



**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. 49/11

Date to Members: 15/12/11

Member's Deadline: 21/12/11 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Dates and Deadlines for Circulated Schedule
During Christmas and New Year period 2011/2012

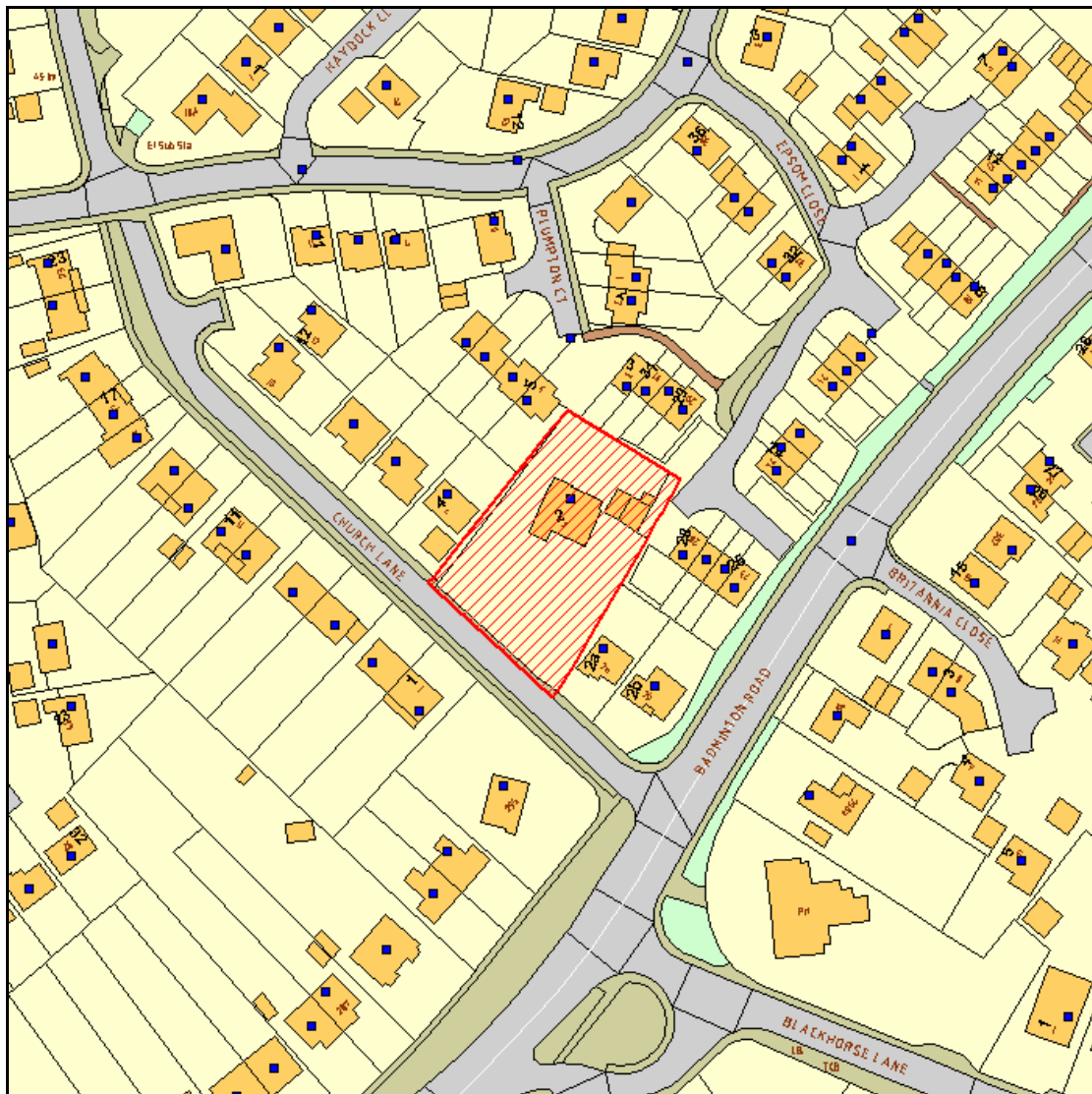
Schedule Number	Date to Members 9am on	Members Deadline 5pm on
49/11	Thursday 15 December 2011	Wednesday 21 December 2011
50/11	Thursday 22 December 2011	Tuesday 03 January 2012
51/11	No Circulated Schedule production	No Circulated Schedule production
01/12	Friday 06 January 2012	Thursday 12 January 2012

CIRCULATED SCHEDULE – 15 DECEMBER 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/3273/F	Approve with Conditions	2 Church Lane Downend South Gloucestershire BS16 6TA	Emersons	Downend And Bromley Heath Parish Council
2	PK11/3286/F	Approve with Conditions	Land Adj To 7 Mendip View Wick South Gloucestershire BS30 5PX	Boyd Valley	Wick And Abson Parish Council
3	PK11/3378/F	Approve with Conditions	46 York Close Yate South Gloucestershire BS37 5XB	Yate North	Yate Town
4	PT11/3154/F	Approve with Conditions	The Coach House Pilning Street Pilning South Gloucestershire BS35 4HL	Severn	Olveston Parish Council
5	PT11/3373/F	Approve with Conditions	Land Adjacent To 42A Gloucester Road Almondsbury South Gloucestershire	Almondsbury	Almondsbury Parish Council
6	PT11/3460/F	Split decision See D/N	38 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QD	Frenchay And Stoke Park	Stoke Gifford Parish Council
7	PT11/3517/F	Approve with Conditions	50 Saxon Way Bradley Stoke South Gloucestershire	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
8	PT11/3589/CLP	Approve with Conditions	Airbus UK Rodney Ltd Rodney Gate Gloucester Road North Filton South Gloucestershire	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 49/11 – 15 DECEMBER 2011

App No.:	PK11/3273/F	Applicant:	Church Lane Projects Ltd
Site:	2 Church Lane Downend Bristol South Gloucestershire BS16 6TA	Date Reg:	19th October 2011
Proposal:	Erection of 4 no. dwellings with new access and associated works.(Re-submission of PK11/2653/F)	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365891 178144	Ward:	Emersons Green
Application Category:	Minor	Target Date:	13th December 2011



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100023410, 2008.

N.T.S.

PK11/3273/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule following the receipt of a number of objections from local residents and the Parish Council, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 4no dwellings with new access and associated works. The proposed dwellinghouses would be two-storey and three bed detached properties with two being located adjacent to the highway facing Church Lane and two to the rear.
- 1.2 The application site relates to a single storey detached dwellinghouse situated within a fairly regular shaped plot of approximately 0.16ha located within the established residential area of Downend. To facilitate the development the single storey bungalow would be demolished. The immediate locale is characterised in the main by two-storey terraced, semi and detached dwellinghouses of various ages, sizes and design which are also situated within mixed plot sizes.
- 1.3 The site is enclosed on three sides by other dwellinghouses and their gardens. To the south Church Lane is characterised by 1930s semi-detached dwellinghouses with large gardens. To the north and north east of the application site are more recently constructed terraced properties with much smaller gardens. Properties on either side of the application site are 1980s detached with medium size plots. A small footpath runs along the northern boundary of the site giving access to the rear of three properties on Epsom Close. A Cedar of Lebanon Tree within the plot is covered by a Tree Preservation Order and following the previous application a group of trees including Norway Maple and Cypress on the site have also been allocated a tree preservation order.
- 1.4 This application is a re-submission of application PK11/2653/F which was withdrawn by the applicant to allow improvements to be made.

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 Design in New Development
L1	Landscape Protection and Enhancement
L5	Open Areas within the Existing Urban areas and Defined Settlements
EP1	Environmental Pollution
EP2	Flood Risk and Development

L17&18	The Water Environment
H2	Residential Development within Urban Areas
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control

South Gloucestershire Core Strategy, Submission Draft December 2010

CS1	High Quality Design
CS5	Location of Development
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS9	Landscape

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted 2007)
 Trees on Development Site (Adopted 2005)

3. RELEVANT PLANNING HISTORY

- 3.1 PK11/2653/F – Erection of 4no new dwellings with new access and associated works
 Withdrawn
- 3.2 PK02/2710/O - Erection of 5no. dwellings on 0.15 hectares of land (outline).
 Refused 26th March 2003 for the following reasons:
- Over development resulting in detrimental impact on residential and visual amenity.
 - Loss of Cedar Tree
- 3.2 PK03/3656/O - Erection of 4no. dwellings on 0.15 hectares of land (outline) with siting and means of access details. Resubmission of planning application PK02/2710/O.
 Refused 13th April 2004 for the following reasons:
- Over development resulting in detrimental impact on residential and visual amenity.
 - Damage to Cedar Tree
- 3.3 PK04/2278 - Erection of 1no. detached bungalow with integral single garage and modification to car parking area.
 Refused 11th Oct 2004 for the following reasons:
- Over development resulting in detrimental impact on residential and visual amenity.
 - Damage to TPO Cedar Tree and loss of hedgerow to front of site.
- NB In this scheme it was proposed to retain the existing bungalow.*

4. **CONSULTATION RESPONSES**

4.1 Downend and Bromley Parish Council

Overcrowding on the site which is more suited to 3 properties. Insufficient parking for dwellings facing Church Lane.

4.2 Other Consultees [including internal consultees of the Council]

Tree Officer

No objections subject to conditions written in the decision notice.

Sustainable Transport Officer

No objections in principle subject to conditions written in the decision notice.

Drainage Officer

No objection in principle subject to conditions relating to sustainable drainage systems and permeable paving and an informative regarding surface water run-off. It is further recommended that a mining report be provided for assessment as the site is within a former coalfield area.

Environmental Protection

Raises no objection subject to a condition to control the hours and methods of construction.

Other Representations

4.3 Local Residents

Eight local residents have objected to the proposal. Their comments can be summarised as:

- four dwellings too many for the size of plot, creating more traffic and cars
- lack of apparent parking spaces for the dwellings (no garages)
- over-crowding of plot and overlooking
- over-bearing, loss of privacy, loss of outlook, incorrect boundary line, impact on amount of daylight/sunlight, no garages, style of properties
- concern regarding density, character of area will be severely adversely affected, risk of environmental deterioration caused by fumes and noise, increased amount of cars
- layout and density, overbearing and loss of outlook, loss of daylight/sunlight, highway issues
- block light and overbearing, loss of outlook, does not fit in with rest of estate, construction will cause lots of disturbance and disruption to neighbours due to noise and dirt
- over-development of site, loss of daylight into Plumpton Court

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site is within the established residential area as defined in the South Gloucestershire Local Plan (Adopted) 2006. Government advice contained in PPS3 – Housing supports a more efficient and sustainable use of land in the

- urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes.
- 5.2 PPS3 was re-issued on 9th June 2010 to reflect concern regarding the redevelopment of neighbourhoods. The changes involve the exclusion of private residential gardens from the definition of previously developed land and the removal of the national indicative density target of 30 dwellings per hectare. The existing policies in the Local Plan (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.
- 5.3 Policy H2 of the South Gloucestershire Local Plan states residential development will be permitted within existing urban areas provided that it does not prejudice residential amenity, the maximum density is compatible with the site, the site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination and the provision for education, leisure, recreation and other community facilities is adequate to meet the needs arising from the proposals. Policy H4 is supportive in principle of proposals for new dwellings within existing residential curtilages, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy D1 of the Local Plan requires all new development to be well designed and along with other criteria, respect and enhance the character, distinctiveness and amenity of both the site and locality. Policy T12 identifies factors relating to parking, access and highway safety that must be taken into account and Policy T8 advises on maximum parking standards. Policy L1 relates to landscape protection.
- 5.4 **Design and Visual Amenity**
- 5.5 **Design**
Within context the surrounding area is suburban in character with a variety of two-storey dwellinghouses that differ in design, style and scale. The approach taken by the applicant is to produce modern units that contrast rather than conflict with the existing character of the area. The design of the proposal also employs modern design standards and green credentials as detailed in the Design and Access Statement submitted by the applicant. It is considered that these significantly add to the sustainability of the scheme.
- 5.6 With respect to appearance the dwellinghouses would be a combination of painted render, timber cladding and zinc roofing. They would have an entrance porch to their fronts balanced by a projecting structure to their rear, housing a green roof. In terms of the specific design the dwellinghouses would be mostly off white through coloured render, the front of the porches would be of natural stone, the roof of zinc and the cladding of natural cedar boarding with an oiled finish. A painted matt black stainless steel flue would complete the design.
- 5.7 **Character of area**
A number of comments have been received relating to the impact on the character of the area by the proposed development.

- 5.8 As previously stated, the area is characterised by dwellinghouses of various ages, sizes and styles which have been built over a number of years. It is clear that the established grain of area is dominated by properties facing onto the highway. The original proposal had four dwellinghouses in a regimented line across the site running from north to south, with only one property fronting the highway. After discussions with the agent, officers negotiated a more imaginative and improved design scheme for the site.
- 5.9 This new scheme proposes that the established grain and general street line is better maintained with two dwellinghouses fronting the highway, whilst the two other dwellinghouses will be behind. As mentioned above the grain of the street scene is such that the majority of near-by properties front the highway. Consequently, this amended design is deemed by officers to be an improvement on the original scheme in terms of both preserving the existing street pattern and furthermore, by providing more space for the two dwellinghouses situated to the rear.
- 5.10 It is acknowledged that the proposed dwellinghouses would be quite unlike anything else in the neighbourhood. Nevertheless given the existing mix of age and style properties it is considered they would have little negative impact on the character of the area. With particular reference to PPS3 and new energy targets officers are supportive of the innovative design scheme.
- 5.11 Sustainability Issues
The Government aims to improve the energy efficiency of the housing stock and to cut greenhouse gas emissions from buildings by at least 80% by 2050. South Gloucestershire too aims to address climate change by promoting the construction of high quality energy efficient homes.
- 5.12 The proposed development aims to produce carbon neutral homes and the proposed dwellinghouses are designed to 'Passiv Haus' standards. These use 90% less energy than an average home being 10 times more airtight than a standard build and will have a mechanical heat recovery heating and ventilation system. Windows and doors will be triple glazed and full height floor to ceiling permitting high levels of light and sunlight to enter into the dwellinghouses. The majority of the heating will be by passive solar means achieved by a combination of large areas of glazing plus skylights to capture sunlight during the day. A heavy masonry floor with tiled finish will absorb heat during the day and re-radiate it at night, thereby maintaining constant internal temperatures. Furthermore, high levels of insulation will seek to minimise air leakage. The green roof feature is part of the innovative design scheme incorporating green energy/green design elements and the dwellinghouses would be finished to a high standard.
- 5.13 Given the above it is considered that the proposed development would contribute towards these targets and demonstrates characteristics which promote sustainable development.

5.14 Density

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land.

5.15 PPS3 (para.50) states that “*The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.*”

5.16 The proposal is located in an area which clearly demonstrates varying levels of housing density. Existing properties range from semi-detached dwellinghouses built circa 1930 that are characterized by long thin garden plots, to terraced and detached properties built in the 1980s which display greater variations in their plot sizes. Comments received from neighbours indicate that the design would not fit in with the existing street scene. PPS3 clearly states that existing development should not dictate the style of new housing by stifling change or demanding replication. The immediate area close to the application site is characterized by a variety of sizes, styles, designs and aged properties. This is to be expected and welcomed in an area which has evolved over a period of time. The current proposal is considered to continue this ‘evolution’.

5.17 Every application is considered under its own merit and given the guidance discussed above it is considered by officers that the proposed dwellings are of a creative design that complies with the objectives stated in PPS3. Furthermore, the density figure calculated for the proposed development of approximately 25 dwellings per hectare would not be excessive for the size of plot or its location. The proposal is considered to make efficient use of the land in what is a sustainable location in Downend and within easy distance of shopping, community facilities and public transport routes.

5.18 Landscape/Trees

There are a number of existing mature trees on the site, one of which was subject to a TPO. A further small group of trees has been made the subject of a TPO more recently following the submission of the now withdrawn application PK11/2653/F. The applicant has acknowledged the importance of preserving the integrity of these trees and the part they play in the visual amenity of the area in general. During the course of the application the Tree Officer requested more details regarding the method statement for the works around the trees. These were duly received and the method agreed as suitable to ensure the protection of the trees. The method statement takes into consideration the presence of the trees and stipulates action will be taken to ensure their safety and preservation. The Council’s Tree Officer has offered no objection to the suggested scheme of work. A condition attached to the decision notice will specify that all works must be in accordance with the approved plans and method statement.

5.19 Impact on Residential Amenity

Criterion D attached to Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 permits development where it :

'would not prejudice the retention of adequate private amenity space and adequate private amenity space is provided for any new separately occupied dwelling'

- 5.20 Given the location of the proposed dwellinghouses within an existing suburban area and taking into consideration their proposed size it is deemed that the private amenity space allotted for the proposed development is acceptable.
- 5.21 Overlooking/ impact on privacy
The issue of overlooking has been raised as an objection by local residents.
- 5.22 The existing detached property sits within a large plot with neighbouring dwellinghouses to the north and east on Epsom Close, the west on Church Lane and Plumpton Court and to the south-west by neighbours opposite the application site on Church Lane.
- 5.23 The dwellinghouses are designed so that the rear of the properties would have opaque glazing in their first floor windows therefore not affecting properties on the development site or to the rear at Epsom Close and Plumpton Court. In addition no fenestration will be installed in the first floor north-west elevations and as a result properties at No. 5 Plumpton Court and No. 4 Church Lane will not be affected. Properties opposite are separated from the application site by Church Lane itself, a distance of approximately 21 metres which is the distance that currently separates No.4 Church Lane and No.5 Church Lane. The proposed dwellinghouses will be separated from neighbours by Larch fencing panels, 2.2 metres in height.
- 5.24 All principle habitable room windows will be located in the front or rear elevations of the proposed houses. At ground floor level the existing fences restrict overlooking to the rear of the nearest properties whilst any inter-visibility between first floors windows to the front affecting No.4 Church Lane and No. 5 Plumpton Court would be from an acceptable distance and angle.
- 5.25 The proposed houses would be in close proximity to those around the site but for the most part the layout and arrangement of the fenestration with first floor windows being of opaque glazing, would prevent mutual overlooking and in the context of a relatively densely developed urban area would not result in any undue loss of privacy.
- 5.26 Neighbours to the rear are set at a lower level than the existing site. Currently they are separated from the site by a footpath giving access to Nos. 29-31 Plumpton Court and a block wall of between 1.8 and 2m high which encloses the site at this northern point. Given the proposed dwellings will have obscure glazing in their upper windows it is considered there will be no issues of overlooking to consider.
- 5.27 Neighbours to the north are separated from the application site by a 1.5 metre fence. It is proposed that this current boundary treatment will be replaced by an acoustic fence of 2.4 metres in height. Plans indicate that Nos. 29-31 Epsom Close will be approximately 15 metres away from the nearest proposed

- dwellinghouse. Given that the properties will not have habitable rooms opposite one another there will be no issues of overlooking or inter-visibility this is considered acceptable.
- 5.28 In terms of impact due to loss of privacy from overlooking some overlooking of gardens is only to be expected in a suburban location.
- 5.29 Having regard to the above officers conclude that the proposal would not result in a significant adverse impact on residential amenity and in this way the proposal accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 5.30 Sunlight / loss of light etc
A number of concerns have been expressed by local residents regarding overbearing and loss of daylight/sunlight.
- 5.31 The sunlight study scheme submitted by the applicant demonstrates the levels of winter and spring/summer levels of sunlight available to the site. This indicates that the proposed dwellinghouses will not have a negative impact on the near-by properties over and above the existing level created by the current dwellinghouse. The dwellings would for the most part be located sufficiently distant from the existing dwellings to have no significant overbearing impact or loss of amenity from overshadowing. In this way the proposed development is deemed to be acceptable and to not cause loss of light to neighbouring properties.
- 5.32 Transportation**
Policies T8 and T12 deal with parking, access and highway safety. A number of issues have been raised by local residents regarding the lack of garage space and amount of additional traffic that might be generated.
- 5.33 Parking
The proposal indicates the provision of two parking spaces for each dwellinghouse. Policy T8 stipulates the maximum parking standards for new development. It states that a maximum 2no. car parking spaces should be provided for 3 bed properties. There is no minimum number of parking spaces that must be provided for new dwellings. Given the above the proposed parking is judged acceptable under the South Gloucestershire Local Plan (Adopted) 2006.
- 5.34 Additional traffic
Four dwellings will replace a single dwelling and the existing access will continue to be used. It is acknowledged that there will be some intensification of usage of this access, however, the access point offers good visibility on both sides and consequently the Council's Sustainable Transport Officer offers no objection in principle to the scheme.
- 5.35 Garage space
With reference to the comments regarding lack of garage space the Council's Sustainable Transport Officers have considered the application. And it is acknowledged that no garages are provided for the proposed dwellinghouses.

However, officers are of the view that it is preferable to have open parking as opposed to garages as these tend not to be used for the storage of vehicles and thus may exacerbate any potential parking issues.

5.36 **Access and safety**

Policy T12 sets out general highway matters which development proposals must meet. This includes the provision of safe and convenient access, the avoidance of traffic congestion and hazards to road users. The access to the site will be to the east making use of the existing entrance to serve three of the four dwellinghouses. The fourth will have a separate entrance off Church Lane. A condition in the decision notice will stipulate a 2metre wide footway to the front shall be connected to the existing footways in the area and the provision of 2no. parking spaces per dwelling. It is therefore, considered that the proposal would not conflict with these requirements in any material way and as such there would be no harm to highway safety.

5.37 **Other matters**

5.38 **Affordable Housing**

The proposal for 4no. houses falls below the Council's threshold (15) for affordable housing provision.

5.39 **Education**

The proposal for 4no. houses falls below the Council's threshold (5) for Education provision.

5.40 **Community Service**

The proposal for 4no. houses falls below the Council's threshold (10) for contributions to community services

5.41 **Noise, dust , smell, pollution**

The site itself is not currently subject to excessive levels of noise, pollution, smell, dust or contamination. A condition relating to hours and methods of work will apply during the period of demolition/construction to protect the amenity of local residents.

5..42 **Community Facilities and Sustainability**

The proposed dwellinghouses will be close to education, leisure and recreation facilities. They would also be close to public transport links and cycle routes. Considering these issues and the positive, modern design features incorporated into the application it is judged that the proposal would constitute a sustainable form of development.

5.43 **Other matters**

Incorrect boundary line- a civil matter and cannot be covered by this report. Issues regarding disturbance and disruption will be covered by a condition limiting the times work can be conducted.

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) Consideration has been given to the impact of the proposed development on the character of the surrounding area, which would in this case not be affected, in accordance with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 - (b) The proposal would not prejudice the amenities of neighbouring properties, in accordance with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006
 - (c) An acceptable level of off-street parking would be provided in accordance with Policies H2, H4 and T8 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 - (d) Adequate amenity space would be provided to serve the development, in accordance with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 - (e) The design of the scheme would be in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy Submission Draft Dec 2010.
 - (f) There would be no adverse landscape implications to result from the scheme, in accordance with Policies L1 and L5 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.
 - (g) An appropriate scheme of drainage to include SUDS would be secured by condition in accordance with Policies EP1, EP2, L17 -& L18 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 6.3 The recommendation to **GRANT** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

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

Reason

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

3. 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.

4. The parking areas on site hereby approved shall be bound with permeable material and such areas shall be maintained satisfactory thereafter.

Reason.

To ensure a satisfactory means of drainage and pollution control in order to comply with Policies L17, L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies (L17/L8/EP1) of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No development shall commence until details of the proposed means of foul drainage disposal have been first submitted to and approved in writing including an investigation of the existing foul drainage system in the locality. The development shall be implemented in accordance with the approved details prior to occupation of the dwelling hereby approved

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

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

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. 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 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.

9. All treeworks should take place in accordance with the approved Method Statement for Tree Protection works Revision A as received on 15th November 2011 from the applicant.

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.

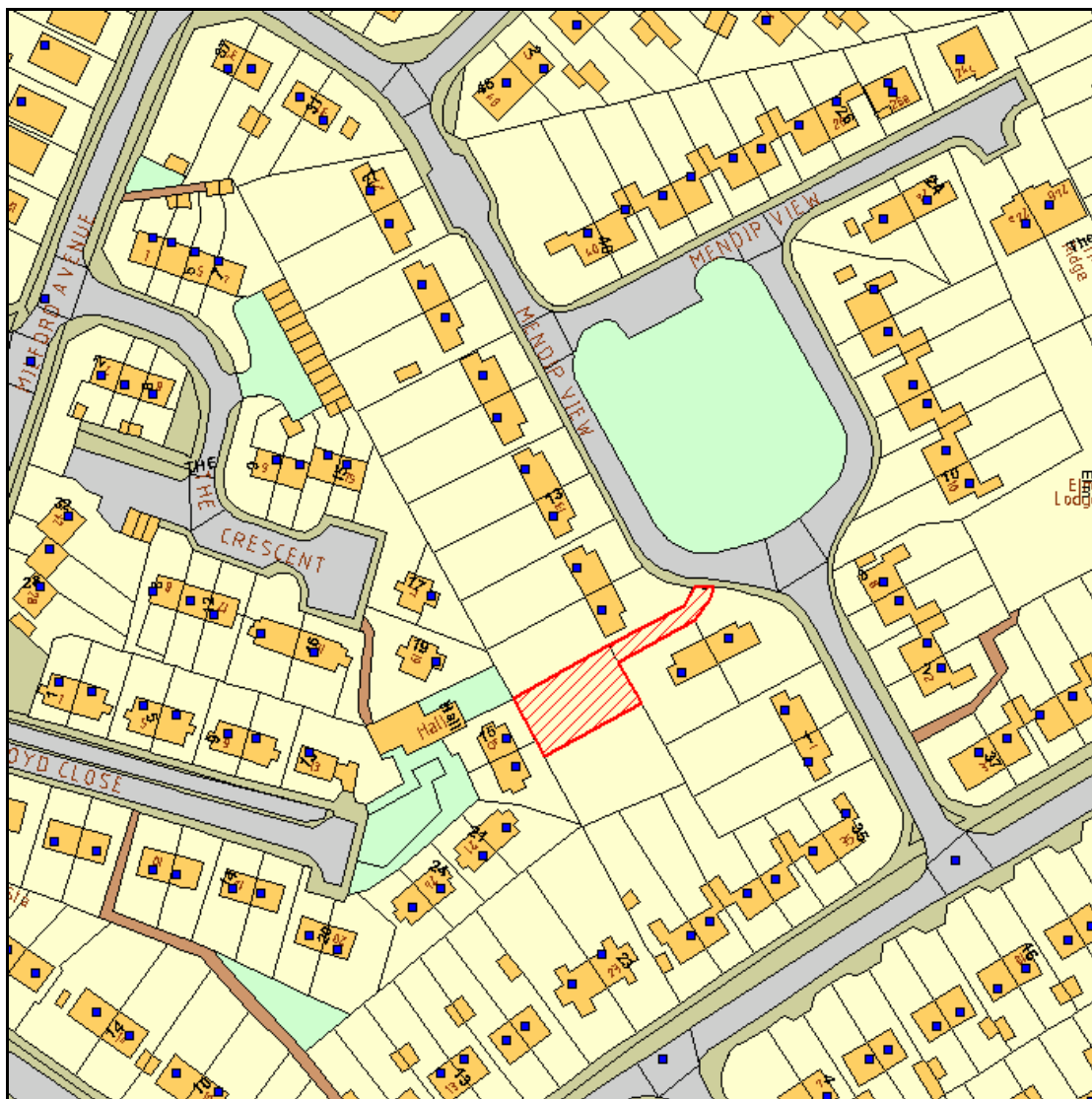
10. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor windows on the north elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed'..

Reason

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

CIRCULATED SCHEDULE NO. 49/11 – 15 DECEMBER 2011

App No.:	PK11/3286/F	Applicant:	Mendip Developments Ltd
Site:	Land Adj To 7 Mendip View Wick Bristol South Gloucestershire BS30 5PX	Date Reg:	18th October 2011
Proposal:	Erection of 1no. dwelling with access and associated works.(Re-Submission of PK11/2795/F)	Parish:	Wick And Abson Parish Council
Map Ref:	370106 173095	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	9th December 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The application site is situated within a post war residential estate in Wick village. The site is bounded by residential development to the north and west with a new detached dwelling under construction to the east. An allotment garden, which forms part of the garden of 3 Mendip View, abuts the south boundary. The site forms and open disused space mainly laid to grass and containing some fruit trees.

The site is situated within the settlement boundary of Wick and within the Bristol/Bath Green Belt as defined in the adopted Local Plan.

1.2 The application proposes erection of 1no. dwelling with access and associated works. This application is a re-submission of PK11/2795/F.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS7 Sustainable Development in Rural Areas
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
GB1 Green Belts
H4 Development within Existing Residential Curtilages
T8 Parking Standards
T12 Transportation for New Development

South Gloucestershire Core Strategy Pre Submission Publication Draft – March 2010

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Environmental Resources and Built Heritage
CS34 Rural Areas

2.3 Supplementary Planning Guidance/Documents

South Gloucestershire Design Checklist – August 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK11/2795/F Erection of 1no. dwelling with access and associated works.
Withdrawn

4. **CONSULTATION RESPONSES**

4.1 Wick And Abson Parish Council

Objection for reasons:

Over development and need of vehicular access and potential congestion.
General road safety.

4.2 Other Consultees [including internal consultees of the Council]

Sustainable transport – No objection. The initial concerns in relation to the number of parking spaces proposed has been resolved through a revised layout plan demonstrating 3 off street spaces.

Environmental Protection – No objection. Standard informative in relation to construction sites recommended.

Ecological Officer – No objection subject to condition requiring a survey to assess the presence of hedgehogs and reptiles and subsequent mitigation measures if needed.

Other Representations

4.3 Local Residents

5 letters of objection received from the occupiers of 3, 11, 13, 16 Mendip View; 23 Naishcombe Hill raising the following concerns:

- Loss of privacy/overlooking of the rear of no.13, bungalows to the rear and the rear garden of no.3
- Loss of outlook
- Loss of private views of the Mendip Hills, Toghill
- Over development of the plot
- No mention of what will happen to the trees within the site
- Concern in relation to impact on ecology and protected species in particular bats, badgers, hedgehogs, slow worms, birds
- Impact on wildlife in general
- Concern about pressure for on street parking/insufficient off street parking proposed
- The area is already over crowded in relation to on street parking
- The access to the site is on a restricted bend – visibility issues from the access
- Surface water drainage concerns
- The existing foul system is at capacity and the proposal would exacerbate this problem

- Previous concerns raised in relation to withdrawn application PK11/2795/F have not been addressed
- The proposal is not in keeping with the existing buildings in the locality and the character, layout and density of the area
- The proposed house is not on any building line
- The proposed dwelling would be out of scale/bulky/dominate the adjacent dwellings
- The proposal would damage mature trees adjacent to the site
- Additional noise disturbance from new/additional residents

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for erection of infill dwellings within existing curtilages, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy GB1 relates to development in the Green Belt and there is a presumption against development, which does not fall within the limited criteria of appropriate development, which would impact on the openness 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) and landscape protection and protection of landscape features (Policy L1).

The South Gloucestershire Core Strategy Pre-Submission Publication Draft was issued March 2010 and subsequently advocated by the Council on 15 December 2010 and published December 2010. The South Gloucestershire Core Strategy Development Plan Document was considered by the Inspector appointed to hold the Core Strategy Examination in Public and a refreshed Core Strategy that incorporates Post-Submission Changes will be considered by the Council in mid December. Following this decision, it is proposed that the December 2011 Core Strategy incorporating Post-Submission Changes will be publicised for a seven week period ending early 2012. Examination in Public will follow this consultation process. Whilst this document is a material consideration in the determination of planning applications, it will be afforded less weight than the adopted Development Plan at this stage.

5.2 Design

The application site is situated within a post war residential estate originally constructed as Local Authority housing. The area is typified by spar rendered two storey semi detached dwellings fronting onto the roads. The site itself is situated set back from the main street frontage. The land to the east of the site has been developed to provide a two storey detached dwelling of modern design. The dwelling under construction is situated in line with no.7 Mendip View. The proposal would be positioned within the plot in line with the dwelling under construction. Although the dwelling would be situated set back from the street and behind the street frontage, it is considered that the position of the dwelling would not be incongruous or harmful to the character of the area. The new dwelling would be of modern design and the roofing and external facing

render used in construction would reflect the adjacent dwelling and be similar to other dwellings on Mendip View, which have updated the original spar render to a modern render finish. The dwelling would be larger in footprint than other dwellings in the street but the front elevation, would not appear significantly larger in scale than other dwellings in the locality. In a position set back from the highway, the front elevation only would be clearly visible from public vantage points, however due to the location set back from the street frontage the dwelling would not be visually prominent. The design, materials, scale and form of the dwelling would not be significantly dissimilar to other dwellings in the locality. As such it is considered that the proposal would be in keeping with the character of the adjacent dwellings and would respect the character distinctiveness and amenity of the surrounding area. The proposal would provide measuring 192m² in size. This is considered to be a generous garden size, commensurate to the dwelling type as a family home. Additionally, on this basis it is considered that the proposal would not represent over development. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

A number of fruit trees are situated within the site. The trees by virtue of their species and position set back from the street frontage are considered not to benefit from a high amenity value and as such the loss of these trees would not have a detrimental impact on the character, distinctiveness, quality and amenity of the surrounding area. A condition is recommended to ensure a landscape scheme is submitted for approval this scheme will enable the Council to control the number and type of trees to be removed and ensure suitable replacement where applicable. As such it is considered that the design of the proposal accords with the criteria of Policy L1. Concern has been raised by a resident that the proposal could result in damage to tree roots of trees situated adjacent to the site. Trees within and adjacent to the site are not protected by TPO. The proposed landscape condition will retain control to ensure protection of any trees worthy, within or adjacent to the site.

5.3 Residential amenity

The proposal would incorporate no first floor windows in the north east elevations of the dwelling other than one high level rooflight, situated a minimum of 1.8m above finish floor level. A condition is recommended to retain control over the insertion of further windows at first floor level or above. The north east elevations of the dwelling would have the same protection by condition. The proposal would incorporate a bathroom window in the north east elevation, which would be subject to a condition requiring obscured glazing, and a bedroom window in the north east gable situated 1.2m from the side gable of the dwelling under construction. Two rooflights would be situated on the south east elevation. The rooflights would be situated approximately 40m from the dwellings to the south and 37m from the dwellings to the east (nos 1 and 3). Concern has been raised from the occupier of no.3 that the proposed windows in the south east elevation would overlook the area of land to the south of the application site, which is used as garden in relation to no.3. The area of land in question appears to be used as a domestic allotment. The main useable garden area associated with no.3 including the maintained garden and patio are situated adjacent to the rear elevation of the house some

35m from the proposed dwelling. The proposal would be situated 17.5m from the rear elevations of the bungalows to the south west of the site. Considering all of the above factors the proposal is considered not to result in a material loss of privacy/create material overlooking to the neighbouring occupiers, to the north east, east, south east and south.

The applicant has provided a section showing the distance and relationship of proposed windows in the south west elevation with the existing bungalows to the rear. The plan adequately demonstrated that due to the distance between the dwellings and the existing hedge on the rear boundary, in addition to the fall in ground level from the application site to the bungalows, the proposal would result in no material loss of amenity to the occupiers of the dwellings to the south west in terms of loss of privacy/overlooking, loss of daylight/sunlight, overshadowing or overbearing/bulky development.

The proposal would be situated 1.6m forward of the first floor windows of the new dwelling to the east at a distance of 2m from the nearest first floor bedroom window in the front elevation which is considered to be sufficient distance for there to be no significant impact on the first floor bedroom window of the adjacent dwelling. The ground floor front elevation of the dwelling under construction would be situated flush with the front north east elevation of the proposal. It is therefore considered that there would be no significant resultant loss of daylight/sunlight, overshadowing or overbearing/bulky development to the adjacent dwelling.

The dwelling would be situated sufficient distance from the neighbouring dwellings to the south, south west, north east and south east for there to be no significant resultant loss of daylight/sunlight, overshadowing or overbearing/bulky development.

The proposal would result in an increase in activity within the site through future occupation as a single dwelling. This activity would not be materially different to other family dwellings in the immediate area. As such the proposal would not result in material harm in relation to noise impact.

5.4 Green Belt

Policy GB1 of the adopted Local Plan in accordance with Government advice contained in PPG2 identifies limited categories of development for which permission can be given. Development that falls outside the limited categories as specified in policy GB1, will be considered inappropriate development and there is a general presumption against inappropriate development within the Green Belt. One of the limited categories of appropriate development for the construction of new buildings is, limited infilling within the boundaries of settlements as defined in the adopted Local Plan.

The proposal would provide a single dwelling, which would sit comfortably within the existing linear settlement pattern on Mendip View. The proposal would have limited visual impact when viewed from the highway. Although the Green Belt washes over Wick village, the site is situated entirely within a suburban and built up residential context. The proposal is therefore considered

to represent a limited infill and as such is considered to represent appropriate development in the Green Belt.

The proposal is situated within a suburban context and in terms of the openness of the Green Belt as an infill plot the existing situation is considered not to benefit from significant openness with the surrounding area being typified by an urban character and being entirely built up. Additionally, the existing site is enclosed by closely associated dwellings. It is therefore considered that the proposal would have limited additional impact on the openness of the Green Belt. For these reasons and the reasons as outlined in par 5.2, it is also considered that the impact on the visual amenity of the green belt will be limited. The proposal is therefore considered to accord with policy GB1 of the adopted Local Plan.

5.5 Highway matters

The proposal would provide a turning area within the site and parking for 3 cars off street. The parking and turning to be provided is considered to be acceptable in the interest of highway safety and in accordance with the Council's adopted parking standard. The access onto Mendip View benefits from adequate visibility on both near and off side and is situated within a built up context where the road is not straight and as such vehicle speeds are limited. The proposed access is therefore considered to be acceptable in the interest of highway safety.

5.6 Ecology

The application does not include any ecological information.

Domestic gardens provide good habitat for a variety of wildlife, including hedgehogs and slow-worms.

Slowworms are protected under the Wildlife & Countryside Act 1981 (as amended) and CROW Act 2000. They are also listed on the South Gloucestershire Biodiversity Action Plan as a species for which the Council will require specific measures to conserve and enhance populations.

Additionally, hedgehogs are a Priority Species nationally and included on both the UK and South Gloucestershire Biodiversity Action Plans.

Given this, the site should be surveyed for the two species and any protected or other species recognised in the Biodiversity Action Plan. 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 (if approved). Given that the appropriate field survey months are now past this should form the basis of an appropriately worded planning Condition. The condition would require a survey to be carried out prior to commencement of development to ascertain the presence of hedgehogs and reptiles. If found, a mitigation strategy will be required for submission and approval prior to commencement. The recommendations of the strategy will then be incorporated into the construction process.

5.7 Other issues

Concern was raised that the proposal would result in the loss of private views of the Mendip Hills and Toghill. The planning system operates in the public interest and as such protection of private interests such as a private view can be afforded only limited weight. The loss of these private views would not be significant enough as planning considerations to outweigh the benefits of the scheme as outlined in this report.

Concern has been raised that the proposal may result in a detrimental impact in relation to surface water disposal. A condition is recommended to require details of a Sustainable Drainage System (SuDS) to be submitted for approval. This will include provision of a sustainable method of surface water management and disposal. The Council's Drainage Engineer has raised no objection to the scheme subject to this requirement. It is considered that adequate surface water disposal can be achieved and as such, subject to this condition, the proposal would result in no detrimental impact in relation to surface water disposal. Concern has also been raised in relation to the existing foul drainage system. The applicant has indicated that foul drainage will be managed through the main infrastructure, which accords with the preferred option of foul waste disposal as outlined in the sequential test attached to Circular 3/99 (Planning requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development). Beyond this, the technical suitability of the connection would be a matter for Building Regulations or the controls imposed by the relevant water/waste operator.

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 outline permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.
 - a) Due to its scale, design and position in relation to the adjacent dwellings, the dwelling is considered not to give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords to Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) It has been assessed that the proposed dwelling would be laid out, designed and scaled to respect and maintain the massing, scale, proportions and character of the street scene and surrounding area. The development therefore accords with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

- c) The proposal is considered to represent limited infilling and as such is considered to represent appropriate development in the Green Belt. The proposal would have no detrimental impact on openness or the visual amenity of the Green Belt. The development therefore accords to Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposal would provide adequate visibility at the new access and sufficient turning and parking within the site in accordance with the Council's adopted standard. The development therefore accords to Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- e) This decision would incorporate controls to ensure that protected species and species recognised in the South Gloucestershire Biodiversity Action Plan are not materially harmed. The development therefore accords to Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 Consent is GRANTED subject to the conditions below.

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

5. Any trees or plants shown on the approved landscaping scheme to be planted or retained 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 of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason

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

6. No development shall commence until the site has been surveyed by a suitably qualified person for the presence of reptiles and hedgehogs or other protected species. The content of the survey, including the time of year at which the survey was carried out, shall be agreed in writing with the Local Planning Authority prior to commencement of development. If reptiles and/or hedgehogs or other protected species are found to be present, a mitigation strategy shall be drawn up. The mitigation strategy shall be submitted to and agreed in writing with the Council prior to commencement of development to safeguard the species present on site. The development shall be implemented in strict accordance with the approved strategy.

Reason

To ensure the development is carried out in an appropriate manner and in the interests of the protection of ecology outlined in the South Gloucestershire Biodiversity Action Plan and species protected under the Wildlife & Countryside Act 1981 (as amended) and CROW Act 2000 and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. No windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor or above of any of the the north west and north east elevations of the dwelling.

Reason

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

8. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor window on the north east elevation, annotated as 'obscure glazed shower room window' on drawing no. 1547.08 received 17.10.2011 shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

9. 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 L17, L8 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

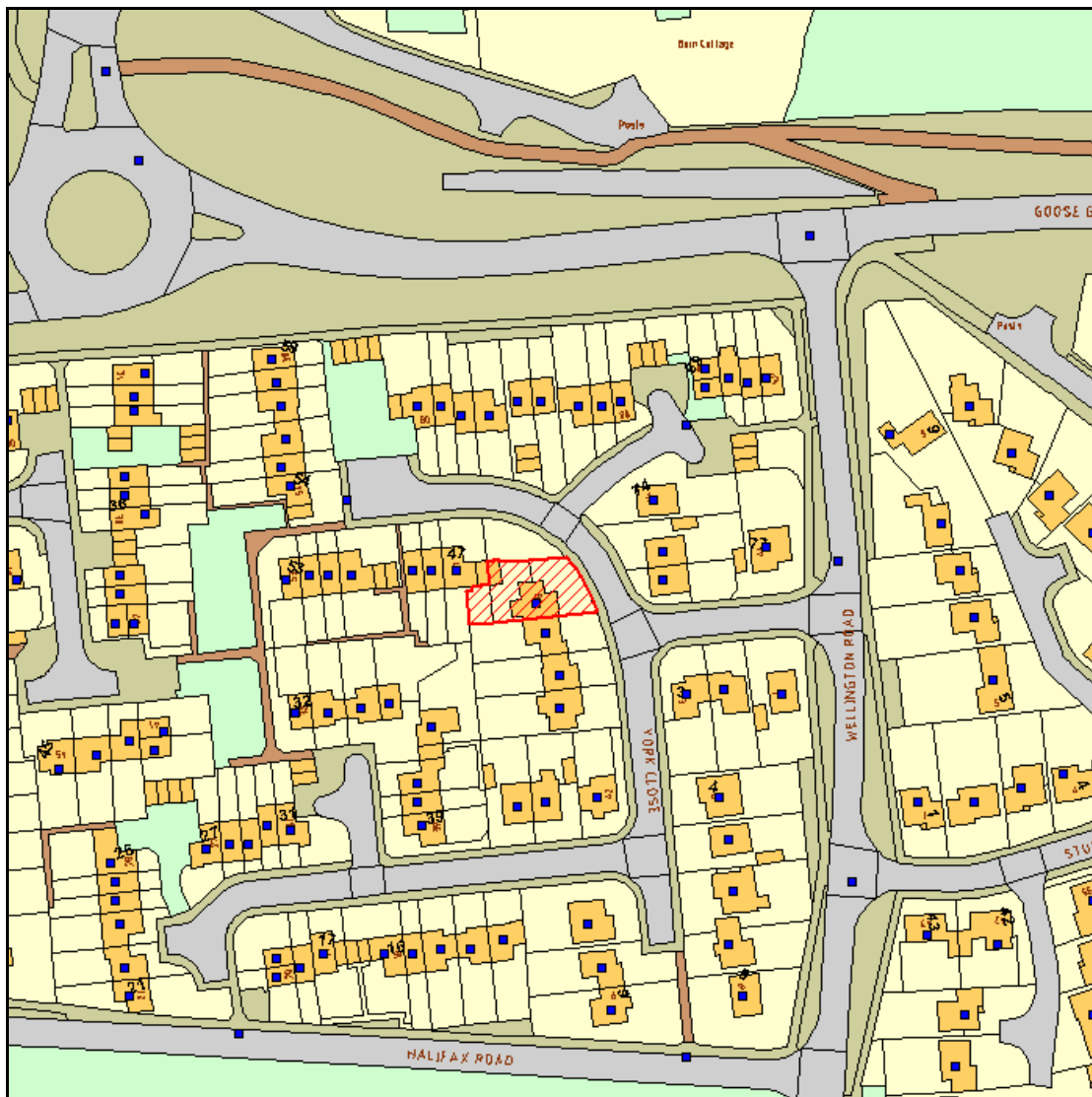
10. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

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.

CIRCULATED SCHEDULE NO. 49/11 – 15 DECEMBER 2011

App No.:	PK11/3378/F	Applicant:	Mr I Woodruff
Site:	46 York Close Yate South Gloucestershire BS37 5XB	Date Reg:	27th October 2011
Proposal:	Erection of two storey and single storey side extension to form garage and additional living accommodation.	Parish:	Yate Town Council
Map Ref:	371104 183630	Ward:	Yate North
Application Category:	Householder	Target Date:	21st December 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule as comments are contrary to officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two-storey side and single storey front extension and rear dormer to form a garage and additional living accommodation.
- 1.2 The application site relates to a two-storey end of terrace modern dwellinghouse situated within the established residential area of Yate.
- 1.3 During the application revised plans were received showing an amended curtilage for the dwellinghouse.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

South Gloucestershire Core Strategy, Submission Draft (December 2010)
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 P93/1150 Erection of single storey rear extension to provide kitchen extension and dining room
Approved 28th February 1993
- 3.2 PK03/2047/F Erection of detached shed
Approved 12th August 2003

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection subject to the second storey window being obscured

Other Representations

- 4.2 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

The existing dwellinghouse is of dark brick with dark roof tiles and benefits from white uPVC windows. A previous extension comprising conservatory and lean-to extension to the kitchen extend into the rear garden.

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

Two storey side extension

The proposed two storey side extension will incorporate an existing attached single garage and will run for approximately 7.1 metres, to where the rear wall of the garage currently ends. The two storey element will be stepped back from the building line of the main dwellinghouse making it subservient to the property. A door in its west elevation will provide access into the rear garden. Materials used in its construction will match those of the existing dwellinghouse and the roof will be suitably subservient to the main dwellinghouse. Given the scale, design and proposed materials, the development is considered to be appropriate to the main dwellinghouse and the character of the area in general.

Single storey front extension

The proposed front extension will create a porch over the front door, the roof of which will continue across the front of the extension to the garage. Materials used in its construction will correspond to those of the main dwellinghouse.

Rear dormer window

The proposed rear dormer will be of a bonnet style. Other examples of bonnet type roof decorative features can be seen in the area. The proposal is modest in size and dimension in relation to the main dwellinghouse.

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

5.3 Residential Amenity

The existing dwellinghouse has a large detached workshop within the rear garden and a large shed/summer house. Although this makes the space remaining quite small the proposed development would not impact on the rear garden space as it would retain the existing rear footprint and only extend out towards the front.

Two storey side extension

The closest neighbour at No. 47 York Close is side on to the application site and further screened from it by an existing shed/summerhouse located in the northwest corner of the applicant's garden.

Given that the application site has existing first floor windows it is judged that the proposed extension would not adversely affect the main living spaces of No. 47 York Close its nearest neighbour.

Single storey front extension

The front extension would bring the opening to the single integral garage only approximately 1 metre closer to the main highway. In view of this it is considered that there are no concerns relating to loss of daylight/sunlight and sufficient garden space will remain to serve the property.

Rear dormer window

The proposed bonnet roof dormer will face out onto the rear garden of the application site. Its nearest neighbour at No. 47 York close is side on to the application site and has a landing window in its east elevation facing the application site. As a result it is considered there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space will remain to serve the property.

The impact on residential amenity is subsequently deemed acceptable.

5.4 Transportation Issues

The existing dwellinghouse has an attached single storey garage and off-street parking for two cars. The proposed development would not impact on the existing parking provisions. In this way the development accords with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

5.5 Other matters

Other examples of second storey dormer windows can be seen in the area and officers consider that it would be both unreasonable and unnecessary to request that the second storey dormer window be of obscure glazing.

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 two-storey side and single storey front extension and rear dormer to form a garage and additional living accommodation is considered to be in-keeping with the overall character of the dwelling and surrounding area in terms of its scale, design and the materials used. Furthermore, the existing level of residential amenity afforded to neighbouring properties is protected. As such the proposal accords with Policies D1, H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 49/11 – 15 DECEMBER 2011

App No.:	PT11/3154/F	Applicant:	Mr A Jones
Site:	The Coach House Pilning Street Pilning South Gloucestershire BS35 4HL	Date Reg:	4th October 2011
Proposal:	Erection of 1 no. stable block	Parish:	Olveston Parish Council
Map Ref:	358419 185924	Ward:	Severn
Application Category:	Minor	Target Date:	23rd December 2011



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 100023410, 2008. **N.T.S.** **PT11/3154/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1 no. stable block.
- 1.2 The application site is a farmstead situated in flat, open countryside outside the Pilning settlement boundary and in the Bristol and Bath Green Belt. Planning application PT06/2977/F for the erection of a stable block and covered horse exerciser was refused for the following reasons:
 - i) The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, Policy GB1 of the South Gloucestershire Local Plan (Adopted) and Policy 16 of the Joint Replacement Structure Plan (Adopted).
 - ii) It is considered that the applicant has failed to demonstrate, in support of this large new structure, that there are no existing suitable underused buildings available and capable of conversion available contrary to Policy E10 (e) of the South Gloucestershire Local Plan (Adopted).
 - iii) It is considered that the proposed development by reason of its size and bulk would have a detrimental impact upon the character and visual amenity of the site and the locality appearing visually intrusive contrary to Policy D1 and GB1 of the South Gloucestershire Local Plan (Adopted).
 - iv) The site is located within Flood Zone 3 as defined in PPG25. As such the proposed building would be at high risk from flooding. No Flood Risk Assessment has been submitted that demonstrates otherwise. In accordance with Policy 24 of the Joint Replacement Structure Plan, Policy EP2 of the South Gloucestershire Local Plan (Adopted) and PPG25 such development cannot be permitted.
- 1.3 The proposal was then taken to appeal by the applicant and the Local Authority's decision upheld on the basis that although the proposed use would not be inappropriate in Green Belt terms, the size, scale and location of the proposed building would be harmful to the 'openness' of the Green Belt. This was the only refusal reason upheld by the Inspector. The proposed development was found acceptable in all other aspects.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS7 Sustainable Development in Rural Areas
PPS24 Development and Flood Risk
Draft National Planning Policy Framework

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
E10 Horse Related Development
EP1 Environmental Pollution
EP2 Flood Risk and Development
GB1 Development within the Green Belt
L1 Landscape Protection and Enhancement
T12 Transportation Development Control Policy for New Development

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

Development in the Green Belt (2008)
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/2515/F - Erection of detached dwelling to include double garage. Erection of stable block and covered horse exerciser on 0.25 hectares of land. Refused.
- 3.2 PT06/2977/F - Erection of stable block and covered horse exerciser. Refused – Appeal dismissed.
- 3.3 PT07/1719/CLE - Application for Certificate of Lawfulness for use of building as a single dwelling house. Approved.

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

Objects as it considers the application is still too large and inappropriate.

4.2 Other Consultees

Drainage

No objection.

Transportation

No objection.

Other Representations

4.3 Local Residents

No response.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

National Government advice in PPS7 (Planning Policy Statement 7: Sustainable Development in Rural Areas) supports equine development, which maintains environmental quality and the character of the countryside. This is reiterated through Policy E10 and L1 of the South Gloucestershire Local Plan, which gives provision for horse related development such as stables, field shelters and riding schools, outside of settlement boundaries. This is on the basis that there is; no unacceptable environmental effects, no adverse impacts on residential amenity; adequate vehicular access and parking provision and the design of buildings, number of horses and size of the site should have proper regard to the safety and comfort of horses.

The site is also located in the open Green Belt and PPG2 allows for this type of development under the category of 'essential facilities for outdoor sport and recreation'.

5.2 Green Belt

The application proposes some key differences to the previously refused PT06/2977/F application. These are as follows:

- The provision of a horse exerciser has been omitted from the scheme
- The number of stables has been reduced from 15 to 10
- The siting of the building has been switched from the eastern side of the site to the west, closer to the buildings associated with Poplar Farm
- The footprint of the building has been reduced from 560 sq metres to 298.5 sq metres
- The height of the building has been reduced from 4.9 metres to 4.2 metres

It is considered that the proposed building in its improved location is now of a suitable size and scale that would not harm the openness of the Green Belt. PPG2 cites the keeping of 10 horses as being 'small scale' and the omission of the horse exerciser and overall reduction in footprint and height of the proposed stables is considered to have addressed the Inspector's concern raised in respect of application PT06/2977/F.

5.3 Character and Appearance

The building is to be finished in green sheeting on the roof with render walls and timber doors and windows giving the building an acceptable rural appearance. The building would be similar in character to the nearby agricultural and stable buildings and in view of this the proposal complies with Policies D1 and E10 of the Local Plan.

5.4 Flood Risk

The applicant has submitted a Flood Risk Assessment (FRA), which demonstrates that the proposed development is a 'less vulnerable use' within flood zone 3A. The FRA indicates that the proposal would be acceptable subject to management measures, contained within the FRA, being implemented such as sustainable drainage, sustainable design of the building and an emergency plan. The proposal is therefore acceptable in this regard subject to a condition.

5.5 Residential Amenity

The proposal would have no adverse impact in terms of residential amenity on the nearest dwelling at Poplar Farm.

5.6 Comfort of Horses

The applicant's site extends to 2.8 hectares and it is understood that there is access to nearby ménages. Given the site's rural location in the open countryside there are also nearby quiet lanes and bridleways and so it is considered criteria D and F of Policy H10 are satisfied.

5.7 Transportation

It is considered that the proposed stables are small in scale and would not generate a significant amount of additional traffic movements. In any case, the access to and from the site is good and although no livery is proposed it is considered the site could accommodate either full or partial/DIY livery without prejudicing highway safety.

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 stables would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policies D1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the surrounding area and would not harm the openness of the Green Belt. The development therefore accords to Policies D1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006, Development in the Green Belt (2008) and the South Gloucestershire Design Checklist SPD (Adopted) 2007.
- c) The proposal would not have any unacceptable environmental or transportation effects and would have proper regard to the safety and comfort of horses. The development therefore accords to Policies EP2, T12 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

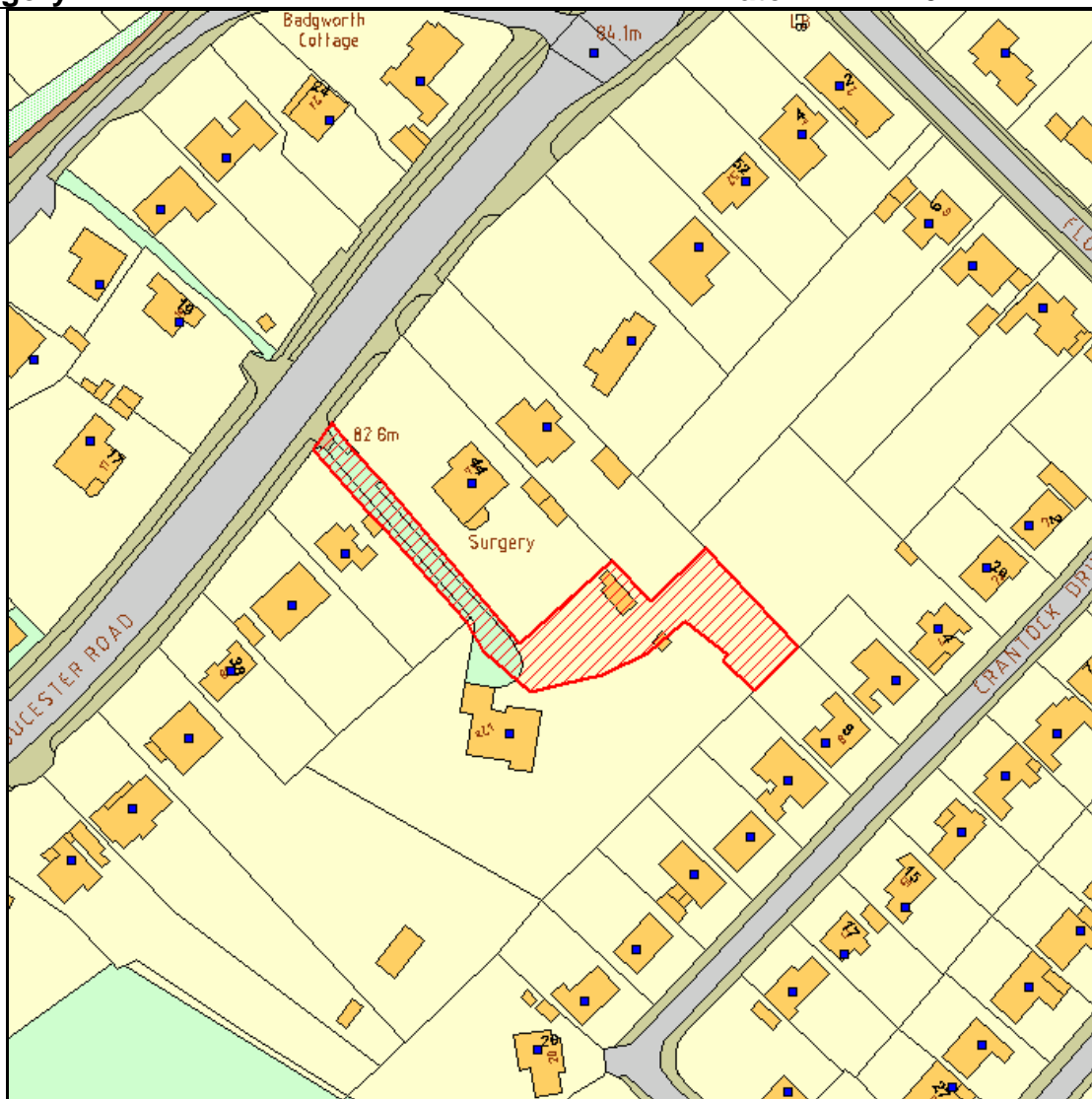
2. No development approved by this permission shall be commenced until such time as a scheme for incorporating flood resilience has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 49/11 – 15 DECEMBER 2011

App No.:	PT11/3373/F	Applicant:	M F Freeman Group
Site:	Land Adjacent To 42A Gloucester Road Almondsbury Bristol South Gloucestershire BS32 4HA	Date Reg:	7th November 2011
Proposal:	Erection of 1 no. dwelling with access and associated works (alterations to Plot 1 as approved by application PT10/0468/RM).	Parish:	Almondsbury Parish Council
Map Ref:	360921 184173	Ward:	Almondsbury
Application Category:	Minor	Target Date:	30th December 2011



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 100023410, 2008. **N.T.S.** **PT11/3373/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1 no. dwelling with access and associated works (alterations to Plot 1 as approved by application PT10/0468/RM).
- 1.2 The application site relates to 'Plot 1' of an already approved residential development comprising of four contemporary detached dwellings. The applicant seeks to make some amendments to Plot 1 consisting of:
 - the addition of a first floor above the garage that adjoins the front elevation
 - changes to fenestration on the south, west and north elevations
 - change in external materials from red brickwork, red clay roof tiles, white render and timber cladding to blue brickwork and roof tiles, white render and stone and metal cladding
 - addition of 3 rooflights on north elevation

2. POLICY CONTEXT

2.1 National Guidance

PPS1:	Delivering Sustainable Development
PPG2:	Green Belts
PPS3:	Housing
PPG13:	Transport
PPG24:	Planning and Noise

2.2 Development Plans

Joint Replacement Structure Plan (Adopted) September 2002 (Saved Policies)

Policy 1:	Sustainable development objectives
Policy 2:	Location of development
Policy 16:	Green Belt
Policy 33:	Housing provision and distribution

South Gloucestershire Local Plan (Adopted) January 2006

D1:	Achieving Good Quality Design in New Development
H2:	Residential Development within Defined Settlement Boundaries
H4:	Development within Existing Residential Curtilages
H6:	Affordable Housing
GB1:	Development within the Green Belt
L1:	Landscape Protection and Enhancement
L5:	Open Areas within the Existing Urban Area
EP1:	Environmental Pollution
T12:	Transportation Development Control Policy for New Development

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Development within the Green Belt SPD (Adopted) 2007
South Gloucestershire Trees on Development Sites SPG (Adopted) 2005
- 2.4 Emerging Policy
South Gloucestershire Core Strategy (Pre-Submission Publication Draft) March 2010
Draft National Planning Policy Framework

3. **RELEVANT PLANNING HISTORY**

- 3.1 P90/2844 Erection of detached bungalow; alterations to pedestrian and vehicular access (Outline).
Approved 10 January 1991
- 3.2 P95/1100 Erection of detached bungalow (Outline).
Approved 30 March 1995
- 3.3 P99/2537 Erection of detached bungalow (outline).
Approved 29 October 1999
- 3.4 PT02/2844/O Erection of 4 dwellings (outline).
Approved 30 December 2003.
- 3.5 PT08/2089/O Erection of 4 dwellings (outline).
Approved 29 August 2008
- 3.6 PT10/0468/RM Erection of 4 dwellings (reserved matters)
Approved 6 May 2010
- 3.7 PT10/1656/F Erection of 3 dwellings
Refused 1 November 2010 (appeal dismissed)

4. **CONSULTATION RESPONSES**

4.1 Almondsbury Parish Council

No objection raised.

4.2 Other Consultees

Transportation

No objection.

Landscape

No objection.

Urban Design

No objection.

Tree Officer

No objection.

Other Representations

4.3 Local Residents

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

- increase in size, scale and mass of proposed development
- work on site has commenced and construction hours condition is being breached
- adverse impact upon neighbouring amenity

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The outline planning permission (PT08/2089/O) and subsequent 'reserved matters' application (PT10/0468/RM) has established that the principle of four new dwellings on this site would be acceptable. This was because the development would be situated within the Almondsbury settlement boundary, and the curtilage of an existing dwelling. Therefore, in view of policies H2 and H4 of the adopted local plan, the 'principle' of residential development in this location would be acceptable. The 'reserved matters' application subsequently agreed the siting, access, appearance and scale of the development. This planning application will therefore only assess the proposed changes, as outlined in section 1.2 of this report.

5.2 Green Belt

The outline planning permission identified that the erection of four dwellings would constitute limited infilling, and thus would be classified as 'appropriate development' within the Green Belt. Officers reached this conclusion because the site is surrounded by residential development and therefore would constitute infilling. The first floor addition is considered to be a modest addition that would be proportionate in Green Belt terms, and not harm the 'openness' of the Green Belt. The proposal therefore complies with Policy GB1.

5.3 Residential Amenity

The first floor extension would be located on the north west facing elevation of Plot 1 and proposes 3no. rooflights. To the north of the proposed development there are two dwellings (Nos. 44 and 46 Gloucester Road). The proposed development would be detached from these properties by approximately 28m.

It is considered that this distance would be sufficient to prevent any material overbearing effect, or loss of privacy.

5.4 Moreover there was outline planning permission within the gardens of these properties for 2no. two storey dwellings (PT06/2697/O). However this permission expired on the 8th November 2010 without Reserved Matters consent being granted. On this basis, it is not pertinent to consider the relationships between the proposed and expired developments. Nevertheless, it is considered that that the adjacent development demonstrates that two storey development has been allowed in the vicinity of the application site.

5.5 In conclusion, Officers are satisfied that the orientation and design of the proposed development, coupled with the distances separating it from the surrounding residential development, would mitigate any material overbearing effect or loss of privacy. On this basis it is concluded that the proposed development would accord with policies D1, H2, and H4 of the adopted Local Plan.

5.6 Design

It is considered that the proposed extension in size of plot 1 would be acceptable. The extension is subservient and follows the existing roof pitch. The materials to be used are also considered acceptable and will ensure the contemporary appearance of the dwelling is retained. The addition of rooflights and alterations to fenestration are considered to be acceptable and the Council's Urban Design officer raises no objection to the scheme.

5.7 Transportation

The proposed development would have no impact upon the agreed access and would not prejudice highway safety.

5.8 Planning Conditions

An application for the discharge of planning conditions associated with the outline permission (PT08/2089/O) is currently being assessed by South Gloucestershire Council and is close to being agreed. This leaves the two conditions attached to the reserved matters permission in respect of removing 'permitted development' rights for new openings and tree protection measures being installed on site, that must be carried on to this decision notice. A construction hours condition was on the outline consent and this will also be carried over to protect residential amenity.

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 proposed residential development would be situated within the Almondsbury settlement boundary and within the curtilage of an existing dwelling. It is considered that this is an appropriate area for residential development. It is therefore considered that the principle of the proposed development would accord with PPS3 and policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- b) The proposed development would fall within the definition of 'limited infilling' and thus would constitute an appropriate development within the Green Belt. The proposed development would accord with PPG2 and the policies GB1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- c) The design and landscape impact of the proposed development has been fully assessed. It is considered that the development would achieve good standards of siting planning and design. This is because the siting, overall layout, density, form, scale, height, massing, detailing, materials, are informed by, and respect and enhance the character and appearance of the site and locality. The proposed development would therefore accord with PPS3 and policies D1, L1, 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 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 proposal would have satisfactory access and parking arrangements. The proposed development would therefore accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

7. **RECOMMENDATION**

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

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

2. No development shall commence until all tree protection measures have been installed on the site in accordance with the submitted Arboricultural Assessment Report (as received by the Council on 4th November 2011).

Reason

In order to protect the character and amenity of the site and the surrounding locality and to accord with Policy D1 and L1 of the South Gloucestershire Local Plan; and the South Gloucestershire Design Checklist (Adopted) SPD.

3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows, dormer windows, or rooflights other than those expressly authorised by this permission shall be constructed.

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.

4. The hours of working on site during the period of construction shall be restricted to 07.30 hours to 18.00 hours Mondays to Fridays and 07.30 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.

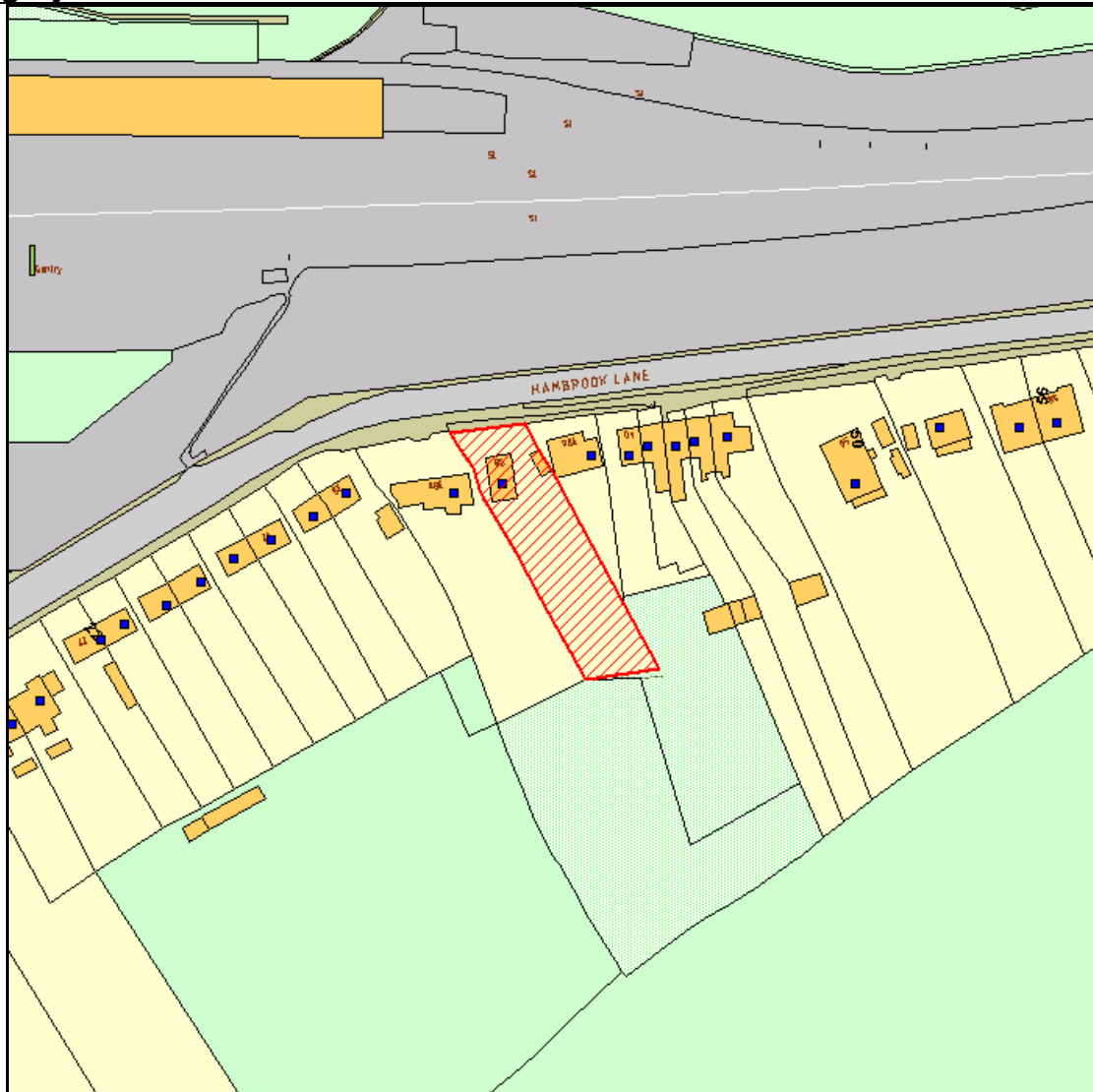
Reason

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

ITEM 6

CIRCULATED SCHEDULE NO. 49/11 – 15 DECEMBER 2011

App No.:	PT11/3460/F	Applicant:	Mr P Alan
Site:	38 Hambrook Lane Stoke Gifford Bristol South Gloucestershire BS34 8QD	Date Reg:	4th November 2011
Proposal:	Erection of two storey side extension to form integral garage and provide additional living accommodation; construction of balcony to rear elevation and construction of terracing in rear garden (retrospective) (Re-submission of PT11/2682/F).	Parish:	Stoke Gifford Parish Council
Map Ref:	362867 179504	Ward:	Frenchay And Stoke Park
Application Category:	Householder	Target Date:	28th December 2011



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100023410, 2008. **N.T.S.** **PT11/3460/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because objections have been received from the Parish Council and neighbouring occupiers contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey side extension to provide additional living accommodation. Permission is also sought for raised terracing to the rear of the property. Development has already started, therefore, the application is partly retrospective.
- 1.2 The application site comprises a two-storey detached property situated on the northern side of Hambrook Lane. The site is located within the open Green Belt outside the defined settlement boundary. The northern boundary forms the limits of the Green Belt and settlement boundary.
- 1.3 The application is a resubmission of application PT11/2682/F, which was refused for the following reason:

The application site is located in the Bristol/Bath Green Belt and the proposed extension is considered to be disproportionate to the original dwellinghouse in terms of its scale and appearance. Therefore, the proposal does not fall within the limited categories of development, which is normally considered to be appropriate in the Green Belt. The applicant has not demonstrated that very special circumstances apply such that the normal presumption against development within the Green Belt should be overridden. The proposal is therefore, contrary to the provisions of PPG2 and policies GB1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006; and the South Gloucestershire Development in the Green Belt SPD (adopted) January 2006.

The scale, form, design and overall appearance of the extension proposed is out of keeping with the character of the host dwelling and surrounding properties and would have a detrimental impact on the visual amenity of the surrounding area. The proposal is therefore, contrary to policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
GB1 Development in the Green Belt
H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/3654/F, demolition of existing dwelling to facilitate the erection of 2no. dwellings. Construction of new vehicular access with associated works, refusal, 06/02/07.
- 3.2 PT11/2682/F, erection of two storey side extension to form integral garage and provide additional living accommodation. Construction of balcony to rear elevation, refusal, 12/10/11.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Council
Objection (it would appear that there is currently work being undertaken at this property and there is no mention of any terracing on the planning application. There is virtually no difference between the original plans and the modified plans.
- 4.2 Transportation DC Officer
There is no Transportation DC objection to this proposal.

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a neighbouring occupier. The following is a summary of the objections raised:
- Height of the terracing will allow views over fence with views into house and garden;
 - Screens should be retained at ball times on the balcony;
 - Increase in width of drop kerb will restrict the already limited parking space along Hambrook Lane;
 - The rear extension will result in a loss of light to neighbouring property;
 - Request a condition for the terracing to be reduced by approximately 50% from the current height.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning policy GB1 allows for limited extension to properties situated in the Green Belt provided that they do not result in disproportionate additions over and above the size of the original dwelling. The South Gloucestershire

Development in the Green Belt SPD states that extensions under 30% of the volume of the original dwelling will most likely be considered to be acceptable. Extensions over 30% will be carefully considered with particular regard to their design and appearance. Extensions over 50% will most likely be considered to be in excess of any reasonable definition of limited extension and most likely to be viewed as contrary to policies GB1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006. The previous application was refused on the basis that it represented a disproportionate addition to the dwelling. The applicant has provided a volume calculation based on the proposed and existing floor areas of the dwelling, in which the increase is 42% over the floor area of the original dwelling. Whilst this indicates that the proposal represents an increase that is at the top end of what is acceptable in the Green Belt, weight is given to the fact that amendments have been made to reduce the scale, form and massing of the extension to be more in-keeping, and integrate better with the character of the existing dwelling. The amendments to the proposal have lowered the ridge and eaves heights such that the proposal appears more subservient to the existing dwelling. As such, on balance, it is considered that the principle of the proposed extension is acceptable in the context of policies GB1 and H4 of the Local Plan. The terracing is considered to be acceptable development within the Green Belt and will not have a significant adverse impact on the character or openness of the countryside. Therefore, the principle of the development is acceptable subject to considerations regarding its appearance and form (policies D1, GB1 and H4 of the Local Plan), the impact on the neighbouring occupiers (policy H4 of the Local Plan) and the transportation effects (policies T12 and H4 of the Local Plan).

5.2 Appearance/Form

It is considered that the amended scheme is more in-keeping with the character of the existing dwelling than the previously refused scheme. The scale and massing have been reduced and the proposal appears more subservient to the existing dwelling. At 3.5 metres in width and two storeys in height, the proposal is still large, however, it will integrate more acceptably with the character of the existing dwelling compared to the previously refused proposal. In addition, the proposal is approximately 2 metres from the flank boundary and approximately 4 metres from no.38a to the east. Therefore, it is considered that the proposal will not appear adversely cramped to the detriment of the character and visual amenity of the area. The applicant has specified render and tiles for the walls and roof respectively to match the existing dwelling, which is considered acceptable. The balcony proposed from the living room comprises close-boarded privacy screens to restrict side views into the neighbouring properties. Although this design is not ideal, on balance, provided that a suitable material is used for the privacy screens, and on the basis that it will not be prominent from views from the public realm, there is no design objection.

5.3 Residential Amenity

In the previous application, the side extension was considered on balance to be acceptable in terms of the impacts on the neighbouring occupiers. Therefore, there is no objection in terms of residential amenity to this part of the proposal, which has been reduced in scale and massing. It is noted that a neighbouring occupier has objected to the proposal on the basis of loss of light, however, it is considered that the siting of the neighbouring occupier in relation to the host

dwelling, in terms of distance and orientation, is such that any loss of light will not adversely effect the living conditions of the neighbouring occupiers. The privacy screens will restrict permanent view directly into the neighbouring gardens and if permission is granted, a condition is recommended to ensure that they are retained at all times.

5.4 The site slopes steeply down from the front of the site to the rear and a significant area of terracing has been constructed in the rear garden in order to form level amenity space. The terracing is considered to comprise earthworks that constitute development and it has been included in the plans to be considered. Given the topography of the site and the raised nature of the terrace, careful consideration is required with regards to the impact on the neighbouring occupiers. The terracing comprises a high level, which is approximately 0.7 metres above the ground level at the highest point with steps leading down to a lower level terrace, which is also approximately 0.7 metres above ground level at the highest point. The terracing abuts the western flank boundary and is approximately 2 metres from the eastern flank boundary. A wall retains the terracing. The applicants have reduced the height of the terracing by approximately 100mm and have increased the height of the fencing on the eastern boundary; however, it is considered that the terracing will still allow for a level of overlooking into the neighbouring garden, which is unreasonable and will adversely harm the residential amenity of the occupiers. Consideration has been given to the ad hoc siting of the dwellings, the contrasting levels and the relatively close relationship between the dwellings and it is likely that some level of overlooking occurs between the properties; it is noted that the occupiers of no. 38a to the east of the host dwelling also have a raised patio area to the rear of the dwelling. However, the neighbouring terracing is only 3.4 metres in length and does not extend significantly past the rear elevations of the neighbouring properties. In contrast, the proposed terracing extends approximately 16.5 metres beyond the rear elevation of the neighbouring dwelling and past the majority of the length of the neighbouring garden. No.38a has a triangular shaped garden, which is much smaller than the size of the host dwelling and this exacerbates the level of overlooking from the terracing. The applicant has made an effort to reduce the impact of the proposal on the neighbours by submitting amended plans. In addition, to change the situation will require additional effort and money from the applicant since the terracing has already been constructed; however, this cannot be given any weight when considering the proposal. It is considered that the terracing will have an unreasonable impact on the neighbouring occupiers, which will be detrimental to their residential amenity and is therefore, contrary to policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

5.5 Transportation

The objection relating to the impact on parking in Hambrook Lane is noted, however, there is no transportation objection. Parking is proposed in an integral garage, as well as to the front of the dwelling, and this would avoid the occupiers from having to park on street.

5.6 Further Matters

The neighbouring occupier has requested that a condition is applied to the consent to require the terracing to be reduced by 50% from its current height.

However, to permit the terracing at the proposed height subject to the reduction of its height is not considered to be an acceptable approach. Such a condition will be unlikely to pass the six tests for applying conditions in Circular 11/95 and therefore, will not prove sustainable at appeal.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission is **REFUSED** for the erection of terracing in the rear garden of the dwelling for the following reason:
1. The scale of the terracing is such that it will have an unreasonable impact on the privacy of the neighbouring occupiers to the detriment of their residential amenity. The proposal is therefore, contrary to Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- 7.2 Planning permission is **GRANTED** for the erection of a two-storey side extension and rear balcony for the following reasons:
- a) The proposal represents a proportionate addition to the dwellinghouse, which constitutes appropriate development in the Green Belt – policies GB1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006; and the South Gloucestershire Development in the Green Belt SPD (adopted).
 - b) Amendments have been made to the scale, form and massing of the proposal such that it is acceptably in-keeping with the character and appearance of the dwelling and surrounding area – policies D1, GB1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
 - c) On balance, this part of the proposal will not have a significant adverse effect 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.

- d) The proposal comprises provision for off street parking and will not therefore, have a significant adverse impact on the existing parking situation along Hambrook Lane to the detriment of highway safety – policies T12 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. The privacy screens for the rear balcony shall be retained at all times.

Reason

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

2. Within three months of the date of this decision details/samples of external facing materials proposed to be used, including the balcony privacy screens, 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

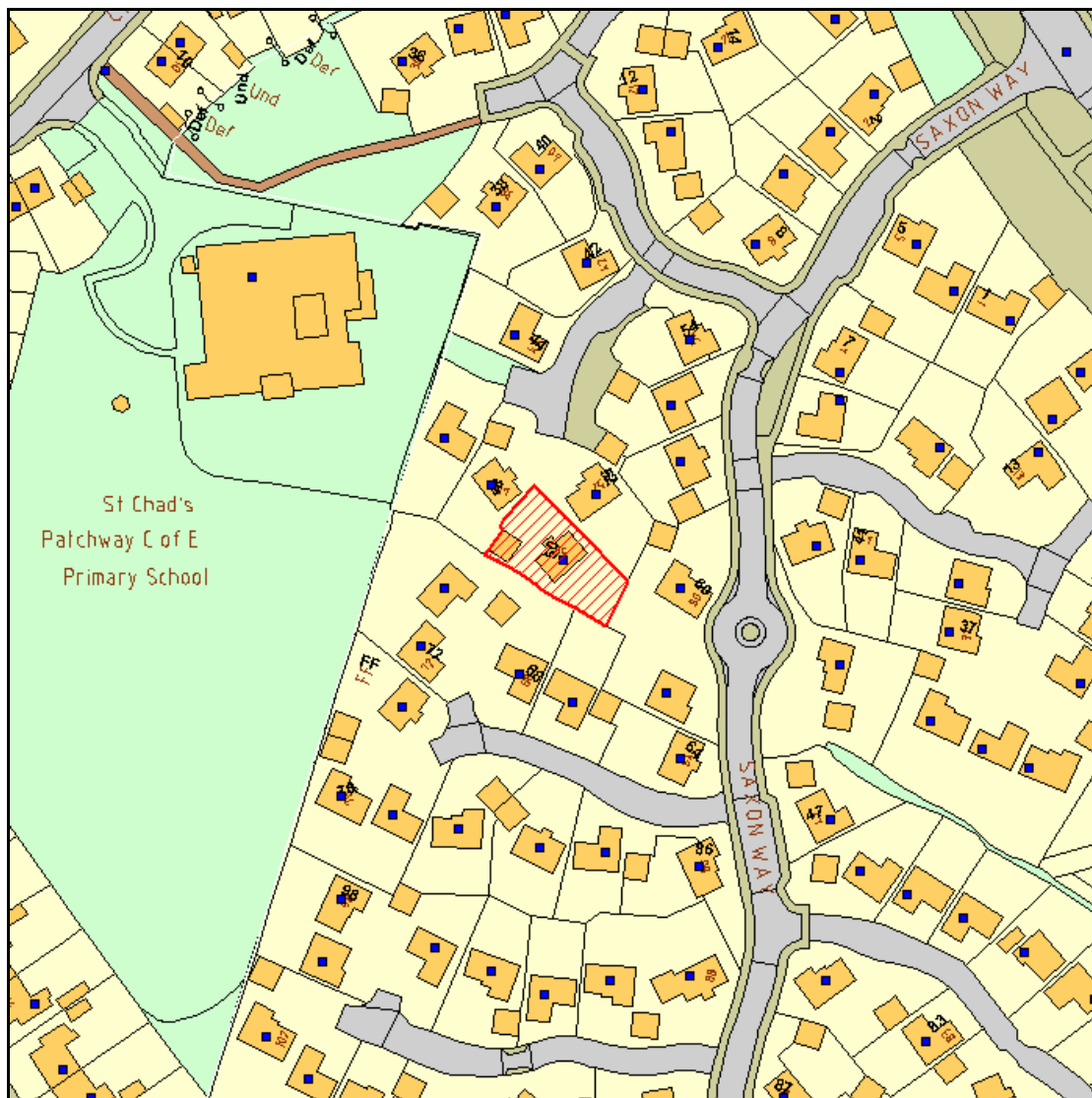
To ensure an acceptable standard of appearance and to accord with policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

REASONS FOR REFUSAL

1. The scale of the terracing is such that it will have an unreasonable impact on the privacy of the neighbouring occupiers to the detriment of their residential amenity. The proposal is therefore, contrary to Policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 49/11 – 15 DECEMBER 2012

App No.:	PT11/3517/F	Applicant:	Mr P Coles
Site:	50 Saxon Way Bradley Stoke South Gloucestershire BS32 9AS	Date Reg:	9th November 2011
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	361185 182212	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Householder	Target Date:	3rd January 2012



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey side extension to form additional living accommodation.
- 1.2 This is a modern detached dwelling located within the established urban area of Bradley Stoke.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG13 Transport
Draft National Planning Policy Framework

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilage
L1 Landscape Protection and Enhancement
T12 Transportation Development Control Policy for New
Development

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Trees on Development Sites (2005)

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection.

4.2 Other Consultees

Tree Officer

No objection subject to condition.

Other Representations

4.3 Local Residents

One letter of objection was received raising the following concerns:

- Loss of visual amenity due to size of proposal, overbearing impact on neighbouring garden and alteration of character
- Loss of privacy
- The extension would be close to mature hedgerow and trees that could be impacted on due to foundations of proposal
- Eaves would overhang onto neighbouring property

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Residential Amenity

Overbearing Analysis

The main consideration in terms of overbearing/loss of light impact is in regard to no. 68 Saxon Way which lies to the south of the host dwelling. No. 68 Saxon Way's rear garden abuts the side boundary of no. 50 Saxon Way to the north, and to the west is a single storey detached garage belonging to no. 70 Saxon Way. To the east is the rear garden of no. 66 Saxon Way. It is considered that the addition of a two storey side extension to no. 50 Saxon Way would not result in an overbearing impact on the occupants of no. 68 Saxon Way. The extension would result in an elevation wall being situated very close to the northern boundary of the garden however it is being attached to the existing mass of the building and actually runs away from the boundary to the north west. The proposal would not lead to any material loss of light into the rear garden of no. 68 Saxon Way and it is not considered that it would result in an unacceptable sense of enclosure to adjacent properties. There are also existing trees and a hedgerow retained on the boundary that mitigate the impact.

Privacy Analysis

New windows are proposed on the front and rear of the extension. To the rear there is an acceptable distance of approximately 13 metres between the windows and the closest principal rooms of no's 66 and 68 Saxon Way. There are of course existing windows to the rear at ground and first floor level of no.

50 Saxon Way and so there is already a degree of intervisibility. To the front there would be no overlooking as no. 48 Saxon Way does not have any side elevation windows.

Amenity Space

Whilst the proposed extension does project into the rear garden its modest footprint means that sufficient garden space will remain to serve occupiers of the property.

Highway Safety Analysis

As the extension is located at the side of the property it will not impact on the property's parking arrangements, located at the front of the house, nor will it prejudice highway safety.

5.3 Design / Visual Amenity

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

5.4 Trees

The proposed extension would be in close proximity to an adjacent hedgerow and trees on the southern boundary of the site. An arboricultural survey carried out by Tree Research Ltd highlights and addressed the issues relating to the possible impact of the proposed development on the existing trees. To ensure the recommendations detailed in the report are carried out a condition requiring a detailed Arboricultural Method Statement be submitted to, and approved by the Council prior to the commencement of development will be attached to the decision notice.

5.5 Other Matters

A local resident raised concern that the eaves of the extension would overhang neighbouring land. The applicant has signed Certificate A of the planning application form confirming that the development will take place within the residential curtilage of no. 50 Saxon Way, Bradley Stoke. In the event of there being an issue concerning maintenance or land ownership then this would be a civil matter between the neighbouring landowners.

6. CONCLUSION

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

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

- a) The proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1, L1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

7. RECOMMENDATION

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

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a detailed Arboricultural Method Statement taking into consideration the points raised in the 'Tree Survey and Implications Assessment' prepared by Tree Research Ltd and dated 13th December 2011, shall be submitted to and approved in writing by the Local Planning Authority. Development will be carried out in accordance with the agreed details.

Reason

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

CIRCULATED SCHEDULE NO. 49/11 – 15 DECEMBER 2011

App No.:	PT11/3589/CLP	Applicant:	Airbus UK Rodney Ltd
Site:	Airbus UK Rodney Ltd Rodney Gate Gloucester Road North Filton South Gloucestershire	Date Reg:	21st November 2011
Proposal:	Application for the Certificate of Lawfulness for the proposed realignment of an existing site access and its security fencing and repositioning of entrance gates and formation of pedestrian access points in line with the following plans:	Parish:	Filton Town Council
Map Ref:	360461 179878	Ward:	Filton
Application Category:	Minor	Target Date:	16th January 2012



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 100023410, 2008. N.T.S. PT11/3589/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because it comprises a Certificate of Lawfulness for a proposed development.

1. THE PROPOSAL

- 1.1 This application forms a Certificate of Lawfulness application in respect of alterations to the existing New Rodney Gate access.
- 1.2 The application concerns a minor realigning of an existing access road (and security fencing) within the confines of the site on what can be classified as private/unadopted highway. The application also relates to repositioning existing access gates and creating 2no. points of new pedestrian access.
- 1.3 As submitted the proposal also included works to an existing pedestrian refuge. Although the works are limited in nature and there would be no highway objections to the proposal, they were not considered to be *de minimis*. Moreover, as the pedestrian refuge in question is situated within the adopted highway, the applicant would not benefit from any permitted development rights to undertake these works without consent.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None of relevance for this application.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No consultation responses received
- 4.2 Highway Officer
No objections to the proposals

Other Representations

- 4.3 Local Residents
No consultation responses received.

5. ANALYSIS OF PROPOSAL

- 5.1 Site/Proposal
The proposal relates to a long-established industrial site in Filton. As noted above, this Certificate of Lawfulness relates to changes to one existing point of site access that would comprise:
 - Realignment of the New Rodney Gate access road (and security fencing) within the site boundary away from the adopted highway

- Repositioning of entrance gates
- Formation of new pedestrian access points

5.2 Principle Of Development

It must be ascertained whether the works would exceed those parameters set by the General Permitted Development Order, Schedule 2 Part 9 Class A entitled 'Repairs to unadopted streets and private ways by means of the extent and nature of the works proposed. In addition the repositioning of the security fencing that would follow the realignment of the road needs also to be considered in the context of the provisions set down in Schedule 2 Part 2 Class A entitled 'Minor Operations'.

5.3 General Permitted Development Order

Part 9 Class A of the GDPO as updated in October 2010 states that the following works can be considered 'permitted development'.

'A. The carrying out on land within the boundaries of an unadopted street or private way of works required for the maintenance of improvement of the street or way.'

Interpretation of Class A

'A.1 For the purposes of Class A – "unadopted street" means a street not being a highway maintainable at the public expense within the meaning of the Highways Act 1980'

5.4 The rationale for the proposals is to improve site access and egress for wide/long loaded vehicles as well as improving pedestrian safety. The proposals can there be considered to represent improvements of an unadopted street or way and thus would accord with the above provisions Part 9 Class A.1 of the GDPO and so consequently would not warrant the benefit of planning permission.

5.5 With regard to the repositioning of the security fencing that would follow the realigned access road, the provisions of Schedule 2 Part 2 would suggest planning permission would be required as the fencing would exceed 2 metres in height and would be constructed adjacent to a highway, albeit a private one. However the proposed realignment would only relate to a stretch of fencing some 15 metres in length, which in the context of the scale of the rest of the site and its boundaries, is considered to be insignificant. Moreover the proposal would only see an existing fence repositioned. Therefore in light of these two factors the proposed works to realign the existing security fence can be considered too minor to constitute operational development and so can be considered to be *de minimis*.

6. RECOMMENDATION

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

Contact Officer: Robert Nicholson

Tel. No.

01454 863536

CONDITIONS

1. The proposal would fall within Schedule 2, Part 2 Class A and Part 9, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.