



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF ENVIRONMENT AND COMMUNITY SERVICES**

CIRCULATED SCHEDULE NO. 14/14

Date to Members: 04/04/14

Member's Deadline: 10/04/14 (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 and 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 Management Technical Support Team. If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

CIRCULATED SCHEDULE 14/14 – 4 APRIL 2014

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK14/0143/F	Refusal	Land Rear Of 37-43 Birgage Road Hawkesbury Upton Badminton South Gloucestershire	Cotswold Edge	Hawkesbury Parish Council
2	PK14/0313/F	Approve with Conditions	113 High Street Marshfield Chippenham South Gloucestershire SN14 8LT	Boyd Valley	Marshfield Parish Council
3	PK14/0339/R3F	Deemed Consent	Vinney Green Secure Unit Emersons Green Lane Emersons Green South Gloucestershire BS16 7AA	Rodway	Mangotsfield Rural Parish Council
4	PK14/0401/F	Approve with Conditions	77 Abbots Road Hanham South Gloucestershire BS15 3NP	Hanham	Hanham Abbots Parish Council
5	PK14/0485/F	Approve with Conditions	Land To Rear Of 48 Middle Road Kingswood South Gloucestershire BS15 4XH	Rodway	None
6	PK14/0524/F	Approve with Conditions	13 Shortwood Road Pucklechurch South Gloucestershire BS16 9PL	Boyd Valley	Pucklechurch Parish Council
7	PK14/0598/AD	Approve with Conditions	Unit 1 SBI Centre Memorial Road Hanham South Gloucestershire BS15 3JE	Hanham	Hanham Parish Council
8	PK14/0630/RV	Approve with Conditions	Land Off Southway Drive Warmley South Gloucestershire BS30 5JE	Oldland	Bitton Parish Council
9	PK14/0724/TRE	Approve with Conditions	8 The Brake Yate South Gloucestershire BS37 7QW	Yate North	Yate Town
10	PT13/4517/RVC	Approve with Conditions	The Lime Works Itchington Quarry Itchington Road Tytherington South	Ladden Brook	Tytherington Parish Council
11	PT14/0168/F	Approve with Conditions	Banks House Harcombe Hill Winterbourne Down South Gloucestershire BS36 1DE	Winterbourne	Winterbourne Parish Council
12	PT14/0562/F	Approve with Conditions	Bradstones Haw Lane Olveston South Gloucestershire BS35 4EG	Severn	Olveston Parish Council
13	PT14/0571/F	Approve with Conditions	38 Brackendene Bradley Stoke South Gloucestershire BS32 9DH	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council

**Dates and Deadlines for Circulated Schedule
During Easter and Early May Bank Holiday Period 2014**

Schedule Number	Date to Members 9am on	Members Deadline 5pm on
15/14	Thursday 10 April 2014	Wednesday 16 April 2014
16/14	Wednesday 16 April 2014	Thursday 24 April 2014
17/14	Friday 25 April 2014	Thursday 01 May 2014
18/14	Friday 02 May 2014	Friday 09 May 2014

Above are details of the schedules that will be affected by date changes due to Easter and Early May Bank Holiday.

Although Schedule No: 17 will be published as usual on a Friday I have included it here for clarity as Easter is so close to May Bank Holiday

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PK14/0143/F	Applicant:	Bendeaux, Starling And Gardener
Site:	Land Rear Of 37-43 Birgage Road Hawkesbury Upton South Gloucestershire GL9 1BH	Date Reg:	24th January 2014
Proposal:	Erection of 3 no. dwellings with access, parking and associated works. (Resubmission of PK13/2240/F).	Parish:	Hawkesbury Parish Council
Map Ref:	377890 186636	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	18th March 2014



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 100023410, 2008. **N.T.S.** **PK14/0143/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the construction of three detached dwellings on a green field site adjacent to the village of Hawkesbury Upton. The three dwellings would all be single storey only and would each have two bedrooms and a study. The remainder of the site would then be split up to provide parking and garden space.
- 1.2 The application states that the three homes would all be for residents over the age of 55 with a local connection and the need for disabled facilities and have expressed a willingness to enter into a S106 agreement to ensure this.
- 1.3 This application is the resubmission of a previously refused application reference Pk13/2240/F. This previous application was refused for two reasons which read as follows:
 1. Planning Policy H7 of the South Gloucestershire Local Plan and Policy CS19 of the Core Strategy (which relate to rural exceptions sites) allow for small scale proposals for affordable housing to meet a local need where market housing would not normally be acceptable because of planning policy constraints. Although the applicant proposes to restrict occupation of the 3 dwellings for purchasers aged 55 and over with a local connection, this type of tenure is not deemed affordable housing as defined by the NPPF i.e. social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market and therefore would be contrary to Planning Policy H7 of the South Gloucestershire Local Plan and Policy CS19 of the Core Strategy. Policy H3 of the South Gloucestershire Local Plan states that 'proposals for new residential development outside the existing urban areas and the boundaries of settlements, as defined on the proposals map, will not be permitted with the exception of the following – Affordable housing on Rural Exception sites, Housing for agricultural or forestry workers, or replacement dwellings.' The application is for three retirement dwellings and therefore the proposal does not fall within one of the three limited categories of development and the application is contrary to the requirements of Policy H3 of the Adopted Local Plan and CS5 of the Core Strategy.
 2. Because of the massing and height of the proposed bungalow closest to No's 37 to 49 Birgage Road, its proximity to the existing boundary fence and the fact that it will span almost the entire rear boundary of numbers 37 and 39 Birgage Road, it is considered that the proposed development will have an overbearing impact on the existing level of residential amenity afforded to these properties. The rear wall of the proposed bungalow will be less than 13.5 metres from the rear extension on No. 37 and less than 18 metres from the main rear wall of No. 39. Windows and doors are shown in the rear elevation of the proposed dwelling facing towards No's 37 and 39 and due to the lack of sections and the existing change in ground levels, your officer cannot be certain that the existing

boundary treatment will obstruct visibility. The application is therefore contrary to the requirements of Policy H3 of the South Gloucestershire Local Plan (Adopted).

- 1.4 The design and access statement advises that this current application has been submitted in attempt to overcome the previous refusal reasons whilst acknowledging that the site still lies outside of the defined settlement boundary. The shown changes are the siting in respect of No's 37 to 43 Birgage and a reduction in the size.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1	Landscape Protection and Enhancement
L2	Cotswolds Area of Outstanding Natural Beauty
H3	Residential Development in the Countryside
T7	Cycle Parking
T12	Transportation Development Control

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS5	Location of Development
CS18	Affordable Housing
CS19	Rural Housing Exception Sites
CS34	Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

South Gloucestershire Residential Parking Standards SPD (Adopted)

Affordable Housing SPD Adopted September 2008

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/2240/F Erection of 3 no. dwellings with access, parking and associated works.
Refused August 2013
- 3.2 Approval on adjacent site - P94/1758 Erection of 10 dwellinghouses.
Construction of estate road and associated works.
Approved 1994

4. CONSULTATION RESPONSES

4.1 Hawkesbury Parish Council

Objects to the application on the grounds that the planning application falls outside the village development boundary.

- 4.2 Highway Drainage
No Objection subject to conditions
- 4.3 Environmental Protection
No Objection subject to conditions
- 4.4 Councils Landscape Architect
Objects to the scheme
- 4.5 Councils Transportation Officer
No Objection
- 4.6 PROW officer
No Objection
- 4.7 Housing Enabling
Objects

Other Representations

- 4.8 Local Residents
Approximately 28 letters of support have been received in relation to this application. The letters primarily support the application as the writers all believe Hawkesbury Upton to be in need of this type of accommodation.

Approximately 5 letters of objection have also been received.
- 4.9 Letter from Ian Woodward-Court
A letter has also been received from plainview planning drawing attention to two appeals (APP/C1625/A/13/2201018 and APP/K2420/A/13/2202261) and also the Importance of the NPPF.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application site lies outside of the defined settlement boundary. The application is to develop the site for retirement bungalows (NOT recognised as affordable housing). As the development is outside of the settlement boundary and not within an existing residential curtilage, the application stands to be assessed against the requirements of Policy H3 of the adopted local plan.
- 5.2 Residential Development in the Open Countryside
Policy H3 of the South Gloucestershire Local Plan states that '*proposals for new residential development outside the existing urban areas and the boundaries of settlements, as defined on the proposals map, will not be permitted with the exception of the following – Affordable housing on Rural Exception sites, Housing for agricultural or forestry workers, or replacement*

dwelling.' The application is for three retirement dwellings and therefore the proposal does not fall within one of the three limited categories of development and the application is contrary to the requirements of Policy H3.

5.3 Rural Exceptions Policy

Whilst this application is not for affordable housing and therefore is not a rural exception site, the approval of housing on the adjacent site also outside of the village development boundary in 1994 was raised by the agent in respect of the previously refused application. In the interest of completeness therefore, the rural exceptions policy will also be discussed.

5.4 It is indeed true that in 1994, the erection of 10 houses was allowed on a site immediately adjacent to this application site. These 10 houses were also outside of the defined settlement boundary. However, the 10 houses subject of the 1994 application were true affordable houses and a S106 agreement was signed to secure this. Therefore, there are no planning similarities between this 1994 approval and the scheme currently for consideration in terms of the policies that apply.

5.5 Policy CS19 of the Core Strategy (which relate to rural exceptions sites) allows for proposals for permanent affordable housing to meet an identified local need where market housing would not normally be acceptable because of planning policy constraints. Although the applicant proposes to restrict occupation of the 3 dwellings for purchasers aged 55 and over with a local connection, this type of tenure is not deemed affordable housing as defined by the NPPF i.e. *social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market* and therefore would be contrary to Policy CS19 of the Core Strategy. In addition, the application is not supported by an approved housing needs survey and is not supported or initiated by the Parish Council which are also requirements of Policy CS19.

5.6 Visual Amenity/Area of Outstanding Natural Beauty

The site is located on the south west corner of Hawkesbury Upton and is located outside the Settlement boundary. Hawkesbury Upton is washed over by the AONB. Although the open and exposed character of the surrounding landscape make it potentially highly sensitive to change, with regards to Policy L1 the development would not significantly change the landscape character of the area. The proposed development would be viewed against the back drop of the existing relatively modern properties currently forming the edge of Hawkesbury. The South Gloucestershire Landscape Character Assessment has noted that "More recent built development, such as at Hawkesbury Upton, is situated on higher ground on the edge of the older village core, where the new rooftops break the skyline and there is little tree cover, making it visually prominent within the wider landscape."

5.7 There is scope to improve the southern approach to Hawkesbury with hedge and tree planting which would help to screen, soften and integrate the settlement edge within the surrounding landscape. There is scope therefore for the development to enhance the settlement edge of Hawkesbury Upton. However the combined footprints of the proposed bungalows do not leave adequate space for boundary hedges and standard native trees to mature.

Any planting on the boundary should be mixed native hedge, but not the hornbeam and beech as proposed as this would have a domesticating effect on the rural landscape character. By blocking the views of the open countryside the proposed development would have a detrimental effect on the outlook of the existing adjacent properties and allotment holders. This impact would be reduced by the fact that they are bungalows. However the overall layout and mass of the combined dwellings would need to be altered and reduced in order to help maintain views out of from the existing settlement. With regards to Policy L1 and L2 the development could enhance the southern approach to Hawkesbury Upton through robust hedge and tree planting on the boundary however, given that there is a strong policy objection to the proposal, this has not been pursued further.

5.8 Design

The proposal is for the erection of three bungalows with large footprints – although admittedly slightly reduced from those previously refused. The dwellings would be constructed of natural stone and have slate roofs. The plans appear to show that the dwellings will share the garden space with no formally defined private gardens. The site also appears to lie on a backland plot, being accessed by an existing agricultural access lane to the site tucked up behind the existing dwellings on Birgace Road.

5.9 Whilst, in the opinion of your officer, the dwellings will appear quite out of keeping with the immediately adjacent dwellings, this on its own is not put forward as a reason for refusal. The neighbouring properties are of no special architectural merit and so it is not considered that there is any merit in reflecting the existing built form. Therefore, there is no objection to the style and design of the dwellings

5.10 Access

The Councils highway officer has raised no objection to the proposed development. Adequate off street parking and turning provision is made to meet the needs arising. Although there is some concern regarding the distance the bins would have to be wheeled, this alone is not of sufficient concern to warrant the attachment of an additional refusal reason.

5.11 Residential Amenity

Whilst not shown on the plans, the site does have a slight gradient to it whereby the site slopes up gently away from the rear of dwellings 37 to 48. As a result, the proposed bungalows will be at a slightly higher level than the floor level in the existing properties. Proposed plot 1 (closest to the rear elevations of No.s 37 to 43 Birgace will be 19m from the rear of No. 39 and 15.5 metres from the single storey element to No. 37. Although these separation distances are tight, no refusal reason will be added in this instance.

5.12 Whilst the level of amenity space proposed is minimal, given that children will not reside in the development, the level is considered to be acceptable to meet the needs of the development.

5.13 Policy

The South Gloucestershire Core Strategy was adopted in December 2013 and therefore forms part of the development plan. The application is being determined with consideration given to the Development Plan (including the Core Strategy, Local Plan and SPD's) and also the NPPF.

5.14 Policies CS5 (Location of Development) and CS34 (Rural Areas) set the context for development affecting a rural area. As the proposal is outside the settlement boundary of Hawkesbury Upton the site is regarded as being in the open countryside and therefore contrary to Policy CS5 (and CS34). Policy CS5 of the Core Strategy states that "in the rural areas communities will be empowered to shape the future of their own area through opportunities presented by Neighbourhood Planning." Policies CS5 and CS34 of the Core Strategy also require the council to review the rural settlement boundaries in the Policies Sites and Places Development Plan Document (PSP DPD) and undertake a review of the approach to the distribution of housing in the rural areas to include engagement with the local community and other stakeholders/parties. Should the local community, via the parish council, identify a need for housing in their area, to sustain the village, this could be delivered either through neighbourhood planning or the PSP DPD. Both approaches would require a thorough and transparent assessment of all site/location options in order to identify the most appropriate and deliverable site/ location. Initial work on the Policies Sites and Places DPD has commenced. However at this stage no weight can be given to this document when determining planning applications.

5.15 A letter has also been received drawing attention to two appeal reference numbers and reminding your officer of the need to consider the NPPF. Limited weight is given to the two previous appeals mentioned as these two sites are not known to be in South Gloucestershire and therefore determined under different development plan policies. Of course significant weight is given to the NPPF. Section 6 of the NPPF sets out the government's objective to deliver a wide choice of high quality homes. Other than requiring Councils to have demonstrated a five year land supply, the NPPF is not overly prescriptive in the location of development. The Council has recently demonstrated and proven its five year land supply (as part of the Adoption of the Core Strategy process) and therefore there is not an identified un-met need for general market housing or retirement housing in South Gloucestershire.

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

7. RECOMMENDATION

7.1 That the application be refused for the following reason;

Contact Officer: Marie Bath
Tel. No. 01454 864769

1. The application site lies outside of the defined settlement boundary. Policy CS19 of the Core Strategy (Adopted) which relates to rural exceptions sites, allows for proposals for permanent affordable housing to meet a local need where market housing would not normally be acceptable because of planning policy constraints. Although the applicant proposes to restrict occupation of the 3 dwellings for purchasers aged 55 and over with a local connection, this type of tenure is not deemed affordable housing as defined by the NPPF i.e. social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market and therefore would be contrary to Policy CS19 of the Core Strategy (Adopted). Policy H3 of the South Gloucestershire Local Plan states that 'proposals for new residential development outside the existing urban areas and the boundaries of settlements, as defined on the proposals map, will not be permitted with the exception of the following - Affordable housing on Rural Exception sites, Housing for agricultural or forestry workers, or replacement dwellings.' The application is for three retirement dwellings and therefore the proposal does not fall within one of the three limited categories of development and the application is contrary to the requirements of Policy H3 of the Adopted Local Plan and CS5 of the Core Strategy (Adopted).

ITEM 2

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.: PK14/0313/F
Site: 113 High Street Marshfield South
Gloucestershire SN14 8LT

Applicant: Ms Kirstie Long
Date Reg: 30th January 2014

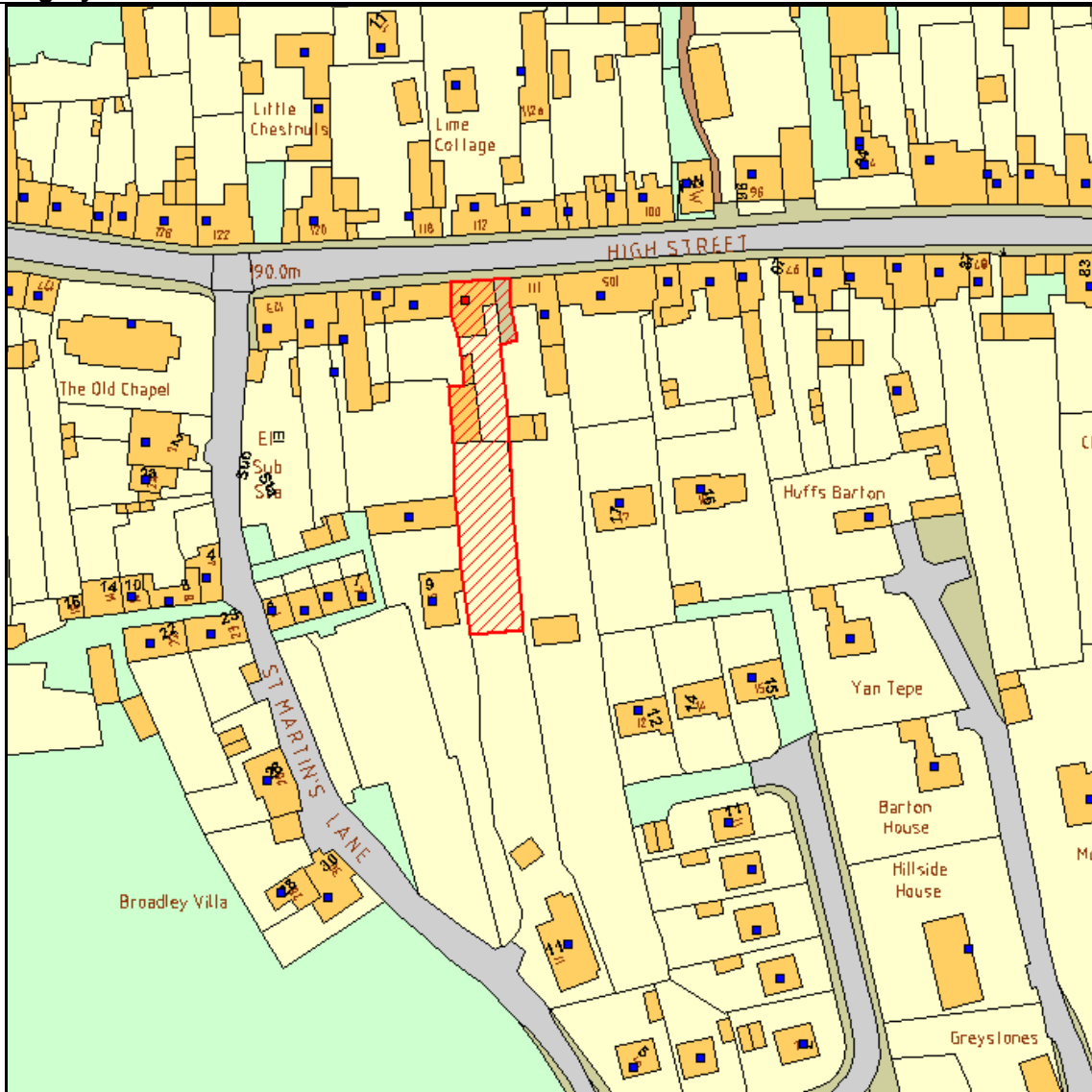
Proposal: Erection of two storey rear extension to form additional living accommodation. (Re Submission of PK13/0566/F)

Parish: Marshfield Parish Council

Map Ref: 377621 173732

Ward: Boyd Valley
Target Date: 26th March 2014

Application Category: Householder



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100023410, 2008.

N.T.S.

PK14/0313/F

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of one letter of objection on behalf on a neighbouring resident.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey rear extension to the rear of the existing dwelling. The site fronts the High Street and there is a limited view into the rear garden from the side of the house where there is a joint driveway, but this proposed extension would still be visible in part from the street.
- 1.2 There have been previous attempts to erect a two story rear extension at the site as detailed in the history section below

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
H4 House extensions
L12 Conservation Areas
L13 Listed Buildings

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013
CS1 High Quality Design
CS5 Location of Development
CS9 Heritage Assets
- 2.3 Supplementary Planning Guidance
Marshfield Conservation Area guidance note
Residential Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/1496/F Single storey side and rear extension
Approved July 2005
- 3.2 PK12/3200/F Single storey extension
Approved November 2012
- 3.3 PK13/0566/F Erection of two storey rear extension to provide additional living accommodation.
Refused April 2013

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council
No objection

4.2 Other Consultees [including internal consultees of the Council]

Conservation Officer

No objection subject to the attachment of conditions

Archaeology

No comment

Highway Drainage

No comment

Highway Officers

No Objection

Other Representations

4.3 Local Residents

One letter of objection has been received on behalf of a neighbouring resident. A summary of the concerns raised is as follows:

- The proposal results in a significant increase in eaves height over and above the existing situation
- Effect of increasing the overbearingness
- The glazed conservatory at the neighbours property will be overlooked to the extent that amenities will be significantly compromised

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application for planning permission stands to be assessed against the policies listed above, in the light of all material considerations. The issues to be resolved are the impact of the proposed extension and dormer on the existing levels of residential amenity of the adjoining properties and the impact of the proposed works on the Conservation Area.

5.2 Residential Amenity

The two elements of the proposal which could potentially have a bearing on residential amenity are the rear extension's height and window positions. These two possible concerns have also been raised in the neighbours letter of objection. It should be noted that the site is an end-terrace house and in the terrace, the windows are naturally oriented to the front and rear, creating the usual peripheral overlooking from first floor and above which occurs where properties are this close together. The impact of the proposed windows, all facing the site's rear garden, therefore follows the established pattern. No side

facing windows are indicated and their later insertion could be prevented by condition. The mass of the extension is considered to be moderate, with a projection of just over 3 metres and, with the driveway separating the extension from the next property, it is considered that there would be no resulting harm to the existing levels of residential amenity enjoyed by that property through this proposal. The proposed extension is considered to accord with policy H4 in that regard.

5.3 Design and Impact on Conservation Area

In consideration of the scheme now proposed, to address the previous objections raised the asymmetrical intersecting dual pitched roof design has been replaced with what can be considered a more subservient lean-to structure. The building has also been set lower so the apex of the extension's roof sits just below the eaves of the projecting gable of the two-storey rear wing. The reduced scale and amended roof form now ensures the gable of the rear two-storey wing remains the dominant architectural feature of the rear elevation. The simplification of the extension's roof design also avoids the awkward junction with the south wing's roof.

Although the proposed extension would still add a distinct forth element to the rear elevation and as thus the Conservation officer maintains reservations over the resultant visual coherence of the rear elevation, with the extension no longer competing with the prominent gable of the rear wing in terms of scale and form, it is considered that any design objection on these grounds would be difficult to sustain at appeal. Therefore on balance there are no design based objections to the proposed scale and form of the two-storey rear extension.

With regards to materials and detailing, although it was considered that the larch boarding of the previous schemes simply exacerbated the sense of disparity, following the reduced scale and simplification of form, the proposed boarding at first floor is considered acceptable. Moreover with the ground floor stone faced and featuring stone quoins and a stone string course, it is considered that along with design of the openings, there would be a depth of refinement to its aesthetic appearance. Consequently, there is no doubt that the scheme being proposed is of high quality in terms of materials and detail.

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.

7. RECOMMENDATION

7.1 That planning permission is 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).

2. No windows other than those shown on the plans hereby approved shall be inserted at any time in the eastern elevation of the extension facing towards No. 111 High Street.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy CS1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of development a representative samples of the following materials shall be submitted to and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the agreed samples.
 - a. Larch boarding
 - b. Roof tiles

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013.

4. Prior to the commencement of development a representative sample panel of natural facing stone, of at least one metre square, showing the stone, coursing, mortar and pointing, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013.

5. Prior to the commencement of development a representative sample panel of facing render, of at least one metre square, showing the texture and finish, shall be erected on site and approved in writing by the local planning authority. The development shall

be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013.

6. Prior to the commencement of development, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.
 - a. All new windows and fixed glazing (including framing, cill and head details)
 - b. All new doors
 - c. All new vents and flues
 - d. Eaves

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013.

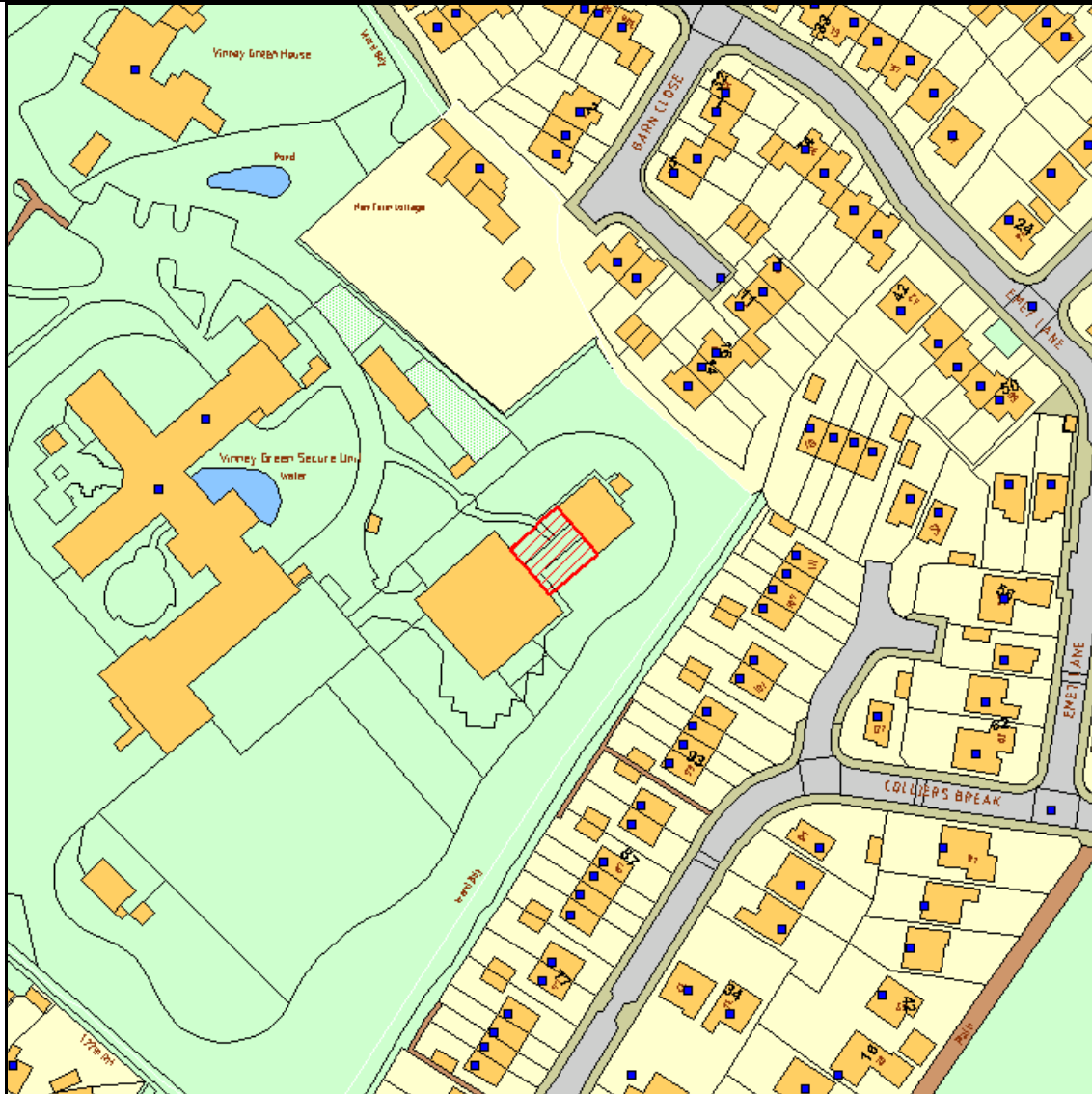
7. All new rainwater goods shall be of metal construction with a painted black finish or a substitute material which has been approved by the Local Planning Authority

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PK14/0339/R3F	Applicant:	Miss Nicole Muller
Site:	Vinney Green Secure Unit Emersons Green Lane Emersons Green South Gloucestershire BS16 7AA	Date Reg:	4th February 2014
Proposal:	Erection of single storey extension to form additional bedroom accommodation. (Renewal of PK10/2202/R3F).	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366559 176519	Ward:	Rodway
Application Category:	Minor	Target Date:	31st March 2014



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 100023410, 2008. **N.T.S.** **PK14/0339/R3F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is a Regulation 3 application submitted by South Gloucestershire Council. Under the Council's current scheme of delegation, Reg. 3 applications must appear on the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application relates to Vinney Green Secure Unit, which is situated within its own expansive grounds to the south of Emersons Green Lane and to the east of Richmond Road. New houses within the Emersons Green Development lie to the east and south of the site. An older property, Ham Farm Cottage, lies to the north east of the site.
- 1.2 It is proposed to erect a four bedroom extension to link the existing Phase 2 building and the Phase 3 admin block. The extension would also include a lounge, en-suite toilets, storage, plant and circulation areas. An identical proposal was previously approved under PK10/2202/R3F the time limit for which has now expired. The current application merely seeks to renew the earlier permission.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) 27 March 2012
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006
LC4 - Community Facilities within the Urban Area and Defined Settlement Boundaries
L1 - Landscape Protection and Enhancement
- 2.3 The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013
CS1 - Design
- 2.4 Supplementary Planning Document
The South Gloucestershire Design Checklist (Adopted) 23rd August 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 P92/4663 - Erection of 16no place secure unit for young offenders and associated secure outdoor activity areas.
Observations 26th Feb 1993
- 3.2 P98/4050 - Erection of security mesh onto existing perimeter wall/fence.
Approved 4th March 1998

- 3.3 P98/4660 - Erection of new building to provide office and meeting room accommodation.
30th Oct. 1998
- 3.4 PK01/3252/R3F - Erection of single storey extension to form waiting area.
Deemed Consent 14th Jan 2002
- 3.5 PK04/2476/R3F - Erection of prefabricated workshop and security fencing.
Deemed Consent 27th Sept. 2004
- 3.6 PK05/3511/R3F - Construction of synthetic sports areas and installation of 4 no. floodlight columns.
Deemed Consent 27th Jan 2006
- 3.7 PK06/3207/R3F - Erection of detached building to form workshop.
Deemed Consent 8th December 2006
- 3.8 PK06/3176/R3F - Erection of single-storey office block (Class B1).
Deemed Consent 19th Jan 2007
- 3.9 PK07/3658/R3F - Erection of single storey extension to existing admin wing to form staff locker room. Installation of 1no. window to north west elevation and installation of new entrance door and 4.2m high fencing.
Deemed Consent 25th January 2007
- 3.10 PK08/2727/R3F - Erection of single storey extension to existing admin wing to form staff locker room. Installation of 1no. window to north west elevation and installation of new entrance door and 4.2m high fencing. (Amendment to previously approved scheme PK07/3658/R3F).
Deemed Consent 7th Nov 2008.
- 3.11 PK10/2202/R3F - Erection of single-storey extension to form additional bedroom accommodation.
Deemed Consent 1st October 2010

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council
No objection

4.2 Other Consultees

Avon and Somerset Police
No response

Sustainable Transport

The proposal would result in no significant change to traffic movements to and from the site and hence it would not impact on road safety. No objection.

Highway Drainage
No comment

Other Representations

- 4.3 Local Residents
No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy LC4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 permits the expansion or improvement of community or education facilities within the existing urban area, subject to criteria that are discussed below. Policy CS1 of the South Gloucestershire Local Plan Core (Adopted) Dec. 2014 seeks to secure good quality designs in new development. The acceptance in principle of the proposal was previously established with the grant of deemed consent for an identical scheme PK10/2202/R3F; this application merely seeks to renew the approval.

5.2 Scale and Design

The proposed extension would be single-storey in height and modest in scale, with a flat roof. The extension is designed to blend in, with matching smooth red brick surround to the windows, up to DPC level and to parapet walls. Feature timber effect panels would be introduced between the areas of brickwork. The extension would have a flat roof to infill between the existing pyramid shaped roofs of the two adjacent buildings. The steel window surrounds and profiled parapet fascias would also be finished in light grey. Officers are therefore satisfied that the scale and design of the proposal are acceptable.

5.3 Impact Upon Residential Amenity

The new development would be located entirely within the perimeter of the secure unit, which is enclosed by a very high, wire mesh fence and a thick belt of high vegetation. Views into the site from the public and residential areas immediately adjoining the site are very limited indeed. Being located in the north-eastern corner of the complex, the only residential properties likely to be affected lie in Colliers Brake to the east. These properties are however set well back from the perimeter fence and furthermore the high belt of vegetation between the fence and unit would provide adequate screening.

- 5.4 Having regard to the single-storey, flat roofed nature of the proposal, the development would have no overbearing impact for the nearest properties. There would also be no loss of privacy from overlooking or inter-visibility issues for these properties. Officers are therefore satisfied that there would be no adverse impact on residential amenity to result from the proposal.

5.5 Transportation Issues

The proposed extension would be modest in scale. The number of employees on the site would not increase as a result of the extension. Officers noted during their site visit that there was more than ample car parking space within

the site and this would be retained. Wooden bollards prevent car parking on the common land adjacent to Emersons Green Lane.

5.6 Officers consider that the existing signage at the site access is acceptable. There are therefore no highway objections to the proposal.

5.7 Landscape Issues

A substantial belt of high vegetation encloses much of the site and this vegetation would be retained. There are no landscape implications to result from the scheme.

5.8 Environmental Issues

The existing mains sewer and drainage system would be utilised.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED subject to the conditions listed on the decision notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. The bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Reason

To ensure a satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2014.

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PK14/0401/F	Applicant:	Mr Andrews
Site:	77 Abbots Road Hanham South Gloucestershire BS15 3NP	Date Reg:	18th February 2014
Proposal:	Erection of single storey side extension and raising of roofline to form additional living accommodation.(Re Submission of PK13/3228/F)	Parish:	Hanham Abbots Parish Council
Map Ref:	364358 170957	Ward:	Hanham
Application Category:	Householder	Target Date:	14th April 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments from the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey side extension and the raising of the roofline to form additional accommodation. The application is a resubmission of scheme PK13/3228/F which was refused due to the amount of development proposed under that application and its potential harm to the openness of the Green Belt. This current application only proposes an extension to the side and associated roof works including the raising of the roof by 0.5 metre.
- 1.2 The application relates to a dilapidated single storey dwellinghouse situated outside the settlement boundary, in the open countryside and within the Bristol and Bath Green Belt

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies

H4	Development within Existing Residential Curtilages, Extensions and New Dwellings	Including
T12	Transportation Development Control	

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire Supplementary Planning Document: Green Belt (Adopted) 2007

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 Pk13/3228/F Erection of single storey side and rear extensions.
Alterations to raise roof line to facilitate loft conversion including rear dormer with balcony. Erection of detached garage.
Refused 21.1.13

- | | | |
|-----|-------------------------|--|
| 3.2 | K497/4
Approved | Permanent retention of workshop building
27.2.84 |
| 3.3 | K497/3
Approved | Erection of engineering workshop
8.2.77 |
| 3.4 | K497/2
Approved | Erection of a garage for company vehicles
19.10.76 |
| 3.5 | K497/1

Withdrawn | Erection of garage for four vehicles in connection with a
filmcation business |
| 3.6 | K497
Refused | Erection of workshop floor area approx 2470 sq ft
16.1.75 |

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

Objections: as the site is located within the Bristol/Bath Green Belt, we do not believe that there are any special circumstances that override the normal presumption against development within the Green Belt and is therefore contrary to the provisions of Policy GB1 of the South Gloucestershire Local Plan (adopted) 2007 and the South Gloucestershire Development in the Green Belt (adopted) 2007.

4.2 Other Consultees

Highway Drainage
No objection

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 of the South Gloucestershire Core Strategy (Adopted) 2013) states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives.

Saved 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.

In addition saved Policy T12 seeks to ensure that development will have no adverse impact on highway safety and residential parking standards have been revised under supplementary planning guidance adopted 2013.

National Green Belt policy under the NPPF has five aims which help to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. Inappropriate development is by definition harmful and should be avoided except in very special circumstances.

The application is to be assessed against the policies listed above. It should be noted that the current policy Green Belt is found in the NPPF (2012) which lists the categories where development in the Green Belt is permitted. Limited extensions are one such category. The South Gloucestershire Local Plan: Core Strategy (adopted) 2013, removed certain policies which included GB1: Green Belt. The South Gloucestershire SPD: Green Belt (adopted) 2007 remains current and this gives guidance on the volume increase to buildings/dwellings. These are detailed in the below assessment.

5.2 Green Belt

The application site lies outside the settlement boundary in open countryside and within the Bristol/Bath Green Belt. It is a detached single storey property situated in an elevated position above the highway. The building is roughly an offset 'T' shape with a front projection and the entrance being located at the junction where the front and rear elements meet to the southeast. The proposal would create a single storey side extension to the west elevation and associated works to raise the roofline.

- 5.3 Regard must be had to the purposes of the Green Belt and the NPPF (2012) states one of the main aims to be: *'to assist in safeguarding the countryside from encroachment'* (NPPF, 2012, Para 80. Paragraph 89 of the NPPF discusses inappropriate development in the Green Belt and lists where exceptions can be considered. Thus, regard must be given to the section which allows:

'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'.

- 5.4 The South Gloucestershire SPD *Development in the Green Belt (2007)*, also has a disproportionate test for additions within this special area. In assessing whether a proposal is disproportionate account will be taken of:
- the increase in volume of the original dwellinghouse
 - the appearance of the proposal (it should not be out of proportion with the scale and character of the original dwelling)
 - existing extensions and outbuildings within the curtilage

- 5.5 Extensions to dwellinghouses that would result in the overall volume exceeding 30% are carefully assessed. The policy states *'the larger a house becomes in excess of 30% of its original size, the less likely it is that the new extension will be considered acceptable'* and those that exceed 30% will be thoroughly assessed with particular regard to their being in proportion with the scale and character of the original dwelling. Furthermore, it goes on to state *'any addition resulting in a volume increase of 50% or more would most likely be considered in excess of any reasonable definition of 'limited extension' and would be viewed as a 'disproportionate addition' and would be contrary to policy.*
- 5.6 Details submitted with the application show the increase in volume to the original dwellinghouse as a result of the proposal would be approximately 20%. The proposed increase is within the figure considered acceptable within the Green Belt.
- 5.7 The proposed side extension would be to the west of the front elevation. This is close to the boundary of the site on that side and would infill a section to reshape the overall dwelling into an 'L' shape. It is acknowledged that the proposed development could be viewed from the public realm, but given it is an acceptable addition to a dwellinghouse it is considered that the proposal would not impact negatively on the openness of the Green Belt.
- 5.8 Summary
The principle of an extension to this residential property is accepted and its scale being a 20% increase in volume falls within the guidelines of additions and extensions in the Green Belt. The position of the extension would be to the west elevation next to the boundary with the neighbouring property which is located approximately 35 metres away. Given the above, the proposed side extension and associated works to the roof are considered acceptable in Green Belt policy terms of its size and impact on the openness of this special area.
- 5.9 Design and Visual Amenity
The existing property sits on a substantial plot on the outskirts of Hanham and within the Green Belt. The property is a single storey structure, sitting above road level and some distance from the highway. It has a hipped roof and some outbuildings to the rear. The plot is adjacent to some light industrial units and currently accessed by a single pedestrian gateway. The dwelling has been neglected for a number of years and the proposal is part of the renovation scheme.

The proposal would result in a side extension measuring approximately 1.8 metre in width and 11 metres in length. A larger gable to the front elevation would consequently stretch across this new extension with alterations to the roofline to accommodate this increase in width. Other alterations to the roofline would include it being raised by approximately 0.5 metre in its entirety and the removal of the existing hipped features.

In terms of design the side extension is considered modest and is appropriate to the dwellinghouse. It is acknowledged that alterations to the roof line of the dwellinghouse would create changes, however, the proposed increase in height

of 0.5 metres is not considered excessive and the resulting massing would on balance, be acceptable and in keeping with the character of the host property and the area in general.

5.10 Residential Amenity

The property sits on the edge of Hanham with closest neighbours being the pub opposite and closest neighbours to the west approximately 35 metres distant. The dwelling is set well back from the main road in an elevated position but given that the public house is slightly further to the southeast and the proposed extension to the west, it is considered that there would be no additional issues impacting on residential amenity over and above those already existing. With regards to the property to the west, the two dwellings are separated by walling and fencing and by a significant distance and as such the proposed extension roofline alterations would not impact on their residential amenity. Sufficient space would remain to serve the host property.

Given the above the proposal is considered acceptable.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions attached to the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

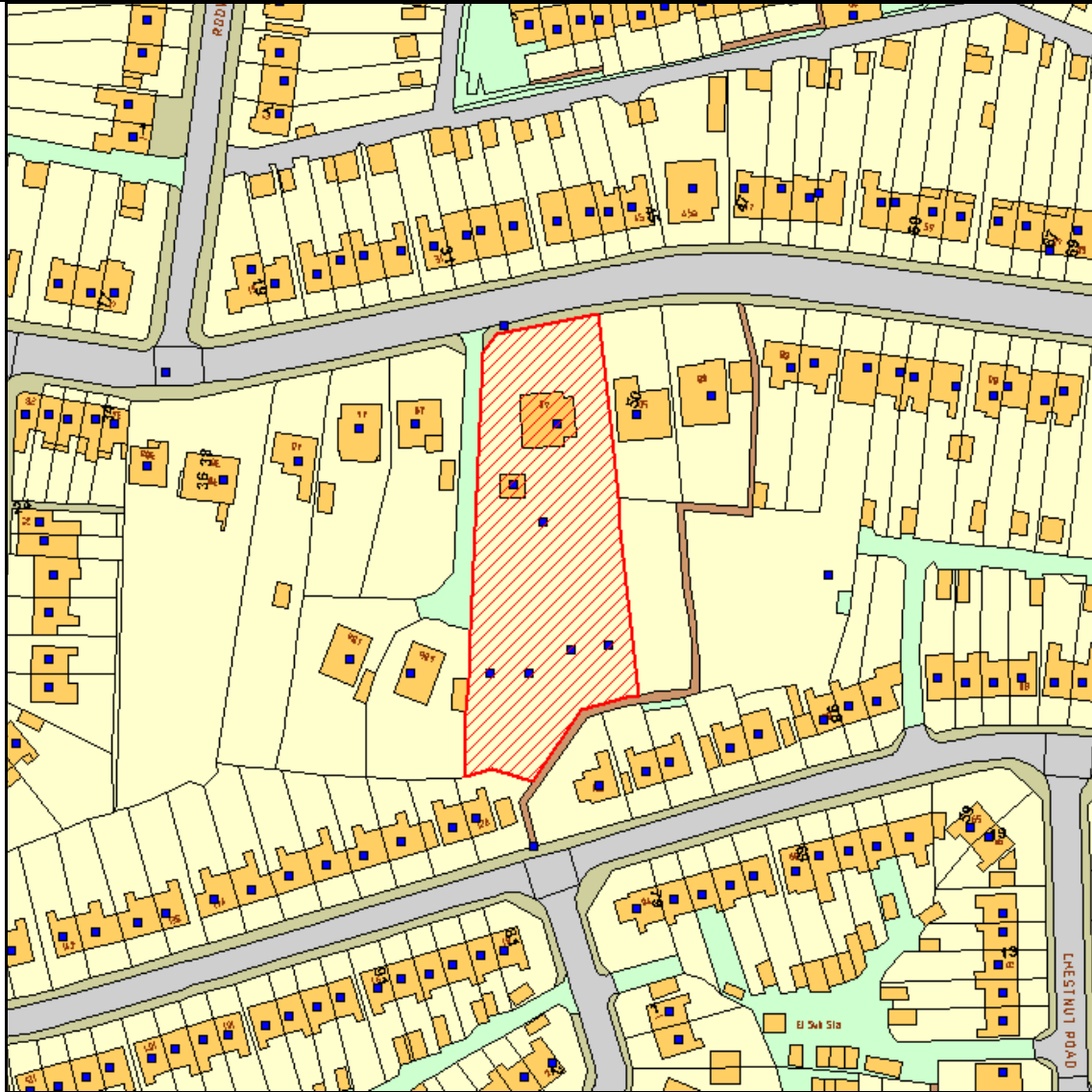
Reason

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

ITEM 5

CIRCULATED SCHEDULE NO. 14/14 – 04 APRIL 2014

App No.:	PK14/0485/F	Applicant:	Home Orchard Developments
Site:	Land To Rear Of 48 Middle Road Kingswood Bristol South Gloucestershire BS15 4XH	Date Reg:	25th February 2014
Proposal:	Erection of 2 no. rear conservatories to units 1 and 4 of bungalows. (Amendment to previously approved scheme PK12/2747/F).	Parish:	None
Map Ref:	365578 175273	Ward:	Rodway
Application Category:	Minor	Target Date:	16th April 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule list following objections from local residents

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of 2no. rear conservatories to plots No. 1 and 4 of a group of bungalows recently given permission as part of a development of 5no. bungalows (scheme PK12/2747/F).
- 1.2 The application site relates to the rear garden previously associated with No. 48 Middle Road, Kingswood, an established residential area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design

CS5 Location of Development

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies

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

T12 Transportation Development Control

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/5050/O Demolition of existing dwelling. Erection of 12no. dwellings (outline) all matters reserved.
Withdrawn.
- 3.2 PK12/2747/F Demolition of an existing detached garage and the erection of 5no. two bedroom bungalows and associated works.
Approved 29.11.12
- Related applications**
- 3.3 PK13/4406/F Erection of 1 no. detached bungalow and associated works
Approved 23.1.14

PK13/4383/F Demolition of side extension to existing bungalow.
Erection of 1 no. bungalow and associated works.
Approved 23.1.14

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
The area is unparished

4.2 Other Consultees

Public right of way
No comment

The Coal Authority
No comment

Sustainable Transport
No objection

Highway Drainage
No comment

Other Representations

4.3 Local Residents
Two letters of objection have been received from local residents. The comments are summarised as:

- All privacy will be lost in our rear gardens
- The development is at an elevated position and additional conservatories would provide a viewing platform
- The proximity of the bungalows to the fence is too close
- Bungalow no. 4 is already hideously close to my house and above my house due to the lie of the land
- Family will not be able to sit in peace on the patio – likely the occupier will be able to see what we're having for dinner
- The clearance at the rear between the bungalow/conservatory and their fence would equate to having no garden at all

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy CS1 of the South Gloucestershire Core Strategy (Adopted) 2013) states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives.

Saved 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 proposal is considered to accord with the principle of development.

5.2 Design and Visual Amenity

This application requests the addition of rear conservatories to two of the recently approved units. The units are for the most part completed. The conservatory to plot 1 would be to the east elevation and would measure approximately 2.5 metres deep, 4.7 metres in length with a height to eaves of 2.3 metres. Its pitched roof would have an overall height of 3.9 metres. The conservatory to plot 4 would be to the south elevation and would measure approximately 3.2 metres deep, 4.7 metres in length with a height to eaves of 2.3 metres. Its mono-pitched roof would have an overall height of 3.4 metres.

It is considered that the design and scale of the proposed conservatories would not be out of keeping with the character of the bungalows or the area in general and as such they are considered to accord with the principles of Policy CS1.

5.3 Residential Amenity

Concern has been expressed by local residents regarding the potential impact on their amenity. The original planning permission considered the impact and stated:

'Given the single storey scale of the development proposed it is considered that there will not be a significant adverse effect on the residential amenity of neighbouring occupiers through loss of privacy. The applicant has indicated that 1.8 metre high fencing will be located on the side boundaries whilst existing trees and hedges will be retained on the boundaries; a new acoustic fence is also proposed on the western side of the access road which will help to lessen the impact of the development on neighbouring occupiers.'

It is considered that the above assessment remains relevant and that the single storey and modest size of the proposed conservatories would not significantly alter the situation to such an extent that the application could be recommended for refusal.

The proposed conservatory to plot 4 would be approximately 14 metres from the rear elevation of No. 108 Yew Tree Drive. These properties are separated from the application site by a public right of way. Furthermore, mature trees at the bottom of the application site are to be retained and proposed fencing approved under application PK12/2747/F will further screen the two properties. In a built up urban area the proposed single storey conservatory is considered acceptable and would not have an unacceptable impact on the residential amenities of nearby properties sufficient to warrant the refusal of the application.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

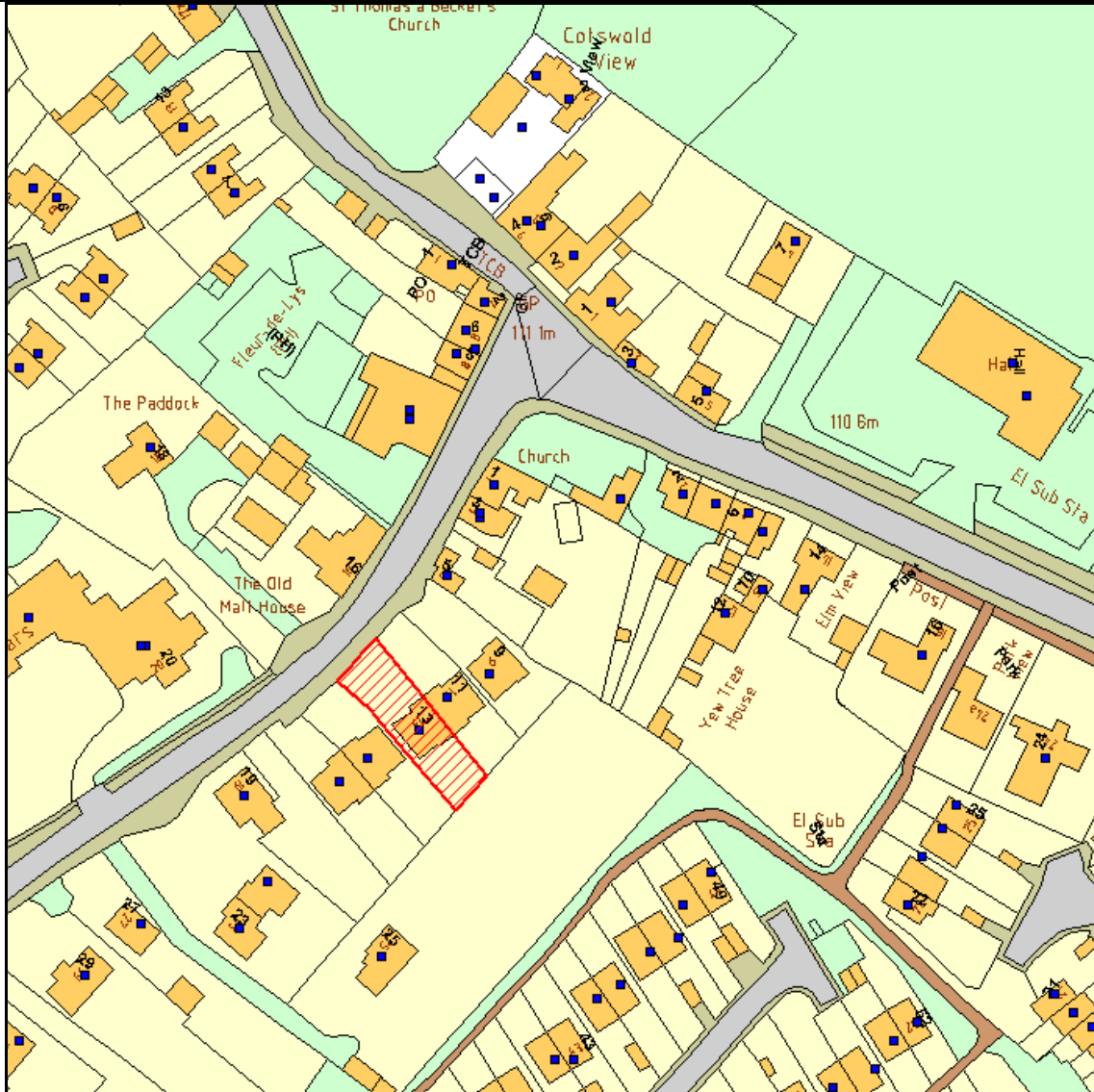
Reason

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

ITEM 6

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PK14/0524/F	Applicant:	Mr Wilmott
Site:	13 Shortwood Road Pucklechurch South Gloucestershire BS16 9PL	Date Reg:	25th February 2014
Proposal:	Erection of single storey rear extension to provide additional living accommodation	Parish:	Pucklechurch Parish Council
Map Ref:	369925 176358	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	16th April 2014



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N.T.S.

PK14/0524/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to a letter of objection received from a local resident, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey rear extension to provide additional living accommodation in the form of a TV room.
- 1.2 The application site relates to a two-storey semi detached property situated within the settlement boundary of Pucklechurch. The site is within Pucklechurch Conservation Area.
- 1.3 Amended plans have been received during the course of the application with the addition of two roof light windows on the south west elevation of the proposal. As they were received very early on in the progress of the application, the application was put out for re-consultation.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
L12 Conservation Areas

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment & Heritage
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007
Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
No objection
- 4.2 Other Consultees

Conservation Officer

Due to the location and scale of the proposal, it will have no impact on the character or appearance of the conservation area. Therefore, there are no objections from a conservation perspective.

Highway Drainage

No comment

Other Representations

4.3 Local Resident

One letter of objection from a neighbour has been received. Their concerns were as follows:

- The builders will walk on their flat roof whilst building the extension. Care should be taken and boards put down to protect the surface.
- Drainage water from the proposed pitched roof may sit on the neighbouring flat roof, and this needs to be prevented.
- Length of the extension would give both properties loss of light at certain times of the day, especially in the afternoons. This would especially be the case of the upstairs landings.
- Sunlight will also be lost to their rear garden
- The length of the extension is excessive compared to conservatories in the area. A length of 3.50 – 3.75 metres may be more proportionate.
- No issues with extension in principle, just too large

4.4 The issue raised regarding drainage is unlikely to materialise as the applicant's proposal will require approval following a separate Building Regulations application before the proposal can move forward. With regards to concerns about builders walking on the neighbouring flat roof, an informative will be issued on the decision notice, if approved, advising the applicant that they must obtain consent before working on land belonging to others. The remainder of the neighbour's concerns do fall under the planning remit and will be addressed in the discussion below.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives. Saved 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, and also that there is safe and adequate parking provision and no negative effects on transportation. The proposal is considered to accord with the principle of development.

5.2 Design

The application site is on Shortwood Road, Pucklechurch, which is one of the main roads out of the village. The applicant's dwelling sits on a row of 5no. very similar dwellings, which are set back from and over look the road from a higher level. The dwelling is joined to number 11 Shortwood Road by the attached garages and they share an access and a spacious driveway. All of the properties on the row have reconstructed stone frontages, with a pitched, tiled roof and white UPVC windows and doors, and a sloping canopy roof over the garage and front doors.

5.3 The proposal is for a rear single storey extension with a depth of between 4.2 and 4.7 metres into the rear garden, due to the stepped in nature of the existing dwelling. The side which appears to be half a metre less is from the perspective of the closest neighbour. The width of the proposal is 3.9 metres, and the height is 4.3 metres. The height to the eaves is approximately 2.9 metres. The flat roof of the utility room will be raised to a pitched roof to allow the extension to integrate with the rest of the house. The pitched roof of the proposal mirrors the pitched roof of the existing property, which also helps with integration into the street scene.

5.4 Proposed openings in the southwest elevation include white UPVC doors leading out into the garden and two roof lights, and there is also a window proposed to the rear facing into the garden. There are no windows proposed on the north east elevation of the proposal. The plans state that the materials used in the construction of the proposal will match the original dwelling house. Therefore, in terms of it's design and materials, the proposal is considered acceptable and is supported by Officers.

5.5 Conservation

Saved policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006 states that development within or affecting a conservation area will only be permitted where it would preserve or enhance the character and appearance of the conservation area. The design must also give regard to the character of the conservation area in form, scale, materials and design. Whilst the proposal does not enhance, it certainly preserves the character as it will not be visible from Shortwood Road. Care has been taken by the applicant to match the design and materials of the proposal and to ensure it is a suitable scale and remains subservient to the original dwelling. Therefore, the Conservation Officer has no objections to the proposal.

5.6 Residential Amenity

The application site is separated from number 15 Shortwood Road by a 1.8 metre fence. The boundary to number 11 Shortwood Road is also a 1.8 metre fence, but the top half of the fence has separated wooden sections which can be seen through, lowering the boundary. This means that the proposal will be clearly visible from the closest neighbour, but is not a reason for refusal alone, especially as a higher boundary can always be erected in it's place. Number 25 Shortwood Road to the rear of the property will be unaffected due to the dwellinghouse being over 25 metres away, and the boundary features bushes of approximately 1.8 metres high.

- 5.7 The proposal will cause a small amount of loss of light to both the applicant's property and the neighbouring property (number 11) but as it is a single storey proposal this will not be significant or detrimental to their residential amenity. Number 13 will have a small loss of light to their lounge and kitchen first thing in the morning, whilst number 11 may have a loss of light for a short period in the afternoons as the sun is setting. The room which will be affected is the utility room, and also possibly the upstairs landing according to the occupier of number 11. It is thought the proposal is unlikely to affect the upstairs of either property as it is single storey, and the utility room is not a habitable room.
- 5.8 The private amenity space of the occupiers is protected, as the proposal only takes up a proportional amount of amenity space in the rear garden. The proposal is not considered to overlook any of the neighbours, with the window on the rear elevation of the extension giving an indirect view of neighbouring gardens, which is common in areas of semi detached properties. The glass doors facing the rear of number 15 are over 5 metres from the boundary, and the fence dividing them is significant. The same applies for the boundary to number 25, which is over 7 metres away. The two roof lights, which were added by means of revised plans during the application process, will not cause overlooking due to their height and angle. There are no windows proposed on the elevation facing number 11, and in order to safeguard residential amenity for present and future occupiers of that property, a condition will be issued on the decision notice stating that no windows can be added on that elevation without prior permission in writing from the Council.
- 5.9 The resident with concerns advised that they did not have an objection to the proposal in principle, just the size of the extension, describing it as 'disproportionate'. It is worth noting that the application only requires a full application because it is in a conservation area, and otherwise would have fallen under the remit of permitted development subject to a prior neighbour consultation scheme. The conservatories which the objector compares the length to were erected under the previous permitted development rights. Due to the proposal being single storey, and with a sloping pitched roof moving away from the neighbouring properties on Shortwood Road, it is considered that the application is proportionate and remains subservient to the original dwellinghouse.
- 5.10 Highways
The proposal does not raise any concerns with regards to highways, as it does not contain any additional bedrooms or reduce the existing parking provision.

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 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No.

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 CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the North East elevation of the property.

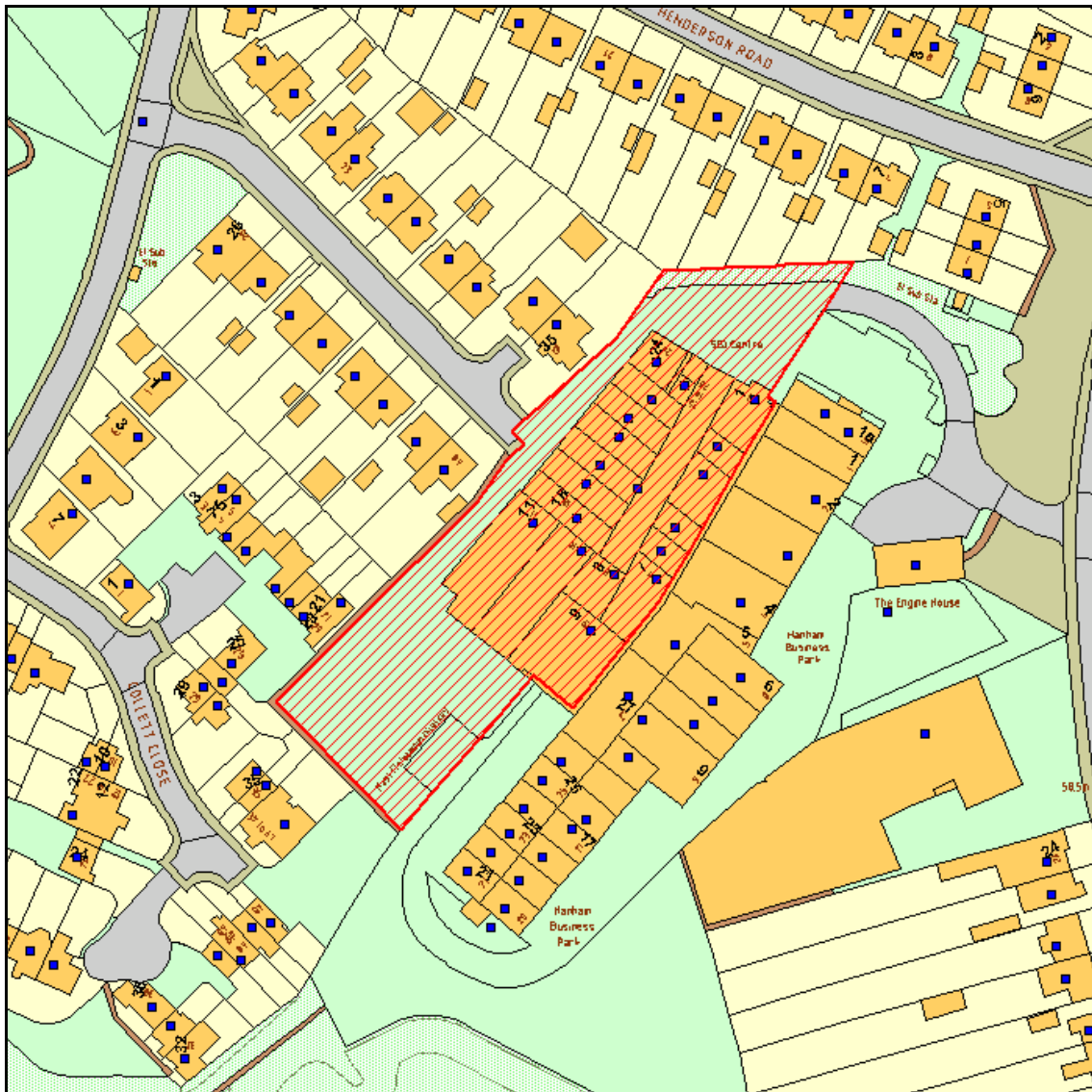
Reason

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 7

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PK14/0598/ADV	Applicant:	Tearmallet Ltd
Site:	Unit 1 SBI Centre Memorial Road Hanham South Gloucestershire BS15 3JE	Date Reg:	20th February 2014
Proposal:	Display of 1no. internally and externally illuminated fascia sign and 1no. non-illuminated hoarding sign. (Retrospective). Re-submission of PK13/4013/ADV	Parish:	Hanham Parish Council
Map Ref:	363739 172083	Ward:	Hanham
Application Category:	Minor	Target Date:	14th April 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination as objections have been received from the Parish Council and a member of the public.

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of 1no. internally and externally illuminated fascia sign which fills the entire gable end of the gable of the building and 1no. non-illuminated hoarding sign to the entrance of the site.
- 1.2 This application is a resubmission of application PK13/4013/ADV. The first application was refused under delegated powers on 24 December 2013 for the following one reason –
 - (1) The signage, by virtue of the materials, illumination, location, appearance and overall design, are out of character with the surrounding area and harmful to visual amenity. The signage is therefore contrary to the provision of the National Planning Policy Framework and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.
- 1.3 The application site is an industrial unit in Hanham used for various motor vehicle repair activities. The building is set back from the road but faces the rear of residential properties on the surrounding streets.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. National Planning Policy Framework March 2012
 - ii. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design

South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies
T12 Transportation
- 2.3 Supplementary Planning Guidance
Shopfronts and Advertisements (Adopted) April 2012

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|---------------|---------|------------|
| 3.1 | PK13/4013/ADV | Refused | 24/12/2013 |
|-----|---------------|---------|------------|

Display of 1no. externally and internally illuminated fascia sign and 1no. non-illuminated hoarding sign. (Retrospective).

3.2 PK13/4012/F Approved with Conditions 26/11/2013
Erection of elevated portacabin. (Retrospective).

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council
Objection: The design of the illuminated sign is inappropriate and will add to the light pollution in the area.

4.2 Natural England
No objection

4.3 Public Rights of Way
No objection

4.4 Sustainable Transport
No objection

Other Representations

4.5 Local Residents
One letter from a local resident has been received. The comments can be summarised as follows –

- ‘Spray can’ sign does not clearly indicate the nature of the business
- Loud music and illuminated signage does not respect the nearby residential properties
- Hours of illumination should be controlled.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks advertisement consent for the display of a number of adverts at an industrial building in Hanham.

5.2 Principle of Development
Guidance within the National Planning Policy Framework states that advertisements should only be controlled in the interests of amenity, public safety and cumulative impact. Design and design quality is assessed in terms of visual amenity and cumulative impact using policy CS1 of the Core Strategy. Public safety is assessed using policy T12 of the Local Plan to ensure that the signage is not detrimental to highway safety or presents a traffic hazard.

5.3 Design and Amenity
The entire gable end of the building has been coated with a gloss black perspex material on to which a number of signs of the same material have been placed. Advertisement consent is sought for this as one sign. It includes two signs depicting a spray gun and a motor vehicle which are internally

illuminated by blue LED lights. The remainder of the sign is illuminated externally with high level downlights.

- 5.4 The second sign to be considered is the hoarding sign located by the entrance to the site. This sign depicts the entrance to the site and is non-illuminated. It is made from similar materials to the fascia sign.
- 5.5 This is a retrospective application; the signs have already been erected. Following the refusal of PK13/4013/ADV it was confirmed by the Planning Enforcement team that it was unlikely any planning enforcement action would be taken against the signage apart from agree an illumination timing schedule. This presented a situation where the application was caught between the development control process of promoting the highest standards of site planning, design and visual amenity and the enforcement process of minimising harm.
- 5.6 Now that the application has come back in as a resubmission, there needs to be some form of compromise between the two aspects of the planning system.
- 5.7 One of the most significant concerns with the previous application was the harm caused by the poor and constant illumination of the signs. As part of the resubmission, the applicant has suggested that the illumination of the signage be controlled by planning condition. The suggested timing is 0800 to 1830 Monday to Friday, 0800 to 1300 on Saturdays and no illumination on Sundays or bank holidays.
- 5.8 Taking into account the reduced illumination hours, the impact of the signage on the visual and residential amenity of the locality is significantly lessened.
- 5.9 Although the materials, size and general appearance of the signs are still not considered to reach the highest standards of site planning and design as established by policy CS1 of the Core Strategy, it is not considered by Officers that refusal on this reason alone would be upheld at appeal. This is because the location of the signage, away from the public realm, means that perceived level of harm to visual amenity outside of working hours is minimal. The suggested illumination hours would protect the amenities of local properties during evenings and at reasonable times over the weekend.
- 5.10 Therefore, on balance, the signage is considered to be acceptable in terms of design and amenity, subject to a condition limiting the hours of illumination.
- 5.11 Public Safety
The signs are not widely visible from the highway and are not considered to cause a distraction to passing motorists or users of the road. The signs do not project from the building and are not located over a public right of way.
- 5.12 There is no objection to the signage on the basis of public safety.

6. RECOMMENDATION

6.1 It is recommended that this application be APPROVED subject to the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

1. The illuminated signage hereby permitted shall only be illuminated between the following hours: 0800 - 1830 Monday to Friday; 0800 - 1300 Saturdays; and there shall no illumination on Sundays or Bank Holidays. For the avoidance of doubt, this condition shall cover all forms of illumination including the external lights and LEDs.

Reason

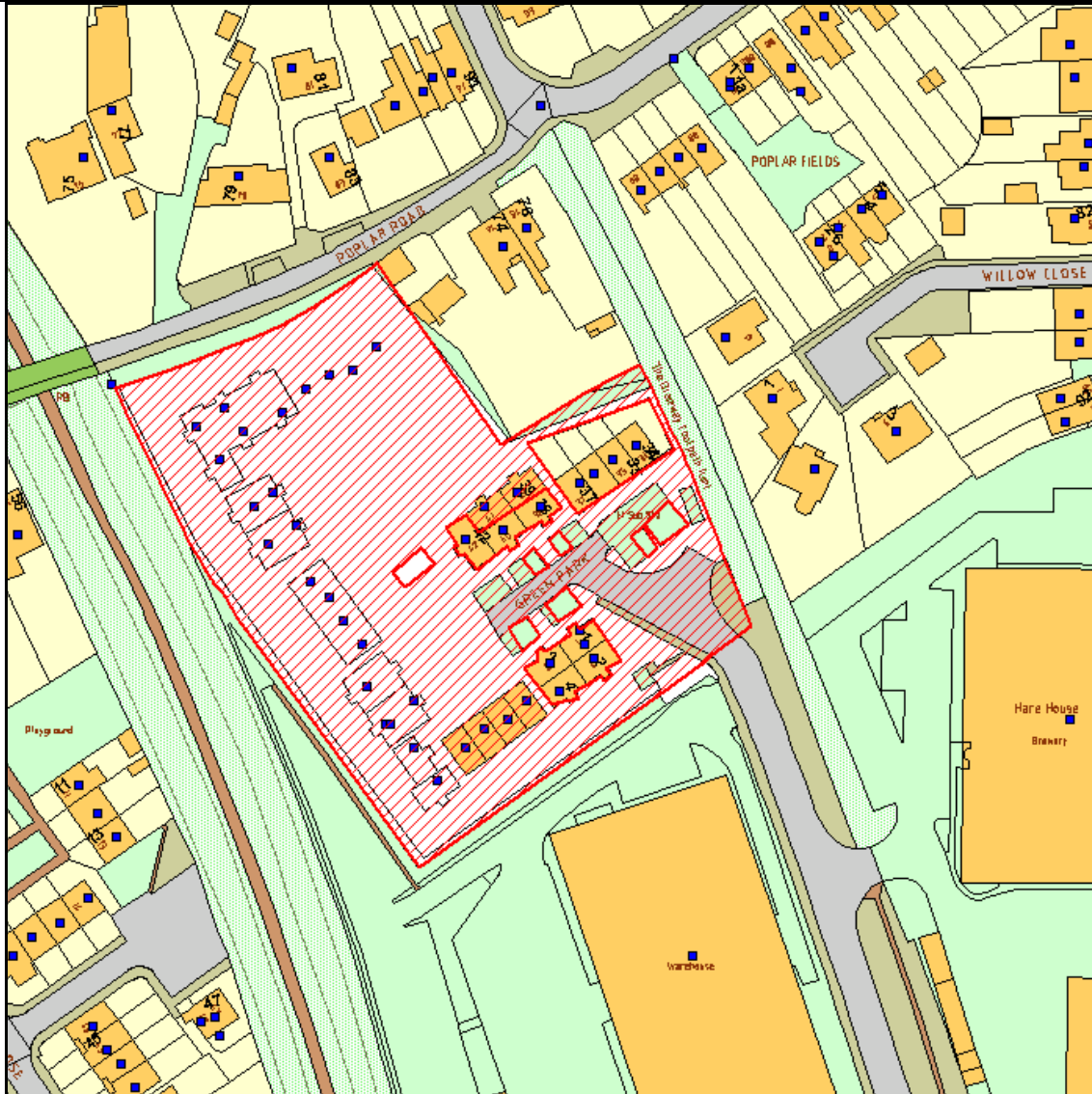
In order to protect the residential amenity or nearby occupiers and to reduce levels of light pollution, and to accord with the Core Planning Principles of the National Planning Policy Framework and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

ITEM 8

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.: PK14/0630/RVC
Site: Land Off Southway Drive Warmley South Gloucestershire BS30 5JE
Proposal: Removal of condition 4 attached to planning permission PK13/2961/RVC relating to improvements to Dramway footpath.
Map Ref: 367879 172484
Application Category: Major

Applicant: Bellway Homes Ltd
Date Reg: 25th February 2014
Parish: Bitton Parish Council
Ward: Oldland Common
Target Date: 21st May 2014



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100023410, 2008. **N.T.S.** **PK14/0630/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application site is located at the north-western end of Southway Drive, Warmley. The site is approximately 1 hectare in area. It is bound to the west by the Bristol to Bath Cycleway, and to the east by residential properties and The Dramway – a definitive right of way. To the south of the site lies a factory (B2) premises whilst the site is bound to the north by Poplar Road, which serves residential properties.
- 1.2 Outline consent PK01/1876/O and reserved matters PK05/0928/RM consent were granted for the erection of 41 live/work units. Condition 4 of the reserved matters consent restricted the use of the units to live/work only. Eleven of the units were subsequently built and sold on the open market. Due however to viability issues, permission (PK10/0990/RVC) was subsequently granted to remove condition 4 of PK05/0928/RM to allow the remaining units to be occupied as solely residential units. A S106 Agreement was signed to secure £10,000 towards a Traffic Regulation Order on Southway Drive, £118,217 towards additional Primary School provision, 4no. units of affordable housing and a 4% monitoring fee.
- 1.3 The remaining units have now been constructed and sold with 4 of the units being recently acquired by Knightstone Housing Association. During the course of that transaction it came to light that condition 5 of planning permission PK10/0990/RVC had not been formally discharged. Condition 5 read as follows:

Details of improvements to the Dramway Footpath (from Poplar Road to Southway Drive) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the improvements so approved shall be implemented/constructed to adoptable standards prior to the first occupation of any of the C3 dwelling houses.

Reason

In the interests of highway safety and to enhance the recreational route having regard to the need arising from the development proposal, in accordance with Policies T12 and LC12 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

- 1.4 Whilst draft details of the improvements to the Dramway Footpath were submitted and agreed with the Council's PROW officer, these have not been implemented. Given that these works should have been completed prior to the occupation of the C3 units, the applicant was technically in breach of this condition and given that the units were all sold and virtually all occupied, the condition could not be complied with.

- 1.5 In order to regularise this situation, the applicant sought to vary the wording of the condition to read as follows:

Details of improvements to the Dramway Footpath (from Poplar Road to Southway Drive) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the improvements so approved shall be implemented/constructed to adoptable standards within 6 months of the date of this decision notice.

- 1.6 Since the grant of permission PK13/2961/RVC to re-word the condition to that shown above, it has transpired that due to land ownership issues, the applicants are unable to implement the agreed works to the Dramway and therefore now seek to remove the condition altogether (now no.4 of PK13/2961/RVC).

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework 27 March 2012
Planning Practice Guidance March 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1 - Landscape Protection and Enhancement
L9 - Species Protection
T12 - Transportation Development Control Policy for New Development
E4 - Safeguarded Employment Areas
LC12 - Recreational Routes

2.3 The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013

CS1 - High Quality Design
CS8 - Improving Accessibility

2.4 Supplementary Planning Guidance

South Gloucestershire design Check List (SPD) adopted 23rd August 2007.
Trees on Development Sites Adopted Nov 2005

3. RELEVANT PLANNING HISTORY

- P95/4493 - Residential development (Outline). Refused on grounds that contrary to Kingswood Local Plan defined Employment Area, and the roads giving access to the site are unable to accommodate the vehicular, pedestrian and cycle trip generation from the proposed residential use.
- K448/69 - Residential development (Outline, but included siting – 25 dwellings, design and external appearance). Refused May 1996 on same grounds as P95/4493.
(Appeal withdrawn).

- P96/4766 - Erection of two-storey office development (B1 (3509m²)).
Approved July 1997.
- P97/4734 - Erection of two-storey office development (B1) (Revised layout to
planning approval P96/4766)
Approved March 1998.
- PK01/1876/O - Erection of residential/work units (B1) with associated works (outline)
Approved 20th May 2003
- PK05/0928/RM - Erection of 41no. residential/work units (B1) with 68no. car
parking spaces, external appearance, siting, design, landscaping and
associated works. (Approval of Reserved Matters to be read in
conjunction with Outline Planning Permission PK01/1876/O). Variation of
condition 15 attached to previously approved scheme PK01/1876/O.
Approved 5th Sept. 2005
- PK10/0990/RVC - Removal of Condition 4 attached to planning permission
PK05/0928/RM to allow the units approved to become solely residential
units.
Approved 27 Feb. 2012
- PK12/1019/RVC - Removal of Condition 12 from approved planning application no.
PK01/1876/O requiring the provision of a pedestrian and cycle link from
the site to the Bristol to Bath cycle/walkway.
Approved 30 Nov. 2012
- PK12/4302/NMA - Non-material amendment to PK05/0928/RM to revise the layout of
the curtilage for plots 12, 14, 18, 20, 22, 23 and 24.
No objection 25 Jan 2013
- PK13/2961/RVC - Variation of Condition 5 attached to planning permission
PK10/0990/RVC to alter the time period for implementation to six
months from the date of this decision.
Approved 18th October 2013

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objections to the removal of the condition.
- 4.2 Other Consultees (including internal consultees of the Council)
- Ecology
No ecological constraints.
- Highway Drainage
No comment.
- Landscape Officer
No comment.

Sustainable Transport

The land where the works/improvements are to be carried out on the Dramway footpath is neither in the Council's ownership or the applicant's. Notwithstanding the importance of improving the Dramway path, (i.e. its surfacing and its width) – it is considered that third party land ownership issues makes the condition unreasonable and as such it ought to therefore be removed.

Other Representations

4.3 Local Residents

2no. objections were received, the concerns raised are summarised as follows:

- The historic site of the Dramway could be affected.
- The map showing 3 different owners of the land is not sufficient evidence that an effort has been made to obtain lawful legitimate access.

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 Council can grant such permission unconditionally or subject to different conditions. The original planning permission however, will continue to subsist, whatever the outcome of this application under section 73. On this basis the consideration of this application relates to whether it is considered acceptable to remove planning condition 4 attached to planning permission PK13/2961/RVC. Condition 4 reads,

Details of improvements to the Dramway Footpath (from Poplar Road to Southway Drive) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the improvements so approved shall be implemented/constructed to adoptable standards within 6 months of the date of this decision notice.

Consideration of this application therefore relates in the first instance to the acceptability or otherwise of allowing the applicant the ability to occupy dwellings within the application site without the requirement to carry out the improvements to the Dramway Footpath. Officers must also consider if there are any other circumstances that would justify the removal of the condition.

In considering whether condition 4 can be removed, it is important to fully understand the reason why the condition was imposed in the first place. The reason as stated on the decision notice for PK13/2961/RVC reads as follows,

Reason:

In the interests of highway safety and to enhance the recreational route having regard to the need arising from the development proposal, in accordance with Policies T12 and LC12 respectively of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

- 5.2 At the time of application PK10/0990/RVC to allow the units to become solely residential, the Council's Transportation Officer considered that the proposal would increase traffic compared to the then extant live/work use on the site and as such the increase in traffic would be during the morning and peak hours. Pedestrian movements, in particular those of children going to and from school, would also increase as a result of the proposal.
- 5.3 In order to address these matters it was therefore considered appropriate to impose a condition to improve the length of the Dramway (from Poplar Road to Southway Drive) in the form of widening to 2m and re-laying the existing route surface, preferably with tarmac; (At this moment in time it was thought that the applicant owned the land incorporating this section of The Dramway). A contribution of £10,000 was also secured (amongst other things) by S106 Agreement towards a Traffic Regulation Order to regulate parking on Southway Drive.
- 5.4 The applicant subsequently showed a willingness to comply with the condition by agreeing a scheme of works to The Dramway. It has subsequently transpired however that the land within which the relevant section of The Dramway lies is in fact not within the applicant's ownership but in third party ownership and in three different parcels; a land registry document has been submitted to confirm this. As a result, the applicant is unable to access the land to carry out the works.

Changes to the Policy framework

- 5.5 The policies used to consider application PK13/2961/RVC and to justify imposing condition 4 have not been superseded by the current adopted Development Plan. In deciding this application it must therefore be considered fully against policies T12 and LC12.

Policy T12 of the adopted Local Plan seeks to ensure that new development within the urban area is acceptable in transportation terms. Policy LC12 seeks to safeguard existing recreational routes.

- 5.6 The National Planning Policy Framework was published in March 2012. The document replaces most PPG/PPS guidance providing a more simplified and up to date advice in determination of planning applications.

Par.32 of the NPPF is most relevant to the consideration of this application being directly related to transportation and public safety. Par.32 reads,

'..... decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*

- *safe and suitable access to the site can be achieved for all people; and*
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'*

The test in determining whether this application is acceptable in transportation and public safety terms is now, whether the impact of the development in transportation terms would be severe. In determination of this application there are no significant differences between the relevant adopted Development Plan policies and the Core Strategy.

Other material considerations:

5.7 The application is for removal of a planning condition and as such guidance in the Government's recently published Planning Practice Guidance (PPG) is relevant. The PPG includes a list of 6 criteria (the 6 tests) that a condition should meet and any planning condition should be imposed only if it satisfies all 6 criteria. The 6 tests are:

- i. necessary;
- ii. relevant to planning;
- iii. relevant to the development to be permitted;
- iv. enforceable;
- v. precise; and
- vi. reasonable in all other respects.

Any application for removal or variation of a condition should be considered against the guidance and the 6 tests therein and failure to meet any of the tests should carry significant weight in determination of the application.

5.8 The 6 tests and Circular 11/95 guidance

In order for a planning condition to be acceptable it must meet all of the six tests outlined in the PPG. The condition is now considered to meet only 4 of the 6 tests as listed above.

The sixth test requires a condition to be reasonable in all other respects. At the time of determination of application PK13/2961/RVC the condition was reasonable as the Case Officer was given no indication by the applicant that the relevant section of The Dramway crossed over third party land. However, as a matter of fact, it has come to light that the relevant section of the Dramway (Poplar Rd. to Southway Drive) is over third party land in three different ownerships. The applicant does not have an agreement in place with the third party landowners to access the Dramway in order to carry out the agreed works. It is now considered unreasonable to require the applicant to carry outworks on land that is not in his control. The condition cannot now be complied with or for that matter enforced. The condition therefore fails to meet the tests of reasonableness or enforceability.

Officers consider that condition 4 fails to meet the fourth and sixth tests listed in the PPG. In establishing the principle of removing the condition, failing to meet the current required tests for imposition of conditions is considered to carry significant weight as a material planning consideration. Removal of condition 4 is therefore considered to be acceptable when tested against Government advice in this respect.

Transportation, highway safety and sustainability implications

- 5.9 It is important to consider whether the proposal would be at odds with Policy T12 of the adopted Local Plan as this policy was quoted as part of the reason for imposing the condition. Directly relevant to this application, criteria A of Policy T12 requires new development to provide adequate safe, convenient, attractive and secure access to facilities for pedestrians, cyclists and disabled people. There is no direct access from The Dramway into the residential site. There is however a footpath into the site along Southway Drive. As such the residential development is served by an adequate and safe access in accordance with criteria A of Policy T12.

Since outline approval PK01/1876/O was granted, permission has been given to remove condition 4 of the subsequent reserved matters approval PK05/0928/RM to allow the live work units to become solely residential units. It is important to consider the current proposal to remove condition 4 of PK13/2961/RVC against any increase in vehicle trip movements to result from providing dwellings within the site as full residential rather than live work units. As part of this approval ref. PK10/0990/RVC two road safety improvements were secured,

- 1) Improvement to the length of the Dramway in the form of widening to 2m and re-laying the existing route surface,
- 2) Making an appropriate contribution to the Council to provide funding for a Traffic Regulation Order (TRO) to be pursued in relation to on-street parking issues on Southway Drive. The TRO sought to rationalize the existing waiting restrictions (currently advisory only) to more robust yellow line controls in order to reduce the parking on the road and pavement.

These changes would further improve accessibility to/from the residential site. The number of pedestrian movements from the site along The Dramway would not be significant. As such considering the small number of movements involved, and the proposed improvements to the existing road network in the immediate area, it is considered that the removal of condition 4 is unlikely to result in a significant adverse impact.

The current test in the NPPF seeks to ensure that new development does not have a severe impact in terms of transportation impact. It is considered, accounting for all material considerations above, that the removal of condition 4 would not result in a severe impact in transportation and public safety terms.

5.10 Other Considerations

The Council's Transportation Officer expressed a desire to upgrade the section of the Dramway Footpath (from Poplar Rd to Southway Drive) by widening it to 2m and surfacing it with tarmac. The Dramway is an historical route for horse

drawn waggons carrying coal from Parkfield to the River Avon. The wagons ran on rails which were secured in place via drilled limestone blocks sunk into the ground. It has transpired that unusually some of these limestone blocks are still in situ along the route of the Dramway affected by Condition 4. Any widening of the path would result in the destruction of these historical features which would clearly not be desirable. This matter also carries significant weight in justifying the removal of condition 4.

5.11 The opportunity to review the original decision.

As indicated at the start of Par.5.1, a Section 73 application does allow the opportunity to review the other conditions attached to the original planning consent where the conditions are relevant to the consideration of this application. In this case there are no conditions attached to approval PK13/2961/RVC which it would be of benefit to amend or update. As such it is recommended to permit removal of condition 4 attached to permission PK13/2961/RVC.

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 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That the consent PK13/2961/RVC be re-issued with the exclusion of Condition 4.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. Building operations shall be in accordance with the roofing and external facing materials approved by the Council on the 4th August 2006.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

2. The parking facilities shown on the plans hereby approved shall be retained as such and used only in conjunction with the occupation of the buildings' purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T7 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E,) , or any minor operations as specified in Part 2 (Class B), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority. (For the avoidance of doubt, this condition applies only to the units constructed and occupied as C3 residential dwellinghouses).

Reason

To protect the amenities of neighbouring occupiers given the restricted size of the plots and to ensure a satisfactory standard of design, in accordance with Policies H2 and D1 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

ITEM 9

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.: PK14/0724/TRE	Applicant: Ms Payne
Site: 8 The Brake Yate South Gloucestershire BS37 7QW	Date Reg: 28th February 2014
Proposal: Works to 1no. Oak tree to crown clean, covered by Tree Preservation Order TPO383 dated 16 September 1987.	Parish: Yate Town Council
Map Ref: 371291 184141	Ward: Yate North
Application Category:	Target Date: 18th April 2014



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100023410, 2008. **N.T.S.** **PK14/0724/TRE**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the circulated schedule as a representation has been made, which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks consent for works to 1 no. Oak tree covered by a Tree Preservation Order TPO 383 dated 16 September 1987 to crown clean and remove deadwood.
- 1.2 The tree is situated within the front boundary of 8 The Brake in Yate.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning Act 1990
The Town and Country Planning (Trees Preservation) (England) Regulations 2012

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/0219/TRE – Works to crown clean and remove deadwood for 1 no. Oak tree covered by Tree Preservation Order TPO383 dated September 1987 – approve with Conditions.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No Objection
- 4.2 Tree Officer
No objection

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a local resident. The comments are outlined as follows:
 - If you cut back or remove hedges, trees or other vegetation, you have to be careful not to disturb any nesting birds. They generally nest between March and August but milder winters and warmer autumns mean that the nesting season can begin earlier and last longer. Contractors and landowners who want to remove vegetation, should have it surveyed first to check it is not being used by nesting birds.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The only issue to consider in this application is whether the proposed works will adversely affect the health and appearance of a tree, which makes a significant contribution to the character and visual amenity of the area.

5.2 Consideration of the Proposal

5.3 The application seeks consent to crown clean 1 no. Oak tree, situated within the front boundary of 8 The Brake, Yate. The proposed works have been considered by the Council's Tree Officer and it is considered that these are of a minor arboriculture nature. Furthermore, works to this tree previously were carried out following an approval in 2009 (PK09/0219/TRE) and can therefore be seen as the on-going management of this tree. It is therefore considered that the works would not prejudice the health or visual amenity of the tree and are therefore in accordance with the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

5.4 The Wildlife and Countryside Act 1981 makes it a criminal offence to damage or destroy the nest of any wild bird whilst the nest is in use or being built. Established working practice avoids work to any hedgerow, tree or other vegetation where birds may reasonably be expected to make their nest (such as scrub) between 1 March and 31 August in any year. Care should be taken outside of this exclusion period as variations in climate may extend the nesting season. In light of this Act, it is not necessary to condition this, however, an informative is attached to the decision notice to notify the applicant of these restrictions.

6. CONCLUSION

6.1 The proposed works are in accordance with good arboriculture management and should not impact on the health or visual amenity of the tree. There are therefore no objections to this application in terms of the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

7. RECOMMENDATION

7.1 That consent is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Sharon Waring
Tel. No. 01454 863131

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

In the interests of the long term health of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

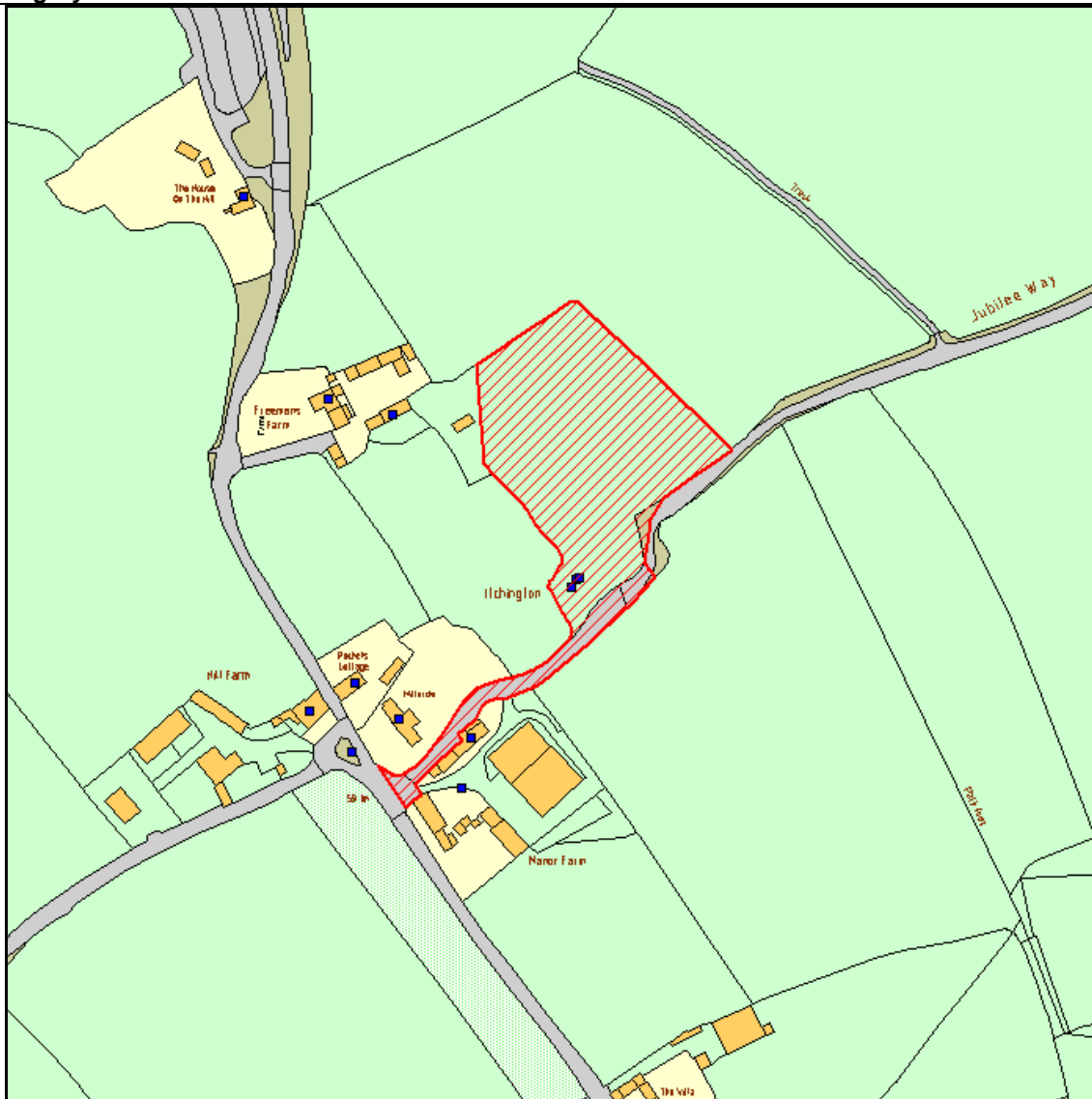
2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PT13/4517/RVC	Applicant:	Bowmore Estates Ltd
Site:	The Lime Works Itchington Quarry Itchington Road Tytherington Bristol South Gloucestershire BS35 3TQ	Date Reg:	18th December 2013
Proposal:	Variation of the condition added to application PT02/3497/F by application PT13/3941/NMA to add drawing number 300 in order to amend the position of plots 1 - 3.	Parish:	Tytherington Parish Council
Map Ref:	365712 187212	Ward:	Ladden Brook
Application Category:	Major	Target Date:	14th March 2014



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 100023410, 2008. **N.T.S.** **PT13/4517/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The report is referred to the Circulated Schedule in view of the comments made by the British Horse Society; and the officer recommendation to approve the application.

1. THE PROPOSAL

1.1 The site is made up of the former Itchington Lime Works located off Itchington Road. This application relates to a development approved under PT02/3497/F for the construction of 18 dwellings on this site. The application was considered by the Planning Inspectorate following a referral for consideration by the Secretary of State (P.I. Ref. APP/P0119/V/03/1122916).

1.2 A non-material amendment (PT13/3941/NMA) has secured the original plans for the development by way of condition. The condition reads;

The development shall be implemented strictly in accordance with drawing nos. 2062/01C, 2062/12B, 2062/13B, 2062/14B, 2062/15 (Site Location Plan), 2062/05D, 2062/06C, 2062/09, 2062/10C, 2062/11C, 2062/013, 2062/014, 2062/015, 2062/16, 2062/17 and 2062/18

1.3 This proposal seeks to replace the approved site layout plan (2062/01C as listed above) with a revised site layout plan (20609/300) altering the position of plots 1 to 3 of the development.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (adopted) December 2013

CS1 High Quality Design

CS5 Location of Development

CS15 Distribution of Housing

CS16 Housing Density

CS17 Housing Diversity

CS18 Affordable Housing

CS23 Community Infrastructure and Cultural Activity

CS24 Green Infrastructure and Sport and Recreation Standards

CS34 Rural Areas

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement

T12 Transportation Development Control Policy

EP6 Contaminated Land

2.3 Supplementary Planning Guidance

Development in the Green Belt (Adopted) SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/3497/F Erection of 18 no. dwellings, alterations to existing access and associated works.

Development Control Committee (West) Resolved to approve the development (27th February 2003). The application was subsequently referred to SoS for consideration

- 3.2 APP/P0119/V/03/1122916 Erection of 18 Dwellings at Limeworks, Itchington, South Gloucestershire.

Approved by Planning Inspectorate subject to condition and s106 legal agreement (21st June 2004). The s106 legal agreement was signed on 25th March 2004 and subsequently varied on 26th May 2010.

This application is considered to have been implemented by virtue of highways works directly associated with the development approved.

- 3.3 PT13/3941/NMA Non material amendment to PT02/3497/F to add a further condition to the permission granted: The development hereby permitted shall be carried out in accordance with drawing nos. 2062/01C, 2062/12B, 2062/13B, 2062/14B, 2062/15 (Site Location Plan), 2062/05D, 2062/06C, 2062/09, 2062/10C, 2062/11C, 2062/013, 2062/014, 2062/015, 2062/16, 2062/17 and 2062/18

Approved (22nd November 2013) and this condition is in effect against PT02/3497/F

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council
No comment has been received

- 4.2 Highway Authority
No objection

- 4.3 Drainage Engineer
No comment

- 4.4 Environmental Health Officer
No objection

- 4.5 Public Rights of Way Team
No objection

Other Representations

- 4.6 Local Residents

No comments have been received

4.7 British Horse Society

Concern raised that the access road should be segregated to account for the use of the bridleway which follows the route of the access road.

5. ANALYSIS OF PROPOSAL

5.1 The application relates to a previously approved application (PT02/3497/F) for the construction of 18 dwellings and associated works. The application seeks to vary the condition added to the permission under PT13/3941/NMA. The condition requires that the development proceeds in accordance with the plans. This proposal seeks to replace the approved site layout plan with a revised site layout plan altering the position of plots 1 to 3 of the development.

5.2 Principle of Development

The principle of the development of 18 dwellings on this site is established. Officers are also satisfied that the development is 'commenced' for the purposes of the planning permission as material works have commenced on the site. This application can consider only the proposed relocation of plots 1 to 3. This is considered in detail below.

5.3 Green Belt

The principle of the development of this site has been established in the earlier approvals. The proposed repositioning of plots 1 to 3 would not result in any material increase in the volume of the development as a whole and would not materially alter the general appearance and bulk of the development in the Green Belt setting. It is considered that the proposed change would not have any material impact in Green Belt terms; and would not conflict with Green Belt policy.

5.4 Landscape Character and Visual Amenity

Plots 1 to 3 of the approved development are a terrace of three dwellings positioned at the front of the site facing onto the access road leading onto Itchington Road. The proposed relocation is such that the building would be moved approximately two metres due Southeast and approximately 1 metre due Northeast. It is not proposed to alter the elevations of the building or the internal layout. This change would facilitate a more efficient use of the land relating to the 3 dwellings and in particular would allow more practical space for plot 1.

5.5 It is considered that the change is very minor and would not materially alter the appearance of the development when compared to the original approval. It is not considered that the change would have any material impact in respect of the setting of the development within the surrounding landscape. On this basis, it is considered that there would be no material impact in landscape character and visual amenity terms.

5.6 Residential Amenity

Plots 1 to 3 stand in a relatively isolated position to the Northwest of the main access into the site. The relationship of the plots in respect of the other

dwellings on the development would not materially change. Similarly, there would be no material change in respect of the relationship of plots 1 to 3 to existing dwellings nearby the site.

5.7 Transportation and Highway Safety

The proposed change does not make any alterations to the layout of the access road within the development or its junction with the lane which also includes a public bridleway; neither would there be any increase in numbers of vehicular movements as a result of the change. The position of the driveway associated with plot one would move correspondingly to the Southeast. This is not considered to have any material impact over the original approval. It is noted that the British Horse Society has raised concern that the access road should allow for segregation between the users of motor vehicles and horse riders using the lane. However, it is not proposed to alter the access to the development in relation to the original application. The Planning Inspector considered this issue at the public inquiry and imposed a condition requiring a Traffic Management Plan to be submitted in order to address the potential conflict of horses and motor vehicles. To this end, satisfactory information has been submitted to the Local Planning Authority and it is considered that the proposed change does not alter the arrangement.

5.8 On this basis it is considered that there is no material impact in respect of transportation and highway safety terms.

5.9 Planning Obligations and Conditions

The original approval is subject to a s106 legal agreement securing Affordable Housing, Education, Open Space and Highway Improvements (off site). The proposed alteration of the condition to allow plots 1 to 3 to be adjusted does not alter the scope of the planning consent as it relates solely to the amendment of the condition; this reason, it is not considered that any variation of the s106 is required. On this basis, it is considered that the proposed alteration of plots 1 to 3 (as controlled by the condition) will undermine the s106 legal agreement and the planning obligations will not be affected in the event of approval.

5.10 All planning conditions attached to the original planning permission (PT02/3497/F) have been discharged. Any consent should be conditioned such that the development proceeds in accordance with the agreed details.

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.

7. RECOMMENDATION

7.1 That the planning condition (as secured under PT13/3941/NMA) is varied.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

1. All planting, seeding or turfing comprised in the approved details of landscaping (drawing no. 491/PP/1 received 29th January 2003) shall be carried out during the first planting and seeding seasons following the first occupation of any of the dwellings or the completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the first occupation of any of the dwellings or the completion of the development, whichever is the sooner, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. All hard surfacing shall be provided in accordance with the agreed details as shown on drawing number 20609/201 as approved on 18th March 2009 by the Local Planning Authority on under condition 3 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916)

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. All fencing to be provided for the purpose of protecting existing trees and hedges on the site and adjacent to the site shall be provided in accordance with the agreed details as shown on drawing number 20609/201 as approved on 18th March 2009 by the Local Planning Authority on under condition 4 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916)

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All permanent fences, walls and gates shall be provided in accordance with the agreed details as shown on drawing number 20609/201 and 2062/610.1A and 2062/610.02A as approved on 18th March 2009 by the Local Planning Authority on under condition 5 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916)

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. All external facing materials (comprising of natural stone, reconstituted stone, render and roofing materials) shall be provided in accordance with the agreed details as shown on drawing number 20609/201 and as detailed in the letter (dated 30th January 2009 from Clive Petch Architects) as approved on 18th March 2009 by the Local Planning Authority on under conditions 8, 13 and 14 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. All finished floor levels shall be provided in accordance with the agreed details as shown on drawing number 20609/300 as received by the Council on 4th December 2013.

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. All Foul, Surface and Ground Water drainage shall be provided in accordance with the agreed details as shown on drawing number 1001023/A/002/F and 100123/A/019/B as approved on 18th March 2009 by the Local Planning Authority on under condition 12 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

To ensure the satisfactory drainage of the site and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

8. Development shall be implemented strictly in accordance with the Ground Investigation Report (750087/R/1A May 2006) by Mouchel Parkman as approved on 18th March 2009 by the Local Planning Authority on under condition 10 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

In the interests of the health and safety of the occupants of the development; and to prevent pollution and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

9. Development shall be implemented strictly in accordance with the Waste Management Audit by Mouchel Parkman as approved on 18th March 2009 by the Local Planning Authority on under condition 11 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

To ensure that waste arising from the development is disposed of in a responsible manner and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

10. Prior to the first occupation of the development the means of access, on-site turning facilities and all off street parking facilities shall be provided in accordance with the approved drawings. Thereafter the development shall be retained as such.

Reason

In the interests of highway safety and amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) January 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

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

Reason

In the interests of the character and visual amenity of the development and the surrounding locality; and in the interests of maintaining the openness of the Green Belt and the purpose of including land within it; and to accord with Policy CS1 and CS5 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification), the garages and car ports hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage without the prior written consent of the Local Planning Authority.

Reason

To ensure that adequate parking for private motor vehicles is retained on the site and in the interests of highway safety and amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) January 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

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

Reason

In the interests of the privacy and residential amenity of the occupants of nearby dwellings.

14. Development shall be implemented strictly in accordance with the Traffic Management Plan (Rev A dated 1st August 2013) as approved on 22nd August 2013 by the Local Planning Authority under condition 19 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

In the interests of highway safety and amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) January 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

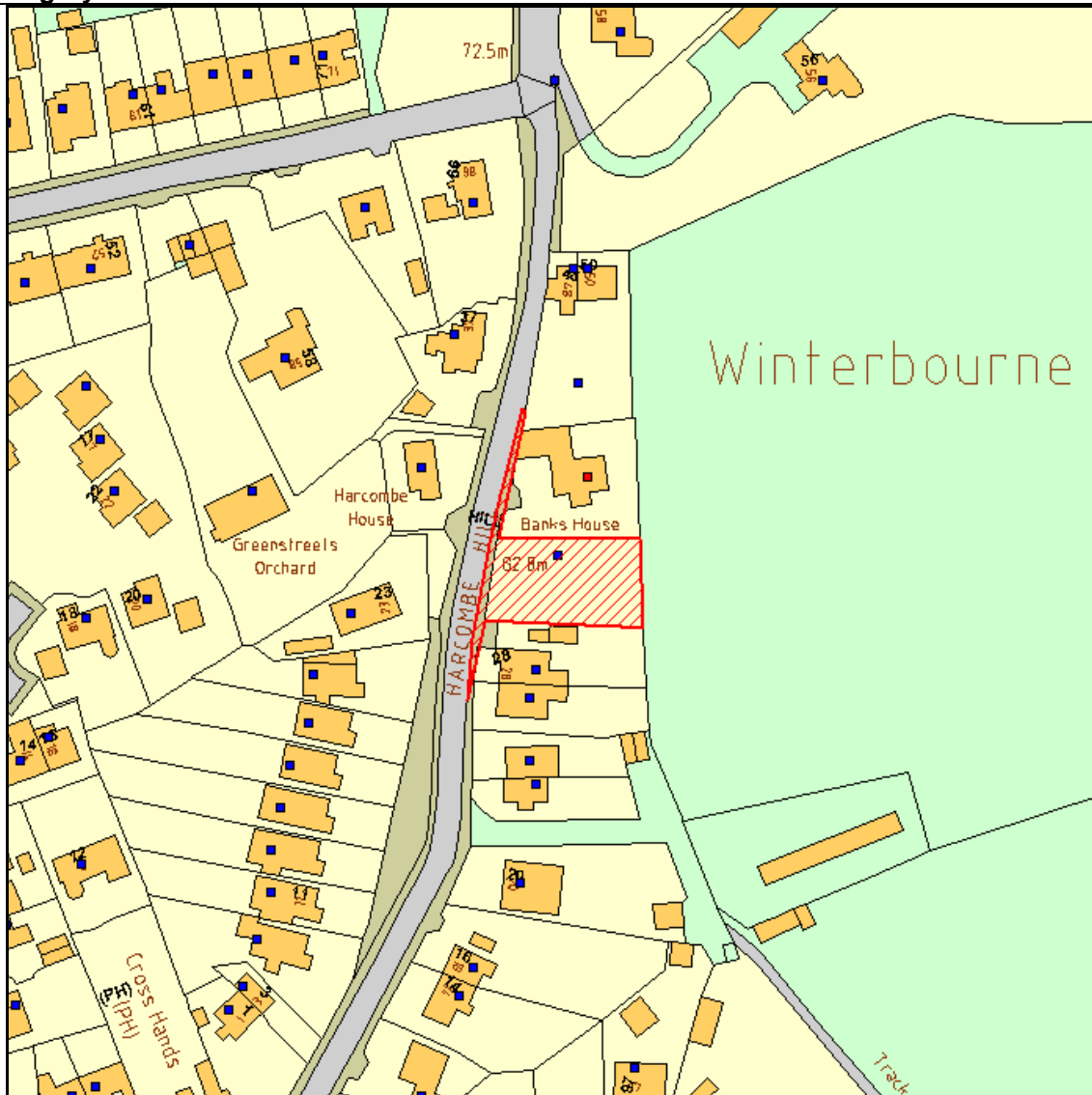
15. The development shall be implemented strictly in accordance with drawing nos. 20609/300 (as received by the Council on 4th December 2013), 2062/12B, 2062/13B, 2062/14B, 2062/15 (Site Location Plan), 2062/05D, 2062/06C, 2062/09, 2062/10C, 2062/11C, 2062/013, 2062/014, 2062/015, 2062/16, 2062/17 and 2062/18

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PT14/0168/F	Applicant:	TAN Construction Ltd
Site:	Banks House Harcombe Hill Winterbourne Down South Gloucestershire BS36 1DE	Date Reg:	22nd January 2014
Proposal:	Creation of new and independent access to plot 3 (amendment to previously approved scheme PT13/1921/F)	Parish:	Winterbourne Parish Council
Map Ref:	365477 179795	Ward:	Winterbourne
Application Category:	Minor	Target Date:	14th March 2014



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 100023410, 2008. N.T.S. PT14/0168/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application site is situated on the east side of Winterbourne Down, south of Winterbourne Village on the east side of Harcombe Hill. The site is bounded by residential development to the north and south with open fields and ground level falling to the east and with vehicular access onto Harcombe Hill to the west. The ground level within the site falls quite steeply from north to south by 7.4m. The site until recently was occupied by a poor quality single detached two storey dwelling. The dwelling has recently been demolished and the development as approved under application PT13/1921/F for 3no. detached dwellings and 1no. detached garage with access and associated works has begun. A distinctive pennant stone wall with cock and hen capping runs along the front boundary. Part of this wall has been removed.

The application site is situated within the settlement boundary of Winterbourne Down as defined in the adopted Local Plan. The Bristol/Bath Green Belt abuts the east boundary and extends east from the site.

- 1.2 This application is for the creation of a new independent access to plot 3 and is therefore an amendment to the previously approved scheme PT13/1921/F.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies

H4	Development within Existing Residential Curtilages, Extensions and New Dwellings	Including
L1	Landscape Protection and Enhancement	
T12	Transportation Development Control	

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
South Gloucestershire Supplementary Planning Document: Green Belt (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|---------------|--|
| 3.1 | PT12/3696/PND | Prior notification of the intention to demolish an existing dwelling.
No objection 03.12.2012 |
| 3.2 | PT12/3893/F | Demolition of Banks House to facilitate the erection of 3no. detached dwellings with access and associated works.
Withdrawn |
| 3.3 | PT13/1921/F | Demolition of Banks House to facilitate the erection of 3no. detached dwellings and 1no. detached garage with access and associated works. (Resubmission of PT12/3893/F).
Approved 6.9.13 |

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Another access from the site will cause more chaos on a very narrow busy road, however, any access should have a wide visibility splay
- 4.2 Other Consultees
- Sustainable Transport
No Objection subject to conditions including a s106 to secure the visibility splay
- Highway Drainage
No objection subject to an informative

Other Representations

- 4.3 Local Residents
Four letters of objection have been received from local residents. All have expressed concern regarding
- Highway safety issues

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 of the South Gloucestershire Core Strategy (Adopted) 2013) states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives.

Saved 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.

In addition saved Policy T12 seeks to ensure that development will have no adverse impact on highway safety and residential parking standards have been revised under supplementary planning guidance adopted 2013.

The proposal lies within the Green Belt and as the principle of development has been agreed under a previous application the current proposal is considered not to conflict with these principles and is considered an appropriate form of development in this location.

Notwithstanding the above comments, Officers have concerns regarding highway safety and as such the proposal fails to accord with the overall principle of development. This is discussed in more detail in the report below.

5.2 Design and Visual Amenity

The recently approved scheme permitted the erection of 3no. detached dwellings in a linear layout fronting onto Harcombe Hill. It was considered that the two-storey dwellings would be individually designed in a traditional architectural style with no uPVC and materials to be of a mix of render and good quality reconstituted stone. The dwellings were to follow the gradient of the hill and a front boundary stone wall was to remain at a height of 0.9metres to ensure visibility was not obstructed. The boundary wall was to be of pennant stone construction with a traditional capping.

5.3 The proposed development requests the creation of a new and independent access to plot 3 which is situated to the south of the site adjacent to the driveway of No. 28 Harcombe Hill. The access would be of block paviors to match those approved under application PT13/1921/F and the existing natural stone wall bordering the road would be repaired/rebuilt with cock and hen capping to a maximum height of 900mm.

5.4 Residential Amenity

The proposed access would be situated to the south of the site adjacent to No. 28 Harcombe Hill. Given the gradient of the road, the resulting driveway to serve plot 3 would be approximately 1.2 metres higher than that of No. 28. The

5.5 Highway Matters

The application site is adjacent to the relatively steep highway which has a bend at the top end. Local residents and the Parish Council again raise concerns in response to the proposal in highway safety terms.

The previous proposal was revised to remove one of the two originally proposed accesses into the site. At the time it was felt that a single access into the site reduced highway conflict along this village road. The approved access was to be located in a similar position to the established access and this was considered acceptable.

Under this application a second access to serve plot 3 is proposed to the south of the site. As part of the application speed data was requested of the applicant and subsequently received by the Council. The highway officer has fully assessed the details and although it was considered that the data did not comply with the relevant standards in terms of duration of the survey, it provided enough evidence for officers to accept the conclusions in relation to the speed of traffic. Consequently Officers conclude that there would be no objection to the proposal subject to a S. 106 agreement that secures the visibility splay over the third party land.

5.6 Planning Obligations

The NPPF (2012) and the Community Infrastructure Levy Regulations (2010) set out the limitations of the use of Planning Obligations (CIL).

The regulations (122) provide 3 statutory tests to be applied to planning obligations and sets out that a planning obligation must be:

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

5.7 It is considered that planning obligations required to meet the needs of the residents of the new development, existing residents of Harcombe Hill and to off-set the additional burden upon existing services in respect of:

- a) Highway safety issues

are consistent with the CIL Regulations (Regulation 122)

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 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That authority be delegated to the Director of Planning, Transportation and the Strategic Environment to grant permission, subject to the conditions set out below and the applicant and the neighbour at No. 28 Harcombe Hill, Winterbourne Down 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 permanently open visibility splay over the land at No. 28 Harcombe Hill and the new dwelling at plot no. 3 Banks House, harcombe Hill
- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 Should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Planning, Transport and Strategic Environment to refuse the application.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The proposed front boundary wall shall be constructed or retained to a maximum height of 0.9m from ground level measured from the highway side and notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) Part 2 (Class A) (or any Order revoking and re-enacting that Order with or without modification) the wall shall be maintained to a maximum height of 0.9m thereafter

Reason
In the interests of highway safety, and to accord with saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The hours of working on site during the period of construction shall be restricted to 0700 and 1830 Monday to Friday and 0800 and 1300 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the

purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. No development shall commence until samples of the proposed hardstanding within the site have been first submitted to and approved in writing by the Local Planning Authority. All hardstanding areas forward of the front elevation of each dwelling shall be surfaced in the approved material prior to occupation of any dwelling. All hardstanding areas forward of the front elevation of each dwelling as shown on the approved Site Layout Plan shall be surfaced in a bound/non migratory material and retained as such thereafter.

Reason

In the interests of highway safety, and the character, distinctiveness and amenity of the locality and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013. and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PT14/0562/F	Applicant:	Mr Peter Ellis
Site:	Bradstones Haw Lane Olveston Bristol South Gloucestershire BS35 4EG	Date Reg:	18th February 2014
Proposal:	Erection of single storey rear and side extension to include raising of roofline with front dormers to form loft conversion and additional living accommodation. Existing bay window to be replaced with square bay window (Re Submission of PT13/3850/F)	Parish:	Olveston Parish Council
Map Ref:	360348 186991	Ward:	Severn
Application Category:	Householder	Target Date:	10th April 2014



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N.T.S.

PT14/0562/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because objections have been received from members of the public contrary to the officer's recommendation.

1. THE PROPOSAL

1.1 This application seeks planning permission for the erection of a single storey rear and side extension to include the raising of the roofline with front dormers to form a loft conversion and additional living accommodation. Permission is also sought to replace the existing bay window with a square design bay window. The application forms a resubmission of PT13/3850/F, which was refused for the following reason:

The position and scale of the proposed extension in relation to the existing window positioned in the southern elevation of the neighbouring dwelling (Sarum) would have a detrimental impact on the residential amenity of the occupants of the dwelling. The proposed development is therefore contrary to saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

1.2 The application site comprises a single storey detached property located on the northwestern side of Haw Lane. The property is located within the defined Olveston settlement boundary, which is washed over by the Bristol/Bath Green Belt and the Olveston Conservation Area.

1.3 The property is accessed directly off Haw Lane and is elevated above the street. It is constructed of bradstone brick and comprises a hipped roof and a projecting front gable with a circular bay window. A flat roof garage is located to the side of the dwelling and a covered walkway between provides access to the rear garden. A stone boundary wall is located to the front of the dwelling; a neighbouring dwelling is located directly to the side with a 1.8 metre (approx) high stone boundary wall and end garage wall forming the boundary; the front garden of a neighbouring property (Oakfield) is located directly to the west with high Conifer trees growing on the boundary. Conifer trees are also growing on the rear boundary of the property.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Residential Development within Existing Residential Curtilages
L12 Conservation Areas
T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS9 Managing the Environment and Heritage

CS34 Rural Areas

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

The South Gloucestershire Development in the Green Belt SPD (adopted)

The South Gloucestershire Residential Parking Standards SPD

The Olveston Conservation Area SPD (adopted) January 2013

The Olveston Village Design Statement

3. RELEVANT PLANNING HISTORY

3.1 P94/2662, erection of bay window extension in front elevation, approval, 17/01/95.

3.2 PT13/3850/F, erection of single storey rear and side extension to include raising of roofline with front dormers to form loft conversion and additional living accommodation. Existing bay window to be replaced with square bay window, refusal, 12/02/14.

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

No objection. Request that the Planning Officer undertake a site visit and assess whether previous issues have now been addressed.

4.2 Conservation Officer

No objection subject to conditions.

4.3 Transportation DC Officer

No objection

4.4 Drainage Officer

No comment

Other Representations

4.5 Local Residents

Eight letters of objection have been received from members of the public. The following is a summary of the reasons given for objecting:

- Dining/living room is important to the neighbour as he is virtually housebound and the extension would destroy the amenity and available daylight;
- Raising of roofline will result in loss of privacy;
- Loss of daylight and sunlight;
- Application submitted is not too different from the application refused

- Overbearing impact on Sarum;
- Loss of views over Haw Lane;
- Will devalue neighbouring properties;
- A good view over the wall that can be had from Sarum will be lost;
- Officers should view from Sarum to assess the proposal;
- Plans are not accurate.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework and saved planning policy H4 of the South Gloucestershire Local Plan (adopted) January 2006 allow for extensions to properties located in the Green Belt provided that they do not result in disproportionate additions over and above the volume of the original dwelling. It is noted that the proposal results in a significant volume increase over the volume of the existing dwelling; however, weight is given to the fact that the site is located within a defined settlement boundary where the principle of limited infilling of dwellings is acceptable. Accordingly, the erection of a new dwelling in this location would be likely to have a significantly greater impact on the openness of the Green Belt than the proposed extension. This is considered to hold substantial weight; therefore, the proposal is considered to be a proportionate addition in this instance and is appropriate development in the Green Belt.

5.2 The principle of the development is considered to be acceptable by virtue of policy H4 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy) and policy CS5 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. The main issues to consider are the appearance/form of the proposal and the impact on the character of the Conservation Area and openness of the area; the impact on the residential amenity of neighbouring occupiers; and the transportation effects.

5.3 The Olveston Conservation Area SPD (adopted) January 2013 contains specific strategies for the preservation and enhancement of Haw Lane and is a material consideration with regards to the effect on the character of the Conservation Area. The Olveston Village Design Statement is not an adopted design guide and therefore, holds less weight.

5.4 Appearance/Form and Impact on the Character of the Conservation Area

The proposal replaces the existing garage with a new garage, with a utility room and w.c. to the rear. This part of the scheme measures approximately 3.2 metres in width and 9.5 metres in length, and extends back into the garden level with the existing main rear gabled wall. The proposal extends the existing main gabled wall back into the rear garden for approximately 2 metres to form a dining room.

5.5 The proposal increases the ridge height by approximately 0.6 metres and locates 2no. gabled dormer windows within the front and rear roof slopes to provide a bedroom with an ensuite at first floor level.

- 5.6 The existing flat roof porch is proposed to be replaced by a gabled porch with the main pedestrian access door moved to the front elevation; the existing circular bay window on the front projecting elevation is to be replaced by a square shaped bay window.
- 5.7 The applicant has proposed the materials render for the walls to replace the existing bradstone and render finish; double Roman roof tiles; white uPVC windows and timber doors.
- 5.8 Whilst the proposal significantly alters the appearance of the existing dwelling, it is not considered that the existing dwelling makes a significant positive contribution to the character of the Conservation Area. Moreover, it is considered that the proposed alterations including the replacement render finish, the revised porch design, the square bay window design, the amendments to the fenestration, and the integral garage will improve the appearance of the dwelling over the existing situation and will enhance the appearance of the Conservation Area.
- 5.9 It is not considered that the proposal will appear adversely out of keeping with the character of the surrounding built form in terms of scale, form and appearance. There is a wide variety of architectural styles of dwellings within the surrounding area; therefore, the proposal will integrate acceptably in the streetscene. If permission is granted a condition is recommended to ensure that sample of materials and the detailed design of doors and windows are agreed in writing with the Local Planning Authority.
- 5.10 The main part of the dwelling is set well back from the street (14 metres approx) and there is existing built form within close proximity to the north; east and northwest. As such, in this context, it is not considered that there will be a significant adverse effect on the openness of the Green Belt.
- 5.11 Guidance contained in the Olveston Conservation Area SPD (adopted) contains preservation and enhancement strategies that are specifically relevant to Haw Lane. The existing dwelling has little traditional character that the SPD seeks to preserve. However, the SPD states that the majority of front elevations along Haw Lane are rendered; therefore, the proposed SPD will be more in-keeping with the character of the Conservation Area. The proposal is not contrary to the preservation and enhancement strategies contained in the SPD.
- 5.12 The Olveston Village Design Statement states that alterations and extensions should complement the building and its surroundings and respect the inherent form, style, materials and detail of the original property. Extensions should not detract from the original building. Roof lines should be stepped down where possible and facades be set in such a way as to retain the scale and proportion of the existing building. Large scale extensions that overwhelm the character of the existing building should be avoided. Whilst it is noted that the proposal would alter the scale and proportions of the existing dwelling, the application dwelling does not comprise a traditional character which is desirable to retain. The proposal will not be adversely out of keeping with the character of the surrounding built form and the replacement of the Bradstone finish, which is not

common to the area, with render would also accord with guidance contained in the Olveston Village Design Statement.

5.13 Residential Amenity

The previous application (PT13/3850/F) was refused for the following reason:

The position and scale of the proposed extension in relation to the existing window positioned in the southern elevation of the neighbouring dwelling (Sarum) would have a detrimental impact on the residential amenity of the occupants of the dwelling. The proposed development is therefore contrary to saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.14 Careful consideration is required as to whether the proposal overcomes the previous refusal reason.

5.15 Following the refusal of the previous application the proposed extension has been revised by reducing its overall scale and increasing the distance to the boundary shared with Sarum. In the previously refused application the flank wall was 0.3 metres (approx.) from the shared boundary; this has been increased to 0.6 metres (approx.). In the previous application the proposed height of the eaves was 3.1 metres (approx.); the revised plans demonstrate that the eaves are maintained at the current height of 2.89 metres (approx.). In the previous application the existing roof ridge height of 5.68 metres (approx.) was proposed to be increased to 6.75 metres (approx.); the revised plans demonstrate that the roof ridge will be approximately 6.3 metres in height. In addition to this the hipped roof form of the existing dwelling has been retained, which will further reduce the impact on occupiers. The applicant has clarified that the existing shared boundary wall will remain untouched and as existing; a condition on this basis is not therefore, required.

5.16 In most situations an extension to a property in a typical residential area will affect neighbouring occupiers; this is not unusual. It is however, necessary to objectively consider the degree of the effect and determine whether it would unreasonably prejudice the amenity of occupiers.

5.17 Effect on Sarum

The previous application was refused by Members at Committee due to the effect the extension would have on the existing window positioned in the southern elevation of Sarum. The proposal will not extend past the rear elevation of Sarum, and will be set further back from the rear elevation of Sarum at the point closest to the boundary. The proposal will not therefore, affect the principal windows in the rear elevation of the property. It is clear that there is a significant level of concern regarding the effect on the side windows of Sarum, which serve a dining/living room. However, the outlook of these windows and level of natural light they provide is already affected by an existing 2 metre high (approx.) stone boundary wall, and the existing dwelling. The applicant has clarified that the stone boundary wall between Sarum is to remain as existing; and will not be changed.

- 5.18 Accordingly, when considered on balance, taking into consideration the increased level of separation between the proposed extension and the neighbouring property, the reduction in eaves and ridge height, and the amendment to the roof form from a gable to a hip it is considered that the applicant has clearly taken into consideration the concerns raised by neighbouring occupiers and Committee Members in the previous refusal in the revised plans submitted. Accordingly, given that the outlook and level of light received through windows in the side elevation of Sarum is already affected by the existing boundary wall and application dwelling, it is considered that the proposed extension will not have a significantly adversely greater effect on the residential amenity of neighbouring occupiers than the existing situation, and the proposal overcomes the previous reason for refusal.
- 5.19 The only windows proposed that will directly face towards the neighbouring property Sarum are at ground floor level, and will be no closer than approximately 5.5 metres to the shared boundary. Given that the existing stone boundary wall will remain in situ, with no changes to the height, it is not considered that there will be a significant adverse effect on the privacy of neighbouring occupiers.
- 5.20 **Effect on Properties to the North (rear)**
The proposed first floor dormer windows are approximately 30 metres from the rear elevation of properties located to the north. Whilst the dormer windows will directly face neighbouring properties to the north it is considered that there is a sufficient level of separation to ensure that neighbouring occupiers will not be significantly adversely affected through loss of privacy or natural light or outlook. Accordingly, it is not considered that neighbouring occupiers to the north will be unreasonably affected by the proposal.
- 5.21 **Effect on Oakfield**
It is not considered that any significant adverse inter-visibility issues will be introduced between the occupiers of the host dwelling or the neighbouring property Oakfield to the northwest. Whilst Oakfield is set further back from the host dwelling any views towards the front of this neighbouring property will be at an oblique angle, which will lessen the degree of any overlooking to an acceptable level.
- 5.22 **Transportation**
Given the nature of the proposal it is not considered that there will be a significant increase in levels of parking. It is considered that there is sufficient parking within the curtilage of the site to accord with the Council's minimum residential parking standards SPD.
- 5.23 **Further Matters**
The objections received regarding the potential loss of value of neighbouring properties is not a planning issue that can be given material weight in this instance. The plans submitted are considered to be sufficiently accurate to allow the Local Planning Authority to adequately assess the merits of the proposed scheme.

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 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a representative sample panel of render, of at least one metre square, showing the texture and colour finish of the render, shall be erected on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed panel, which shall be retained on site until completion of the development.

Reason

To ensure an adequate standard of external appearance in the interests of the character and visual amenity of the Conservation Area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy L12 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

3. Prior to the commencement of development, the detailed design of the following items, including materials and finishes, shall be submitted to and approved in writing by the Local Planning Authority.
 - a. all new windows (including dormer cheeks and eaves)
 - b. all new doors

The development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of external appearance in the interests of the character and visual amenity of the Conservation Area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy L12 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

4. Prior to the commencement of development a representative sample of new roofing tile to match the existing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of external appearance in the interests of the character and visual amenity of the Conservation Area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy L12 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

ITEM 13

CIRCULATED SCHEDULE NO. 14/14 – 4 APRIL 2014

App No.:	PT14/0571/F	Applicant:	Mr N Callis
Site:	38 Brackendene Bradley Stoke South Gloucestershire BS32 9DH	Date Reg:	18th February 2014
Proposal:	Erection of single storey rear and side extension to provide additional living accommodation	Parish:	Bradley Stoke Town Council
Map Ref:	361366 182437	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Householder	Target Date:	14th April 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following comments from a local resident and the Parish Council.

1. THE PROPOSAL

1.1 The applicant seeks full planning permission for the erection of a single storey rear extension and a single storey side extension. The application site relates to a two-storey detached dwellinghouse situated in the established residential area of Bradley Stoke.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design
CS5 Location of Development

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies

H4 Development within Existing Residential Curtilages, Including
Extensions and New Dwellings
T12 Transportation Development Control

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

3. RELEVANT PLANNING HISTORY

3.1 P84/0020/1 Residential, shopping & employment
development inc.Roads & sewers and other
ancillary facilities on approx.1000 acres of land.
Approved 3.12.86

3.2 P93/0020/383 Residential development on 11.1 acres of land
to include the erection of 161 dwellings and
associated garages and car parking. Construction of
roads, landscaping and public open space including
childrens play area, on land off brook way and the
common, bradley stoke, (in accordance with the
amended plans received by the council on 13
October 1993)
Approved 8.12.93

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Parish Council

Objects on the grounds that the proposed development of the side extension is too close to the neighbouring property.

4.2 Other Consultees

Highway Drainage

No objection subject to an informative

Other Representations

4.3 Local Residents

One letter has been received from a local resident with the following comments:

- No objection but concerned that the porch abuts the boundary fence with no indication as to how close to the fence which has become unstable and I do not know who has responsibility for the fence

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 of the South Gloucestershire Core Strategy (Adopted) 2013) states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives.

Saved 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 proposal is considered to accord with the principle of development.

5.2 Design and Visual Amenity

The proposed development can be split into two elements:

The rear extension:

This would replace an existing and unauthorised rear conservatory. The proposal would extend across the entire width of the property and measure approximately 6.4 metres wide, 3.9 metres deep, with eaves of 2.2 metres and a maximum height of 3.4 metres. Openings including 3no. rooflights would be located in the north elevation.

The side extension:

Currently the main entrance to the property is at the side. This proposed porch would see the doorway realigned by ninety degrees to face the highway. The proposed structure would measure approximately 1.1 metres deep, 4.2 metres in length, 2.2 metres to eaves and an overall height of 3.1 metres.

In terms of the overall design and scale the proposed rear and proposed side extensions are considered acceptable and in-keeping with the character of the host dwelling and area in general. Good quality materials to match those of the existing dwelling would be used in the construction.

5.3 Residential Amenity

The proposed rear extension would have openings in the north elevation only which would be approximately 22 metres away from the closest property to the rear. As such there is considered to be no adverse impact on the residential amenity of these neighbours.

With regard to the porch concern has been expressed by the Parish council. The proposed porch would be adjacent to an existing 1.8 metre fence currently separating the application site from neighbours to the east at No. 36 Brackendene. This property is stepped forward of the application site and the two properties are approximately 2.2 metres apart down these side elevations.

It is noted that the proposed porch would be close to the neighbour to the east but openings in this single storey extension are proposed to the south elevation only. Given the position of this modest single storey extension it is considered that the proposal would not impact on the residential amenity of the neighbouring dwelling to such a degree as to warrant the refusal of the application. The proposal is therefore deemed acceptable.

The neighbour has questioned the responsibility of repair to the dividing fence. As a civil matter this cannot be discussed under the remit of a planning report. An informative, however, will be attached to the decision notice which states *permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant*. Permission must be gained from the owner of adjacent land for any such works.

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 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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