the fact that an area of private amenity space is allocated away from the tree is sufficient to ensure that the proposal would not lead to significant pressure for works to the tree in the future. The tree is protected by a Tree Preservation Order, therefore, the Council can control any future works to the tree.

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 a distinctive design, which adequately responds to the constraints of the site and would minimise the impact on the surrounding area. On balance, it would provide an acceptable standard of living accommodation for future occupiers – policies D1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted).

The proposal has been designed to minimise the impacts on the surrounding residential occupiers through of loss of natural light or privacy – policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The parking provision is adequate to serve the proposed dwelling. The amount of traffic generated by the proposal would not significantly adversely affect local highway conditions, highway safety or the amenities of the area – policies T12, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The design of the dwelling seeks to minimise the environmental impacts. The information submitted is sufficient to ensure that the health of the tree and the visual amenity of the area would not be adversely impacted through the development. The Hornbeam tree is protected by Tree Preservation Order, therefore, the Council can control any future work to the tree – policies L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The design of the dwelling is such that it would not adversely affect the setting of the neighbouring listed building or Conservation Area. Further details can be requested regarding the protection of the historic boundary wall – policies L13 and L12 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. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of the development, a detailed scheme of protection for the section of the curtilage listed boundary wall shall be submitted to and approved in writing by the Local Planning Authority. The protection measures shall be carried out strictly in accordance with the agreed details and retained in-situ for the completion of the development.

Reason

To ensure that the development preserves the architectural and historic interest of the curtilage listed wall in accordance with PPS5 and policy L13 of the South Gloucestershire Local Plan (adopted) January 2006.

4. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, C, D, E, G and H) , 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

The proximity to the listed building the Chantry and the relatively small scale of the site is such that, any alterations or additions to the property will require careful consideration to preserve the amenities of the area - policies D1, H2, H4, L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

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

Reason

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

6. The roof area of the dwelling hereby approved shall not be used as a balcony, roof garden or similar amenity area.

Reason

It would allow for a degree of overlooking into neighbouring gardens, which would have a detrimental impact on the residential amenity of the neighbouring occupiers contrary to policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

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

7:30am - 18:00pm on Mondays and Fridays

8:00am - 13:00pm on 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

In the interests of the amenities of the surrounding neighbouring occupiers and to accord with policies EP1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

8. 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 and to accord with policies L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

9. 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 an acceptable means of drainage and to accord with policies EP1, L17 and L18 of the South Gloucestershire Local Plan (adopted) January 2006.

10. Prior to the commencement of the development a Waste Management Audit shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this should include the volume of the of the waste that will be generated through the excavation process, the probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

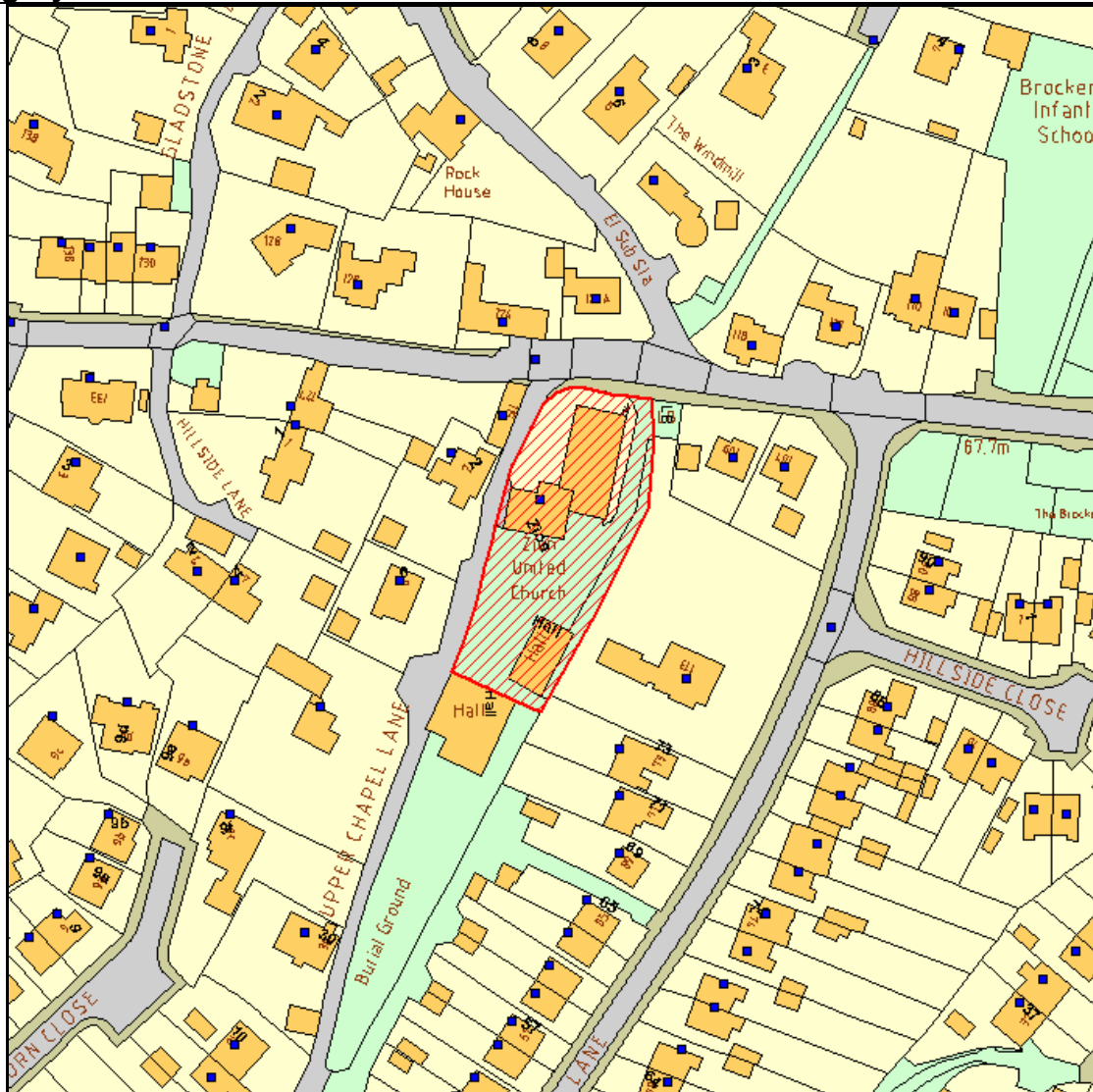
Reason

To accord with policy EP1 of the South Gloucestershire Local Plan (adopted) January 2006.

ITEM 24

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/0998/F	Applicant:	The United Reformed Church
Site:	Zion United Church Upper Chapel Lane Frampton Cotterell South Gloucestershire	Date Reg:	4th April 2011
Proposal:	Erection of two storey side extension to form beacon hub. External alterations to include new entrance with canopy over on south elevation, new access on west and north elevations and associated works. (Resubmission of PT09/6095/F)	Parish:	Frampton Cotterell Parish Council
Map Ref:	367171 181274	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	24th May 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as a representation has been made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey side extension to form beacon hub (a cupola on the roof). External alterations to include new entrance with canopy over on south elevation, new access on west and north elevations and associated works. (Resubmission of PT09/6095/F)
- 1.2 The application site relates to Zion United Church which dates from the late nineteenth century. The original Zion Church was built in 1795 however by the mid nineteenth century the congregation had expanded significantly and there was a need for larger premises. So in 1873 the current Zion Church was built. The building is locally listed and resides within the Frampton Cotterell settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPS5	Planning for the Historic Environment
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
LC4	Proposals for Education and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries
L15	Buildings and Structures Which Make a Significant Contribution
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1	High Quality Design
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2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/6095/F - Erection of two storey side extension to form new front entrance and external alterations to include new entrance with canopy over and 2 no. windows on south elevation and new entrance/stair enclosure to west elevation. Withdrawn.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

The Parish Council feels that the character of the building will be lost.

4.2 Other Consultees

Conservation Officer

No objection subject to conditions.

Environmental Protection

No objection subject to condition.

Transportation

No objection.

Other Representations

4.3 Local Residents

No response.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy EC10 of PPS4 states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development and that planning applications that secure sustainable economic growth should be treated favourably. It is considered that the buildings use as a church and community building has an economic development aspect to it (as defined in PPS4).

The building is also a community facility and so Policy LC4 of the Local Plan is relevant. Proposals for the improvement of community facilities within defined settlement boundaries are acceptable provided that; proposals are located on sites that are highly accessible on foot and by bicycle (which it is considered

Zion United Church is), development would not unacceptably harm residential amenity, and that development would not have any unacceptable environmental or transportation effects.

As the church is locally listed it is also important that the design criteria set out in Policy D1 of the Local Plan are satisfied.

5.2 Design / Visual Amenity

The church building is constructed of local pennant stone with dressed limestone detailing. The two storey building at the rear, known as 'The Cottages', is understood to be a modern replacement and has a modern cement render finish and modern windows. The Church building has been added to South Gloucestershire's 'Local List', of buildings which contribute to the character and distinctiveness of the locality.

The proposals have been quite significantly revised since the earlier submission PT09/6095/F, which was withdrawn, due to objections. The previously proposed new full height porch to the north elevation, which would have been particularly damaging to this prominent elevation, has now been omitted. From the road and public vantage points the appearance of the church will now remain little altered.

The extension to the rear remains of the same footprint and height, but is now of a more simple design, and a more appropriate palette of materials. Whilst the extension is an honest contemporary structure, the reclaimed pennant stone will help to tie it to the original building. The eastern building line is contained set back from that of the church, thereby demonstrating its subservience.

As there are alterations proposed to the window and door arrangement of the existing two storey 'Cottages' it is expected that the facing render finish will need to be carefully treated in order that it has a uniform finish – the render will need to match in texture, and the whole elevation will then need to be painted. This will enhance the appearance of this element of the building. A condition will be attached to the decision notice requiring further detail regarding this matter.

There is concern regarding the location of a notice board in the original north entry doorway, and the loss of focus from this point would be a pity. It is suggested that the double leaf doors are retained and either a notice board applied to each, or a detached, free-standing sign erected. Further detail on this will be conditioned.

The proposed south elevation includes several PV panels and these are considered an acceptable addition.

5.3 Residential Amenity

Glazing is being added to the south and east elevation however the nearest property to the side (no. 113 Woodend Road) is screened behind mature shrubbery on the boundary. It is not considered the proposal would have an undue impact upon residential amenity.

5.4 Environmental Impacts

The Council's Environmental Health Officer was consulted as a part of the application and raises no objection subject to a condition being added to the decision notice regarding construction hours.

5.5 Transportation

This extension will displace 2 parking spaces though the car park will be reconfigured to include the same number of parking spaces including 2 disabled spaces. The limited width of the aisle between the parking rows would make manoeuvring into the parking spaces slightly awkward although this will not have any highway implications. Vehicular access to the site is unchanged and therefore there is no objection on highway grounds.

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 development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.
 - a) The proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.
 - c) The proposal would not have any unacceptable environmental or transportation effects. The development therefore accords to Policy D1, T12 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

- d) The proposal is considered to secure sustainable economic growth. The development therefore accords to Policy EC10 of PPS4.

7. RECOMMENDATION

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

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

2. 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 protect the amenity enjoyed by those living in the locality to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development full details comprising plans at a scale of 1:50 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

- a. Eaves, ridges and verges
- b. All new doors
- c. All new fixed and opening windows (including cill and head details)
- d. All new vents and flues
- e. Rainwater goods
- f. Any new ramping and handrail

Reason

To safeguard the special architectural and historic character of the locally listed building, and to accord with Policy D1 and L15 of the South Gloucestershire Local Plan (Adopted) 2006 and PPS5.

4. Prior to the commencement of development a sample of clay roofing tile indicating colour and texture, shall be erected on site and approved in writing by the Local

Planning Authority. The approved sample shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To safeguard the special architectural and historic character of the locally listed building, and to accord with Policy D1 and L15 of the South Gloucestershire Local Plan (Adopted) 2006 and PPS5.

5. Notwithstanding previously submitted drawings, no work shall commence until the detailed design of the door and display board on the north elevation of the main church has been submitted and approved in writing by the local planning authority. For the avoidance of doubt the existing doors should be retained. Development shall be carried out in accordance with the agreed details.

Reason

To safeguard the special architectural and historic character of the locally listed building, and to accord with Policy D1 and L15 of the South Gloucestershire Local Plan (Adopted) 2006 and PPS5.

6. Prior to the commencement of development a representative sample of facing stone walling, of at least 1 metre square showing the stone, coursing and pointing, shall be erected on site and approved in writing by the local planning authority. The approved sample shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To safeguard the special architectural and historic character of the locally listed building, and to accord with Policy D1 and L15 of the South Gloucestershire Local Plan (Adopted) 2006 and PPS5.

7. Prior to the commencement of development a sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To safeguard the special architectural and historic character of the locally listed building, and to accord with Policy D1 and L15 of the South Gloucestershire Local Plan (Adopted) 2006 and PPS5.

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/1003/RVC	Applicant:	Firmstone Developments Ltd
Site:	Springfield 1 Townsend Almondsbury South Gloucestershire BS32 4EN	Date Reg:	5th April 2011
Proposal:	Variation of conditions 9 and 14 and removal of condition 12 attached to appeal decision for PT07/2200/F to allow repositioning of plot 1, 3no. single garages and a contained area of hardstanding, a single storey rear extension to plot 1 and alterations to approved elevations (Part Retrospective).	Parish:	Almondsbury Parish Council
Map Ref:	359762 183862	Ward:	Almondsbury
Application Category:	Minor	Target Date:	26th May 2011



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 100023410, 2008. **N.T.S.** **PT11/1003/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule further to the letters of objection that have been received from the Parish Council and the neighbouring residents.

1. THE PROPOSAL

- 1.1 As submitted, the application sought a variation to condition 14 attached to planning permission PT07/2200/RVC to allow three single garages and a carport, a single-storey rear extension, the repositioning of plot 1 and alterations to the approved elevations. Planning permission PT07/2200/F was allowed on appeal.
- 1.2 The application relates to four new dwellings that are almost complete on the south side of Townsend, Almondsbury. The application site lies within the Almondsbury settlement boundary that is washed over by the Green Belt.
- 1.3 Condition 14 of PT07/2200/F details the approved drawings. As such, this application would allow changes to the approved scheme through the submission of revised drawings. Condition 14 was added to the planning permission by way of a non-material amendment (PT11/0322/NMA).
- 1.4 Consideration of the submitted details has highlighted that the changes would also require the variation of condition 9. This stipulates that *'The driveways and off street parking facilities shown on the plans hereby approved shall be provided before the dwellings are first occupied and thereafter retained (the driveways with a bound surface) for that purpose'*. The description of the proposal has been amended to reflect this.
- 1.5 The repositioning of plot 1 has been added to the description of development given that this is not referred to by the application although has become apparent during Officer consideration of this scheme.
- 1.6 Consideration of the application also highlights that the proposal would require removal of condition 12; *'No structure, erection or planting exceeding 0.6m in height shall be placed along the site frontage within 2m of the carriageway'*. The description of development has been amended to reflect this.
- 1.7 It is noted that a number of the conditions attached to PT07/2200/F have not yet been discharged. In the event that planning permission is granted, these would need to form conditions of this permission.
- 1.8 Condition 5 of planning permission PT07/2200/F removes permitted development rights.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belts

PPS3: Housing
PPG13: Transportation
PPS25: Planning and Flooding

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
GB1: Development in the Green Belt
H2: Proposals for Residential Development
H4: Development within Residential Curtilages
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
L1: Landscape Enhancement and Protection
L17: The Water Environment
L18: The Water Environment
LC12: Recreational Routes

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)
Development in the Green Belt (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1181/F: Demolition of 'Springfield' and associated outbuildings; erection of four dwellings and associated infrastructure. Withdrawn: 25th May 2007
- 3.2 PT07/2200/F: Demolition of existing dwelling 'Springfield' and associated outbuildings; erection of four dwellings; construction of new access and associated infrastructure (resubmission of PT07/1181/F). Refused: 19th October 2007- Appeal Allowed
- 3.3 PT11/0322/NMA: Non-material amendment to PT07/2200/F to allows approved plans to be listed as additional planning condition. No objection: 18th March 2011

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
Objection: 'Almondsbury Parish Council object strongly to over development on a small plot and the garages and carport would make this worse'.
- 4.2 Other Consultees
Highways DC: no objection

Other Representations

4.3 **Summary of Local Residents Comments**

Three letters received expressing the following concerns:

- This is a retrospective application- nearly all elements of the proposal are complete;
- This application appears a case of 'going through the motions' and is a further example of the disdain endured at past consultation stages;
- Two of the oil tanks (plots 3 and 4) breach fire safety regulations and are sited too close to drains (Building Control Officer advice should be sought);
- The boiler flue from plot 3 exhausts at body height and close to the public footway (Building Control Officer advice should be sought);
- The 'garden room' to plot 1 comprises a solid extension that is built;
- In moving plot 1 to the left, the upstairs windows now face almost directly into that property behind- as approved the offset nature of these windows was considered to be acceptable;
- The appeal decision stipulated that no structure more than 600mm in height should be erected within 2m of the carriageway, this rule is breached by the current structure and the railings;
- Does the drainage solution have the Councils support? It was understood that water would be diverted to the east of plot 1 into established drains but it seems that water is diverted to the north. This might have safety implications due to collapsed drains;
- One letter cites that the changes proposed have a less damaging impact on near neighbours than some of the other major changes that have not been sanctioned- the conditions attached to the approval appear to have been completely ignored;
- The finished houses are not in keeping with the character of the area;
- Concerns in respect of the original scheme remain; i.e. height, loss of privacy at rear, exacerbation of flooding problems and poor design;
- The height and position of the dwellings should be investigated prior to any changes being allowed.

5. ANALYSIS OF PROPOSAL

5.1 **Principle of Development**

The principle of development has already been established by the grant of planning permission PT07/2200/F. This application seeks a number of alterations to the permitted scheme. In this regard, planning policies H2 and H4 are permissive of proposals for residential development subject to considerations of design, residential amenity and highway safety.

5.2 **The Proposal**

The application seeks a number of amendments to the approved scheme; these can be summarised as the following:

Plot 1:

- Repositioning of dwelling;
- Single garage structure in lieu of shared double garage;
- Single-storey extension to the rear of the property;
- Repositioning of kitchen door and new utility room window;

- Removal of brick heads above windows;
- Railings in front of plot.

Plot 2:

- Single garage in lieu of shared double garage;
- Kitchen door in lieu of window;
- Removal of brick heads above ground floor openings.

Plot 3:

- Single garage in lieu of shared double garage;
- Living room/ dining room window/ French doors swapped;
- Brick heads above ground floor openings removed.

Plot 4:

- Shared double garage replaced by open car parking space;
- Repositioning of garden wall;
- Position of living/ dining area and kitchen swapped;
- French doors in lieu of single doorway to former kitchen area;
- 1.1m high railings to front of plot;
- Brick heads above ground floor openings removed.

Each plot will be considered in turn in respect of design, residential amenity and highway safety issues.

6.0 **Plot 1**

6.1 Design/ Visual Amenity

The new dwelling has been moved eastwards (closer to plot 2) by 1.6m to allow a single garage adjacent to the west flank site boundary; at the time of the Officer site visit both dwelling and garage were almost complete with the garage measuring 3m in width and 6.4m in length and covered by a pitched roof. Materials match those of the main dwelling. The garage is set well back from the front of the plot close to the rear site boundary and in design terms, these changes are considered to be acceptable.

6.2 The single-storey extension comprises an infill addition squaring the floor plan of the dwelling aligning with the side and rear walls of the property. It is considered that the original design of the dwelling lends itself to an extension in this position (albeit permitted development rights were removed) which, given its rear location, would not appear readily visible from public viewpoints. On this basis, there is no objection to this element of the proposal on visual amenity/ design grounds.

6.3 Repositioning of the kitchen door and utility room window has provided a larger window on the rear elevation with a door to the side; these changes are considered to be acceptable in design terms.

6.4 Removal of the brickheads above the ground floor windows is considered to be unfortunate and results in a bland appearance to the development; this element of the proposal is not considered to be acceptable thus in the event that planning permission is granted, a condition should be attached to require the

submission of an amended plan (the brickheads are still shown on the site elevation but not the house elevations) showing these details. (These comments are applicable to each plot.)

6.5 Further alterations to plot 1 would also allow the erection of railings to the front of the property; the agent considers these to be necessary given the difference in levels at the front of the site; these railings are not yet in situ. The railings would necessitate removal of condition 12 of PT07/2200/F and in design terms are considered to be acceptable

6.6 Further alterations to the proposal are also noted to comprise the addition of a chimneybreast to the side of the dwelling; this alteration is considered to be acceptable given that it enhances the detailing of the property.

6.7 Residential Amenity

The repositioning of the dwelling increases the separation distance to 1A Townsend thus it is considered that there can be no reasonable objection on this basis; the agent has confirmed that the house has not been moved forwards/ backwards. However, the garage is closer to this neighbouring property but given that it is the side elevation of this dwelling that faces the garage, which appears devoid of primary windows (albeit containing the front door), it is not considered that any significant adverse impact in residential amenity is caused. This is having regard also to the size of the garage and the level of spacing retained.

6.8 Concerning that property immediately behind, the officer report in respect of PT07/2200/F advised:

'Given the constraints imposed by the proximity of these adjoining dwellings (behind), the number of rear facing first floor windows has been kept to a minimum although one bedroom window within the rear of units 1, 2 and 3 is proposed. In this regard, that serving unit 1 would be within the recessed wall allowing a distance of 19m to the rear of 15 Knole Close. This would serve the smallest bedroom and would align with the far end of the bungalow behind: thus at the opposite end to its existing bedroom window.'

With the property moved eastwards, this window no longer aligns with the end of this property but is inset. However, given that the property has not been moved backwards, it is considered that any associated refusal reason would be very unlikely to prove sustainable given the separation distance retained between these windows.

6.9 It is not considered that there would be any other residential amenity issues as a result of the further changes with the new rear window/ door at ground floor primarily overlooking the host rear garden.

6.10 Highway Safety

Comments from the Councils Highways Engineer advise that the level of parking provided for this dwelling is acceptable thus there is no objection to this element of the proposal on highway safety grounds. The railings would also not interfere with driver visibility when leaving the property.

6.11 Impact on the Openness of the Green Belt

The application site lies within the Almondsbury settlement boundary that is washed over by the Green Belt. Given that the principle of infill development is acceptable, it is not considered that the changes made would have any significant adverse impact on the openness of the Green Belt over and above that of the permitted scheme. (This is considered to be the case for the changes in respect of each plot.)

7.0 **Plot 2**

7.1 Design/ Visual Amenity

Alterations to plot 2 are less extensive with a single-garage having been built to serve this property in lieu of the approved shared double garage; the agent has confirmed that the position of the dwelling has not altered. There is no objection to this alteration (true also for the kitchen door) with the single garage lower than the approved double garage.

7.2 Residential Amenity

It is not considered that the changes made to plot 2 have resulted in any significant adverse impact in residential amenity with the reduced height of the garage helping to reduce its impact on those dwellings behind and with changes to fenestration at ground floor level (properties behind are at a higher level).

7.3 Highway Safety

Comments from the Councils Highway Officer advise that the level of parking remains acceptable thus there is no related highways objection.

8.0 **Plot 3**

8.1 Design/ Visual Amenity

Changes to plot 3 are similar to those in respect of plot 2 with a single garage provided in place of shared double garage and with changes to the living/ dining room fenestration at ground floor level. As such, there is again no objection to these alterations on design/ visual amenity grounds.

8.2 Residential Amenity

Again, as per plot 2, the reduced height of the garage helps reduce its impact on those residents behind whilst the fenestration changes are at ground floor level. Accordingly, it is not considered that any significant adverse impact in residential amenity would be caused.

8.3 Highway Safety

Comments from the Councils Highway Officer cite that the level of parking remains acceptable thus there is no highway objection to this element of the scheme.

9.0 **Plot 4**

- 9.1 Plot 4 has the smallest private garden thus the developer decided to omit any form of garaging with an area of hardstanding instead provided (for vehicle parking) in an attempt to open up the garden space; this is in conjunction with the repositioning of the rear garden wall which has been set back. These alterations are considered acceptable with the omission of the garage helping to increase the area of spacing around the dwelling when viewed from the highway.
- 9.2 There are also a number of alterations to the ground floor fenestration as detailed above. These changes are considered to be acceptable with no significant changes when viewed from the front. Repositioning of the down pipe also has raised some local concern but as with all units, it is understood that this now covers the render expansion joint. On this basis, this further amendment is also considered to be acceptable.
- 9.3 **Residential Amenity**
The omission of the garage reduces the impact of the proposal on those properties behind whilst alterations to the fenestration are at ground floor. Accordingly, again it is not considered that any significant adverse impact in residential amenity has been caused.
- 9.4 **Highway Safety**
There is no highway objection to the omission of the garage given that the car parking space is still available. There is also no objection to the new railings (and the associated removal of condition 12) given that driver visibility would remain acceptable.

10. **OUTSTANDING CONDITIONS**

- 10.1 Third party comments received in respect of the oil tanks and boiler flues request Building Control Officer comments with these considered to be in breach of safety regulations. In response, Building Control Officer advice has indicated this issue would be dependent upon the specification of the apparatus fitted. Consequently, the agent has confirmed his satisfaction with this element of the scheme. Notwithstanding this, it is not considered that planning permission could be reasonably refused on this basis with the proposal subject to the checks under Building Control Regulations.
- 10.2 As part of the process to discharge conditions attached to PT07/2200/F, the Councils Drainage Engineer has visited the site and confirmed acceptance of the drainage scheme.
- 10.3 The site has been the subject of ongoing monitoring by the Councils Enforcement Team with the height of the dwellings and their proximity to the highway one of the many issues that has been considered.

11. CONCLUSION

- 11.1 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.
- 11.2 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.
- 11.3 The recommendation to grant permission is for the following reasons:
1. The repositioning of plot 1, the new single-storey rear addition serving this dwelling, and the amended parking provision and fenestration layout for plots 1, 2, 3 and 4 respects the character and appearance of the original scheme and that of the local area thus would accord with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Proposals for Residential Development) and H4 (Development in Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The repositioning of plot 1, the new single-storey rear addition serving this dwelling, and the amended parking provision and fenestration layout for plots 1, 2, 3 and 4 are acceptable having regard to issues of residential amenity and thus accords with Planning Policies H2 (Proposals for Residential Development) and H4 (Development in Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
 3. The repositioning of plot 1, the new single-storey rear addition serving this dwelling, and the amended parking provision and fenestration layout for plots 1, 2, 3 and 4 does not cause any significant adverse impact to the openness of the Green Belt over and above that of the permitted scheme. The proposal therefore accords with Planning Policy GB1 (Development in the Green Belt) of the South Gloucestershire Local Plan (Adopted) January 2006.
 4. The amended parking provision in respect of plots 1, 2, 3 and 4 is acceptable having regard to issues of highway safety and accords with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

12. RECOMMENDATION

- 12.1 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. Within three months of the date of this decision, full details on plans at a scale of 1:20 of roof details (including eaves, verges and chimneys) and reveals to windows/ door openings shall be submitted to and agreed in writing by the Local Planning Authority. Development shall accord with these agreed details.

Reason

To ensure a satisfactory standard of design and in the interests of visual amenity; all to accord with Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The dwellings shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes; Technical Guide. No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code 3 has been achieved.

Reason

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

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

Reason

In view of the restricted nature of the application site and in the interests of visual and residential amenity, all to accord with Planning Policies D1, H2, H4 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the dwellings or garages hereby approved.

Reason

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

6. Notwithstanding the submitted details, within three months of the date of this decision, 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. For the avoidance of doubt, these details shall include amended details in respect of the 900mm fence enclosing plot 1 which is not approved and corrected details in respect of land at the eastern end of the site forming the corner of Townsend and Knole Close.

Reason

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

7. Notwithstanding the submitted details, within two months of the date of this decision, 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 policies L17 and L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The driveways and off street parking facilities shown on the plans hereby approved shall be permanently retained (the driveways with a bound surface) for that purpose.

Reason

In the interests of highway safety and to provide an acceptable level of car parking, all to accord with Planning Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. No vehicle entrance gates shall be fitted at any time.

Reason

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

10. Within two months of the completion of the dwellings hereby approved, the results of the dilapidation survey of the highway shall be submitted to and agreed in writing with the Local Planning Authority. Any damage to the highway shall be made good by the developer prior to the occupation of any of the dwellings hereby approved.

Reason

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

11. Within in two months of the date of this decision, amended plans detailing the provision of the frontage footway at a minimum width of 1.6m shall be submitted to and agreed in writing by the Local Planning Authority. Development shall accord with these agreed details and the frontage footway shall be built to an adoptable standard prior to the occupation of any of the dwellings hereby approved.

Reason

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

12. Notwithstanding the submitted details, within one month of the date of this decision, amended details in respect of the provision of brickheads above the ground floor windows of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord with these approved details.

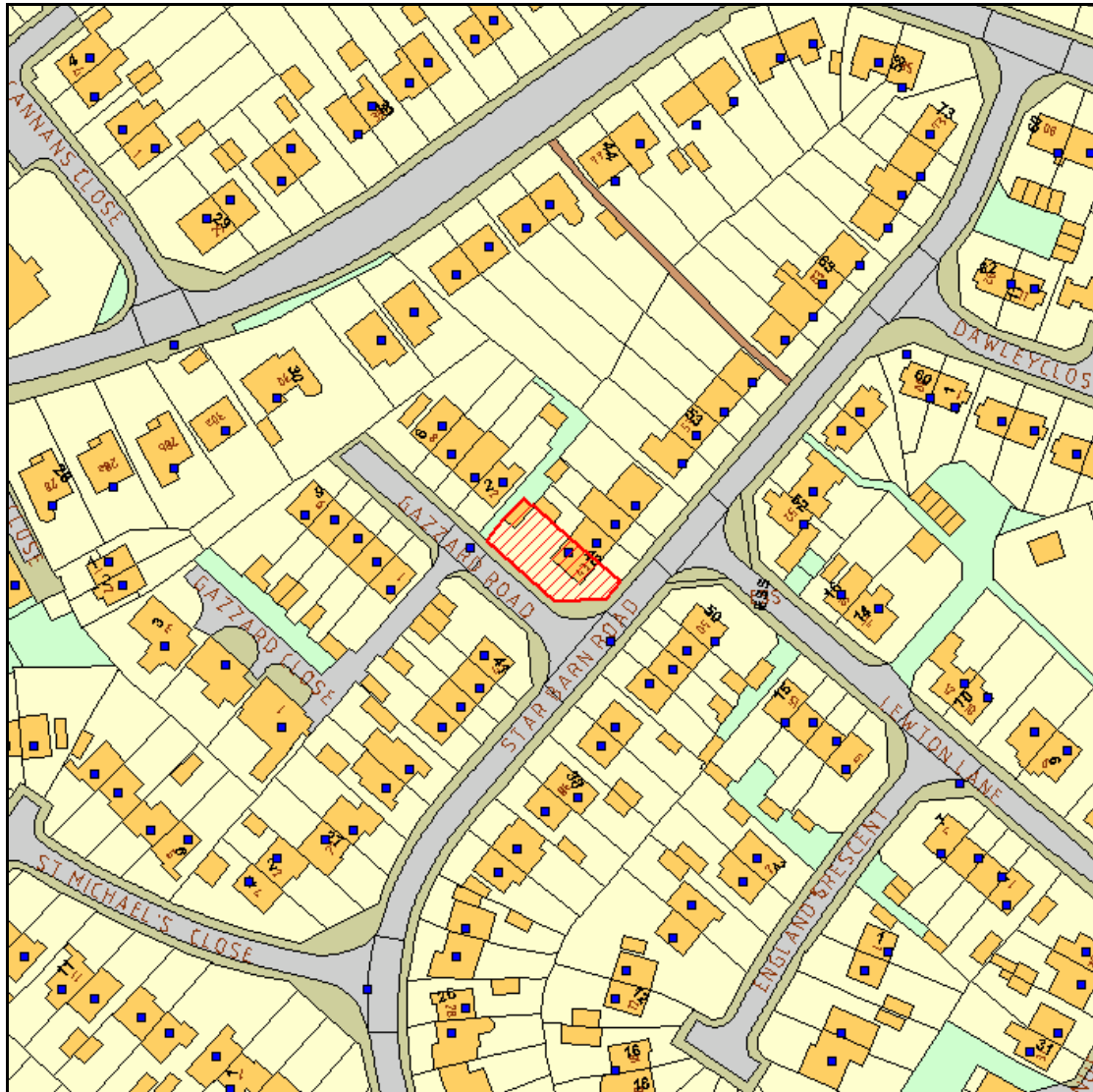
Reason

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

ITEM 26

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/1041/F	Applicant:	Mr T Clouter
Site:	43 Star Barn Road Winterbourne South Gloucestershire BS36 1NU	Date Reg:	11th April 2011
Proposal:	Erection of replacement dual pitched roof to garage (retrospective).	Parish:	Winterbourne Parish Council
Map Ref:	365357 181218	Ward:	Winterbourne
Application Category:	Householder	Target Date:	2nd June 2011



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100023410, 2008. **N.T.S.** **PT11/1041/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the erection of a replacement dual pitched roof to garage.
- 1.2 The application site comprises a two-storey end of terrace property situated on the northwestern side of Star Barn Road; the side of the property fronts Gazzard Road. The site is situated within the established residential area of Winterbourne.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H4 Residential Development within Existing Residential Curtilages

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. RECENT PLANNING HISTORY

- 3.1 No recent planning history.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection
- 4.2 Transportation DC
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a neighbouring occupier. The occupier raises the following concerns:

- The majority of the development is finished, therefore, the description 'part retrospective' is questionable;
- Resultant loss of outlook;
- Resultant loss of light;
- Out of keeping with the existing built form in the neighbourhood;
- Applicant did not seek neighbours opinion before the start of the development.

The first and last points made by the objector do not materially affect the assessment of the application. The other points are considered in the main part of the report.

The applicant has provided the following responses to the comments made by the objector:

- The applicant named the application part retrospective in response to a planning advisor he spoke to;
- The applicant was wrongly advised that the development constituted permitted development and did not require planning permission;
- The majority of the lost view would be that of a plain brick sidewall of no.2 Gazzard Close;
- The applicant has not noticed any loss of light from his own property and states that around sunset is the only time that sunlight is coming from a direction in line with the garage;
- The applicant states that he advised the objector and other neighbouring occupiers with regards to the development;
- The applicant doesn't believe the garage is out of character since an immediate neighbour has a similar albeit larger pitched roof over the garage.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy H4 allows for the principle of the proposed development. Given the nature of the proposal, the main issues to consider are the appearance and form of the proposal (policies D1 and H4 of the Local Plan), the impact on the amenity of neighbouring occupiers (policy H4 of the Local Plan).

5.2 Appearance/Form

The proposal has not increased the footprint of the existing garage or altered the existing doors or fenestration. A pitched gabled roof with an apex of approximately 3.76 metres at ridge height and covered by red double roman tiles has replaced the existing flat roof. The plans specify facing brick to match the existing garage for the front gable wall. Minor alterations include the making good of the pebbledash finish and covering the rear breezeblock wall with a pebbledash render. An objection has been received from a neighbouring occupier on the basis that the scale and appearance of the garage is out of keeping with the character of the area. Whilst the proposal has increased the height of the apex of the garage and the eaves, it does not appear adversely out of keeping with the character of the surrounding built form in terms of scale,

form siting and materials. The garage is set back from the street inline with the properties fronting Gazzard Road and it does not appear adversely prominent in the streetscene. The concerns of the neighbouring property are noted, however, it is considered that the proposal achieves an acceptable standard of appearance to comply with policy D1 of the South Gloucestershire Local Plan (adopted) January 2006.

5.3 Residential Amenity

A neighbouring occupier in no.45 Star Barn Road has objected to the proposal on the basis of loss of light and loss of outlook. The neighbouring dwelling is approximately 9 metres from the rear elevation of the neighbouring property at the closest point and abuts a corner of the neighbouring garage, which extends perpendicular to the application garage. The concerns of the objector are noted, however, it is considered given the single storey form of the garage and the distance from the neighbouring dwelling, that any resulting loss of outlook does not significantly adversely affect the living conditions of the neighbouring occupiers. The orientation and siting of the host and neighbouring dwellings are such that it is considered that any loss of light is not to an extent where it adversely affects the living conditions of the neighbouring occupiers.

5.4 The garage is approximately 3 metres from the northwestern elevation of no.2 Gazzard Road and the ground and first floor windows in the side elevation of the neighbouring property directly face the host garage. However, it is not considered that the proposal has a significantly more harmful impact on the residential amenity of the neighbouring occupiers than the previous situation.

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:

It is considered that the proposal is not significantly out of keeping with the character of the surrounding built form in terms of scale, form, siting and materials and does not bring about any significant adverse issues to the character of the streetscene – policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The concerns of the neighbouring occupier are noted, however, after careful consideration it is considered that the proposal does not significantly adversely affect the residential amenity of the neighbouring occupiers through loss of

natural light, privacy or outlook – policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

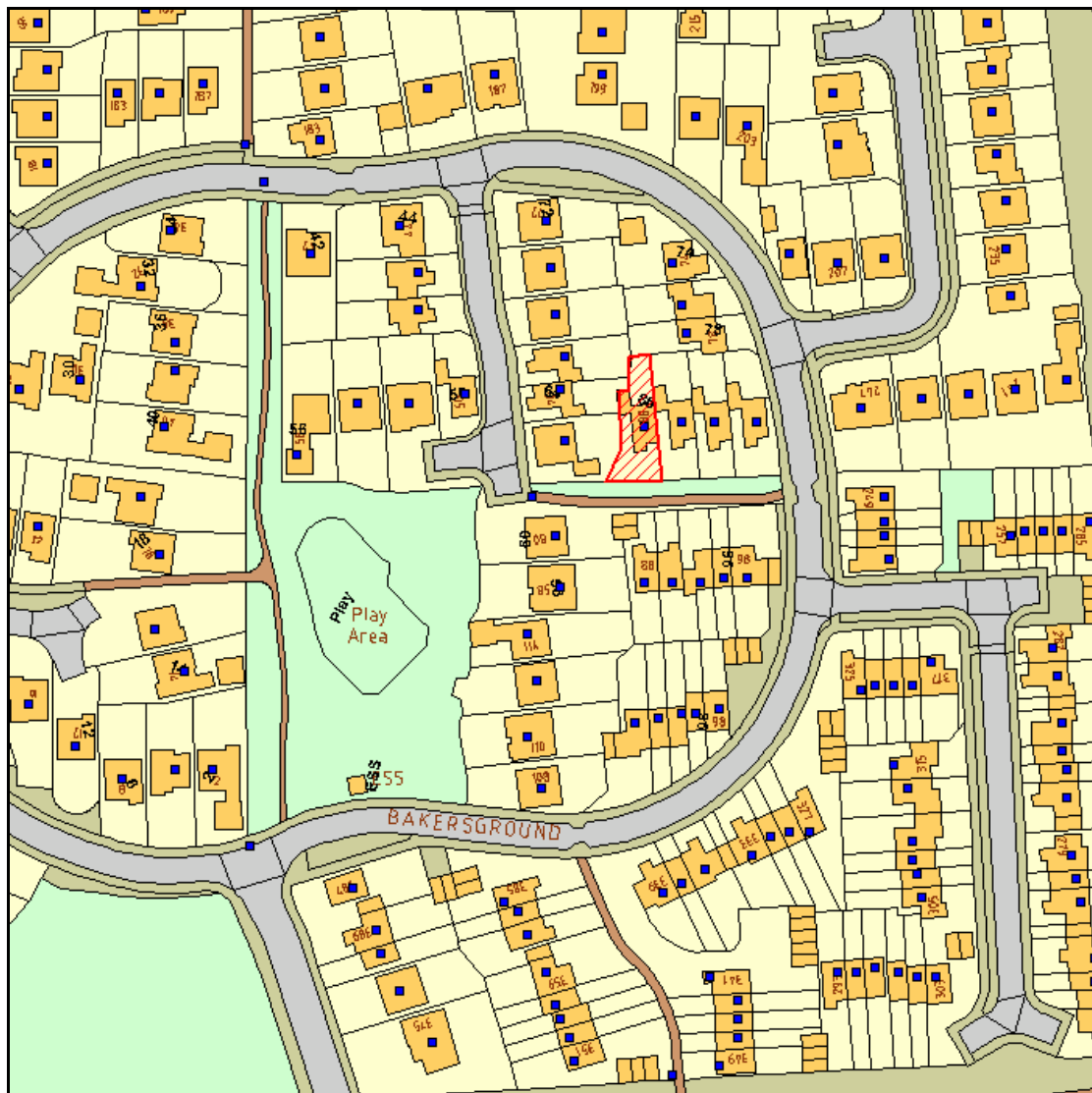
7.1 Planning permission is GRANTED.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

ITEM 27

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/1051/F	Applicant:	Mr N Turner
Site:	86 Bakers Ground Stoke Gifford South Gloucestershire BS34 8GF	Date Reg:	5th April 2011
Proposal:	Erection of rear conservatory and conversion of existing garage to form additional living accommodation	Parish:	Stoke Gifford Parish Council
Map Ref:	363124 180279	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	26th May 2011



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100023410, 2008. **N.T.S.** **PT11/1051/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule List because concerns have been raised by a neighbouring occupier and the Parish Council has objected to the proposal.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a rear conservatory and conversion of an existing garage to form additional living accommodation.
- 1.2 The application site comprises a two-storey dwellinghouse attached to the garage of the neighbouring property. The host dwelling is situated on the western side of Bakers Ground within the established residential area of Stoke Gifford.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development

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 There is no relevant history for the application site.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Objection – proposals not in keeping with existing structure/loss of parking.
- 4.2 Archaeology
No objection
- 4.3 Transportation
No objection

Other Representations

4.3 Local Residents

One response has been received from a neighbouring occupier. The occupier supports the proposal in respect of the accommodation and elevational treatment but raises concern regarding the location of the proposed mechanical vent due to the possibility of excess noise.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policy H4 of the South Gloucestershire Local Plan (adopted) January 2006 allows for the principle of the proposed development. The main issues to consider are the appearance and form of the proposal, the effect on neighbouring occupiers residential amenity and transportation effects.

5.2 Appearance/Form

The conservatory proposed would comprise a uPVC construction with glazing for the sides and roof. The conservatory would be attached to the rear of the dwelling on the western side in a corner formed by the set back of the existing garage and extend approximately halfway across the dwellinghouse. The proposal, which would be encompassed by a lean to roof, would project approximately 3.3 metres from the rear wall of the existing dwelling and would not extend past the rear building line of the existing garage. Access would be through the eastern elevation via double pedestrian doors. The Parish Council's objection is noted, however, in terms of scale, form, materials and siting, it is considered that the proposal would not be adversely out of keeping with the character of the existing dwelling. The proposal would be well screened by the boundary treatments and existing built form and therefore, would not be prominent from the public realm.

5.3 The overall form and scale of the garage would remain as existing and the only external alteration proposed is to infill the existing steel up and over vehicular door and replace with a single pedestrian door and window. The Parish Council's objection is noted, however, it is considered that the proposed conversion would be acceptably in-keeping with the character of the existing dwelling and would not have a significant adverse impact on the overall appearance of the dwelling given that the garage is set back by approximately 6 metres from the front elevation of the dwelling. The corner location of the site is such that the proposal would not be adversely prominent from the wider area. A condition can be applied to ensure that the materials used to infill the garage door in order to convert the garage match the materials used in the existing dwelling if permission is granted.

5.4 Residential Amenity

The plans show that there would be no material increase in the size of the garage and on this basis, given that the only new window proposed would be in the front elevation and would not directly face any neighbouring properties, it is considered that this part of the proposal would not have a significant adverse impact on the residential amenity of the neighbouring occupiers. The proposed conservatory would be contained by the host and neighbouring garages, which are set back behind the building line of the dwellings and this would reduce the impact of the proposal on the neighbouring occupiers. Given the single storey

form of the proposed conservatory and the fact that the site is well enclosed by boundary treatments, it is considered that the proposal would not have a significant adverse impact on the residential amenity of the neighbouring occupiers. A neighbouring occupier raised concerns regarding the potential for disturbance to the garden area of his property from the proposed mechanical vent. Amended plans have been received, which relocate the vent to the eastern elevation of the garage. It is considered that this is sufficient to ensure that the neighbouring occupier's residential amenity would not be adversely affected by the proposal.

5.5 Transportation

An objection has been received from the Parish Council on the basis of a loss of car parking following the conversion of the garage. However, 2no. off street parking spaces would remain on the existing hardstanding driveway following the conversion and this is considered to be acceptable to ensure that the proposal would not adversely affect the local highway conditions. It is not envisaged that there will be a significant increase in vehicular traffic levels following the conversion.

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 would not be adversely out of keeping with the character of the existing dwelling in terms of scale, form, materials and siting and would not be adversely prominent from views from the surrounding area – policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposed development would not have a significant adverse impact on the residential amenity of the neighbouring occupiers through noise, loss of privacy or natural light – policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

Sufficient parking space would remain to serve the existing dwelling and it is not envisaged that the proposal would result in a significant increase in vehicular traffic – policies T12 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. The materials used to infill the existing garage door on the front elevation shall match the materials used in the existing dwelling.

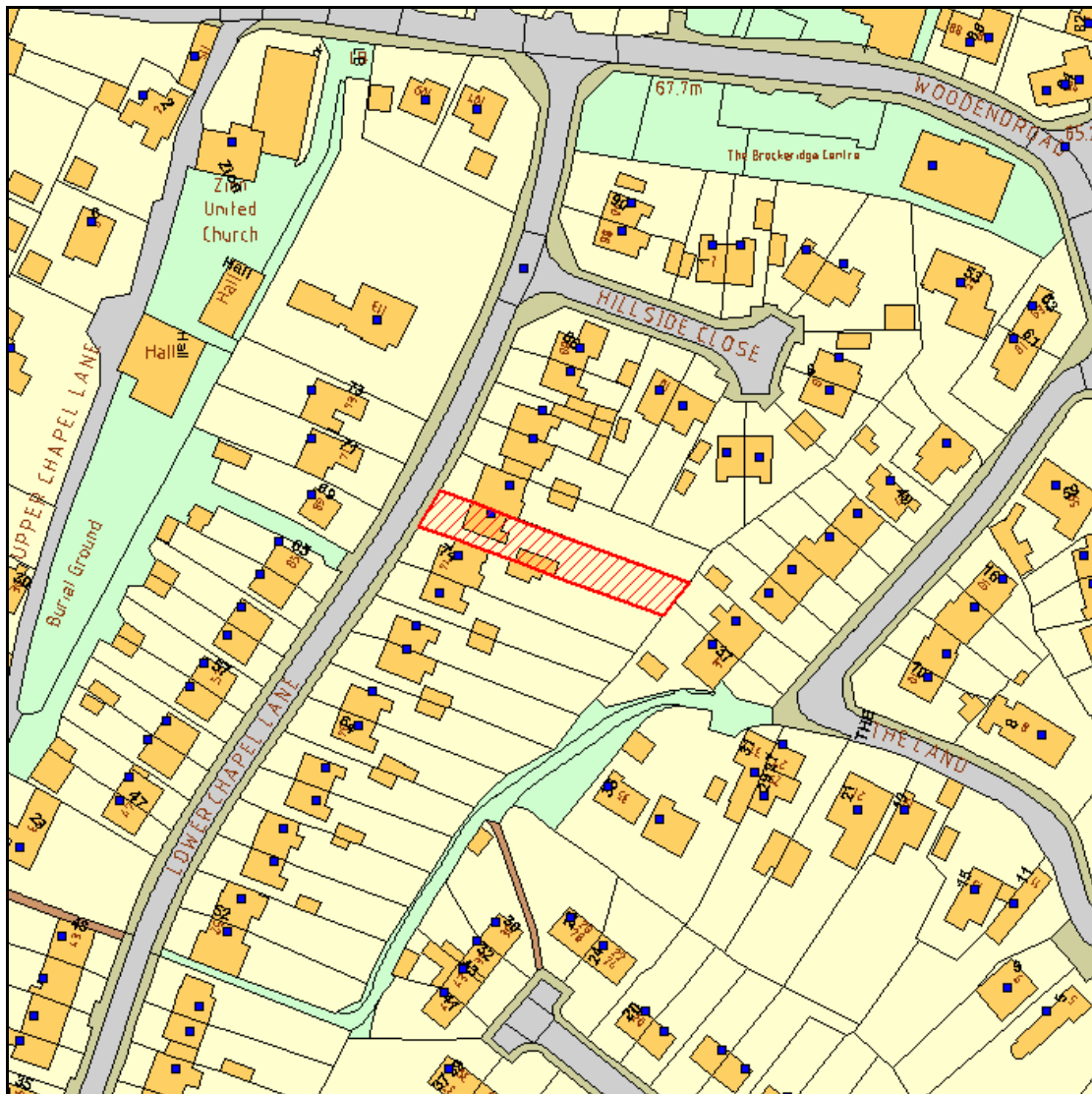
Reason

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

ITEM 28

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/1064/F	Applicant:	Mr M Seymour
Site:	76 Lower Chapel Lane Frampton Cotterell South Gloucestershire BS36 2RH	Date Reg:	11th April 2011
Proposal:	Erection of single storey front extension to provide additional living accommodation and front porch.	Parish:	Frampton Cotterell Parish Council
Map Ref:	367226 181195	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	1st June 2011



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100023410, 2008. **N.T.S.** **PT11/1064/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This full application relates to the erection of a single storey front extension at 76 Lower Chapel Lane, Frampton Cotterell. The proposal measures 1.8m in depth and has the same width as the existing house. All materials are to match existing.
- 1.2 The application site is a semi-detached property located within the settlement boundary of Frampton Cotterell. It has a long rear garden with vehicular access to the front, off Lower Chapel Lane. A 2m boundary hedge/planting separates the front gardens of 76 and 78 Lower Chapel Lane.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development Within Existing Residential Curtilages,
Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New
Development
- 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 PT08/1470/CLP Installation of rear dormer.
Certificate issued 11 July 2008. Permitted
development .

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection.

Other Representations

4.2 Local Residents

1 letter has been received objecting to the proposal on the following grounds:-
a) loss of light.

4.3 Sustainable Transport

No objection.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In assessing applications for residential extensions, 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, overall massing, form, 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 extensions, and considers issues such as design, residential amenity and highway safety.

5.2 Design

It is considered that the application accords with the above policy criteria. The extension is single storey in nature and has a depth of 1.8m. It is of materials to match the existing property. The roof is pitched with a maximum height of 3.65m falling to 2.2m at eaves level. The proportions and location of the existing window and doors are replicated in the proposal. The design, size, scale and massing of the extension is in keeping with the existing property and area as a whole and is acceptable in this regard.

5.3 Residential Amenity

The extension is limited in its depth at 1.8m. Due to its depth and single storey height it is considered that loss of light will not be to such a degree as to warrant a refusal, especially as a 2m hedge currently forms the boundary between the application site and the adjoining property. In addition, no loss of privacy will result and no material impact will occur. The size of private amenity space also remains unchanged. The application is therefore acceptable in residential amenity terms.

5.4 Transportation

Access/parking arrangements are unchanged by the proposal. The application is therefore in full compliance with policies D1, H4 and T12 of the adopted local plan and is acceptable.

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 extension due to its limited size, single storey nature and design is considered to be acceptable in terms of visual and residential amenity. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (Development within Existing Residential Curtilages, Including Extensions and New Dwellings) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal has no impact in highway safety terms. As such the proposal is considered to be compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 Planning permission be granted subject to the following conditions:

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

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

Reason

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

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

Reason

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

3. No windows shall be inserted in the side (north) elevation of the extension hereby permitted.

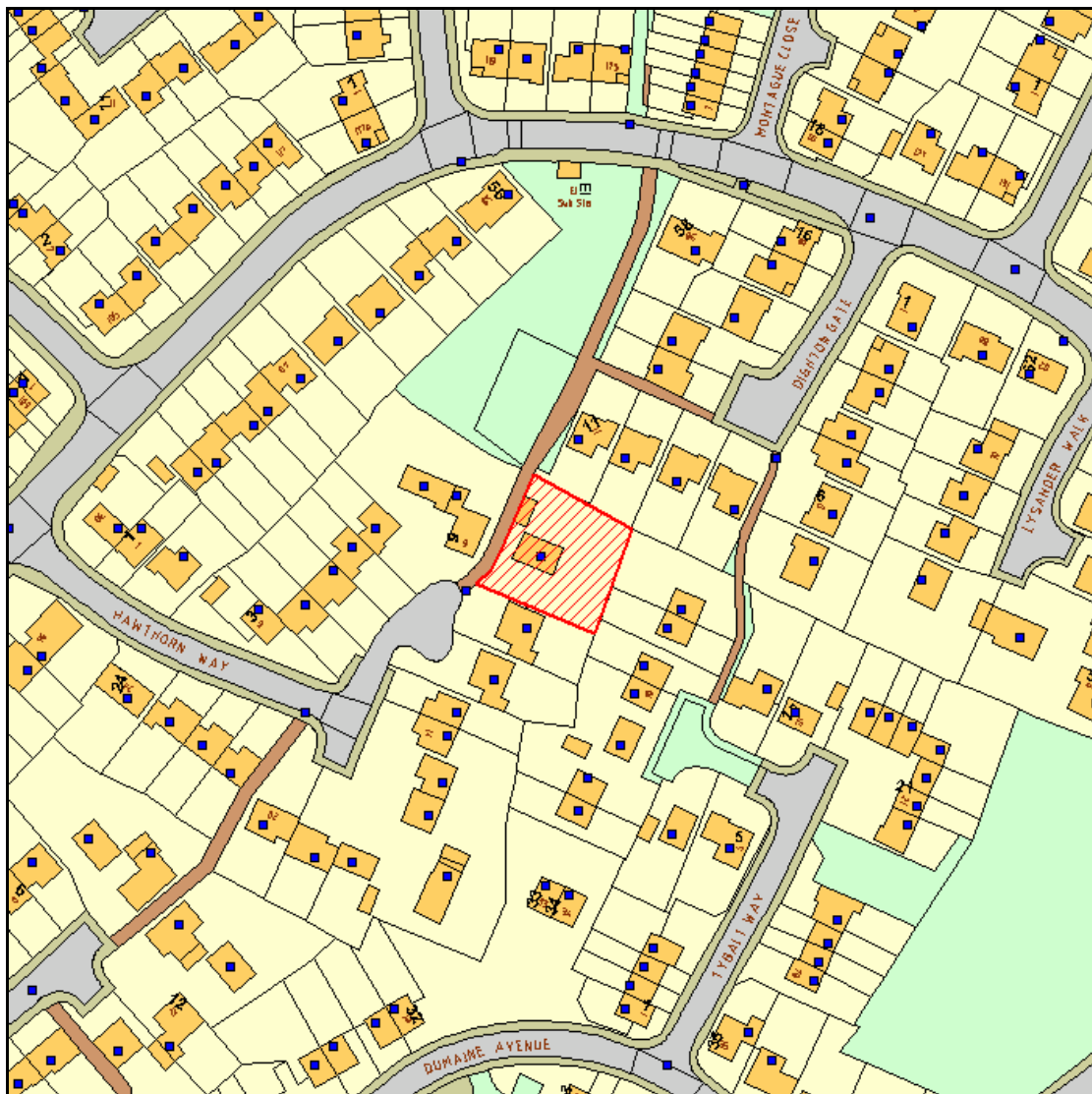
Reason

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

ITEM 29

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/1113/F	Applicant:	Mr D Pheasant
Site:	10 Hawthorn Way Stoke Gifford South Gloucestershire BS34 8UP	Date Reg:	8th April 2011
Proposal:	Erection of first floor extension to provide additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	362352 180306	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	31st May 2011



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100023410, 2008. **N.T.S.** **PT11/1113/F**

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of comments from a local resident that are contrary to the Case Officers recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a first floor side extension.
- 1.2 The application site relates to a detached dwelling and its associated curtilage. The site is situated in a well established residential area with the Bristol North Fringe Urban Area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design In New Development
H4: Development within Existing Residential Curtilages
- 2.3 Emerging Development Plans
South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1: High Quality Design
CS25: Communities of the North Fringe of Bristol Urban Area
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P87/2508 Erection of single storey side extension to form kitchen and dining room
Approved 21.10.1987.
- 3.2 PT01/1453/F Erection of side conservatory.
Approved 20.08.2001.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No comment.
- 4.2 Local Residents
One letter has received from a nearby neighbour. They have raised no objection to the scheme but hope that construction parking will not block or encroach upon the access to their property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

5.3 Design

The proposed development would comprise of a first floor side extension above an existing single storey extension. This proposal would be proportionate to the scale of the existing building and would be finished in matching materials. Therefore, the proposed development would maintain the character and appearance of the existing dwelling and the surrounding residential area.

5.4 Residential Amenity

The existing dwelling is situated within a very large and spacious plot. As such it is considered that the proposed extension would not give rise to a material loss of light or overbearing effect on surrounding properties. The proposed extension would include first floor windows. It is considered that these would not give rise to direct inter-visibility between the host dwelling and neighbouring properties. Nevertheless the proposal would afford some long distance views over the rear gardens of surrounding properties. It is considered that these views would not be materially different to the existing views from the host property and therefore would not harm privacy. On this basis, it is concluded that the proposed development would not prejudice the residential amenity of nearby neighbouring occupiers.

5.5 Transportation

It is noted that a local resident is concerned that construction parking may encroach or block the access to their property. During the construction period of the extension it is likely that some short-term disturbance and nuisance may occur. Nevertheless, minor construction activities are a characteristic of established residential areas and generally occur infrequently. It is therefore considered that the construction of the proposed extension would be unlikely to materially harm the amenity of the nearby neighbours. Notwithstanding this, it should be noted there is legislation beyond the Planning Acts to prevent obstructions occurring with the public highway. The Police would enforce this legislation.

6. CONCLUSION

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

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

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

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

7. **RECOMMENDATION**

7.1 Planning permission to be **GRANTED** subject to the following conditions: -

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 18/11 – 13 MAY 2011

App No.:	PT11/1192/F	Applicant:	Mr And Mrs R And J Horseman
Site:	29 Charles Close Thornbury South Gloucestershire BS35 1LW	Date Reg:	13th April 2011
Proposal:	Erection of detached single storey garage and office/store area and formation of additional parking spaces.(Re-Submission of PT11/0702/F)	Parish:	Thornbury Town Council
Map Ref:	364360 191157	Ward:	Thornbury North
Application Category:	Householder	Target Date:	7th June 2011



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 100023410, 2008. **N.T.S.** **PT11/1192/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to objections received from Thornbury Town Council and one letter of objection from a local resident, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application relates to the erection of a detached single storey garage and office/store area and formation of additional parking space at 29 Charles Close, Thornbury. The application is a resubmission of PT11/0702/F which related to a detached double garage with office above. This application was recommended for refusal due to the two storey nature of the proposal, its design, loss of privacy issues and its overall size/scale being out of keeping with the street scene. The application was subsequently withdrawn prior to determination.
- 1.2 The site is a detached property on a Radburn style estate. It is located to the end of a cul-de-sac, within the settlement boundary of Thornbury. The site is enclosed to the rear by a 1.6m brick wall. It currently has a single garage and hardstanding. The existing garage will be demolished to make way for the development. The site of the existing garage will be left as an additional parking space.
- 1.3 In support of the proposal, the applicant has submitted the following supporting information in order to clarify the proposed office use:-

I am a gas engineer (plumber) and require a secure garage for my van. I can confirm that there will be no deliveries to the site.

The office/store area would be beneficial to both my business for administration purposes and also for general household storage.

The additional one parking space, by knocking down the existing garage, would purely be for residential use as there will be no commercial visitors to the above address.

I am of the opinion that the proposed garage/office/store would all be incidental to the enjoyment of the dwelling house.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H4	Development Within Existing Residential Curtilages,

	Including Extensions and New Dwellings
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

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 P91/2477 Erection of single storey side extension.
Approved 24 November 1991.
- 3.2 PT11/0702/F Erection of detached double garage with office above
and formation of additional parking spaces.
Application withdrawn 13 April 2011.

4. **CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council
Object to the proposal on the grounds that it would be visually obtrusive and out of the character with the surrounding area.
- 4.2 Other Consultees
Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
2 letters have been received, one raises no objections provided the garage is of the height indicated on the submitted drawings and that no deliveries are made. The other letter objects to the proposal on the following grounds:-
- loss of outlook;
 - large brick and clad gable end edifice directly in front of our living room window within 6.5m of property boundary;
 - loss of light with height of garage being between 4 to 5m;
 - pitched roof not in keeping; all other garages have flat roofs;
 - building will be used for commercial purposes in a residential area causing increased traffic from people visiting and delivering to the premises and extra congestion;
 - pedestrian danger as access and parking area crosses the footpath;
 - commercial use will result in an increase in noise;
 - current property has already been extended and should be large enough to accommodate the applicant's business requirements.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

In assessing applications for residential extensions, 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, overall massing, form, 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 extensions, and considers issues such as design, residential amenity and highway safety.

5.2 Design

The application has been amended to that originally submitted in that the proposal is now single storey in nature, it's ridge height measuring 3.7m. The size of the proposal now has the proportions of a standard double garage, measuring some 6m in width and depth. The entrance to the garage now faces down the cul-de-sac, similar to the adjacent garage of 28 Charles Close, which is also located to the head of the cul-de-sac. This front elevation has one single sized garage door, the remaining elevation of brick. The rear and side elevations adjacent to the footpath are also of solid brick construction with the side elevation facing onto the garden having a door and window to serve the office/store element. The design and scale of the proposal is considered acceptable. Its location to the end of the cul-de-sac assists in providing a visual stop and the size and massing of the proposal will not be a dominant feature within the street scene. Indeed a similar sized double garage with pitched roof is evident at 32 Charles Close, four properties north of the application site.

5.3 The materials of brick and tiles are acceptable within the area and it will be a condition of any consent that the brickwork shall match that of the existing boundary walls. The roof tiles shall also be subject to a planning condition requiring submission of sample tile.

5.4 The removal of the existing garage is required in order to enter the garage space, which now faces up the cul-de-sac rather than directly onto it. Although it is recognised that 3 off-street car parking spaces will be provided, it was clear from the Officer's site visit that parking in Charles Close is problematic, even during the day. Off-street and on-street parking is only available to the rear and this is limited. The applicant has a large van required for work and it is therefore considered reasonable that three off-street spaces are provided which will undoubtedly alleviate existing parking issues for the applicant and the immediate locality.

5.5 Residential Amenity

The location of the garage is within the southern corner of the site. The side/rear elevation of the building is on-line with the existing rear garden boundary wall which is located some 15m from the front elevation of the properties of 55 and 56 Charles Close. Its single storey nature, limited ridge height and siting ensures that no loss of privacy, loss of light or any overbearing impact will result from the proposal. Furthermore, no material loss of outlook will result from the proposal. The application is therefore acceptable on residential amenity grounds.

5.6 Transportation

The proposed garage and parking is acceptable and no objection has been raised from the Council's Transportation Engineer. The existing garage has to be accessed over the existing footpath and this is the case for all garages within Charles Close. The proposed garage does not worsen the existing situation and the proposal accords with policy T12 of the adopted local plan.

5.7 Other Issues

Objections have been raised with regard to the business use of the property. However, the proposal is purely to provide an office for the applicant when working from home. He does not run a business from the property and the proposed use would be incidental to the dwelling house. Nevertheless, a condition will be added to ensure that the use remains incidental. With regard to the comment made concerning the dwelling already having been extended which should be large enough to accommodate the proposed office, it is not within the planning remit of Local Planning Authorities to dictate the needs or requirements of individuals. The application is in full accordance with the adopted development plan and is acceptable in all respects.

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 extension due to its limited size, single storey nature and design is considered to be acceptable in terms of visual and residential amenity. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (Development within Existing Residential Curtilages, Including Extensions and New Dwellings) of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The proposal has no impact in highway safety terms. As such the proposal is considered to be compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 Planning permission be granted subject to the conditions set out below:

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

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

Reason

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

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

Reason

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

3. The office/store hereby permitted shall be used solely for purposes incidental and ancillary to the enjoyment of the dwelling house (use class C3), and not for separate business purposes.

The site is located to the end of a cul-de-sac within a residential estate and any business use is likely to be unacceptable on the grounds of residential amenity and transportation considerations.

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

Reason

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