

**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. 45/11

Date to Members: 18/11/11

Member's Deadline: 24/11/11 (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 – 18 NOVEMBER 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/0602/F	Approve with Conditions	Westend Farm West End Wickwar Wotton Under Edge South Gloucestershire GL12 8LD	Ladden Brook	Wickwar Parish Council
2	PK11/3140/F	Approve with Conditions	33/35 Ground Floor Only High Street Staple Hill South Gloucestershire BS16 5HB	Staple Hill	None
3	PK11/3155/CLP	Approve with Conditions	15 North View Staple Hill South Gloucestershire BS16 5RU	Downend	Downend And Bromley Heath Parish Council
4	PT11/2626/F	Approve with Conditions	44 Station Road Winterbourne Down South Gloucestershire BS36 1EN	Winterbourne	Winterbourne Parish Council
5	PT11/2875/F	Approve with Conditions	Adjacent To Holly Trees Alveston Road Old Down South Gloucestershire BS32 4PH	Severn	Olveston Parish Council
6	PT11/3163/F	Approve with Conditions	17 Glebe Field Almondsbury South Gloucestershire	Almondsbury	Almondsbury Parish Council
7	PT11/3194/F	Approve with Conditions	Cedarstone Rosewood Avenue Alveston South Gloucestershire BS35 3PP	Thornbury South And Alveston	Alveston Parish Council
8	PT11/3208/F	Approve with Conditions	18 Down Road Winterbourne Down South Gloucestershire BS36 1BN	Winterbourne	Winterbourne Parish Council
9	PT11/3221/F	Approve with Conditions	3 Camellia Drive Almondsbury South Gloucestershire BS32 4DA	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 45/11 – 18 NOVEMBER 2011

App No.:	PK11/0602/F	Applicant:	Mr E Stinchcombe
Site:	Westend Farm West End Wickwar Wotton Under Edge South Gloucestershire	Date Reg:	1st March 2011
Proposal:	Conversion of agricultural building to form agricultural workers dwelling.	Parish:	Wickwar Parish Council
Map Ref:	371371 187947	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	19th May 2011



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N.T.S.

PK11/0602/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the conversion of an agricultural building to form an agricultural workers dwelling. The application as originally submitted included the conversion of an attached derelict Cow Byre but this element has now been deleted from the scheme.
- 1.2 The proposal now is to convert a redundant former Dairy Building at West End Farm, Wickwar; the building has rendered blockwork walls with a tiled roof. The site lies in open countryside in a remote rural location approx. 1.2 miles to the west of Wickwar. Vehicular access is from a narrow lane that runs adjacent to the west of the site. The Dairy Building was once part of a much larger farm complex that was broken up following the death of the then owners i.e. the applicant's father and uncle. The applicant has retained 20.23ha of grassland at West End with an additional 12.10ha of land being rented. The land has been extensively used for grazing cattle and horses and for forage production.
- 1.3 The break-up of the original farm complex followed a protracted legal battle over the terms of the previous owner's will, which left the applicant bankrupt. He was forced by the court to sell the farmhouse as well as the barn to the north of the application site. In order to remain living on his part of the site, the applicant had to put a mobile home on it. Although unauthorised, the mobile home has been on-site for more than 10 years but as its position has moved over that period, the applicant cannot apply for a Certificate of Lawfulness. The mobile home is currently located within the farmyard to the front of the redundant Dairy Building. In the event of this application being successful however, the mobile home would be permanently removed from the site.
- 1.4 The application is supported by the following documents:
 - Design and Access Statement
 - Agricultural Appraisal by David James and Partners
 - Structural Survey of Dairy Building and attached Cow Byre
- 1.5 In 1996 the Dairy Building, along with a number of other buildings within the farm complex, was the subject of a planning application for conversion to open market housing. The application was refused and a subsequent appeal dismissed (see para. 3.1 below). The current proposal however differs from that previously refused for the following reasons:
 - The previous scheme involved the extension of the building to create an 'L' shape. This would have involved significant building works and would have changed the appearance of the building. The proposal, the subject of the current application, does not involve the extension of the barn, with the majority of the works being internal.

- The previously refused proposal involved substantial re-building, including new walling to the front and a new roof. Again this would have altered the appearance of the building. There are no such alterations proposed in the current application.
- The 1997 scheme involved an 'open market' dwelling, not an agricultural workers dwelling.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development

PPS5 - Planning for the Historic Environment

PPS7 - Sustainable Development in Rural Areas

Ministerial Statement by the Rt Hon Greg Clark MP 23 March 2011

The Draft National Planning Policy Framework (DNPPF) July 2011

2.2 Development Plans

Joint Replacement Structure Plan (Adopted Sept. 2002)

Policy 1 - Sustainable Development Objectives.

Policy 2 - Location of Development.

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

L1 Landscape Protection and Enhancement

L4 Forest of Avon

L9 Species Protection

L17&18 The Water Environment

EP1 Environmental Pollution

EP2 Flood Risk and Development

EP6 Contaminated Land

T8 Parking Standards

T12 Transportation Development Control Policy

H3 Residential Development in the Countryside

H10 Conversion and Re-use of Rural Buildings for Residential

Purposes

LC12 Recreational Routes

South Gloucestershire Core Strategy, Submission Draft Dec. 2010

CS1 High Quality Design

CS9 Managing the Environment

CS34 Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 There have, over the years, been a number of planning applications relating to the buildings within the wider West End Farm complex. The following was part of a wider scheme for conversion of a number of buildings for residential use, which included the application site:

P96/1243 - Change of Use of a dairy to a dwelling (Unit 2).
Refused 3 July 1996

Appeal T/APP/P0119/A/96/275693/P2 dismissed 15 Sept 1997.
It should be noted however that the appeal did allow one of the buildings to be converted to a self-contained annexe and office (see P96/1242).

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

- 4.1 Wickwar Parish Council
No comment or objection.
- 4.2 Public Rights Of Way (PROW)
The public footpath LWR31 runs from Westend Road through the farmyard in a north-easterly direction towards the village of Wickwar. No objection subject to standard informatives.
- 4.3 Technical Support Street Care
Technical Support (Street Care) objects to this application as submitted on the following grounds: Drainage details are required to demonstrate that the risks of flooding and pollution have been eliminated.
- 4.4 Sustainable Transport
No objection. The proposal would not add any significant level of traffic to the existing highway network.
- 4.5 The Ramblers Association
No response
- 4.6 Environmental Protection
No objection subject to a condition relating to contamination, having regard to the previous uses of the building as an agricultural barn.
- 4.7 Agricultural Assessment Agent
Applying national planning policy for agricultural dwellings, it is clear that there is no functional need, there is not a full-time labour requirement nor would the business pass the financial test as required by Annex A to PPS7.
- 4.8 The Open Spaces Society
No response

Other Representations

4.9 Local Residents

There have been two rounds of consultations. The consultation responses to the scheme as originally proposed, comprised a) several photographs of the site sent by the occupier of The Old Dairy and b) 2no. e-mails of objection from the occupiers of West End Farmhouse; the concerns raised are summarised as follows:

- Having a worker on-site is not essential to the farm.
- There is no justification for a full-time farm worker to live on site.
- The farm is not economically viable.
- The chances of sustaining the enterprise are minimal given the unproven farm profits.
- Cheap houses are available in Yate.
- No attempt has been made to use the building for agricultural purposes.
- No provision is made to bring the farm back into use.
- The cost to undertake the conversion has been vastly underestimated.
- The personal circumstances of the applicant are irrelevant.
- Separate planning permission would be required to increase the number of horses on the site.
- The sale of hay to horse owners will increase the level of traffic on a narrow lane.
- A bat survey of the barns should be carried out.
- Trees within the site should be protected.
- No provision is made for slurry.
- No landscaping is shown.
- The gateway into the yard is unsuitable for vehicles.
- No vehicles should park on the verge.
- Footpaths should be improved.
- There should be a condition to prevent the erection of a second-storey or roof windows overlooking West End Farmhouse.
- Profits should be re-invested into the farm rather than on the conversion as proposed.

Following the receipt of revised plans (showing the Cow Byre deleted from the scheme) and further details, a second round of consultations was carried out. One further e.mail of objection was received from the occupier of West End Farmhouse; the concerns raised are summarised as follows:

- Object to the demolition of the other buildings within the farmyard and their replacement with a fence and hedge.
- The buildings should be repaired and put to useful agricultural purposes.
- The buildings to be demolished are part of the character of the yard and screen the yard from the road and neighbouring property.
- No attempt has been made to market the property in accordance with Policy H10.
- The farmer owns 10 horses which occupy a considerable part of the acreage which the farmer owns/rents.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is located within the open countryside and proposes the conversion of an existing rural building to provide an agricultural workers dwelling for the applicant to live in. Policy H3 of the South Gloucestershire Local Plan permits proposals for new residential development outside the existing urban areas and the boundaries of settlements in limited circumstances only, one of which is for agricultural workers; so there is no in-principle objection to the proposal. National Guidance PPS7 allows for the creation of permanent dwellings for agricultural purposes, subject to a number of criteria being satisfied. Notwithstanding the applicant's submission (in which reference is made to Policy H8), Policy H8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, relating to the erection of dwellings for agricultural workers, is in fact not a saved policy and is therefore not material to the determination of this application. Policy H10 however, relates to the conversion and re-use of rural buildings for residential purposes. The recent DNPPF is a material consideration albeit of limited weight, within which the Government sets out its aims and objectives for the planning system. The document encourages support for sustainable development that supports job creation and economic growth.

5.2 PPS7 para. 10 states that: *'Isolated new houses in the countryside will require justification for planning permission to be granted. Where the special justification for an isolated new house relates to the essential need for a worker to live permanently at or near their place of work in the countryside, planning authorities should follow the advice in Annex A to this PPS'*. Annex A of PPS7, with regard to temporary agricultural dwellings, states at para.12 that, *'If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:*

- (i) *Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);*
- (ii) *Functional need (see para.4 of Annex A)*
- (iii) *Clear evidence that the proposed enterprise has been planned on a sound financial basis;*
- (iv) *The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and*
- (v) *Other normal planning requirements, e.g. on siting and access, are satisfied.*

5.3 This case however represents a most unusual situation, in that the applicant has farmed the land all of his working life and has only found himself occupying a mobile home (for over 10 years) out of necessity, following the break up of the original farm complex. Furthermore, the proposal is to convert an existing

agricultural building as opposed to erecting a new dwelling. It is therefore questionable whether the tests of PPS7 Annex A need to be fully applied in this case. Nevertheless, with regards to the criteria listed in Annex A, the applicant has submitted an Agricultural Appraisal of the existing enterprise. The Council commissioned an appropriately qualified agent from Gloucestershire County Council to appraise the information provided under the terms of PPS7, the following is based on his assessment:

5.4 Current Situation

The applicant owns West End Farm, which now consists of 50 acres of land with buildings. The applicant also occupies a further 30 acres of grassland on an annual arrangement. The land is all down to permanent pasture.

5.5 Enterprises

The system is based on suckler cows run with a Friesian Bull and calving down in spring. Progeny are sold as 12 month old stores at local markets. In Jan. 2011 there were 15 suckler cows and 10 calves at foot and a Friesian Bull. The applicant also makes surplus hay, which is sold in bales to the equestrian market. The applicant also owns 2 thoroughbred horses and lets horse grazing which varies from year-to-year. The applicant undertakes all the husbandry work himself and uses contractors for baling, hedge cutting etc.

5.6 Dwellings

The applicant already lives on site in a small mobile home.

5.7 Buildings

The buildings include four single-storey traditional buildings and stabling within a pole construction.

5.8 Proposals

Area

The applicant is not actively seeking to increase the farmed area.

Future Enterprises

The intention is to increase the store cattle production. It is not intended to take on additional labour. The intention is to erect a modern livestock building in the future.

5.9 Analysis based on PPS7

In accordance with Clause 3 of Annex A to PPS7, if a new dwelling is essential to support a new farming activity on a newly created unit, it would normally for the first three years be provided by a temporary home, which can easily be dismantled if necessary. Initially it would have to satisfy a number of criteria as follows:

Functional Need – 3 (i)

A high proportion of the land is only taken on an annual arrangement, which might not be available in the future; the functional need assessment should therefore be carried out using the owned land only.

The 50 acres of owned land would support 20 suckler cows plus progeny. Fodder might need to be brought in and hay production as a long-term enterprise might be questionable.

Most of the farming operations are considered routine i.e. checking, treating, handling etc. An out of normal working hours presence would be required during calving but this would be seasonal. Whilst there would be some security issues, these would not alone be sufficient to justify the need for a new dwelling on the site (see Annexe A para.6). The application is considered to fall well short of there being a functional need for somebody to be permanently based on site.

Full-time Labour – 3(ii)

Even based on the labour requirements of the future enterprise, the labour requirement falls just short of 1,200 hours per annum i.e. the business falls well short of requiring a full-time qualified person.

Establishment and Viability – 3(iii)

Annexe A to PPS7 requires that the agricultural activity has been established for at least three years and been profitable for at least one of them – and that it is currently financially sound and has a clear prospect of remaining so.

The business has been established for a number of years and has produced a profit. However it is not considered that it has been demonstrated that the business would be financially sound in the future or that it would support an agricultural worker on the minimum wage or the cost of converting the building to a dwelling.

Other Dwellings – 3 (iv)

There are no other suitable dwellings on the site that are available to the applicant.

Conclusion

This is a genuine application on behalf of someone who has been involved with the farm all his life, has lived beside or on the farm all of that time, and wishes to remain and carry on in the way that he always has.

Applying national planning policy for agricultural dwellings, it is clear that there is no functional need, there is not a full-time labour requirement, nor would the business pass the financial test as required by Annex A to PPS7.

Other Policy Considerations

- 5.10 Notwithstanding the requirements of PPS7 Annexe A for Agricultural Dwellings, the proposal also falls to be determined under Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006. Policy H10 permits the conversion and re-use of existing buildings for residential purposes outside the existing urban areas and boundaries of settlements subject, to the following criteria:

- 5.11 **A. All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use; and**
- 5.12 No attempt has been made to market the building, which is redundant in agricultural terms but has been used to store the applicant's personal effects. Given the small size of the building, the remote location and the position of the building within the yard area of a working farm, with its associated smells and levels of disturbance; officers consider that the likelihood of a rural business re-locating to the site would be remote. As the building is used to store the applicant's personal effects, it is most unlikely that even if a business use could be found for the building, the applicant would not release the building. Officers therefore consider that a marketing exercise would in this case be futile. Furthermore, a separate business use would be likely to encourage additional car journeys, as well as the further fragmentation of the farm.
- 5.13 Officers are also mindful of the fact that the proposed conversion would be carried out in conjunction with a long established farming business. The proposal is not for open market housing but to house an existing agricultural worker. The applicant has indicated his willingness to accept a condition to restrict occupation of the dwelling to an agricultural worker. If this application were refused, the likelihood is that the applicant would be made homeless and would have to give up the farm, as it is doubtful that he could afford to buy a property in Wickwar.
- 5.14 **B. The buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction; and**
- 5.15 The applicant has submitted a structural survey of the former Dairy Building, which confirms that the building is of sound construction and capable of conversion without major reconstruction. Criterion B is therefore satisfied.
- 5.16 **C. The buildings are in-keeping with their surroundings in terms of character, form, bulk and overall design; and**
- 5.17 The proposal is to convert the existing Dairy Building, which has the appearance of a rural barn. The conversion would involve no significant external alteration and no extensions. The simple rustic form and design of the building would be retained. Furthermore, existing materials would be retained where possible. Criterion C is therefore satisfied.
- 5.18 **D. Development, including any alterations, extensions or the creation of a residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area; and**
- 5.19 At the time of the officer site-visit, the yard area around the existing mobile home was strewn with an array of both agricultural and domestic clutter, sitting in a veritable sea of mud. Rivulets of slurry meandered down through the site to the gated entrance onto the adjacent road. Even allowing for the normal level of grime and muck associated with farm-yards, the site could only be described as

an eyesore and the living conditions squalid, even when compared to the most basic modern standards. The sense of deprivation was merely exacerbated by the state of the dilapidated mobile home and adjacent buildings. The scene was fully visible from the roadway, through the gated entrance and even more so from the PROW, which runs through the site.

5.20 The proposal includes the removal of the mobile home and introduction of a modest residential curtilage to the front of the new dwelling. It is also proposed to remove the remains of the Cow Byre and another building adjacent to it. The Cow Byre, although built of stone is now in a dilapidated state; the building to the south-east is a most rudimentary construction of no visual or architectural merit whatsoever. The appearance of the building to be converted would not significantly alter.

5.21 The application clearly offers the opportunity to impose conditions to ensure that the mobile home is removed and the site tidied up and appropriately landscaped, which would significantly benefit the visual amenity of the immediate area. Officers are therefore satisfied that criterion D can be met.

5.22 Residential Amenity

The nearest residential properties lie to the West and North. At present there are no windows in the rear or end elevations of the Dairy Building and none are proposed in the works of conversion. A condition could be imposed to ensure that no additional windows are inserted in the building in the future and a further condition to remove permitted development rights would give the Council control of any proposed extensions or outbuildings etc. There would therefore be no issues of overbearing impact or loss of privacy due to overlooking.

5.23 It is proposed to remove the remains of the Cow Byre, which in part screens the site from views to the north; however a condition could be imposed to ensure that an appropriate boundary treatment is inserted in mitigation for its loss. It should be noted that none of the buildings to be demolished are afforded any statutory protection. Furthermore, visual amenity would be significantly improved through a condition to secure an agreed landscape scheme. There would therefore be no adverse impact on residential amenity to result from the proposal.

5.24 Transportation issues.

It is proposed to utilise the existing access from West End Road, and two car parking spaces would be retained within the yard area. There is ample space to allow vehicles to turn, so they can exit the site in forward gear. The site is in a remote rural location and the proposal would allow the applicant to remain living on the site, as opposed to making journeys to and from the site along a narrow lane; this accords with the principles of sustainability.

5.25 With no objections from the Councils Transportation Officer, the proposal is considered acceptable in transportation terms and accords with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.26 Environmental and Drainage Issues

Having regard to the previous uses of the building for agricultural purposes, an environmental consultants desk-study regarding the potential for contamination and proposed method of mitigation (should contamination exist), is required. Subject to a condition to secure the aforementioned, there are no objections on environmental grounds. In terms of drainage, no public foul sewers are available, so it is proposed to dispose of foul waste to a septic tank or package treatment plant. The Council's Drainage Engineer, having discussed the drainage issues with the applicant's agent, now raises no objection to the proposal subject to a condition to secure the prior submission and approval of a SUDS drainage scheme and details of the proposed means of foul disposal. The proposal therefore accords with Policies L17 & L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.27 Landscape

There are mature chestnut trees within the site, on the boundary with West End Road. The landscape plan, to be secured by condition, would ensure that these trees are protected during the development phase. The scheme of landscaping would enhance the appearance of the site in accordance with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.28 Ecology

It is possible that bats may roost in the roof tiles, but given the level of activity around the building, officers do not consider that bats would be roosting inside it. Birds may however nest within the existing building. The majority of the works to convert the building would be internal. Appropriate informatives should therefore be added to any decision notice and subject to these, there are no objections on ecological grounds.

6. CONCLUSION

6.1 Officers have considered this application in the light of Local Plan policy, government guidance and all other material considerations. The Draft National Planning Policy Framework, although still a draft document to which only limited weight can be given, sets out the government's objectives for the planning system and at para. 81, promotes the sustainable growth of rural businesses. Furthermore at para. 113 the DNPPF states that local planning authorities should avoid isolated homes in the countryside unless there are special circumstances such as, amongst other things:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside; **or**
- Where development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

6.2 In this case officers consider that the second criterion is clearly met. It is acknowledged however that in his assessment of the submitted Agricultural Appraisal, the Land Agent brought into question the viability of the business and the functional need for there to be an agricultural worker permanently living on site.

- 6.3 Officers consider that in this case the circumstances of the applicant are exceptional. This is not an application for a dwelling to support a new farming enterprise, but a long established one and one that has in the past been profitable. The applicant, having farmed this land all of his life, has a clear intention and ability to continue farming, albeit on a modest scale, but one that has enabled him to eke out an existence for many years.
- 6.4 In the determination of this application officers have considered the reasons for the tests within Annexe A of PPS7. PPS7 Annexe A para.1 states that whether or not it is essential for an agricultural worker to live on site depends on the needs of the enterprise concerned and not on the personal preferences or circumstances of the individual involved. Conversely PPS1 states that the personal circumstances of an occupier, personal hardship or the difficulties of business, which are of value to the welfare of the local community, may be material. Para. 2 of Annexe A goes on to state that it is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly with the aim of detecting attempts to abuse (e.g. through speculative proposals) the concession that the planning system makes for such dwellings.
- 6.5 Officers are of the view that given the length of time that the applicant has lived in the mobile home on this site and the conditions that he has lived in; a commitment to the enterprise and a deep-seated connection to the land, has been demonstrated. The proposal could hardly therefore be interpreted as speculative.
- 6.6 PPS1 states that where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise. In this case officers consider that the applicants unusual circumstances are material considerations that indicate that a planning permission should be granted.
- 6.7 PPS1 also states that the planning system operates in the public interests to ensure the development and use of land results in better places for people to live, the delivery of development where communities need it, as well as the protection and enhancement of the natural and historic environment and countryside. Officers consider that this is a case in hand and that on balance it would not be in the public interest to make the applicant homeless or jeopardise the farming business or to encourage any further fragmentation of the farm.
- 6.8 The applicant does keep expensive cattle and thoroughbred horses on the site. In his assessment of the Agricultural Appraisal, the Land Agent rightly stated that, '*Whilst there would be some security issues, these would not alone be sufficient to justify the need for a new dwelling on the site (see Annexe A para.6).*' However, offices consider that the security issues together with the other material considerations outlined above on balance provide sufficient justification to support the scheme.

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

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

- a) The proposed use would not give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords with Policies H10 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed development has been designed to respect and maintain the massing, scale, proportions, materials vernacular and overall design and character of the rural building and location. The development therefore accords to Policies H10 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.
- c) The proposal would provide adequate access, off street parking and manoeuvring within the site. The proposal would not give rise to unacceptable levels of traffic generation. The proposal is therefore considered to be acceptable in highway safety terms in accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposal is considered to be of a good quality design and layout, which integrates well with the rural context and landscape. The proposal would not result in material harm to the visual amenity of the countryside. The proposal therefore accords with Policies L1 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006.
- e) Consideration has been given to the proposal's impact on protected species in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.
- f) The scheme demonstrates a good standard of sustainability in accordance with the requirements of Policy D1 of the South Gloucestershire Local Plan (Adopted)
- g) Consideration has been given to the environmental and drainage aspects of the proposal in accordance with the requirements of Policies L17 & L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.
- h) The existing building is considered to be structurally sound and capable of conversion in accordance with Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- i) The need for a marketing exercise has been considered in accordance with Policy H10 and in this instance not considered necessary.

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. The occupation of the dwelling hereby permitted is limited to a person solely or mainly working in agriculture or forestry, or a widow or widower or partner of such a person, and to any resident dependants.

Reason

The site is not in an area intended for development and the development has only been permitted because it is required to accommodate a person working in agriculture or forestry and to accord with the requirements of PPS7.

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

Reason

To ensure that the accommodation is limited to that commensurate with the established need, in the interests of the visual amenity of the area and the area and also to comply with the requirements of PPS7 and Policies L1, D1 and H10 of the South Gloucestershire Local Plan (Adopted).

4. 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 together with the details of the proposed method of foul disposal, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

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

Reason

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

6. Prior to the first occupation or use for any purpose of the new dwelling hereby permitted, the existing temporary mobile home and associated domestic clutter/rubbish shall be removed from the site and the land made good, to the Council's written approval.

Reason

In the interests of the visual amenity of the area and to comply with Policies L1 and H10 of the South Gloucestershire Local Plan (Adopted).

7. Any external materials to be used in the conversion of the building hereby permitted shall match those of the existing building.

Reason

In the interests of visual amenity and to maintain the rural character of the building in accordance with Policies D1 and H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. No windows doors or openings other than those shown on the plans hereby approved shall be inserted in the building at any time unless approved in writing by the Local Planning Authority.

Reason

In the interests of visual and residential amenity and to maintain the rural character of the building in accordance with Policies D1 and H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. 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 and a programme to be agreed in writing with the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Policies H10/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Any screen walls/fences shown on the approved scheme of landscaping (see condition 8) shall be erected in the positions indicated before the dwelling house to which they relate is first occupied.

Reason

To protect neighbouring residential amenity and the character of the area in accordance with Policies H10/D1 and L1 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

11. Prior to the commencement of the development hereby approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the building and site shall each be submitted to and approved, in writing, by the Local Planning Authority (LPA):

- 1) A preliminary risk assessment which has identified:

- a) all previous uses
- b) potential contaminants associated with those uses
- c) a conceptual model of the site indicating sources, pathways and receptors
- d) potential unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the LPA. The scheme shall be implemented as approved.

Reason

To protect future occupiers of the building in accordance with Policy EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

12. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To protect future occupiers of the building in accordance with Policy EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

ITEM 2

CIRCULATED SCHEDULE NO. 45/11 – 18 NOVEMBER 2011

App No.: PK11/3140/F
Site: 33/35 Ground Floor Only High Street
Staple Hill Bristol South Gloucestershire
Proposal: Alterations to front and side elevations to
facilitate change of use from hairdressers
and retail outlet to 2 no. residential units
(Class C3) as defined in the Town and
Country Planning (Use Classes) Order
1987 (as amended)

Applicant: Ms S Baker
Date Reg: 10th October 2011

Parish: None

Map Ref: 364438 175972

Ward: Staple Hill
Target Date: 2nd December 2011

Application Category: Minor

Date:



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100023410, 2008.

N.T.S.

PK11/3140/F

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 on the north side of High Street in Staple Hill to the west of the main commercial centre. The site is bounded by residential development to the west, access service lane to the north with residential development beyond, High Street to the south and Overhill Road to the east. A two storey detached building abuts the east boundary and fronts onto Overhill Road. This building is used as a dance studio. The site comprises two separate buildings forming part of a long terrace fronting High Street. The buildings comprise separate hair salon to the west and Class A1 retail unit (currently clothes shop) to the east. Both buildings have residential development above. An enclosed yard occupies an I shaped area at the rear. The remnants of a stone built ruin occupy a position at the end of the garden

The application site is situated within the urban area as defined in the adopted Local Plan. The buildings are not situated on any primary or secondary shopping frontage.

1.2 The application proposes alterations to the front and side elevations to facilitate change of use from hairdressers and retail outlet to 2 no. residential units (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). A parking area is proposed at the rear (north side) of the site.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
RT1 Development in Town Centres
RT11 Retention of Local Shops
T8 Parking Standards
T12 Transportation for new development

South Gloucestershire Core Strategy Pre Submission Publication Draft – March 2010

CS1 High Quality Design
CS8 Improving Accessibility
CS14 Town Centres and Retail

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 P86/4188 Change of use of 35 High Street to confectionery shop (Previous ID: K1616/3) Approved 14.04.1986
- 3.2 P97/4017 Erection of two storey extension to 1E Overhill Road Approved 19.05.1997
- 3.3 PK10/2921/F Change of use of 1E Overhill Road from Class B2 to Class D2 as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). Approved 17.12.2010
- 3.4 PK06/2173/F Change of use of 35 High Street from retail shop (Class A1) to office use (Class B1) as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended). Approved 08.12.2006

4. **CONSULTATION RESPONSES**

4.1 Consultees [including internal consultees of the Council]

Sustainable transport – No objection. Details of the parking arrangements are required by condition.

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 2 Grace Road raising the following concerns:

The area shown for parking is currently occupied by a fallen garage and clearance would be required for access to be achieved; the submitted drawings show provision for 4 cars. The area on the ground is too small for 4 cars, only one small car would fit in the space; approved application PK10/2921/F showed the same area for their parking; There are frequent issues with parking with vehicles blocking the garage of 2 Grace Road; When the occupiers of 1E Overhill Road were asked why they do not park in the space provided by application PK10/2921/F they indicated they were not aware of the space; as the parking area has been shown in two separate applications there is a question of who owns the land.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPS4 advises that development within town centres should have a positive effect on the centre's vitality and viability. This is echoed in Policy RT1 of the South Gloucestershire Local Plan, which states that retail, and other appropriate uses will be permitted provided that it will not detract from the viability and vitality of the centre. In addition the scale and compatibility of the proposal must be considered, as must issues connected to transportation, environmental impact, and inclusion of non-retail uses on the upper floors. Policy RT1 relates to retail centres and the application site is situated some distance from the retail centre of Staple Hill. Policy RT11 relates to the retention of individual shops outside retail centres. The loss of individual shops is accepted provided there is no resultant over concentration of non retail uses in local centres or there are satisfactory alternative retail facilities available in the locality and the premises is incapable of supporting a retail use and the proposal would not have an unacceptable environmental, transportation or residential amenity impact. An additional material consideration relates to off street parking provision and whether sufficient would be provided within the site. Policies T8 (Parking standards) and T12 (Transportation) provide the relevant policy framework.

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

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The two buildings are situated within a High Street location but detached physically from the commercial centre. The context of the area is mixed with traditional and modern buildings providing some commercial, office and mainly residential uses. The buildings the subject of this application two storey mid and end terrace units of traditional Victorian style comprising a mix of dressed stone and pennant rubble. The proposed changes to the external appearance of the buildings would remove the modern shop fronts and replace with traditionally styled windows to the front and side. The design and materials would be of good quality in keeping with the character of the existing buildings and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Highway and transportation matters

The application includes an area of land to be provided for 4 vehicles at the rear of the site. Having measured the area on the ground Officers consider the area of land to be of sufficient size to park 4 vehicles in two tandem rows. The parking provision is considered to be sufficient to meet the Council's adopted parking standard. Cars would access and egress onto a shared service lane off the main highway and as such reversing on or off the highway is considered to be acceptable. The proposal is therefore considered to be acceptable in highway safety terms.

Application PK10/2921/F was approved in December 2010 for change of use of the detached building to the east of the application site, from offices to a dance studio (Class D1). An area of land was shown within the red edge application site of application PK10/2921/F for vehicle parking. When planning permission was issued no condition was attached to the consent to ensure that the proposed parking area was provided or retained for car parking. Subsequently the parking area has not been provided and the area of land has not been developed or incorporated into the change of use. The Council therefore has no control over ensuring the implementation of the parking associated with 1E Overhill Road (PK10/2921/F).

This application proposes to provide the same area for parking associated with this development alone. The applicant has indicated that the area of land is within her ownership. The issue of land ownership alone is controlled through civil legislation outside of the planning system. As such little weight can be afforded to this matter as a planning consideration. As the applicant has indicated that the land is within her ownership there is no requirement in planning terms to investigate this matter further than attaching a planning condition to ensure the parking area is provided. The planning condition will require details of the layout of the parking area to be submitted prior to commencement of development. This will ensure that the remnants of the garage ruin existing on site is removed, a satisfactory surfacing within drainage is provided and laid out for 4 vehicles. The condition will also require the parking area to be implemented in full prior to commencement of development to ensure that the parking area is provided.

5.4 Loss of existing business uses

The application site is situated 190m from the secondary shopping frontage, which represents the western edge of the commercial centre of Staple Hill. The application site is therefore situated in a location detached from the main shopping area of Staple Hill. As such the level of passing foot traffic in the locality of the application is likely to be significantly diminished from that of the retail core. It is therefore considered to be unlikely that a Class A1 retail use could be sustainable in this location. The site is situated some distance from the retail centre of Staple Hill and much further from the retail centre of Fishponds to the west. As such the loss of the two retail units is unlikely to detrimentally impact on the viability and vitality of the retail centre. Policy RT11 seeks to retain where appropriate local shops and gives a maximum distance

of 400m within which it would be reasonable to walk to local facilities. The application site is situated 190m from the main commercial centre of Staple Hill and much of the commercial centre of Staple Hill is located within 400m of the site. In the locality of the site is situated a Public House and a mini supermarket. As such it is considered that a wide range of local community and retail facilities are situated within easy walking distance of the site. Therefore the loss of the two retail units would not impact detrimentally on the range of retail facilities in the area. Additionally, the site is situated on a main bus route which runs along High Street connecting the site with Staple Hill, Fishponds and beyond to Bristol Centre. The locality is therefore easily accessible to a wide range of retail facilities. The existing hairdressers is recognised in the sub text of policy RT11 as being a quasi retail use, a further indication that retail uses are likely to be unsustainable in this location. Considering the above matters the proposal is considered not to be at odds with Policy RT1 on the basis of the distance to the retail centre of Staple Hill and in accordance with Policy RT11.

5.5 Residential amenity

The proposal would result in no volume increase to the building and is likely to result in a reduction of noise and other activities. Therefore the proposal would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development or noise and other disturbance.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report. A summary of reasons for granting planning permission in accordance with article 22 of the town and country planning (general development procedure) order 1995 (as amended) is given below.
 - a) The proposal would be situated a good distance from the retail centre of Staple Hill and within good access of a wide range of retail facilities. The development therefore accords to Policy RT1 and RT11 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - b) The proposed development is considered not to give rise to a material loss of amenity to the local residents or environmental effects. The development therefore accords to Policy RT11 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
 - c) It has been assessed that the proposed fenestration changes have been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and RT11 of the South

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

- d) The proposal would provide an acceptable level of off street parking and acceptable manoeuvring arrangement. A condition is recommended to ensure the parking area is provided prior to commencement of development. The development therefore accords to Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

2. Notwithstanding the submitted details, prior to the commencement of development a detailed plan showing the provision of car parking facilities in accordance with the standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. The approved car parking facilities shall be laid out and provided prior to commencement of any development; and thereafter retained for vehicle parking only.

Reason

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

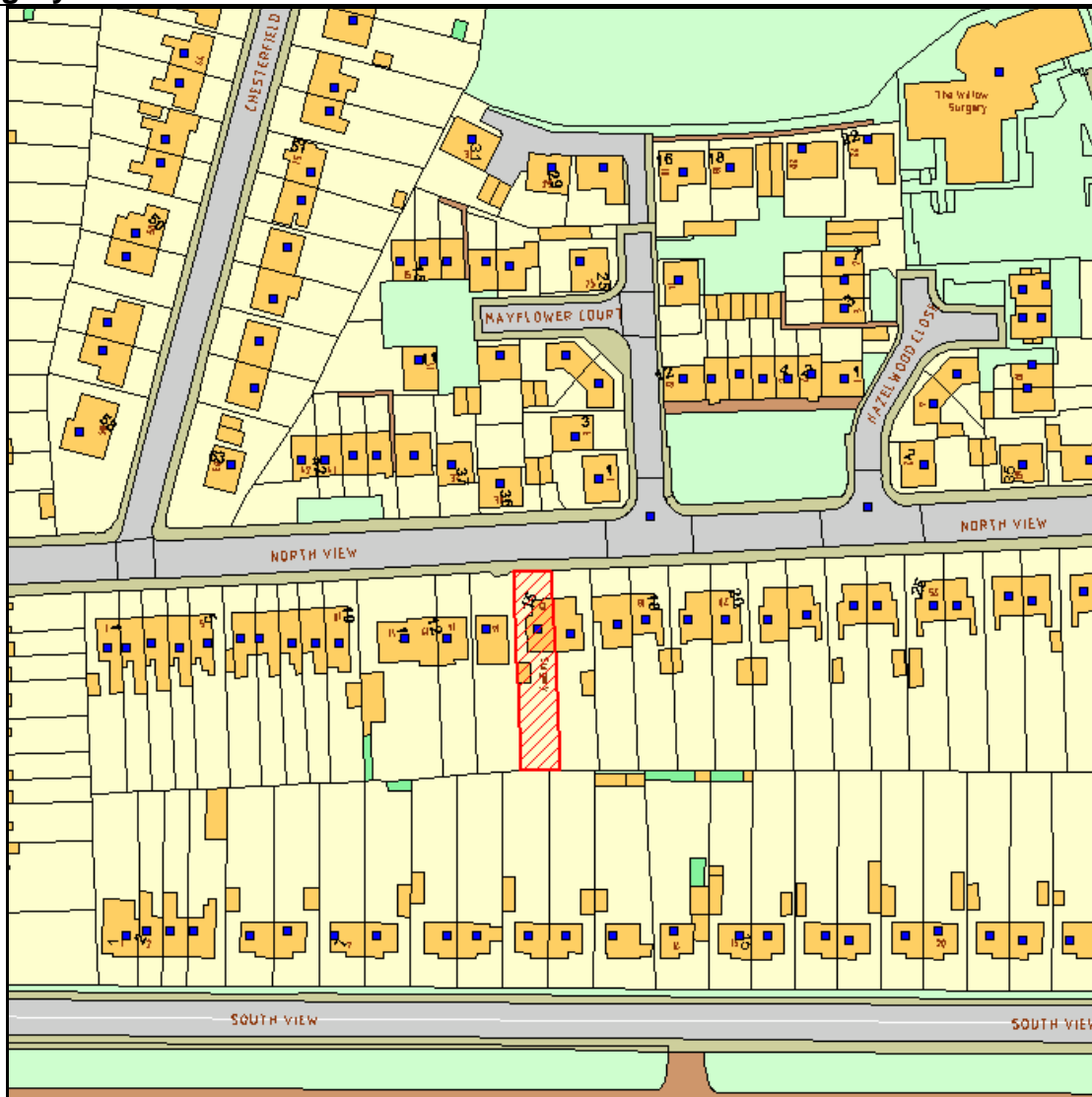
3. Prior to the commencement of development [details/samples] of the external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 45/11 – 18 NOVEMBER 2011

App No.:	PK11/3155/CLP	Applicant:	Mr M O'Inn
Site:	15 North View Staple Hill Bristol South Gloucestershire BS16 5RU	Date Reg:	5th October 2011
Proposal:	Application for the Certificate of Lawfulness for the proposed alterations from existing hipped roof to gable end to facilitate loft conversion and erection of rear dormer.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365466 176246	Ward:	Downend
Application Category:	Minor	Target Date:	28th November 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 A certificate of Lawfulness for a proposed development has been applied for in relation to alterations to the existing hipped roof to a gable end and 1no. rear dormer to facilitate a loft conversion at 15 North View, Staple Hill. The property is a two storey semi-detached dwelling and is located within the residential area of Staple Hill.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/2528/F Erection of detached garage.
Approved 5th October 2007

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objections.

Other Representations

- 4.2 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The purpose of this application for a Certificate of Lawful Development is to establish whether or not the proposed development can be implemented lawfully without the need for Planning Consent.

This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 do not apply in this instance.

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

- 5.2 The proposed development consists of alterations to the roofline changing the hipped roof to a gable and the erection of a rear dormer. This development would fall under the criteria of *Schedule 2, Part 1, Class B* of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 1995 (The enlargement of a dwellinghouse consisting of the addition or alteration to its roof). Developments which fail any of the following criteria would not be permitted:

Class B

- (a) **Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;**
The alterations to the roofline and the rear dormer would not exceed the ridge height of the existing roof.
- (b) **Any part of the dwellinghouse would as a result of the works, extend beyond the plane of any roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;**
The alterations are to the side and rear of the property, these are not principle elevations nor do they front a highway.
- (c) **The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than-**
(i) **40 Cubic metres in the case of a terrace house, or**
(ii) **50 Cubic metres in any other case:**
The property is a semi detached dwelling, the cubic content of the proposal would be approximately 48 cubic metres. The proposal therefore meets this criterion.
- (d) **It would consist of or include-**
(i) **The construction or provision of a veranda, balcony or raised platform, or**
(ii) **The installation, alteration or replacement of a chimney, flue or soil and vent pipe; or**
The proposal does not consist of any of the above.
- (e) **The dwellinghouse is on article 1(5) land.**
The dwelling is not located on article 1(5) land.

Conditions

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

The main roof of the dwelling house as existing is finished with double roman concrete tiles, the proposed dormer and the alterations to the roof would have tiles to match. It has been confirmed on the plans that the render used to finish the walls would match the existing dwelling. As such it is considered that the exterior of the proposed dormers and the alterations to the roof would be similar in appearance to the main dwelling house.

- (b) Other than in the case of a hip-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof; and**

The proposed alterations include a hip to gable enlargement and the proposed dormer is located 1 metre from the eaves of the original dwelling house. As such the proposal meets this condition.

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

No side elevation windows are proposed.

5.3 Conclusion

It is therefore considered that the proposal does fall within the categories of development which are permitted development, and therefore planning permission is not required.

6. **RECOMMENDATION**

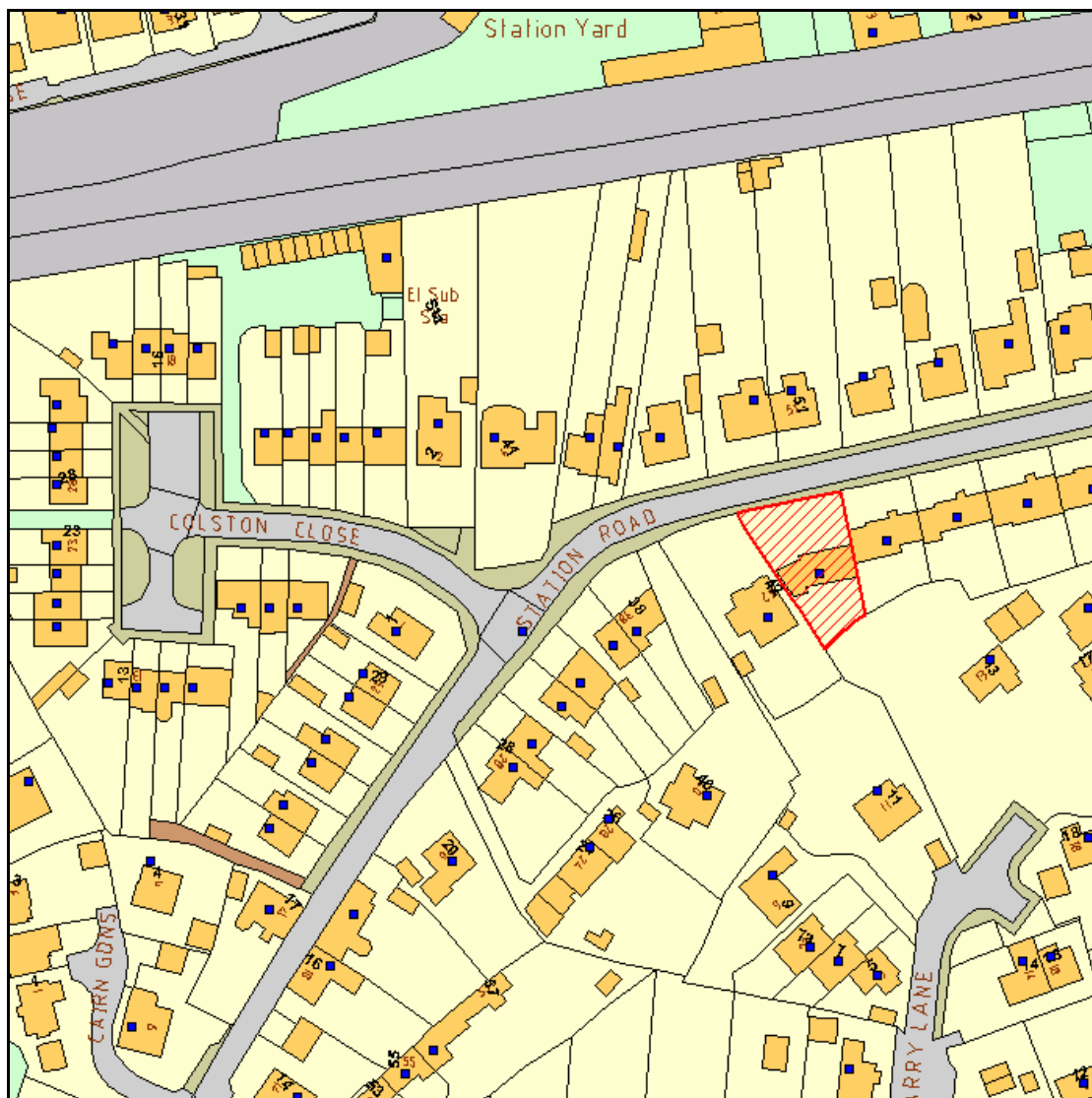
- 6.1 That a Certificate of Lawfulness for Proposed Development is granted for the following reason;

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 45/11 – 18 NOVEMBER 2011

App No.:	PT11/2626/F	Applicant:	Mr T Brain
Site:	44 Station Road Winterbourne Down Bristol South Gloucestershire BS36 1EN	Date Reg:	22nd August 2011
Proposal:	Erection of front and rear extension to form additional living accommodation	Parish:	Winterbourne Parish Council
Map Ref:	365314 179821	Ward:	Winterbourne
Application Category:	Householder	Target Date:	12th October 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated as a result of the concerns of neighbour which conflict with the officer's recommendation.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of two single storey extensions, one to the front and the other to the rear. The proposals facilitate a larger lounge, bathroom and kitchen.
- 1.2 This link –detached bungalow is located within the settlement area of Winterbourne. The bungalow is finished in a mixture of render and brick with tiles over. The proposal would be finished in materials to match the house as shown on the drawings.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
Draft National Planning Policy Framework

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

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

T12 Transportation Development Control Policy for New
Development

South Gloucestershire Core Strategy Pre-submission Publication Draft (March 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATION RESPONSES

4.1 Winterbourne Town Council

No objection

Other Representations

4.2 Local Residents

One letter of objection was received in relation to the following matters:

- Restriction of light to writers side facing window.
- The window pre-dates the bungalow at 44 Station Road

- A photo submitted shows the estimated change

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In assessing applications for residential extensions, planning policies D1 and H4 of the adopted local plan are particularly relevant. Policy D1 is a general design policy and cites that development will only be permitted where good standards of site planning and design are achieved. In particular, proposals will be required to demonstrate that siting, overall massing, form, scale, height, detailing, colour and materials respect and enhance the amenity, character and distinctiveness of both the site and the locality. Policy H4 specifically relates to residential development, including extensions, and considers issues such as design, residential amenity and highway safety.

5.2 It is considered that the application accords with the above policy criteria. The materials proposed would match the bungalow and accord with the streetscene. The front and rear extensions have hipped roofs which do not reflect the gable ended roof of the bungalow however they sit comfortably within the streetscene where other hipped roofs are present.

5.3 It is acknowledged that the neighbour to the west of the site raises concerns about the rear extension. However given that the extension is limited in depth and located centrally on the plot rather than close to either neighbour there is no material adverse impact on residential amenity by reason of overbearing structure or loss of light.

5.3 The garage and parking space remains accessible and this raises no transportation objection.

5.4 As such the proposal is in accordance with policies T12, D1 and H4 of the Local Plan.

6. CONCLUSION

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

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

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

1. The extension would have no material impact on the neighbouring properties and the design is considered to be acceptable in terms of visual and residential amenity. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and H4

(Development within Existing Residential Curtilages, Including Extensions and New Dwellings) of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

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

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 45/11 – 18 NOVEMBER 2011

App No.:	PT11/2875/F	Applicant:	Mr T Watkeys
Site:	Adjacent To Holly Trees Alveston Road Old Down South Gloucestershire	Date Reg:	3rd October 2011
Proposal:	Replacement of existing wood stable with rendered blockwork stable	Parish:	Olveston Parish Council
Map Ref:	361564 187463	Ward:	Severn
Application Category:	Minor	Target Date:	25th November 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because an objection has been received from the Parish Council

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the replacement of an existing wooden stable with a rendered block work stable.
- 1.2 The application site comprises a linear field measuring approximately 6573 square metres located on the northern side of Alveston Road adjacent to the boundary of the property Holly Trees. The site is in the open Green Belt outside the defined settlement boundary.
- 1.3 The proposal replaces an existing wooden stable, which has been demolished. It is to be located on the existing concrete foundations of the former stable. The proposal measures approximately 9 metres in width, 2.1 metres in length and has an apex of 2.5 metres.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS7 Sustainable Development in Rural Areas
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
T12 Transportation Development Control Policy
E10 Horse Related Development

South Gloucestershire Core Strategy -Submission Draft Proposed Changes (December 2010)
CS1 High Quality Design
CS34 Rural Areas
- 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 P98/1375, retention of stable block, comprising one stall, a back room, and an open field shelter, approval, 12/06/98.
- 3.2 N3895/1, erection of detached dwelling. Construction of new vehicular and pedestrian access (outline), refusal, 25/10/79.

- 3.3 N3895, erection of detached dwelling; alterations to existing vehicular access (outline), refusal, 03/11/77.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
Objection - Olveston Parish Council would prefer to see a replacement wooden structure in keeping with the surroundings and the history of the site.
- 4.2 Transportation DC Officer
No transportation objection.

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning policy GB1 of the South Gloucestershire Local Plan (adopted January 2006 allows for the erection of new buildings for *“essential facilities for outdoor sport and recreation and for other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it”*.
The South Gloucestershire Development in the Green Belt SPD (adopted) states that horse related development such as stables can be considered to be appropriate development in the Green Belt provided that they are small in scale. In this instance, the proposal will occupy the same footprint of the former building to be replaced. It is single storey and includes two stable stalls for horse accommodation and a small tack room. It is considered that the proposal can be considered to be small in scale and essential for the intended use. If permission is granted, it is recommended that conditions are applied to restrict the keeping of horse boxes/trailers and the erection of jumps and fences at the site to preserve the appearance and openness of the Green Belt.
- 5.2 Planning policies E10 and GB1 allow for the principle of the proposed development. The main issues to consider are the appearance and form of the proposal and the impact on the character of the area (policies D1, GB1 and E10 of the Local Plan), environmental effects (policy E10 of the Local Plan), the impact on the residential amenity of neighbouring occupiers (policy E10 of the Local Plan) and transportation effects (policies T12 and E10 of the Local Plan). Policy E10 also requires that there are no suitable underused buildings available for conversion. The proposal replaces a former stable, therefore, there will be no significant adverse cumulative impact to the detriment of the visual amenity and openness of the countryside.
- 5.3 Appearance/Form and Impact on the Character of the Area
The proposal is located on existing concrete foundations occupied by a former timber stable building. The photographs submitted of the previous building indicate that it had a simple linear form and a mono pitch roof.

The proposal, which occupies the same footprint replicates the form of the previous building. The building proposed is however, to be constructed of block work and render instead of timber, with an onduline mono-pitch roof. According to the applicant the timber building became extremely dilapidated and the proposed rendered block work building will be of a better appearance. An objection has been received from the Parish Council on the basis that they would prefer to see a timber structure than a rendered building. Whilst the comments of the Parish Council are noted, there is no objection on this basis. It is not considered that the proposed rendered finish will appear adversely out of keeping with the character of the area. The applicant has specified that the proposed render will match the colour of an existing manure shed (cream), which is considered to be acceptable. In addition, the onduline material for the roof, which is non-reflective, is considered to be acceptable. The scale and simple form of the building, as well as its siting set well back from Alveston Road is such that it will not be adversely prominent from views. There are no trees or vegetation close to the site that will be adversely affected by the proposal.

5.4 Horse Welfare

The scale and design of the building is such that it will function acceptably for the intended use. The stable includes provision for the keeping of two horse. The stable is located in a field of approximately 1.6 acres in area, which calculates to approximately 0.8 acres per horse. This is not significantly less than the British Horse Society recommendation for grazing land per horse. According to Council records there is no record of the use of the land having been changed to the keeping of horses. However, retrospective planning permission was granted at the site for the retention of a stable building. Therefore, it is considered that the land has been used for at least 13 years for the keeping of horses and is therefore, likely to be a lawful use. A public right of way is located adjacent to the northern boundary of the site and will provide easy and safe access for horse riding.

5.5 Residential Amenity

The scale of the proposal and the proximity to neighbouring occupiers is such that it will not have a significant impact in terms of residential amenity. Given that the proposal is for a replacement building and horses already occupy the site, the proposal will not be significantly harmful in terms of residential amenity than the existing situation.

5.6 Transportation

Access is through an existing timber field gate from Alveston Road. No changes to the access are proposed. The scale of the proposal is such that it will not result in a significant increase in vehicular traffic.

5.7 Further Matters

A number of conditions were attached to the original consent for the former stable building to be replaced. The conditions restrict the use of the stable to private use only, the number of horses to be kept on the site and the stationing of trailers and vehicles on the site. These conditions are still relevant to the proposed development and it is recommended that they are copied to the new consent if permission is granted.

6. CONCLUSION

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

The scale and use of the building proposed are such that it is considered to be an essential facility for outdoor sport and recreation and is therefore, appropriate development in the Green Belt – policy GB1 of the South Gloucestershire Local Plan (adopted) January 2006; and the South Gloucestershire Development in the Green Belt SPD (adopted).

The proposal will not have a significant adverse impact on the residential amenity of the neighbouring occupiers through loss of natural light or privacy – policy E10 of the South Gloucestershire Local Plan (adopted) January 2006.

The scale and use of the building proposed is such that it will not have a detrimental impact on local highway conditions; the existing access is adequate to serve the proposed building – policies T12 and E10 of the South Gloucestershire Local Plan (adopted) January 2006.

The comments of the Parish Council are noted, however, it is considered that the proposal achieves an acceptable standard of design in terms of scale, form, siting and materials and takes into account the welfare of the horses. The proposal will not appear adversely out of keeping with the character of the surrounding area – policies D1, GB1 and E10

7. RECOMMENDATION

- 7.1 Planning Permission is GRANTED subject to the conditions in the decision notice.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

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

Reason

In the interests of the character and amenities of the area and to accord with Policy E10 of the South Gloucestershire Local Plan (adopted) January 2006.

3. The number of horses kept in the stable or on the surrounding field shall not exceed 2.

Reason

The use of the stable and associated land for the keeping of more than two horses will require further consideration by the Local Planning Authority.

4. At no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason

To protect the character and openness of the surrounding area and to accord with Policies GB1 and E10 of the South Gloucestershire Local Plan (adopted) January 2006.

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

Reason

In the interests of the character and openness of the surrounding area and to comply with Policies GB1 and E10 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 45/11 – 18 NOVEMBER 2011

App No.:	PT11/3163/F	Applicant:	Mrs Crompton
Site:	17 Glebe Field Almondsbury Bristol South Gloucestershire BS32 4DL	Date Reg:	5th October 2011
Proposal:	Erection of rear conservatory and side orangery	Parish:	Almondsbury Parish Council
Map Ref:	360487 184088	Ward:	Almondsbury
Application Category:	Householder	Target Date:	29th November 2011



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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 rear conservatory and side orangery.
- 1.2 This is a modern detached dwelling located within the settlement boundary of Almondsbury which is 'washed over' by the Green Belt. The dwelling is also located within the Almondsbury Conservation Area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS5	Planning for the Historic Environment
PPG13	Transport
Draft National Planning Policy Framework	

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
GB1	Development within the Green Belt
H4	Development within Existing Residential Curtilage
L12	Conservation Areas
T12	Transportation Development Control Policy for New Development

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1	High Quality Design
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2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. **CONSULTATION RESPONSES**

4.1 Almondsbury Parish Council

No objection.

4.2 Other Consultees

Transportation

No objection.

Tree Officer

No objection.

Other Representations

4.3 Local Residents

One letter of objection was received raising the following concerns:

- The plan is inadequate and fails to show measurements of proposal including height and distance from neighbouring boundary
- Proposed orangery will restrict light into neighbours garden
- Will foundations be acceptable to avoid 'slippage'?
- Will the proposal allow maintenance of walls and gutters of the orangery?
- Will boundary walls/fences be retained as part of the proposal
- The works may affect two small trees
- This development within Conservation Area spoils front aspect and gives appearance of over development

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site lies within the Green Belt, therefore, consideration must be taken in regards to the impact on the openness of the Green Belt. PPG2 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 allow in principle for extensions to residential dwellings subject to the cumulative additions to the dwelling house being proportionate to the original size.

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

Policy H4 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 Green Belt

The two additions are both single storey and on a property located within the Almondsbury settlement boundary. They would add approximately 15% to the property in terms of cubic volume and thus the proposal is considered a proportionate addition that would not harm the 'openness' of the Green Belt.

5.3 Design / Impact Upon Conservation Area

The conservatory is of an acceptable size, scale and design and would cause no harm to the visual amenity of the Conservation Area given its location at the rear. The orangery would be set back from the front elevation of the host dwelling by a few metres, behind the existing chimney stack. There would be views of the front of the orangery from the Conservation Area however its size, scale and design is also considered acceptable with render to match existing and a sympathetic glazed lantern as the roof. It is considered that the design of the proposal together with the chosen construction materials will preserve the character and appearance of the Almondsbury Conservation Area and therefore the proposal is in accord with the aims and objectives of Local Plan Policy.

5.4 Residential Amenity

Overbearing Analysis

The proposed conservatory is to be sited within the rear garden away from the side boundaries of the property and therefore would not be overbearing on the residential amenity of neighbouring occupiers. The orangery would have a side elevation wall close to the neighbouring boundary with no. 19 Glebe Field. This wall would be 2.7 m in height and 6.5 m in length. It is considered that the size and scale of the orangery has been kept to a minimum, utilising a flat roof successfully and not extending the full depth of the existing property. The size of the elevation wall is considered acceptable and would not have an unacceptable overbearing impact on neighbouring occupants.

Privacy Analysis

No windows are proposed in the side elevation of the orangery and so there would be no overlooking from this part of the development. There is sufficient boundary treatment between no's 17 and 19 Glebe Field for there to be no undue loss of privacy here either.

Amenity Space

Whilst the proposed conservatory and orangery do project into the rear and side gardens their relatively modest footprints means that sufficient garden space will remain to serve occupiers of the property.

5.5 Trees

No significant trees will be affected by the proposal. The development is therefore acceptable.

5.6 Transportation

The proposed development would have no impact upon the property's parking arrangements.

5.7 Other Matters

- A local resident has questioned the accuracy of the plans. The plans submitted are to scale and have given Officers an acceptable level of understanding of the proposed development.
- A local resident also raised concern regarding the building of foundations and maintenance of the orangery. There is not significant concern that a land stability concern exists in this instance and ultimately the foundations will be managed by Building Regulations. Future maintenance of the development is the property owner's responsibility, although it is noted there will be space between the side elevation wall of the orangery and the boundary with no. 19 Glebe Field.
- A local resident questioned whether boundary treatment was to be retained. The proposal has been assessed on the submitted plans and no details have been submitted in regard to boundary treatment. The replacement of boundary treatment would likely fall within householder 'permitted development' rights, in any case.

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 Almondsbury Conservation Area. The

development therefore accords to Policy D1, L12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

- c) The proposed development represents a proportionate addition to the existing property that would not harm the 'openness' of the Green Belt. The development therefore accords to Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Development in the Green Belt (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

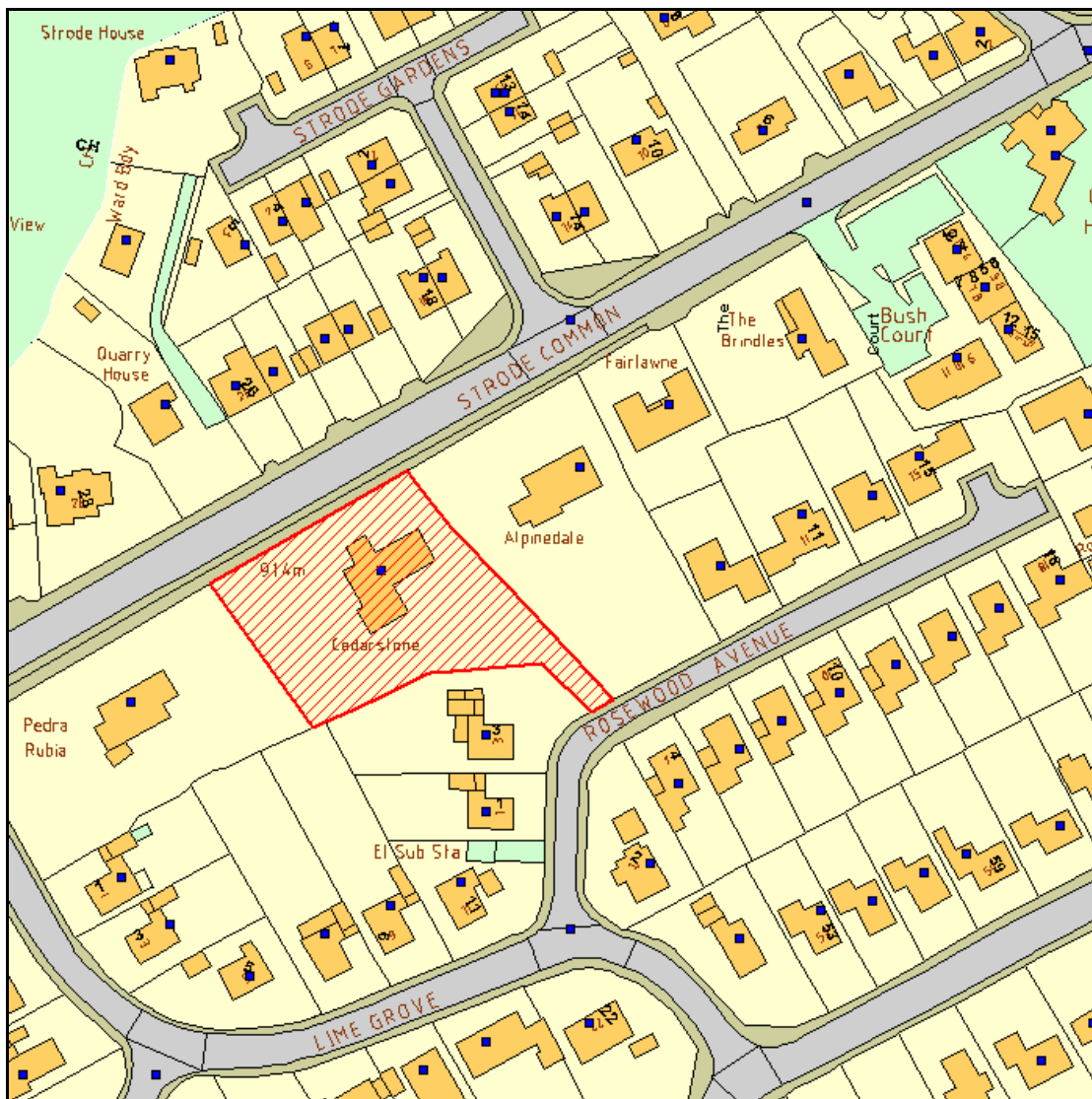
- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 45/11 – 18 NOVEMBER 2011

App No.:	PT11/3194/F	Applicant:	Mr I Porch
Site:	Cedarstone Rosewood Avenue Alveston Bristol South Gloucestershire	Date Reg:	10th October 2011
Proposal:	Alterations to existing dwelling and erection of extension to form 1no. additional detached dwelling with associated works. Creation of new access from Strode Common. Erection of detached single garage.	Parish:	Alveston Parish Council
Map Ref:	362731 188081	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	8th December 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for alterations to an existing dwelling and erection of extension to form 1no. additional detached dwelling with associated works. Permission is also sought for the creation of a new access from Strode Common and erection of a detached single garage.
- 1.2 The application site relates to an existing detached bungalow set over two levels that was built circa 1980, known as 'Cedarstone'. The plot of land includes the property's curtilage, currently in use as private amenity space for the occupiers of Cedarstone. It is proposed that the existing dwelling will be partially demolished and then remodelled to facilitate the construction of an additional detached dwelling on the site. The new dwelling would be accessed from Rosewood Avenue with the remodelled Cedarstone making use of a new access off Strode Common and benefiting from a new detached garage.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development Planning and Climate Change (2007 supplement)
PPG2	Green Belts
PPS3	Housing (as amended 9 th June 2010)
PPG13	Transport
PPG14	Development on Unstable Land

Emerging National Guidance

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

Draft National Planning Policy Framework (published 25th July 2011)

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
EP1	Environmental Pollution
EP7	Unstable Land
GB1	Development within the Green Belt
H2	Residential Development within Existing Urban Areas
H4	Development within Existing Residential Curtilage
L1	Landscape Protection and Enhancement
L5	Open Areas within the Existing Urban Areas

L9	Species Protection
L17 & L18	The Water Environment
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for new Development

Emerging Development Plan

Core Strategy Pre-Submission Publication Draft (March 2010)

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

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 N2545 – Erection of detached bungalow with integral three car garage, construction of vehicular access. Approved 30/04/1976.
- 3.2 PT10/1927/F - Erection of 2 no. semi detached dwellings with integral garages. Creation of new vehicular access and associated works. Refused.

4. **CONSULTATION RESPONSES**

4.1 Alveston Parish Council

The Parish Council has no objection to the application. However, they draw attention to the fact that as this piece of land is a “filled in quarry” and special care should be taken during construction work that no damage be incurred to existing or adjacent buildings.

They would also suggest that all construction traffic be required to use the new entrance in Strode Common as the residential entrance to the site in Rosewood Avenue is narrow and requires all but the smallest vehicles to manoeuvre over footways and adjacent driveways.

4.2 Other Consultees

Archaeology

No objection.

Highways

No objection.

Drainage

No objection subject to condition.

Environmental Protection

No objection subject to condition.

Tree Officer

No objection.

Landscape Officer

No objection subject to condition.

Structural Engineer

The preliminary ground investigation and report does provide reassurance that an adequate foundation design can be achieved without using driven piles. The final design is dependant on the full ground investigation.

Other Representations

4.3 Local Residents

Three letters of objection were received raising the following concerns:

- Access should not be off Strode Common due to highway safety concerns
- Large lorries using Rosewood Avenue is unsuitable and could damage other properties
- The site is a former quarry and consideration should be given to building methods
- Construction traffic should access site from Strode Common, not Rosewood Avenue

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

- 5.2 PPS3 expects schemes to make an effective use of the site by achieving the maximum density compatible with the sites accessibility, environmental constraints, and its surroundings. The expectation under Policy H2 of the Local Plan states that all developments will achieve a minimum density of 30 dwellings per hectare.
- 5.3 Notwithstanding this policy context in June 2010 the Coalition Government issued a Ministerial Statement under the title of *'New Powers for Local Authorities to Stop 'Garden Grabbing'*. The Ministerial Statement has raised some important points regarding the design and density of new residential development. Firstly the statement reiterated the need to ensure that residential development does not result in the overdevelopment of neighbourhoods, the loss of green space, and impact upon local character. These matters can be reasonably resisted on the basis of existing policies (D1, L5, H2, and H4) within the South Gloucestershire Local Plan.
- 5.4 The second point relates to the requirement in PPS3 for all new residential developments to achieve the national indicative density target of 30 dwellings per hectare. This policy objective was reflected in Policy H2(b) of the South Gloucestershire Local Plan which stated that the maximum density compatible with the sites location should be achieved, but with an expectation that it will achieve a minimum density of 30 dwellings per hectare. The Ministerial Statement has removed the requirement for new residential development to achieve the national indicative minimum density, and thus very limited weight should be given to Policy H2(b).
- 5.5 The remaining advice in PPS3 states *"Good design is fundamental to using land efficiently..."* (Para. 48) and *"Careful attention to design is particularly important when chosen local strategy involves intensification of the existing urban fabric. However when well designed and built in the right location, it can enhance the character and quality of an area"* (Para. 49). *"Density is a measure of the number of dwelling that can be accommodated on a site or in an area. The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment."* (Para. 50)
- 5.6 On this basis in this application the need to achieve an efficient use of land is still an important material consideration. However this need should be carefully balanced against the requirement to consider the character of the area and whether the proposal is good quality design. Policy D1 of the South Gloucestershire Local Plan recognises this, and density is one of the design factors that this policy requires to be assessed.
- 5.7 Green Belt
- The application site lies within the Green Belt, therefore, consideration must be taken in regards to the impact on the openness of the Green Belt. The proposed new dwellings constitute 'limited infilling' and this is considered

appropriate development under the provisions of Policy GB1 of the Local Plan. The proposal would not significantly impinge upon the openness of the Green Belt and therefore the proposal for two new dwellings is acceptable subject to the criteria set out in Policy H2 being satisfied, namely; density, residential amenity, environmental impact, and transportation effects.

5.8 Density

Under application PT10/1927/F planning permission for 2no. additional dwellings at Cedarstone was refused on the grounds that the development by virtue of its size, siting, scale and massing would represent a cramped form of development. It is therefore considered that the proposal for 1 no. additional detached dwelling at Cedarstone, Alveston represents a more appropriate density compatible with the site's location. The site is existing private garden space and the dwellings would be set back within the site thus limiting views from the streetscene. The Council's Landscape Architect has assessed that the site is not considered to meet the criteria concerning 'open areas' under Policy L5. It is not considered that the addition of 2 no. dwellings at Cedarstone would lead to a significant loss of green space or adversely impact upon the character of the local area. The density proposed is therefore acceptable.

5.9 Design / Visual Amenity

Cedarstone is a large detached bungalow set over two levels. The property is situated close (approximately 100 metres) to the edge of the settlement boundary of the village of Alveston. Beyond lies open countryside. Cedarstone is flanked, to the east and west by two properties (Alpinedale and Pedra Rubia) of a similar size that lie in similarly large plots. Cedarstone is accessed off Rosewood Avenue which consists of detached two storey dwellings constructed of a mixture of materials including stone, render and weatherboarding. To the north of Strode Common, opposite Cedarstone, there are several semi detached dwellings with face materials including stone blockwork and white render. The surrounding area is, therefore, a mixture of housing types, styles and materials.

5.10 It is considered that, in line with Policy D1 of the Local Plan, the most important issue regarding the siting and layout of the proposed dwellings is to respect the character of both the site and the locality. Cedarstone has a fairly large footprint and the building itself is approximately set within one half of the overall site, to the east. In the wider context, of the adjacent properties (Alpinedale and Pedra Rubia), these are also fairly large dwellings in terms of their footprint but set more centrally within their plots. It is considered that by utilising part of the existing dwelling through extending and locating the additional property in close proximity, the proposal maintains the rhythm and character of the adjacent properties in terms of their siting and layout.

5.11 The application site is heavily screened through vegetation and so to a large extent views from the public realm will be limited, particularly from Strode Common and also Rosewood Avenue. Nevertheless, the remodelled 'Cedarstone' and the new dwelling are of a satisfactory size, scale and appearance for there to be no objection to the proposal. The converted house

would provide a frontage onto Strode Common, visible through the trimmed leylandii, whilst the new dwelling would have its rear facing onto Strode Common but barely visible due to the retention of the leylandii to make use of the large garden area. The materials (white render walls and brown roof tiles) match that of the existing Cedarstone dwelling, and the stone chimney detail is replicated on the new dwelling.

5.12 Residential Amenity

Overbearing Impact/ Loss of Privacy

- 5.13 The dwellings would be single storey above existing ground level. The application site is well enclosed by the existing vegetation and neighbouring dwellings are at a comfortable distance away for there to be no overbearing impact, loss of outlook or loss of privacy for occupiers of the properties.

Amenity Space

- 5.14 The converted 'Cedarstone' has 3 bedrooms and will have a much smaller garden than the new dwelling. The new property is larger with 4 bedrooms and having a likely use as a family house benefits from a large garden. The proposed amenity space is considered acceptable.

5.15 Construction Work

A condition will be attached to the decision notice restricting construction working hours due to the proximity of nearby properties. In terms of construction vehicles entering the site, it is considered this can reasonably be achieved either from the existing access off Rosewood Avenue or from the new access off Strode Common although in the interests of residential amenity the new access would be better and so a condition requiring its implementation prior to the commencement of construction of the new buildings will be attached to the decision notice.

5.16 Landscaping / Tree Protection

The Council's Landscape Architect and Tree Officer were consulted as part of this planning application. The site is visually contained to the north, east and west by existing conifers that are to be mostly retained. The section of leylandii to the north that is to be removed in order to create an access to the site is minimal and due to the existing amount of vegetation on site it is not considered a landscaping scheme is required. The Landscape Architect requested a tree protection plan for when construction work is taking place and although the Tree Officer has not noted any significant trees on site worthy of a TPO, the trees on the site do contribute to the visual amenity of the site and so an appropriate condition will be attached to the decision notice.

5.17 Transportation / Highway Safety

The Council's Highways Officer was consulted as a part of this application. The proposed access is located at a point where a natural visibility splay can be

achieved along Strode Common. The parking and turning arrangements for both dwellings is considered satisfactory.

5.18 Drainage

The Council's Drainage Officer was consulted as a part of the application and raises no objection subject to a condition requiring 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 to the Council for approval.

5.19 Land Stability / Quarry Site

Concern has been raised by local residents in respect of the stability of the land the new dwellings are to be built on, as it is understood Cedarstone and the two adjoining properties were constructed on a former quarry site. The application for the original dwelling (N2545) contains no information or planning conditions in respect of the land stability of the site. The applicant commissioned Geo-Testing Services Ltd to carry out a preliminary ground investigation to determine the likelihood of there being any land stability issues and also to suggest likely methods of construction. Trial holes were excavated and historical data examined. The Council's Structural Engineer has viewed the preliminary investigation and considers that the report does provide reassurance that an adequate foundation design can be achieved subject to a full ground investigation. The Engineer also commented that with the foundation solutions proposed and the distance from the adjacent properties, damage to nearby properties would not be expected. PPG14 states that 'The responsibility for determining whether land is suitable for a particular purpose rests primarily with the developer.' Accordingly, appropriate regard has been given as to whether the principle of development could be accommodated safely.

5.20 Due to the former quarry use of the site there is a potential for land contamination to be present and as such a condition will be attached to the decision notice requiring suitable ground contamination surveys to take place prior to the commencement of development.

6. CONCLUSION

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

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

The recommendation to grant permission is for the following reasons:

1. The proposed layout has been configured to allow a form of development that would be in keeping with the general pattern of residential development within the locality. As such, the proposal would be compliant with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
2. The proposal would provide an appropriate level of density having regard to the site, its location and accessibility. As such, the proposal is considered to be compliant with the requirements of planning policy H2 (Residential Development) of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of PPS3.
3. The proposal would not cause any significant adverse impact to residential amenity. The proposal is therefore considered to accord with Planning Policies H2 (Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The proposal is considered to be acceptable in highway safety terms and compliant with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.
5. The proposal has considered all environmental issues associated with the site in terms of land stability, drainage or landscaping and there are no constraints to granting planning permission on this basis. The proposal is therefore considered to accord with Planning Policy EP1 (Environmental Pollution), EP7 (Unstable Land), L1 (Landscape Protection and Enhancement) and L17 & L18 (The Water Environment) of the South Gloucestershire Local Plan (Adopted) January 2006.
6. The proposal constitutes 'limited infilling' in Green Belt terms and the proposal would not significantly impinge upon the 'openness' of the Green Belt. The development therefore accords to Policy GB1 (Development within the Green Belt) and H2 (Residential Development) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. **RECOMMENDATION**

- 7.1 Planning Permission is **GRANTED** subject to the conditions attached to the decision notice.

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

4. Prior to the commencement of development a desk study should be carried out to determine whether there is any land contamination of the site. Details of how the development will mitigate any potential risks of land contamination should also be clarified and agreed in writing with the Local Planning Authority.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of development a tree protection plan (in compliance with British Standard 5837:2005 - Recommendations for Tree Work) 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 the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the trees and to protect the visual amenity of the site, and to accord with Policies L1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

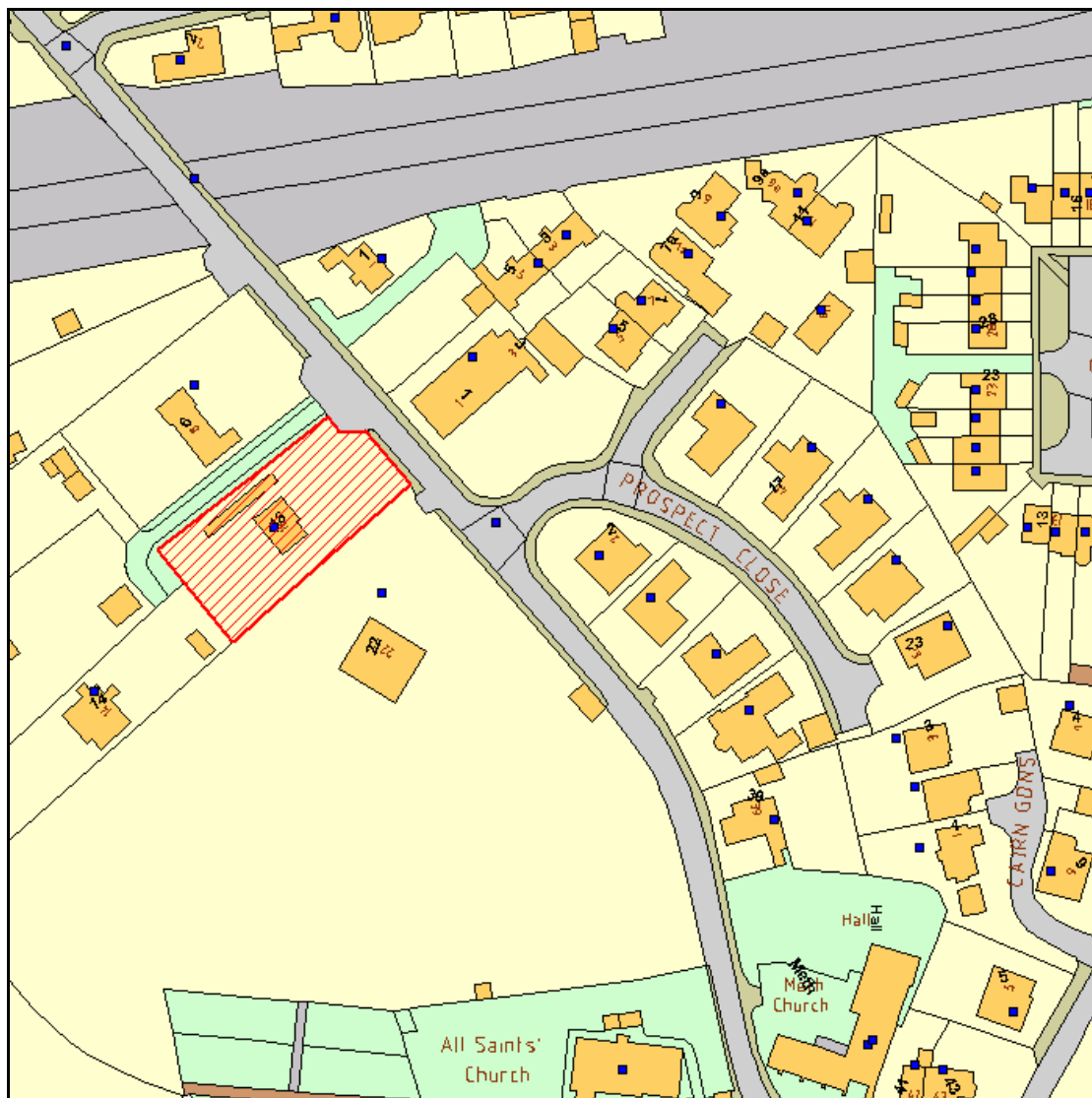
6. Prior to the commencement of development of houses 1 and 2, the proposed new access off Strode Common and the associated drive/parking area as shown on drawing '11-1413-104 Rev A' (received on 7th October 2011) shall be completed in accordance with the approved plan. Thereafter construction traffic shall access via Strode Common rather than the existing Rosewood Avenue access.

Reason

In the interests of the amenities of nearby occupiers, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 45/11 – 25 NOVEMBER 2011

App No.:	PT11/3208/F	Applicant:	Mr C Warren
Site:	18 Down Road Winterbourne Down Bristol South Gloucestershire BS36 1BN	Date Reg:	10th October 2011
Proposal:	Erection of single storey rear extension to provide additional living accommodation with balcony above.	Parish:	Winterbourne Parish Council
Map Ref:	365003 179798	Ward:	Winterbourne
Application Category:	Householder	Target Date:	1st December 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because concerns have been raised by the Parish Council

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear extension and balcony above.
- 1.2 The application site comprises a large detached dwelling situated within a large sized curtilage on the western side of Down Road. The site is located within the established residential area of Winterbourne Down.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/1871/F, erection of single storey side extension to form garage, approval, 04/08/08.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection. However, the balcony overlooks no.14.

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning policy H4 of the South Gloucestershire Local Plan (adopted) January 2006 allows for the principle of the proposed development. The main issues to

consider are whether the proposal achieves a high standard of design in-keeping with the character and visual amenity of the surrounding area (policies D1 and H4 of the Local Plan), the impact on the residential amenity of the neighbouring occupiers (policy H4 of the Local Plan) and transportation effects (policies T12 and H4 of the Local Plan).

5.2 Appearance/Form and the Impacts on the Character of the Area

The proposal measures approximately 6 metres in width, 3.9 metres in length and 2.7 metres in height. The proposal is located to the rear of the dwelling and internal access will be through the existing living room and dining room. The applicant has specified brick for the walls and uPVC fenestration all to match the existing dwelling. A condition on this basis is therefore, not required if permission is granted. The proposal is encompassed by a flat roof so that the top can function as a balcony. The proposal is considered to be in-keeping with the character of the host dwelling and surrounding properties in terms of scale, form, siting and materials. In addition, the proposal is well screened from the public realm by existing built form and vegetation and will not have a significant adverse impact on the character of the area.

5.3 Residential Amenity

The main issue to consider is the impact on the neighbouring occupiers in terms of loss of privacy from the proposed balcony. The host dwelling benefits from a large curtilage plot, such that the proposal is relatively well cushioned from the boundaries of the site. There is a gap of approximately 17 metres to the side boundary to the north, 17 metres to the rear boundary to the southwest and 7 metres to the side boundary to the south. In addition to this, there are trees growing on the flank boundaries and a tall Leylandii hedge growing on the rear boundary. The applicant has proposed a solid wall on the western side of the balcony, which slopes down, and this will reduce the level of overlooking to the west, which is closer to the boundary. In addition, the neighbouring property to the south (no.22) benefits from a very large curtilage, which will help to reduce the severity of any overlooking. The Parish Council's comments with regards to overlooking are noted, however, given that the area is heavily vegetated, it is considered that the proposal will not have a significant adverse impact on the neighbouring occupiers through loss of privacy. Weight is given to the fact that the proposal replaces an existing smaller first floor balcony.

5.4 Given the single storey form of the proposal and the proximity to the curtilage boundaries, it is considered that it will not have a significant adverse impact on the residential amenity of the neighbouring occupiers through loss of natural light. A sufficient amount of amenity space will be left to serve the host dwelling.

5.5 Transportation Effects

The proposal will not effect the existing parking or access arrangements. In addition, it is not considered that the proposal will have a material impact in terms of vehicular traffic to the detriment of the local highway conditions.

6. CONCLUSION

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

The proposal is sufficiently in-keeping with the character of the host dwelling and neighbouring properties in terms of scale, form, siting and materials. The proposal is well screened from views from the public realm by existing built form and vegetation and will not adversely effect the character or visual amenity of the area – policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The Parish Council's concerns are noted, however, it is considered that the design of the balcony, as well as the proximity to the neighbouring boundaries and the vegetation on the site, is sufficient to ensure that any overlooking will not significantly adversely affect the residential amenity of the neighbouring occupiers – policy H4 of the South Gloucestershire Local Plan (adopted) January 2006.

The proposal will not effect the existing parking or access arrangements and will not have a material impact on vehicular traffic to the detriment of the local highway conditions – policies T12 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning Permission is GRANTED subject to the condition below.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

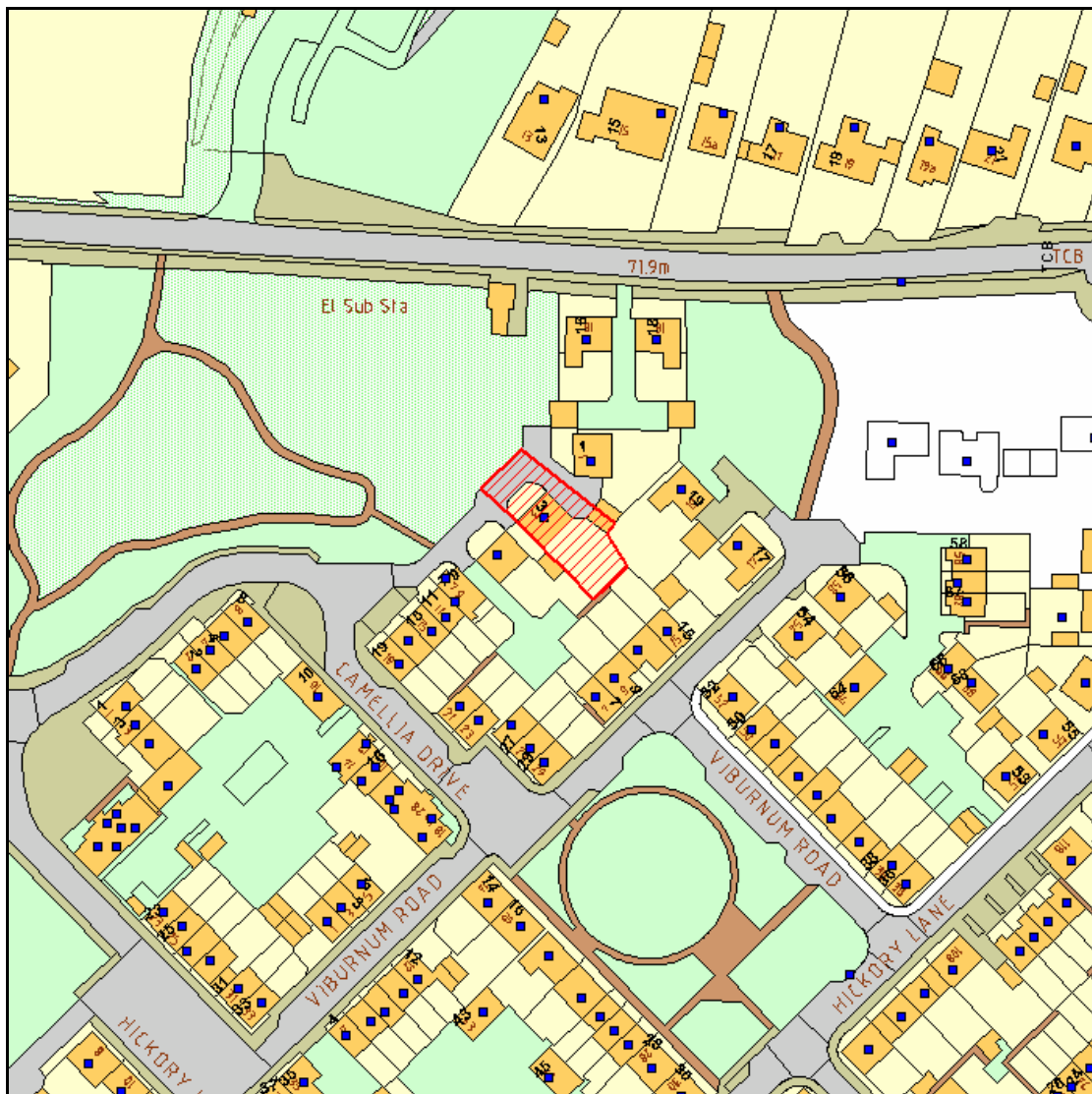
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 45/11 – 18 NOVEMBER 2011

App No.:	PT11/3221/F	Applicant:	Mr Jade Lambert
Site:	3 Camellia Drive Almondsbury Bristol South Gloucestershire BS32 4DA	Date Reg:	11th October 2011
Proposal:	Erection of two storey rear extension to provide additional living accommodation.	Parish:	Almondsbury Parish Council
Map Ref:	361863 184459	Ward:	Almondsbury
Application Category:	Householder	Target Date:	7th December 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is being circulated to members because the Officer's recommendation is contrary to a written representation received from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey rear extension. The proposed development would replace a single storey rear conservatory. The proposed extension would measure approximately 5.5 metres in width and 3.4 metres in depth with a ridge height of approximately 7.5 metres falling to circa 5 metres at the eaves. The materials would match the existing.
- 1.2 The application site relates to a detached two-storey dwelling located in an established residential estate located in the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Design
H4: Development within Existing Residential Curtilages
GB1: Development in the Green Belt
- 2.3 Emerging Policy
Draft National Planning Policy Framework: Green Belt p.40

South Gloucestershire Council Core Strategy Pre-Submission Publication Draft
March 2010:
CS1: High Quality Design
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007
South Gloucestershire Development in the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection.

Other Representations

4.2 Local Residents

1 letter received from a local resident objecting to the proposal on the following grounds:

- a) overdevelopment;
- b) invasion of privacy;
- c) start a stampede of applications to jump on the bandwagon to develop back gardens and make money.

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

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development consists of the construction of a domestic rear extension to an existing residential dwelling within an existing residential curtilage.

5.2 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 permits extensions to dwellings within residential curtilages. As such this indicates that the proposal would be acceptable in principle subject to the following considerations.

5.3 Impact on the Green Belt

Based on the information submitted, it is estimated that the volume of the original dwelling is approximately 504 cubic metres.

5.4 The proposed two storey extension is estimated to be approximately 114 cubic metres (5.5m (w) x 3.4m (d) x 6.1m(h)). The height has been taken half way up the roof slope to accommodate the pitched roof in the volume calculations. As such, this equates to approximately a 23% increase to the original dwelling. With regard to the 'Disproportionate test' outlined in the adopted *Development in the Green Belt SPD*, limited extensions are considered acceptable up to 30%.

5.5 Whilst the site is outside the settlement boundary, it is located within an established modest sized residential estate just outside the settlement boundary with residential dwellings to both sides and rear. Given this location and the nature of the development the proposed extension at 23% is considered to be within the definition of 'limited extension'. Accordingly it is considered appropriate development and is therefore acceptable. The proposed development is not considered to be a disproportionate addition and is not considered to have a detrimental impact on the openness of the Green Belt. Accordingly the proposed development meets criteria in policy GB1 of the

5.6 Residential Amenity

The proposed development would be located on the footprint of an existing 3 metres deep conservatory. It would be located adjacent to the garage of the neighbouring occupier to the southwest set some 0.6 metres back from this boundary and would be at a depth of circa 3.5 metres. It is not considered that this would result in an overbearing impact in the neighbouring occupier.

5.7 To the north east of the site is a double driveway and a garage serving the host dwelling. The rear elevation of the proposed development would be located some 12 metres from the boundary shared with the neighbouring occupiers behind whose rear garden backs on to the application site. There are semi mature trees to the rear and an approximately 1.8 metre fence on all sides of the rear garden. Given the rear garden area would remain at circa 65 metres square with additional amenity space to the front of the property, the proposed two storey extension is not considered to result in over development of the site or a substandard amount of amenity area.

5.8 The proposed rear extension would have two ground floor windows and two first floor windows, one of which would serve a bathroom and be obscured glazed. The ground floor windows would not give rise to issues of loss of privacy or inter-visibility between principal rooms given the existing boundary treatments. Moreover in replacing an existing conservatory the levels of privacy afforded to neighbours and occupiers would not be altered in the new development. With regards the sole first floor unobscured window it is considered that this would not give rise to inter-visibility or a loss of privacy on the basis that there is a distance of approximately 30 metres between the rear elevation windows directly behind the application site and it is considered that this distance is sufficient. Accordingly the proposal is considered to maintain existing levels of residential amenity and meets criteria contained in policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.9 Design/Visual Amenity

The proposed development would be constructed of materials to match the host dwelling. The proposal whilst being subservient to the main dwelling will have the same roof pitch and angle and would remain in character and style of the dwelling. It will not be visible from the public realm and would not contribute to the street scene. There are similar developments evident in the locality on neighbouring properties and as such this proposed development would remain in keeping with the surrounding area. The proposal would thus accord with policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.

5.10 Other Matters

A concern was raised that this application would start a stampede of applications to develop back gardens.

It is considered that future applications cannot be considered within the remit of this application. Any future application would be assessed on its own merits at that time.

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 By virtue of the development representing an approximately 23% increase in cubic volume over and above the original dwelling, the proposal is appropriate development in this location and would not give rise to a detrimental impact on the openness of the greenbelt. As such it accords with criteria contained in policy GB1 and the South Gloucestershire Development in the Green Belt SPD (Adopted) 2007
- 6.3 The proposed extension would maintain existing levels of residential amenity and would not compromise amenity space or highway safety. It would incorporate matching materials and respect the character of the host dwelling. Accordingly it meets criteria contained in policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.4 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Genevieve Tuffnell
Tel. No. 01454 863438

CONDITIONS

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

Reason

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