



**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. 12/11

Date to Members: 25/03/11

Member's Deadline: 31/03/11 (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
Over the Easter and May Bank Holiday Period 2011**

Schedule Number	Date to Members 9am on	Members Deadline 5pm on
15/11	Thurs 14 April 2011	Weds 20 April 2011
16/11	Tue 19 April 2011	Weds 27 April 2011
17/11	Weds 27 April 2011	Thurs 05 May 2011
20/11	Fri 26 May 2011	Thurs 02 June 2011

Above are details of the schedules that will be affected by date changes due to Bank Holidays during April and May.

Please note there will be no Circulated Schedule published on Friday 06 May 2011

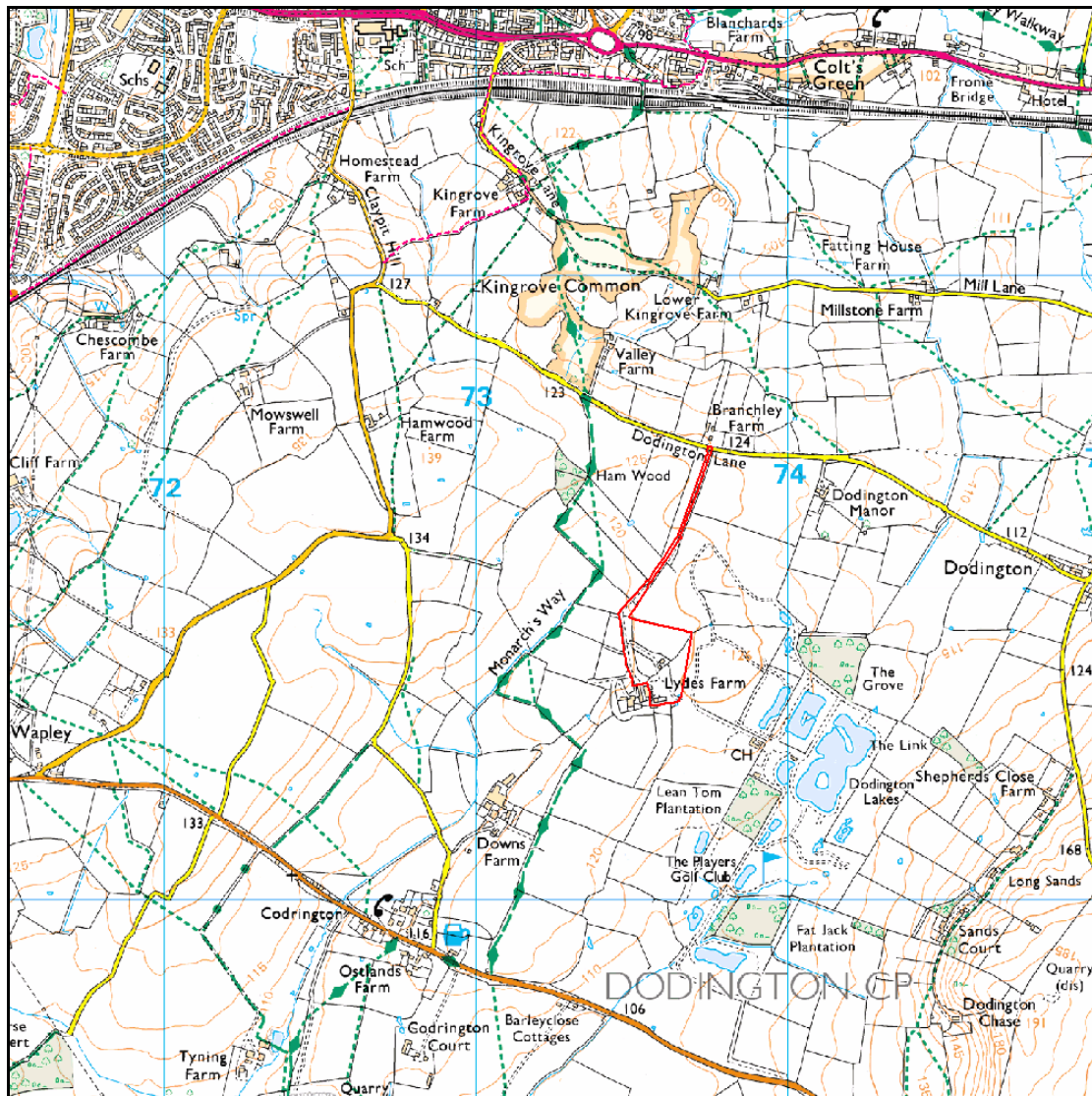
All other schedules during this period will be published as normal on Fridays

CIRCULATED SCHEDULE – 25 MARCH 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/0096/F	Approve without conditions	Lydes Vale House Dodington Lane Dodington Bristol South Gloucestershire BS37 6SB	Westerleigh	Dodington Parish Council
2	PK11/0385/F	Approve with Conditions	43 Turnpike Gate Wickwar Wotton Under Edge South Gloucestershire GL12 8ND	Ladden Brook	Wickwar Parish Council
3	PK11/0481/F	Approve with Conditions	Bitton Sports And Social Club Bath Road Bitton Bristol South Gloucestershire BS30 6HX	Bitton	Bitton Parish Council
4	PK11/0618/CLP	Approve with Conditions	59 Mangotsfield Road Mangotsfield Bristol South Gloucestershire BS16 5NA	Rodway	None
5	PT10/3394/F	Approve with Conditions	Junction At Little Bristol Lane And Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8LN	Charfield	Charfield Parish Council
6	PT10/3498/F	Approve with Conditions	136 Badminton Road Coalpit Heath Bristol South Gloucestershire BS36 2SZ	Westerleigh	Westerleigh Parish Council
7	PT11/0348/F	Approve with Conditions	7A Gadshill Drive Stoke Gifford Bristol South Gloucestershire BS34 8UU	Stoke Gifford	Stoke Gifford Parish Council
8	PT11/0369/F	Approve with Conditions	5 Severn View Road Thornbury Bristol South Gloucestershire BS35 1BA	Thornbury North	Thornbury Town Council
9	PT11/0440/F	Approve with Conditions	11 Broncksea Road Filton Bristol South Gloucestershire BS7 0SE	Filton	Filton Town Council
10	PT11/0475/CLE	Approve with Conditions	Spring Barn Eastwood Park Falfield Wotton Under Edge South Gloucestershire GL12 8DA	Charfield	Falfield Parish Council
11	PT11/0522/RVC	Approve with Conditions	Oak House Davids Lane Alveston Bristol South Gloucestershire BS35 3LW	Thornbury South And	Alveston Parish Council

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PK11/0096/F	Applicant:	Mr S Law
Site:	Lydes Vale House Dodington Lane Dodington South Gloucestershire	Date Reg:	27th January 2011
Proposal:	Construction of environmental earth bund with landscaping and associated works including creation of new paddock.	Parish:	Dodington Parish Council
Map Ref:	373590 179758	Ward:	Westerleigh
Application Category:	Major	Target Date:	26th April 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK11/0096/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is reported on the Circulated Schedule as a result of a consultation response received.

1. THE PROPOSAL

- 1.1 The application seeks consent for the construction of an environmental earth bund with landscaping and associated works including creation of a new paddock. This would involve the importation of up to 6000 cubic metres of soils and sub soils to create a bund that would measure up to a maximum of 4 metres in height in places. The proposed bund would measure 150 metres from north to south and 55 metres at its greatest width. A new paddock area would be created through proposed reinforced hedgerow planting. A Flood Risk Assessment has been submitted with the application.
- 1.2 The site itself is an area of land located to the east of both the residential curtilage of Lydes Vale House and the existing livery to the rear of this property, immediately adjoining part of Players Golf Course to the west. The land is generally relatively flat, although it does contain a small existing bund that acts as a barrier between the golf course and the residential property/ livery. This application would effectively incorporate the existing bund and any material contained within it in the proposed scheme. The purpose of the bund is stated as being for the protection of the farmhouse and curtilage and in particular the livery business from the effects of stray golf balls resultant from the direction of play on the adjacent golf course. The site is located within the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

GB1 Green Belt

L1 Landscape

T12 Transportation

LC5 Outdoor Sports and Recreation

L4 Forest of Avon

L17 The Water Environment

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

CS1 High Quality Design

South Gloucestershire Minerals and Waste Local Plan (Adopted May 2002)

Policy 45 Environmental Bunds

3. RELEVANT PLANNING HISTORY

- 3.1 P96/2621 – Formation of all weather menage after draining and filling lagoon, convert former cow stalls to loose boxes. Approved on appeal 13th May 1997.
- 3.2 P97/2778 - Formation of 18 hole golf course. Approved 16th October 1998
- 3.3 PK00/2262/F – Erection of stables and barn, and extension to all-weather school for the keeping of horses. Approved 25th October 2000.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
No comments received

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

Landscape

It is considered that the proposal is unlikely to have any significant impact regarding landscape character or visual amenity with regard to the openness of the Green Belt. Conditions are recommended for detailed planting and maintenance

Highways

It is considered that the highway network can adequately cope with the anticipated number of HGV movements associated with the required 6000 cubic metres of material, however conditions are recommended in respect of limiting the amount of material to this figure, for lorry routing and for wheelwash facilities.

Drainage

No objection

Environment Agency

No objection subject to the inclusion of informatives to advise on drainage and permitting requirements.

Other Representations

- 4.3 Local Residents

One letter has been received from a resident of adjoining properties, who also state that they are the owner of the private access track that leads to the residential properties and the livery, (although didn't receive formal notice as such), which raises several points in respect of the proposal, as follows:

- There have previously been little or no problems to warrant the proposals and high netting and semi mature planting would be a better option
- the access roadway has only historical rights over it's use for private dwellings, agriculture and equine use, not for the facilitation of the construction of a bund and the HGV, earth moving, wheel washing and passing bays on

what is a light and narrow tarmac driveway

- There is considered to be a legality issue associated with a 1 metre strip of the access roadway which lies between the Council highway and where the driveway ends which need to be addressed by the applicant

- The impact on the local environment, in particular the shared use of the driveway with the other private properties needs to be addressed and measures for ongoing and day to day maintenance and any re-instatement necessary for its increased usage agreed.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy 45 of the South Gloucestershire Minerals and Waste Local Plan requires that environmental bunds should be justified, utilise a minimum amount of material to achieve the objective and be of clean/inert material. The purpose of the bund is stated as being to protect the amenity and ensure the safety of users of the existing livery. Five letters from users of the livery have been provided to highlight the problem of stray golf balls that has been encountered and the concern this raises in respect of the livery use. It is considered that the direction and angle of play on this section of the adjacent golf course could be considered as conducive to the issue of stray golf balls in this area. The 6000 cubic metres of material likely to be required is considered reasonable for the purpose, providing a landform of up to four metres in height in places. The timescales for the development and HGV generation that this would give rise to are broken down in more detail in the relevant section below. The importation of material could also be limited by condition. This was considered by the applicants to be a preferable, more effective and more appropriate feature than a high fencing solution at this location. The acceptability of the proposed development at this location in visual amenity and landscape terms is discussed in more detail in the relevant section below. Additionally planting will be provided on the bund to integrate with surroundings. It is proposed that the material used in the construction of the bund would be soils. The materials used could be limited by condition and will also be controlled by the requirements of the Environment Agency licensing regime.

5.2 It is considered therefore that the broad principles of the development can be demonstrated to be acceptable in the context of policy requirement, subject to satisfactory consideration of the proposal in its Green Belt context and detailed development control consideration, in particular as to whether the proposal represents an acceptable development in its own right in terms of landform, transportation and local amenity.

5.3 Green Belt

The proposal is linked to the continued and existing use of the land for the livery and equestrian purposes. Given the considerations of the principle of the proposals in relation to the requirements of Policy 45 above, the proposals can be considered an appropriate form of development within the Green Belt designation. Further to this it is not considered that the development would impact upon the openness or detrimentally effect the visual amenity of the

Green Belt.

5.4 Landscape

The application states that the option of a net had been considered, however the bund was the preferred option both in terms of it's less obtrusive appearance and it's ability to be landscaped and planted as well as being an effective preventative measure against the issues of the golf balls from the adjacent golf course. In this respect and taking into account the considerations of the previous sections the application should be judged on its own merits and in terms of whether it represents an acceptable development at this location. In this instance it is not considered that the proposed bund would have any significant impact regarding landscape character or visual amenity. The creation of a paddock area raises no additional issues. It is however recommended that a further detailed planting and management plan be requested, through condition, to ensure maximum benefit is achieved from any planting. The planting plan should indicate the exact location, species mix and size and type of planting proposed, as a condition of planning. Details of the proposed long-term hedgerow and management planting maintenance should also be incorporated.

5.5 Transportation

Whilst HGV movements will clearly be generated by the need to import material for the construction of the bund, it is considered that the local highway network can provide for this. For illustrative purposes the vehicle generation can be compared to the potential duration of the operation. In this respect, spread over 6 months, this would equate to 5 deliveries per day, 8 months would equate to 4 deliveries per day and 12 months would equate to around 3 deliveries per day. Conditions are recommended that would seek to restrict the amount of material, restrict the lorry routing and provide for wheel washing facilities.

5.6 The proposed access to the site off the public highway at Dodington Lane is a private access, with passing points, leading to the residential properties, the livery, and the application site. A letter received regarding the proposals raises concerns over the use of the track. In particular whether access rights exist over the track for development vehicles, the capacity and lack of width on the track plus potential maintenance issues. The applicants consider that they have the appropriate rights over the track, it is also stated that they would seek a legal undertaking from any operators to secure any repair necessary resultant from the development, an agreement would be put in place prior to the commencement of development. Notwithstanding this it is a private track with access rights the details of which including joint use and maintenance are a civil matter, as would any other legal access issues associated with access on private land. Standard informatives of any consent would also reinforce the position that any permission granted would not grant rights to carry on works on or over, or enter land for the purposes of the development, on land not within the ownership, or control of the applicant.

5.7 Local Amenity

The landform itself the subject of the application would not be considered to raise any issues associated with impact upon local amenity. The level of works

proposed, likely timescales and hours of operation, during the construction phases, can be controlled to satisfactory standards.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006, the South Gloucestershire Minerals and Waste Local Plan set out above and South Gloucestershire Core Strategy Pre-submission Publication Draft (March 2010), and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted.

Contact Officer: Simon Ford
Tel. No. 01454 863714

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 importation of material for the purposes of the development hereby authorised shall cease on or before the expiry of 18 months from the commencement date which shall be provided to the Council in advance. Thereafter remaining restoration works, contouring and planting shall be completed within a further 3 months.

Reason

To ensure that the development is completed within a reasonable timescale in the interests of local amenity and to accord with Policies D1, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No more than 6000 cubic metres of material shall be imported to the site for the purposes of the remodelling works, upon written request the Local Planning Authority shall be provided with details of volumes of material imported to the site.

Reason

To limit the life of the site and the amount of material that is deposited in the interests of visual amenity and local amenity and to accord with Policies D1, GB1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006, and Policy 45 of the South Gloucestershire Minerals and Waste Local.

4. Nothing other than uncontaminated excavated natural soils and sub-soils shall be deposited on the site.

Reason

To prevent pollution of the water environment and to ensure a satisfactory form of development in accordance with Policies D1, L17 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No operations shall take place, no lorries shall enter or leave the site and no plant or machinery shall be operated other than between 08.00 and 18.00 hours Monday to Friday and at no other times on weekends or Bank Holidays.

Reason

In the interests of local amenity and in accordance with Policies D1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Details of wheelwashing facilities shall be provided to the Local Planning Authority prior to the commencement of the development hereby permitted and thereafter implemented.

Reason

In the interests of highway safety and to prevent materials from being deposited on the public highway, in accordance with Policies D1 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

7. Prior to the commencement of the development hereby permitted, a routing agreement illustrating the route that all HGV vehicles shall take to access the site, incorporating measures to ensure the prescribed route is followed, shall be submitted to the Council for written approval. Upon such approval all HGV vehicle movement shall adhere to the prescribed route at all times.

Reason

In the interests of highway safety and to prevent materials from being deposited on the public highway, in accordance with Policies D1 and T12 of the South Gloucestershire Local Plan (Adopted) 2006.

8. Prior to the commencement of the development hereby approved a detailed planting scheme shall be submitted to the Local Planning Authority for written approval and thereafter implemented in the next available planting season following the completion of the development. Such a scheme shall include the precise location of planting, species mix, size and type of planting proposed, long term hedgerow management and planting maintenance.

Reason

In the interests of visual amenity and to accord with Policies D1, L1, L4, GB1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

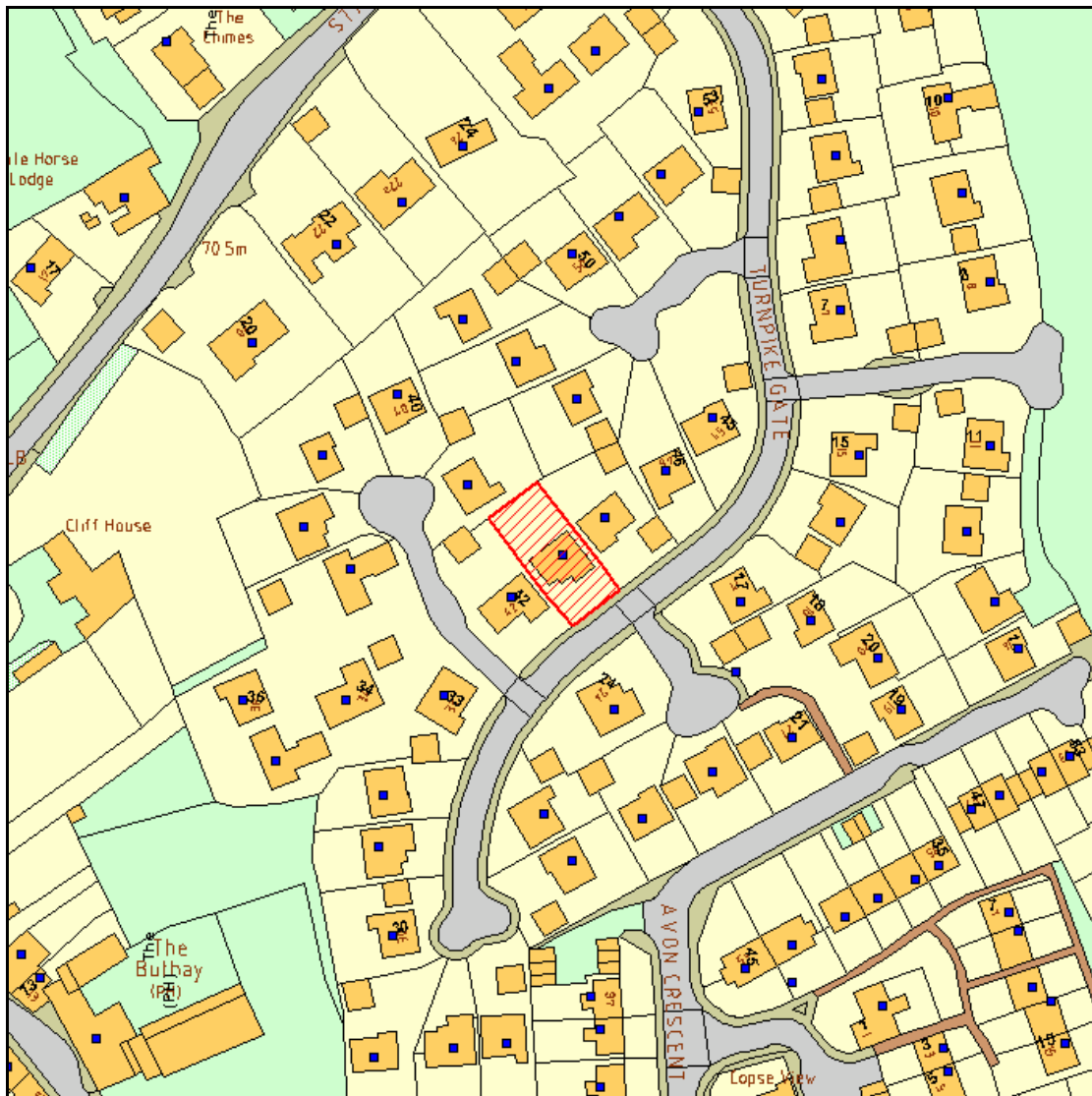
9. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface water, whether direct to watercourses, ponds or lakes, or via soakaways or ditches.

Reason

To prevent pollution of the water environment and to ensure a satisfactory form of development in accordance with Policies D1, L17 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PK11/0385/F	Applicant:	Mr and Mrs P Horne
Site:	43 Turnpike Gate Wickwar Wotton Under Edge South Gloucestershire GL12 8ND	Date Reg:	8th February 2011
Proposal:	Erection of first floor side extension to form additional living accommodation.	Parish:	Wickwar Parish Council
Map Ref:	372486 188710	Ward:	Ladden Brook
Application Category:	Householder	Target Date:	4th April 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/0385/F**

REASON FOR REPORTING TO COMMITTEE/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 towards the north side of Wickwar village in a modern residential estate. The site is bounded by residential development on three sides with vehicular access onto Turnpike Gate to the south. The site comprises a two storey detached dwelling with integral double garage.

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

1.2 The application proposes erection of first floor side extension to form additional living accommodation.

A proposed single storey rear garden room extension is shown on the submitted drawings. However, this extension falls within the limits of permitted development and does not require planning permission. As such the garden room rear extension will not be considered in this report.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Existing Residential Curtilages

South Gloucestershire Core Strategy – Submission Draft December 2010

CS1 High Quality Design

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

3. RELEVANT PLANNING HISTORY

3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Wickwar Parish Council

No objection

4.2 Other Consultees [including internal consultees of the Council]

None

Other Representations

4.3 Local Residents

One letter of objection received from the occupiers of 42 Turnpike Gate raising the following concerns:

The single storey rear garden room extension would result in loss of privacy, outlook, bulk, dominant, overbearing and intrusive impact with loss of light; *'The houses on the estate are all detached and have been carefully designed to produce a pleasing effect from the road. The feeling of space between properties has been achieved by putting the one-storey garage of adjacent properties in between to give a spaced out look even though ground floors are only 2m apart. The proposed first floor extension does not have regard for this and appears unreasonably squeezed into the plot. The first floor front window is poorly proportioned looking squashed in up to the wall. It creates a terraced house appearance and would be a bad precedent for all other properties on the estate.'*

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

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

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a modern suburban residential context. The dwelling the subject of this application is a two storey detached dwelling. The proposed extension would be clearly visible from public vantage points from Turnpike Gate at the front of the site only. The extension would follow the existing roofslope and eaves creating a modest first floor addition. A defined gap would remain to the dwelling to the east but dwellings although detached are closely related to one another in the street. The design and materials

would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

No amenity space to the property would be lost following the erection of the proposed first floor extension. With regard to neighbouring properties, the neighbour to the east (no.44) would be situated in line with the front and rear elevations of the proposed side extension to no.43. No.44 has one frosted ground floor window in the side gable facing towards the extension. Although the application site is situated at a slightly higher ground level than no.44, as the frosted window already faces towards the side fence and garage wall of no.43 it is considered that notwithstanding the window not serving a principle room, the proposal would result in no additional impact than already exists. The extension would be screened from the neighbouring dwelling to the west (no.42) by the existing dwelling. As such the proposed extension would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing or overbearing/bulky development.

As indicated above although concern has been raised in relation to the impact of the proposed single storey rear garden room extension, as the extension is considered to be permitted development, the impact of this extension on the residential amenity of no.42 is not a material planning consideration in relation to this application.

5.4 Other issues

The proposed first floor extension would provide extended floorspace to two existing bedrooms and not create additional bedroom numbers. As such there is no additional off street parking requirement as part of this scheme and the development is therefore considered to be acceptable in highway safety terms.

6. **CONCLUSION**

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

Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

- b) It has been assessed that the proposed extension has been designed to respect and maintain the massing, scale, proportions, materials and overall design and character of the street scene and surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.

7. RECOMMENDATION

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

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

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

Reason

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

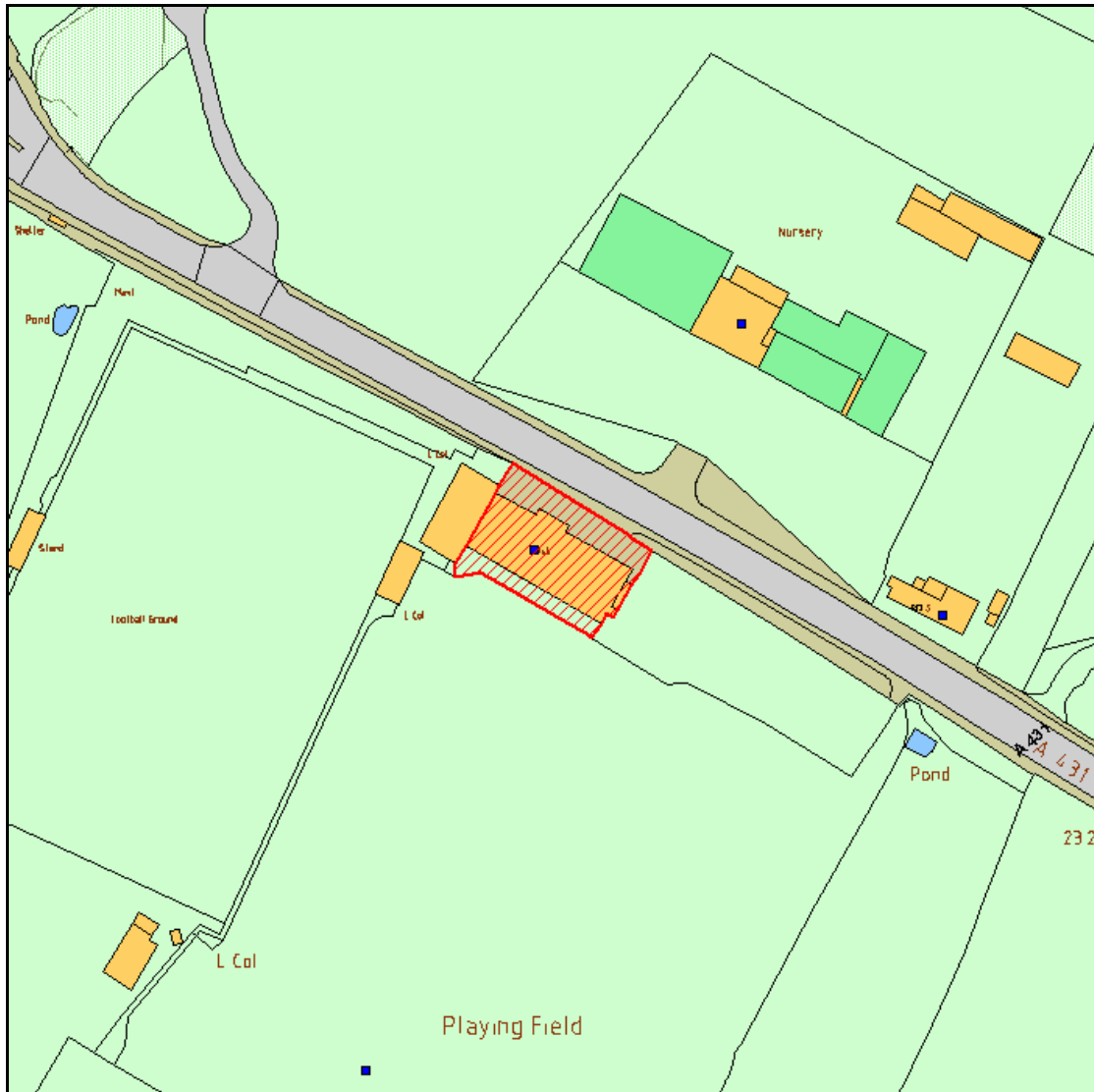
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PK11/0481/F	Applicant:	Mr J Langdon
Site:	Bitton Sports And Social Club Bath Road Bitton South Gloucestershire	Date Reg:	28th February 2011
Proposal:	Erection of replacement clubhouse and improvements to access.	Parish:	Bitton Parish Council
Map Ref:	367376 170037	Ward:	Bitton
Application Category:	Minor	Target Date:	21st April 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/0481/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of a letter of objection from the Parish Council and 2 letters of objection from local residents.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the partial demolition of the existing clubhouse building and the erection of a replacement building in its place. The plans also show the creation of a new vehicular access point to improve on the existing access arrangement and a revised car park layout.
- 1.2 The application site relates to the clubhouse serving Bitton Recreation Ground. The site as a whole is very large with a wide range of facilities available ranging from multipurpose pitches used for football and cricket to a small stadium with terraces and floodlighting used by Bitton FC. There is also a training ground area to the south of the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Development in the Green Belt

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
GB1 Development in the Green Belt
EP1 Environmental Pollution
EP2 Flood Risk and Development
L1 Landscape Protection and Enhancement
T12 Transportation Development Control
LC5 Proposals for outdoor Sports and Recreation Outside the Existing Urban Area and Defined Settlement Boundary.

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1849/F Erection of new stands attached to northern end of existing stand.
Approved August 2007
- 3.2 PK03/2250/F Single storey side extension to form changing rooms.
Approved December 2003

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Bitton Parish Councillors objected to the application because of the design of the building, which they felt was not in keeping with the street scene, particularly that section which ties the proposed building in with the flat roof section. They would prefer that a pitched roof was formed over the flat roof.

4.2 Other Consultees [including internal consultees of the Council]

4.3 Drainage Engineer

No Objection

4.4 Highway Engineer

No Objection

Other Representations

4.5 Local Residents

Two letters of objection have been received regarding the application. A summary of the key points of concern raised is as follows:

- The parking facilities are currently inadequate and will be under even more pressure in the future
- Cars using the recreation ground park in the garden centre opposite having a crippling effect on the trade of the garden centre
- Is 40 parking spaces enough?
- Noise is a current problem and questions about sound proofing to stop the existing problem

4.6 Four letters of support have also been received regarding the application

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies in the green belt, outside of the defined settlement boundary and in the open countryside. Policy GB1 of the South Gloucestershire Local Plan advises of five limited categories of development that may be considered acceptable in the green belt. Policy LC5 of the adopted local plan sets out the Councils criteria for assessing the development of facilities for outdoor sports and recreation outside of settlement boundaries. Policy D1 is also important in detailing that new development will be required to demonstrate a high standard of design. Finally, Policy T12 seeks to ensure that new development will not have any adverse transportation effects.

5.2 Green Belt

The proposal is to partly demolish the existing clubhouse building and to erect a replacement structure in its place. The existing toilet block is a more modern addition constructed of block work. This toilet block has a flat roof and is to be retained. The proposal is only to demolish the parts of the building that are currently timber clad with a felt roof. PPG2 and Policy GB1 of the South

- Gloucestershire allow for essential facilities for outdoor sport and recreation which preserve the openness of the green belt and which do not conflict with the purposes of including land in it.
- 5.3 In this instance, it is considered that given the scale and success of the recreation ground as a whole, it is essential for a clubhouse to remain in place to allow for the continued use of the site. The reason for the proposed replacement building is simply because the existing building is in a very poor state of repair. The building is clad in timber with a felt pitched roof. It is clear when viewing the building externally that the existing roof is sagging and dilapidated. The design and access statement advises that refurbishment of the existing building would not be cost effective and so replacement is required.
- 5.4 In addition to the above, it is not considered that the proposed new building would have any detrimental impact on the openness of the green belt. The proposed replacement structure will actually have a slightly smaller footprint than the existing building it is to replace and will have a ridge height of approximately the same height as the existing building. Upon completion therefore, the proposed new clubhouse will have no greater impact on the openness of the green belt than the existing acceptable situation. It is therefore considered that the proposal is acceptable in green belt terms and the application is consistent with the requirements of PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted).
- 5.5 Design
The existing building is in a poor state of repair and contributes very little to the character and appearance of the area because of its appearance. The proposed replacement building is of very simple appearance and design utilising a tiled roof and cladding and render to the elevations. It is considered by officers that the principle of erecting a replacement building is acceptable and would have a beneficial impact on the character and appearance of the area.
- 5.6 It is noted by your officer, and as has been raised by the Parish Council, that the proposed building has a slightly unusual design having a hipped roof at one end and a gable end at the other. During the course of the application, contact was made with the applicant and amended plans invited so that the new roof was extended over the existing flat roofed section. As an alternative, it was asked if the design could be revised so both ends of the building had a hipped roof.
- 5.7 In response to the design comments made by the planning officer, additional information was submitted by the applicant to justify the proposed design. The additional information received confirms that it is very much the intention of the social club to extend the new pitched roof over the existing flat roof in the future. This work cannot be undertaken at the current time due to funding issues. To enable the future extension to be carried out without too much unnecessary additional costs and wasted materials, the roof closest to the flat roofed section has been designed with a gable end.

- 5.8 Any future extension to the building would need to be the subject of further planning permission, and whilst there is no guarantee that this will be carried out, there is a clear intention from the club that this will indeed occur. Notwithstanding the future intention, it is not considered that the slightly unusual roof form on its own demonstrates a poor standard of design upon which a refusal reason could be based.
- 5.9 Access and Parking
The application includes improvements and alterations to the existing vehicular access point into the site. There is an existing vehicular access into the site from the Bath Road. The existing access arrangement is not entirely satisfactory at present because drivers turning left from Bath direction into the car park and those turning right out from the car park onto the public highway need to manoeuvre at an acute angle. For this reason and as part of this scheme, the applicant is proposing to move the existing access eastwards along the site boundary in order to improve the access. If implemented, this proposal will remove the blind turning when both entering and exiting the existing site access and this is considered an improvement over the existing situation.
- 5.10 The plans also show a revised parking arrangement within the existing car park including the installation of timber kick rails to formalise the parking bays. It is important to note that the re-arrangement of the existing car park does not require the benefit of planning permission in its own right and can be carried out at any time.
- 5.11 Notwithstanding the above, the rationalisation of the car park, including the demarcation of parking bays is likely to improve parking within the site and ensure the most efficient parking arrangement. The replacement building is not intended to generate any additional levels of traffic too or from the site and will not create and new or additional facilities over and above the existing situation. Whilst it is accepted that the letters of objection have expressed some concern over the existing parking situation and the fact that there is not enough parking at the site, this application does not proposal to alter the existing parking situation.
- 5.12 It is also noted that there is an existing small gate in the north eastern corner of the site exiting onto the highway. There is no proposal to change the way this existing gate is used and it is not proposed to use this for regular movement of vehicles. As this is an existing gate however, it is not reasonable to restrict or control its use through the determination of this application.
- 5.13 Drainage
As initially submitted, the Councils drainage engineer expressed some concern over the proposed means of drainage. During the course of the application however, the applicant made contact with the drainage engineer to explain to drainage proposals. The Councils drainage engineer is happy with the means of drainage proposed and raises no objection to the proposed works.

5.14 Noise and Residential Amenity

It is noted that the issue of noise has been raised in one of the letters of concern. The proposed new building will need to be constructed to modern building control standards, which will undoubtedly require higher levels of insulation than currently exist.

5.15 There are no neighbouring properties immediately adjacent to the application site that would be adversely affected by the proposed development in terms of overbearing or loss of privacy.

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 application represents one of the five limited categories of development that may be considered acceptable in the green belt and would not have a detrimental impact on the openness of the green belt or the purposes of including land within it.

6.3 The proposed replacement building demonstrates a good standard of design that would have a positive impact on both the appearance of the site and on the wider street scene. The materials to be used will integrate successfully with the surrounding environment.

6.4 The proposed alterations to the vehicular access point will result in improved visibility within the site and create a junction that is easier to manoeuvre for visitors to the site. The application would therefore have a positive impact on highway safety in the immediate vicinity.

6.5 Existing levels of residential amenity for those dwellings in the vicinity of the site would be retained as a result of the proposed development.

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions:

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PK11/0618/CLP	Applicant:	Mr S Carlton
Site:	59 Mangotsfield Road Mangotsfield South Gloucestershire BS16 5NA	Date Reg:	1st March 2011
Proposal:	Application for Certificate of Lawfulness for the proposed installation of 1 no. side and 1 no. rear dormer to facilitate loft conversion. (Resubmission of PK11/0139/CLP).	Parish:	None
Map Ref:	365869 175882	Ward:	Rodway
Application Category:	Minor	Target Date:	22nd April 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/0618/CLP**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 A certificate of Lawfulness for a proposed development has been applied for in relation to the installation of 1no. side dormer and 1no. rear dormer to facilitate a loft conversion at 59 Mangotsfield Road, Mangotsfield. The property is a two storey semi-detached dwelling and is located within the residential area of Mangotsfield.
- 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 and Class C 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 PK08/2773/F Erection of two storey side extension.
Approved November 2008

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
Site falls outside of any parish boundaries.

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 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 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 dormers would be located on the side and rear elevations of the dwelling, 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 proposed dormer would be approximately 20 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. The rear dormer does include a Juliet balcony, it should be noted that the government guidance contained within 'Permitted Development for Householders Technical Guidance August 2010' states that a Juliet balcony, where there is no platform and no external access, is permitted development.

- (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 clay tiles, the proposed dormers would have tiles to match. It has been confirmed by the agent that the render and brick work used to finish the dormers would match the existing dwelling. As such it is considered that the exterior of the proposed dormers 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 dormers would be located approximately 50cm above the eaves height of the main dwellinghouse, therefore this condition is met.

- (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.**

There is one side elevation window proposed, the plans state that this window would be obscurely glazed and the applicant has confirmed this to be the case, furthermore on visiting the site it was confirmed that the centre point of the lowest part of the window would be 1.8 metres above the step immediately below. As such whilst the window has opening parts these are above 1.7 metres. The proposal therefore complies with these criteria.

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**

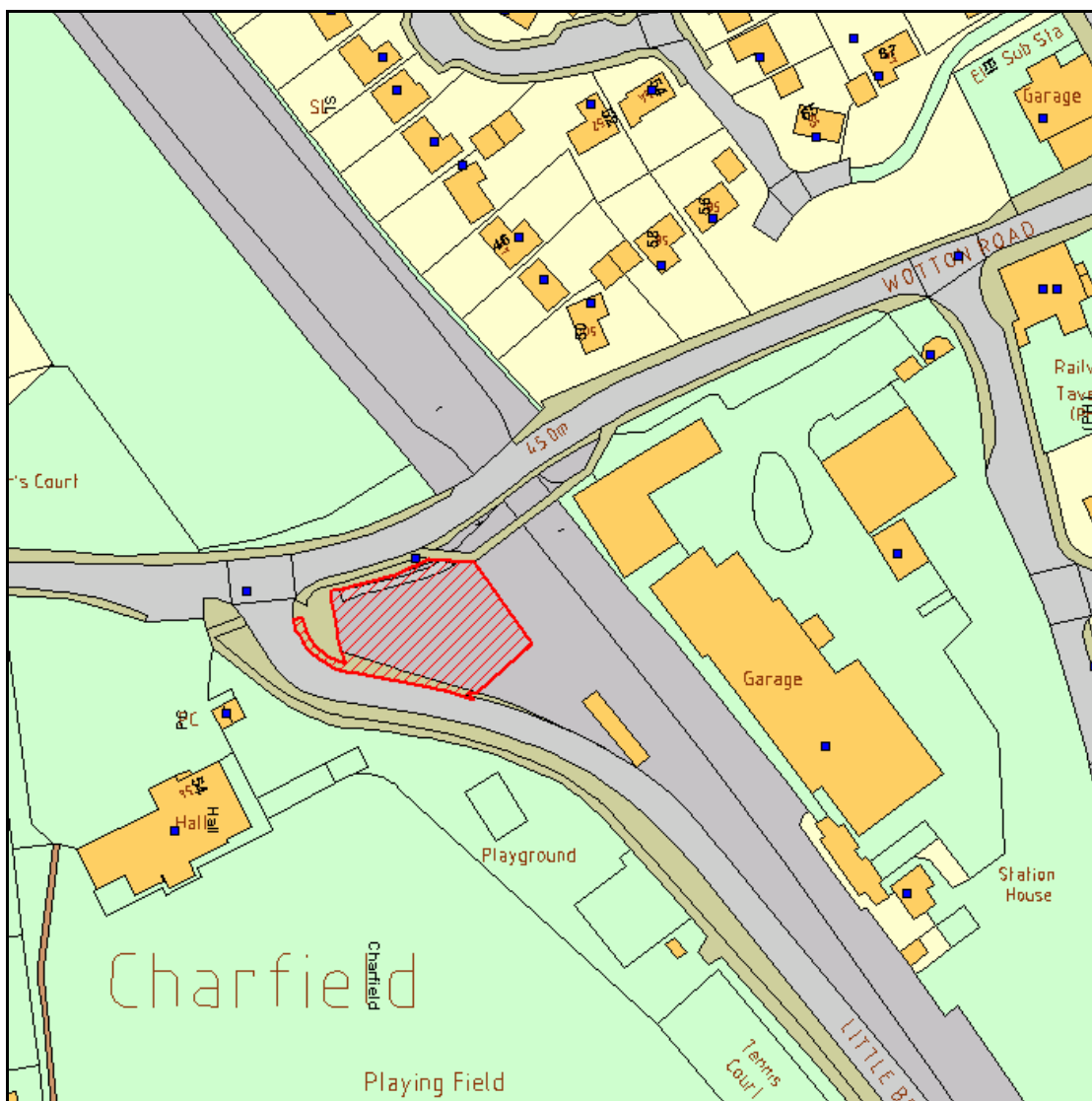
- 6.1 That a Certificate of Lawfulness for Proposed Development is granted for the following reason:

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. 12/11 – 25 MARCH 2011

App No.:	PT10/3394/F	Applicant:	Markey Builders (Gloucester) Ltd
Site:	Junction At Little Bristol Lane And Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8LN	Date Reg:	10th December 2010
Proposal:	Erection of 5 no dwellings with new access and associated works.	Parish:	Charfield Parish Council
Map Ref:	372717 191286	Ward:	Charfield
Application Category:	Minor	Target Date:	2nd February 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT10/3394/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule because the proposal includes a Section 106 agreement and the Case Officer's recommendation is contrary to the representations from Charfield Parish Council and local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks planning for the erection of 5no. dwellings with new access and associated works. The applicant has agreed to provide one two bed affordable house as part of the scheme.
- 1.2 The proposed dwellings would be laid out as a terrace and would front onto the southern boundary of the site along Little Bristol Lane, with private gardens to the rear. The development would gain access from Little Bristol Lane and would have a seven space private parking court. The development would include the erection of a new stonewall alongside Wotton Road and a new footpath along Little Bristol Lane.
- 1.3 The application site is approximately 0.11 hectares in area and is triangular in shape. The site currently comprises of an unused and un-maintained piece of land. The site lies between Wotton Road to the north and a main line railway to the west. There is a significant level change from north to south of approximately 1.6 metres
- 1.4 The site is situated adjacent residential housing, playing fields and light industrial development. The site lies within the Charfield settlement boundary, as defined on the South Gloucestershire Local Plan Proposal Maps (Adopted) January 2006.
- 1.5 This application follows a previous application on the site for 14 flats. This proposal was refused and then dismissed at appeal for reasons relating to noise and design.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1:	Achieving Good Quality Design In New Development
L1:	Landscape Protection and Enhancement
EP1:	Environmental Pollution
EP4:	Noise-Sensitive Development
EP7:	Unstable Land
T8:	Parking Standards

T12: Transportation Development Control Policy for New Development
H2: Proposals for Residential Development within Existing Settlement
Boundaries
H6: Affordable Housing
LC2: Provisions for education Facilities (Site Allocations and Developer
Contributions)

2.3 Emerging Development Plans

South Gloucestershire Core Strategy (Proposed Changes Draft) December
2010

CS1: High Quality Design
CS5: Location of Development
CS9: Environmental Resources and Built Heritage
CS15: Distribution of Housing
CS16: Housing Density
CS17: Housing Diversity
CS18: Affordable Housing
CS34: Rural Areas

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Affordable Housing SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N414 Erection of Scout Headquarters building, and construction of new vehicular and pedestrian access. Approved 12.09.1974.
- 3.2 P97/2780 Outline application for 2 no. retail units including vehicular access. Refused 09.04.1998.
- 3.3 P98/2294 Erection of 2 No. retail units including vehicular access (outline). Approved 07.01.1999.
- 3.4 PT06/2571/F Erection of 14 no. flats with car parking, access, landscaping and associated works
Withdrawn.
- 3.5 PT07/1462/F Erection of 14 no. flats with car parking, access, landscaping and associated works.
Dismissed at appeal for the following reasons:
 Design.
 Noise.
Approved 12.08.2008

4. CONSULTATION RESPONSES

4.1 Charfield Parish Council

After due consideration by the Parish Council this evening - it was resolved to put forward the following comments regarding planning application PT10/3394/F.

There was some concern raised regarding Noise levels on this site and the fact that when the noise monitoring had been carried out and measured / analysed the site fell into NEC C and normally planning wouldn't be granted - unless there were no other sites available for development - or certain measures taken re sound proofing. After discussion that over the past few years trains aren't as noisy as they were and the fact that the application appears to take recommendations on board - in the proposed design and use of materials - it was resolved that no objection to the application could be made on this ground - but that the Parish Council would urge strong conditions be put in place should planning be granted to ensure that all necessary actions are taken to abate the noise from road and rail for potential residents of the properties.

Secondly - despite the reduced number of dwellings (compared to previous application for flats) it was felt that there was still insufficient parking facilities (one space / house plus 2 x visitors). This led to concern over parking on Little Bristol Lane (potentially close to the junction / or by the play area and tennis courts) that could be hazardous to other drivers and pedestrians. It was resolved that no objection to the application could be made on these grounds - but the Parish Council would urge Highways to look at putting double yellow lines and parking restrictions along stretches of LBL from the junction with Wotton Rd - past the development - as a condition - should planning be granted.

The Parish Council agreed that the design of the development and houses was good and being 2 storey was infinitely better than 3 storey - and appreciated the fact that each had a garden and area for storing rubbish and recycling bins.

The final and most critical point that the Parish Council would like to make is that when pre-application advise was sought by the developer / applicant - it was very much with the view that the properties would all be affordable housing. The Parish Council didn't comment on the design of the development or the citing of it - but did report back at October 2010 meeting the following:-

Minute Ref:- 8861/10 : Council recognise the need for affordable housing in Charfield and support the principle of it. However - it was felt that the type of affordable housing required should be geared more for families.

The clerk relayed this information to Ward Councillor Sandra O'Neill and she was aware of the need for 3 bed affordable homes within Charfield.

Therefore it was resolved that the Parish would stress the need for all housing within this development to be made available as affordable housing (understanding that despite requirement being 35% be made available to council as fully subsidised - only 20% will be by way of provision of 1 x 2bed).

Should the developer go down the route of selling the properties at market value the Parish would urge that property made available as 'affordable' to the council be 1 x 3bed.

The need to mention timing of the application - and consultation period was addressed at the beginning of the meeting (there was some concern raised by councillors and parishioners alike - that timing, advertising and notification of the planning application was poor - and there was some confusion as to whether notices had been / should have been displayed). It was pointed out that these weren't matters to approve / object an application on and that extra time had been allowed given the holiday period. All neighbouring landowners / property owners had been notified as well as the necessary authorities.

4.2 Highways Authority

No transportation objection subject to the following conditions:

1. Prior to first occupation the proposed access and footway shall be constructed to adoptable standards.
2. The off-street parking places hereby permitted shall be provided before the dwellings hereby permitted are first occupied and shall thereafter be retained for that purpose.

4.3 Network Rail

No objection in principle from a town planning perspective to this proposal, however, no work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land.

4.4 SGC Children and Young People

The total amount of contribution required for transport to school is £3,591 based at October 2010 prices.

4.5 SGC Housing Enabling

It is therefore considered, that subject to the following heads of terms, the application would maximise affordable housing provision under Policy H6:

- 1 x 2 bedroom property available for social rent.

4.6 SGC Environmental Protection

The application site falls within Noise Exposure Category 'C' where planning permission should not normally be granted.

4.7 Local Residents

12 letters of objection have been received from local residents. The main points have been summarised below:

- a) Lack of parking.
- b) Loss of visibility.
- c) Wotton Road is dangerous to both pedestrians and drivers.
- d) Lack of clarity regarding the number of affordable dwellings.

- e) Charfield needs three bed properties not two beds.
- f) Charfield cannot support more residential developments
- g) Over development
- h) Not in keeping with the character of Charfield.
- i) Air quality issues.
- j) Noise issues.
- k) Lack of consultation.
- l) Previous objection from Network Rail.

5. **ANALYSIS OF PROPOSAL**

5.1 Background

This planning application follows a previous planning application (Planning Ref: PT07/1462/F) for the erection of a block 14no. flats on the site. This application was refused by the Council and was subsequently dismissed at appeal. The Inspector concluded that the development would be harmful to the character and appearance of the area and the living conditions of its occupants.

5.2 Principle of Development

The proposed development relates to the erection of five terrace dwellings on previously development land within the Charfield settlement boundary. PPS3 and Policy H2 of the South Gloucestershire Local Plan establish that new residential development on sites within settlement boundaries are acceptable in principle, subject to the proposal satisfying other material considerations, such as an design, residential amenity, and highway safety.

5.3 Housing Mix

The applicant has agreed to provide 1no. two bedroom dwelling as an affordable dwelling. It is noted that Charfield Parish Council would prefer the affordable dwelling to be a three bedroom property. Notwithstanding these concerns, the Council's Housing Enabling has confirmed that a two bedroom property would meet the surveyed housing need in the area. As such, it is considered that the proposal would provide a mix of housing to meet local need and would accord with the objectives of PPS3. Furthermore it would be overly presumptive to refuse the development on the lack of one bedroom.

5.4 It is acknowledged that the Parish Council would also favour a scheme with 100% affordable housing. It is important to stress that a 100% affordable housing scheme would exceed the targets set under Policy H6 and thus there would be no reasonable policy basis to justify such an obligation. Further explanation of this provided at Para. 5.36 of this report.

5.5 Design

A key objective of PPS1, the South Gloucestershire Local Plan, and the emerging South Gloucestershire Core Strategy is to promote high quality design that responds to its context, the distinct assets of the district and creates a 'sense of place' and civic pride. The Council approach to design is set out under policy D1 of the South Gloucestershire Local Plan, CS1 of the emerging Core Strategy, and the Design Checklist SPD.

5.6 In the previous application the Inspector concluded that:

- *“...the dense form of the development proposed, in a single two and three storey block close to the site’s road frontages, would dominate its surrounding and appear wholly out place.”*
 - *“I accept that the government guidance and the development plan seek to make the best use of land for housing and that the appeal site is brownfield land, where such development is likely to be acceptable in principle. Nevertheless, Planning Policy Statement 3 – Housing makes clear, housing provision should not be at the expense of good design.”*
- 5.7 Context is the character and setting of the area within which a projected scheme will sit. It is therefore vitally important that decision makers have a thorough appreciation of the overall site context before assessing the design quality of the proposed development.
- 5.8 The application site is an open and derelict site and lies between two fairly incongruous features, namely the main road and railway. To the west of the site there are playing fields and a village hall, and to the east of the site there is light industrial development. In terms of a wider context, Charfield is a linear settlement, which has developed along Wotton Road, with more modern development on the periphery of the village. Wotton Road and Little Bristol Lane comprises of variety of house types, ages, and materials. There is a general lack of distinctive architectural features in the immediate surrounding area, however there are some examples good quality Victorian cottages in the area. In view of these characteristics, it is considered that the character and distinctiveness of the site and the street scene is fairly low. Therefore, the development of the application site is considered to be an opportunity to enhance the quality of the environment in this location.
- 5.9 Under the previous application the Inspector was concerned that the dense form of the development (e.g. a density of 127 dwellings per hectare) would be wholly out of place with surrounding area. In this application, the development has been reduced to five dwellings, which would equate to a density of approximately 45 dwellings per hectare. It is considered that this lower density would ensure that the development would respect the context of the surrounding area and addresses the Inspectors concerns.
- 5.10 Under the previous application the Inspector was concerned with regard to the height (three storey) and massing of the block of flats. As a result of these concerns the applicant has amended the design to consist of a terrace of five two-storey dwellings. Due to the nature slope of the application site there would be a natural stepping down of the street frontage. In terms layout, scale, and form, it is considered that a terrace block would constitute the most appropriate design solution for the site. This is because the existing openness of the site has significantly limited the contribution the site makes to the character of the street scene. Therefore, Officers consider that the introduction of a two-storey mass to this prominent corner plot would introduce a feeling of enclosure to the site, which would define the street scene and foster a sense of place. Furthermore, it is considered that the modest scale of the development in relation to the previously refused scheme would ensure that the proposal would

respect the rural village context of the surrounding area, and would address the Inspectors concerns.

- 5.11 In terms of materials and detailing, the applicant has intended to respond to local character by adopting a contemporary version of a traditional 'railway cottage'. As such the development has incorporated gable ends with decorative fascia details, a red brick finish, and windows with arched heads. It is considered that this is an imaginative design approach and would add character and distinctiveness to the development, whilst echoing local character. Nevertheless to secure design quality, it is recommended that a planning condition be attached to approve external facing details.
- 5.12 In terms of landscaping, the proposed development would include a green buffer along the frontage of the dwellings. It is considered that this would offer an attractive access to the development. Along the boundary with Wotton Road, the applicant has proposed a stone & timber wall. It is considered that this would offer an attractive boundary to the site. Nevertheless it is recommended that a detailed drawing of the boundary treatment be provided because the exact height of the feature is unclear from the submitted drawings. Furthermore, Officers raised some concern at the pre-application stage with the use of tarmac for the parking area. As such the applicant has proposed to demark each space with block paving. It is considered that this contrast would reduce the affect of a large expanse of tarmac. Notwithstanding the above, it is recommended that a full landscape plan and planting schedule be secured via condition.
- 5.13 In terms of living conditions, each dwelling would include its own private amenity space and would have good access to public open space and public rights of ways in the area. Furthermore, it should also be noted that the applicant has designed the development to achieve Code for Sustainable Home Level 3 and the Lifetime Home standard. These awards demonstrate that the development would provide a good standard of living conditions for future occupants and are general indicators of good design. Therefore it is recommended that a condition be attached to ensure the development accords with the terms set out in the Design & Access Statement to secure these standards.
- 5.14 In view of the above, it is considered that the proposed development would respect, and to some extent enhance, the character and appearance of the street scene. On this basis, the proposed development would achieve good quality design, and would accord with policies D1 and H2 of the South Gloucestershire Local Plan.
- 5.15 Noise
The application site is situated between a main line railway and a road. It is considered that the impact of noise on future residents is a significant material consideration. Policy EP4 of the South Gloucestershire Local Plan states that noise-sensitive development (e.g. housing, hospitals and schools – PPG24 para.6) which would suffer an unacceptable degree of disturbance as a result of close proximity to existing noise or vibration sources will not be permitted.

5.16 In the previous application the Inspector concluded that:

- *“...I have found no specific need or otherwise which would justify the creation of residential accommodation which would be exposed to noise above that recommended in PPG24. **Without specific details of measures which would reduce noise exposure to an acceptable level, I conclude that the proposal would be harmful to living conditions of its occupants and contrary to LP Policy EP4**”.* [Officer emphasis]

5.17 The applicant has submitted a Noise Survey with their planning application. The survey has demonstrated that front and rear elevations would fall within Noise Exposure Category ‘B’, whilst the elevation nearest to Wotton Road would fall within Noise Exposure Category ‘C’. The applicant has confirmed that mitigation measures would be implemented during construction and these would ensure that the internal night-time “maximum noise level” would be within 45 decibels (A) limit of British Standard 8233:1999. It is therefore considered that the internal noise levels would be acceptable and occupiers would not suffer an unacceptable degree of disturbance from the noise and vibration from the adjacent road and railway. On this basis, it is considered that the applicant has overcome the concern of the Inspector on the previous application because they have provided ‘specific details’ that demonstrate that the scheme would include measures that would reduce noise exposure to an acceptable level.

5.18 The submitted Noise survey did not provide details of the external noise levels for the garden areas. However, the applicant has now confirmed that it is predicted that the private amenity space be exposed to 71dB LAeq(16hr). In order to mitigate this noise level the applicant has proposed acoustic fence that would reduce the external noise by 10 decibels to 61dB LAeq(16hr)

5.19 It is acknowledged that PPG24 states:

“There is no recent, major, U.K.-based research from which to take figures for road or rail traffic. The level at the boundary of NEC A and NEC B is therefore based on guidance provided by the World Health Organisation that “general daytime outdoor noise levels of less than 55 dB (A) Leq are desirable to prevent any significant community annoyance”.

5.20 Notwithstanding this, an Inspector at a recent appeal (APP/P0119/A/07/2046147) gave significant weight to a government commission report from the National Physical Laboratory (NPL) on the WHO guidelines. This report stated that a certain amount of noise is inevitable in any modern, industrialised society and that their [WHO] main weakness was that they failed to consider the practicality of being able to achieve any of the stated guideline values.

5.21 The proposed garden areas fall within PPG24 Noise Exposure Category ‘C’. It is acknowledged that PPG24 indicates that planning permission should not normally be granted unless there are no alternative quieter sites available. However, PPG24’s publication in September 1994 significantly precedes the current emphasis in PPS3 to make efficient and effective use of previously development land in delivering new housing. Therefore, it is considered to carry

less weight given the overriding objective to direct development to settlements and brownfield land. Inspectors have applied this approach in several appeals in the district (e.g. APP/P0119/A/07/2046147 & APP/P0119/A/06/2018022). In these case the Inspector tended to note PPG24 advice but to weigh it in the balance with the other merits of the given scheme.

5.22 In view of the above, Officers are satisfied that internal noise levels would be acceptable and subject to mitigation measures the occupiers of the development would not suffer an unacceptable degree of disturbance as a result of noise and vibration. It noted that the daytime outdoor noise would reach the upper limits of guidelines set in PPG24. Nevertheless, it is considered that this should be balanced against the priority to develop previously development land for housing. Officers are satisfied that the proposed acoustic fence would reduce noise levels to an appropriate level for outdoor space. Furthermore, it should be noted that the site has excellent access to public open space and the access to the countryside. On this basis, it is concluded, on balance, that the noise in the outdoor area would not give rise to an unacceptable degree of disturbance to the future occupiers. The proposed development would therefore accord with policies EP1 and EP4 of the South Gloucestershire Local Plan.

5.23 Transportation

The proposed development would have access onto Little Bristol Lane and would provide designated parking for seven cars. It is acknowledged that local residents have raised concern with regard to the loss of visibility on the junction, the lack of parking, and harm to highway safety. To fully assess the impact of the development the Highways Authority has been consulted as part of the application and concluded that:

5.24 *Access*

The proposed access onto Little Bristol Lane would be wide enough to allow two-way vehicle movement. The applicant has proposed a pedestrian footway at the front of the site. This is required to ensure suitable visibility is retained from the site access along the highway. It is therefore considered that the proposed access would not give rise to unacceptable transportation effects. It is recommended that a condition be attached to ensure that the footway is provided prior to the first occupation of the dwellings.

5.25 *Parking*

It is noted that local residents are concerned with regard to the lack of parking and the potential for further on street parking. Notwithstanding this, the Highways Authority has confirmed that the level of parking (7 spaces) would comply with the Councils adopted parking standards of 1.5 spaces per dwelling. It is therefore considered that the development would not give rise to unacceptable levels of on-street parking or adverse transportation effects. It is recommended that a condition be attached to ensure that the car parking is provided prior to the first occupation of the dwellings.

5.26 Residential Amenity

The application site is significantly detached from any neighbouring property and thus the development would not harm residential amenity. Furthermore,

the layout of the proposed development would ensure that the proposal would not give rise to inter-visibility or an overbearing effect between properties. On this basis, it is considered that the residential amenities of the future occupiers of the development would be protected.

5.27 Drainage

The Council's Drainage Engineer has assessed these details and confirmed that they have no objection, subject to a condition ensuring surface water drainage details including SuDs (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

5.28 Relationship with Adjacent Railway

The application site is situated adjacent to a mainline railway. This matter is a material consideration and Officers must be reasonably satisfied that the development would not prejudice the operation of the adjacent railway infrastructure. The adopted South Gloucestershire Local Plan does not include a specific policy regarding railways and their protection, although Policy EP7 refers to the stability of land and this would cover the railway embankment. It should also be noted that a local resident is concerned that Network Rail objected to the previous application on the grounds of overloading of the embankment.

5.29 Network Rail has been consulted as part of this planning application. They have confirmed that they have no objection to the proposed development, but no work should be carried out on the site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. On this basis, Officers are satisfied that the development can be implemented without prejudicing the operation of the railway. Nevertheless, it is recommended that a condition be attached to the consent to ensure that further detailed information is submitted and agreed with Local Planning Authority and Network Rail to show that the proposal would not harm the operation of the railway or the stability of Network Rail's structures.

5.30 Planning Obligations

In order to meet the projected need arising from the needs arising the future occupiers of the proposed development, the following contributions have been agreed with relevant Officers and the applicant.

5.31 *Education*

Policy H2 and LC2 of the South Gloucestershire Local Plan seeks contributes towards local education provision where it is found to be inadequate to meet the projected needs arising from the future occupiers of the proposed residential accommodation.

5.32 The Council's Children and Young People department have confirmed that there is projected surplus capacity at both primary and secondary schools within the area of the proposed development. For this reason there is not need to request an education contribution for additional school places.

- 5.33 The proposed development is in the area of prime responsibility of the Castle School in Thornbury. As the le School is over three miles away, the Local Authority would require a Section 106 contribution towards costs for transport to school. According to the pupil number calculator one additional secondary pupil would be generated by the development.
- 5.34 The most cost effective mode of transport would be by bus. The cost per day is currently £2.70 per pupil. There are 190 school days in the school year. A student will be in secondary education for 7 years. The total cost of transport to school for one secondary pupil is therefore £2.70 x 190 x 7 = £3,591.
- 5.35 The total amount of contribution required for transport to school is **£3,591** based at October 2010 prices.
- 5.36 *Affordable Housing*
Policy H6 of the South Gloucestershire Local Plan seeks an element of subsidised affordable housing to meet local needs on all new housing developments of 5 or more dwellings in rural areas. The Council seeks a target of 33.3% of the dwellings to be delivered as affordable housing.
- 5.37 The application shows the provision of 5 units. On this basis 1 unit should be provided for nil subsidy affordable housing, which equates to 20%. Officers recognise that the provision of 2 units on this scheme for affordable housing would equate to 40%. However this would exceed the 33.3% target set under Policy H6 of the current Local Plan and the 35% target set under Policy CS18 of the emerging Core Strategy. It is therefore considered, that subject to the following heads of terms, the application would maximise affordable housing provision under Policy H6:
- 1 x 2 bedroom property available for social rent.**
- 5.38 It is acknowledged that there is concern from the Parish Council and local residents regarding the level and type of affordable housing. Notwithstanding this, the Councils Housing Enabling team are satisfied that their recommendation is based on robust housing need information.
- 5.39 In view of the above, Officers are satisfied that the proposed planning contributions would satisfy the tests set out for planning obligations under Circular 05/05 and the statutory tests in CIL Regulations 122(B) 2010.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- a) The proposed residential development would be situated within the Charfield settlement boundary. It is considered that this is an appropriate area for residential development. It is therefore considered that the principle

of the proposed development would accord with PPS3 and policies H2 of the South Gloucestershire Local Plan (adopted) January 2006.

- b) The density of the proposed development would represent the most efficient use of land that is compatible with the site and its surrounds. The proposed development would therefore accord with PPS3 and policies H2 of the South Gloucestershire Local Plan (adopted) January 2006.
- c) The design and landscape impact of the proposed development has been fully assessed. It is considered that the development would achieve good standards of siting planning and design. This is because the siting, overall layout, density, form, scale, height, massing, detailing, materials, are informed by, and respect and enhance the character and appearance of the site and locality. The proposed development would therefore accord with PPS3 and policies D1, L1, and H2 of the South Gloucestershire Local Plan (adopted) January 2006.
- d) It is considered that the proposed residential development would not suffer an unacceptable degree of disturbance as a result of close proximity to existing noise or vibration sources. The proposed development would therefore accord with PPG24 and policies EP1 and EP4 of the South Gloucestershire Local Plan (adopted) January 2006
- e) The impact of the proposed development on nearby properties has been fully assessed. It is considered that the siting and layout of proposal would not result in a material loss of privacy, an overbearing effect, or adverse levels of air, light and noise pollution. The proposed development would therefore accord with Policy H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- f) The impact of the proposed development in terms of transportation has been fully assessed. It is considered that proposal would have satisfactory access and parking arrangements. The proposed development would therefore accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.
- g) The drainage arrangements of the proposed development have been fully assessed. It is considered that subject to a condition securing Sustainable Drainage Systems the proposal would be acceptable. The proposed development would therefore accord with Policy L17/L18 of the South Gloucestershire Local Plan (adopted) January 2006.
- h) The proposed development would provide a contribution toward school transport to meet the projected need arising from the future occupiers of the proposal. The proposed development would therefore accord with policies H2 and LC2 of the South Gloucestershire Local Plan (adopted) January 2006.
- i) The proposed development would provide an element of subsidised affordable housing to meet local need. The proposed development would

therefore accord with policies H2 and H6 of the South Gloucestershire Local Plan (adopted) January 2006.

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

7. RECOMMENDATION

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

- a) A financial contribution of £3,591 towards transport to school.

Reason

To provide transport to school in accordance with Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006

- b) The provision of a one 2 bedroom property to be used for subsidised affordable housing, and available for social rent.

Reason

In accordance with Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006 which seeks to provide a mix of house tenures.

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

- 7.3 This Section 106 Agreement should be signed within 6 months of the date of the resolution to approve this scheme otherwise the proposal will be refused for the failure to secure the planning obligations identified, or alternatively the application be referred back to the Circulated schedule

Contact Officer: Peter Rowe
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Prior to the first occupation of any unit of development hereby approved, the pedestrian footway (as shown on Drawing No 3356-P-13 rev U dated 8th December 2010) shall be implemented in accordance with the approved details and thereafter retained as such.

Reason

To ensure the development would not give rise to unacceptable transportation effect, and to accord to policies H2 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the first occupation of any unit of development hereby approved, the car parking area (as shown on Drawing No 3356-P-13 rev U dated 8th December 2010) shall be implemented in accordance with the approved details and thereafter retained as such.

Reason

To ensure the development would not give rise to unacceptable transportation effect, and to accord to policies H2, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The development hereby permitted shall meet the standards of sustainable construction and good quality design that are detailed under section 4.0 and 11.0 of the Design & Access Statement dated the 8th December 2010.

Reason

To ensure the proposed development achieves a good quality design through achieving energy conservation and the protection of environmental resources, and to accord to policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and South Gloucestershire Design Checklist SPD (Adopted) August 2007.

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

Reason

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

6. No development shall take place until a full schedule and specification of the noise mitigation measure to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason

To ensure the occupiers of the development would not suffer an unacceptable degree of disturbance as a result of close proximity to the adjacent road and railway, and to accord to Policy EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed detail and implemented within the first planting season following the first occupation of the development hereby approved. For the avoidance of any doubt, the scheme 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); details of the pond and its maintenance, boundary treatments and areas of hard-surfacing.

Reason

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

8. No development shall take place until details of the surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of any doubt the drainage proposals should incorporate Sustainable Drainage System (SuDs) for the disposal of surface waters. If this is not practicable it must be demonstrated that an acceptable alternative means of surface water disposal is incorporated.

Reason

To ensure the development would not have an unacceptable effect on the water environment, and to accord with PPS25 and policy L18 of the South Gloucestershire Local Plan (adopted) January 2006.

9. No development shall take place until detailed scheme protecting the operation adjacent mainline railway has been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of any doubt, the scheme shall accord with the details set out in the correspondence from Network Rail dated the 22nd March 2011.

Reasons

To ensure the long term operation of the adjacent mainline railway and to accord with Policy EP7 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PT10/3498/F	Applicant:	Siston Gospel Hall Trust
Site:	136 Badminton Road Coalpit Heath I South Gloucestershire BS36 2SZ	Date Reg:	24th December 2010
Proposal:	Installation of air conditioning unit with acoustic fence surround (retrospective).	Parish:	Westerleigh Parish Council
Map Ref:	367044 180323	Ward:	Westerleigh
Application Category:	Minor	Target Date:	17th February 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT10/3498/F**

REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks retrospective approval for the installation of an air conditioning unit.
- 1.2 The application relates to a detached single-storey building on the south side of Badminton Road, Coalpit Heath. Until recently, the site provided for residential purposes but has now been converted to provide a place of worship.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPG24: Planning and Noise

2.2 Development Plans

Emerging Policies: South Gloucestershire Core Strategy (Proposed Changes)
December 2010

CS1: High Quality Design

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development

LC4: Proposals for Educational and Community Facilities

EP1: Environmental Pollution

T12: Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1644/F: Demolition of existing dwelling to facilitate erection of 4 detached dwellings and associated works to include new pedestrian and vehicle access. Withdrawn: 11 July 2007
- 3.2 PT07/3032/F: Demolition of existing dwelling to facilitate the erection of 4 dwellings and associated works to include new pedestrian and vehicular access. Refused: 13 December 2007
- 3.3 PT08/1218/F: Demolition of existing dwelling to facilitate erection of 2 detached dwellings and 2 flats to include new pedestrian and vehicular access. Permitted: 25 July 2008
- 3.4 PT09/5007/F: Change of use from residential (Class C3) to non-residential institution for religious worship (Class D1) to include erection of single-storey

- rear extension and formation of new car parking area. Permitted: 12 November 2009
- 3.5 PT10/2210/NMA: Non-material amendment to PT09/5007/F to replace single-storey rear extension with canopy. Objection: 20 September 2010
- 3.6 PT10/2675/F: Erection of rear entrance canopy. Permitted: 22 November 2010

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No objection
- 4.2 Other Consultees
Environmental Health Officer: no objection subject to condition

Other Representations

- 4.3 Summary of Local Residents Comments
One letter received expressing the following concerns:
- o The writer has been unable to submit their comments on line (again) owing to an error on the Councils website;
 - o There is an objection to the proposal on environmental grounds;
 - o The position of the unit is contrary to manufacture's guidelines and is bad for the environment;
 - o To be most efficient, the condensing unit and building should be as close as possible to avoid heat loss, its current positioning means the unit has to work harder and is noisier;
 - o The only reason for not putting the unit next to the building is noise, the applicant is happy to inflict noise on others with the unit next to several back gardens where the noise will be greatest in the summer;
 - o The unit should be installed in its originally agreed position which was not enforced;
 - o The noise protection does not work and the unit can still be heard.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy EP1 advises that development will not be permitted that would unacceptably harm the environment, or the health, safety and amenity of users of the site or surrounding land, as a result of pollution of water, air or soil, or through noise, vibration, light, heat or radiation.
- 5.2 Design/ Visual Amenity
The application seeks retrospective approval for the installation an air conditioning unit that sits adjacent to the rear site boundary behind an acoustic fence surround. This fence surround matches the existing rear boundary fence in height, design and colour whilst given the position of the installation within a newly planted landscaping strip it is likely to soon be partly concealed by

vegetation. On this basis, and with the proposal small in size, there is no objection to this application on design/ visual amenity grounds.

5.3 Residential Amenity

The air conditioning unit stands at the very rear of the site and thus sits centrally amongst the adjoining rear gardens. On this basis, the Councils Environmental Health Officer originally objected to the application stating that although the unit is located towards the rear of the building further from the adjoining properties, it sits amongst the amenity areas serving these dwellings. As such, given that the proposal is considered to be of an industrial nature within a residential area, an objection was raised.

5.4 Notwithstanding the above, this advice stated that if the applicant could demonstrate that the unit can operate with no increase above background levels, this would address this objection. In response, the agent advised that a condition to ensure that there is no increase in background levels would be a suitable approach and the applicant would be accepting of this. It was also pointed out that the unit is only operational when the hall is in use (and one hour before) with the hall only currently used between 6am - 7am on a Sunday and 5pm - 7pm on a Monday; accordingly the agent does not consider that noise from the unit justifies refusal.

5.5 Subsequently, an environmental noise report has been submitted which has been considered by the Councils Environmental Health officer. In this regard, no objection has been raised to the proposals provided the mitigation measures specified are adhered to; this involves an acoustic lid being fitted to ensure that there is no increase above background noise levels (40db). For this reason, on balance there is no objection to the proposal on residential amenity grounds with it not considered necessary to add a further condition controlling operating hours given that the noise levels would be acceptable. This conclusion takes account also of the size/ design of the proposal, which is considered acceptable in residential amenity terms.

5.6 Highway Safety

The proposal would not interfere with the existing parking and turning arrangement thus it is considered that there can be no reasonable objection to the proposal on highway safety grounds.

5.7 Outstanding Issues

The writer is not aware of any previously agreed position for the proposed air conditioning unit. Nonetheless, with its present position considered to be acceptable, it is considered that there can be no reasonable objection to the proposal on this basis.

6. CONCLUSION

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

- 6.2 The recommendation to 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 reason:
1. The air conditioning unit is small in size and concealed by an acoustic fence surround. The proposal is therefore considered acceptable in design terms and having regard to Planning Policies D1 (Achieving Good Quality Design in New Development) and LC4 (Proposals for Educational and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. Subject to an appropriately worded condition in respect of noise, the proposal would not cause any significant adverse impact in residential amenity and would accord with planning policies EP1 (Environmental Pollution) and LC4 (Proposals for Educational and Community Facilities) of the South Gloucestershire Local Plan (Adopted) January 2006.
 3. The proposal is considered to be acceptable in highway safety terms and compliant with Planning Policy T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

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

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

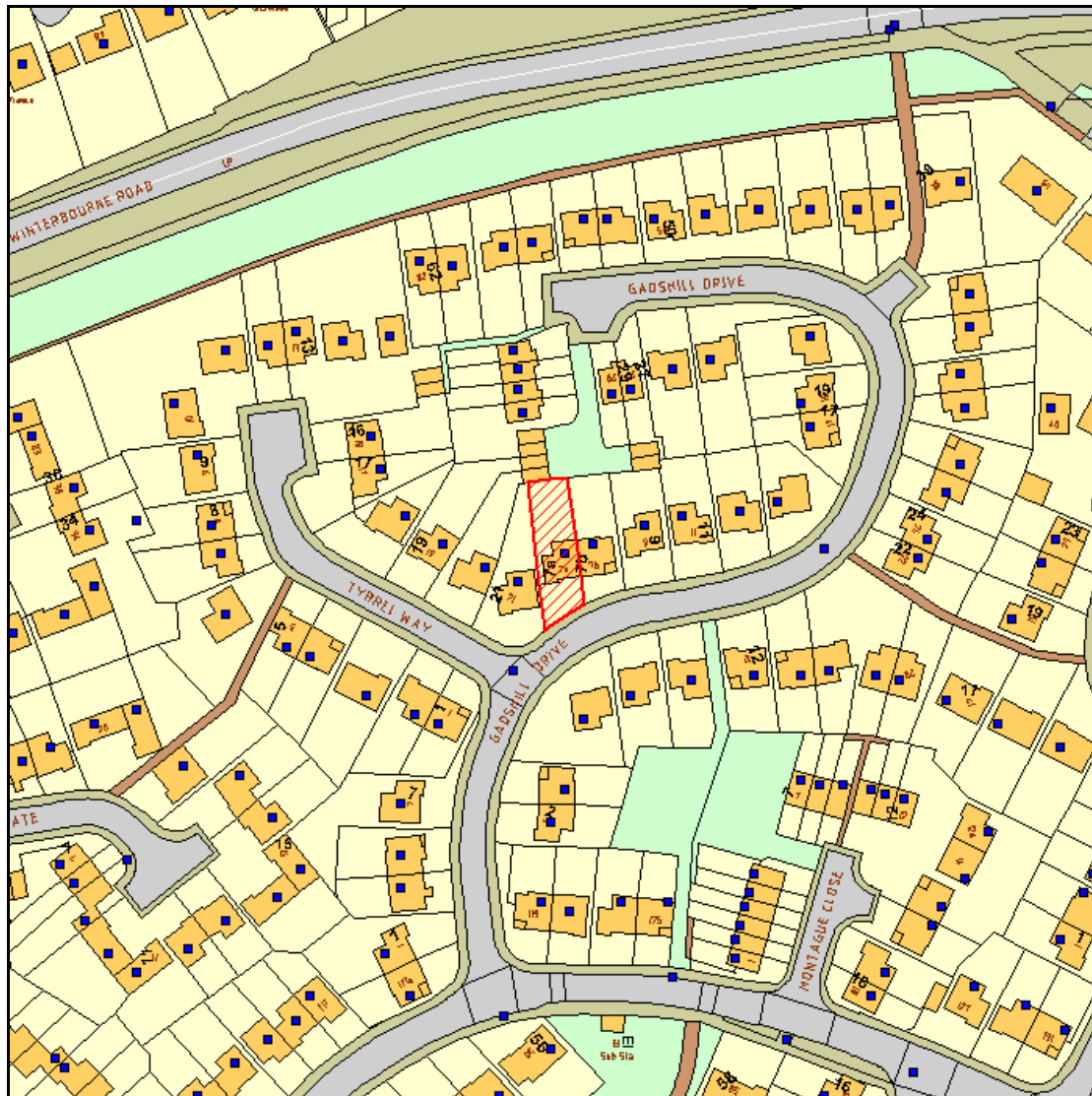
1. The level of noise emitted from the air conditioning unit shall not exceed the existing background noise level (40db) (as recorded by the Acoustic Report which forms part of this application) when measured from the rear boundary immediately behind the air conditioning unit.

Reason

To protect the amenity enjoyed by those living in the locality and to accord with Planning Policy E1 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PT11/0348/F	Applicant:	Mr R Pickford
Site:	7A Gadshill Drive Stoke Gifford South Gloucestershire BS34 8UU	Date Reg:	7th February 2011
Proposal:	Erection of single storey front extension to form additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	362348 180488	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	4th April 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/0348/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule following the receipt of representations from a local resident that are contrary to the Case Officers recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a single storey front extension. The proposal would be approximately 5.1m in width, 2.2m in depth, and 3.7m in height.
- 1.2 The application site relates to a semi-detached dwelling and its associated curtilage. The site lies within a well established residential area and the Bristol North Fringe Urban Area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design In New Development

H4: Development Within Existing Residential Curtilages

2.3 Emerging Development Plans

South Gloucestershire Core Strategy Submission Draft (December 2010)

CS1: High Quality Design

CS9: Environmental Resources and Built Heritage

CS25: Communities of the North Fringe of the Bristol Urban Areas

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) January 2006

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/3340/F Erection of single storey front extension to form porch and cloakroom.
Approved 12.11.2004.
- 3.2 P89/1241 Erection of single storey rear extension.
Approved 16.03.1989.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No comments received.

4.2 Local Residents

One letter of objection has been received from a local resident. The main points are summarised below:

- a) Loss of light from window.
- b) Block view
- c) Create tunnel effect
- d) Reduce saleability of property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to residential dwellings. This is subject to the proposal:

- respecting the character and appearance of the existing dwelling and the surrounding area;
- not prejudicing the amenities of nearby occupiers,
- maintaining highway safety; and
- providing adequate amenity space.

5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

5.3 Design

The proposed development comprises of single storey front extension to replace the existing porch. The proposal would extend the width of the host dwelling and would have a hipped roof. It is considered that the proposed development would be proportionate to the scale and massing of the main dwelling. Furthermore, the development would be constructed from materials to match the existing dwelling. On this basis, it is considered that the proposed extension would respect the character and appearance of the existing dwelling and the surrounding area.

5.4 Residential Amenity

It is noted that the neighbouring occupiers are concerned that the proposed development would result in a loss of light, block their outlook, and create a "tunnel" effect. Notwithstanding the comments from the local resident, it is concluded that the proposal would not harm residential amenity through either an overbearing effect or a loss of privacy. This is because the proposed development would be situated on the front elevation and would be limited in scale and depth. As such, it is concluded that the extension would not materially harm the level of light entering the neighbouring property's front window to such a level that it would prejudice residential amenity. Therefore due to the location and scale of the dwelling the proposed extension would not prejudice the residential amenities of nearby local residents.

5.5 Outstanding Matters

It is noted that the local resident is concerned with regard to the future saleability of their property. Notwithstanding these concerns, it should be acknowledged that a perceived loss of property value from a new development is not a material consideration.

6. CONCLUSION

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

a) The proposal would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

b) The proposal would respect the overall design and character of the existing dwelling and the surrounding area. The development therefore accords to policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

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

7. RECOMMENDATION

7.1 Planning permission to be **GRANTED** subject to the condition(s) attached Decision Notice.

Contact Officer: Peter Rowe
Tel. No. 01454 863131

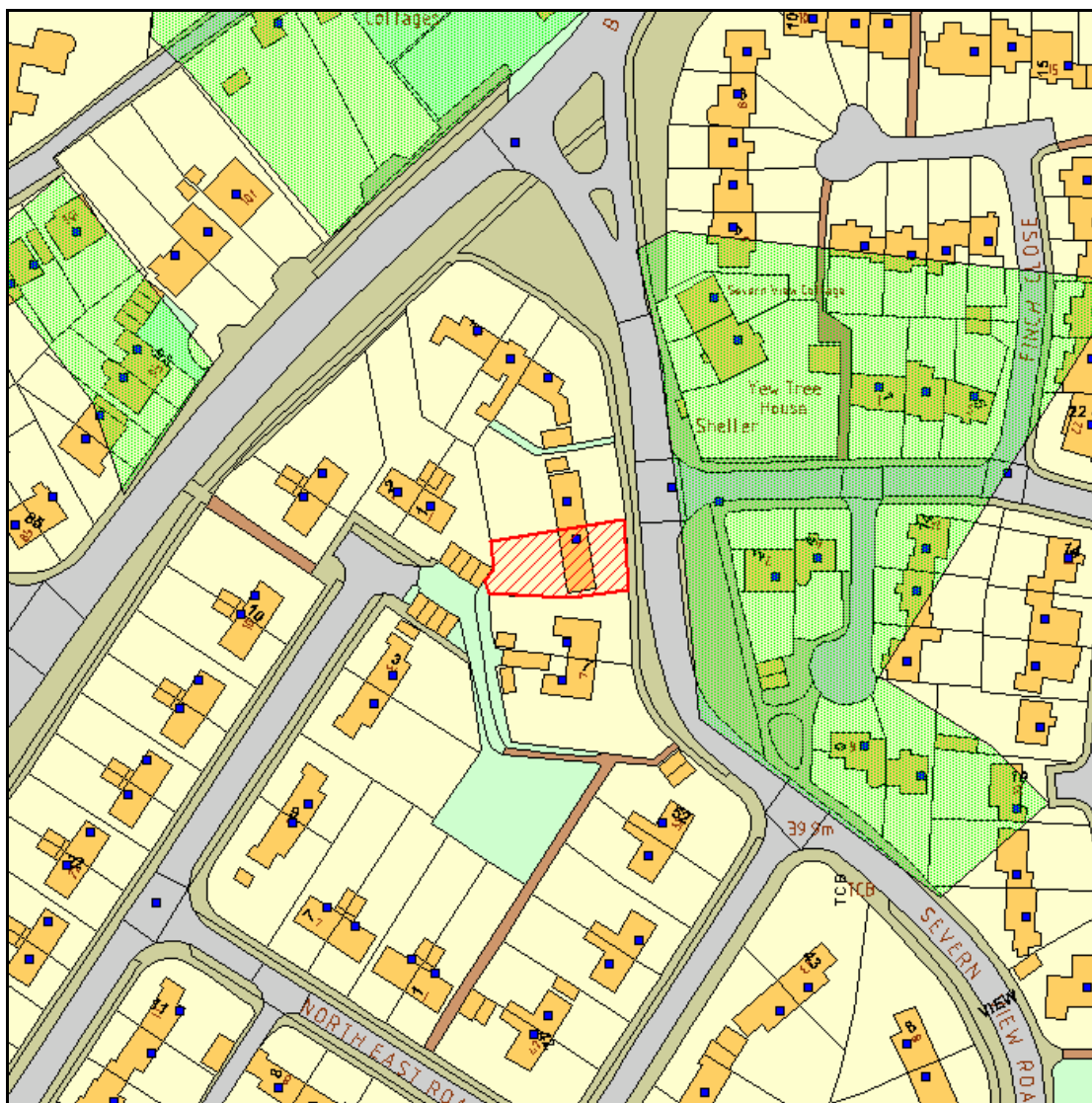
CONDITIONS

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

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

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PT11/0369/F	Applicant:	Mr B Richards
Site:	5 Severn View Road Thornbury South Gloucestershire BS35 1BA	Date Reg:	7th February 2011
Proposal:	Erection of rear conservatory	Parish:	Thornbury Town Council
Map Ref:	364401 190894	Ward:	Thornbury North
Application Category:	Householder	Target Date:	4th April 2011



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PT11/0369/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of an objection from a neighbour which conflicts with the officer recommendation.

1. THE PROPOSAL

- 1.1 This full application relates to the erection of a conservatory to the rear of this semi-detached house. The proposal would be finished in matching brickwork and white upvc.
- 1.2 The application site is located within the settlement of Thornbury.
- 1.3 Revised plans have been received which seek to show the depth of the conservatory below damp proof level, owing to the drop in ground level, at the rear of the house.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development Within Existing Residential Curtilages,
Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New
Development

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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection

Other Representations

- 4.2 Local Residents
One letter of objection regarding the following matters:

Loss of daylight to the front room area due to the 8 foot height of the wall. The plans are inaccurate as it shows the two houses to be on level ground at the rear. The writer claims that there is a 2.5 foot difference which creates a 10 foot high wall causing loss of daylight/sunlight and loss of outlook from the front room.

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 This house and its attached neighbour both have deeper rear elevations than they have front elevations due to the modest slope to the site from front to rear. The ground floor level of both houses is therefore raised well above the true outside ground level. The tops of windows on the rear elevations of these houses are the same level and similarly the ground level is the same. The only difference between the two rear elevations is that the applicant (not the neighbour as shown on the revised elevations) has replaced the lounge window with patio doors and as a result has also created a small terrace and steps down to the garden.

The proposal is located due south of the neighbouring, attached house and at 3.25m deep the proposal is not an unusually deep conservatory. Given that the houses have the same top of window heights, the effective impact on the adjoined house is limited to that of any other pair of semi-detached houses. The additional brickwork to be carried on below damp proof course is not considered to affect the residential amenity of the neighbouring dwelling although it will be evident outside the rear of the neighbours house. Notwithstanding this, it is considered that this limited additional height would cause negligible impact on the enjoyment of the neighbouring property. It is considered that the application accords with the above policy criteria. Indeed the creation of a solid wall with a high level window over would prevent any overlooking sideways from the conservatory and as the steps down to garden level are proposed to be located toward the middle of the applicants house, rather than facing down the garden, privacy in the neighbouring houses/gardens would be improved. The high level window can be appropriately conditioned to ensure that privacy is maintained.

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

7. RECOMMENDATION

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

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 conservatory 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.

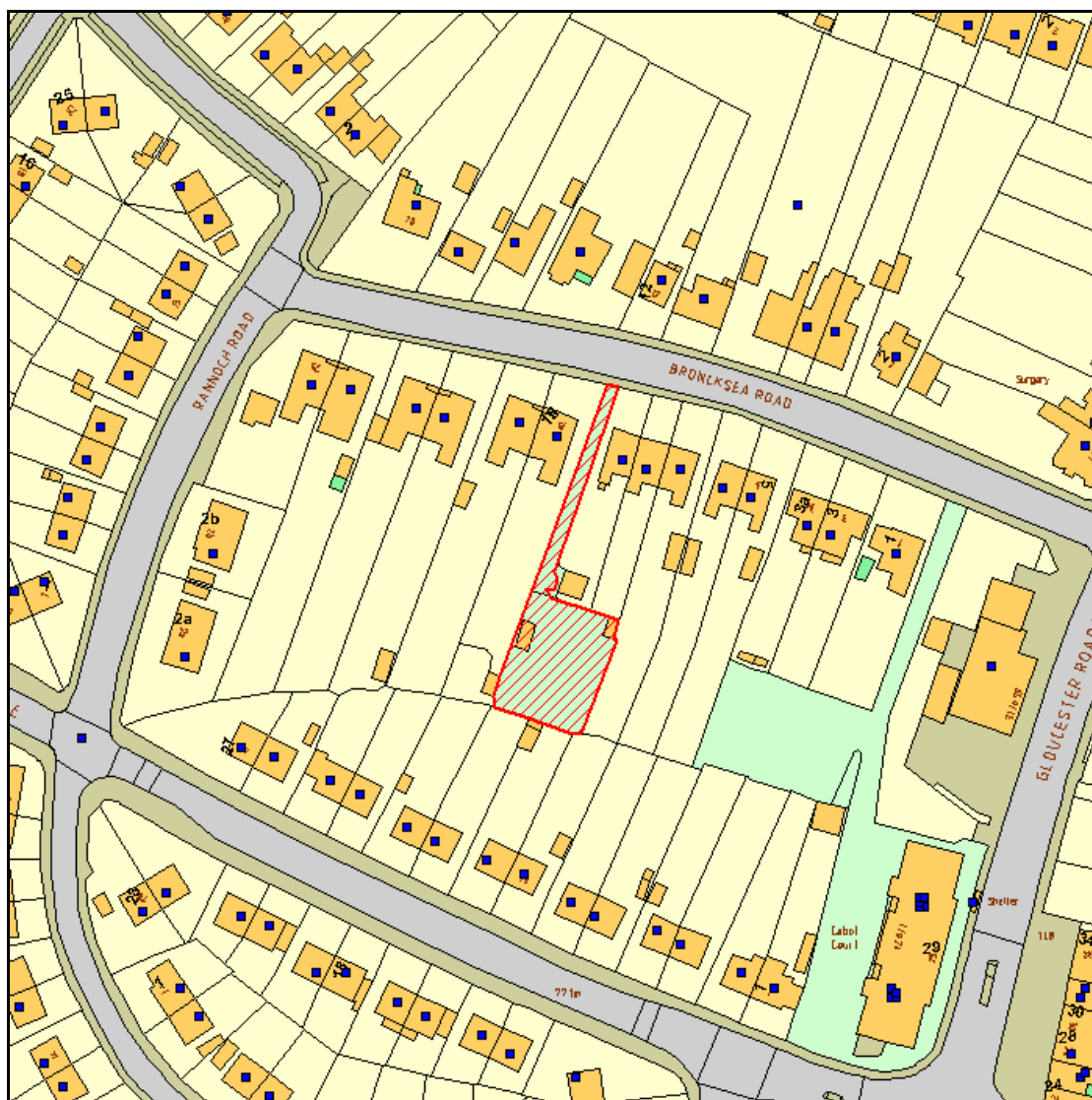
3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed north facing, ground floor windows shall have a minimum cill height of 1.7m above the finished floor level of the room in which it is installed.

Reason

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

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PT11/0440/F	Applicant:	Mr N Manning, Amber Properties
Site:	11 Broncksea Road Filton South Gloucestershire BS7 0SE	Date Reg:	18th February 2011
Proposal:	Erection of 1 no. detached dwelling with access and associated works.	Parish:	Filton Town Council
Map Ref:	359812 178374	Ward:	Filton
Application Category:	Minor	Target Date:	13th April 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/0440/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule following the receipt of representations from Filton Town Council and local residents that are contrary to the Case Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a detached dwelling. This application is a re-submission of the previously approved application PT10/1722/F.
- 1.2 The previous application granted planning permission for the erection of a single detached dwelling. This application seeks to amend the design and layout of the proposed development. The main changes are:
- The single-storey side projection has been increase to two-storey.
 - The canopy has been extend across the front elevation.
 - A single-storey rear projection has been incorporated.
 - The materials have been altered from render to a mix of brick and render.
 - Solar panels have been included on the rear elevation.
- 1.3 The application site is rectangular in shape and is approximately 0.06ha in area. It is located on land to the rear of Bronkseas and Braemar Road and consists of garden relating to 11 Bronkseas Road. The site lies within a well established residential area of Filton, and is within the Bristol North Fringe Urban Area.
- 1.4 The proposed development comprises of a single detached dwelling. The dwelling would be sited in centre of the site and would be surrounded by its private amenity space. To the front of the proposed dwelling there would be a turning space and one parking space.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

2.2 Ministerial Statement

Letter to Chief Planning Officers: New Powers for Local Authorities to Stop 'Garden Grabbing' June 2010 – refers to new development in residential curtilages.

2.3 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design In New Development

L1: Landscape Protection and Enhancement

L9:	Species Protection
L17 & L18:	The Water Environment
T8:	Parking Standards
T12:	Transportation Development Control Policy for New Development
H2:	Residential Development within the Existing Urban Area
H4:	Residential Development within Existing Residential Curtilages

2.4 Emerging Development Plan

South Gloucestershire Core Strategy (Pre-Submission Draft) March 2010

CS1:	High Quality Design
CS5:	Location of Development
CS16:	Housing Density
CS17:	Housing Diversity
CS25:	Communities of the North Fringe of Bristol Urban Area

2.5 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

3. **RELEVANT PLANNING HISTORY**

- | | | |
|-----|---------------|--|
| 3.1 | P93/2434 | Erection of single detached bungalow (outline)
Refused. |
| 3.2 | PT10/1060/F | Erection of 2 no. semi detached dwellings and
garages with associated works
Withdrawn. |
| 3.3 | PT10/1722/F | Erection of 1 no detached dwelling and garage with
associated works (Re-Submission of PT10/1060/F)
Approved. |
| 3.4 | PT10/3405/NMA | Non-material amendment to PT10/1722/F to erect a
1.8 metre high boundary fence in rear garden.
No objection. |

4. **CONSULTATION RESPONSES**

- | | | |
|-----|----------------------------|---|
| 4.1 | <u>Filton Town Council</u> | Over intensive and strongly object to back garden development. |
| 4.2 | <u>Highways Authority</u> | No objection. |
| 4.3 | <u>Drainage Engineer</u> | No objection subject to a condition requiring SUDs. |
| 4.4 | <u>Local Residents</u> | Four letters of objection have been received from three households. The main points have been summarised below: - |

- a) Inappropriate to site luxury dwelling in the back gardens of a established traditional residential area.
- b) Devaluation of property.
- c) Loss of green character.
- d) The erection of new fence will result in the loss of conifer hedge.
- e) Increased noise from new dwelling.
- f) Approving the application will create a precedent.
- g) The red line is incorrect.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is subject to an extant planning permission to erect a single dwelling (Planning application ref: PT10/1722/F). The applicant now seeks permission to amend the design of the approved dwelling.

5.2 The previous decision was made in September 2010 and therefore the applicant can still implement this consent. Furthermore there has been no material change to national planning guidance and the adopted/emerging development plan since the decision was made. In view of these circumstances, the principle of erecting a dwelling on the site has been established and cannot reasonably be revisited under this current application.

5.3 Therefore, the only matters to consider in the determination of this application are the effects of the proposed amendments to the design of the proposed dwelling on:

- The character and appearance of the site and surrounds;
- Residential amenity;
- Amenity space;
- Trees; and
- Transportation.

5.4 Design

The application site relates to an area of rear garden that is situated to the rear of Bronkse Road. The site is enclosed by the residential development along Bronkse Road and Braemar Avenue and by mature domestic landscaping within adjacent gardens. It is considered that a key characteristic of the site and surrounds are the large garden and their 'green character'. This point has been also raised through various consultation responses from local residents.

5.5 In terms of footprint, scale and massing, the amended proposal would be larger than the previous approved scheme. Notwithstanding this, the application site is visually contained and therefore the building would not be visible from the street scene. The proposed dwelling would be similar in scale to the surrounding dwellings and it would adopt a modern design approach utilises finishes that are common in the surrounding area, for instance render, brick and double roman tiles. Furthermore, the development would retain a large garden, which is a key characteristic of the surrounding area.

- 5.6 On this basis it is concluded that the amendments to the design of the previously approved dwelling would not result in significant loss of local green space and would not materially harm the local character of the site and surrounds. The proposed development therefore accords with policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan.
- 5.7 Residential Amenity
Under the previous planning application it was assessed that the extensive separation between the proposed dwelling and the surrounding dwelling would prevent an overbearing effect or loss of privacy. The amendment proposed under this application would not materially alter this relationship. Therefore, it is considered that the proposed development would not prejudice residential amenity.
- 5.8 It is acknowledged that a local resident is concerned that the amended proposal would increase noise with their rear garden. Notwithstanding these concerns, it is not considered that a residential development of this scale would result in levels of noise, air, or light pollution that would unacceptably harm the amenity of adjacent occupiers.
- 5.9 Amenity Space
The amended development would retain an extensive area of private garden for the proposed dwelling. It is considered that these areas are more than sufficient for the outdoor needs of family dwellings. The proposed development therefore provides and retains adequate private amenity space, and would accord with policies H2 and H4 of the South Gloucestershire Local Plan.
- 5.10 Trees
It is noted that a local resident is concerned that the proposed 1.8m fence would prejudice the health of existing conifers. Notwithstanding these concerns Officers are satisfied that the fence can be erected without harming the health of these trees. In any case, it should be noted that the proposed fence does not require planning permission.
- 5.11 Transportation
Under the previous planning application it was assessed that the parking, turning, and access arrangement were acceptable, subject to a condition ensuring a off-street parking space was provided in the front garden of No. 11 Broncksea Road. Since this decision the ownership of the site has changed and thus the applicant does not have control of the land at No. 11 Broncksea Road. Notwithstanding this, the applicant has submitted a details of a legal agreement that exists between the applicant and the owner of No. 11. This demonstrates that the parking space must be provided within six months of the legal transfer of the land. On this basis, Officers are satisfied that the proposed parking space would be delivered and therefore it is reasonable to re-attach this condition.
- 5.12 Drainage
The Council Drainage Engineer has confirmed that the development would not have adverse drainage issues. However, it is recommended that a condition be attached to ensure that a scheme of drainage is agreed prior to the

commencement of development. The scheme should incorporate sustainable means of drainage that ensure the development drains within its own curtilage and does not materially increase run-off on adjacent sites.

5.13 Outstanding Matters

It is noted that local residents have raised a number of other issues:

- Extent of red line
It is noted that a local resident is concerned about the extent of the red line on the location plan. Following discussions with the applicant it was found that there was a small inaccuracy. To overcome the applicant has submitted a new location plan.
- Devalue property
It is noted that some local residents have raised concerns that the new development would devalue their property. Notwithstanding these concerns, it should be acknowledged that a perceived loss of property value from a new development is not a material consideration.

6. CONCLUSION

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

- a) The proposed residential development would be situated within the Bristol North Fringe urban area and within the curtilage of an existing dwelling. It is considered that this is an appropriate area for residential development. It is therefore considered that the principle of the proposed development would accord with PPS3 and policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- b) The density of the proposed development would represent the most efficient use of land that is compatible with the site and its surrounds. The proposed development would therefore accord with PPS3 and policies H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- c) The design and landscape impact of the proposed development has been fully assessed. It is considered that the development would achieve good standards of siting planning and design. This is because the siting, overall layout, density, form, scale, height, massing, detailing, materials, are informed by, and respect and enhance the character and appearance of the site and locality. The proposed development would therefore accord with PPS3 and policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.
- d) The impact of the proposed development on nearby properties has been fully assessed. It is considered that the siting and layout of proposal would not result in a material loss of privacy, an overbearing effect, or adverse levels of air, light and noise pollution. The proposed development would

therefore accord with Policy H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

- e) The impact of the proposed development in terms of transportation has been fully assessed. It is considered that proposal would have satisfactory access and parking arrangements. The proposed development would therefore accord with Policy T8 and T12 of the South Gloucestershire Local Plan (adopted) January 2006.
- f) The drainage arrangements of the proposed development have been fully assessed. It is considered that subject to a condition securing Sustainable Drainage Systems the proposal would be acceptable. The proposed development would therefore accord with Policy L17/L18 of the South Gloucestershire Local Plan (adopted) January 2006.
- g) The impact of the proposed development upon protection species of flora or fauna, or species or habitats listed in national, regional, or local biodiversity action plans have been fully considered. It has been concluded that the proposed development would not materially such species. The proposed development would therefore accord with policy L9 of the South Gloucestershire Local Plan (adopted) January 2006.

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

7. RECOMMENDATION

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

Contact Officer: Peter Rowe
Tel. 01454 863131

CONDITIONS

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

Reason

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

2. Prior to the first occupation of the proposed dwelling, the parking space to the front of No. 11 Broncksea Road (as shown on Drg. 0426/1A attached to planning ref: PT10/1722/F) shall be provided.

Reason

To ensure that the access for the proposed dwelling is suitable for the level of traffic, and to accord to policies H2, H4, T8, and T12 of the South Gloucestershire Local Plan (adopted) January 2006.

3. No development shall take place until drainage details have been submitted to, and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the drainage details should incorporate Sustainable Drainage Systems (SuDs) for the disposal of surface waters. Where this is not practicable it must be demonstrated that an acceptable alternative means of surface water disposal is incorporated. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed development has suitable drainage arrangements that would not have a unacceptable affect upon the water environment, and to accord to policies L17 and L18 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PT11/0475/CLE	Applicant:	Mrs And Mrs A May
Site:	Spring Barn Eastwood Park Falfield Wotton Under Edge South Gloucestershire	Date Reg:	16th February 2011
Proposal:	Application for the Certificate of Lawfulness for the building works to form dwelling (Class C3).	Parish:	Falfield Parish Council
Map Ref:	367593 192076	Ward:	Charfield
Application Category:	Minor	Target Date:	11th April 2011



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT11/0475/CLE

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule because it forms a Certificate of Lawfulness.

1. THE PROPOSAL

- 1.1 The application seeks a certificate of lawfulness in respect of building works to a former agricultural building to allow its conversion to a dwelling.
- 1.2 The application relates to Spring Barn at Eastwood Park, Falfield. The application site is positioned beyond any settlement boundary within the open countryside. The building is curtilage listed.
- 1.3 The application follows three previous Certificate of Lawfulness's the first of which (PT11/0475/CLE) is particularly relevant to this application. This sought a certificate of lawfulness in respect of the use of this building as a dwelling and was granted on October 20th 2010. This previous application was submitted because although permission was granted for this change of use, the applicant understood that none of the pre-commencement conditions were discharged; therefore the agent considered the existing development to be unlawful. The granting of this Certificate also dictated that none of the conditions attached to this previous planning permission would be applicable.
- 1.4 This application has been submitted because prior to considering the sale of this property, the applicants' lawyers have now advised that they should obtain a further Certificate of Lawfulness regarding the operational development undertaken to allow the buildings conversion to a dwelling.

2. POLICY CONTEXT

- 2.1 Because the application is for a Certificate of Lawfulness the policy context is not directly relevant and therefore the planning merits are not under consideration. The applicant need only prove that on the balance of probabilities the building works were undertaken at least 4 years prior to the date of this application.

3. RELEVANT PLANNING HISTORY

- 3.1 P99/2602: Conversion of barn to form one dwelling (amendments to previous design). Permitted: 23 January 2000
- 3.2 P99/2603/L: Conversion of barn to form one dwelling. Permitted: 23 January 2000
- 3.3 PT09/0431/F: Erection of two-storey side extension to provide additional living accommodation; installation of dormer window in south elevation. Refused: 22 April 2009

- 3.4 PT10/1239/F: Erection of first floor rear extension and installation of louvered dormer window to the side to provide additional living accommodation. Refused: 12 November 2008
- 3.5 PT10/2256/CLE: Application for a Certificate of Lawfulness for the existing use as a residential dwelling and for the continued use of land for residential purposes. Permitted: 20 October 2010
- 3.6 PT10/3249/CLE: Application for Certificate of Lawfulness for an existing ancillary domestic garden shed (Use Class C3). Permitted: 5 January 2011
- 3.7 PT10/3350/CLE: The existing use of the stationing of a shipping container and lorry body for ancillary domestic storage (Use Class C3) but excluding the lean-to attached to the side of the lorry body. Permitted: 20 January 2011

4. CONSULTATION RESPONSES

- 4.1 Falfield Parish Council
No comments received
- 4.2 Other Consultees
Highways DC: no comment

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 The application relates to Spring Barn, Eastfield Park, Falfield. The issue for consideration is whether the operational works undertaken to facilitate the change of use of this building from an agricultural barn to a dwelling took place in excess of 4 years ago in accordance with the requirements for a Certificate of Lawfulness; in the event that this period of time has lapsed these works would also be immune from enforcement action. This application is purely an evidential test irrespective of planning merit, and is judged on the balance of probability.
- 5.2 Site History
Planning application P99/2602 was granted on 23 January 2000 allowing the conversion of this barn to form a dwelling. A number of conditions were attached to this permission as follows:
1. Development to commence within five years;
 2. No development to take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority;
 3. Landscaping to be undertaken during the first planting season further to occupation/ completion;
 4. Screen walls and fences to be erected following approval by the Local Planning Authority;

5. Removal of permitted development rights- Classes A, B, D, E, G and H and minor alterations as specified in Part 2 (Class A);
 6. Materials to match;
 7. Sample panel of materials to be submitted;
 8. No development to take place until a drainage scheme has been submitted to and approved in writing by the Local Planning Authority;
 9. No development to take place until a scheme of structural works has been submitted to and approved in writing by the Local Planning Authority;
 10. No development to take place until joinery details have been submitted to and approved in writing by the Local Planning Authority.
- 5.3 It is understood that these conditions were never formally discharged thus this site was the subject of application PT10/2256/CLE in an attempt to regularise this change of use. This current application is concerned with the building works that were undertaken.
- 5.4 Evidence in Support of the Application
The application is supported by an affidavit prepared by the agent and signed by the applicant. This sworn statement confirms that the applicant purchased the host building on 12th March 1999 with the understanding that the building had planning permission for its conversion to a dwelling. However, the applicant was not happy with this scheme and a revised application (P99/2602) was submitted and approved on 23 January 2000.
- 5.5 The recollection of the applicant is that contact was made with the planning department to discharge the necessary conditions but that no formal submission was made. Nevertheless, development works were completed by April 2000 following which the applicant and his wife moved into the converted barn occupying this as their principal dwelling house. It is advised that the Councils Building Control team supervised the works.
- 5.6 Since this time (spring 2000), the applicant confirms that he and his wife have occupied Spring Barn on a continual basis.
- 5.7 Finally, the applicant writes that his planning agent advises that with the associated planning conditions not having been formally discharged, and with a period of five years having passed since the time of the decision, these breaches cannot be corrected retrospectively. However, it is understood that with four years having passed since the building works were substantially completed, the remedy is now to apply for a Certificate of Lawfulness application.
- 5.8 Conflicting Evidence
The sworn evidence provided is accepted as true unless contradictory evidence indicates otherwise. In this instance, no contradictory evidence has been received whilst at the time of the previous certificate application (which has been issued) it was noted that the Council appeared to have no record of these conditions having been formally discharged.

5.9 Analysis of Evidence

The evidence received indicates that that building works required enabling the change of use of this building from an agricultural barn to a dwelling were substantially complete in excess of four years ago. In order to clarify this, the agent has subsequently confirmed that the building works were substantially complete prior to occupation of the building and during the following six months these works were finished off. In the four years up to the date of this application, there has been no building works albeit some internal decoration. Therefore, it is considered that the evidence available does indicate that on the balance of probabilities, the necessary building works to facilitate the change of use of this building were completed at least four years prior to the date of this application.

5.10 Outstanding Issues

The application falls within the curtilage of Eastfield Park (a listed building) thus having regard to the evidence available, the Council considers the application site to be curtilage listed. Accordingly, application P99/2602 was accompanied by a listed building application, reference P99/2603/L the associated conditions of which also remain outstanding. Significantly, these works can never become lawful owing simply to the passage of time thus the host dwelling remains unlawful in listed building terms.

5.11 Notwithstanding the above, advice received from the Councils Solicitor at the time of the previous application confirms that the listed building legislation is a separate statutory code thus this issue is considered to have no bearing on the consideration of this application. Accordingly, this dictates that a breach of the listed building legislation does not prevent the issue of this Certificate of Lawfulness (if appropriate); however at the same time, it also means the issue of this certificate would not make lawful a breach of the listed building legislation.

6. RECOMMENDATION

6.1 A Certificate of Lawful Use is **GRANTED**.

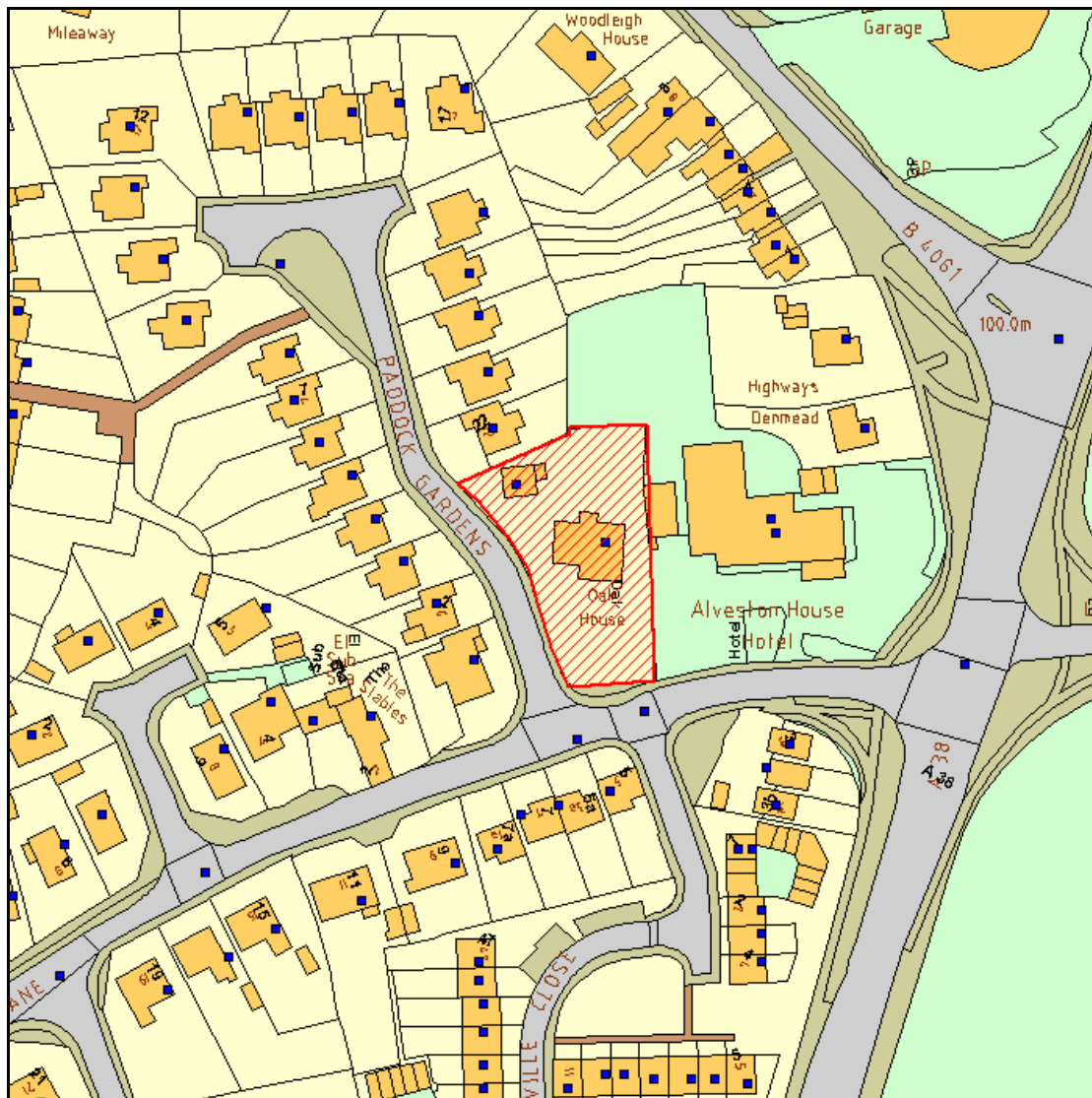
Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

1. The applicant has demonstrated that on the balance of probability that the necessary building works to facilitate the change of use of this building to provide a residential dwelling were substantially complete prior to four years before the date of this application.

CIRCULATED SCHEDULE NO. 12/11 – 25 MARCH 2011

App No.:	PT11/0522/RVC	Applicant:	Mapstone Homes Ltd
Site:	Oak House Davids Lane Alveston South Gloucestershire	Date Reg:	24th February 2011
Proposal:	Variation of Condition 6 attached to planning permission PT10/1275/F to allow for the removal of a boundary hedge and the replacement with a 1.8 metre boundary fence (retrospective).	Parish:	Alveston Parish Council
Map Ref:	363506 188054	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	19th April 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/0522/RVC**

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks permission for the variation of condition 6 attached to planning permission PT10/1275/F to allow for the removal of a boundary hedge and the replacement with a 1.8 metre high fence (retrospective). Condition 6 of planning permission PT10/1275/F states that:

Prior to the commencement of development, notwithstanding the information submitted 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 in accordance with BS5837:2005; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. For the avoidance of doubt, the details submitted should identify that the existing hedgerow behind the western stone boundary wall will be retained or propose the planting of a replacement evergreen hedgerow in the same location, which would thereafter be retained. Development shall be carried out in accordance with the agreed details.

For the following reason:

Reason

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

- 1.2 Condition 6 was previously formally discharged by the Local Planning Authority.
- 1.3 The former tall conifer hedge has been removed and replaced by a 1.8 metre high timber fence erected in place of the hedge over the existing 1.4 metre high stone boundary wall and this is in breach of condition 6 which sought to retain an Evergreen hedge.
- 1.4 The application site comprises a large two-storey detached dwellinghouse, which has recently been refurbished in planning application no. PT10/1275/F. A new dwellinghouse has also been built within an area of the garden to the north of the host dwelling (PT10/1270/F). The site is situated within the Alveston settlement boundary, which is washed over by the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

Circular 11/95: Use of Conditions in Planning Permissions

- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving a Good Standard of Design in New Development
H4 Residential Development in Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development
L1 Landscape Protection and Enhancement
GB1 Development in the Green Belt

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)
The Development in the Green Belt SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/1274/F, erection of 1no. detached dwelling with attached garage and associated works, 14/07/10, refusal.
- 3.2 PT10/1275/F, erection of 2no. dormers to the front (west) elevation to provide additional living accommodation. Erection of detached garage, 28/07/10, approval.
- 3.3 PT10/1270/F, erection of 1no. detached dwelling with garage, cycle store and associated works. Creation of new vehicular access to existing dwelling, 28/07/10, approval.

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
Objection - Condition 6 had been imposed on the original application partly to appease the many local objectors including the Parish Council. Officers should be reminded that It had been agreed and endorsed by the Development Control (West) Committee that to keep the mature hedge would at least partially maintain the existing street scene.
The fence sits on made up land and was arrogantly erected by the developer in a direct flaunting of his planning permission and a total disregard to the opinions of his neighbours. It is higher than 1.8m when measured from the highway footway and is a carbuncle on an otherwise pleasant, residential road with high quality gardens and planting along the footway edge. The fence is considered totally inappropriate and has significantly degraded the street scene.
On behalf of the many local people who have contacted Alveston Parish Council, we would ask that this application be put to the committee and they consider it a totally inappropriate variation and refuse permission.
- 4.2 Transportation DC
No objection

Other Representations

4.3 Local Residents

Nine letters of objection have been received by neighbouring occupiers. The following is a summary of the comments received:

Fence is ugly and overly tall;
Prominently sited;
Out of keeping with the character of the area;
The original condition sought the retention of the boundary hedge;
Adversely affects the outlook and amenity of the neighbouring occupiers;
Existing properties are open plan in Paddock Gardens;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission. The Local Planning Authority can grant such permission unconditionally or subject to different conditions or they can refuse the application if they consider that the original condition(s) should continue. Section 73a of the Town and Country Planning Act allows for retrospective planning applications to be made in respect of development which has been carried out without complying with a condition to which it was subject. Section 73 of the Town and Country Planning Act implies that it is pertinent to consider the validity of the condition(s) that were originally imposed.

5.2 Circular 11/95 'Use of Conditions in Planning Permission's states that conditions should not be imposed unless they are both necessary and effective, and do not place unjustifiable burdens on the applicant. The circular states that conditions should not be imposed unless where they are: necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

5.3 The original condition was applied following concerns raised by Committee Members and members of the public in order to protect the character and appearance of the area. Therefore, a material consideration is the impact that the loss of the hedge and the replacement with timber fencing has had on the character and appearance of the area (policies D1, L1 and GB1 of the Local Plan). The effect on residential amenity (policy H4 of the Local Plan) and the effect on highway safety (policy T12 of the Local Plan) also requires consideration.

5.4 Appearance and the Impact on the Character of the Area

Paddock Gardens is a cul-de-sac accessed off David's Lane and is characterised by two-storey detached properties set back from the street behind front gardens and driveways. The boundaries are open to the front creating a relatively open and spacious feel to the cul-de-sac. The host dwelling

is situated in a prominent location on corner of Paddock Gardens and David's Lane and being chalet style, set back angled away from the street with a large curtilage, it differs from the character of the surrounding built form. The replacement fence, is situated above and set back slightly from the existing 1.4 metre high (approx) stone wall. It is approximately 1.8 metres high and comprises narrow vertical closed panels. It extends over a distance of approximately 30 metres and is prominent from the entrance into Paddock Gardens. Whilst the fence appears robust and the need for privacy of the occupiers is noted, it is considered that the fence, by reason of its scale and design, has an overly functional and oppressive appearance, which is not sympathetic to the character of the area. It is considered that the fence has a detrimental impact on the character and visual amenity of the area and is contrary to policies D1 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

5.5 The former hedge has been removed therefore; its retention is no longer an option. The condition specifies a replacement Evergreen hedge be planted, however, after careful consideration the Officer considers that this might be too prescriptive. Whilst the comments of the Parish Council and neighbouring occupiers are noted, Evergreen hedgerows are not intrinsically valuable by themselves and the main issue here is to ensure a high quality boundary treatment that respects the character of the area. There are likely to be other alternative high quality approaches to providing screening such as the planting of other trees or building a higher stone wall, which would comply with policy D1 of the Local Plan. The existing boundary fence is not an acceptable approach. Therefore, it is considered that the condition should be varied to allow for the removal of the hedge and the replacement with an alternative high quality form of boundary screening, whilst making it clear that the timber fence is unacceptable.

5.6 Transportation

The Council's Transportation Officer has not objected to the proposal, therefore, it is considered that the proposal is acceptable in term of the transportation effects.

5.7 Residential Amenity

Although the fence erected is tall, the properties situated opposite are approximately 15 metres from the fence. Therefore, it is considered that, although visible to the neighbouring properties, it cannot be said that the fence adversely affects the living conditions of the occupiers.

6. CONCLUSION

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

6.2 The recommendation to grant 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 for the following reasons:

It is considered that the removal of the hedgerow could be addressed in alternative ways to provide an appropriate boundary treatment and accordingly, the Local Planning Authority need not be so prescriptive as the hedgerow in question is not intrinsically valuable, rather it is a high quality design to the boundary treatment that is required in order to comply with policies D1, H4 and GB1 of the South Gloucestershire Local Plan (adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is GRANTED subject to the following conditions:

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. Notwithstanding the details submitted, within 3 months of the date of this permission, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during construction in accordance with BS5837: 2005; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing, shall be submitted to the Local Planning Authority for approval. For the avoidance of doubt, the existing 1.8 metre high timber boundary fence is not considered to be appropriate and the details submitted should demonstrate a high quality boundary treatment, which is sympathetic to the character of the area. The agreed details shall be implemented within 6 months of the date of this consent strictly in accordance with the agreed details.

Reason

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