



**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. 36/14

Date to Members: 05/09/14

Member's Deadline: 11/09/14 (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:

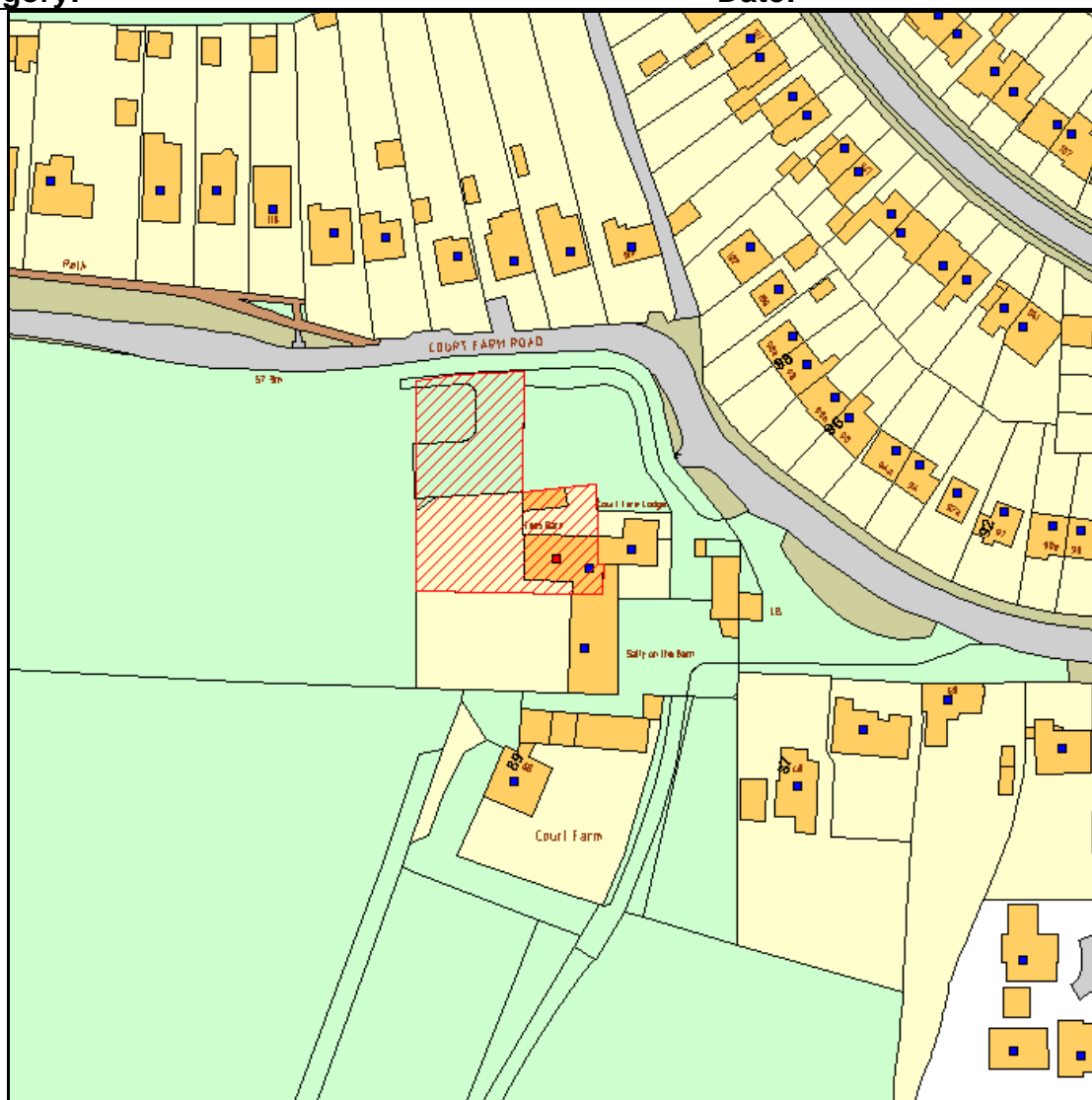
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 your 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 – 5 SEPTEMBER 2014

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK14/2234/F	Approve with Conditions	Lees Barn Court Farm Road Longwell Green South Gloucestershire BS30 9AE	Longwell Green	Hanham Abbots Parish Council
2	PK14/2925/CLP	Refusal	13 Charnhill Crescent Mangotsfield South Gloucestershire BS16 9JU	Rodway	None
3	PT14/1518/F	Approve with Conditions	37 Ridings Road Coalpit Heath South Gloucestershire BS36 2RX	Frampton Cotterell	Frampton Cotterell Parish
4	PT14/2404/F	Approve with Conditions	Bagstone Garage Bagstone Road Rangeworthy Wotton Under Edge South Gloucestershire	Ladden Brook	Rangeworthy Parish Council
5	PT14/2500/F	Approve with Conditions	24 Home Farm Way Easter Compton South Gloucestershire BS35 5SE	Almondsbury	Almondsbury Parish Council
6	PT14/2558/F	Approve with Conditions	The Pheasant Cottage Iron Hogg Lane Whitfield Wotton-Under- Edge South Gloucestershire	Charfield	Falfield Parish Council
7	PT14/2644/CLP	Approve with Conditions	Welding Inspection Services 15 Tarragon Place Bradley Stoke South Gloucestershire BS32 8TP	Bradley Stoke South	Bradley Stoke Town Council
8	PT14/2827/F	Approve with Conditions	Pool Farm Oldbury Lane Thornbury South Gloucestershire	Severn	Oldbury-on- Severn Parish Council
9	PT14/2846/F	Refusal	17 Stoney Stile Road Alveston South Gloucestershire BS35 3NG	Thornbury South & Alveston	Alveston Parish Council
10	PT14/2899/F	Approve with Conditions	28 Garrett Drive Bradley Stoke South Gloucestershire BS32 8GD	Bradley Stoke South	Bradley Stoke Town Council

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PK14/2234/F	Applicant:	Mr And Mrs Webb
Site:	Lees Barn Court Farm Road Longwell Green Bristol South Gloucestershire BS30 9AE	Date Reg:	12th June 2014
Proposal:	Erection of 1.5 metre high Hazel Hurdle fence and timber gates to northern boundary. Install permeable resin bound gravel hard standing parking area to front of property. (Re submission of PK13/2247/F)	Parish:	Hanham Abbots Parish Council
Map Ref:	365273 170642	Ward:	Longwell Green
Application Category:	Householder	Target Date:	4th August 2014



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REASON FOR REFERRAL TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a 1.5 metre high Hazel Hurdle fence and timber gates to the northern boundary and the installation of a permeable resin gravel hard standing parking area to the front of the property. This application is a re-submission of PK13/2247/F
- 1.2 Lees Barn is a curtilage listed barn, as it falls within the original curtilage of a grade II listed barn known as Sally on the Barn. The complex of barns were converted in the late 1990's and are now a number of residential properties. The area which is the subject of this application is beyond the walled area of garden. It is partially grassed and partially a sparsely gravelled finish. The boundaries are a combination of hedging and stone walling.

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
CS34	Rural Areas

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

H4	Development within Existing Residential Curtilages, Extensions and New Dwellings	Including
T12	Transportation Development Control	
L12	Conservation Areas	
L13	Listed Buildings	

- 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 PK03/3174/LB Alterations to change location of window &

	Approved	rooflight on the south elevation (granted permission on application P99/4573). 9.12.03
3.2	PK03/3169/F	Alterations to change location of window & rooflight on the south elevation (granted permission on application P99/4573). 9.12.03
	Approved	
3.3	PK03/0871/LB	Alteration to fenestration by installation of new window. Creation of two internal opening in the ground floor spine wall to provide new internal doorways. 19.5.03
	Approved	
3.4	PK03/0842/F	Alterations to dwelling house (unit 2) (granted permission on application P99/4573) to install 1No. additional window. 19.5.03
	Approved	
3.5	PK13/2247/F	Erection of 1.8metre high fence and gates to northern boundary. Tarmac existing parking area to front of property 12.8.13
	Withdrawn	
3.6	PK14/2237/LB	Change of Use of outbuilding to residential use ancillary to main dwelling to include alterations and raising of roofline 22.8.14
	Approved	
3.7	PK14/2236/F	Change of Use of outbuilding to residential use ancillary to main dwelling to include alterations and raising of roofline 22.8.14
	Approved	

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council
No comment

4.2 Other Consultees

Drainage Engineer
No comment

Highway Engineer
No objection

Listed Building Officer

No objection subject to conditions attached to the decision notice

Archaeologist

No objection

Other Representations

4.3 Local Residents

Two letters of objection have been received:

- The proposed fence blocks an unrestricted legal right of way which immediate neighbours have over part of the application site
- Where will the hazel hurdle fence be located? Will the existing tree/hedge line still be visible to neighbouring properties from the road?
- Any loss of flora and fauna will impact on this habitat for bird and wildlife and also the natural outlook which the trees and hedges currently provide
- In recent years the area has become congested with more vehicular parking so retaining as much natural tree/ hedge line as possible will help to maintain the rural aspect, fitting for this area

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. Of particular relevance is the overall design and the impact of the proposal on the setting of the nearby Listed Building as the design was considered unacceptable under the previous application, the issue of drainage, impact on residential amenity of neighbours and impact on the Green Belt. With regard to the site's location within the Green Belt, the development proposed is not inappropriate and, given the level of screening enjoyed from the lane at present, the new fence and gates are not considered to have a significant impact on the openness of the Green Belt.

The proposal is considered to accord with the principle of development and this is discussed in more detail below.

5.2 Design and Visual Amenity

The application comprises two elements:

- a 1.5 metre high Hazel hurdle fence and gates; and
- a bound permeable parking surface

5.3 The location of these two would be to the north and east of Lees Barn where the large parking area for the property can be found. To the north this area is bound by a line of trees/scrub/hedge beyond which is Court Farm Road. Currently the property is accessed via a driveway shared with Court Farm Lodge. The agent has indicated that neighbours at Court Farm Road have a right of way over the top part of the application site to their fields situated to the west of Lees Barn. An objection to the proposed gates has been received declaring potential problems of gaining access to this field. It must be stressed that as this is a planning application the proposal can only be assessed against current national and local planning policy. Officers are given to understand

- there is an existing and current dispute between the applicant and neighbours which is being dealt with separately and formally. It is clear, therefore, that any dispute regarding access would be a civil matter, outside the remit of a planning application and for the individual parties to resolve. It has been pointed out to Officers that there is a small strip of land adjacent to the existing tree line which is not within the ownership of the applicant. Any permission can only be given on the basis that the applicant has rights over the land. Officers have been assured that the land subject of this application is within the ownership of the applicant and a small strip between the proposed fence and the trees would remain untouched. An informative would be attached to the decision notice stating that there is no right of access over land outside someone's ownership and permission must be obtained from any third party for access over that land.
- 5.4 The proposed 1.5m Hazel hurdle fence in 6 foot length panels, would be positioned in front of the existing row of trees and it is the applicant's intention that this would help to enhance the applicant's privacy and also to protect the houses opposite on Court Farm Road from the night time glare of vehicle headlights. A comment has been made with regard to the large number of vehicles on this site. Officers are given to understand that the applicant parks vehicles associated with his business on this large parking area. As mentioned before the area is situated to the rear of Court Farm Lodge and also given the topography of the area, at a slightly raised height above the highway itself. Properties opposite at No. 108-112 Court Farm Road are also at a raised height and as such the Hazel hurdle fence and the existing hedge and trees would help to screen these properties from headlights. A strip of land would be left between the fence and the tree line for maintenance.
- 5.5 The 2nd proposed timber gates would be along the eastern boundary of the site. A further set of gates and high wall is located to the south of the parking area, separating and securing the main dwelling from general access. Currently, however, the driveway to Lees Barn is open. The proposed gates would effectively make the entry into Lees Barn private. They would comprise a five bar gate for vehicles and immediately next to this a five bar gate for pedestrians. The gates would be approximately 1.2 metres in height. The design of the gates has been changed since the previous application and are now of a more simple and agricultural appearance and scale. In this way they are considered to complement the architectural and historic setting of the site and the area in general and are therefore acceptable.
- 5.6 Details submitted with the application indicate the hard standing for the parking area would replace existing loose gravel which it is stated is too friable and subject to wind scour. A more permanent, bound solution is therefore required. The principle of the bound surface is acceptable subject to details of the colour and size being conditioned.
- 5.7 Drainage Engineer
The proposed water permeable resin bound gravel finish material has been assessed by Highway Drainage Officers and is considered to address the requirements of SUDS and furthermore, it would not require surface water to be directed to a surface water drain.

5.8 Listed Building Officer

This is a resubmission of an earlier scheme which proposed a very domestic form of boundary treatment, gate and surfacing in the setting of this converted group of former agricultural buildings. The gate, which previously took the form of a large, spiked metal gate, has been altered into a traditional 5 bar field gate with smaller matching pedestrian gate and the 1.8m high close-board fence has been changed to a 1.5m high hazel hurdle fencing which has a softer, rural feel to it. The large swathe of tarmac has also been changed to an area of resin-bonded gravel to stop it looking like a modern car-park. A timber edge to the area would be preferable to a concrete one and this would be conditioned.

The proposed changes are an overall improvement from the previous scheme and maintain more of the agrarian character of the site and its locality.

Officers, therefore, have no objection subject to approval of a sample of the proposed surfacing material and details of the edging material.

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 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).

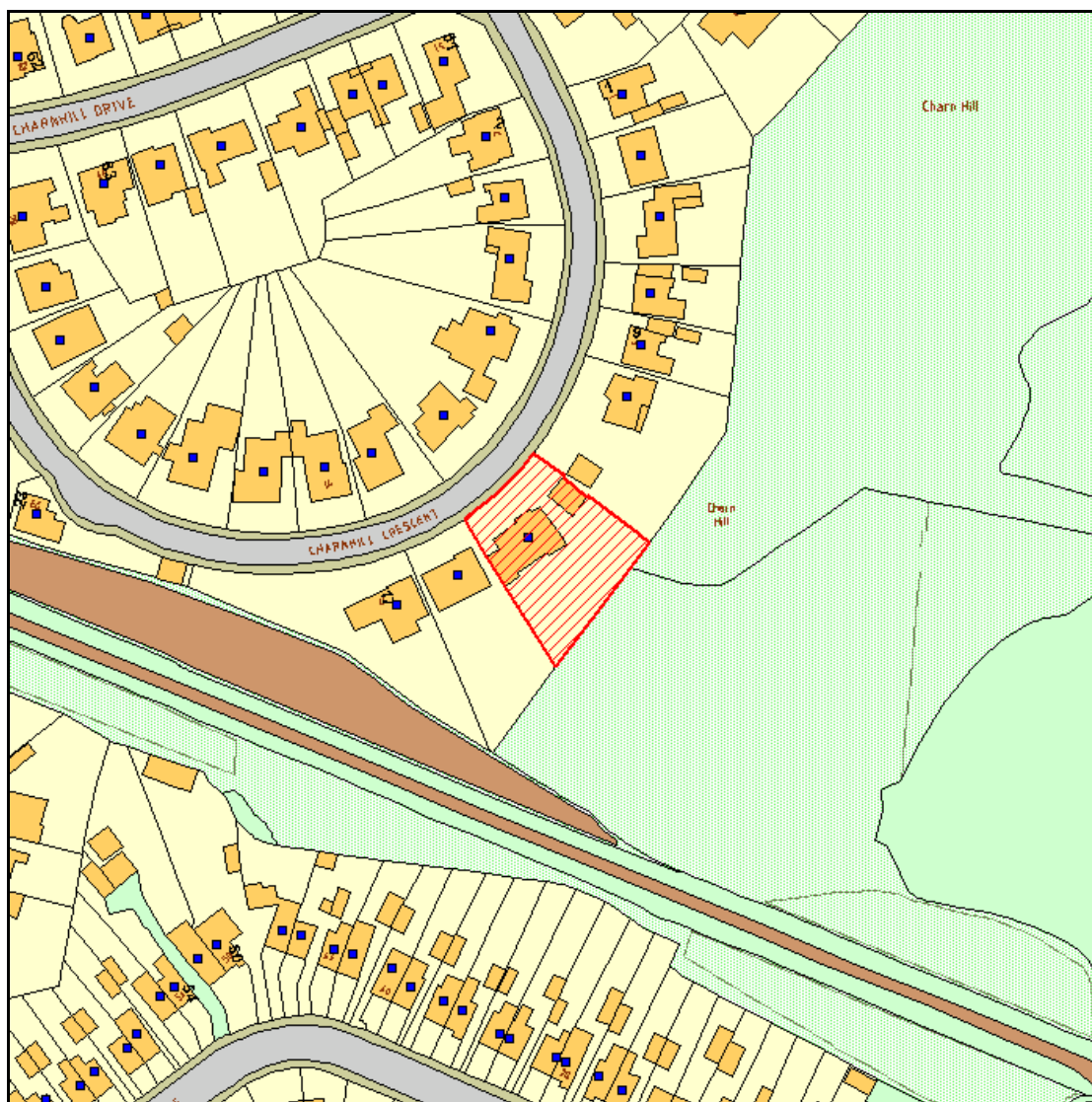
2. Prior to the commencement of development samples of the edging of the car park and of the surface materials of the proposed car parking area shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance in the Hanham Abbots Conservation Area, and to accord with and Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PK14/2925/CLP	Applicant:	Mr Castree
Site:	13 Charnhill Crescent Mangotsfield Bristol South Gloucestershire BS16 9JU	Date Reg:	13th August 2014
Proposal:	Application for certificate of lawfulness for the proposed erection of a single storey rear extension.	Parish:	None
Map Ref:	365951 175590	Ward:	Rodway
Application Category:	Certificate of Lawfulness	Target Date:	16th September 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination as a matter of process. The application is for a certificate of lawfulness for a proposed development.

1. THE PROPOSAL

- 1.1 This application seeks a formal decision as to whether or not the proposed development would be permitted under the regulations contained within The Town and Country Planning (General Permitted Development) Order 1995 (as amended). This application is not an analysis of planning merit, but an assessment as to whether the development proposed accords with the above regulations.
- 1.2 The proposed development consists of the erection of a single storey rear extension and the insertion of three roof lights into the rear roof slope. The application site is a split level dwelling on a steeply sloping site in Mangotsfield.
- 1.3 Having reviewed the planning history on the site it would appear that the property's permitted development rights remain intact.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. Town and Country Planning (General Permitted Development) Order 1995 (as amended)
 - ii. Permitted Development for Householders: Technical Guidance, April 2014

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history for this site.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
This area is unparished

Other Representations

- 4.2 Local Residents
None received

5. SUMMARY OF EVIDENCE

- 5.1 The following evidence was submitted to the Local Planning Authority on 22 July 2014:
 - Drawing CA/14058/CLD1

6. ANALYSIS

6.1 This application seeks a formal certificate that the proposed development as shown on the submitted drawings would be lawful when considered against the provisions of the permitted development Order.

6.2 Principle of Development

The principle of development is established by the Town and Country Planning (General Permitted Development) Order 1995 (as amended). This application is solely to assess whether the proposed development accords with the above regulations; if it does, a certificate should be granted.

6.3 To ascertain if the proposed development is lawful, it must be assessed against Schedule 2 Part 1 Class A (for the rear extension) and Schedule 2 Part 1 Class C (for the roof lights) of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

6.4 Assessment of Evidence: Rear Extension

Schedule 2 Part 1 Class A allows for the enlargement, improvement or other alteration of a dwelling house, subject to meeting the following criteria:

A.1. Development is not permitted by Class A if—

(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);

This use of the building as a dwellinghouse was not permitted through a change of use.

(a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

As a result of the development, the total area of ground covered would not exceed 50% of the curtilage.

(b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The height of the extension would not exceed the height of the existing roof.

(c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The eaves of the extensions would not exceed the height of the eaves of the dwellinghouse.

- (d) the enlarged part of the dwellinghouse would extend beyond a wall which—**
- (i) fronts a highway, and**
 - (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;**

A rear extension is proposed; this does not front a highway.

- (e) subject to paragraph (ea), the enlarged part of the dwellinghouse would have a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height;**

The application site is a detached dwelling. The proposed extensions projects 3.6 metres from the rear wall of the dwelling house.

- (ea) until 30th May 2016, for a dwellinghouse not on article 1(5) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height;**

This paragraph does not apply in this instance

- (f) the enlarged part of the dwellinghouse would have more than one storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;**

The proposed extension is single storey; this paragraph does not apply in this instance.

- (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;**

The enlarged part of the dwellinghouse is not located within 2 metres of the boundary of the curtilage. At any rate, the height of the eaves is 2.4 metres.

- (h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**
- (i) exceed 4 metres in height,**
 - (ii) have more than one storey, or**

(iii) have a width greater than half the width of the original dwellinghouse; or

The proposed extension is a rear extension; this paragraph does not apply in this instance.

- (i) it would consist of or include—**
- (i) the construction or provision of a veranda, balcony or raised platform,**
 - (ii) the installation, alteration or replacement of a microwave antenna,**
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
 - (iv) an alteration to any part of the roof of the dwellinghouse.**

The submitted plans indicate that there would be a 'glazed balcony with new access doors'. This would therefore consist of the construction or provision of a veranda, balcony or raised platform. The proposed development is therefore contrary to the provisions of the Order and *is not* permitted development.

This is based on the sized of the glazed screen shown and its location between two projection elements of the existing built form. This suggests that the balcony would exceed that of a Juliet balcony.

A.2. In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;**
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or**
- (c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.**

This site is not located on article 1(5) land and therefore the provisions of this paragraph do not apply in this instance.

6.5 Development is only permitted by Class A subject to the following conditions –

A.3. Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;**
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—**
 - (i) obscure-glazed, and**

- (ii) **non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and**
- (c) **where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.**

The proposed development has materials which are of a similar appearance to that of the main dwelling. No plans have been submitted of the side elevation so it assumed that no changes are being made. The development does not consist of more than one storey. Therefore the provisions of this paragraph are met.

6.6 The proposed extension has failed to demonstrate that it accords with Part 1 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and therefore a certificate of lawful development should be refused.

6.7 Assessment of Evidence: Roof Lights

Schedule 2 Part 1 Class C allows for any other alteration (than that permitted by Class B) to the roof of a dwellinghouse, subject to meeting the following criteria:

C.1

Development is not permitted by Class C if –

- (a) **the alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;**

It is not shown how far the roof lights will project from the plane of the slope. However, on the basis that the proposed roof lights would not protrude more than 150 millimetres beyond the plane of the slope of the original roof, this condition would be met.

- (b) **it would result in the highest part of the alteration being higher than the highest part of the original roof;**

The proposed roof lights are not higher than the highest part of the original roof.

- (c) **it would consist of or include –**

- (i) **the installation, alteration or replacement of a chimney, flue or soil vent pipe, or**
 - (ii) **the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.**

The proposed development does not consist of or include any of the items listed above in (c)(i) or (c)(ii)

6.8 Development is permitted by Class C subject to the following conditions:

C.2

Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be –

- (a) obscure glazed; and**
- (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.**

No plans have been submitted for the side elevation of the house; it is therefore assumed no alternations are being made to this elevation. Therefore, no window is proposed in the roof slope forming the side elevation of the dwellinghouse and this condition is not relevant

6.9 The proposed roof lights are considered to comply with Schedule 2 Part 1 Class C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and are therefore permitted development.

7. CONCLUSION

7.1 The evidence submitted has been assessed against the regulations set out in the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

7.2 The erection of a rear extension would include the provision of a balcony. This is not permitted under Schedule 2 Part 1 Class A and the proposed development therefore does not comply with the criteria to be considered permitted development and a certificate of lawfulness should be refused.

7.3 The installation of a number of roof lights in the roof slope forming the rear elevation of the property has been found to comply with the criteria of Schedule 2 Part 1 Class C of the abovementioned Order. The proposed development is considered to be permitted development.

8. RECOMMENDATION

8.1 It is recommended that a Certificate of Lawfulness for Proposed Development be REFUSED for the following reason:

The proposed development would include the provision of a balcony and therefore fails to meet the criteria set out in Schedule 2 Part 1 Class A of the Town and County (General Permitted Development) Order 1995 (as amended) and is therefore not considered to be permitted development.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PT14/1518/F	Applicant:	Ms Sally Gilbert Merlin Housing Society
Site:	37 Ridings Road Coalpit Heath Bristol South Gloucestershire BS36 2RX	Date Reg:	28th April 2014
Proposal:	Erection of 8no. dwellings and associated works	Parish:	Frampton Cotterell Parish Council
Map Ref:	367137 180948	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	11th June 2014



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REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of a letter of enquiry from a local resident.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of four existing dwellings on site and the erection of eight replacement properties in their place. The site would also be divided to provide each of the dwellings with off street parking and garden space. On this site, seven no. 3 bedroomed houses, and one no. 2 bedroom houses are proposed.
- 1.2 This application forms one of a cluster of applications in Coalpit Heath to re-develop existing residential sites owned by a housing association. The purpose of the application is to not only improve the living standards of the residents, but also to provide additional affordable housing.
- 1.3 The proposal is for all eight of the new units to come forward as affordable housing.
- 1.4 The application site relates to a residential site tucked up into the corner of Ridings Road. The site currently accommodates four dwellings with large gardens and also includes a piece of vacant scrub land that is not accessible to the public. The site stands in an area that is residential in character. During the course of the application amended plans have been received to slightly alter the design of the proposed dwellings.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (March 2012)

National Planning Policy Framework Technical Guidance (2012)

2.2 Development Plans

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

H4 Development within Existing Residential Curtilages

T7 Cycle Parking

T12 Transportation Development Control Policy for New Development

L1 Landscape Protection and Enhancement

L9 Species Protection

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS9 Managing the Environment and Heritage

CS17 Housing Diversity

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)
Residential Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None directly relevant on this site. This application is one of six applications all within very close proximity to one another – all applications have been submitted by the same applicant. The five other planning reference numbers are – PT14/1489/F, PT14/1490/F, PT14/1492/F, PT14/1496/F and PT14/1517/F.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No Objection

- 4.2 Other Consultees

Highway Drainage
No Objection

Highway Officer
No Objection

Affordable Housing
No contribution required

Councils Ecologist
No Objection subject to the attachment of conditions

Highway Structures
No comment to make

Other Representations

- 4.3 Summary of Local Residents Comments
One letter has been received querying what is going to happen to the high level power lines and associated poles that run through the site.
A second neighbour has also raised concerns that ecology is likely to be adversely affected.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The National Planning Policy Framework carries a presumption in favour of sustainable development and speaks of the need to 'boost significantly the supply of housing' (paragraph 47) and to deliver a wide choice of high quality homes and widen opportunities for home ownership and create sustainable, inclusive and mixed communities (paragraph 50). Further, it is advised that

'Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay'. These considerations should be attributed significant weight in the assessment of this application.

- 5.2 Notwithstanding the above, given that the application site is located within the built up area, planning policy H4 of the adopted local plan, and policies CS1, CS5 and CS9 of the adopted core strategy all apply. Whilst these are permissive of proposals for new residential development, this is subject to considerations of design, residential amenity and highway safety whilst adequate amenity space should be provided for any new separately occupied dwelling.
- 5.3 Although the site falls below the affordable housing threshold, all eight units are being bought forward as units of affordable housing. There is a shortage of affordable housing in the authority and the benefit of gaining additional affordable housing stock is a key consideration that stands in favour of this application.
- 5.4 Design/ Visual Amenity
The site is tucked up in the corner of Ridings Road, and is located within a residential housing estate. The housing surrounding the site is predominantly two storey and the proposed new dwellings are also two storey to reflect this. The existing units are Precast Reinforced Concrete (PRC) construction that falls below the acceptable standard of living.
- 5.5 The housing on site forms part of the street scene onto Ridings Road. At present, some properties have off-street parking provided to the front directly off the road, while other properties have no parking or garage available. The houses are set back from the highway, creating front garden areas. Although the scheme proposes the loss of a 'green space', this land is unable to be used for any purpose due to the current lack of access and the footpath between Ridings Road and Bell Road being blocked. In consultation with local residents prior to the formal planning application being made, the applicants have advised that there was unanimous agreement from those attending that the footpath should be removed as it was not in use and presented a potential anti-social behaviour problem.
- 5.6 The proposed new dwellings do not simply 'copy' existing neighbouring housing stock. Instead, they take their general design cues from them in terms of scale and massing, and then incorporate a new bespoke design. The design is carried through to all six redevelopment sites (as set out in paragraph 3.1 of this report). Therefore, although in isolation the design may appear unusual, upon completion of the whole re-development scheme, dwellings of this style will not be unusual in the immediate vicinity.
- 5.7 In line with the precedent set by the existing housing, the new housing has been kept away from the edge of the footpath and wherever possible allocated parking has been located to the front of the relevant property. Where possible existing trees have been retained and new landscaping has been incorporated into the scheme that will contribute to the existing suburban residential setting.

Appropriate garden sizes have been provided for each property and every property has a direct route to their garden without having to go through their property (as is a requirement for all affordable units).

5.8 In summary, the design has been carefully considered to take account of the existing street scape and is considered to be entirely acceptable.

5.9 Residential Amenity

The plans show the provision of adequate private and useable garden space to meet the needs of the proposed new dwellings. Although there will be some overlooking of the proposed gardens from first floor bedroom windows, the level of overlooking will not be unusual for a standard residential estate. The level of amenity provided to the residents of the proposed new dwellings is therefore considered to be entirely acceptable.

5.10 Impact on No's 43 to 51 Bell Road.

These 5 neighbouring terraced properties lie to the northeast of the application site. The rear of the five dwellings faces towards the application site and will ultimately face towards the rear elevations of proposed dwellings No's 5 to 8. The minimum distance between the facing rear elevations of the existing and proposed dwellings will be at least 25 metres. At this distance, it is not considered that any unacceptable levels of overlooking or intervisibility will result. Furthermore, the plans show the provision of a boundary hedge and 1.8 metre high boundary treatment that will ensure the gardens of each of the existing and proposed dwellings remain private.

5.11 Impact on No's 34 to 22 Lower Chapel Lane

These 7 properties lie to the north of the application site. Again, the rear elevation of all 7 dwellings face towards the application site. The separation distance between the rear windows of the neighbours and the rear windows in proposed plots 1-4 will be approximately 40 metres. The distance to the gable elevation of plot 5 will be in excess of 25 metres. There are no primary room windows at first floor in the side gable elevation of proposed plot 5. In addition to this, there is a significant band of screen vegetation along this boundary that is to be protected and retained throughout the development. This will afford further protection to existing levels of residential amenity.

5.12 Impact on No's 33 and 43 Ridings Road.

Both of these dwellings stand facing Ridings Road and will site either side of the proposed development. In both situations, the main front wall of the proposed new dwellings will not project beyond the main front wall of the neighbouring properties. Although the main rear walls of the proposed dwelling will project beyond the rear walls of the existing dwelling, given the separation distance, it is not considered that any issues of overbearing or overshadowing would result. Again, the proposed dwellings have been designed so as not to present any primary windows towards the neighbouring properties at first floor level to prevent any direct overlooking or intervisibility.

5.13 Finally, with regards to the surrounding dwellings, an assessment has been made that the impact of the proposed new dwellings will be similar to the impact from the existing two dwellings in terms of intervisibility. The impact on residential amenity is therefore deemed to be acceptable.

5.14 Highway Safety

The plans show the provision of off street parking in accordance with the adopted Residential Parking Standards SPD. The proposed new vehicular access has been assessed by highway officer and is considered safe. Cycle storage sufficient to meet the requirements of Policy T7 will be provided in the sheds to be provided in each of the gardens. As such, there are no concerns that the proposed development would cause any issues of highway safety.

5.15 Landscape and Ecology

Unlike the other redevelopment sites as set out in paragraph 3.1, this site contains a parcel of land that is not already within a residential curtilage. This parcel of land is overgrown and not accessible and therefore has a high potential of containing ecology. The application includes an extended Phase 1 habitat survey dated March 2014 by Diversity.

5.16 The potential for bats and badgers is low but the potential for slow-worms and hedgehogs does exist because of the long grass and hedgerows. The Councils ecological officer has considered the information submitted and is happy to recommend approval of the application subject to conditions. Being mindful of the requirements of Policy L9, your officer agrees that the conditions suggested are necessary to mitigate against any adverse impact on protected species.

5.17 There are also a number of trees on site that are to be retained. The application is accompanied by a tree retention and root protection plan. A condition will be attached to ensure that the development commences in accordance with these submitted plan to protect the trees.

5.18 Electricity Poles

As correctly pointed out by a neighbour, there are indeed cables that run across the site and a supporting pole – these would need to be relocated as part of the development. This however is not a planning issue but would need to be resolved between the applicant and the electricity supplier outside of the planning process.

6. CONCLUSION

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

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a reptile and hedgehog survey shall be undertaken, which shall be used to inform a Method Statement to mitigate against any direct or indirect impact on reptiles or hedgehogs. Both the reptile survey and the method statement shall be agreed in writing with the Council before works commence. All works shall be carried out exactly in accordance with the details agreed.

Reason

This is to avoid harm to reptiles or hedgehogs both of which are protected species and to satisfy the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted).

3. Prior to the commencement of development, an Ecological Protection Plan including a Habitat Management and Monitoring Plan shall be drawn up and submitted to the Council for written approval. The plan shall include the provisions under Section 6 'Ecological Mitigation and Enhancement' in the Ecological Appraisal Diversity, dated March 2014. All development shall be carried out exactly in accordance with the details so agreed.

Reason

To avoid harm protected species and to satisfy the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted).

4. All works must be carried out exactly in accordance with the Root Protection Areas Plan and Tree Retention and Protection Plan both received by the Council on 11th April 2014.

Reason

In the interests of the visual amenity of the area and to limit potential impact on protected species. Also to comply with the requirements of Policies L1 and L9 of the South Gloucestershire Local Plan (Adopted).

5. The hours of working on site during the period of construction shall be restricted to 7.30 to 18.00 Monday to Friday; 08.00 to 13.00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2014

6. The off-street parking facilities shown on the plan hereby approved shall be provided before the dwellings are first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with the requirements of the Residential Parking Standards SPD (Adopted).

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PT14/2404/F	Applicant:	Classic Coach And Car Co Ltd
Site:	Bagstone Garage Bagstone Road Rangeworthy Wotton Under Edge South Gloucestershire GL12 8BD	Date Reg:	24th July 2014
Proposal:	Change of use from Haulage (sui generis) to MOT Testing Station (Class B2) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Rangeworthy Parish Council
Map Ref:	368923 187264	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	12th September 2014



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use from haulage (sui generis) to MOT testing (Class B2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site is located on the western side of Bagstone Road outside of any defined settlement boundary. The application site comprises an existing commercial building and its forecourt. The building is constructed of blockwork/render with a corrugated metal pitched roof. It is located on an existing established employment site, which has historically been used for haulage. There are a number of vehicles and equipment associated with this use around the perimeter of the site. There is also a used car business to the east and a scaffolding business to the southwest.
- 1.3 For the purposes of clarification, the proposed change of use will form a separate planning unit (Use Class B2). Accordingly, the proposal will intensify the use of the existing site such that there will be the proposed MOT business, the existing haulage business, the existing scaffolding business, and the existing car sale business.

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)
E6 Employment Development in the Countryside
E7 Conversion and Re-Use of Rural Buildings
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
CS34 Rural Areas
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted) January 2006

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/3526/F, Change of use of land from a haulage yard (sui generis) to a scaffolding yard (Use Class B8) and erection of storage shelter. Erection of 2.4 metre high security fence. (Retrospective), approval, 09/01/14.

- 3.2 PT12/0757/F, Change of use of land from a haulage yard (Use Class Sui Generis) to a scaffolding storage yard (Use Class B8) and the erection of a storage shelter and 2.4 metre high security fence (retrospective), withdrawn.
- 3.3 PT13/3740/CLE, Application for certificate of lawfulness for the existing use as vehicle repair workshop with MOT bay, refusal, 20/12/13.
- 3.4 PT00/2259/F, Erection of second storey of portacabin, approval, 02/04/01.
- 3.5 PT01/2959/F, Use of land for car sales (renewal of lapsed temporary consent), approval, 29/01/02.
- 3.6 PT14/1927/F, Change of use of land for car sales to allow up to 58no. cars to be displayed for sale. (Retrospective). withdrawn.

4. CONSULTATION RESPONSES

- 4.1 Rangeworthy Parish Council
No objection in principle. However, there have been numerous planning applications made in connection with this site and the Parish Council remain extremely concerned about the increased number of traffic movements to and from this site. The B4058 is an extremely busy road used by all manner of vehicles from HGVs through to domestic vehicles. Vehicles often ignore the 40mph speed limit in place.
- 4.2 Transportation DC Officer
No objection
- 4.3 Drainage Officer
No comment

Other Representations

- 4.4 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Guidance contained in the National Planning Policy Framework (NPPF) is that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should...support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.
- 5.2 This advice is generally reflected by saved policy E6 of the South Gloucestershire Local Plan (adopted) January 2006, which allows for... the conversion or re-use of existing buildings...and the extension or intensification of existing employment generating uses.

- Given that the site comprises an established employment site, and the proposal re-uses an existing building, the principle of the development is considered acceptable subject to considerations regarding the appearance/form, the environmental impacts, the residential amenity effects and transportation effects.
- 5.3 The agent has stated that the application building is not required for purposes relating to the haulage use; therefore, it is not considered that the proposal will adversely affect the viability of the existing haulage business.
- 5.4 Appearance/Form
The existing building is of commercial character which does not appear out of keeping given the established commercial context of the site; it is a solid, permanent building, which can be converted without major or complete reconstruction. No alterations are proposed to the existing building. Any external signage proposed will require separate advertisement consent; an informative note is recommended on this basis if permission is granted. Given that the site is already in an existing employment use it is not considered that the proposed use will have a materially greater effect on the visual amenity of the area than the existing situation. If permission is granted, a condition is recommended to allow the Local Planning Authority to consider any external illumination erected at the site in the interests of the visual amenity of the area.
- 5.5 Residential Amenity
The applicant has proposed the following times of operation: Monday to Friday 8:00am -5:00pm and Saturday 9:00 – 12:00pm. Given that the building benefits from an unfettered haulage use, the proposal represents an opportunity for the Local Planning Authority to control the times of operation subject to the tests for applying conditions in the National Planning Policy Framework. The closest neighbouring property to the site is Rose Cottage to the south. Given the level of separation (approximately 30 metres), and the fact that the site is an established employment site, it is not considered that there will be a significantly adversely greater effect on the residential amenity of occupiers through noise or disruption over the existing situation. The imposition of a condition if permission is granted with regards to times of operation is considered reasonable and passes the test for applying conditions in the NPPF; as such, it is considered that the proposal will provide an improvement, in terms of residential amenity impacts, over the existing situation.
- 5.6 Environmental
No trees that make a significant contribution to the character of the area will be adversely affected by the proposal. Given the established commercial context of the site, it is not considered that there will be a significant adverse impact on wildlife.
- 5.7 Transportation
Historically, the application workshop was used for vehicular repairs ancillary to the haulage business. Therefore, the introduction of a new planning unit for MOT testing will generate additional vehicular traffic over the existing situation. It is noted that there has been a significant intensification of the original haulage business, with the introduction of additional scaffolding, car sales and

the proposed MOT businesses, and the concerns raised by the Parish Council regarding the potential for increased traffic movements on the B4058 are noted. However, the access into the site from the B4058 provides good visibility and is adequate to serve the separate businesses on the site. In addition, the relatively small size of the application site and building will limit the amount of traffic that will be generated. As such, it is considered that the proposal will not generate a significant number of vehicular trips or have a detrimental effect on highway safety. Material weight is given to the fact that the Council's Transportation Officer has raised no objections to the proposal.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant 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. No engineering works, deliveries or customer visits shall take place outside of the following times:

Monday - Friday.....8:00am to 5:00pm

Saturday..... 9:00am to 12:00pm

No working shall take place on Sundays/Bank Holidays

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. Prior to the erection of any external lighting details of the location, design, times of illumination and measures to control light spillage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In the interests of the visual amenity of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PT14/2500/F	Applicant:	Mr And Mrs T Holroyd
Site:	24 Home Farm Way Easter Compton South Gloucestershire BS35 5SE	Date Reg:	8th July 2014
Proposal:	Erection of front first floor and single storey extension to form additional living accommodation.	Parish:	Almondsbury Parish Council
Map Ref:	357404 182389	Ward:	Almondsbury
Application Category:	Householder	Target Date:	20th August 2014



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 100023410, 2008. **N.T.S.** **PT14/2500/F**

REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule, due to consultation responses received, contrary to Officer recommendation.

THE PROPOSAL

- 1.1 The application is for the erection of a front first floor and single storey extension to the existing dwelling.
- 1.2 The property is a modern detached dwelling and is located within the village boundary of Easter Compton on a cul-de-sac containing similar modern properties. Easter Compton is 'washed over' by the Green Belt, the site is therefore located within the designated Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Green Belt SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
Objection. This application is not in keeping with the surrounding houses.

Highways Drainage
No comments

Other Representations

- 4.2 Local Residents
One letter has been received fully supporting the extension and stating that It would improve the external look of the house and provide good living space.

The house is on a good sized plot and this extension means the space is effectively utilised.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Green Belt

The site is located in the designated Green Belt. Green Belt policy seeks to protect the openness of the Green Belt. Residential extensions are considered appropriate forms of development in the Green Belt unless they are considered disproportionate. There is no planning history on the site to indicate previous development and the proposals the subject of this application are not disproportionate. The proposals would constitute between approximately 10-15% increase over and above the existing dwelling. In this instance the proposals are considered to be of an acceptable scale in relation to the existing dwelling addition as such and do not impact upon the openness of the Green Belt and are therefore not considered inappropriate development.

5.3 Design / Visual Amenity

The existing dwelling has an attached double garage to the front of the property. This is incorporated with the main dwelling with what is essentially a cat slide roof to the front elevation. There are some other properties with similar designs to the front, but it is not a uniform arrangement for the street as a whole and there are various styles of frontages in the vicinity, including gables of varying sizes and design. The extension would create a pitched gable end to the first floor extension and incorporate a small lean to roof finish at ground floor level, both to the front elevation. The proposals are not considered to be materially out of keeping with the site or surroundings. The proposed extension therefore is considered to be of an acceptable design and is not out of keeping with the character of the main dwelling house and surrounding properties. The extension is of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials used would match those of the existing dwelling.

5.4 Residential Amenity

The nearest adjacent building to the proposed extension is a neighbouring attached garage. Given the length, size and location of the extension and its relationship in context with the neighbouring properties, it is not considered that it would give rise to any significant or material overbearing impact.

5.5 Highways

Sufficient off-street parking would remain to serve the 5 bedroom dwelling, with the double garage and hardstanding to the front of the property, to meet the Council's current parking requirements.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extension is of an appropriate standard in design and is not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Sufficient parking provision would remain on site. As such the proposal accords with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 of South Gloucestershire Local Plan (Adopted) December 2013.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The 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 H4 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 08.00 to 18.00 on Mondays to Saturdays and 08.00 to 13.00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PT14/2558/F	Applicant:	Mr M Lewis
Site:	The Pheasant Cottage Iron Hogg Lane Whitfield Wotton-Under-Edge South Gloucestershire GL12 8DU	Date Reg:	10th July 2014
Proposal:	Erection of single storey rear extension to form additional living accommodation. Erection of front porch.	Parish:	Falfield Parish Council
Map Ref:	367344 191370	Ward:	Charfield
Application Category:	Householder	Target Date:	22nd August 2014



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REASON FOR REFERRAL TO CIRCULATED SCHEDULE

The application is referred as a result of the neighbours objection letter.

1. THE PROPOSAL

- 1.1 This application seeks consent to erect a ground floor rear extension at this detached house. A porch is also proposed on the front of the house. The proposal would create a ground floor bedroom and en-suite bathroom within an extension measuring 8.38m across the rear of the house by 5.8m deep.
- 1.2 The property is located in the open countryside, outside of a settlement boundary. The property is not in the Green Belt.

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 Development within Existing Residential Curtilages, including extensions and new dwellings

South Gloucestershire Local Plan Core Strategy adopted December 2013.

CS1 High Quality Design
CS34 Rural Areas

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/3092/F Erection of two storey side extension and front porch. Repositioning of rear conservatory. Approved
- 3.2 PT03/0354/F Erection of first floor rear extension to form bedroom and bathroom and erection of replacement side conservatory. Approved
- 3.3 PT01/2629/O Erection of a dwelling and garage (Outline) refused 2001
- 3.4 P93/1774 Erection of double detached garage approved 1993
- 3.5 P91/2710 Erection of two storey side extension to provide lounge with bedroom and en-suite facilities at first floor. Erection of chimney stack. Approved 1992
- 3.6 P84/1454 Renovation of existing cottage and erection of 2 storey side and rear extension to form kitchen, bathroom, hall and lounge with 2 bedrooms above. Refused 1984

4. CONSULTATION RESPONSES

4.1 Falfield Parish Council
No comment received .

4.2 Highway Drainage
No comment.

4.3 Highway Officer
No objection

4.4 Natural England
No objection - Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

In respect of Protected species the Council is directed to Standing Advice which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present.

4.5 Ecology Officer
No ecological constraints to granting.

4.6 Public Right Of Way Team
No objection

Other Representations

4.7 Local Residents
One objecting comment received to the consultation because the ground floor window (study/office) will directly overlook the writers garden, seated area and garage. Otherwise no objection.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. There is therefore a presumption in favour of development subject to further consideration in relation to the policies of the local plan.

In assessing applications for residential extensions, planning policy H4 of the adopted local plan and CS1 of the Core strategy are particularly relevant. Policy H4 specifically relates to residential development, including extensions, and considers issues such as design, residential amenity and highway safety.

CS1 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context.

5.2 Design

This proposal is located on the rear of the property where it would be visible from the field and from the adjacent garden. The porch would be visible from the access drive. The porch would be open sided with oak posts and the extension would be in stone to match the existing house. Both would have matching tiles. The house has been well extended (by at least 100%) but is not located in the Green Belt. The proposal although reasonably deep at 5.8m is located in a large curtilage and would not be intrusive in any views. It is clear that the applicant has tried to keep the design of a low level nature which retains the views of the back of the original cottage and this is welcomed as it retains the readability of the house. Whilst a steeper pitch to the extension might have a better appearance it is considered that the proposal is a good compromise in order to limit the scale of the proposal whilst also respecting the character of the house.

There are no trees being removed as a result of the proposal although a bed of flower/shrub planting will be removed. This will have no significant effect on visual amenity or wildlife.

5.3 Residential amenity

The proposed extension is sited close to the boundary with the detached neighbour and alongside a natural stone garden wall. In fact it appears that the side wall of the original house is the boundary between the site and the objecting neighbour. The neighbouring house is located around twenty metres from the proposal and would have limited view of the extension from the house although it would be visible from the garden. The neighbour's detached garage runs parallel to and approximately a metre from the side of the original cottage. This garage prevents a new window shown in the side wall of the existing cottage from having a view over the neighbour's garden although an acute view out of the window would have a modest view of the neighbour's pergola'd sitting area. No other proposed window faces residential neighbours such as to affect the private amenity of the neighbouring houses and as such the proposal is not considered to have an adverse impact on the residential amenity by reason of overlooking or overbearing impact. A condition can adequately prevent additional windows being added to the north-east side elevation in order to protect that position.

Given the close proximity of the neighbour a working hours condition is necessary.

5.4 Transportation

The driveway is sufficient to accommodate and turn at least four cars. There is therefore no objection in highway safety or parking terms. There would be no adverse impact on the nearby right of way.

5.5 Ecology

The application site consists of an existing domestic property and curtilage situated on a residential lane on the southern side of the A38 in the hamlet of Whitfield. This application is in close proximity to the Brinkmarsh Quarry Site of Special Scientific Interest (SSSI) but will not affect it. The site itself is not covered by any statutory or non-statutory nature conservation designations.

The garden (curtilage) wherein the new extension is proposed is well managed and would consequently only offer poor sub-optimal habitat for species such as hedgehog and slowworm.

The application site is surrounded by open countryside offering good feeding habitat for bats. Whilst there is the potential for bats to be present, the scheme involves a single storey and new porch and will not therefore involve any disturbance to the roof structure/fabric.

Nonetheless, as a precautionary measure, any demolition should be carried out in a sensitive manner to avoid harming any bats using the building and this should form the basis of an Informative Note.

5.6 Other issues

This window would face the garage rather than over the neighbours garden which will protect the privacy of the wider garden area and the neighbours house. This raises no material planning concern but the applicant will need to investigate their rights of access with the neighbour as the side wall of the house would appear to be the boundary of the site. Whilst the agent advises that the window is necessary for building regulations in terms of light and air to an internally locked room, there is generally more than one way to resolve such concerns. The granting of this consent does not imply that windows can open over the neighbouring land either. Informatives to this matter are recommended.

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 and the Core Strategy set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Informatives

Bats

Birds

Plans

Land not within ownership

Land ownership - consent required

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire core strategy Adopted December 2013.

3. No windows shall be inserted at any time in the north-east side elevation of the extension.

Reason

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

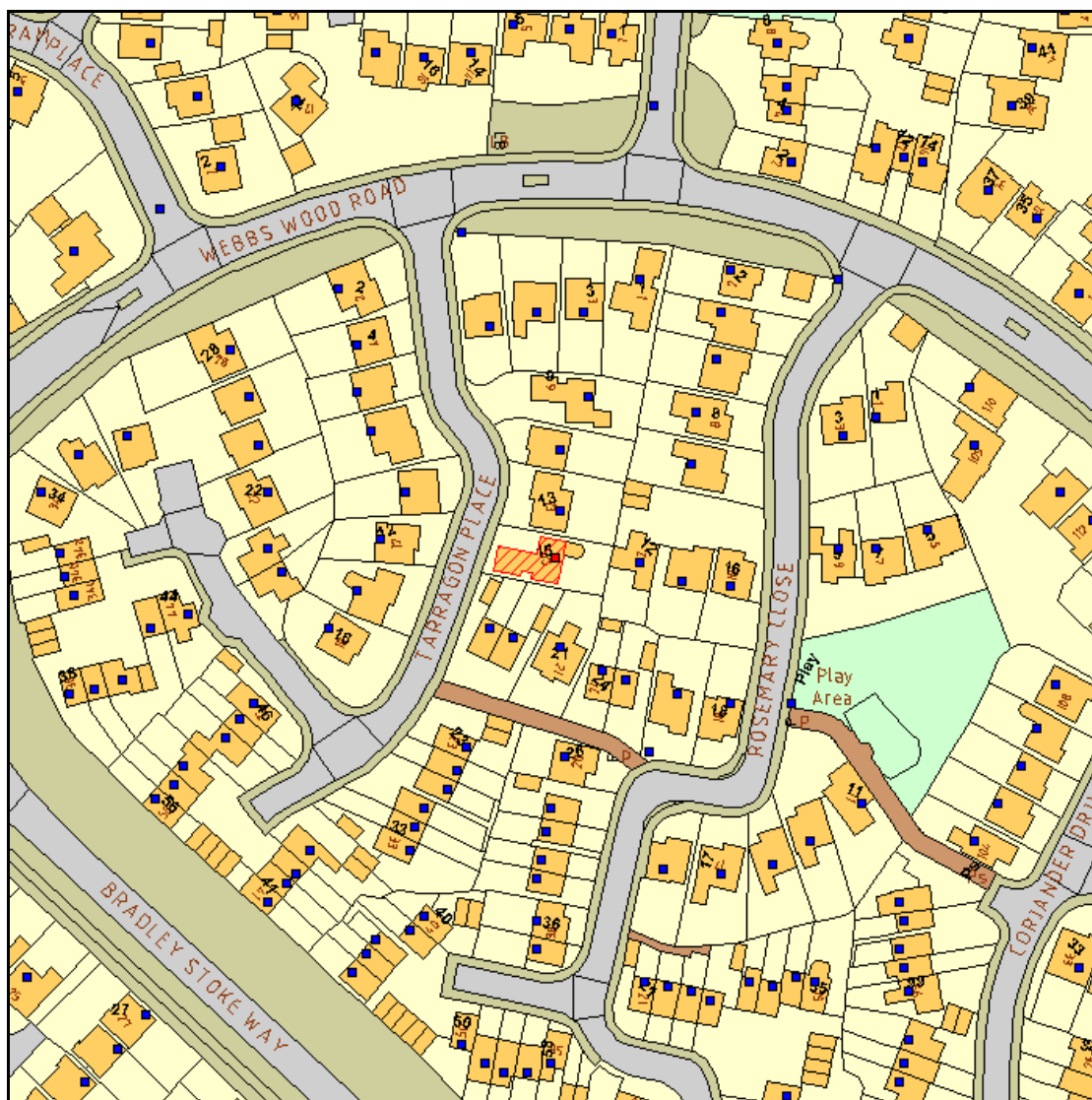
4. The hours of working on site during the period of construction shall be restricted to 08:00 to 18:00 Mondays to Fridays (inclusive), 08:30 to 13:00 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers during construction and to accord with saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of the National Planning Policy Framework 2012.

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PT14/2644/CLP	Applicant:	Mr Paul Robinson
Site:	Welding Inspection Services 15 Tarragon Place Bradley Stoke Bristol South Gloucestershire BS32 8TP	Date Reg:	24th July 2014
Proposal:	Application for a certificate of lawfulness for the proposed conversion of half of existing garage to bathroom and office. (Use Class C3).	Parish:	Bradley Stoke Town Council
Map Ref:	362930 181131	Ward:	Bradley Stoke South
Application Category:	Certificate of Lawfulness	Target Date:	11th September 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is for a Certificate of Lawfulness, and as such, according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed partial conversion of the attached double garage and infilling of the garage door on 15 Tarragon Place, Bradley Stoke, would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) Order (As Amended) 1995.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning Act 1990 Section 192
Town and Country Planning (General Permitted Development) Order (As Amended) 1995. Schedule 2, Part 1, Class A.

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/3988/F - Erection of first floor extension over existing garage to provide additional living accommodation. Refused 9th January 2013
- 3.2 PT05/3633/F - Erection of first floor extension over existing garage to form 2 no. bedrooms and shower-room. Refused 24th January 2006
- 3.3 P95/0020/424 - Erection of 225 number dwellings and associated works. Construction of vehicular and pedestrian access on 5.95 hectares (14.7 acres) of land. Approved 22nd May 1995
- 3.4 P84/0020/1 - Residential, shopping & employment development inc.Roads & sewers and other ancillary facilities on approx.1000 acres of land. Approved 3rd December 1986

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection

Other Representations

- 4.2 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Application Form dated 7th July 2014
Floor Plan received 7th July 2014

6. EVALUATION

- 6.1 This application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit, the planning application is based on the facts presented. The submission is not a planning application and thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.
- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GDPO (As Amended) 1995.
- 6.3 The proposed development consists of the partial conversion of a garage and the infilling of a garage door with a door and window. The use of the garage is described as an office and bathroom, which would remain within the same use class as the existing (Use Class C3 – Residential dwellings). The proposed use of the garage alone therefore would not constitute development as defined by The Town and Country Planning Act 1990. There are no conditions attached to any of the historic planning applications on the site restricting the use of the attached garage and permitted development rights are in tact.
- 6.4 The proposed infilling of the garage door stands to be assessed against the criteria of *Schedule 2, Part 1, Class A*, of the Town and Country Planning (General Permitted Development) Order (As Amended) 1995. This allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

A.1. **Development is not permitted by Class A if –**

- (za) **Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);**
The dwellinghouse was not granted permission by virtue of Class IA or MB of Part 3 of this schedule.
- (a) **As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

The proposal would not extend beyond any external wall of the original dwellinghouse.

- (b) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**

The proposal would not exceed the highest part of the roof.

- (c) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**

The proposal would not exceed the height of the eaves.

- (d) The enlarged part of the dwellinghouse would extend beyond a wall which—**

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;

The proposal would not extend beyond any wall.

- (e) The enlarged part of the dwellinghouse would have a single storey and—**

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

The proposal would not extend beyond any wall.

- (ea) until 30th May 2016, for a dwellinghouse not on article 1(5) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

The proposal would not extend beyond any wall.

- (f) The enlarged part of the dwellinghouse would have more than one storey:**

N/A

- (g) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres:**

N/A

- (h) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would:**

(i) exceed 4 metres in height

- (ii) have more than one storey, or
- (iii) have a width greater than half the width of the original dwellinghouse; or

The proposal would not extend beyond any wall.

- (i) It would consist of or include—
 - (i) The construction or provision of a veranda, balcony or raised platform,
 - (ii) The installation, alteration or replacement of a microwave antenna,
 - (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) An alteration to any part of the roof of the dwellinghouse.

The proposal does not include any of the above.

A.2. In the case of a dwellinghouse on article 1(5) land, development is not permitted if:

- (a) It would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebbledash, render, timber, plastic or tiles :
- (b) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) The enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

The site is not located within article 1(5) land.

CONDITIONS

A.3. Development is permitted by Class A subject to the following conditions:

- (a) The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
The application form states that the garage door would be in filled with a door and matching window. The proposal is therefore considered to meet this condition.
- (b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

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

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

N/A

- A.4.—(1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(e) but is allowed by paragraph A.1(ea)...**

N/A

7. RECOMMENDATION

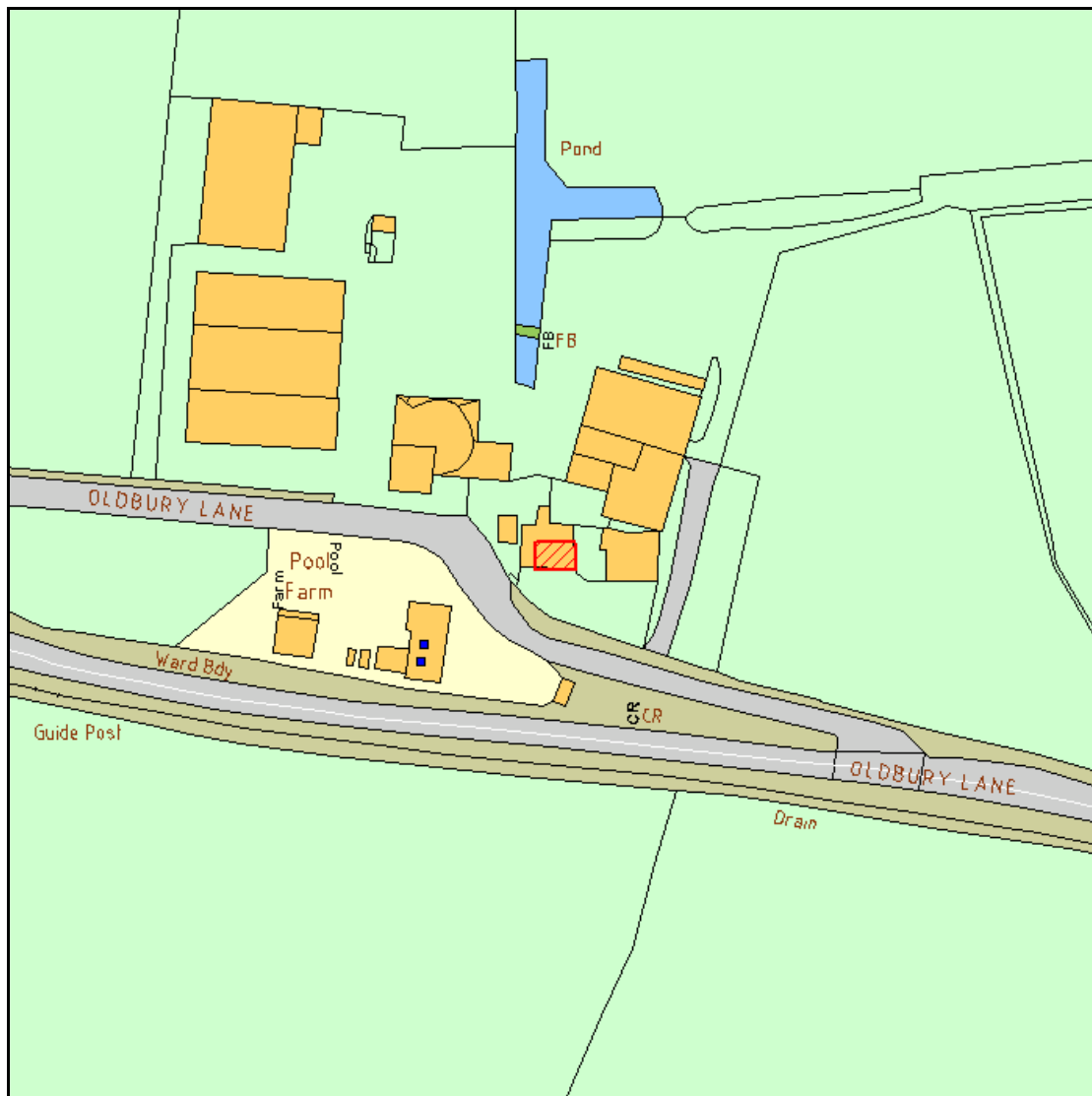
- 7.1 That a certificate of lawfulness for proposed development is granted for the following reason:

The proposed use of the garage would remain ancillary to the residential unit and as such would not constitute a change of use. The internal arrangements and use of the garage therefore would not constitute development as defined by the Town and Country Planning Act 1990. The infilling of the garage door is considered to fall within the permitted rights afforded to householders under Part 1, Class A of the Town and Country Planning (General Permitted Development) Order (As Amended) 1995 and as such would not require planning permission.

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PT14/2827/F	Applicant:	Mr JW Nichols
Site:	Pool Farm Oldbury Lane Thornbury South Gloucestershire BS35 1RE	Date Reg:	29th July 2014
Proposal:	Change of use of agricultural building to workshop (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1985 (as amended) (retrospective).	Parish:	Oldbury-on-Severn
Map Ref:	362613 192257	Ward:	Severn
Application Category:	Minor	Target Date:	12th September 2014



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INTRODUCTION

This application appears on the Circulated Schedule because concerns have been raised by a neighbouring occupier contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of a redundant agricultural building to a workshop (Use Class B1) as defined in the Town and Country Planning (Use Classes) Order 1985 (as amended).
- 1.2 The application site comprises a single storey agricultural building located to the north of Oldbury Lane outside of any defined settlement boundary. The site is also a costal zone and is within Flood Zone 3.
- 1.3 The development has already been carried out; therefore, the proposal will be considered retrospectively.

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)
EP2 Flood Risk and Development
T12 Transportation Development Control Policy for New Development
E6 Employment Development in the Countryside
E7 Conversion and Re-use of Rural Buildings

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment and Heritage
CS34 Rural Areas

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history relating to the application building; the following applications relate to former agricultural buildings close to the site.
- 3.2 PT08/0621/F, Change of use of agricultural buildings to storage (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)., approval, 04/06/08.
- 3.3 PT06/3043/F, Change of use of agricultural buildings to storage (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), approval, 21/11/06.

- 3.4 PT06/1334/F, Change of use of redundant farm buildings to storage (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (Resubmission of PT05/1598/F), refusal, 06/06/06
- 3.5 PT05/1598/F, Change of use of redundant farm buildings to Class B1, B2 and B8 use (As defined in the Town and Country Planning (Use Classes) Order 2005), refusal, 10/01/06

4. CONSULTATION RESPONSES

- 4.1 Oldbury on Severn Parish Council
No comments received
- 4.2 Archaeological Officer
No objection
- 4.3 Drainage Officer
No objection subject to flood mitigation measures.
- 4.4 Transportation DC Officer
No objection
- 4.5 Environment Agency
The application falls under Local Flood Risk Standing Advice (LFRSA).

Other Representations

- 4.6 Local Residents
Two letters of support have been received from members of the public. The responses received highlight the fact that the appearance of the building will not materially change, it will make use of a redundant agricultural building, and allow a local person to develop his business and create job opportunities.

Respondents do however, highlight the close proximity of the building to residential premises and therefore, recommended a condition in respect of times of operation. It has also been stated that the postal address should be different from neighbouring properties.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Amendments to permitted development regulations allow for the conversion of agricultural buildings to business use (Use Class B1); however, planning permission is required in this instance because the development proposed is retrospective and has not been used solely for an agricultural use.

The site is located in Flood Zone 3, which is an area that has a high probability of flooding, and within a coastal zone. However, agricultural and general industrial uses are within the same less vulnerable flood risk category within the National Planning Policy Framework (NPPF); therefore, the proposal will not result in a material change in terms of flood risk.

- 5.2 Guidance contained in the National Planning Policy Framework (NPPF) is that planning policies should support the economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development...to promote a strong rural economy, local and neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings.
- 5.3 This guidance is broadly reflected in policies E6 and E7 of the South Gloucestershire Local Plan (adopted) January 2006, which allows for the conversion or re-use of existing rural buildings outside of existing urban areas. In this instance, the application building is of brick construction with a clay tiled dual pitched roof. It comprises a modest, traditional appearance and is in-keeping with the character of the area. The building is solid and in good condition. It is therefore, considered that it is capable of conversion without major or complete reconstruction.
- 5.4 The principle of the development is therefore, considered to be acceptable. The main issues to consider are the appearance/form of the proposal and the effect on the character of the area; the residential amenity effects; the environmental effects and the transportation effects.
- 5.5 Appearance/Form
The only alteration proposed to the building is the replacement of the original doors on the east end; all other work, including the lining of the walls with plasterboard sheets and insulation, the provision of an insulated plasterboard ceiling, and the overlaying of the floor with a new 150mm thickness of concrete on insulation and damp proof membrane, are internal and will not affect the external appearance of the building. Accordingly, and as original features of the building such as exposed rafter ends, ridge ventilator, red brick walls and clay double Roman tiled roof will be retained, it is not considered that the proposed use will adversely affect the appearance of the building. A condition is recommended, if permission is granted, to restrict outdoor storage of materials in the interests of the visual amenity of the area.
- 5.6 Residential Amenity
The only neighbouring property within close proximity to the site is Pool Farm, which is approximately 20 metres to the southwest. The applicant has specified that the hours of working will be 8:00am to 5:00pm on Monday to Friday, and 8:00am to 1:00pm on Saturday with no working on Sunday and Bank Holidays. It is noted that the neighbouring occupier has not objected to the proposal but has requested that the times of operation be conditioned. It is considered that a condition to restrict the business operation to the working hours specified, if permission is granted, is a reasonable condition to reduce the impacts on neighbouring occupiers; such a condition passes the tests for applying conditions listed in the National Planning Policy Framework. The proposed B1 (workshop) floor space is relatively small scale and therefore, given the separation distance, and subject to a condition to restrict hours of working, it is not considered that there will be a significant adverse effect on the residential amenity of neighbouring occupiers through noise or disruption.

5.7 Environmental Effects

Given that no significant alterations are proposed to the exterior of the building, it is not considered that the proposal will have a significant effect in terms on trees or wildlife. The Environment Agency have stated that the proposal falls under Local Flood Risk Standing Advice (LFRSA) which states that the proposal would be acceptable subject to finished floor levels being raised as high as practicable, and no lower than existing. The applicant has confirmed that the internal floor level of the building will be raised by 150mm, which will bring the finished floor level up to 250mm above the existing outside ground level, which is in accordance with Environment Agency standing advice. The applicant also states that the installation of wall plugs will be a minimum of 900mm above the floor. The Environment Agency strongly recommends that the applicant prepares a Flood Warning and Evacuation Plan for occupants; an informative is considered appropriate in this instance. As there is no increase in flood risk and because no operational development is proposed there is no requirement for the sequential test to be undertaken in this instance.

5.8 Transportation

The proposed change of use is relatively minor and small in scale, and as such, it will not generate significant numbers of vehicles or large HGVs. The access and parking/turning facilities proposed are sufficient to serve the proposal. It is noted that a number of existing former farm buildings have been converted to storage use (Use Class B8) under application PT08/0621/F; however, it is considered that the level of traffic generated by the proposal when considered cumulatively will not adversely affect local highway conditions. Accordingly, there is no transportation objection to the proposal.

5.9 Further Matters

The concern raised regarding the postcode for the proposed workshop is outside the scope of this planning 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 Planning permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. The use hereby permitted shall not operate outside of the following times:

Monday - Friday.....8:00am - 5:00pm

Saturday.....8:00am - 1:00pm

The use shall not operate on Sundays or Bank Holidays.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy CS1 of the South Gloucestershire Local Plan (adopted) December 2013.

2. No outside storage of material/goods/waste or plant shall take place at the premises.

Reason

In the interests of the visual amenity of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PT14/2846/F	Applicant:	Mr Neil Wittcomb
Site:	17 Stoney Stile Road Alveston Bristol South Gloucestershire BS35 3NG	Date Reg:	5th August 2014
Proposal:	Demolition of existing garage. Erection of two storey side extension to form no.1 new dwelling.	Parish:	Alveston Parish Council
Map Ref:	363109 188102	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	11th September 2014



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N.T.S.

PT14/2846/F

CIRCULATED SCHEDULE

This application is to appear on circulated schedule due to comments supporting the scheme, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of an existing garage and erection of a two storey side extension to form 1no. new dwelling. The proposal includes the division of the rear garden, construction of bin and cycle stores and to re-arrange the front garden/parking area to allow for additional parking spaces.
- 1.2 The application site relates to a two-storey detached dwelling, within the established residential area of Alveston. The property is open plan to the frontage and includes an attached garage, which has previously been converted into a study, with a small store accessed from the front elevation.
- 1.3 The application is located within the settlement boundary and is washed over by the Bristol and Bath Green Belt.
- 1.4 A revised layout plan was submitted to the Officer on 3 September 2014, including 3no. off-street parking spaces to the front of the property.

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
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity

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
Residential Parking Standards SPD (Adopted) 2013
Development within the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 N4958/1 Erection of single storey rear extension to form utility room and store
Approved 23.07.81
- 3.2 N4958 Erection of single storey extension
Approved 18.03.87

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
No comment
- 4.2 Archaeology
No objection
- 4.3 Highway Drainage
No comment
- 4.4 Highway Structures
No comment
- 4.5 Transportation
Satisfied 2no. parking spaces can be provided, no highway/transport objections subject to recommended conditions.

Other Representations

- 4.6 Local Residents
2no. comments in support of the application were received:
- Vehicles parking in front of No's 13, 15 & 17 can cause access problems for entry to Beech Close (houses opposite). Parking in front of these dwellings will be restricted shortly which will reduce parking in this area and make road safer;
 - No. 13 already has two front doors, the proposal will complement an existing dwelling;
 - Number of properties on this road have been altered already;
- 3.no comments of objection were received:
- Proposal conflicts with policy H5;
 - No other houses in Stoney Stile have this arrangement (semi-detached with 2 front doors), and this development would change the character of the surrounding area in an unacceptable fashion;
 - Proposal would cause parking issues, all parking spaces don't appear useable;
 - Would cause local high density housing;
 - Proposed gardens are small and would look odd;

- Frontage is used as a yard for delivery, storage of equipment, scrap items and a large company van (in association with heating installation business);
- Number of vans visiting the property can result in increased on –street parking;
- The yard causes noise and disturbance to neighbours;
- Concerned extension will be used for business purposes;
- Proposal not similar to adjacent properties extensions;
- Proposal introduces need for additional parking;
- Other properties in area extended, but not self-contained dwellings;
- Proposal does not respond to the local character or add to the overall quality of the village;
- Rear garden workshop used for commercial storage and noisy machinery.

1no. mixed comment:

- No objections to an extension for purely residential use;
- Recently storage of large equipment on front garden, which may indicate use of the property for business.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The overall design and impact on the character of the area is an important element of the assessment (Policy CS1); the impact on the existing residential amenity of the area (Saved Policy H4); and the transport implications (Saved Policy T12 and Residential Parking Standards SPD).

5.2 Saved Policy H4 is supportive in principle of new dwellings, however, each application is considered on its own merits. In this instance, the introduction of an additional dwelling to the side of the existing house has raised concerns which are discussed in the report below.

5.3 The site is within the Green Belt as such consideration should be given to the impact of the proposal on openness. Under guidance in the NPPF, limited infilling in villages is allowed. Policy CS5 of the Core Strategy states that in the Green Belt small scale infill development may be permitted within the settlement boundaries of villages shown on the proposals map. The Council's Development within the Green Belt SPD (Adopted) defines infilling as development that is small in scale and which fits into an existing built up area in a defined settlement boundary, normally in-between existing buildings, in a linear formation. Given that the proposed is for the erection of a single dwelling, within the defined Alveston settlement boundary, and is proposed to be squeezed between existing built form to the south west, it is considered that the proposal can be considered to represent limited infilling.

5.4 The site is located within the Alveston settlement boundary. The site is within a central location within the village and is within walking distance to amenities such as local shops and schools and an extensive public transport network to the nearest market town of Thornbury.

The site is considered to be in a relatively sustainable location and is acceptable in principle. The main issues to consider are the appearance/form of the dwelling and the impact on the character of the area; the transportation effects; the residential amenity effects and density considerations.

5.5 Appearance/Form and Impact on the Character of the Area

The settlement pattern along Stoney Stile Road is linear with a strong front building line, more towards the south west end of the road where the application site lies. Properties tend to be situated roughly uniform, distance from the road and benefitting from open plan frontages and modest rear gardens. The character of the street is for the most part defined by large, detached 1960s properties. A number of additions and extensions can be seen along the road, mainly two storey side extensions. Parking for each property would be accessed via a driveway on the right hand side, in front of the respective garages.

5.6 The existing dwellinghouse benefits from historic extensions and more recently the existing garage has been converted into a study and store. The existing study/store and garden store (located in the rear garden) would be demolished to accommodate the proposal. This current proposal is for the introduction of 1no. attached dwelling, on the side elevation. This proposal is not typical of the pattern of development seen in this location where the area is characterised by large detached dwellinghouses of 3 – 4no. bedrooms, with open rear gardens. The proposed layout would result in the loss of the front garden to provide 2no. additional parking spaces and the subdivision of the rear garden. The proposed new dwelling would have a shared access path down the north east of the existing dwelling, with half of the garden fenced off to provide a private garden for each dwelling. Both separate gardens would have bin stores and cycle stores, which would be impractical given they are located to the rear of the property and would take up considerable room in the newly formed small gardens. The result is a contrived and out of character subdivision of a modest garden that currently serves one dwelling, which would result in inadequate private amenity space. This is considered to be contrary to Policy CS1 of the Core Strategy and Saved Policy H4 of the Local Plan.

5.7 Whilst the design of the proposed dwelling/side extension is in keeping with the character of the area and is considered appropriate in scale, it introduces an uncommon feature in that it would form a separate dwellinghouse. There are examples of similar two storey side extensions at No's 10, 11 and 12, but these do not form separate dwellings and remain suitably subservient to the main dwellinghouse. The proposed dwelling would be squeezed into the side of the property and would affect the rhythm of the street scene by creating a much small separate dwelling; this would adversely affect the character of the area. Good design principles must take into account the wider locality. Policy CS1 states that proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context. As such, the proposal is considered to represent overdevelopment of the site resulting in a cramped form of development detrimental to the future occupiers of the two properties. The proposal is considered contrary to Policy CS16 and CS17 of the Core Strategy.

- 5.8 Each application is considered on its own merits and the proposed dwelling is considered to represent a form of cramped, overdevelopment to be resisted in this particular location. Overall, it is considered that the proposal fails to respect or enhance the character of this part of Alveston and cannot be recommended for approval.
- 5.9 Residential Amenity
The proposed dwelling is located within close proximity to the boundaries of the site, in particular No. 19 Stoney Stile Road and properties to the rear of the garden on Beech Leaze. Therefore, careful consideration is required with regards to the impacts on the residential amenity of neighbouring occupiers.
- 5.10 The proposed dwelling would be accessed via a front entrance, directly next to the front door of the existing house. The nearest neighbour at No. 19 is located to the south-west of the site and the rear garden of the property is bound by No. 26 and 28 Beech Leaze. The proposed dwelling would be located flush with the boundary of the curtilage and as such, only the width of the access path along No. 19 measuring 0.9 metres would separate the neighbouring dwelling. However, there does not appear to be any windows in the side elevation of No. 19, therefore it is unlikely that the proposed building would have an overbearing impact or cause loss of natural daylight. However, the application site would serve 2 no. separate dwellings, which would result in additional noise, disturbance and traffic movements resulting from the additional dwelling. These factors would have a negative impact on the residential amenity of the neighbouring occupiers and for this reason the proposal would not be supported by Officers. However, it is not considered that these concerns would form a reason for refusal as they do not appear significant enough to have a detrimental or significantly harmful effect on residential amenity.
- 5.11 It is proposed that only 1 no. small window for the bathroom will be inserted in the side elevation of the new dwelling. Whilst the rear elevation would include 2 larger windows, it is considered that sufficient distance remains between neighbouring properties to ensure mutual privacy in respect of the windows.
- 5.12 Given the modest size of the garden, its division into two small gardens would result in limited amenity space serving each dwelling and a poor layout for both dwellings. It is considered that a 2 no. bed property could accommodate a small family and as such, the residential amenity space allocated for it would be much less than the rest of the properties in the area. The proposal would therefore not correspond with the existing pattern of development along this side of Stoney Stile Road or the rest of the estate, which have fair sized rear gardens. Overall, the proposed layout is symptomatic of poor design and would be contrary to Policy CS1 of the Core Strategy.
- 5.13 Transportation
Currently the driveway would be used for parking by the existing dwelling. It is proposed that the entire front garden would be used for 3 no. off-street parking spaces to accommodate the additional 2 no. bedroom dwelling. The number of off-street parking spaces would be in accordance with the Residential Parking Standards policy. However, the replacement of the existing front garden with

hardstanding would be out of character with the rest of the properties on Stoney Stile Road and would have a negative impact on the street scene. The intensification of the residential use of the site and the proposed changes to the front garden in this respect would be considered contrary to Policy CS1 of the Core Strategy.

- 5.14 It is accepted that the additional dwelling would introduce additional vehicle and cycle movements associated with a separate dwellinghouse on the site. Local residents have raised concerns about the existing on-street parking issues around this property and the number of commercial vehicles parked at the property and on the road outside the property, in relation to a heating installation business. At the time of the Officers visit, there was no sign of commercial vehicles or commercial equipment/storage to the front of the property. The running of a business from home does not require planning permission, subject to it not changing the character of the dwellinghouse. If local residents are concerned that a breach of planning control has occurred, the Planning Enforcement team should be notified to investigate the alleged change of use of the land.
- 5.15 The Transportation DC Officer considers that there are sufficient parking opportunities to accommodate a second vehicle and an additional vehicle can be provided side by side; subject an extension of the vehicle crossover. Therefore, no highway or transportation objections have been raised, subject to necessary conditions relating to the provision of car parking spaces prior to the occupation of the new dwelling and installation of a dropped kerb.
- 5.16 Other Matters
A number of concerns have been raised by local residents in relation to the existing heating installation business being run from the property. Local residents are keen to establish that the additional dwelling/extension will not be used for business purposes. As advised above, any concerns relating to breaches of planning control should be logged with the Planning Enforcement team. The application is determined on its own merits and in this respect; the application proposes an additional separate residential dwelling.

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 **refused** 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 It is recommended that planning permission is **refused**.

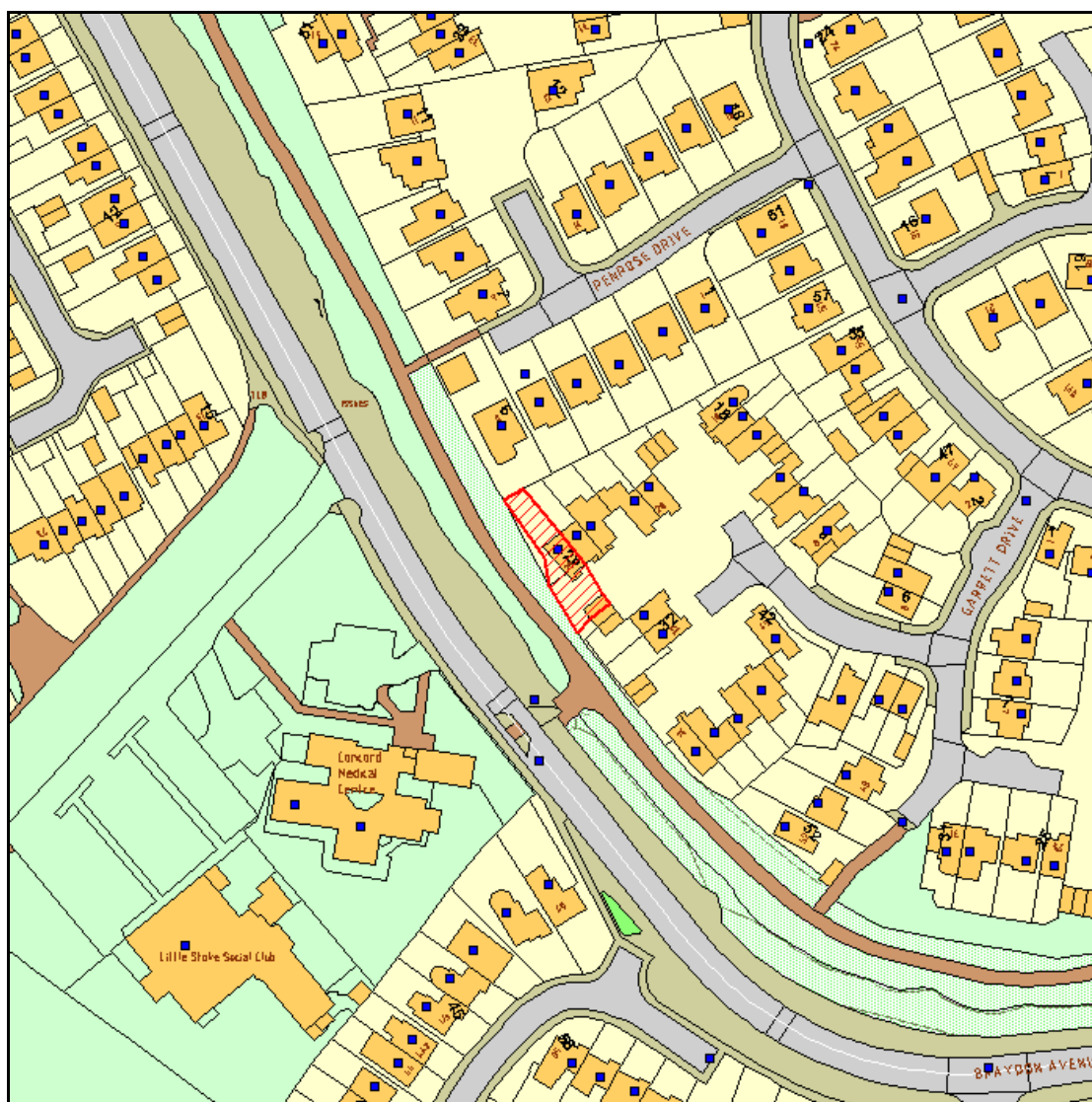
Contact Officer: Katie Warrington
Tel. No. 01454 863436

REFUSAL REASONS

1. The proposed dwellinghouse, by virtue of its siting, scale and layout and its position to the side of the existing dwelling No.17 Stoney Stile Road is considered to result in a cramped and contrived form of development, which will appear adversely out of keeping with the character of the area. As such, the proposal does not achieve the highest possible standards of design and site planning required by Policy CS1, CS16 and CS17 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies.

CIRCULATED SCHEDULE NO. 36/14 – 5 SEPTEMBER 2014

App No.:	PT14/2899/F	Applicant:	Mr Matthew Britton
Site:	28 Garrett Drive Bradley Stoke Bristol South Gloucestershire BS32 8GD	Date Reg:	7th August 2014
Proposal:	Erection of single storey side and front extension to form additional living accommodation (re-submission of PT14/0383/F)	Parish:	Bradley Stoke Town Council
Map Ref:	361647 181373	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	18th September 2014



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PT14/2899/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following objections received from Bradley Stoke Town Council and from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey side and front extension to form additional living accommodation.
- 1.2 The application site relates to an end of terrace two-storey modern property situated within the established residential area of Bradley Stoke.
- 1.3 This application follows a recently withdrawn scheme for a two-storey side and front extension to the dwelling on the basis that Officers expressed some major concerns regarding the size of the proposal and the impact on the adjoining property. This application has sought to address these issues.

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 PT14/0383/F Two storey side and front extension
Withdrawn 14.3.14

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

Objects to this planning application on grounds of overdevelopment within a confined space

4.2 Other Consultees

Highway Drainage

No comment

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident:

- My legal right of way will be completely removed meaning I have no access to and from the rear of my property. This will cause a permanent and unacceptable inconvenience for any general or emergency access it would also severely impact on the value and marketability of my property
- The development is entirely unsuitable for an already small location – it is not in-keeping with the terraced block and will serve to further harm the value of all 3 properties
- Following a conversation [with the owner] the proposed plan clearly shows the development is right up against the boundary fence and I do not consider any land outside the boundary to be an acceptable or legally viable alternative

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application is to be assessed against the above listed policies and all other material considerations. Of particular importance would be the overall design and the impact on the residential amenity of the host dwelling and neighbours.

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 and this is discussed in more detail below.

5.2 Design and Visual Amenity

The application site is a modest two-storey end of terrace modern dwellinghouse. It is situated within a cul-de-sac in Bradley Stoke positioned at the very end of one of several 'arms' off the main cul-de-sac. The house is in a tucked away position with the side elevation of a bank of 3no. garages positioned 6 metres away to the southeast.

- The proposed single storey extension would be located to the front, subsuming the existing small porch and be in between this structure and the garage. A small element would also return down the side of the dwelling to the south west.
- 5.3 The proposed extension would be 'L' shape. It would extend approximately 5 metres out from the main building line, achieve a maximum width of 4.2 metres and return down the side of the property for approximately 5.6 metres. The single storey extension would have a roof hipped from the south with eaves to 2.5 metres and ridge height of 4.3 metres. Openings would be located on all three sides with those in the east elevation comprising a high level window and a new main entrance door. Good quality materials to match those of the existing dwellinghouse would be used in the construction.
- 5.4 The Parish have commented that the proposal would be overdevelopment. It is recognised that the front garden is small and this proposed extension would cover a large proportion of it. However, sufficient space would remain to, for example, ensure bins could be stored alongside the garage and off the public highway and the rear garden would remain unchanged. In general terms front extensions within modern estates are resisted as they can adversely impact on the character of an area and overall street scene. In this instance the end of terrace property holds a corner position within a small cul-de-sac with a rank of garages side onto and very close to its front elevation. Each application must be assessed on its individual merits and in this instance given the location and all other considerations, Officers judge that the front extension would not cause significant harm to the character of the area sufficient to warrant a refusal that could be upheld in an appeal situation. On balance in terms of the overall design and scale the property in the proposal is deemed acceptable.
- 5.5 Comments have been received from a neighbour with regard to his having a right of way around the application site to the rear of his property. He is concerned that the proposed extension would abut the western boundary of the site and thereby prevent his use of this access route. Officers have sought additional information and have been informed that when checking deeds etc, the applicant can find no reference to a covenant, easement or right of access across his property. In addition the applicant is currently in negotiation with the Council's Property Services Department, and others, with the objective of gaining a licence to create an access from his property onto adjacent land so that access into rear gardens can still be achieved. If the neighbour still disputes that there is a right of access over his neighbour's land, this would be a civil matter to be resolved between the relevant parties and not something that can be covered under the remit of a planning application.
- 5.6 Residential Amenity
The application site is part of a terrace of properties within a modern estate of similar style and scale dwellinghouses. As the ground slopes from the east to the west adjacent neighbours at No. 26 Garrett Drive are at a slightly elevated position. Plans indicate that openings to the east closest to this neighbour, would comprise a high level window and a new front entrance. As such it is considered that there would be no unacceptable levels of inter-visibility or over-looking resulting from the proposed single storey extension to impact on this

neighbour. The extension would be positioned to the west and south of this neighbour and as such it is acknowledged there would be changes to the residential amenity of occupiers of No. 26 Garrett Drive. However, given the application site is at a slightly lower level, the extension would be single storey with a hipped roof and the application site located within a built-up urban area, it is considered on balance that the impact on the neighbours would not be unacceptable.

5.7 Other openings within the proposed extension comprise a window to the south opposite the side of the garage and a window to the west. This latter window would be close to the boundary which comprises fencing and planting with a cycle path beyond. As such it is considered the extension would not impact on residential amenities of other properties to the south and west. Although small the rear garden would remain to serve the application site. Given the above the proposal is considered to accord with policy and can be recommended for approval.

5.8 Sustainable Transport

The proposed development would create additional living space in the form of a dining room at ground floor level. The existing parking provisions associated with the property would remain unchanged. Given the above there can be no highway objections to the proposal.

5.9 Other matters

A comment regarding the adverse effect on the price of the houses resulting from the proposal is not something that can be covered within a planning report which is merely required to assess development proposals within current national and local planning policy.

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).

2. The hours of working on site during the period of construction shall be restricted to 8:00 to 18:00 from Monday to Friday and 8:00 to 13:00 on Saturday; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.