



**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. 02/11**

**Date to Members: 14/01/11**

**Member's Deadline: 20/01/11 (5pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by the Planning and Transportation Committee on 21 November 1996. The procedure is designed to increase the effectiveness and efficiency of the Development Control Service. Under the arrangement reports are circulated on a weekly basis.

The reports assess the application, consider representations which have been received, and make a recommendation regarding the proposal. The procedure is designed to ensure that Members are aware of any concern expressed by interested parties in their ward and indicate a recommendation.

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **by email within five working days of the publication of the schedule (by 5pm)**. If there has been no member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule. **Before referring an item to the Committee, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee**

**PLEASE NOTE: THE CIRCULATED SCHEDULE PROCESS IS ONLY OPEN TO THE ELECTED MEMBERS OF SOUTH GLOUCESTERSHIRE COUNCIL.**

## **NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS**

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (e.g, if the schedule is published on a Friday, comments have to be received by the end of Thursday) (see cover page for the date).

To refer an application(s) members are asked to email [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) providing details of

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

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

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

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

## **GUIDANCE FOR 'REFERRING' APPLICATIONS**

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

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

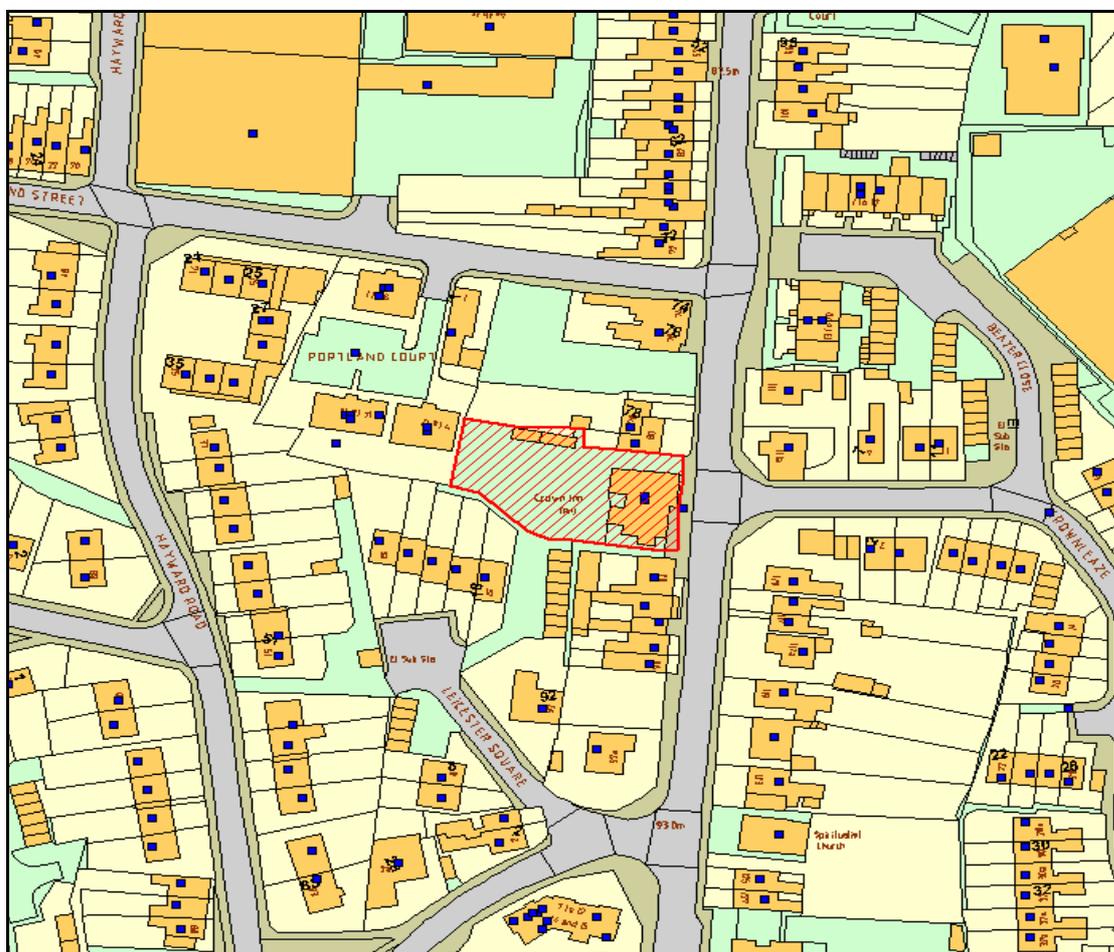
# CIRCULATED SCHEDULE – 14 JANUARY 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK10/1077/F	Approved Subject to	Crown Inn 82 Soundwell Road Soundwell South Gloucestershire BS16 4RB	Staple Hill	None
2	PK10/2315/O	Approve with Conditions	52-58 Bath Road Longwell Green South Gloucestershire BS30 9DG	Longwell Green	Hanham Abbots Parish Council
3	PK10/3019/F	Approve with Conditions	Stables And Land Commonmead Lane Old Sodbury South Gloucestershire BS37 6LX	Cotswold Edge	Sodbury Parish Council
4	PK10/3172/F	Approve with Conditions	2 Queens Terrace Market Place Marshfield Chippenham South Gloucestershire SN14 8NS	Boyd Valley	Marshfield Parish Council
5	PK10/3287/F	Approve with Conditions	185 High Street Oldland Common South Gloucestershire BS30 9QG	Oldland	Bitton Parish Council
6	PK10/3314/R3F	Deemed Consent	Yate Youth Cafe Kennedy Way Yate South Gloucestershire BS37 4DQ	Yate Central	Yate Town
7	PK10/3328/F	Approve with Conditions	37 Hatherley Yate South Gloucestershire BS37 4LT	Dodington	Yate Town
8	PK10/3383/F	Approve with Conditions	68 Cornwall Crescent Yate South Gloucestershire BS37 7RU	Yate North	Yate Town
9	PK10/3439/CLP	Approve with Conditions	67 Magpie Bottom Lane Kingswood South Gloucestershire BS15 8HF	Hanham	Hanham Parish Council
10	PT10/2599/F	Approve with Conditions	2 Malt Cottages Duck Street Tytherington Wotton Under Edge South Gloucestershire GL12 8QB	Ladden Brook	Tytherington Parish Council
11	PT10/2873/EXT	Approve with Conditions	330-332 And Land At Rear Of Deorham Passage Road Almondsbury South Gloucestershire BS10 7TE	Patchway	Almondsbury Parish Council
12	PT10/2977/ADV	Approve	The Meads Heather Avenue Frampton Cotterell South Gloucestershire BS36 2JR	Frampton Cotterell	Frampton Cotterell Parish
13	PT10/3306/F	Approve with Conditions	Lippiatt Store Main Road Easter Compton South Gloucestershire BS35 5SJ	Almondsbury	Almondsbury Parish Council
14	PT10/3325/F	Approve with Conditions	50 Kenmore Crescent Filton South Gloucestershire BS7	Filton	Filton Town Council
15	PT10/3338/O	Approve with Conditions	113 Woodend Road Frampton Cotterell South Gloucestershire BS36 2HX	Frampton Cotterell	Frampton Cotterell Parish
16	PT10/3348/F	Approve with Conditions	Barn Cottage Church Road Rudgeway South Gloucestershire BS35 3SQ	Thornbury South And	Alveston Parish Council
17	PT10/3393/EXT	Approve with Conditions	75 Bradley Avenue Winterbourne South Gloucestershire BS36 1HX	Winterbourne	Winterbourne Parish Council

18	<b>PT10/3395/F</b>	Approve with Conditions	25 Gillingstool Thornbury South Gloucestershire BS35 2EQ	Thornbury North	Thornbury Town Council
19	<b>PT10/3440/F</b>	Approve with Conditions	135 Bradley Avenue Winterbourne South Gloucestershire BS36 1HW	Winterbourne	Winterbourne Parish Council

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PK10/1077/F	<b>Applicant:</b>	Wellington Pub Company
<b>Site:</b>	Crown Inn 82 Soundwell Road Soundwell Bristol South Gloucestershire	<b>Date Reg:</b>	19th May 2010
<b>Proposal:</b>	Change of use from Public House (Class A4) to Residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and erection of two storey extension to facilitate conversion to 9 no. self contained residential units (comprising of 3 no. studio, 2 no. one bedroom and 4 no. two bedroom apartments) with associated car parking, landscaping and works.	<b>Parish:</b>	None
<b>Map Ref:</b>	364803 175346	<b>Ward:</b>	Staple Hill
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th July 2010



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 100023410, 2008. **N.T.S.** **PK10/1077/F**

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

This application appears on the circulated schedule due to the receipt of two letters of objection contrary to the officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission to extend and convert the existing public house to form 9 units of self-contained living accommodation. The bulk of the existing building will be retained and a large two-storey extension will be added to the rear elevation of the building. The existing 'beer garden' and land surrounding the pub will be utilised to form amenity space and car parking associated with the flats.
- 1.2 The Crown Public House dates from c. 1910. It is constructed of red brick with stone surrounds to the windows. The building is an attractive and distinctive feature within the street scene. A number of alterations have occurred in the past – some of which have not been particularly sympathetic especially to the rear.
- 1.3 Of the proposed 9 residential units, 4 will be two bed apartments, 2 will be one bed flats, and 3 will be studio apartments. The scheme includes the provision of 10 off street car parking spaces.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG3	Housing
PPS5	Planning for the Historic Environment

#### **2.2 Development Plans**

##### **South Gloucestershire Core Strategy – Submission Draft December 2010**

CS1	High Quality Design
CS5	Location of Development
CS9	Built Heritage
CS23	Community Buildings and Cultural Activity

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

D1	Design
L1	Landscape Protection and Enhancement
L15	Buildings which make a significant contribution to the Character and Distinctiveness of the Locality
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control
H2	Proposals for Residential Development
H5	Residential Conversions

RT11	Retention of Local Shops, Parades, Village Shops and Public Houses
LC4	Provision for Education Facilities

2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist

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

3.1 None directly relevant to the determination of this application

### 4. **CONSULTATION RESPONSES**

4.1 Parish/Town Council  
The area is un-parished

4.2 Other Consultees [including internal consultees of the Council]

Environmental Protection  
No Objection

Drainage Engineer  
No Objection subject to the attachment of a condition

Education Officer  
No objection subject to a financial contribution towards primary school provision

Conservation Officer  
No Objection subject to the attachment of conditions

Highways Engineer  
No Objection subject to the attachment of conditions

### **Other Representations**

4.3 Local Residents

Whilst no letters have been received from neighbouring residents, two letters have been received from local interested groups. A summary of the points of concern raised is as follows:

- Commend the developers for retaining the buildings external features but are concerned that internal features could be lost during conversion
- Would like to see a full architectural survey carried out
- Policy CS23 is not being followed correctly
- Queries over the accuracy of the viability report
- Not happy that the decision to grant or refuse planning permission has been delegated to planning officers
- The trend of closing community pubs needs to be halted
- Pubs are at the heart of the local community and are essential in the process of social interaction
- Few other pubs in the area

- Not been demonstrated that there is no longer a need for the pub
- CAMRA needs to comment

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The public house is a locally listed building that sits within the urban area of Soundwell. The application stands to be tested against the policies listed above. Policy RT11 of the South Gloucestershire Local Plan and Policy CS23 of the emerging core strategy seek to protect public houses unless it can be demonstrated that its retention is not possible or necessary. Policies D1 and L15 of the Local Plan seek to ensure that the design of new development is appropriate and that the special character of the locally listed building is preserved as far as possible. Other policies, relating to parking and highway safety also need to be taken into consideration as does the impact on neighbouring residents.

### 5.2 Retention of Public Houses

Policy RT11 of the Adopted South Gloucestershire Local Plan and Policy CS23 of the Core Strategy (Submission Draft) seek to ensure the retention of Public houses which serve the local community. Policy RT11 states that, *'The change of use of existing public houses which serve the local community will only be permitted where:*

*E. There are satisfactory alternative facilities available in the locality; or*

*F. It can be demonstrated that the premises would be incapable of supporting a public house use.*

5.3 The applicant has submitted a detailed Viability assessment in attempt to demonstrate that firstly there are suitable alternative facilities available and secondly that the retention of the building in use as a public house is not viable. The Public House ceased trading in February 2008 and has remained empty ever since.

### 5.4 Viability

Information in the statement advises that the pub was first let on a free and long term lease in 1990. It claims that various tenants have attempted to diversify into the food sector but attempts have failed. Since the lease was first granted in 1990, it has failed on two occasions. It is identified within the statement that the pub has previously been re-possessed due to rent arrears. Attempts have even been made to maintain the use of the building on a rent free basis but that was withdrawn due the un-viable nature of business.

5.5 Since April 2008, the pub has been actively marketed with a long and free lease. No tenants have been forthcoming who have been able to continue or fund the lease. Given the length of time the pub has been actively marketed without success, it is clear that the premises is, to prospective landlords, incapable of supporting a public house use.

5.6 In light of the above, whilst the building is still structurally capable of being used as a public house, due to the financial issues faced by the site and the

reputation of the pub, if no tenants can be found, it can be argued that the site is not capable of supporting a public house use.

5.7 Satisfactory Alternative Facilities

The viability report identifies that there are 22 alternative public houses within one mile of the application site. In accordance with the supporting text to Policy RT11, only those within 400m will be taken into consideration.

5.8 Within 400m of the site, there are two existing public houses – The Portcullis on Staple Hill High Street, and The Turnpike on Soundwell Road. The viability report also looks in detail at a further 5 additional public houses within 1km of the site. Whilst of course there is no guarantee of other pubs remaining open, the Turnpike is lively and popular community pub in the Sizzler chain. There is no reason to believe the longer-term retention of this public house is in question. Given that The Turnpike is located only 340m from the application site, it is therefore considered that suitable alternative facilities are available within walking distance. Whilst though a choice of public houses is supported where possible, the existence of one other public house within walking distance is considered satisfactory.

5.9 Design

The Crown Public House is constructed of red brick with stone surrounds to windows. The building forms an attractive and distinctive feature within the street scene and as such is locally listed. A number of alterations have occurred in the past – some of which have not been particularly sympathetic especially to the rear. However, it is considered that repairs and sensitive alterations to the property involving the reinstatement of architectural features, the removal of unsympathetic elements and works to give it a positive use would enhance the building and its surroundings.

5.10 The property is on the South Gloucestershire local list and thus needs to be assessed in relation to policy L15. This recognises the important contribution made by buildings on the local list to the character and distinctiveness of the local area. The presumption is against demolition of such buildings which add to the character of the locality and thus the retention and conversion of the building into flats is welcome.

5.11 The scheme has been designed to retain the original building with its main sensitive elevation to the street virtually unaltered. To the rear the unsympathetic modern single storey extension will be removed and replaced by a larger two storey extension. The proposed extension is broken up into separate gables to help reduce its mass and its height set down so it is subservient and better integrates with the main building. The detailing of the extension is modern which clearly separates it from the older historic building.

5.12 In order to help preserve the integrity of the former public house, it is important that the windows, doors, bargeboards / fascias and architectural details are repaired / reinstated. Large scale details of these are required and will be secured via the attachment of a condition. All joinery will need to be of timber with a painted finish. In order to ensure a high quality of external appearance, a condition will also be attached to require the submission of material samples.

- 5.13 Limited detail has been given at this stage of the hard and soft landscaping of the site or boundary treatments – both around the site and between the areas of amenity space. A condition will be attached to ensure that full details are received and agreed prior to the commencement of development on the site.
- 5.14 Transport and Highway Safety  
The plans show the provision of ten car parking spaces and secure undercover parking for 9 cycles. The application proposes to retain and utilise the existing site access and adequate visibility splays can be provided from the site access onto Soundwell Road. Of the ten parking spaces to be provided, 9 are to be allocated on a 1:1 ratio with one extra space reserved for visitors. Whilst this level of parking is below the Council's maximum standards, given the previous use of the site as a public house and the sustainable location of the development, the level of parking provision is considered to be acceptable. Vehicles using the access point are able to turn within the site and so are able to both enter and leave the site in a forward gear.
- 5.15 Subject to the attachment of conditions to ensure the implementation and retention of the parking as shown on the submitted plans, the application complies with the requirements of Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted)
- 5.16 Residential Amenity  
The plans show the provision of a small but useable amount of amenity space for the occupiers of the units. 4 of the units will have access to small private gardens – just large enough for a table and chair with the remaining five units sharing a communal amenity space. Given the sizes and bedroom numbers in the flats proposed, it is considered highly unlikely that many children will reside in the development. In addition to this, a separate bin store is being provided to house Eurobins. In light of the above, it is considered that the limited amount of garden space provided is sufficient to meet the needs of the development.
- 5.17 Consideration has been given to the impact of the proposed new development on the amenities of the neighbouring dwellings. During the course of the application, amended plans were received and requested to reduce the size of a few of the windows in the scheme to reduce the perceived feeling of being overlooked. As a result of the amendments, it is not considered that the proposal would have any significant detrimental impact upon the amenities of the neighbouring occupiers.
- 5.18 Education  
The Department for Children & Young People calculates contributions on the basis of 4 primary pupils per 100 flats with one or two bedrooms. Current DCSF cost calculators give a figure of £10,747 per additional primary pupil place, indexed at Financial Year 2008/9 Quarter 4 prices.
- 5.19 At primary level there is a projected deficit of places in the local area. The proposed development of nine flats will generate one additional primary school pupil based on the pupil number calculator. A contribution of £10,747 is required for additional primary provision.

- 5.20 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 £10,747.
- 5.21 The applicants have agreed to meet this cost which will be subject to a Unilateral S106 undertaking.

## **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.

1) The proposal would not prejudice the amenities of neighbouring properties, taking into account their privacy, outlook and amenity to accord with Policies H5 and H2 of the South Gloucestershire Local Plan (Adopted January 2006). Similarly the future residents of the proposed flats would be afforded an appropriate level of residential amenity.

2) The scheme fully addresses the off-street parking requirements of the development, both for motor vehicles and bicycles to accord with Policies T7 and T8 of the South Gloucestershire Local Plan (Adopted January 2006)

3) Consideration has been given to the impact of the development on the character of the surrounding area which would not be adversely affected. The design of the development will also make a positive contribution to the wider locality and retain the attractive locally listed building. As such the proposal is fully in accordance with Policies D1, L15, H2 and H5 of the South Gloucestershire Local Plan (Adopted January 2006) and Policy CS1 of the Core Strategy Pre-Submission Publication Draft March 2010

4) There are no adverse impacts upon the existing landscape features and the proposal makes a positive contribution by the landscape features that it provides. The proposal is therefore in accordance with Policy L1 of the South Gloucestershire Local Plan (Adopted January 2006).

5) The proposal fully addresses the drainage requirements of the site and will not adversely affect the surrounding water environment in accordance with Policies EP1 and EP2 of the South Gloucestershire Local Plan (Adopted January 2006)

6) The information submitted with the application demonstrates that every attempt has been made to retain the building in use as a public house and that this is not viable. In addition, satisfactory alternative facilities are available in the locality. The application therefore accords with the requirements of Policy LC5 of the South Gloucestershire Local Plan (Adopted) and Policy LC23 of the Core Strategy – Submission Draft December 2010

7) The proposed development makes adequate, safe and appropriate provision for the transportation demands that it will create and will not adversely affect highway safety in accordance with Policy T12 of the South Gloucestershire Local Plan Adopted January 2006.

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

## **7. RECOMMENDATION**

7.1 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning 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:

- £10,747 towards additional primary school provision to accord with Policy LC4 of the South Gloucestershire Local Plan Adopted January 2006

7.2 That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement

7.3 If the Legal Agreement is not signed within 6 months of the resolution then the application will be refused under delegated officer powers.

**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. Prior to the commencement of development full details comprising plans at a scale of 1:20 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) windows
- (b) doors
- (c) bargeboards/fascias
- (d) architectural details

For the avoidance of doubt, all joinery must be in timber with a painted finish.

Reason

In order that the special architectural quality of the building is protected, repaired and reinstated in the interests of the visual amenity of both the building itself and the street scene. In order to satisfy the requirements of Policies D1 and L15 of the South Gloucestershire Local Plan (Adopted).

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

Reason

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

4. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include details of all proposed boundary treatments within and surrounding the site, details of surfacing materials for all areas of hard surfacing, minor artefacts and structures (e.g. communal rotary washing line). Soft landscape works shall include planting plans; written specifications and schedules of plants - noting species, plant sizes and proposed numbers/densities.

Reason

To protect the character and appearance of the area and to provide an adequate level of amenity for the future occupiers of the site to accord with Policies D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To protect the character and appearance of the area and to provide an adequate level of amenity for the future occupiers of the site to accord with Policies D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The off-street parking facilities (for all vehicles, including cycles) and the access and turning facilities shown on the plans hereby approved shall be provided before any part of the building is first occupied, and thereafter retained for that purpose.

Reason

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

7. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g.

soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

8. The hours of working on site during the period of construction shall be restricted to 7.30 - 18.00 Monday to Friday, 8.00 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 occupiers of neighbouring residential properties and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PK10/2315/O	<b>Applicant:</b>	Mapstone Homes
<b>Site:</b>	52-58 Bath Road Longwell Green Bristol South Gloucestershire BS30 9DG	<b>Date Reg:</b>	6th September 2010
<b>Proposal:</b>	Erection of 9 no. dwellings (Outline) with layout and access to be determined. All other matters reserved.(Resubmission of PK10/0806/O).	<b>Parish:</b>	Hanham Abbots Parish Council
<b>Map Ref:</b>	365501 171312	<b>Ward:</b>	Longwell Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	28th October 2010



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 100023410, 2008. **N.T.S.** **PK10/2315/O**

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

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

### **1. THE PROPOSAL**

1.1 The application site is situated on the western fringe of Longwell Green and the wider Bristol conurbation. The site is situated on the west side of Bath Road at the end (west) of an unadopted single track lane known as Field Lane. The application site incorporates Field Lane and a square shaped area of land 230m<sup>2</sup> in size. The main part of the site is bounded by residential development fronting Field Lane (no.52) to the east, the rear gardens of dwellings fronting Bath Road (nos. 58 and 60) to the south and east, an unmade and unclassified pedestrian path to the north and open fields to the west. The main part of the site comprises an open paddock forming the northern half and the rear garden of no.58 forming the southern half. Some large trees occupy south west corner of the site.

The application site is situated within the urban area as defined in the adopted Local Plan and abuts the Bristol/Bath Green Belt situated to the west. No.60 Bath Road to the east is recognised as a Locally Listed Building. A Public Right of Way (PHA/30) runs north to south adjacent to the west boundary of the application site.

1.2 The application proposes erection of 9 no. dwellings (Outline) with layout and access to be determined at this stage. Access is proposed along Field Lane onto Bath Road. All other matters reserved. The application is a resubmission of PK10/0806/O.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development Planning and Climate Change Supplement to PPS1
PPS2	Green Belts
PPS3	Housing
PPS5	Planning and the Historic Environment
PPS9	Biodiversity and Geological Conservation
PPG13	Transport

#### **2.2 Development Plans**

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

D1	Design
L1	Landscape Protection and Enhancement
L9	Species Protection
L15	Locally Listed Buildings
L17	The Water Environment
L18	The Water Environment

- GB1 Green Belts
- H2 Residential Development within the Urban Area
- H4 Development within Existing Residential Curtilages
- T8 Parking Standards
- T12 Transportation for New Development

South Gloucestershire Core Strategy – Submission Draft December 2010

- CS1 High Quality Design
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Environmental Resources and Built Heritage
- CS16 Housing Density
- CS17 Housing Diversity

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

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK05/1472/O                      Erection of 1no. detached dwelling (Outline) with means of access to be determined. All other matters to be reserved.  
Withdrawn
  
- 3.2 PK07/2769/O                      Erection of 5no. detached dwellings (Outline). All matters to be reserved.  
Withdrawn
  
- 3.3 PK10/0806/O                      Erection of 13 no. dwellings (Outline) with siting/layout and access to be determined. All other matters reserved.  
Withdrawn

**4. CONSULTATION RESPONSES**

- 4.1 Hanham Parish Council  
 Objection - The Council feels that this outline plan constitutes over-development of a backland site, with concerns over egress and access onto Bath Road.
  
- 4.2 Other Consultees [including internal consultees of the Council]  
**Conservation Officer** – No objection.  
 The proposed development would be situated some distance from no.60 (the Locally Listed Building).  
**Rights of Way Officer** – No objection.  
 The proposal may affect an unrecorded Public right of way (PROW). An application to claim a right of way under the Wildlife and Countryside Act 1981 was received in April 2010 and currently being investigated. We request that advisory notes below attached to any permission.

**Tree Officer** – No objection.

Tree survey is acceptable and any trees to be removed are not significant and will be mitigated by replacement trees.

**Ecological Officer** – No objection, subject to condition related to reptile and hedgehog protection.

**Environmental Design Officer** – Approve.

A traditionally styled yet distinctive scheme that responds to the local context, will be achieved by the proposed simple rhythmical layout and combination of materials, fenestration and detailing. The applicant should be asked to note the above comments for consideration at R/M and subject to a firm commitment to achieve CfSH level 3 the application should be APPROVED.

**Sustainable Transport** – No objection, subject to conditions.

The applicant must reconstruct Field Lane to an adoptable standard and then provide maintenance to this standard thereafter.

**Environmental Protection** - No objection.

In order to protect the amenity of local residents during the period of construction, it is recommended that the attached conditions relating to Construction sites should be attached to the permission, to apply during the period of demolition/construction.

**Drainage Engineer** – No objection, subject to condition for Sustainable Drainage System (SUDS).

**Avon Badger Group** – The presence of badgers is likely within the site and a badger survey is therefore required.

**Avon Ramblers** - PRow run down the NW and SW edges of the site. These should be maintained to their full width both during and after any development.

## **Other Representations**

### 4.3 Local Residents

13 letters/emails of objection received from the occupiers of 42, 48, 50, 54, 54a, 57, 61, 64, 74 Bath Road, 11 Williams Close raising the following concerns:

Loss of garden land; garden grabbing; there are many empty dwellings in South Glos and brownfield land which should be developed first; there is a reduced demand for housing in the area; loss of a buffer between urban area and the Green Belt/Hanham Hills; Dangerous precedent for other rear gardens in the locality; Detrimental to the setting of the adjacent footpath; insufficient parking provided on site; the existing access is inadequate and too narrow for the additional traffic; Alterations to the Lane would result in residents not being able to park on the Lane and instead having to park on Bath Road; access has insufficient visibility and is too Close to Marsham Way roundabout; increased traffic on Bath Road which is already congested; Track Plot Analysis proves that Field Lane is not suitable for large vehicles; overbearing development; loss of outlook; noise and disturbance during construction; protection of protected species specifically slowworms, bats badgers, deer and lizards; increased risk of flash flooding from water run off; adding to over development of Longwell Green; surfacing of Field Lane will cause problems with surface water run off; planning permission was not given for one house on this site; detrimental effect on property prices; a surfaced lane will be out of keeping with the Victorian

character of the houses; development would be out of keeping with the character of the area.

Email received from Cllr Christine Price - I strongly object to this proposal as I have real concerns about the egress & access onto the Bath Road

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policies H2 and H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for erection of infill dwellings within existing cartilages and within the urban area, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity and highway safety and an appropriate density of development is achieved. Policy GB1 aims to ensure development within or conspicuous from the Green Belt does not adversely impact on the visual amenity of the Green Belt. Additionally, development must not adversely impact on the visual amenity of the Green Belt. Other issues will also be considered relating to highway safety (Policy T12), parking (Policy T8), protected species and ecology (L9) and landscape protection (Policy L1).

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 published December 2010. Whilst this document is a material consideration in the determination of planning applications, it cannot be afforded significant weight at this stage.

### **5.2 Visual impact**

The application site is situated at the end of a poorly surfaced track lined on the south side by a Victorian terrace and one modern detached infill dwelling. A substantial and imposing semi detached Victorian dwelling occupies the southern side of the junction of Field Lane with the main Bath Road. A large bungalow occupies much of the north side of Field Lane used currently as a care home. The front and side of the care home when viewed from Bath Road is heavily screened by a tall tree hedge on the south and east boundaries. The application site situated at the end of Field Lane 75m from the junction with Bath road would be well screened from views from Bath Road. Field Lane, in addition to the existing occupiers, is used as access from Bath Road to the footpath and fields to the west. At the west end of Field Lane the character changes from traditional residential to a more rural and green context. A thick tree hedge on the west boundary of the site provides a visual screen from RoW PHA/30 which runs north to south adjacent to the west boundary.

The application site comprises two large gardens that extend to the edge of the urban area. Beyond is open countryside (Green Belt) that rises to the southwest. The site is served by an unadopted lane. The predominant

vernacular along the Bath Road are pennant stone dwellings with stone or distinctive castellated brick window and door surrounds, although significant infilling of dwellings of a range of ages and styles has taken place over many years. Extensive backland development has also previously taken place along the Bath Road, e.g. Bagworth Drive and Empire Crescent. There is therefore no distinctive character in terms of the size, architectural appearance and position of dwellings within their plots. Gardens, clearly help to 'soften' the urban edge but do not thus, contribute to what could be considered a distinctive urban grain or townscape.

The layout shows 9 dwellings arranged uniformly around an 'elongated court'. Plot 1 is designed to turn the corner and create a focus from views from the east along Field Lane to aid integration to the street scene. Plots 9 and 10 would utilise garages with accommodation above and dormer windows to 'endstop' the 'court'. The uniformity of the building line and raised planters/trees would create a good sense of enclosure. Dwellings would have good levels of private outdoor space, allowing most of the existing landscaping along the site boundaries to be retained.

A 'traditional' approach is proposed with a combination of vertical sash windows and natural stone (plots 1,3,7 & 9) and this reflects local distinctiveness. Dwellings are wide fronted and well proportioned and windows have a vertical emphasis. Distinctiveness of the scheme is further assisted by the alternate use of stone and render, and chimney pot and dormer styling. The steep pitch of the dwelling roof, dovecotes and the use of oriel windows would create interest that responds positively to the countryside. Given that built form comprises only about 50% of the countryside edge of the site (western edge) and rear gardens would back onto the north and south boundaries, existing landscaping will predominantly be maintained which is important given the screening provided at present by the existing tree hedge on the west boundary. As the land rises to the southwest, the impact of the scheme on views from and thus openness of the wider green belt and countryside and connection of the urban boundary edge with the countryside would be softened.

Overall, this is considered to be a good quality scheme in terms of design and layout which would respect the character distinctiveness and amenity of the surrounding area being a mix of urban and rural and preserve the setting of the adjacent Public Right of Way.

Additionally, the applicant has indicated that the proposal will achieve code level 3 of the Code of Sustainable Homes an industry standard for assessing the sustainability and green credentials of new development.

### 5.3 Loss of garden land

The Government through advice in PPS3 supports a more efficient and sustainable use of land in the urban area. The site is situated close to public transport links and walking distance to local facilities. The site and development proposed are therefore considered to be sustainable in line with this advice. The amendments to PPS3 with the exclusion of private residential gardens from the definition of previously developed land were recently

introduced in order to preserve the character of residential areas within urban contexts. In this case the southern half of the site forms part of the 120m long rear garden of no.58 Bath Road. The garden is screened from all public views from Bath Road. The garden is also well screened from the informal path running adjacent to the north boundary of the site and screened by thick hedging along the west boundary adjacent to the Green Belt. The importance of this part of the rear garden of no.58 as a contributor to the local character and distinctiveness is therefore considered not to be significant. As such it is considered that sufficient weight cannot be afforded to 'garden grabbing' as a material consideration to demonstrate harm in this respect. Additionally, the proposed benefits of the scheme in relation to efficient use of land within the urban area and the quality of design and layout would clearly outweigh any harm through loss of garden land alone.

### 5.3 Density

The density of the application site to be occupied by residential development (excluding Field Lane) would be 30.7 dwellings per hectare (dph). The sub text of Local Plan Policy H2 states,

*'The expectation is that all development will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit.'*

As explained in Par 5.1 the Local Plan is under review and the Council's Core Strategy is due to replace this document in the near future. The Core Strategy will currently carry less weight than the adopted Local Plan at present. However, Policy CS16 (Housing density) indicates that densities of new development will vary according to accessibility and character but the Council aims to provide an average of 40 dph across all new housing and that higher densities will be appropriate in more sustainable locations. It is considered that the proposal would achieve a good standard of layout and design and would be situated within a highly sustainable location within the urban area and close to local services and public transport routes. As such the proposed density is considered to accord with the Council's adopted Policy H2 and emerging Policy CS16.

### 5.3 Green Belt

The application site is situated on the edge of the urban area outside the Bristol and Bath Green Belt which is situated adjacent to the west boundary. Policy GB1 requires development which is situated outside but conspicuous from the Green Belt not to adversely impact on the visual amenity of the Green Belt. As indicated in par. 5.2 above, the layout has been designed to reflect both the urban (traditional) context to the east and the rural open character to the west. As such it is considered that the proposal would not adversely impact on the visual amenity of the Green Belt in accordance with Policy GB1 of the adopted Local Plan..

### 5.4 Highway matters

The application proposes vehicular access to the site from Field Lane onto Bath Road. A transportation assessment was submitted with the application with additional tracking diagram to show service vehicle tracking at the junction of Field Lane with Bath Road. The applicant proposes to upgrade the existing

unadopted access along Field Lane to be laid out and resurfaced to an adoptable standard as part of the proposed development.

#### Traffic movements:

It is estimated that the traffic associated with the new proposal (during the morning peak hours between 08.00 to 09.00am) would be around 9 movements, with a similar level experienced during the evening peak (between 17.00 to 18.00 hr). The effect of this traffic is considered to be modest in the local context although, the direct impact on Field Lane would be significant and for this reason mitigating measures are proposed by the applicant.

#### Access:

Access to the development site would be from Bath Road via an unmade private lane. The width of the existing lane (between boundary walls, fence and buildings) varies between 5.9m and 6.5m. In the "design and access" statement, the applicant proposes to upgrade the lane to an adoptable standard. The lane could not be offered for adoption as it is not within the ownership of the applicant. In line with the applicant's statement, and due to the proposed increase in traffic, the application can only be supported if the road is constructed to the Council's adoptable standards even though the road remains as a private road. Conditions are recommended for details of the proposed upgrading to be approved prior to commencement of development and subsequently a management company introduced to maintain the Lane to an adoptable standard thereafter.

Given the available width, Officers are satisfied that a shared-surfaced road can be constructed on Field Lane. Shared-surfaced roads are a common highways solution, generally 5.5m wide, and possible in a cul-de-sac arrangement when the road is serving up to 25 units. Therefore in this context and subject to the approval of details and implementation of road improvements, the access lane is adequate for use by the existing and new development traffic.

Some local residents and the Parish Council have expressed concerns with the proposed intensification of the access onto Bath Road via the junction with Field Lane. In terms of road safety the visibility splays at this junction comply with current design guidance and provide acceptable forward visibility for the drivers on the approach to the junction. The junction also meets the design guidance in respect of visibility distances. As such the intensification of the access onto Bath Road from Field Lane is considered to be acceptable.

Bollards have been erected on the Field Lane (outside property no. 54), one of which is located in close proximity to the junction with Bath Road. This could cause restriction for two-way traffic at the junction and therefore it must be removed. The applicant is of an opinion that he has legal rights to remove such obstructions from the lane and on this basis a condition requiring removal of the bollards prior to commencement of development is recommended (condition 7).

The applicant and a number of local residents have stated that the ownership of the lane road is unknown. Due to this legal issue and as it is not intended that the access serving this development be formally adopted as public highway by the local authority, it is considered appropriate and necessary to impose a planning condition to ensure all road improvements associated with the development be completed prior to any commencement of the development on the site.

Some concerns have been raised in relation to existing resident's parking and provision of an adequate access. A 5.5m width would allow all vehicles to pass, with an overall tolerance of 0.5m for the largest vehicles but ample clearance for all others. The access on Field Lane exceeds this width as indicated above.

The proposal would result in additional service vehicle movements to and from Field Lane. The applicant proposes a turning area within the site. There is currently no turning area on Field Lane and as such, service vehicles currently either reverse from Bath Road or reverse out onto public highway. The provision of a turning area would assist with safe access and egress of service vehicles from this road to the benefit of highway safety.

Parking:

The proposed layout demonstrates that the proposal meets the Council's adopted parking standard in accordance with Policy T8 of the adopted Local Plan. A condition is recommended to ensure the parking area is laid out and provided prior to occupation of the first dwelling on site. As such the proposed parking provision is considered to be acceptable.

The proposal would result in an overall gain in terms of highway safety from the upgrading of the existing access including delineation of the shared surface to indicate a more formalised parking area on Field Lane. Considering all of the above matters the proposal is considered to be acceptable in highway safety terms.

## 5.5 Residential amenity

Unit 1 would have a diagonal elevation facing towards the side gable of no.52 Bath Road, the nearest dwelling to the application site. The side elevation of no.52 contains a first floor landing and ground floor kitchen and W/C windows, at a minimum distance of 17.5m. The ground floor side windows face into the rear garden which is enclosed by a 1.8m high fence. The rear garden of no.52 would be a minimum of 22m from the facing windows of plot 1. Plot 9 on the opposite side of the development would be situated side on to no.52 at a distance of 23m from the rear garden of no.52. The proposed development would be situated sufficient distance from any other dwellings in the locality for there to be no significant loss of residential amenity. Accounting for the distance of facing windows and distance of new windows to the rear garden of no.52 and existing boundary screening, it is considered that the proposal would result in significant loss of residential amenity in relation to loss of privacy, overbearing built form, bulk or loss of daylight/sunlight.

## 5.6 Drainage and water

The proposal aims to connect to the existing foul sewer and surface water would be disposed of via soakaways. A condition is recommended to require details of a system for sustainable drainage to be submitted and provided prior to occupation. This will include details of how all surface water will be channelled including any surface water disposal from the upgraded lane.

## 5.7 Ecology

The application included an ecological appraisal of the site by MP Ecology dated 10<sup>th</sup> March 2010. The application site primarily comprises a rough ground and a well-managed domestic garden. The appraisal identifies that part of the northern plot has some potential for use by hedgehogs and slowworms, species commonly associated with domestic gardens, and recommends further survey work should permission be granted. As slowworms are a protected species both nationally and within the Council's Biodiversity Action Plan. Additionally, hedgehogs are a Priority Species nationally and included on both the UK and South Gloucestershire Biodiversity Action Plans. It is therefore recommended that the site be surveyed for the two species. If either is found to be present, a mitigation strategy will need to be drawn up and agreed with the Council ahead of development commencing. The strategy should aim to retain any animals found in suitable (new) habitat on site to maintain the distribution of the species. A condition is recommended to this affect.

## 5.8 Planning history

Concerns have been raised from local residents that if permission were to be granted for the proposal it would be inconsistent with decisions for other similar schemes on the same site. Three historic applications have been submitted for residential development related to this site, all were withdrawn prior to any decision. In 2005 an application was submitted for a single dwelling on the northern half of the application site (PK05/1472/O). The application was withdrawn following a response from the Highways Officer requiring the access (Field Lane) to be upgraded to an adoptable standard before the application could be supported. The upgrade of Field Lane for the erection of a single dwelling would inevitably have been unviable financially. As such although no decision was reached with this application it was considered in a way consistent with the approach used with this scheme. In 2007 an application was submitted for erection of 5 dwellings on the northern half of the application site (PK07/2769/O). The application was withdrawn for similar reasons pending further investigation of ownership related to Field Lane. This application was not considered in a way inconsistent with the current scheme.

Application PK10/0806/O for 13 dwellings was withdrawn in 2010, the initial scheme of which this proposal is a revision following advice from Officers in relation to layout and density. This application is a revised scheme of PK10/0806/O.

## 5.9 Public Right of Way

As indicated above in par 5.2 a track running east to west adjacent to the north boundary of the site is currently informally being used as a public access from Field Lane to RoW PHA/30 in the fields beyond to the west. The path is currently subject to a Footpath Modification Order under the Wildlife And

Countryside Act 1981 and is currently out for public consultation as part of the adoption process. The timescale for confirmation of the Order is around 10 weeks. As such the footpath is currently not recognised as a Right of Way. The visual impact of the scheme was considered in par.5.2 above and this does not carry any further significant consideration which would outweigh conclusions drawn in par.5.2.

#### 5.9 Other issues

Local residents have raised concern that the proposal would impact on their property prices. As the planning system operates in the public interest, the private interest of an individual will not carry any significant weight in determining the acceptability of a proposal. As such the possible reduction of property prices in relation to this development does not carry sufficient weight to outweigh the benefits of the scheme as outlined in this report.

Concern was raised by local residents that there is no demand for this type of housing in the area. Market forces will dictate whether demand will exist for the proposed dwellings and little weight can be attached to this as a consideration.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. 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 their scale and position in relation to the adjacent dwellings, the proposed dwellings are considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
  - b) It has been assessed that the proposed dwellings have been designed to respect and maintain the massing, scale, proportions, materials vernacular and overall design and character of the street scene and surrounding area. The development therefore accords to Policies H2, D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.
  - c) The proposal would provide adequate visibility at the access onto Bath Road and adequate off street parking within the site. Additionally, Field Lane will be upgraded to an adoptable standard and maintained as such thereafter. The proposal is therefore considered to be acceptable in highway safety terms in accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

- d) The proposal is considered to be of a good quality design and layout which integrates well the rural with urban context. The proposal would therefore have no adverse impact on the visual amenity of the adjacent Green Belt. The proposal therefore accords with Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- e) The proposal is considered to represent a sustainable form of development which would achieve a density in keeping with local character. As such the proposal accords with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 in this respect.
- f) The application site is considered unlikely to accommodate protected species. However a mitigation strategy will be provided if any are found. The proposal accords with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

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

**Contact Officer: Sean Herbert**  
**Tel. No. 01454 863056**

### **CONDITIONS**

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

Reason

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

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

Reason

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

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

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

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

Reason:

To protect the character and appearance of the area and the visual amenity of the adjacent Green Belt to accord with Policies H2, H4, D1, GB1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To protect the character and appearance of the area and the visual amenity of the adjacent Green Belt to accord with Policies H2, H4, D1, GB1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To protect the character and appearance of the area and the visual amenity of the adjacent Green Belt to accord with Policies H2, H4, D1, GB1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. No development shall commence within any part of the site edged red on the approved plan until construction details of the proposed means of access to the site from Bath Road, named Field Lane on the approved Location Plan have been first submitted to and approved in writing by the Local Planning Authority. The construction details shall include delineation of shared surfacing, drainage, lighting, all surfacing and any existing bollards or features to be removed. The development shall be implemented in strict accordance with the approved details.

Reason

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

8. No development shall commence until the means of access has been implemented in full in accordance with the construction details so approved in condition 7 of this decision. The means of access shall be implemented in compliance with the Council's adoptable standards (under an appropriate legal agreement).

Reason

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

9. The means of access so implemented in condition 8 of this decision shall thereafter be maintained by a 'management company' in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any development. The details of the management company shall include their name and address and details of all parts of the means of access to be maintained and frequency of maintenance.

Reason

To ensure continued provision and maintenance of a satisfactory means of access in the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

11. No development shall commence until a survey for reptiles and hedgehogs is carried out by a suitably qualified person. If present, a mitigation strategy shall be submitted and agreed in writing by the Local Planning Authority prior to commencement of development on site to safeguard the species present on site. The strategy shall include details of how any new habitat to be created for the species will be managed to conserve and benefit local wildlife. The development shall be implemented in accordance with the approved strategy.

Reason:

In the interest of safeguarding any slowworm or hedgehog population present in accordance with the South Gloucestershire Biodiversity Action Plan and to accord with adopted South Gloucestershire Local Plan Policy L9.

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

Reason

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

13. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the first dwelling is occupied, and thereafter retained for that purpose.

Reason

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

14. The internal dimensions of all garages within the site hereby approved shall measure a minimum of 2.8m by 5.5m.

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.

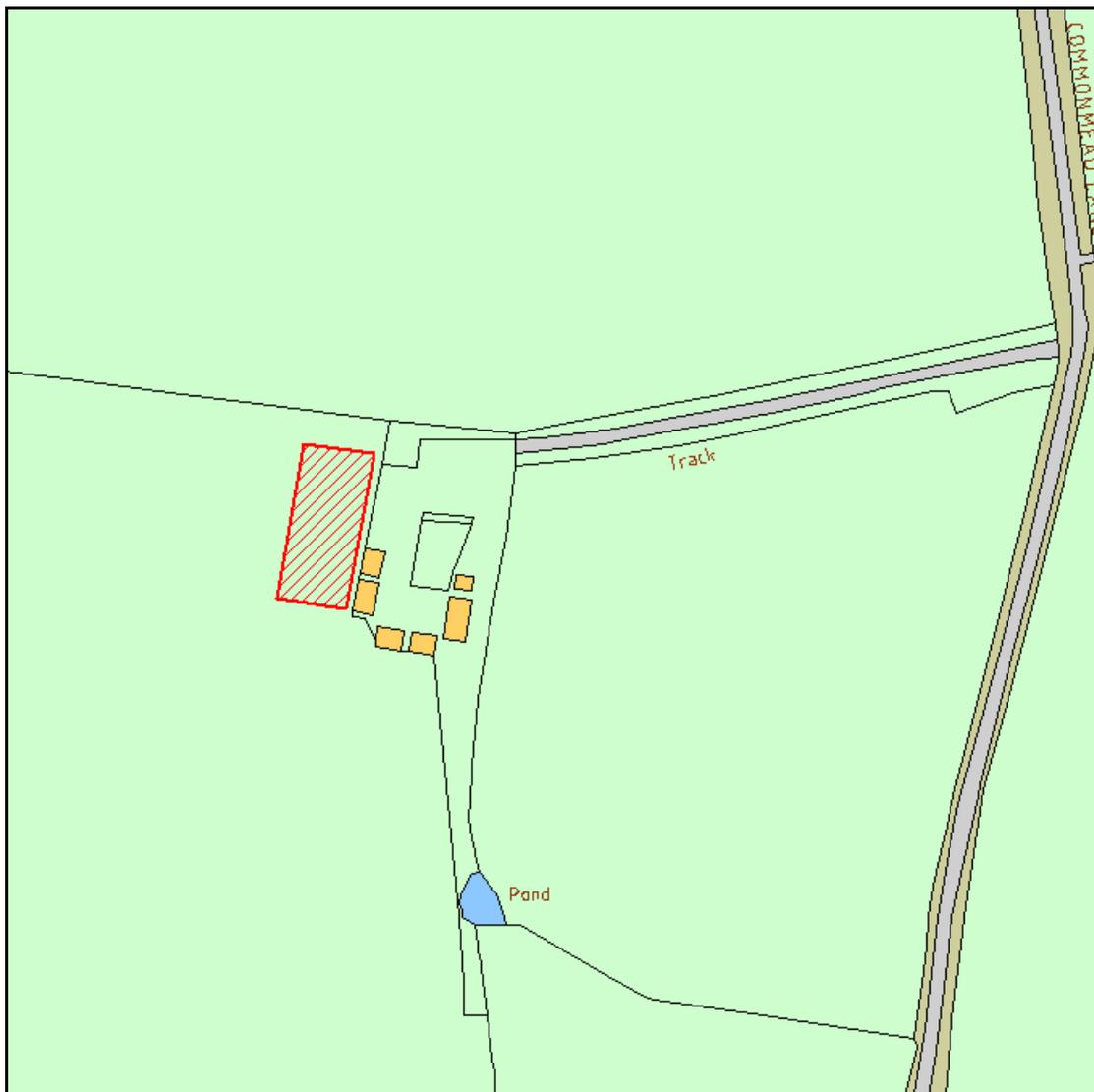
15. All existing bollards on the road names Field Lane on the approved plan shall be removed prior to commencement of any development.

Reason

To prevent obstruction of the lane and access onto Bath Road, in the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PK10/3019/F	<b>Applicant:</b>	Mr Andrew Monks
<b>Site:</b>	Stables And Land Commonmead Lane Old Sodbury Bristol South Gloucestershire	<b>Date Reg:</b>	29th November 2010
<b>Proposal:</b>	Construction of menage and earth bund and erection of 1.2m high post and rail fencing and lighting.	<b>Parish:</b>	Sodbury Parish Council
<b>Map Ref:</b>	375578 181850	<b>Ward:</b>	Cotswold Edge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th January 2011



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 100023410, 2008. **N.T.S.** **PK10/3019/F**

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

This planning application has been referred to the Council's Circulated Schedule as objections have been received from the Parish Council regarding the proposed lighting.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the construction of a horse riding area measuring 20m x 40m along with an earth bund, erection of 1.2 metre high post and rail fence and installation of four floodlights fixed to the rear elevation of the existing stable block.
- 1.2 The application site relates to land sited within the open countryside. The land subject of this planning application has an authorised planning use for the keeping of horses through the granting of planning permission (PK04/1203/F)

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L1 Landscape

E10 Horse related development

L2 Area of Outstanding natural beauty

Core Strategy Submission Draft December 2010

CS34 Rural Areas

2.3 Supplementary Planning Guidance

SG Landscape Character assessment as adopted Aug 2005.

Character Areas 4, Cotswold Scarp and 5, Wickwar Ridge & Vale.

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

3.1 PK04/1203/F Change of use of land from agricultural to land for the keeping of horses. Retention of 5 stables and 2 no. additional stable blocks for storage of hay and straw and feed and tack. Retention of access track and reinstatement of turning area.

Approved March 2005

3.2 PK08/2479/RVC Relaxation of condition 11 attached to planning permission PK04/1203/F to allow 1 no. horse trailer to be replaced with 1 no. horse box  
Approved October 2008

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

4.1 Sodbury Parish Council

No objection to the scheme however it is noted within the paperwork there are proposals for 4 floodlights which this Council does object to.

4.2 Other Consultees

Drainage Engineer

No objection in principle

Landscape Officer

No objection, discussed in detail under paragraphs 5.3 of this report.

#### **Other Representations**

4.3 Local Residents

No response received

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

5.1 Principle of Development

Policy L1 of the adopted South Gloucestershire Local Plan seeks to ensure development conserves and enhances the character, distinctiveness, quality and amenity of landscapes. In addition Policy E10 that relates to horse related development seeks to ensure development will not have unacceptable environmental effects.

5.2 Policy L2 also seeks to ensure development does not harm the natural beauty of the Cotswolds AONB.

5.3 Policy CS34 of the emerging South Gloucestershire Core Strategy seeks to protect and conserve the distinctive character of rural areas.

5.4 Landscape Character

The site is located in open countryside to the north west of Old Sodbury and is just outside the boundary of the AONB. The land has an authorised use for the keeping of horses. In terms of the broader landscape the site is close enough to the AONB to be considered as being within it's setting and is also visible from within the AONB itself. However the site is set within a well-vegetated landscape and consequently is well assimilated into the landscape and the vegetation also mitigates views into the site from within the AONB.

5.5 Objections have been raised by the Parish Council regarding the impact of the proposed lighting. The applicant seeks permission to fix 4 halogen floodlights on the rear elevation of the existing stable block that backs onto the proposed ménage area. The applicant has submitted details of the proposed lighting i.e. 400w with the top half covered. This type of light is commonly used for domestic use. The Councils' lighting Engineer has advised that no objection is raised in principle with this type of light but has recommended the use of asymmetric lanterns as this type will reduce any light spillage. In the event

planning permission is granted a condition will be imposed requiring that the lights be asymmetric. The applicant has subsequently confirmed that only 3 lights are required and therefore a condition will be imposed restricting the number of lights to 3.

5.6 It is therefore considered the proposals will not have any significant visual impacts on the landscape character of the area.

5.7 Drainage

The Councils' Drainage Engineer has raised no objection in principle to this application subject to an informative being attached with regards the need for a toe drain to be installed within the earth bund.

## 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) The proposal has been designed to positively enhance the character and appearance of the area, taking account of siting, design and materials. The proposal will preserve the landscape character of the area Policies L1, L2 and E10

## 7. RECOMMENDATION

7.1 That 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. Notwithstanding the approved plans, the number of floodlights hereby approved shall be limited to three.

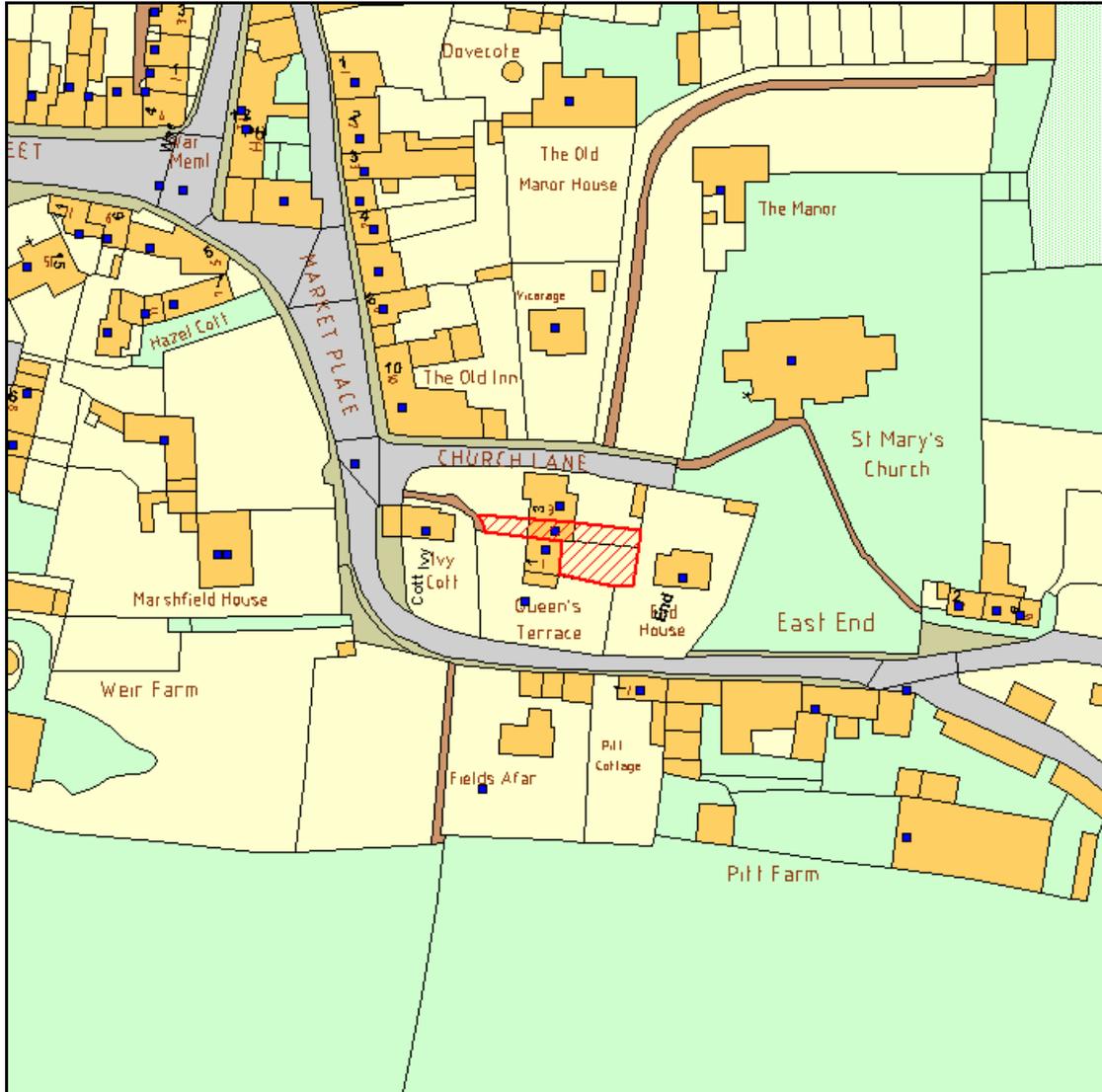
To protect the character of the rural landscape in accordance with Policies D1, L1, L2 and E10 of the South Gloucestershire Local Plan Adopted) January 2006.

3. Details of the proposed lighting illustrating type and angle position shall be submitted to and approved in writing by the Local Planning Authority. The floodlights shall be of an Asymmetric design.

To avoid light spillage and protect the character of the rural landscape in accordance with Policies D1, L1, L2 and E10 of the South Gloucestershire Local Plan Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PK10/3172/F	<b>Applicant:</b>	Mr J Sowler
<b>Site:</b>	2 Queens Terrace Market Place Marshfield Chippenham South Gloucestershire	<b>Date Reg:</b>	19th November 2010
<b>Proposal:</b>	Reconstruction of former pigsty to form detached office	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	378161 173640	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	12th January 2011



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## **Other Representations**

### **4.3 Local Residents**

One letter of objection has been received from a local resident. A summary of the points of concerns raised is as follows:

- The impact will be overbearing to the neighbours property
- This is a new build and not a replacement
- The original pigsty was much smaller than the proposed – it was no more than 1.5m high and filled no more than 50% of the area of the proposed building
- No evidence of an enclosure – which appears to be the applicants basis for proposing such a large building
- The neighbour was not informed of the proposal by the applicant

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met. The site also lies within Marshfield Conservation Area. Policy L12 of the Adopted South Gloucestershire Local Plan states that development will only be permitted where it will preserve or enhance the character of the conservation area.

### **5.2 Design/ Visual Amenity**

The property is an unlisted traditional cottage situated in the Marshfield Conservation Area. It is render over stone with a traditional, steeply pitched stone tile roof. To the front, a simple open porch provides cover to the entrance and at the rear a single storey low pitch extension provides additional accommodation. It is one of a pair of small cottages forming the northern section of Queen's Terrace which, based on Ordnance Survey maps may have originally been one dwelling with a further building to the north.

- 5.3 The proposed outbuilding will have a simple appearance with two gable ends and a pitched roof. The walls of the extension will use the stone from the former pig sty as far as possible with the remainder being clad with horizontal timber cladding. The roof is to be finished with double roman tiles and have timber windows and doors. The new building will be tucked away at the bottom of the existing garden and will only be visible from Church Lane. Due to changes in ground level, it will not be readily visible from Market Place to the south. The building is of suitably small scale in keeping with the scale and character of the existing dwelling and the neighbouring buildings. The proposal will not have any impact on the character or appearance of the conservation area and is, therefore, in accordance with Policy L12 of the adopted Local Plan.

- 5.4 The issues raised by the neighbour in respect of the size of the building in comparison to the original pig-sty and the fact that this is a new build rather than conversion are not disputed by the case officer. The existence or otherwise of the former pig sty and the size and design of this pig sty have been given minimal weight during the determination of this application. As a new build, the proposed outbuilding is considered to demonstrate a high standard of design that reflects the character and appearance of the conservation area.
- 5.5 Residential Amenity  
The proposed building is of limited size having a maximum height to the ridge of 3.1 metres and a maximum height to the eaves of 2 metres. The proposed building is to be located at the bottom of the garden away from the attached neighbours. Due to the small size of the proposed building and its distance from No's 1 and 3 Queens Terrace, it is not considered that it will have any detrimental effect upon the existing levels of residential amenity afforded to them.
- 5.6 The outbuilding will sit to the side of End House and it appears that the sidewall of the proposed outbuilding will form part of the boundary between the two properties. There are no primary habitable room windows in the west ground floor elevation of End House that would suffer unduly as a result of the proposed works. Information submitted on the application form advises that all works will be on land within the ownership of the applicant. Due to the location of the building and its limited size, it is not considered that it will have any adverse impact upon End House by means of overbearing or overshadowing.
- 5.7 In addition to the above, adequate private amenity space will remain to serve the dwelling and therefore impact upon existing levels of residential amenity is deemed to be acceptable.
- 5.8 Transportation  
The proposed outbuilding will be used ancillary to the occupation of the main house. It will not, in itself result in any additional volumes of traffic to or from the house and no changes to the existing parking layout are proposed. The application therefore complies with the requirements of Policy T12 of the South Gloucestershire Local Plan (Adopted).

## 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 outbuilding is of good design respecting and enhancing the character of the existing dwelling and the surrounding conservation area. The materials to be used in the construction of the outbuilding are sympathetic to those in the existing dwelling further encouraging its successful integration. Due to its siting within the curtilage and modest size, it will not result in any issues of overshadowing, overbearing or loss of privacy for neighbouring

dwellings. Adequate off street parking will remain on the driveway to meet the needs of the dwelling.

- 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: Marie Bath**  
**Tel. No. 01454 864769**

### **CONDITIONS**

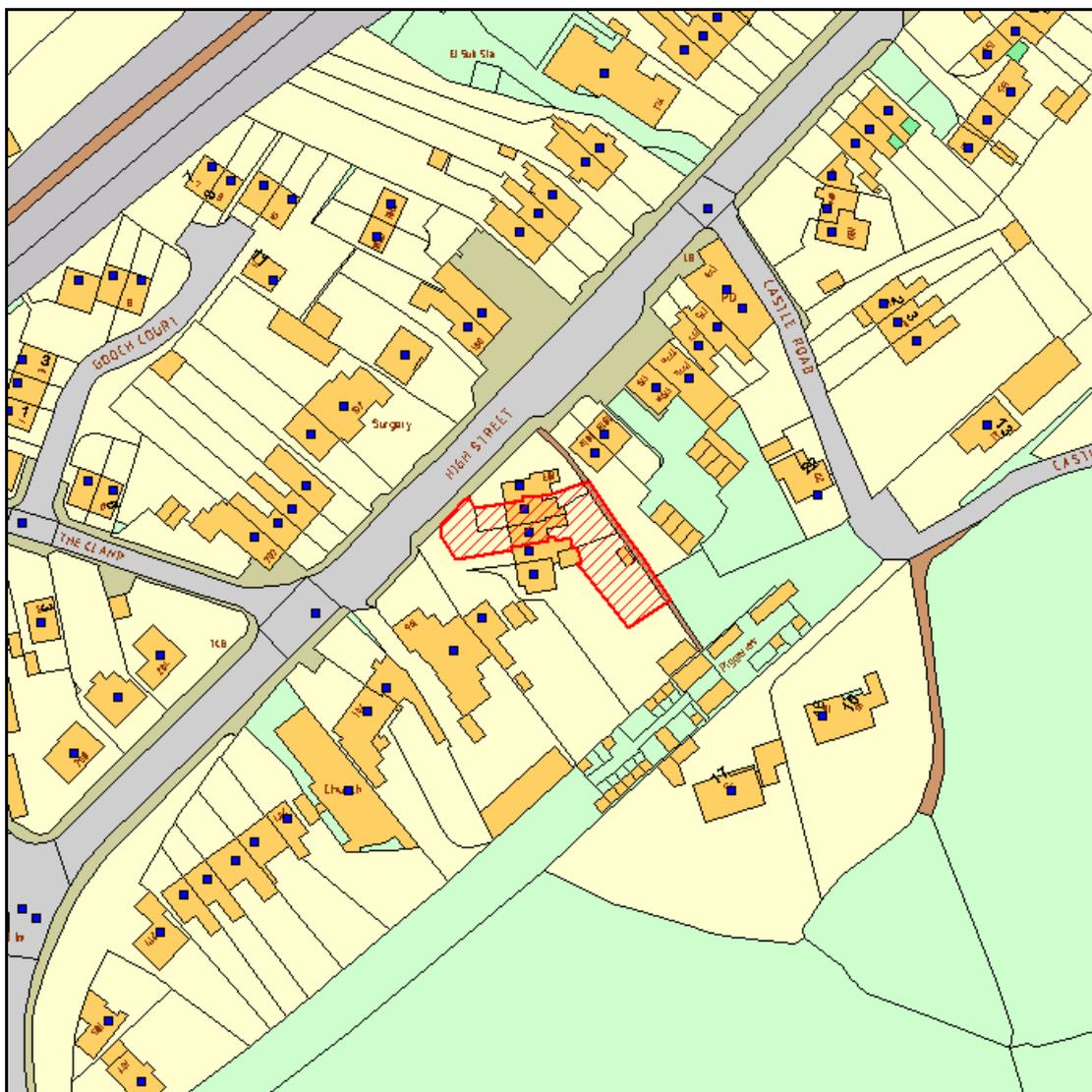
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PK10/3287/F	<b>Applicant:</b>	Ms A Moore
<b>Site:</b>	185 High Street Oldland Common Bristol South Gloucestershire BS30 9QG	<b>Date Reg:</b>	30th November 2010
<b>Proposal:</b>	Erection of two storey rear extensions to both properties to provide additional living accommodation. Creation of vehicular access to High Street.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	367433 171344	<b>Ward:</b>	Oldland Common
<b>Application Category:</b>	Householder	<b>Target Date:</b>	25th January 2011



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

This application has been referred to the circulated schedule due to concern raised by Bitton Parish Council.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of a two storey rear extension to No's 185 and 187 High Street, Oldland Common. The extension would be erected as one extension that would be attached to both dwellings. The proposed extension would measure a maximum of 7.85 metres wide, by a maximum of 5.05 metres in depth and would have an overall height to ridge of 6.7 metres. The application also seeks consent for the creation of a vehicular access point from High Street into the front gardens of the properties. At the site visit it was noted that the front boundary wall has already been demolished and it seems that the front gardens are being used as a vehicle access in an un-authorised manner at present.
- 1.2 The application site is a pair of two storey mid terraced dwelling and is located within a residential area of Oldland Common.

### **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  
T12 Transportation Development Control
- South Gloucestershire Core Strategy -Submission Draft Dec 2010  
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007.

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

- 3.1 PK10/3004/F Erection of First Floor rear and side extensions to form additional living accommodation. Erection of rear porch.  
Recent approval on the neighbouring dwelling No. 183 High Street

### **4. CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council  
Councillors raised no objection to the proposed extensions to the two properties. However, they objected to the application on the grounds that a

new, additional access so close to the crossing at High Street would be detrimental to safety. Confirmation was sought that there was sufficient space for cars to be driven both in and out of the parking spaces in forward gear. They requested that, if the application is allowed, stone from the demolished section of the wall should be used to finish off the pillars where the wall meets to new access.

- 4.2 Drainage Engineer  
No objections

### **Other Representations**

- 4.3 Local Residents  
None received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space. Policy T12 goes on to ensure that all new development respects highway safety in the vicinity.

### 5.2 Design / Visual Amenity

The proposed extension is of an acceptable standard in design and, whilst large, it is considered that the proposal reflects the character of the main dwelling house and surrounding properties. It is accepted that the proposed extension is very large and when viewed from the side the extension does appear as a dominant feature. However, given the low ridge and eaves height it is considered that the proposal is sufficiently subservient to the main dwelling. It is considered that the appearance of the resultant building is adequately proportioned and would remain in keeping with the scale of the surrounding dwellings, which are of various scale and design. Furthermore, the proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

- 5.3 The proposed extension would be to the rear of the dwelling and views from the highway would be restricted by the neighbouring dwelling (with permission to extend). It is not considered that the proposal would result in any demonstrable harm to the character and appearance of the host dwelling and surrounding area.

### 5.4 Residential Amenity

The proposed extension has a depth of 5.05 metres and it is accepted that this is a substantially larger two storey rear extension than would 'normally' be considered acceptable on a mid terrace dwelling. However, consideration is given to the existing range of single storey outbuildings on both of the attached

- neighbouring dwellings. No. 189 High Street to the south of the application site has an existing single storey rear extension in place that projects out to an equal depth of the extension proposed. Whilst it is accepted that the two-storey rear extension would be visible from the first floor windows in the rear of No. 189, because of the limited eaves height, the impact is considered to be acceptable.
- 5.5 No. 183 attached to the north also has a range of single storey outbuildings in place. However, a material consideration is the recent granting of planning permission for a large two-storey extension on this property also. Should this extant permission be implemented, the proposed extension would not be readily visible from No. 183.
- 5.6 It is noted that the amount of amenity space for each dwelling will be reduced. Each property will however still be left with a garden approximately 6m deep by 6m wide. On balance, this is considered to be sufficient to meet the needs of the two dwellings.
- 5.7 Proposed New Access  
As part of this application, the applicant is seeking to create a new vehicular access by forming an opening in the existing front boundary wall in order to provide off-street parking on site. At present, the houses do not have any formal parking, so residents have to park on the main road. Parking is proposed for two vehicles and the applicant is also proposing turning space within the site boundary. The site is close proximity to signalised crossing point and therefore any vehicles potentially stopping at this location would be problematic.
- 5.8 It is noted that the Parish Council has raised concerns about location of new access in relation to pedestrian crossing point. It is acknowledged that there would be some additional vehicular turning movement resulting from the new access in close proximity to a crossing point. However the impact of this would be limited to two vehicles. The impact of the access would also need to be balanced against potential gain by removing two vehicles off the road. From a safety point of view, the new access can achieve adequate visibility onto the public highway. Additionally, there is acceptable forward visibility for drivers on main road on the approach to the new access. This coupled with the fact that there is acceptable turning space on the site which would allow vehicles access and egress in forward gear would reduce potential conflict at this location. In view of the above, no highway objections are raised subject to the attachment of conditions to ensure the continued safe use of the new access.

## 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 incorporate the use of materials to match the existing dwelling, as such it is considered that the proposal would respect the character and appearance of the principal dwelling and street scene in

accordance with Policy D1. Furthermore the extension would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

6.3 The proposed new vehicular access would provide a safe off street parking space for each of the dwellings. Adequate turning space is provided to ensure that vehicles can both enter and leave the site in a forward gear. The application is therefore in accordance with the requirements of Policies H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted)

6.4 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 attached to the decision notice.

**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. The boundary wall facing the High Street shall be maintained at a maximum height of 0.9 metres above the footway level.

Reason

To ensure that adequate visibility remains for users of the new access in the interests of highway safety and to accord with the requirements of Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted)

3. Prior to the first use or occupation of the extension hereby permitted, the parking and turning areas as shown on the submitted plans shall be provided. The turning space shall be maintained at all times thereafter and shall remain free of obstruction at all times.

Reason

To ensure that vehicles are able to both enter and leave the site in a forward gear in the interests of highway safety and to accord with the requirements of Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted).

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

**App No.:** PK10/3314/R3F  
**Site:** Yate Youth Cafe Kennedy Way Yate  
 Bristol South Gloucestershire  
**Proposal:** Installation of illuminated artwork to  
 north elevations.  
**Map Ref:** 371231 182478  
**Application** Minor  
**Category:**

**Applicant:** Ms Rebecca Toms  
**Date Reg:** 13th December  
 2010  
**Parish:** Yate Town Council  
**Ward:** Yate Central  
**Target** 7th February 2011  
**Date:**



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

This is a regulation 3 application and as such has to be reported on the Circulated Schedule, as it is for development proposed to be carried out by the Council itself.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for a material alteration of the appearance of the building through the installation of illuminated artwork on its northern elevations, facing Station Road and the Morrisons Superstore opposite. The building in question is the Yate Youth Café, which is currently under construction. It is a two storey rendered building that drops down to one storey through four successively lower elements, heading in a westerly direction, towards the roundabouts at the edge of the town centre.
- 1.2 Stainless steel panels are proposed to be on the northern elevations of these elements and on these panels would be projected. The panels are proposed to be lit by fixed downlighting and the display on the panels would be either fixed or dynamic, with the colours changing slowly, rather than in a busy fashion.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG13 Transportation
- 2.2 Development Plans  
South Gloucestershire Local Plan (Adopted) January 2006  
D1 Design  
T12 Highway safety  
  
South Gloucestershire Core Strategy Pre-submission Publication Draft (March 2010)  
CS1 High Quality Design

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

- 3.1 PK09/5746/R3F Erection of extension to leisure centre to form youth centre and café (Class A3) with landscaping and associated works - Approved 2010.

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
No reply received
- 4.2 Other Consultees [including internal consultees of the Council]  
Sustainable Transportation  
In the absence of a moving picture/3D image, I have made the assumption that the colour changes proposed are very gradual and that only the colours not the 'pattern' of the signage changes.

As I am not a lighting engineer, I cannot comment on the intensity of the lighting illumination and suggest that Street Lighting is consulted for their opinion.

However, given that the illumination is likely to be subtle, then there is no transportation objection to this proposal.

- 4.3 Local Residents/ Businesses  
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 to alter the appearance of the building as detailed above and therefore the two issues to be resolved are considered to be the visual impact of the proposed change in terms of visual amenity and highway safety. Due to the location of the elevation in question, it is not considered that there would be an impact on residential amenity that would arise from this proposal.

### 5.2 Visual Amenity

The elevation of the youth café selected for the installation of the art feature is the only one from which the building can be clearly seen, without the obstruction of landscaping. Therefore it is considered to be the most prominent elevation of the building. The installation will feature slowly changing light patterns, which are considered to give the building a visual lift and advertise its presence without resorting to standard advertising. This is considered to be appropriate to a town centre location and would give the appearance of the building a visual lift, enhancing the visual amenity of the locality and according with policy D1 of the adopted Local Plan.

### 5.3 Highway Safety

The Transportation comments appear in full at 4.2 above. No objection has been raised to the light installation itself. Details submitted with the application make clear that the colours will change slowly, without specifying a particular rate of change. It is considered that the site is too far away from vehicles moving along Station Road and at too oblique an angle for it to provide a distraction to drivers. In any event, the proposal is not considered to compromise existing standards of highway safety at this location and therefore accords with policy T12 in this regard.

## 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 give the premises a visual lift and help advertise its location close to the town centre, without causing any harm to

residential amenity or highway safety. The proposal accords therefore with policies D1 and T12 of the adopted 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. The hours of operation of the lighting have been conditioned to fit in with the opening times proscribed in the planning permission for the youth cafe itself.

**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).

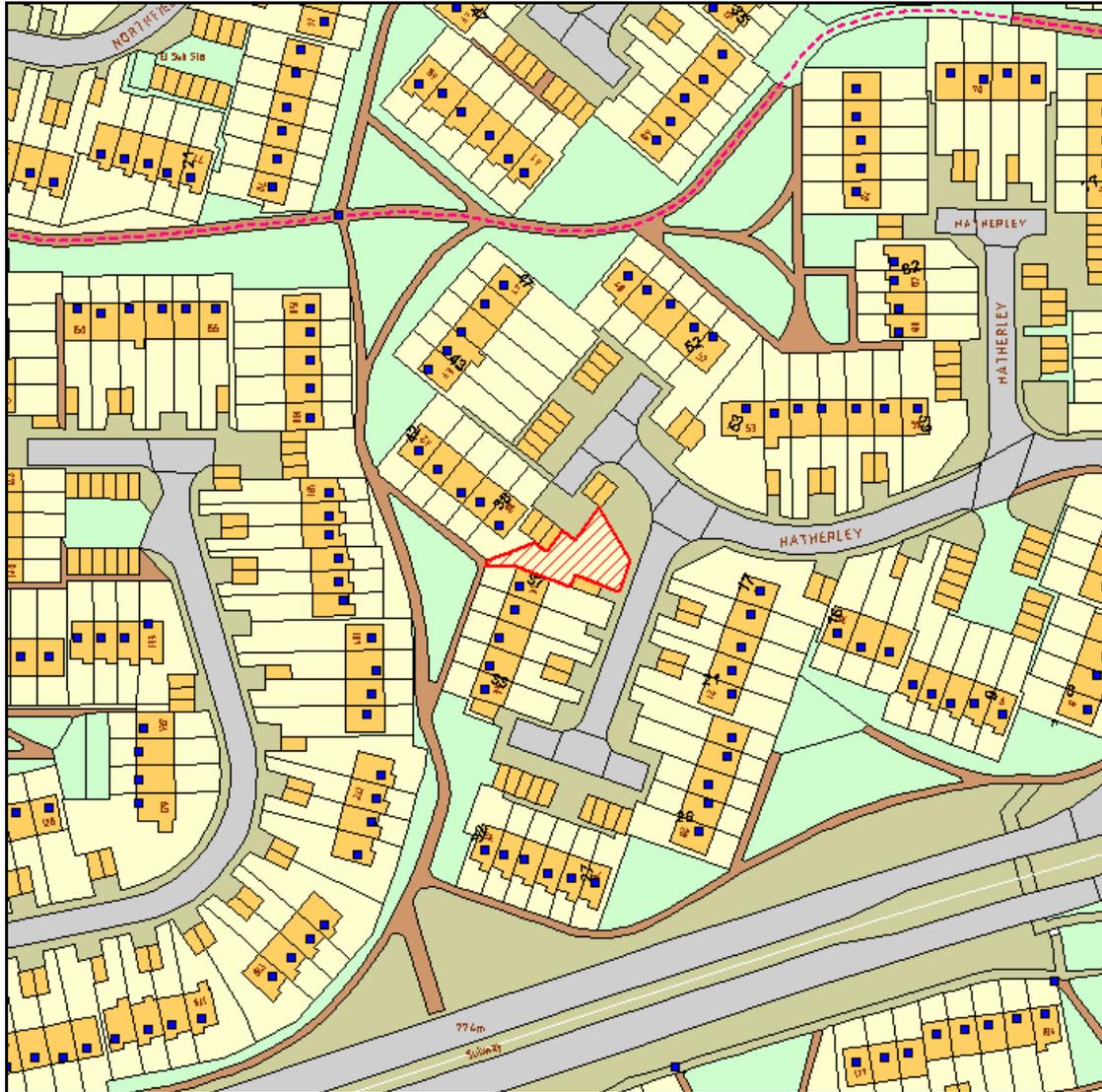
2. The installation hereby approved shall not be illuminated between the hours of 2200 and 0900.

Reason

To avoid energy waste when the building is not open to the public and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PK10/3328/F	<b>Applicant:</b>	Mr And Mrs P Brookes
<b>Site:</b>	37 Hatherley Yate Bristol South Gloucestershire BS37 4LT	<b>Date Reg:</b>	3rd December 2010
<b>Proposal:</b>	Erection of 1no. attached dwelling and garage with associated works.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371058 181429	<b>Ward:</b>	Dodington
<b>Application Category:</b>	Minor	<b>Target Date:</b>	25th January 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 a letter of objection from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission for the erection of an end of terrace two-storey dwelling and associated garage at 37 Hatherley, Yate. The proposed dwelling would measure metres 4.8 metres in width by a maximum of 7.3 metres in depth and would have an overall height to ridge of 6.8 metres.
- 1.2 The application site is within the residential curtilage of No. 37 Hatherley, this property is an end of terrace two storey dwelling and is located within the residential area of Yate. It is sited on a 'Radburn' style development.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1 Delivering Sustainable Development  
PPG3 Housing as revised June 9<sup>th</sup> 2010  
PPG13 Transport  
Ministerial Statement 9<sup>th</sup> June 2010

#### 2.2 Development Plans

D1 Achieving Good Quality Design in New Development  
H2 Residential Development within the Urban Area  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
T8 Parking Standards  
T12 Development Control Policy  
EP1 Environmental Protection  
L17 & L18 The Water Environment

South Gloucestershire Council Core Strategy (Submission Draft) (December 2010)

CS1 High Quality Design  
CS16 Housing Density  
CS17 Housing Diversity

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

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

- 3.1 None relevant

## 4. CONSULTATION RESPONSES

4.1 Yate Town Council  
No objection

4.2 Sustainable Transport  
The existing site has vehicular access and parking and it is proposed to utilise part of this access and parking for the new dwelling. After development both dwellings will have a garage and one parking space in front. This level of parking is considered adequate for the size of the existing and proposed dwellings. In light of the above, there is no transportation objection to this proposal.

4.3 Local Residents  
One letter of objection has been received from a local resident raising the following concerns:

- Concern over parking arrangements
- The new dwelling would create more car parking requirements
- Current car parking on pavements would be exacerbated by new dwelling
- Unable to walk on pavements due to cars parking on them
- More cars would make it difficult for emergency vehicles to gain access

## 5. ANALYSIS OF PROPOSAL

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

PPS3 has been reissued on 9<sup>th</sup> June 2010 to reflect concerns regarding the redevelopment of neighbourhoods, loss of Green Space and the impact upon local character. The changes involve the exclusion of private residential gardens from the definition of previously land and the removal of the national indicative density target of 30 dwellings per hectare. The existing policies in the South Gloucestershire Local Plan (Adopted) January 2006, Policies H2, H4 and D1 already require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land.

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

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

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

### Transportation Issues

The application proposes the erection of a two-storey end of terrace dwelling with one garage and one off street parking space. The application property currently has one garage and one off street parking space. The proposed parking would be to the rear of the dwelling and accessed off Hatherley.

Concern has been raised by neighbouring residents that the proposed dwelling will exacerbate parking problems within the road and could prevent emergency vehicles from gaining access to this part of Hatherley. The Council's Sustainable Transport officer has assessed the proposal and has no objections to the principle of the proposed development, as the proposed dwelling will have one garage and one off street parking space. The existing dwelling would also retain one garage and one off street parking space. It is therefore considered that the proposals accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

### Residential Amenity

The proposed dwelling would be attached to No. 37 Hatherley. The nearest dwelling (No. 38 Hatherley) is sited perpendicular to the application site, and a row of three detached garages is sited between the application site and this nearest dwelling. Given the location of the proposed dwelling it is considered that the proposed dwelling would not cause any overbearing or overshadowing effect either on the existing dwelling or the nearest dwelling (No 38).

The proposal includes the addition of two first floor windows on both the front and rear elevations. Given the location of these windows, it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above the levels of overlooking from the first floor windows of No. 37 Hatherley.

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

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

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

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

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

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

The proposal is only for 1no. dwelling and therefore would not have a significant impact on the area in terms of service provision.

#### 5.6 Design / Visual Amenity

The proposed dwelling has been designed so that it is an attached (end of terrace) dwelling with a height and depth similar to the existing dwellings within the vicinity. The width of the proposed dwelling is slightly narrower than the existing dwelling due to the position of the garages, and the proposed ridge height is also set down from the existing ridge height by approximately 0.15 metres. The eaves height will match the existing. The proposed dwelling will be set back from the front elevation by 1.2 metres and will extend beyond the rear elevation by 0.7 metres. The proposed dwelling is of an appropriate standard in design and reflects the character of the existing dwellinghouse and surrounding properties. It is considered that the appearance of the proposed dwelling is well proportioned and would remain in keeping with the scale of the surrounding dwellings. Furthermore, the proposal would incorporate materials to match those of the adjoining dwelling, assisting the successful integration of the proposal within the street scene.

The plans show that there will be a 1.8 metre high fence separating the proposed dwelling from the existing dwelling. This is considered acceptable to ensure a degree of privacy can be enjoyed in the rear garden of the proposed dwelling.

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

#### 5.7 Environmental and Drainage Issues

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

## 6. CONCLUSION

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

6.2 A) The proposal would incorporate the use of materials to match the existing dwelling; as such it is considered that the proposal would respect the character and appearance of the principal dwelling and street scene in accordance with Policy D1.

B) The proposal would not cause any significant adverse impact in residential amenities by way of overbearing impact or loss of privacy. The resultant

parking provision would remain in compliance with Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006. As such the proposal accords with Policies D1, T8, H2 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

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

## **7. RECOMMENDATION**

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

**Contact Officer: Elizabeth Dowse**  
**Tel. No. 01454 862217**

### **CONDITIONS**

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

Reason

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

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

Reason

To ensure the 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 Policies D1 \_ H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

4. 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.

All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

In periods of dry weather, dust control measure should be employed including wheel washing and damping down. Any stockpiles of materials which are likely to give rise to windblown dust, shall be sheeted, wetted or so located as to minimise any potential nuisance.

**CIRCULATED SCHEDULE NO. 02/11 – 14 FEBRUARY 2011**

<b>App No.:</b>	PK10/3383/F	<b>Applicant:</b>	Mr B J Fowler
<b>Site:</b>	68 Cornwall Crescent Yate Bristol South Gloucestershire BS37 7RU	<b>Date Reg:</b>	7th December 2010
<b>Proposal:</b>	Erection of two storey side extension to provide additional living accommodation	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371709 183523	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	31st January 2011



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

This application has been referred to the Circulated Schedule following the receipt of an objection from a local resident; the objection being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application relates to a two-storey, detached dwelling house, located at the end of a cul-de-sac, within a modern housing estate. The houses within the street are of similar design although the property to the north 'Briarleigh' is older and different in appearance. The location is generally residential in character.
- 1.2 It is proposed to erect a two-storey extension on the northern side of the house. The extension would replace an existing single-storey store and would provide a new reception room and study at ground floor level and two new en-suites at first floor level.

### **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 Residential Curtilages  
T8 - Parking Provision  
T12 - Transportation Development Control Policy for New Development.  
EP1 - Environmental Protection  
L17 & L18 - The Water Environment.

##### South Gloucestershire Core Strategy Submission Draft (Dec. 2010)

CS1 - High Quality Design

#### 2.3 Supplementary Planning Guidance

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

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

- 3.1 P98/2142 - Erection of rear conservatory.  
Approved 10 Sept. 1998

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
No objection.

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

PROW

No objection

#### **Other Representations**

##### 4.3 Local Residents

1no. e.mail of objection was received from the occupier of adjoining 'Briarleigh'. The concerns raised are summarised as follows:

- The extension appears to be built on neighbouring land.
- Agreement will not be given to remove boundary fence or to enter land belonging to owner of 'Briarleigh'.
- There is an existing drain adjacent to the fence, that would be built over.

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

##### 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits development within residential curtilages, subject to a number of criteria that are discussed below. Policies D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and CS1 of the South Gloucestershire Core Strategy Submission Draft Dec. 2010 seek to secure good quality designs in new development.

##### 5.2 Scale and Design

The extension has been designed to integrate within the existing form of no.68 and merely continues the built form along the existing eaves and ridge heights, to a width of 2.2m. The extension would be flush with the existing front elevation but would not unbalance the appearance of this detached house. The materials to be used in construction would match those of the existing building. The scheme would retain the open plan frontage, which is characteristic of the estate.

5.3 The scale and design are considered appropriate for this property and would respect the massing, scale proportions, materials, overall design and character of the existing property and street scene. The proposal therefore accords with Policies H4(A) and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and CS1 of the South Gloucestershire Core Strategy Submission Draft (Dec. 2010).

##### 5.4 Impact Upon Residential Amenity

The extension would lie on the boundary of neighbouring 'Briarleigh' but this is no different than the existing single-storey element to the side of no.68. The extension would not have a significant overbearing impact on 'Briarleigh', which has a large garden. There would be no windows in the side elevation of the extension proposed. There are no habitable room windows in the facing end elevation of the property opposite the front of the proposed extension. There would therefore be no significant loss of privacy from overlooking to the side.

A condition could be imposed to ensure that no windows are inserted in the future at first floor level, in the proposed side elevation. To the front and rear, the proposed first floor en-suites are served by high level, velux windows only. Adequate private amenity space would be retained to serve the property.

5.5 The plans show the side of the extension hard on the boundary with neighbouring 'Briarleigh', which is a similar situation to the existing single-storey store, which is to be replaced. Issues of encroachment or access of neighbouring land, are civil matters to be resolved by the individual parties. Informatives advising the applicant as to his responsibilities under the Party Wall Act and Access of Neighbouring Land Act would be added to any planning permission granted. There would therefore be no adverse impact on residential amenity in planning terms. The proposal therefore accords with Policy H4(B) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.6 Highway Issues

There would be no impact on existing parking or access arrangements. There are no highway objections to the proposal, which accords with Policies H4(C), T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.7 Environmental Issues

The extension would be the subject of Building Regulation Control and a SUDS drainage scheme can be secured by condition. The proposal would accord therefore accord with Policies EP1, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.8 Landscape Issues

The proposal would not affect any significant vegetation or landscape features. The proposal is therefore in accordance with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.9 PROW

A PROW LYA 76 runs to the front of the site, but this footpath would not be affected by the proposal.

## 6. CONCLUSION

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

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

1. Consideration has been given to the proposal's scale and design and is considered to accord with Policies D1 and H4(A) of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2011.

2. The scheme is not considered to adversely affect residential amenity in terms of overlooking, loss of privacy, overbearing impact or loss of amenity space and therefore accords with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
3. The proposal would have no adverse highway implications in accordance with Policy H4(C), T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
4. Consideration has been given to the drainage implications of the scheme and its impact upon the environment in accordance with Policies EP1, L17 & L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
5. The proposal would not adversely affect any features of the landscape and accords with Policy L1 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. No windows shall be inserted at any time in the first floor side (north) elevation of the extension hereby approved.

Reason

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

3. Prior to the commencement of the development hereby approved, drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development and proposed foul disposal shall be submitted for approval in writing

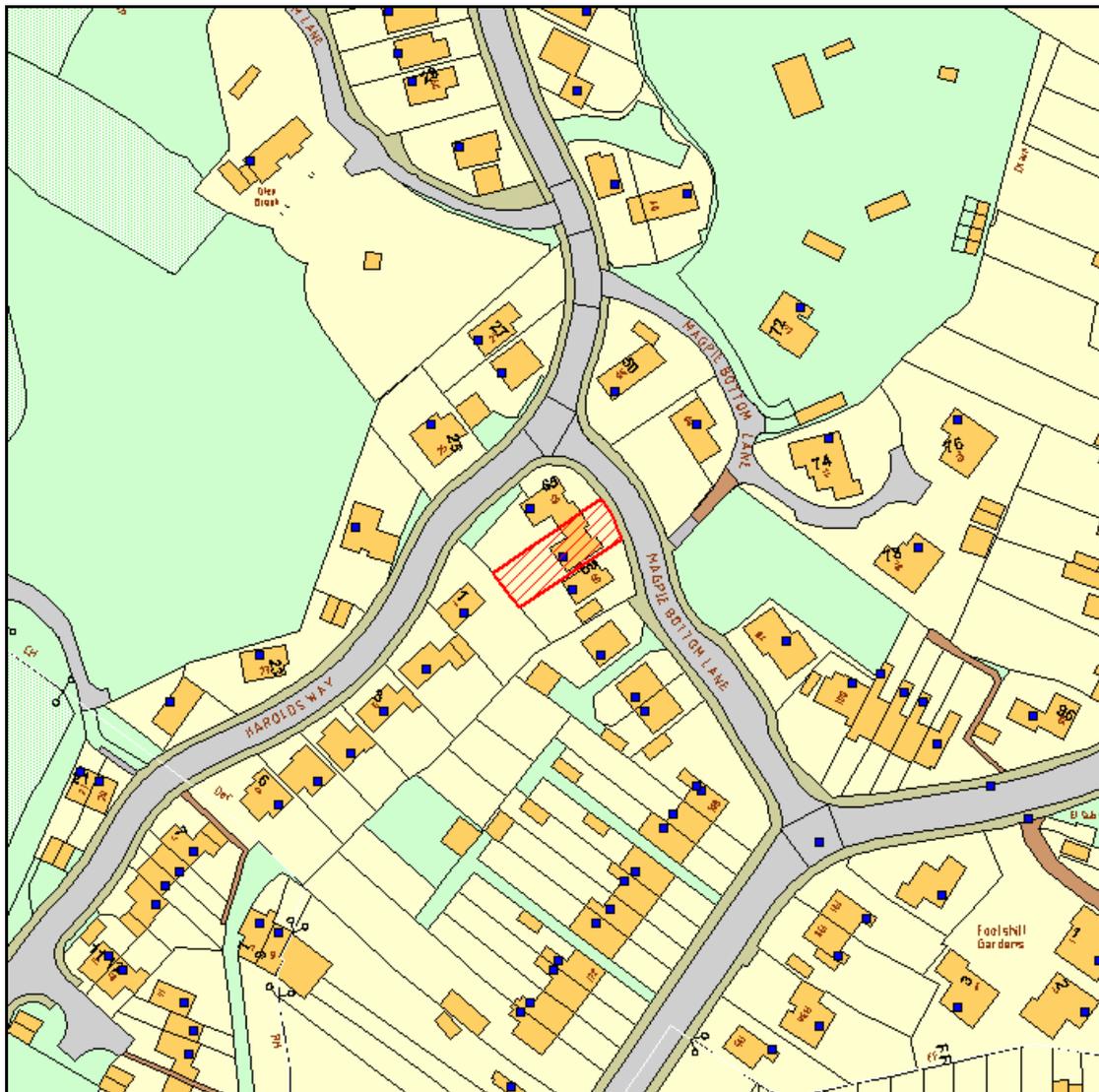
to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PK10/3439/CLP	<b>Applicant:</b>	Mr R Bawdon
<b>Site:</b>	67 Magpie Bottom Lane Kingswood Bristol South Gloucestershire BS15 8HF	<b>Date Reg:</b>	14th December 2010
<b>Proposal:</b>	Application for Certificate of Lawfulness for the proposed erection of a rear extension	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	364155 172766	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th February 2011



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## **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 the erection of a rear conservatory at 67 Magpie Bottom Lane, Kingswood. The application property is a two storey detached dwelling. The property 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 Schedule 2, Part 1, Class A, of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

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

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

- 3.1 No history.

### **4. CONSULTATION RESPONSES**

- 4.1 Parish/Town Council  
The area is un-parished

#### **Other Representations**

- 4.2 Local Residents  
One letter of objection has been received from a local resident who states concerns that the proposal would obstruct light into their conservatory.

### **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, Class A of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

The proposed development consists of a rear extension. This development would fall under the criteria of *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).

- 5.2 Although a letter of objection has been received, for the above reasons, only objections regarding the validity of the application in relation to the legislation (Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008) can be taken in to account for this type of application.
- 5.3 Schedule 2, Part 1 Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 allows for the enlargement of a dwellinghouse provided certain criteria are met and developments which fail any of the following criteria would not be permitted:

#### **Class A.1**

- (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 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 height of the proposed rear extension would be 4 metres, in comparison the main dwelling has a height to ridge of 7.5 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 proposed extension would have a height to eaves of 3 metres, significantly lower than the main house eaves height.
- (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 extension would be to the rear of the dwelling.

- (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 dwelling is a detached property and the proposed extension would measure 4 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 proposed extension is single storey.
- (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 rear extension would be located within 2 metres of a boundary of the property and the height to eaves is less or equal to 3 metres. As such the proposal 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**
- Have a width greater than half the width of the original dwelling house**
- The proposed rear extension is 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 does not include any of the above and consequently meets this criterion.

**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 used in the proposal will be of similar appearance to those used on the host dwelling

- (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 proposal does not include the installation of any upper floor windows.

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

The proposal is single storey.

## **6. CONCLUSION**

- 6.1 It is considered that the proposal complies with Schedule 2, Part 1 Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 and is permitted development.

## **7. RECOMMENDATION**

- 7.1 That a certificate of Lawfulness for Proposed Development is granted.

**Contact Officer: Anne Joseph**  
**Tel. No. 01454 863788**

CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011

<b>App No.:</b>	PT10/2599/F	<b>Applicant:</b>	Mr Richard Smith
<b>Site:</b>	2 Malt Cottages Duck Street Tytherington Wotton Under Edge South Gloucestershire	<b>Date Reg:</b>	12th November 2010
<b>Proposal:</b>	Erection of detached garage (Retrospective).	<b>Parish:</b>	Tytherington Parish Council
<b>Map Ref:</b>	367143 188168	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Householder	<b>Target Date:</b>	5th January 2011



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

This application appears on the Circulated Schedule List because an objection has been received from a neighbouring occupier.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a detached garage.
- 1.2 The application site comprises a two-storey stone terrace cottage situated on the northern side of Duck Street within the open countryside outside the defined settlement boundary and within the Tytherington Conservation Area.
- 1.3 The garage is partly constructed at the bottom of the garden and is accessed off Duck Street via a sloped drive.

### **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  
L12 Conservation Areas  
T12 Transportation Development Control Policy for New Development  
L13 Listed Buildings
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)

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

- 3.1 No relevant planning history

### **4. CONSULTATION RESPONSES**

- 4.1 Tytherington Parish Council  
No comments received
- 4.2 Transportation DC  
No objection
- 4.3 Conservation  
No objection
- 4.4 Public Rights of Way  
No objection

## **Other Representations**

### 4.3 Local Residents

One letter of objection has been received from a neighbouring occupier. The occupier objects for the following reasons:

- Application received late as a significant part of the garage has already been erected;
- Demolition of period outbuilding;
- Noise and pollution caused by digging of foundation;
- Noise and disturbance from the building works to date;
- Concerns regarding the integrity of the excavation and possibility of the collapse of the embankment;
- Noise and pollution from the use of the garage;
- Loss of privacy.

The application submitted allows the proposed garage to be considered on planning merit. The fact that the garage has been partially constructed is not a material consideration when considering the application.

## **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 relate to the appearance of the garage and the impact on the Conservation Area (policies D1, H4 and L12 of the Local Plan), as well as the locally listed building (policy L13 of the Local Plan); the impact on residential amenity (policy H4 of the Local Plan) and transportation considerations (policy T12 of the Local Plan).

### 5.2 Appearance/Form

The proposed garage is single storey in height and comprises a dual pitched roof. The proposal measures approximately 6.9 metres in width, 7.5 metres in length and has an apex of 5.6 metres falling to 2.8 metres at the eaves. The front elevation of the garage comprises a stonework finish with timber lap covering the gable above, whilst the vehicular door is constructed of timber. The front elevation is the only elevation prominent from public views in the Conservation and it is considered that the materials proposed are sympathetic to the context. In addition, the scale and form of the garage are considered to be acceptable, and given that the garage is set back from the street, it is considered that it would not bring about any significant adverse issues to the character of the streetscene. The garage is situated well clear of the locally listed building 'The Malt House' and therefore, would not adversely affect the setting of this dwelling.

### 5.3 Residential Amenity

An objection has been received from no.3 Malt Cottages to the north of the application site on the basis of a loss of privacy and noise and disruption generated from the build and from the use of the garage. However, the garage is situated approximately 20 metres from the neighbouring property and on this

basis, given the single storey form of the garage with 1.8 metre high timber fencing on the boundary, it is considered that it would not have a significant adverse impact on the privacy of the neighbouring occupiers or result in a significant loss of natural light. The neighbours concerns with regards to noise, pollution and disruption from the use of the garage are noted, however, it is not envisaged that a domestic garage of the scale proposed would generate a significant amount of noise or pollution. A condition can be applied to ensure that the garage is only used for purposes ancillary to the enjoyment of the main dwelling and for no business purposes. Given the distance of the garage to the neighbouring property, it is considered that it would be unreasonable to withhold planning permission on the basis of noise or pollution.

- 5.4 An objection has been received due to the noise and disturbance caused by the building of the garage and the digging of the foundations. It is considered that the amount of excavation and foundations required for a garage of the scale proposed would not be significant or untypical. It is likely that disturbance has been caused to the neighbouring occupier and the concerns raised are noted, however, it is considered that the scale of the garage and the proximity to the neighbouring properties are such that planning permission could not reasonably have been withheld on this basis.

5.4 Transportation

The proposal would not alter the existing access arrangements and would consolidate the existing parking arrangements. On this basis, it is considered that the proposal would not have an adverse impact in terms of highway safety.

5.5 Further Matters

The concerns raised by the neighbouring occupier with regards to the demolition of an existing outbuilding are noted. Photographs submitted by the applicant at the pre-application stage show a small, dilapidated structure and on this basis, planning permission and Conservation Area consent would not have been required for its removal. In addition, the application site is not curtilage listed, therefore, listed building consent would not have been required for its removal. It is likely that the building requires buildings regulations and this will ensure the integrity of the structure. The concerns regarding the possibility of collapse of the existing embankment are noted, however, this is considered to be a civil matter between the applicant and neighbouring occupiers.

## 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 considered to be acceptable in terms of form, scale, siting and materials and would not adversely affect the appearance of the Tytherington Conservation Area or the setting of the locally listed building The Malt House – Policies D1, H4, L13 and L12 of the South Gloucestershire Local Plan (adopted) January 2006.

The concerns of the neighbouring occupiers are noted, however, it is considered that the nature of the proposal, as well as its scale and distance from the neighbouring property are such that it would not have a significant adverse impact in terms of residential amenity – Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal would not have an adverse impact in terms of highway safety and would consolidate the existing parking situation – 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 condition.

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

### **CONDITIONS**

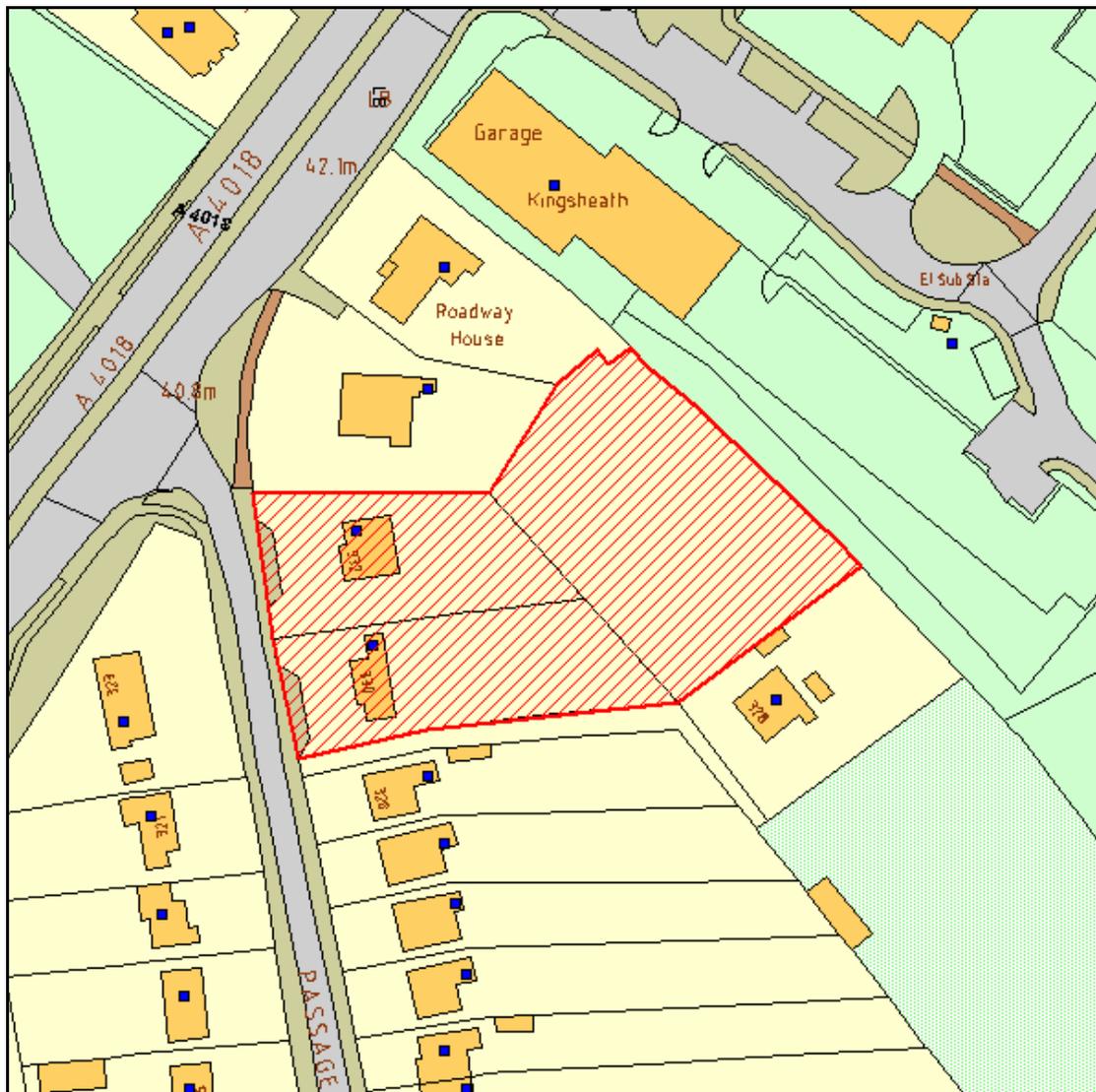
1. The garage hereby approved shall be used for domestic purposes only ancillary to no.2 Duck Street and for no business purposes whatsoever.

Reason

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

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PT10/2873/EXT	<b>Applicant:</b>	Mr Steve Waring
<b>Site:</b>	330-332 And Land At Rear Of Deorham Passage Road Almondsbury Bristol South Gloucestershire	<b>Date Reg:</b>	27th October 2010
<b>Proposal:</b>	Erection of 14 no. dwellings and repositioning of access and associated works. (Consent to extend time limit implementation for PT07/0204/F).	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	357042 180222	<b>Ward:</b>	Patchway
<b>Application Category:</b>	Major	<b>Target Date:</b>	21st January 2011



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 100023410, 2008. **N.T.S.** **PT10/2873/EXT**

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

The application is circulated as two objection letters have been received from nearby properties which conflict with the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks consent for the erection of 14 no. dwellings, the alteration to an access and various associated works to facilitate the development to include the access road at a site located on Passage Road near to the junction of the A4018 Cribbs Causeway. The site area is 0.464 hectare comprising two bungalows and gardens. The site is situated within the urban area.
- 1.2 To the immediate north of the site lies a residential property (No. 334 Passage Road), a two storey office building, and a Gas Sales Centre beyond which lie car showrooms and further to the north a commercial area including a Travelodge and restaurant. To the east lies the runway of Filton Airfield, the end of which is approximately 500 metres from the site. To the south are further residential properties within Passage Road. To the west of the site lies Cribbs Causeway itself and an area of Green Belt Land lies between this main route and the embankment of the M5 Motorway.
- 1.3 The proposal will provide 14 no. dwellings, eleven of which will have four bedrooms and three will have 3 bedrooms. In terms of the form of the buildings, eight properties will be detached, six properties will be located within two terraces of three houses each and there will be one semi-detached pair.
- 1.4 This proposal represents an extension of time application following the planning consent granted under reference no. PT070204/F. This application was withdrawn given concerns that were raised in relation to the design and noise issues. An Acoustic Report has been submitted in support of this application.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transportation
PPG24	Planning and Noise
Greater flexibility for planning permission (CLG 2009)	

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

L1	Landscape Protection and Enhancement
L9	Protected Species
D1	Achieving good quality design in new development
H2	New housing development in the urban areas and settlement boundaries
H6	Affordable Housing
LC1	Provision for Built Sports, Leisure and Community Facilities
LC2	Provision of Educational Facilities

LC8	Open space and Children's Play associated with new Residential Development
S1	Service Infrastructure in New Development
E5	Filton Airfield Safe guarding
T12	Transport
T8	Parking
EP1	Environmental Pollution
EP4	Noise Sensitive Development

### 2.3 Core Strategy Proposed Changes Version December 2010

CS1	High Quality Design
CS5	Location of development
CS6	Infrastructure and developer contributions
CS16	Housing Density

### 2.4 Supplementary Planning Documents

The South Gloucestershire Design Checklist (SPD) Adopted August 2007

## 3. RELEVANT PLANNING HISTORY

N5812	Erection of two detached dwellings. Construction of new vehicular access (Refusal)
N5551/AP	Erection of dwelling (Approved)
P85/2145	Erection of detached bungalow and construction of vehicular access (Refused)
P90/2920	Erection of detached bungalow (Refused)
PT06/2187/F	Erection of 14 no. dwellings repositioning of access and associated works (Withdrawn)
PT07/0204/F	Erection of 14 no. dwellings and repositioning of access and associated works. Refused but allowed on appeal on 4 December 2007.

## 4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council  
No comment

4.2 BAE Systems  
No response received

4.3 Airbus UK  
No response received

4.4 Wessex Water  
No response received

4.5 Sustainable Transport Team  
No further issues from the previous application. Previous visibility, parking and access conditions, as well as the agreed £30,000 contribution to a pedestrian crossing remain necessary.

4.6 Children and young People Team

No response received

4.7 Environmental Protection Team

No response received

4.8 Community Services Team

Community Services has no objection to the extension of the time limit for this application, provided the already signed Section 106 Agreement (legal ref: L3/JG27/ADEN/PT.3337) for PT07/0204/F still obtains. It is to be remembered that monies agreed and signed for on this S106 Agreement are index linked as detailed therein.

(The contribution related to highway improvements)

4.9 Housing Enabling Team

Application PT10/2873/EXT seeks consent to extend the time limit for PT07/0204/F, which relates the erection 14 no. dwellings on land on at and rear of 330-332 Passage Road.

The application site measures 0.45 hectares and is within the urban area, and therefore falls under the affordable housing threshold (15 units/05 hectares) under Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006.

It is also noted that there was no affordable housing requirement under PT07/0204/F.

Based on the above, there is no requirement for Affordable Housing in this instance.

4.10 Ecology Officer

The site is not covered by any statutory or non-statutory nature conservation designations. Hedgehog and slow worm issues were raised in application PT07/0204/F. No further comments over and above those raised previously. These were adequately dealt with by the conditions already imposed. It is however suggested that an informative regarding nesting birds is added to the consent.

4.11 Spatial Planning Team

The scheme has no implications for the strategic objectives of the Core Strategy or the comprehensive planning of the Cribbs / Patchway New Neighbourhood.

4.12 Local Residents

Two objection letters has been received on the following grounds;

- a) This is a quiet rural street of 1930's houses and a development such as this will completely ruin this area.
- b) Concern the development will remain empty or half built which will attract damage and antisocial behaviour towards it.
- c) This will increase numbers of houses in Passage road by more than a third.

- d) The amenity of the surrounding properties (mainly single storey)
- e) Overlooking will not be dissipated by a two metre high wall or fence.
- f) Not in keeping
- g) Concern about drainage
- h) Concern about Infrastructure (pavement and road network)

It should be noted that commencement and completion/sale of houses is a market lead factor which the local planning authority can not control. It would be unreasonable for restrictions to be placed on the developer in respect of phasing a small development such as this.

## 5. **ANALYSIS OF PROPOSAL**

5.1 This application seeks an extension of time for the implementation of an existing planning permission(PT07/0204/F). This procedure was introduced under the Town and Country Planning (General Development Procedure (Amendment No.3) Order 2009 and allows applicants to apply to their Local Planning Authority for a new planning permission to replace an existing permission which is in danger of lapsing.

5.2 The guidance from CLG outlines that LPAs should , in making their decisions, focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission.

5.3 This report shall review each of the material considerations that were identified under the previous planning application against national planning policies and emerging plan policies that have been published since the grant of planning permission for PT07/0204/F. The report shall then assess whether these changes have materially affected the decision made on the previous application, and whether it is appropriate to grant a further planning permission to allow the time limit to be extended for a further three years.

### 5.4 Principle of the Development

The principle of development was accepted as part of the previous application subject to other considerations. Whilst application PT07/0204/F was refused by the Council it was later granted by the Planning Inspectorate in allowing the subsequent appeal. The Council's refusal reasons were limited to noise matters at the appeal as the other refusal matters of Transportation and wildlife had been resolved. Since the determination of the previous application the South Gloucestershire Core Strategy Submission Draft has been issued and the principle of the development would be compliant with this document.

With regard to the changes in circumstances, PPS3 was reissued on 9 June 2010 to reflect the concerns regarding redevelopment of neighbourhoods, loss of Green Space and impact on local character. The general thrust of PPS3 however remains the same. The previous application assessed against policies D1, L1 and H2, and these already require that proposals are assessed for the impact on character of the area and that proposals make efficient use of land. Policy CS5 offers support to the proposal as it promotes most new development being located as locations within the North and East fringes of the Bristol Urban

area. This site is located on the edge of the Cribbs Patchway New Neighbourhood area. The proposed site not within the New Neighbourhood area and does not affect that housing allocation.

#### 5.5 Density

PPS3, prior to re-issue on 9 June 2010, advised that new residential development should take place within existing settlements and should make the most efficient use of the site. This was downgraded to 'efficient' use of land in the re-issued PPS3. Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 requires that new residential development should achieve the maximum density compatible with the site and its surroundings but the expectation is that new residential development should achieve a minimum density of 30 dwellings per hectare. The density of the development is 30.2 dwellings per hectare which meets this requirement

Policy CS16 of the Emerging Core Strategy sets no density targets but seeks efficient use of land, particularly in and around town centres. The Core Strategy remains at a relatively early stage in its formation and given the characteristics of the site which, although within the urban boundary, is remote from local services and not well served by Public Transport Links it is not considered that this density should be higher. It should also be noted that requirement to set the building line back to that of adjoining properties in Passage Road, (to ensure that the development would integrate successfully into the street scene), results in the effective developable area being less than 0.464 hectare.

#### 5.6 Design and Character issues

It is acknowledged that two neighbours are concerned about the form of the development but careful consideration of the design of the proposal was made during the previous application and at the appeal and it was considered that the proposal would not adversely affect the character and appearance of the site and the surrounding area. Given that there have been no material changes in the immediate vicinity of the site, the proposal is still considered to fully accord with policies D1, L1 and H2 of the South Gloucestershire Local Plan.

#### 5.7 Residential Amenity

During the previous application it was concluded that the proposed development would not result in loss of privacy to adjoining occupiers with the principle concern relating to No.334 326 and 328. Neither was it considered that there would be any physical impact so significant such as would justify the refusal of the application.

A condition was suggested to the Inspector, such that a bathroom window at Plot nine would be obscure glazed, but the Inspector at appeal deemed that this was not necessary as Building Regulations would deal with this matter. This is not the case as Building regulations do not impose obscure glazing conditions. As such an obscure glazing condition should be used at plot nine to preserve the privacy of 328 Passage Road should permission be granted.

It is not considered that the development would result in any significant loss of amenity to the adjoining properties.

## 5.8 Landscaping

During the last application it was decided that the site is largely surrounded and visually contained by residential and commercial development. This has not changed. It was therefore considered unlikely that the proposed development would have any detrimental visual impact in the broader landscape. The proposal would also not entail the loss of any vegetation that contributes to the character and distinctiveness of the locality. The site remains physically close to the Green Belt boundary but not close enough to adversely affect the visual amenity of the adjoining Green Belt. It was further considered that the site meets none of the criteria to be considered a significant open area within the existing urban area.

It was considered that landscape conditions could provide an appropriate level of landscape enhancement.

## 5.9 Ecology

An ecological report confirmed the presence of slowworms and hedgehogs are present at the site. It was agreed at the appeal that these can adequately be dealt with by conditions.

## 5.10 Trees

During the previous application it was considered that there were not any trees of significance worthy of protection on the site. It is considered that the proposal is in accord with the aims and objectives of Policy L1.

## 5.11 Drainage

During the previous application it was considered that a condition to ensure the use of best drainage practice would adequately deal with drainage matters.

## 5.12 Noise

The matter of noise was the main focus of the planning inquiry into the previous application. The inspector concluded contrary to the Council's case that the site was in NEC B where PPG24 states that noise should be taken into account and mitigated where appropriate. It was considered that the proposal would comply with local plan policies EP1 and EP4. Indeed a comparison was made to the Northfield site where the Council is pursuing housing, also close to the airfield. There have been no material changes in regard to policy or surroundings which should alter this view.

## 5.13 Airfield Operations

British Aerospace Engineering (BAE) was notified of this application but has not expressed its interest.

## 5.14 Transportation Issues

The previous application concluded that sufficient parking and visibility was shown to be provided and that the street could accommodate such additional dwellings. It was agreed however that there are sustainability issues at the site and that a signal controlled pedestrian crossing should be provided to link Passage road with the service on the other side of Cribbs Causeway such as the bus stops, schools etc in a safe manner, thus encouraging modal shift. In line with advice in government circular 5/05 allowing the council to collate contributions toward infrastructure improvements and given that the development

is only for 14 dwellings the developer should provide a contribution of £30K towards the cost of the crossing.

The developer has indicated their willingness to do this and the previous Unilateral Undertaking is being altered to facilitate it's use to secure the monies.

5.15 Affordable Housing Requirements

The proposal is for the provision of 14 dwellings. This falls below the threshold for the requirements of H6 of the South Gloucestershire Local Plan (Adopted) January 2006. The core strategy is emerging and policy CS18 seeks affordable housing under a different set of criteria. These criteria are ten or more dwellings or a site area of 0.33 hectares which is more onerous than the Adopted criteria in policy H6. However the Core Strategy remain at an early stage in its development and it is not considered to have sufficient weight to outweigh the previous application in this case. As such there remains no requirement for affordable housing.

5.16 Community Services Provision

Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006 March 2005 requires that, where local provision for community facilities is inadequate to meet the projected needs arising from the occupiers of new residential development, provision in kind will be required from the developer in respect of that need.

There remains no identified need for off site provision in respect of improvements to existing facilities under LC1 of the local plan.

5.17 Education Provision

Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006 requires that, where local provision for school places (pre-school, primary and secondary) is inadequate to meet the projected needs arising from the occupiers of new residential development, provision in kind will be required from the developer in respect of that need.

5.18 The Education Department was consulted in respect of this planning application. No requirement for provision of school places has arisen since the previous application.

**6. CONCLUSION**

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

a) The proposed residential development would be situated within the urban area. It is considered that this is an appropriate area for residential development and thus the principle of the proposed development would accord with PPS3 and policies H2 of the South Gloucestershire Local Plan (adopted) January 2006.

- b) The density of the proposed development is considered to represent efficient use of land, compatible with the site and its surroundings. The proposed development would therefore accord with PPS3 and policies H2 of the South Gloucestershire Local Plan (adopted) January 2006.
- c) The proposed development would achieve good standards of siting planning and design. This is because the siting, overall layout, density, form, scale, height, massing, detailing, materials, are informed by, and respect and enhance the character and appearance of the site and locality. The proposed development would therefore accord with PPS3 and policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- d) The impact of the proposed development on nearby properties has been fully assessed. It is considered that subject to an obscure glazing condition the siting and layout of proposal would not result in a material loss of privacy or an overbearing effect. The proposed development would therefore accord with Policy H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- e) The impact of the proposed development in terms of transportation has been fully assessed. It is considered that subject to conditions the proposal would have satisfactory access and parking arrangements. The proposed development would accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.
- f) The drainage arrangements of the proposed development have been fully assessed. It is considered that subject to a condition securing Sustainable Drainage Systems the proposal would be acceptable. The proposed development would therefore accord with Policy L17/L18 of the South Gloucestershire Local Plan (adopted) January 2006.

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

## **7. RECOMMENDATION**

- 7.1 That planning permission is granted subject to the following conditions and subject to a Unilateral Undertaking being signed to secure the following:
- a) £30,000 contribution towards the cost of a pedestrian crossing.

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

Reason

To ensure 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 proposed boundary treatments shown on the plans hereby approved shall be erected prior to the first occupation of any part of the development.

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.

4. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 hours Monday to Friday, 08.00 hours to 13.00 hours on 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 dwellings and to accord with Policy D1, EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall take place until there has been a scheme of landscaping 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 shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the approved 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.

6. No development shall take place until 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 to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

7. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

8. All frontage planting shall be set back (and remain as such) to the south of the junction with Passage Road to allow at least a 2.4 metre by 43 metre visibility splay.

Reason

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

9. Prior to the commencement of any development upon the site (to include site clearance) a mitigation strategy to safeguard the colony of Slowworms present on the site shall be completed and agreed in writing by the local planning authority.

Reason

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

10. Prior to the commencement of any development upon the site (to include site clearance) a mitigation strategy to safeguard hedgehogs present on the site shall be completed and agreed in writing by the local planning authority.

Reason

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

11. Prior to the use or occupation of plot nine, and at all times thereafter, the proposed first floor bathroom window facing south-east shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

## CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011

<b>App No.:</b>	PT10/2977/ADV	<b>Applicant:</b>	Barratt Homes
<b>Site:</b>	The Meads Heather Avenue Frampton Cotterell Bristol South Gloucestershire	<b>Date Reg:</b>	29th November 2010
<b>Proposal:</b>	Display of 1 no. non illuminated V Board advertisement and erection of 2 no. advertising flagpoles (retrospective).	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	366926 180999	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Minor	<b>Target Date:</b>	21st January 2011



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**N.T.S.**

**PT10/2977/ADV**

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

This application is referred to the Circulated Schedule because an objection has been received from a neighbouring occupier, which is contrary to the Officers recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks advertisement consent for the display of 1no. non-illuminated 'V' board advertisement and the erection of 2no. advertising flagpoles (retrospective).
- 1.2 The application site comprises an open field on the eastern side of Park Lane. The site is situated within the open countryside and outside the Green Belt, the boundary of which is on the opposite side of Park Lane. The signs are situated on the eastern side of Park Lane and set back behind a stone wall at a distance of approximately 1 metre from the street.
- 1.3 Outline planning permission and reserved matters have been granted at the site for the erection of 220 residential dwellings and 186 square metres of retail floor space (PT08/2760/O & PT10/1013/RM).
- 1.4 The elevation plan submitted for the Barrett sign differs from the sign in place in terms of the colour scheme. The plan submitted shows a green and grey flag, whilst the sign in place is red and white. However, this does not materially affect the assessment of the application. An amended site location plan has been submitted which more accurately reflects the siting of the advertisements.

### **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  
L1 Landscape Protection and Enhancement  
T12 Transportation Development Control Policy for New Development
- 2.3 The South Gloucestershire Core Strategy March 2010  
CS1 High Quality Design

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

- 3.1 PT08/2760/O, erection of 220 residential dwellings and 186 square metres of A1 retail floor space. Outline application with means of access. All other matters reserved, 15/12/08, approval at appeal.
- 3.2 PT10/1013/RM, erection of 184 dwellings; construction of 186 square metres of retail floor space; construction of new vehicular access of Heather Avenue and provision of public open space. (Approval of reserved matters). (To be read in

conjunction with outline planning permission ref (PT08/2760/O), 31/08/10, approval.

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

4.1 Frampton Cotterell Parish Council  
No Objection

4.2 Landscape  
Awaiting comments

4.3 Transportation  
No objection

4.4 Local Residents  
Two letters of objection has been received from neighbouring occupiers. The occupier's objects for the following reasons:

- It is just 20 metres away from the objectors lounge window and very intrusive;
- It is obstructing the objectors view of the open countryside;
- Highway safety issues since the sign is located on a bend in the road;
- The applicant has an elderly parent with Alzheimer's disease and has difficulty coping with a board in front of her window and when the flags appeared she felt threatened;
- Late in consulting, as advertisement and two flagpoles have already been erected. Building works started before the advertisements were displayed.

The applicants have submitted an application to regularise the current unauthorised signs. This allows the signs to be considered in terms of visual amenity and highway safety and the fact that the signs have already been erected is not a material consideration. The application is separate from the approved residential development on the site and residents should have been consulted on the residential development when this application was submitted.

#### **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 on 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.

5.2 Amenity  
The flag signs are attached to a 6 metre high pole and measure approximately 1 metre in width and 2.5 metres in height. The signs are constructed of

aluminium and comprise a red and white, and blue and white background with the text "Barratt" and "David Wilson Homes" respectively. The signs would also comprise text at the base of the sign in a small font with the corporate logos of the applicant. Advertisement no.1 comprises 2no. signs measuring approximately 1.9 metres in width, 2.6 metres in height and located approximately 1.4 metres from the ground. Constructed of aluminium with a powder coated finish, the signs are fixed to aluminium posts in a 'V' configuration. The top of the signs comprise a green graphic of vegetation with the text "Coming soon The Meads @ Frampton Cotterell" in a white font. The rest of the signs would comprise a white background with green and blue bordered text relating to the future residential development on the site and small corporate logos of the applicant. Whilst the signs are relatively large in scale they are situated on the opposite side of the street from the existing residential properties on the western side of Park Lane and set back behind a stone boundary wall. It is considered that the signs would not appear adversely large in scale given that they are viewed against the backdrop of an open field. On this basis, given that the signs appear sturdy and well made and do not appear adversely unattractive, it is considered that they do not have a significant adverse impact on the visual amenity of the streetscene. It is considered that the existing vegetation would help to screen views of the signs from the wider countryside and on this basis, given the simple form and design of the signs it is considered that they do not have an adverse impact on the visual amenity of the surrounding countryside.

5.3 The neighbouring occupier has objected on the basis that the signs are very intrusive and obstruct views of the countryside. However, the signs are situated on the opposite side of Park Lane approximately 30 metres from the properties in Park Lane. The signs are clearly visible to the occupiers and the concerns relating to loss of view and the impact on the elderly occupier are pertinent and have been carefully considered. However, it is considered on balance, given the scale of the signs, the proximity to the neighbouring properties and the fact that they are non-illuminated, that they do not have an a significant adverse impact on the amenity of the occupiers. A refusal reason on this basis therefore, would not prove sustainable at appeal.

5.4 Highway Safety

The neighbouring objector has objected on the basis of highway safety issues given that the signs are located on a bend in the road and distract drivers. Whilst the signs by nature are intended to be seen, it is considered that the signs by reason of their scale, design and siting set back from the street, would not be adversely distracting to pedestrians or motorists. Furthermore, the Council's Transportation Officer has not objected to the proposal and on this basis, the signs are considered to be acceptable in terms of highway safety.

## 6. **RECOMMENDATION**

6.1 Advertisement Consent is GRANTED.

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

CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011

<b>App No.:</b>	PT10/3306/F	<b>Applicant:</b>	David Cahill Design Consultants
<b>Site:</b>	Lippiatt Store Main Road Easter Compton Bristol South Gloucestershire	<b>Date Reg:</b>	1st December 2010
<b>Proposal:</b>	Erection of 3 no. dwellings, 1no. shop Class A1 (retail) with maisonette, car parking and associated works. (Amendment to previously approved scheme PT08/2906/O).	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	357255 182380	<b>Ward:</b>	Almondsbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th January 2011



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 100023410, 2008. **N.T.S.** **PT10/3306/F**

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of 3 dwellings, 1 shop Class A1 (retail) with maisonette above, car parking and associated works. This application seeks amendments to a previously granted outline permission (PT08/2906/O). The applicant has submitted a full application as opposed to proceeding with a Reserved Matters application. The access would be located off Main Road with 5 off street parking spaces and turning area provided to the southern area of the site. The proposed properties would be three storey rather than the previously proposed two storey, would remain as terraced cottage style and front directly onto the footpath of Main Road.
- 1.2 The application site relates to an existing village store and cottage style two-storey dwelling located within the settlement boundary of Easter Compton washed over by the Green Belt. The site directly abuts the foot path adjacent to Main Road and there is a recent development of 2 detached dwellings behind (PT08/2349/F).

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG 2	Green Belts
PPS 3	Housing
PPS 4	Sustainable Economic Growth
PPG13	Transport

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

D1	Design
GB1	Development in the Green Belt
H2	Residential Development Within Existing Urban Areas and defined Settlement Boundaries
L1	Landscape Protection and Enhancement
L4	Forest of Avon
L17	The Water Environment
L18	The Water Environment
EP1	Environmental Pollution
EP2	Flood Risk and Development
T7	Cycle parking
T8	Parking standards
T12	Transport
RT8	Small scale retail Uses within Urban Areas and Boundaries of Settlements
RT11	Retention of Shops, Parades, Village Shops and Public Houses

2.3 Core Strategy (pre-submission publication draft 2010)

CS1 High quality design  
CS5 Location of development  
CS9 Environmental Resources and Built Heritage

CS15 Distribution of Housing

CS16 Housing density

CS17 Housing diversity

CS34 Rural areas

2.4 Supplementary Planning Documents

Design Checklist (adopted August 2007)

Affordable Housing SPD (Sept. 2008)

Development in the Green Belt (June 2007)

Trees On Development Sites DPD 2005

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3523/F Erection of single storey extension to shop.  
**Approved.** 8 Dec 2003.
- 3.2 PT08/2172/O Erection of 4 dwellings and replacement retail unit  
(Class A1) with access and layout to be determined.  
**Withdrawn.** 18 Sept. 2008
- 3.3 PT08/2906/O Erection of 3 dwellings and replacement retail unit  
(Class A1) with access and layout to be determined.  
**Approved.** 18 Sept. 2008

Also of relevance is an application immediately to the rear of the site at Cookes Drive:

- 3.4 PT08/2349/F Erection of 2 detached dwellings.  
**Approved.** 18 November 2008

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council  
Object on the grounds that the proposal would be out of keeping with the street scene and would exacerbate on street parking levels.
- 4.2 Transport  
No objection subject to dropped kerb informative.
- 4.3 Landscape  
No comment.
- 4.4 Drainage  
No objection subject to condition.

4.5 Tree Officer

No objection subject to condition.

4.6 Environment Agency

No comment.

4.7 Local Residents

5 letters were received from local residents and landowners objecting to the proposal on the following grounds:

- a) parking;
- b) not in keeping with street scene;
- c) proposed retail unit too small to be viable and easily converted into house;
- d) neighbours not consulted during application process;;
- e) overlooking;
- f) overbearing;
- g) Reduction in shop floor space and storage significantly indicates future pressure to convert the ground floor to residential use and would lose shop;
- h) overdevelopment of the site;
- i) inadequate provision for the storage of commercial waste from the shop and no details of waste or waste collection are provided;
- j) garden of the maisonette too small;
- k) proposal encroaches on a drainage easement;
- l) ongoing maintenance access to the sewer required;
- m) new houses will be at risk of flooding;
- n) proposal encroaches on root protection zone of yew tree to southeast. The tree offers high visual amenity and is at risk;
- o) no information is provided regarding landscaping, boundary treatment or proposed ground levels in the area of the root protection zone;
- p) tree report contains factual inaccuracies;
- q) accommodation at second floor level is constricted and would not meet building regulations;
- r) precedent for 3 storey houses exists in area but none located close to road or of such visual prominence;
- s) risk to highway safety;
- t) loss of amenity;
- u) inter-visibility between habitable rooms;
- v) development site bigger than that approved;
- w) proposal is not cottage style but terrace house;
- x) cycle storage provision is admirable but no cycle access other than through house.

These objections will be addressed in the relevant sections of the following report. Should a concern fall outside the relevant sections, these will be addressed in the 'Other Matters' section found towards the end of the report.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The proposed development consists of new residential development within a settlement boundary washed over by the green belt.

Policy H2 permits development within existing residential curtilages provided that the proposal is acceptable in terms of environment and transportation effects, residential amenity, density and adequate service provision is available in the locality.

Policy GB1 permits limited infilling development within settlement boundaries washed over by the green belt.

The principle of residential development has already been established at outline level under the previously approved planning permission PT08/2906/O. Such development is considered acceptable in principle in terms of policy H2 and policy GB1 subject to the following considerations.

PPS4 states that 'Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development'. Policy RT8 allows for small scale retail uses within the boundaries of settlements, while Policy RT11 supports the retention of local shops. The proposed retail use is therefore acceptable subject to the assessment of transportation issues, residential amenity and the impact upon the character of the area.

## 5.2 Impact on the Green Belt

The principle of infilling laid out in Policy GB1 of the South Gloucestershire Local Plan (Adopted) 2006 applies in this location. In the supporting document '*Development in the Green Belt SPD*' (June 2007) to the policy GB1 states that infilling is unlikely to be more than the filling of small gaps within built development where it does not significantly impinge upon the openness of the 'Green Belt'.

In this instance, the proposed development would effectively replace an existing dwelling and retail unit with 3 dwellings and a retail unit with maisonette above. The site is located in the Easter Compton village and is surrounded by existing residential development. The footprint would remain similar and any impact on the openness of the green belt would be negated by the built up nature of the location. The principle of development has already been established in this location and as such the proposed is considered appropriate development. Accordingly the proposal meets criteria contained in national policy guidance PPG2, policy GB1 of the South Gloucestershire Local Plan (Adopted) 2006 and the Development in the Green Belt SPD (June 2007).

## 5.3 Residential Amenity

### Overbearing Analysis

Concerns have been raised that the proposal would result in an overbearing impact on adjacent properties namely those to the rear. It is considered that whilst the proposed dwellings would be three-storey, they would be set back from the boundary shared with the houses behind. The rear elevation of the proposed development would be located some 15 metres away from these neighbouring occupiers. The dwellings behind whilst only two storey are of a similar scale to that proposed when taking into account the drop in levels between these properties and the application site. Accordingly it is not

considered that the proposal would result in an overbearing impact or lead to an undue loss of light to neighbouring occupiers.

#### Privacy Analysis

The proposed development would be set down a level by approximately 1 metre behind an existing 1.8 metres tall close-boarded timber fence resulting in the top of the fence reaching approximately 2.8 metres tall from the rear of the proposed development. Given that the proposal will be located at least 15 metres from the existing detached development at Cookes Drive, it is not considered that overlooking or loss of privacy would occur at ground level. At first floor level the proposed dwellings have bedrooms facing to the south west. Whilst it is appreciated that there could be some overlooking, in order to negate any material harm caused by overlooking, oriel windows have been proposed with the windows set at oblique angles to the properties behind. Moreover, the only windows on the rear elevation of the 2 detached dwellings behind, are bathroom windows with standard obscure glazing. The second floor has skylights, which by their size and height above floor level limits the possibility of overlooking through these. In any case, the distance of 15 metres is considered to be a sufficient distance between habitable windows given the oriel window orientation and arrangement together with the circa 1.8 metres high fence to the rear and drop in the levels. It is considered that inter-visibility between habitable rooms would not arise and there would on balance be no unreasonable impact on privacy. Any overlooking that may result from the development is not considered to result in material harm to the detriment of the neighbouring occupiers.

Notwithstanding the above, given the concerns raised, the relatively small size of the plots and close proximity of the neighbouring dwellings, it is recommended that permitted development rights in terms of extension, ancillary residential development and minor operations are restricted by condition to as to enable the Local Planning Authority to assess the impact of further development on the residential amenity of neighbouring occupiers.

#### Amenity Space

Whilst a concern has been raised that the garden serving the maisonette is small, there is some private amenity space and moreover the nature and characteristics of the unit mean that it is unlikely to be habited by a family with children requiring a large amount of garden space. There are a mixture of units and there are other plots with more garden space. Furthermore, the location of the proposed development would have access to areas of Public Open Space in the locality. As such sufficient garden space is considered to remain to serve occupiers and provides adequate private amenity space for occupants of the new dwelling.

### 5.3 Transport

Concerns have been raised regarding the provision of off-street car parking and the proposal resulting in an increase in on street parking. The proposed development includes 5 car parking spaces measuring circa 2.4 meters in width and 4.8 metres in length. Whilst this proposal provides an extra parking space compared to the previously approved scheme, the principle and general transportation arrangements remain the same. The Council parking standards

aim for a maximum of 1.5 spaces per dwelling and with 5 spaces this equates to approximately 1.25 spaces per dwelling. Visitors to the shop would continue to use the existing on street parking given the sufficient road width and lack of parking restrictions. It is not considered that the proposal would exacerbate on-street parking levels to an unreasonable extent and would not result in a highway safety issue.

Whilst yellow lines have been requested in this location to prevent on street parking being exacerbated, it is considered that this is a Highways matter and as such falls outside the remit of this planning application.

Cycle and bin storage is provided for and whilst cycles may have to be taken through the house, this is normally a feature of any terraced development. Ultimately it is not such an inconvenience that it outweighs the benefits of the scheme. a matter for the occupier rather than a material consideration of this planning application.

Sufficient space has been provided for shop deliveries to the side/rear of the proposed shop and details of waste collection are contained in the design and access statement. The transportation officer has raised no objections in terms of public or highway safety.

Accordingly the proposal is in accordance with policies H2, T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

#### 5.4 Drainage

The submitted plans show an existing drainpipe through the site. This was considered in the report accompanying the previous application (PT08/2906/O) at paragraph 5.16. The pipe is a 450mm diameter pipe crossing close to the rear boundary. This is a highway drain classified as a surface water sewer. Concerns have been raised regarding the proposal potentially restricting access to the sewer.

The Council's Drainage Engineer has been consulted and has advised that this pipe replaces a former ditch and as such is classed as a 'culverted watercourse'. These are the responsibility of the landowner. For culverts less than 1 metre wide, a 3 metre distance from the culvert edges is recommended. The siting of the proposed dwellings exceeds this distance and as such is acceptable in this respect. However the rear of the shop is within 1.5 metres of the culvert and a drainage condition is recommended in the event of any grant of approval, requiring further clarification on this issue before any development commences. The applicant has indicated that foul drainage would be connected to the main sewers and the drainage engineer has raised no objections. However details regarding provision of surface water run off and proposals for SUDs are required prior to the works commencing; a condition to this effect is recommended on any grant of planning approval.

#### 5.5 Design/Visual Amenity

The proposal replaces an existing but substandard and unsightly shop with a flat roof and an attached dwelling. The proposal would consist of terraced cottage style dwellings with a shop attached to the south east of the dwellings with a maisonette above. There would be modest sized gardens to the rear of the dwellings with a delivery yard, cycle storage and bin store with waste collection facilities behind the shop.

The applicant has indicated that the proposed development would be rendered with Redland Black tiles finished with white Upvc windows and doors. There would be oriel windows on the first floor on the rear elevation and it is proposed to put blank UPVC panels on alternate windows. However given the distance between the properties, the oblique angles and step in levels it is considered that this is unnecessary and in terms of design, unsightly. As such a condition requiring further details of such windows showing full glazing to be submitted prior to any commencement of development is recommended.

Objections to the application have been received on the basis that the proposal by fronting directly on to the footpath abutting Main Road and being three-storeys in height is out of keeping with the street scene and locality. Whilst there are predominantly two storey dwellings in the area, there is a mixture of architectural styles and materials. Moreover, three storey dwellings exist in the vicinity and in terms of scale, height and massing would appear similar to that which already exists when taking account of land levels. It is not considered that the proposed dwellings would look out of character or cause material harm to the existing street scene. In terms of the proposal fronting on to the pavement, there is no strict building line established and slightly further along Main Road are 4 old cottages in a terrace style arrangement which front on to the pavement. Increased active frontage is welcome and could be considered to increase the vitality of the street scene. As such it is considered that the proposal has adopted a sympathetic design approach and would not appear out of keeping with the street scene or out of character with the locality. Accordingly the proposal is considered acceptable in terms of policy D1 of the South Gloucestershire Local Plan (Adopted) 2006.

#### Housing Density

In this instance, the total site area equates to 0.06ha. On the basis of 4 dwellings (including the maisonette above the proposed shop), this provides for a density of some 66 dwellings per hectare.

It is not considered that any more dwellings could be provided for given the design, access and transportation issues which would arise from more dwellings on this site and as such this represents an efficient use of land inline with Policy H2 and PPS3. As such, there is no objection to the proposed development on this basis.

#### 5.6 Provision/Retention of Community Facilities

The proposal is not considered to impact on quality or efficiency of service provision within the locality. Whilst it is appreciated that the proposed store will be smaller than the existing store, policy RT11 favours the retention of local shops and as such the proposal meets this criteria.

Concerns have been raised about the proposed retail unit being too small to be a viable unit. Whilst the proposed unit would be smaller than that which exists the viability of the local shop is a complex issue and not solely dependent on floor space which in the proposed scheme is circa 49 square metres. The unit is of a reasonable scale and its viability will equally depend on the nature of the A1 use, prevailing market conditions and successful management. It is not considered that the unit will fail inherently due to its size.

Concerns have also been raised the possible future change of this shop to residential use and in so doing resulting in the loss of a well-used shop. Such a change of use would require planning permission in its own right and would be subject to a further planning application. This would be assessed on its merits at that time and accordingly cannot be part of the assessment under this application. There are policies in the emerging Core strategy that seek to prevent the loss of community facilities including local shops.

As such the proposal is acceptable in terms of policies RT11 and H2 of the South Gloucestershire Local Plan (Adopted) 2006.

## 5.7 Trees

There are some trees in close proximity to the application site. It is noted that there have been discussions about serving a Tree Preservation Order on some of these trees in the past. However it was previously decided that such trees were already too close to the existing development so as to make the serving of TPO's a reasonable course of action.

The proposed development does not extend beyond the footprint of the existing building on the site. Therefore the proximity of the trees on the adjacent property will not be increased. The tree protection plan submitted with the application addresses the issues relating to the trees in relation to the proposed development.

As such the South Gloucestershire Council Arboriculturalist has no objection to the application provided that a condition be attached to any grant of approval. The condition should require a Method Statement of Works to be submitted and approved in writing by the Local Planning Authority prior to any commencement of works. This is considered to address the concerns raised in relation to the Root Protection Area and the Yew tree. Any inaccuracies in the report, which may affect the health and vitality of such trees, will be addressed at the submission of the Method Statement of Works. Accordingly it is considered that the proposed development would be in accordance with policy L1 of the South Gloucestershire Local Plan (Adopted) 2006 and the Trees On Development Sites DPD 2005.

## 5.9 Other Matters

### 5.9.1 Neighbours not consulted

It has been brought to the officer's attention that there was an issue with the consultation process. Whilst consultation letters were sent out to neighbours and local residents in accordance with the Adopted Statement of Community Involvement May 2008, some neighbours contacted the Council to say they had not received notification of the proposed development. Accordingly, another set of consultation letters were sent and the consultation date extended.

### 5.9.2 Accommodation at second floor level is constricted and would not meet building regulations

Whilst the size of proposed rooms can be a planning consideration in terms of design, it is considered that there is sufficient room available. The applicant will need to obtain separate Building Regulation Consent, and an informative to that effect will be placed on any consent.

### 5.9.3 Development site is bigger than that originally approved

Whilst the principle of development has been approved, this is a new application being assessed on its own merits. The site under the previously approved application was stated as being 0.058 hectares and this site is stated as being 0.06 hectares. It is not considered that an increase in 0.002 hectares would materially alter the principle of development or materially impact on the nature of the application.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 Any impact on the openness of the green belt would be negated by the built up nature of the location. The principle of development has already been established in this location and as such the proposed is considered appropriate development. Accordingly the proposal meets criteria contained in national policy guidance PPG2, policy GB1 of the South Gloucestershire Local Plan (Adopted) 2006 and the Development in the Green Belt SPD (June 2007).
- 6.3 By virtue of the existing and proposed boundary treatments, change in levels and distance between the proposed development and existing neighbouring properties, there would be no undue impact on the existing residential amenity afforded to neighbouring occupiers. The proposal is acceptable in terms of transport and private amenity space. As such it accords with policy H2 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.4 The proposal is acceptable in terms of service provision, transportation and environment effects. The proposed development demonstrates an efficient use of land and retains the existing local store. As such it complies with National Policy guidance PPS3 and PPS 4 and policies H2 and RT11 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.5 The scaling, massing and principle of the development fronting on the pavement is appropriate in this location and remains in keeping with the locality. The proposal meets criteria in policy D1 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.6 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

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

**Contact Officer: Genevieve Tuffnell**  
**Tel. No. 01454 863438**

## **CONDITIONS**

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

Reason

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

2. 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,) 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

The plots are small in size and any extensions will require further consideration by the Local Planning Authority to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan adopted 2006

3. No development shall commence until 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, L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The off street parking facilities shown on the plan hereby approved (Proposed Site plan (Drg No 2221/2)) shall be provided before the buildings are first occupied, and thereafter retained for that purpose.

Reason

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

5. No development shall commence until a detailed Method Statement of Works showing how the trees on the boundary with 'The Yews' are to be protected during construction works shall be submitted to and approved in writing by the Local Planning Authority and the development, when carried out, shall conform to these details so approved.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the trees, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

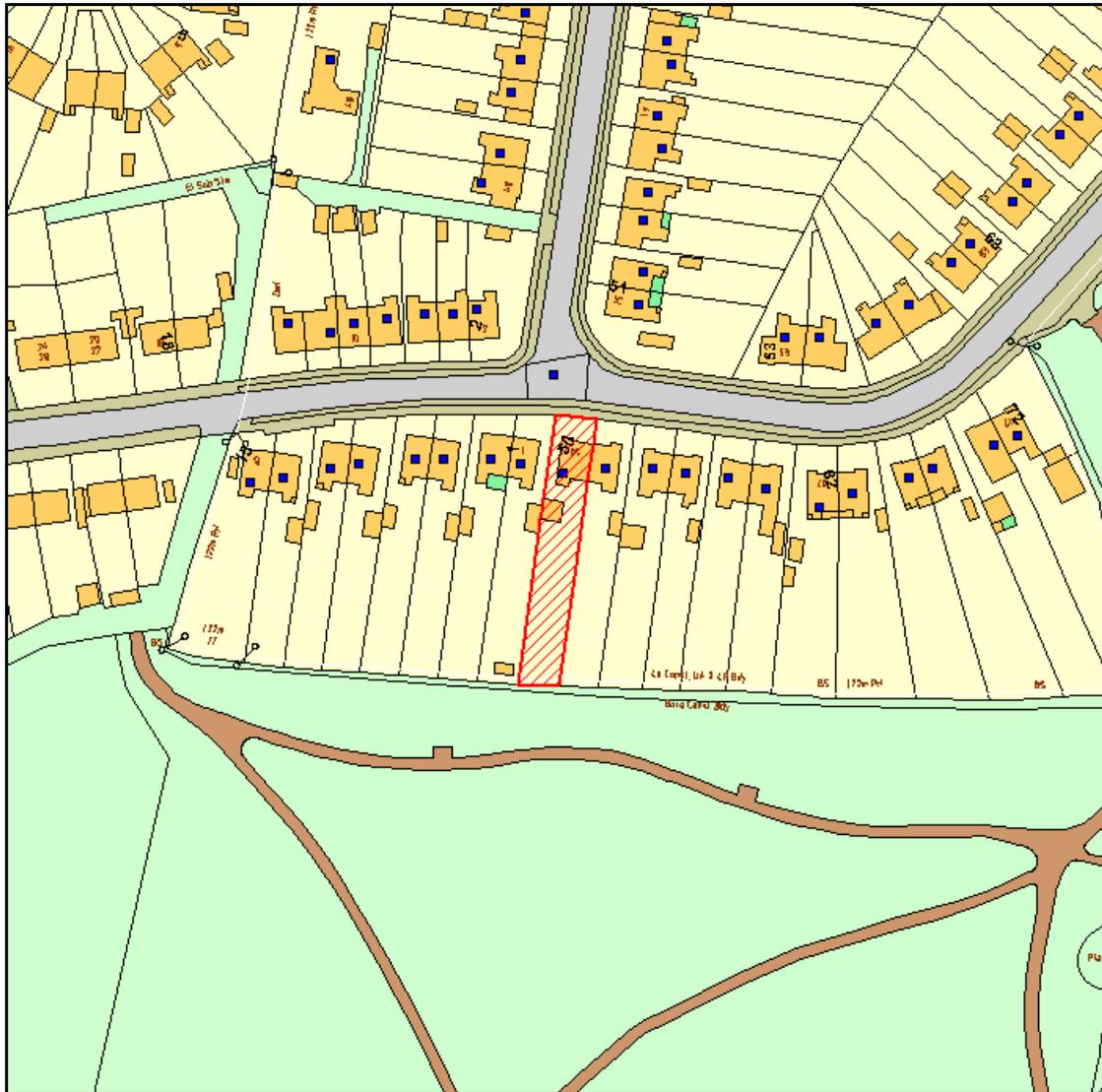
6. Notwithstanding drawings 2221/4 (received 29/11/2010) and 2221/10 (received 05/01/2010) further details shall be submitted, and agreed in writing by the Council, in pursuance of the design and appearance of the 'oriel windows' on the rear elevations of the proposed buildings, with the intention of seeking glazing as opposed to blank white UPVC panels which are not considered acceptable in terms of visual amenity. The development shall be carried out in accordance with the agreed details.

Reason

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

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PT10/3325/F	<b>Applicant:</b>	Mr Ian Willmott
<b>Site:</b>	50 Kenmore Crescent Filton Bristol South Gloucestershire BS7 0TR	<b>Date Reg:</b>	17th December 2010
<b>Proposal:</b>	Change of use of converted detached garage/office (Class C3) to Chiropractors (Class D1) to provide a mixed use (Sui Generis) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	359351 178230	<b>Ward:</b>	Filton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	9th February 2011



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## **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.

### **1. THE PROPOSAL**

- 1.1 This full application relates to the change of use of converted detached garage/ office to chiropractors (Class D1) at 50 Kenmore Crescent, Filton.
- 1.2 Part of the existing garage was converted by the previous owner into an office. This appears to have been used as incidental to the enjoyment of the dwelling-house and was not the subject of a planning application. The floor area of the chiropractors is approximately 11 sqm. An entrance/waiting area and toilet/sink is also proposed.
- 1.3 The chiropractors will be used by the applicant with no other employees proposed. No machinery will be used, the proposal purely involves the manipulation of vertebra and joints.
- 1.4 The application site is a semi-detached property with long rear garden. The garage is detached and some 3m from the dwelling. The rear of the site backs onto a school playing field. The site is located within the urban area of Filton. The long driveway allows for at least 3 off-street parking spaces.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPG13	Transport

#### 2.2 Development Plans

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

D1	Design
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
LC4	Proposals for Education and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

#### 2.4 Emerging Policy

South Gloucestershire Core Strategy Submission Draft

CS1	High Quality Design
CS25	Communities of the North Fringe of Bristol Urban Area

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

- 3.1 PT05/2545/F           Erection of single storey rear extension.  
Approved 28 October 2005.

### **4. CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
No response received.
- 4.2 Sustainable Transport  
No objection.

#### **Other Representations**

- 4.3 Local Residents  
One letter has been received objecting to the proposal on the following grounds:-  
a) parking;  
b) restriction on how many people can work there and hours of opening.

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

- 5.1 Principle of Development  
Advice contained within PPS4 promotes new economic growth, especially where it is sustainable. Policy EC10 states that applications that secure sustainable economic growth should be treated favourably, especially where they are accessible by numerous means of transport.
- 5.2 Emerging policies of the South Gloucestershire Core Strategy are also relevant. In particular, Policy CS25 supports the provision of local facilities that are integrated within existing communities.
- 5.3 In terms of the Adopted South Gloucestershire Local Plan, policy LC4 is particularly relevant. This policy allows for the development, expansion or improvement of education and community facilities within existing urban areas and boundaries of settlements provided they are located on sites which are highly accessible on foot and bicycle, would not unacceptably prejudice residential amenities, have no unacceptable transportation effects or give rise to unacceptable levels of on street parking.
- 5.4 Transportation  
The proposal provides 1 consulting room, with the owner of the property being the only member of staff. The Council's parking standards suggest that 1 car parking space be provided for patients with an additional space available for staff. The property has 2 or 3 parking spaces available to the side of the dwelling along the drive and as such off-street parking provision is considered acceptable. Whilst it is acknowledged that concerns have been raised over existing on-street parking pressures associated with Southmead Hospital in the vicinity of the site, it is not considered material to the determination of this application as it would not exacerbate this issue given the level of off-street

parking provision available. In addition, it is likely that only one patient could be accommodated at any given time and it is not envisaged that a significant amount of overspill of on-street parking would result. The level of additional traffic and parking generated by this development is not considered significant. As such it is not envisaged that any highway safety problems at the adjacent junction of Kenmore Crescent, which is a unclassified residential road, will result. In addition, the application site is located in a highly sustainable location. The application is therefore acceptable in transportation terms.

#### 5.5 Residential Amenity

Due to the small scale of the business and the proposed use, no adverse impact upon surrounding residential amenity will result. No machinery or other noisy apparatus is used and the proposal is acceptable in this regard. Having regard to the foregoing it is not considered necessary to restrict the hours of operation. However, a condition will be imposed restricting the provision of one consulting room only and one person to be working from the site, to ensure no over-intensification of the use.

#### 5.6 Design

The appearance of the building is unchanged by the proposal with all works internal.

5.7 The application is therefore in full accordance with the adopted and emerging 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 proposal will improve community facilities within this urban area without detriment to residential amenity and would accord with Planning Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal is acceptable 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 conditions set out on the decision notice.

**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 premises of 50 Kenmore Crescent shall be used for a mixed use residential and chiropractors office and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt the chiropractors hereby permitted shall not be used independently of the dwelling house of 50 Kenmore Crescent, Filton, which will remain as one planning unit in mixed use (Sui Generis).

Reason

Any other use within Class D1 may require further consideration, to accord with policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

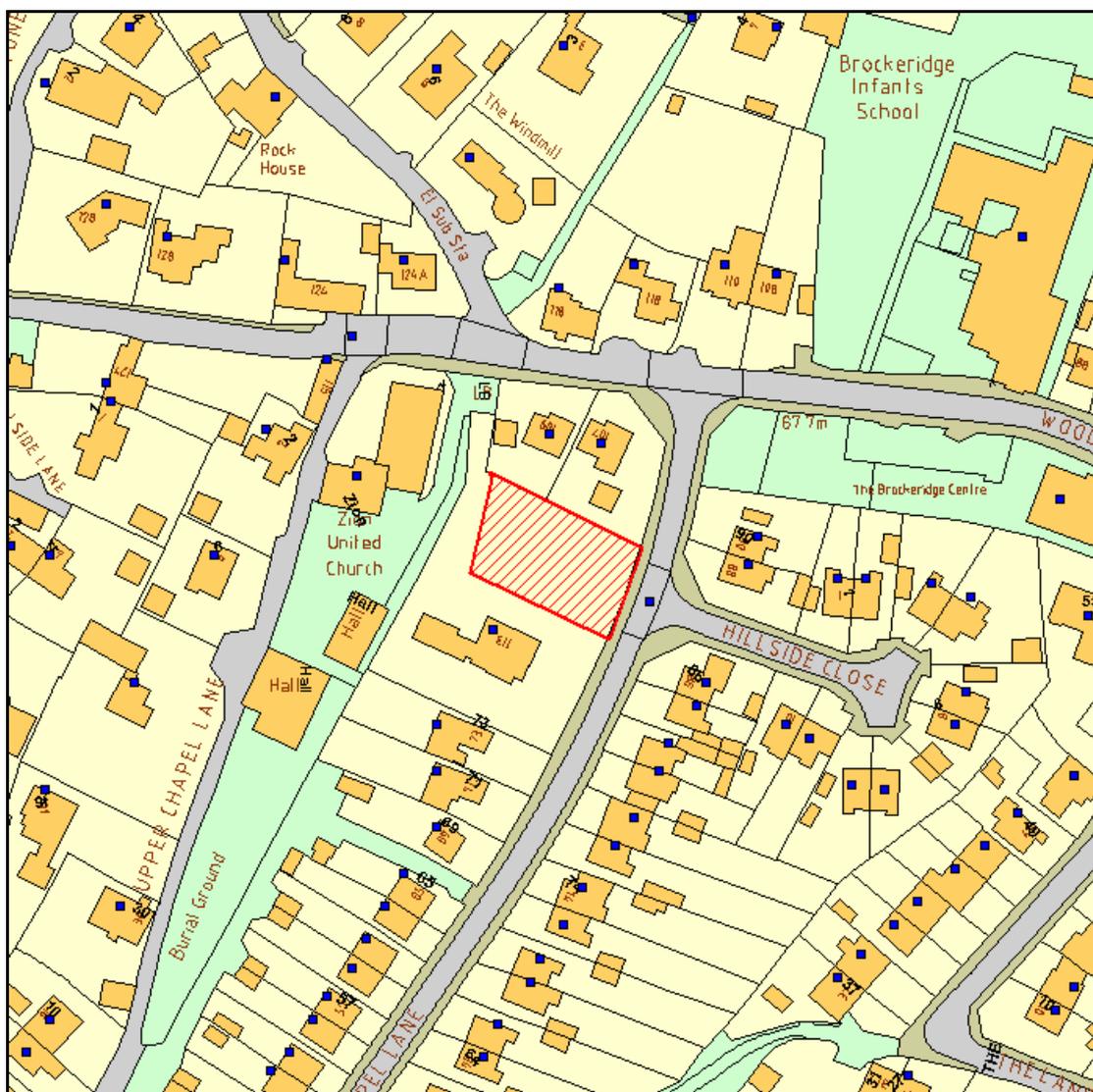
3. The chiropractor operation shall be limited to the consulting/treatment room submitted on the approved plans with a floor area of 11 square metres.

Reason

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

CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011

<b>App No.:</b>	PT10/3338/O	<b>Applicant:</b>	M Adams & Family
<b>Site:</b>	113 Woodend Road Frampton Cotterell Bristol South Gloucestershire BS36 2HX	<b>Date Reg:</b>	3rd December 2010
<b>Proposal:</b>	Erection of 1no. dwelling (Outline) with Access, Layout and Scale to be determined. All other matters reserved. (Resubmission of PT10/2825/O)	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	367200 181241	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th January 2011



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 100023410, 2008. **N.T.S.** **PT10/3338/O**

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

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks outline planning permission for the erection of 1no. dwelling with access, layout and scale to be determined. All other matters reserved. (Resubmission of PT10/2825/O)
- 1.2 The application site relates to garden land associated with no. 113 Woodend Road, Frampton Cotterell and lies within the defined settlement boundary of Frampton Cotterell. The plot of land is currently in use as private garden space. Last year an application for outline permission for 2no. dwellings was withdrawn following Officer's concerns regarding the number of dwellings proposed in relation to the plot size.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

#### **2.2 Development Plans**

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

D1	Achieving Good Quality Design
EP1	Environmental Pollution
H2	Proposals for Residential Development within the Defined Settlement Boundaries
H4	Development within Existing Residential Curtilage
L1	Landscape Protection and Enhancement
L5	Open Areas within Defined Settlements
L9	Species Protection
T8	Parking Standards
T12	Transportation Development Control Policy for new Development

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

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

CS1	High Quality Design
CS5	Location of Development
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

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

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

- 3.1 N4594 - Erection of two detached houses and garages and formation of vehicular accesses (in accordance with the layout plan as amended by the applicant on 21st June 1978 and in accordance with the revised plans received by the Council on 21st June 1978). Approved 06/07/1978.
- 3.2 N4808 - Erection of two detached houses with double garages. Construction of new vehicular accesses. Approved 17/08/1978.
- 3.3 PT10/2825/O - Erection of 2no. dwellings (Outline) with access to be determined. All other matters reserved. Withdrawn 30/11/2010.

### 4. **CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council  
No objection.

4.2 Other Consultees

Drainage

No objection subject to condition.

Environmental Protection

No objection subject to condition.

Trees

No objection.

Landscape

No objection subject to conditions.

Highways

No objection subject to condition.

Ecology

No objection.

#### **Other Representations**

4.3 Local Residents

Three letters of objection were received raising the following concerns:

- Access proposed would be dangerous
- This is an example of 'garden grabbing'
- Adverse impact upon character of village
- Would deprive wildlife of habitat
- Loss of green space/garden area
- Cause traffic congestion

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application site is situated within the Bristol north fringe urban area, as shown on the South Gloucestershire Local Plan Proposal Maps (Adopted) January 2006. PPS3 (Housing), the Joint Replacement Structure Plan and Policies H2 and H4 of the Local Plan allows for new residential development within settlement boundaries and the curtilages of dwellings. On this basis the proposed development would be acceptable in principle.

5.2 PPS3 expects schemes to make an effective use of the site by achieving the maximum density compatible with the sites accessibility, environmental constraints, and its surroundings. The expectation under Policy H2 of the Local Plan that all developments will achieve a minimum density of 30 dwellings per hectare is no longer.

5.3 Notwithstanding this policy context in June 2010 the Coalition Government issued a Ministerial Statement under the title of *'New Powers for Local Authorities to Stop 'Garden Grabbing''*. This statement made the following changes to Planning Policy Statement 3: Housing: -

1) The definition of 'previously developed land' has been amended to exclude private residential gardens.

2) The national indicative minimum density target (of 30 dwellings per hectare) for new housing development has been removed.

5.4 These changes have been introduced to reflect the concerns regarding the overdevelopment of neighbourhoods, loss of green space and the impact upon local character. PPS3 is a material consideration in relation to planning application for housing development and as such these amendments are material and must be taken into account when determining this application.

5.5 Policies H2 and H4 of the South Gloucestershire Local Plan allow for residential development on sites that are within the defined settlement boundaries or urban areas, without reference to whether or not such land is brownfield or previously development land. Therefore, on this basis Officers do not consider the change to the definition of 'previously developed land' to make a significant difference to the approach that the Council take in considering applications for residential development, and thus the proposed development remains to be acceptable in principle.

5.6 Nevertheless the Ministerial Statement has raised some important points regarding the design and density of new residential development. Firstly the statement reiterated the need to ensure that residential development does not result in the overdevelopment of neighbourhoods, the loss of green space, and impact upon local character. These matters can be reasonably resisted on the basis of existing policies (D1, L5, H2, and H4) within the South Gloucestershire Local Plan.

- 5.7 The second point relates to the requirement in PPS3 for all new residential developments to achieve the national indicative density target of 30 dwellings per hectare. This policy objective was reflected in Policy H2(b) of the South Gloucestershire Local Plan which stated that the maximum density compatible with the sites location should be achieved, but with an expectation that it will achieve a minimum density of 30 dwellings per hectare. The Ministerial Statement has removed the requirement for new residential development to achieve the national indicative minimum density, and thus very limited weight should be given to Policy H2(b).
- 5.8 The remaining advice in PPS3 states *“Good design is fundamental to using land efficiently...”* (Para. 48) and *“Careful attention to design is particularly important when chosen local strategy involves intensification of the existing urban fabric. However when well designed and built in the right location, it can enhance the character and quality of an area”* (Para. 49). *“Density is a measure of the number of dwelling that can be accommodated on a site or in an area. 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.”* (Para. 50)
- 5.9 On this basis in this application the need to achieve an efficient use of land is still an important material consideration. However this need should be carefully balanced against the requirement to consider the character of the area and whether the proposal is good quality design. Policy D1 of the South Gloucestershire Local Plan recognises this, and density is one of the design factors that this policy requires to be assessed.
- 5.10 Density  
The proposed site extends to approximately 0.07 hectare. The proposal is for a single dwelling which will achieve a density of 14 houses per hectare. It was noted on site that the properties immediately adjoining the site (namely no’s 107, 109 and 113) all benefit from fairly large plot sizes and as a consequence the new property would be in keeping with the densities of surrounding properties. In terms of its relationship within the plot it is considered that due to the close proximity of the front of no. 113 Woodend Road and the rear elevations and rear garden space of no’s 107 and 109 Woodend Road, that 1no. dwelling is the most appropriate and efficient use of the land. The applicant had previously applied for 2no. detached dwellings under application PT10/2825/O however due to the tightness that the dwellings would of sat to the boundaries of the site this was not considered appropriate in terms of siting and residential amenity. The siting of 1no. dwelling on the site is therefore considered appropriate in density terms.
- 5.11 Design / Visual Amenity  
The submitted Design and Access Statement dated December 2010 proposes a single dwelling on the site with a ground floor area of 88 sq metres meaning an approximate footprint width of 8 m and a length of 11 m. The dwelling would be two storey having an approximate maximum eaves height of 5.5 m and a ridge height of 8 m above datum. A site plan is also submitted indicating the

siting of the proposed dwelling within the plot and also a section drawing showing the proposed dwellings relationship with no. 113 Woodend Road and the levels within the site.

5.12 As assessed under section 5.10 of this report the density is considered appropriate and the siting and layout of the dwelling within the plot is considered appropriate in visual terms given the plot sizes in the immediate surrounding area. The applicant's Design and Access Statement refers to materials consisting of a smooth rendered finish at the rear, painted timber joinery and random stone front and side elevations to match the adjacent dwelling, no. 113 Woodend Road. These materials are considered acceptable and would be in character with the adjacent dwelling, a condition will be attached requiring full details of all external facing materials. The scale and size of the proposed dwelling (as outlined in the Design and Access Statement) is considered acceptable and the indicative section shows the new dwelling set down into the slope that runs down from west to east within the plot. It is considered this is an important part of the design and that the ridge height of the new dwelling should not exceed that of no. 113 Woodend Road, the property that it most closely relates to. A condition will therefore be imposed.

5.13 Residential Amenity

In terms of privacy analysis it is considered that the most important aspect is to protect direct overlooking between habitable rooms of neighbouring properties. With this in mind it is considered expedient to attach a condition to any planning approval for there to be no windows in the north and south facing side elevations of the new dwelling, unless they are obscure glazed, as these elevations directly face the front elevation of no. 113 Woodend Road and the rear elevation of no. 107 Woodend Road respectively. To the rear any windows would be at a 90 degree angle with no. 113 Woodend Road and no's 107 and 109 Woodend Road and therefore it is not considered there would be any undue loss of privacy. To the front (east) elevation the nearest habitable rooms would be in excess of 25 m away and this is considered a sufficient distance for there to be no undue loss of privacy.

5.14 In regard to overbearing impact, to the north the new dwelling would be set away from the boundary of the site by approximately 5 m and it is not considered there would be a significant loss of light into the rear gardens of no's 107 and 109 Woodend Road. It is also unlikely there would be any loss of light into the rear habitable rooms of these properties, which is considered a principle aim when protecting residential amenity. Due to the residential nature of the area, a condition will be imposed limiting construction hours in order to protect amenity of nearby occupiers.

5.15 Highways

It is considered that the amount of additional traffic generated by the site is unlikely to have a material impact on highway conditions. The submitted site plan shows that the hedgerow is now set back to provide a visibility splay across the frontage. The Highways Officer is satisfied with the parking and turning arrangements and would not expect a significant increase in on-street parking. The application form states that 3 off street spaces can be provided on

site. The proposal is therefore acceptable in transportation terms subject to a condition being imposed ensuring that acceptable visibility splays are achieved.

#### 5.16 Landscape / Environmental Issues

In order to achieve adequate visibility for vehicles entering and leaving the site a large section of existing leylandii hedge to the front of the site is to be removed and replaced with native hedge planted along the inner edge of the site boundary. It is considered there is no landscape character or visual amenity objection to the access, layout and scale of the proposal in the context of Policies D1, L1 and L5 of the adopted local plan. A condition will however be attached requiring further details of boundary treatment and specifically in respect of the amount of retaining wall proposed and include a full planting plan and specification for the new hedgerow. The tree officer has concluded that there are no significant trees on this site that should be considered as a constraint on development. The Council's drainage officer raises no objection to the scheme provided a condition is attached to the decision notice requiring further details in respect of a Sustainable Drainage System.

### 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 dwelling 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 dwelling is of an acceptable density, layout, scale and overall design taking into consideration the character and appearance of the site 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.
  - c) The proposed access would identify an acceptable level of off street parking and would not prejudice highway safety. The development therefore accords to Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
  - d) The proposal would not have any adverse impacts upon the environment in respect of trees, ecology, landscape or drainage. The development therefore accords to Policies H2, L1, L5, L9 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

## 7. RECOMMENDATION

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

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

### CONDITIONS

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

Reason

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

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

Reason

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

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

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

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

5. The hours of working on site during the period of construction shall be restricted to 07.30 hours to 18.00 hours Monday to Friday and 08.00 hours to 13.00 hours on 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 surrounding dwellings and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. On submission of the subsequent 'Reserved Matters' application, the design principles as described in the 'Design and Access Statement' (as received by the Council on 1st December 2010) shall be adhered to specifically in respect of the external facing materials to be used and the preclusion of openings in the side elevations of the proposed dwelling.

Reason

To ensure a good quality of design in the interests of visual amenity and to protect the privacy and amenity of neighbouring occupiers, and to accord with Policy D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

Due to the location of surrounding properties and limited size of the plot, any further extensions will require the further consideration of the Local Planning Authority, to accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. On submission of the subsequent 'Reserved Matters' application, the height of the proposed dwelling as illustrated in the 'Indicative Section' (as received by the Council on 1st December 2010) shall be adhered to specifically in respect of the ridge height of the new dwelling not exceeding the ridge height of no. 113 Woodend Road (also known as 'Hillside'), Frampton Cotterell.

Reason

To protect the character and appearance of the area, the residential amenity of neighbouring occupiers and to accord with Policies D1, H4 and H2 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 that a satisfactory means of drainage is provided, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Prior to the first occupation of the dwelling hereby approved the vehicular access and associated visibility splays shall be constructed in accordance with the approved plans. There shall be no obstruction to visibility exceeding 1 metre in height within the splayed areas.

Reason

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

## CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011

<b>App No.:</b>	PT10/3348/F	<b>Applicant:</b>	Mr R Ward
<b>Site:</b>	Barn Cottage Church Road Rudgeway Bristol South Gloucestershire	<b>Date Reg:</b>	6th December 2010
<b>Proposal:</b>	Alterations to roof to facilitate the conversion of existing store/workshop to form self contained annexe ancillary to main dwelling. (Resubmission of PT10/2791/F)	<b>Parish:</b>	Alveston Parish Council
<b>Map Ref:</b>	363153 186541	<b>Ward:</b>	Thornbury South And Alveston
<b>Application Category:</b>	Householder	<b>Target Date:</b>	28th January 2011



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**N.T.S.**

**PT10/3348/F**

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

This application appears on the Circulated Schedule List because concerns have been raised by the Parish Council contrary to the Officers recommendation.

### **1. THE PROPOSAL**

1.1 This application seeks planning permission for alterations to the roof to facilitate the conversion of an existing store/workshop to form a self contained annexe ancillary to the main dwelling. The application is a resubmission of PT10/2791/F, which was refused for the following reasons:

- The proposed dormer window and the proportions of the proposed windows in the elevations of the building would have an adverse impact on the character and appearance of the modest former outbuilding. The proposal is therefore, contrary to policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- The increase in scale and prominence of the building would have an adverse impact on the setting of the nearby listed buildings. The proposal is therefore, contrary to policy L13 of the South Gloucestershire Local Plan (adopted) January 2006 and PPS5.

1.2 The application site comprises a two-storey dwellinghouse linked to a neighbouring dwellinghouse on the rear elevation. The host dwelling is situated on the southern side of Church Road within the open Green Belt and outside the defined settlement boundary. The host dwelling is located within a small cluster of historic buildings with the grade 2 listed Old Church Farmhouse and Old Church of St Helens, which is also a scheduled ancient monument, located to the south east of the application site.

1.3 The only difference between the current application and the previous refused application are amendments to the fenestration and the brick detailing.

1.4 The application building is set forward of the principal elevation of the dwellinghouse and abuts the northern corner. The building is currently in a dilapidated condition and the applicant has specified that the building would be rebuilt on the same footprint using the existing materials. A dwarf wall would be erected opposite the northeastern and southwestern elevation of the building.

### **2. POLICY CONTEXT**

2.1 National Guidance  
PPS1 Delivering Sustainable Development  
PPG2 Green Belts  
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

GB1 Development in the Green Belt  
L13 Listed Buildings  
T12 Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy Publication Draft (December 2010)  
CS1 High Quality Design  
CS9 Environmental Resources and Built Heritage

- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)  
The Development in the Green Belt SPD (adopted)

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

- 3.1 PT09/5341/F, erection of 2-storey side extension and single storey rear extension to provide additional living accommodation. Installation of 2no. front dormer windows and front porch, approval, 11/11/09.
- 3.2 PT10/2791/F, alterations to roof form and installation of 1no. dormer window to facilitate the conversion of existing store/workshop to form self contained annexe ancillary to main dwelling, refusal, 25/11/10.

### **4. CONSULTATION RESPONSES**

- 4.1 Alveston Parish Council  
The Parish Council has no objection in principle to the application listed below but we strongly support the recommendations of the Conservation Officer to maintain the traditional appearance of the building and its relationship to others in the group.
- 4.2 Trees  
No objection.
- 4.3 Conservation  
No objection subject to conditions.

#### **Other Representations**

- 4.4 Local Residents  
No comments received.

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

- 5.1 Principle of Development  
The principle of the proposed development within the Green Belt was accepted in the previous application and the refusal reasons related to the design and the impact on the setting of the surrounding listed buildings. The only difference between the current application and the refused application are alterations to the fenestration and brick detailing. Therefore, the main issues to consider are whether the amended design respects the character of the existing built form (policies D1 and H4 of the Local Plan), preserves the setting of the listed

buildings situated nearby (policy L13 of the Local Plan) and the effect on the residential amenity of the neighbouring occupiers (policy H4 of the Local Plan).

5.2 Appearance/Form

The amended plans submitted demonstrates that the fenestration would comprise narrower proportions having been reduced from 3no. panes to 2no. panes. In addition, the large central dormer window on the front elevation has been removed from the scheme and the front roofslope now comprises a single roof light with 2no. vertical glazing bars. The plans demonstrate a single small velux rooflight in the rear roofslope in order to provide natural light to the first floor ensuite while arched brick detailing has replaced the original horizontal detailing over the window and doorway in the northwestern elevation.

5.3 It is considered that the amendments including the changes to the width of the windows and inclusion of arch detailing achieves a more traditional appearance more in-keeping with the character of the outbuilding and surrounding built form. In addition, the removal of the prominent dormer window and reduction in the amount of roof glazing ensures that the proposal would be more subservient to the host building and surrounding built form and would not be significantly adversely prominent from the surrounding area. The Conservation Officer has requested that further information is submitted with regards to materials and detailing and this can be conditioned if permission is granted.

5.4 Given the above, it is considered that the proposal overcomes the previous refusal reasons and accords with policies D1 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

5.5 Residential Amenity

It was considered in the previous application that the conversion of the outbuilding to an ancillary annexe would not have a significant adverse impact on the residential amenity of the neighbouring occupiers. Whilst the current proposal introduces an additional roof light into the rear roofslope facing the neighbouring property, the scale of the roof light is such that it would not have a significant adverse privacy impact.

5.6 The introduction of further rooflights can be restricted by condition in the interests of preserving the setting of the surrounding listed buildings and the residential amenity of the neighbouring occupiers.

**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 principle of the development within the Green Belt has been accepted in the previous application – policies GB1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006 and the South Gloucestershire Development in the Green Belt SPD (adopted).

The amendments to the design of the fenestration and brick detailing achieve an acceptable standard of appearance in-keeping with the character of the host dwelling and surrounding built form. In addition, the amended design has resulted in a more subservient appearance which would preserve the setting of the surrounding listed buildings – 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 residential amenity of the neighbouring occupiers through loss of natural light or privacy – policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

## **7. RECOMMENDATION**

7.1 Planning permission is GRANTED subject to the following conditions:

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

### **CONDITIONS**

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

Reason

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

2. Prior to the commencement of the development, samples of all external facing materials including walling stone, clay tiles and brick shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the agreed samples. For the avoidance of doubt, the clay tiles shall be reclaimed pan-tiles.

Reason

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

3. Sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panels shall be kept on site for reference until the stonework is complete. The development shall be carried out strictly in accordance with the agreed samples. For the avoidance of doubt, pointing and new stonework shall be carried out using natural stone to match the existing and traditional lime mortar.

Reason

To ensure a satisfactory standard of appearance and to accord with policies D1 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

4. Prior to the commencement of the development, large scale details of the following (in respect of which is expressly reserved) shall be submitted to the Council for approval.
  - a. Flues and vents
  - b. Eaves, Verge and ridges
  - c. Brick arches over door and window openings
  - d. External electrical fittings such as lights, meter boxes and security alarms
  - e. Rooflights
  - f. All new doors including frames, architraves and door furniture & fittings
  - g. All new windows (including cill, lintel and reveal details)
  - h. Cast metal rainwater goods & fixings

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. No works shall be commenced until the Council has given written approval for the submitted details and the development shall be constructed strictly in accordance with the details so approved.

Reason

To ensure a satisfactory standard of external appearance and to accord with policies D1 and L13 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 annexe hereby approved without prior written consent from the Local Planning Authority.

Reason

In the interests of the amenities of the area and to preserve the setting of the surrounding listed buildings to accord with policies L13 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

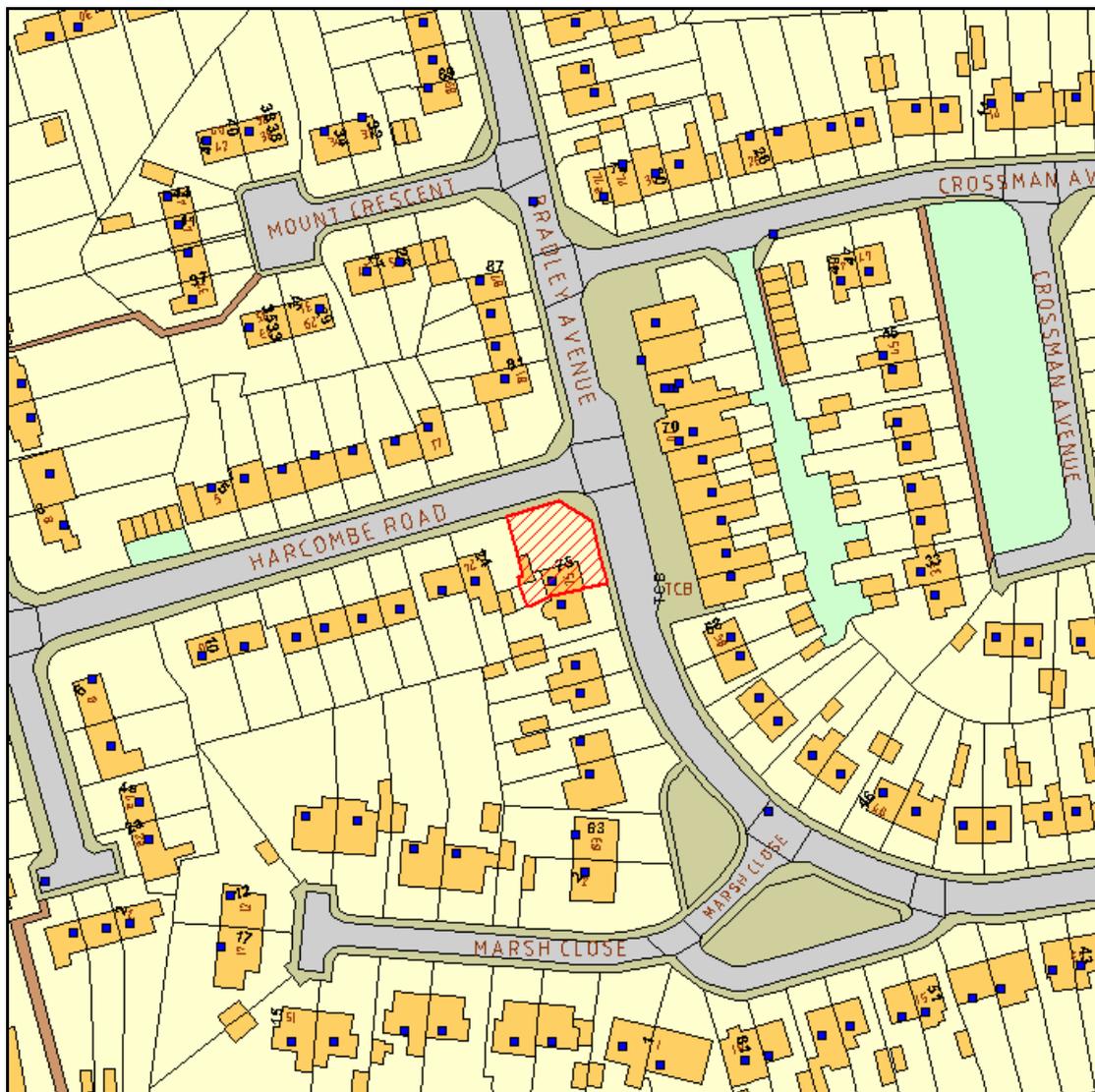
6. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Barn Cottage.

Reason

The proposal would not provide an acceptable standard of living accommodation due to the limited size of the building and would be detrimental to the residential amenity of future occupiers. Furthermore, the creation of the necessary separate residential curtilage would harm the character of the area contrary to policies D1, H4 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011

<b>App No.:</b>	PT10/3393/EXT	<b>Applicant:</b>	Mrs S Sullivan
<b>Site:</b>	75 Bradley Avenue Winterbourne Bristol South Gloucestershire BS36 1HX	<b>Date Reg:</b>	14th December 2010
<b>Proposal:</b>	Erection of two storey side extension to form 1no. dwelling with associated works. (Consent to extend time limit implementation for PT07/3170/F).	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365095 180076	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th February 2011



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 100023410, 2008. **N.T.S.** **PT10/3393/EXT**

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

This application has been referred to the Councils Circulated Schedule in view of the comments from the Parish Council and the letter of objection that has been received.

### **1. THE PROPOSAL**

- 1.1 The application seeks an extension of time to PT07/3170/F that was granted on December 10<sup>th</sup> 2007 and which allowed the erection of a two-storey side extension and ancillary works to provide a new dwelling.
- 1.2 The application relates to no. 75 Bradley Avenue that occupies a corner position adjoining Bradley Avenue and Harcombe Hill, Winterbourne. The existing dwelling is set well back from the front building line of those neighbouring properties along Harcombe Hill with a large area of garden land to this side of the dwelling that would provide for the proposal.
- 1.3 The application site falls within the Winterbourne settlement boundary.
- 1.4 In view of the nature of this application (extension of time submission), the plans remain the same as those previously approved.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPG13: Transport

#### 2.2 Development Plans

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

D1: Achieving Good Quality Design in New Development  
H2: Proposals for Residential Development  
H4: Development within Residential Curtilages  
T7: Cycle Parking  
T8: Parking Standards  
T12: Transportation Development Control Policy for New Development

##### South Gloucestershire Core Strategy Proposed Changes Version (December 2010)

CS1: High Quality Design  
CS16: Housing Density  
CS17: Housing Diversity

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

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

- 3.1 PT07/0636/F: Erection of two-storey side extension to form one dwelling with car parking, bin storey, cycle store and associated works. Refused: 16 April 2007; Appeal Dismissed: 28 January 2008
- 3.2 PT07/3170/F: Erection of two-storey side extension to form one dwelling with associated works (resubmission of PT07/0636/F). Permitted: 10 December 2007

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
Objection- over development of the site
- 4.2 Other Consultees  
Highways DC: no objection

#### **Other Representations**

- 4.3 Summary of Local Residents Comments  
One letter received expressing the following concerns:
- Strong objection;
  - This will change the neighbours property from a semi-detached to a terrace property impacting upon the 'sales proposition' and price;
  - The above is an important consideration in view of family illness and the need to fund care.

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

- 5.1 Principle of Development  
The principle of development has been established by the granting of permission PT07/3170/F. However since this time, the planning guidance contained within PPS3 has been revised and the South Gloucestershire Core Strategy published; this document is in the early stages of adoption.
- 5.2 The revisions to PPS3 remove the minimum density requirement that sought to achieve a density in new residential development of 30 units per hectare; there is still a requirement to make the most efficient use of land. This policy advice is echoed by planning policy CS16 of the emerging Core Strategy that states '*Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.*' This is considered to be the case in this instance.
- 5.3 Design/ Visual Amenity  
At the time of the previous application, it was noted that the application site benefits from an uncharacteristically large plot by virtue of its corner positioning. This was considered to allow sufficient space to facilitate the erection of a two-storey side extension that would provide for a further attached

- dwelling. In so doing, as before the proposal would provide a two-bedroom unit with its design to reflect that of the attached property (the existing pair of semi-detached dwellings are of different design).
- 5.4 In view of the above, with the plans unaltered and with no significant material change in circumstance or policy that would be considered to alter the outcome of the previous application, there is again no objection to this current proposal on design/ visual amenity grounds.
- 5.5 In response to the concerns raised by the Parish Council, as before there is considered to be sufficient space to allow the addition of one extra dwelling without significant detriment to the character of the area; this is having regard also to the more recent changes to PPS3 with this policy document still requiring the most efficient use of land.
- 5.6 Residential Amenity  
Application PT07/3170/F formed a resubmission of PT07/0636/F that was refused (and subsequently dismissed at appeal) for reasons related to residential amenity. In this regard, the relationship between the proposal and no. 24 Harcombe Hill was originally considered to be unacceptable. PT07/3170/F overcame this concern by increasing the spacing between these dwellings and altering the facing fenestration that was proposed.
- 5.7 As before, it is noted that 24 Harcombe Hill overlooks the application site facing this direction. In so doing, an element of separation is afforded by virtue of the driveway that runs in front of this neighbouring property whilst a 1.8m high close-boarded boundary fence helps to limit views at ground floor level. As such, the revised positioning of the build (moved further away) and changes to the rear windows (with facing bathroom/ ensuite windows only) as agreed as part of the previous application is considered to remain acceptable with no objection raised on this basis.
- 5.8 All other dwellings are positioned at an appreciable distance from the site of the proposal; on this basis, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.9 In response to the concerns raised by the neighbouring resident, property prices would not generally comprise a material planning consideration and in this instance, with the design and size of the works considered to be acceptable, it is not considered that permission can be reasonably withheld on this basis.
- 5.10 Highway Safety  
There was, and remains, no objection to the current proposal on highway safety grounds with it noted that the new access could be formed as permitted development.

## **6. CONCLUSION**

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

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

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

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

1. The design, scale and massing of the dwelling proposed is considered to be acceptable and in keeping with the general character of the area. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal would not cause any significant adverse impact in residential amenity and thus would accord with the provisions of Planning Policies H2 (Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposal is considered to be acceptable in highway safety terms and would accord with the provisions of 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 rear (west) elevation of the property.

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.

4. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor landing and bathroom windows on the west (rear) elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

5. The off-street parking facilities (for the existing and proposed dwelling) shown on the plan hereby approved shall be provided before the new dwelling is first occupied, and thereafter retained (with a bound surface) for that purpose.

Reason

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

6. There shall be no planting or built form greater than 0.9m in height within 2m of the carriageway (Harcombe Road).

Reason

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

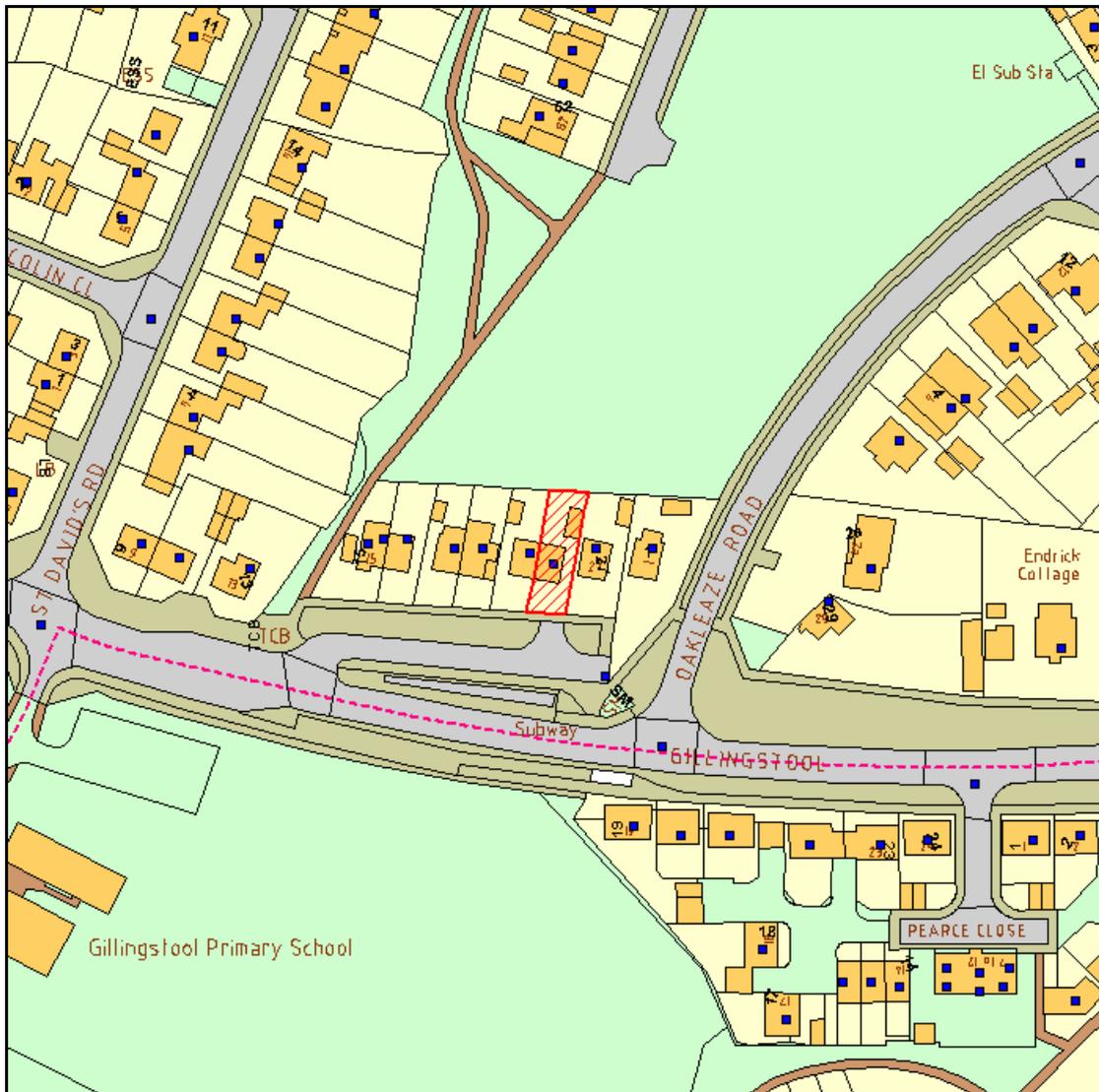
7. No vehicular entrance gates shall be erected in front of the proposed parking area to serve the dwelling whilst any gate to serve the existing property shall be inward opening only.

Reason

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

CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011

<b>App No.:</b>	PT10/3395/F	<b>Applicant:</b>	Mrs S Botha
<b>Site:</b>	25 Gillingstool Thornbury Bristol South Gloucestershire BS35 2EQ	<b>Date Reg:</b>	13th December 2010
<b>Proposal:</b>	Change of use from Domestic Garage (Class C3) to Hairdressing Salon (Class A1) to provide mixed use (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364117 189977	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	2nd February 2011



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 100023410, 2008. **N.T.S.** **PT10/3395/F**

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

This application has been referred to the Circulated Schedule due to a letter of objection received from a local resident.

### **1. THE PROPOSAL**

- 1.1 This full application relates to the change of use of existing single detached domestic garage to hairdressing salon at 25 Gillingstool, Thornbury. The proposed conversion provides approximately 16 square metres of retail floorspace, including lobby and toilet area. The application also involves cosmetic changes to the appearance of the building, including the infilling of the garage door with vertical boarding and the provision of an entrance door and window. The existing garage is detached and located to the rear of the property, approximately 2.2m away. It also has a ridged, tiled roof.
- 1.2 The application site is a semi-detached property located off a small cul-de-sac serving 7 properties. It is situated adjacent to the turning head. Off-street parking (excluding the garage space) for a minimum of 3 vehicles is available. To the front of the site and parallel to the access road lies the main Grovesend Road. The site is located within the settlement boundary of Thornbury and is within close proximity to Thornbury Town Centre.
- 1.3 The proposal will provide employment solely for the applicant. The salon will also be open week-days and on Saturdays but with no working on Sundays and Bank Holidays.

### **2. POLICY CONTEXT**

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPG13	Transport
- 2.2 Development Plans

<u>South Gloucestershire Local Plan (Adopted) January 2006</u>	
D1	Design
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
RT8	Small Scale Retail Uses Within the Urban Areas and the Boundaries of Settlements
- 2.3 South Gloucestershire Core Strategy Pre-submission Publication Draft (March 2010)

CS1	High Quality Design
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- 2.4 Supplementary Planning Guidance

<u>South Gloucestershire Design Checklist (Adopted)</u>	
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### **3. RELEVANT PLANNING HISTORY**

3.1 None.

### **4. CONSULTATION RESPONSES**

4.1 Thornbury Town Council  
No objection.

4.2 Sustainable Transport  
No objection.

#### **Other Representations**

4.3 Local Residents  
One letter has been received objecting to the proposal on the following grounds:-  
a) highway safety/parking;  
b) hazardous materials;  
c) odour from hair treatments;  
d) a noise impact assessment is required;  
e) loss of retail unit from town centre.

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

- 5.1 Principle of Development  
A main tenet of PPS4 is the encouragement of sustainable economic growth. Also of relevance is adopted policy RT8 of the Local Plan. This policy allows for small scale A1 retail uses within existing urban areas and settlement boundaries, but outside town centres, such as a mixed residential/retail use (Sui Generis) provided the development is acceptable in transportation and residential amenity terms and would not harm the vitality and viability of an existing local centre. These issues will be addressed below.
- 5.2 Transportation  
Although the proposal results in the loss of the garage, the business is ancillary to the main dwelling and is of a scale that is unlikely to accommodate more than 1 or 2 customers at any given time. The curtilage can currently park at least 3 vehicles and on-street parking is available along the access road. The site also lies within walking or cycling distance of a relatively large catchment area and therefore it cannot be assumed that all customers will drive. On occasions there is likely to be some on-street parking associated with the business but Officers are of the view that it would not be at a level so as to be obstructive or hazardous. The application is therefore considered acceptable in transportation terms.
- 5.3 Residential Amenity  
Due to the small-scale nature of the proposal, it is considered that the development will not harm the residential amenity of neighbouring occupiers. The garage is detached and located in the rear garden. In addition, as only the applicant will be employed, clients will be seen one at a time.

Opening hours will be restricted between 0900 hours to 17.30 hours. The nature of the business should not cause any undue noise or disturbance, especially considering its small scale.

5.4 Environmental Health Issues

Environmental Services have been consulted on the application and raise no objection. In terms of the points raised by a neighbour, any commercial waste will have to be disposed of separately from domestic collections and an informative will be added to this effect on any planning consent. With regard to odour/fumes, health and safety legislation covers the use of treatments. The premises will be inspected and risk assessed by an Officer once it is operational and as such no improvements to the ventilation system will be necessary unless it is required by the Health and Safety Officer after their visit. Finally, in terms of noise, due to the very small scale of the operation and the intermittent nature of any noise being emitted from the premises and its generally low level, a BS4142 noise assessment would not be required.

5.5 Vitality/Viability of Thornbury town centre

The proposal will provide a very small salon outside Thornbury Town Centre. Due to the small scale of the enterprise it is considered that the vitality and viability of the existing local centre will not be compromised by the proposal.

**6. CONCLUSION**

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

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

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

1. The proposal due to its small scale is considered to be acceptable in terms of retail policy and would not harm the vitality or viability of Thornbury Town Centre. The proposal would therefore accord with Planning Policy RT8 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The proposal due to its small scale has no material impact in highway safety terms. As such the proposal is considered to be compliant with Planning Policies T8 and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The proposal due to its small scale is considered to have no adverse impact on residential amenity and therefore complies with Planning Policy RT8 of the South Gloucestershire Local Plan (Adopted) January 2006.

## **7. RECOMMENDATION**

- 7.1 Planning permission be granted subject to conditions set out on the decision notice.

**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 premises of 25 Gillingstool, Thornbury shall be used for a mixed use residential and hairdressing salon only and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt the hairdressing salon hereby permitted shall not be used independently of the dwelling house of 25 Gillingstool, Thornbury, which will remain as one planning unit in mixed use (Sui Generis).

Reason

The site lies within a residential area and the use of the site has been restricted in order to accord with Policy RT8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006. Any other use would require further consideration by the Council.

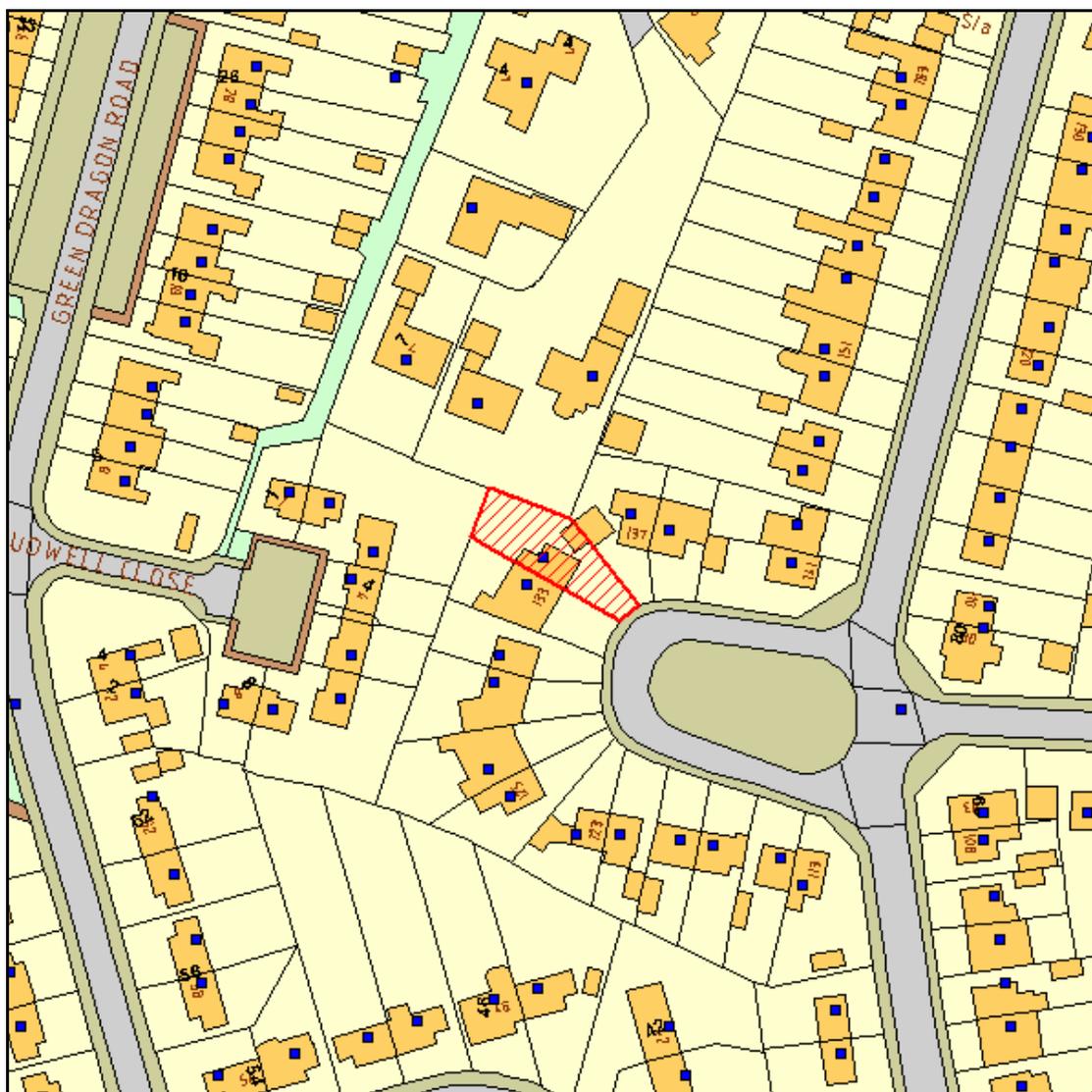
3. The hairdressing operation shall be limited to a floor area of 16 square metres.

Reason

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

**CIRCULATED SCHEDULE NO. 02/11 – 14 JANUARY 2011**

<b>App No.:</b>	PT10/3440/F	<b>Applicant:</b>	Miss H Shellard
<b>Site:</b>	135 Bradley Avenue Winterbourne Bristol South Gloucestershire BS36 1HW	<b>Date Reg:</b>	14th December 2010
<b>Proposal:</b>	Erection of single storey side and rear extension to form attached garage and additional living accommodation	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	364997 180360	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th February 2011



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 100023410, 2008. **N.T.S.** **PT10/3440/F**

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

This application is referred to the Councils Circulated Schedule in view of the comments that have been received from a neighbouring resident.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single-storey side and rear extension that would provide a garage and ensuite bedroom to the side with a new sunroom to the rear.
- 1.2 The application relates to a two-storey semi-detached dwelling on the west side of Bradley Avenue (Winterbourne) within a small cul-de-sac.

### **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 in New Development

H4: Development within Residential Curtilages

T12: Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy Proposed Changes Version (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

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
No objection

- 4.2 Other Consultees  
No comments received

- 4.3 Summary of Local Residents Comments  
One letter received raising 'no' objection' to the application but making the following comment:

- The building will be close to the neighbours rear boundary beech hedge thus particular care should be taken not to disturb the roots of the hedge during construction; particular attention will be required when digging out the footings and erecting the wall.

## 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 semi-detached two-storey dwelling within a small cul-de-sac that forms part of Bradley Avenue. The applicant seeks permission for a single-storey side and rear extension that would wrap around the north corner of the dwelling.

5.3 The side extension would replace an existing detached garage and follow the line of the flank boundary thus bowing out in the middle providing an irregular footprint to the proposal. In so doing, the build would provide a new garage to the front that would be stepped back marginally from the front wall of the dwelling with an en-suite bedroom behind; this would extend 2.9m beyond the rear wall of the dwelling to align with the rear of an existing two-storey rear addition adjacent to the far side boundary. The sunroom would occupy the space in between replacing an existing covered area of identical size.

5.4 The proposal would be encompassed by a flat roof albeit with this hidden by a dummy pitched roof that would run around the perimeter of the build and extend to encompass the existing single-storey lean-to to the front of the dwelling; this would tie in with that of the neighbouring property.

5.5 In view of the above, the current proposal is considered to be acceptable in design terms and in keeping with the design of the dwelling and the character of the surrounding area. As such, there is no objection to the proposal on this basis.

### 5.6 Residential Amenity

The neighbouring property to this side of the application site sits apart from the host dwelling by virtue of their position on the outside corner of this cul-de-sac. In so doing, this affords a greater degree of spacing between these dwellings whilst a detached garage also sits to this side of this neighbouring property adjacent to the boundary. The end windows within this neighbouring property face away from the application site whilst there are no side facing windows within the proposal. For these reasons, and in view of the overall size of the proposal and with it inset from the boundary, it is not considered that any significant adverse impact on residential amenity would be caused.

5.7 All other neighbouring properties are positioned at an appreciable distance from the site of the proposal thus again it is not considered that any significant adverse impact in residential amenity would be caused.

5.8 Having regard to those comments made by the neighbouring resident, the proposed layout plan shows the retention of this hedge with the build inset from the boundary (and hedge) whilst the application form states that no hedges (or trees) will be removed as part of the proposal. Therefore, it is not considered that planning permission could be reasonably withheld on this basis.

5.9 Highway Safety

The replacement garage would be of sufficient size to accommodate a motor vehicle whilst there is further car parking space on the driveway. On this basis, there is no highway objection to the proposal.

## 6. CONCLUSION

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

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

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

1. The design, scale and massing of the extension is considered to be in keeping with that of the host dwelling and the surrounding area. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4 (House Extensions) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal would not cause any significant adverse impact in residential amenity and would accord with Planning Policy H4 (House Extensions) of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposal is considered to be acceptable in highway safety terms and would accord with Planning Policy T12 (Transportation Development Control Policy) 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 shall be inserted at any time in the north elevation of the property as extended.

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.