



**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. 41/15**

**Date to Members: 09/10/15**

**Member's Deadline: 15/10/15 (5.00pm)**

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 Environment of Community Services 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](mailto: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](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Management Technical Support Team. Please note a copy of your referral e mail will appear on the website. **If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.**
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

# CIRCULATED SCHEDULE 09 October 2015

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/1408/RV	Approve	Communications Mast Chippenham Road Marshfield Chippenham South	Boyd Valley	Marshfield Parish Council
2	PK15/2176/F	Approve with Conditions	Land Adjacent To 10 The Park Willsbridge South Gloucestershire BS30 6EE	Bitton	Bitton Parish Council
3	PK15/2371/F	Approve with Conditions	26 Cleeve Lawns Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
4	PK15/3317/F	Approve with Conditions	Long Barn Hyde's Lane Cold Ashton Chippenham South Gloucestershire SN14 8JU	Boyd Valley	Cold Ashton Parish Council
5	PK15/3606/F	Approve with Conditions	9 Tower Road North Warmley South Gloucestershire BS30 8YE	Siston	Siston Parish Council
6	PK15/3618/F	Approve with Conditions	21 Sutherland Avenue Downend South Gloucestershire BS16 6QJ	Downend	Downend And Bromley Heath Parish Council
7	PK15/3753/F	Approve with Conditions	26 Graham Road Downend South Gloucestershire	Rodway	None
8	PT12/2644/O	Approve with Conditions	Land At Park Farm Butt Lane Thornbury South Gloucestershire BS35 1RA	Thornbury North	Thornbury Town Council
9	PT15/2719/F	Approve with Conditions	Land At Crossways Lane Thornbury South Gloucestershire BS35 3UE	Thornbury North	Thornbury Town Council
10	PT15/3137/F	Approve with Conditions	The Gables 173 Old Gloucester Road Hambrook South Gloucestershire BS16 1RQ	Winterbourne	Winterbourne Parish Council
11	PT15/3778/F	Approve with Conditions	6 The Crunnis Bradley Stoke South Gloucestershire	Stoke Gifford	Bradley Stoke Town Council
12	PT15/3794/F	Approve with Conditions	The Stables The Street Olveston South Gloucestershire BS35 4DR	Severn	Olveston Parish Council

**CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015**

**App No.:** PK15/1408/RVC  
**Site:** Communications Mast Chippenham  
 Road Marshfield Chippenham  
 South Gloucestershire SN14 8JP  
**Proposal:** Removal of condition 4 attached to  
 planning permission PK01/2933/F.  
**Map Ref:** 376810 173658  
**Application Category:** Minor

**Applicant:** Airwave Solutions  
**Date Reg:** 30th June 2015  
**Parish:** Marshfield Parish  
 Council  
**Ward:** Boyd Valley  
**Target Date:** 24th August 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule as a result of a consultation response received, contrary to Officer Recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the removal of condition 4 attached to planning permission PK01/2933/F. That planning permission was for the erection of a 15 m high monopole with 3 no. digital antenna and associated equipment cabinet. Condition 4 of that consent withdrew permitted development rights for anything to be attached to the mast, or the mast being extended in any dimension without the prior written consent of the LPA. The main reason given was in order to protect the AONB, in which the site is located. The applicants are required to upgrade their telecommunication apparatus to enhance the emergency response to the emergency services. This will entail the introduction of new equipment in the form of a dish link which is to replace the outdated ground based copper technology. As illustrated in the planning history section below an application was submitted for the Prior Notification of intention to install 1no. 0.3m transmission dish. This was subsequently withdrawn on Officers advice and, given the nature of the requirements of the proposals and the nature of the condition, it was advised that a Section 73 application to remove/vary the condition would be the most appropriate way forward.
- 1.2 The existing mast and associated equipment lies within open countryside in the corner of a field set just back from the A420, to the west of Marshfield village. The site is located within the AONB.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
NPPF  
National Planning Policy Guidance
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006  
S5 Telecommunications  
T12 Transportation Development Control Policy for New Development  
L1 Landscape Protection and Enhancement  
L2 AONB
- 2.3 South Gloucestershire Core Strategy (incorporating post-submission changes) December 2011  
CS1 High Quality Design
- 2.4 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist (adopted)  
The Telecommunications Network Infrastructure SPD (adopted) August 2005

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK01/2933/F - Erection of a 15 m high monopole with 3 no. digital antennna and associated equipment cabinet. Approved 3<sup>rd</sup> October 2001.
- 3.2 PK06/3607/RVC – Removal of condition 5 of PK01/2933/F to allow retention of an existing 15m high telecoms monopole 3 3no digital antenna and associated equipment. Approved 19<sup>th</sup> January 2007.
- 3.3 PK15/0190/PN1 – Prior Notification of intention to install 1no. 0.3m transmission dish. Withdrawn 11<sup>th</sup> March 2015

### **4. CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council  
Objection as it is felt more appropriate for permission to be sought for each attachment to the mast.
- 4.2 Other Consultees  
Sustainable Transportation  
No Objections  
  
Lead Local Flood Authority  
No comment  
  
Highway Structures  
The Highway Structures team has no comment.

#### **Other Representations**

- 4.3 Local Residents  
No comments received

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Telecoms development at the site already exists and consists of a mast and associated equipment located within its existing compound. The principle of the site for telecoms is therefore established at this AONB location. The current proposals seek to remove a condition that removes the sites permitted development rights and thereby allow the applicants to upgrade equipment at the site. The applicants are required to upgrade their telecommunication apparatus to enhance the emergency response to the emergency services. This will entail the introduction of new equipment in the form of a dish link which is to replace the outdated ground based copper technology. A previous application to install a dish, made under the Prior Notification procedure was withdrawn following Officer request with a section 73 application being recommended to be submitted instead in order to satisfactorily address the applicants upgrade requirements. The main issue for consideration therefore is whether there is any impact resulting from the removal of the condition restricting the applicants permitted development rights.

## 5.2 Visual Amenity/AONB

The removal of the condition would allow the applicants to exercise their permitted development rights in terms of what the permitted development regulations allow for in changes and additions to telecoms equipment. Restrictions on what is not permitted development would still remain covering any significant changes which would therefore still require planning permission in their own right. Given that the site is already an established telecoms site within the AONB it is not considered that the allowance of the operator to implement what would normally be permitted development rights through the removal of the condition is unreasonable and would not lead to changes that would lead to an unacceptable impact. It is therefore not considered necessary to require a new application on every individual aspect that may otherwise normally benefit from PD rights and the application is considered acceptable in this respect.

## Sustainable Transportation

There are no highways concerns or objections to the proposals and the removal of the condition is therefore considered acceptable in this respect.

## 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 site is an existing approved telecoms site. It is not considered that in context with the existing site and nature of the current proposals that any material landscape or amenity issues would accrue, similarly it raises no highways concerns and it is therefore in accordance with in particular S5 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS1 of the South Gloucestershire Local Plan Core Strategy (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.

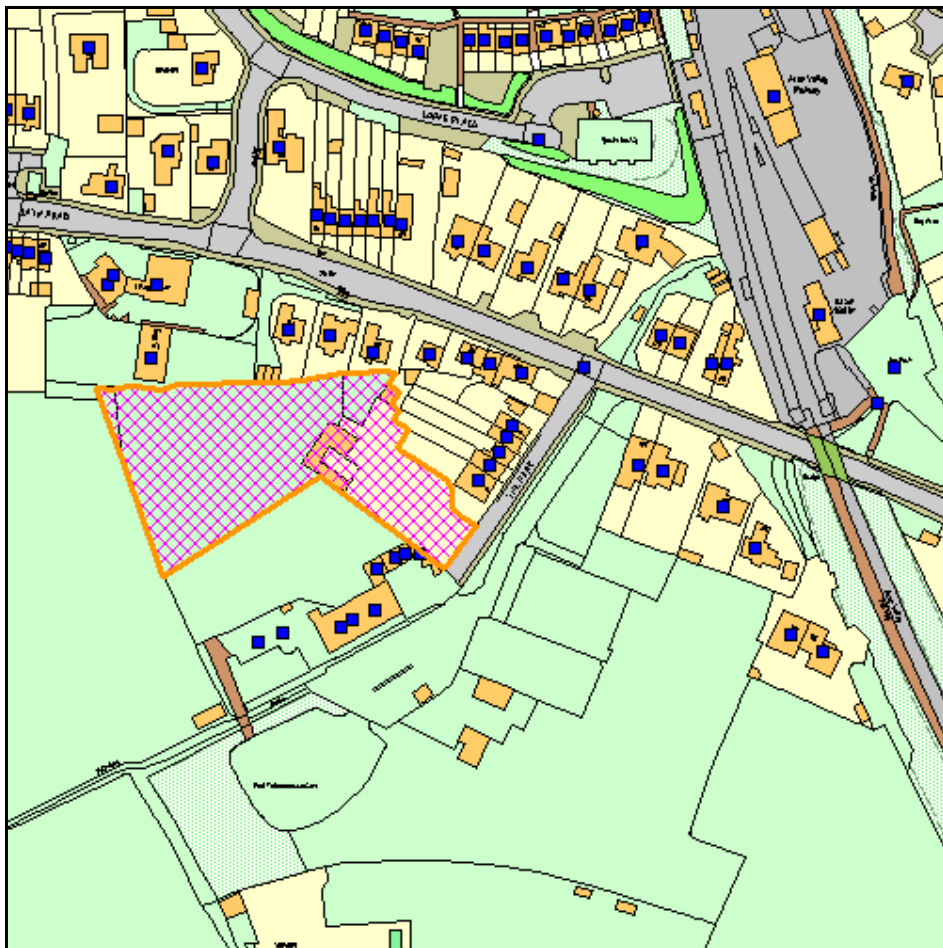
## 7. RECOMMENDATION

- 7.1 That planning permission is granted.

**Contact Officer: Simon Ford**  
**Tel. No. 01454 863714**

## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PK15/2176/F	<b>Applicant:</b>	Mr & Mrs A Rogers
<b>Site:</b>	Land Adjacent To 10 The Park Willsbridge Bristol South Gloucestershire BS30 6EE	<b>Date Reg:</b>	1st June 2015
<b>Proposal:</b>	Alterations and extensions to facilitate conversion of existing vacant building to form 1no. dwelling with access, landscaping and associated works.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	366867 170248	<b>Ward:</b>	Bitton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	17th July 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule due to the receipt of three letters of objection from a neighbouring resident.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the conversion of an existing stable to form one dwelling on land adjacent to No. 10 The Park. The proposal includes the change of use of land to create a garden area and would use an existing vehicular access onto The Park. Although the application is submitted as a conversion, due to the amount of alteration required, your officer considered the proposal to relate more closely to a new build. This will be discussed in the analysis of the report.
- 1.2 This application is the resubmission of a series of previously un-successful historic applications to convert the stable to a dwelling. During the course of the application additional information regarding ecology and the extent of the residential curtilage was received.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework  
National Planning Policy Guidance

#### **2.2 Development Plans**

##### **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  
CS34 Rural Areas

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

L1 Landscape Protection and Enhancement  
L9 Species Protection  
T7 Cycle Parking  
T12 Transportation Development Control  
H3 Residential Development in the Countryside.  
H10 Conversion and Re-use of Rural Buildings for Residential Purposes

#### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist  
Development in Green Belt SPD (Adopted)  
Residential Parking Standards SPD (Adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK09/1251/F Conversion of existing stables to form 1 no. detached dwelling and associated works.

Refused August 2009

- 3.2 K734/7 Change of use from agriculture to leisure (d2). Erection of stables. Modification to existing stables and provision of an all-weather surface. (personal use only).  
Approved March 1995
- 3.3 K734/5 Erection of bungalow on approx 0.31 acre, construction of new pedestrian access (outline)  
Refused June 1982
- 3.4 K734/3 Erection of one dwellinghouse and garage, construction of new vehicular and pedestrian access (outline)  
Refused January 1979
- 3.5 K734 Outline application for the erection of one dwelling  
Refused May 1975

#### **4. CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council  
No objection but note the need to show very special circumstances because of the location in the Green Belt outside of the established settlement boundary.
- 4.2 Lead Local Flood Authority  
No objection
- 4.3 Sustainable Transport  
No objection
- 4.4 Landscape Architect  
No objection subject to the attachment of a condition to secure details of the landscaping scheme.
- 4.5 Highway Structures  
No comment
- 4.6 Ecological Officer  
No objection subject to the attachment of a condition to secure an Ecological Enhancement Plan

#### **Other Representations**

- 4.7 Local Residents  
3 separate letters of objection have been received from one neighbouring property. A summary of the main points of concern raised is as follows:
- A bat roost and bat light sampling shelter so close to the neighbours dwelling (approx. 8 feet) may result in noise pollution and nuisance
  - Security lights, display lights etc. in the neighbouring garden may affect the bats

- A 2009 study showed that artificial lighting is not beneficial/harmful to bats
- The bats should be relocated elsewhere on the site further away from neighbouring dwellings
- Concerns over the height and species of trees to be planted along the boundary with the neighbours
- The new dwelling would further clutter the countryside
- Things have been built on the site without planning permission.
- Approval could open the door to other development in the countryside

One letter has also been received from Chris Skidmore MP asking that the neighbours concerns are taken into account in the determination process

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

This application site lies in the Bristol/Bath green belt and sits just outside of the defined settlement boundary. The authorised use of the site is equestrian (D2). The application has been submitted as a conversion but, because of the amount of works proposed, the application is instead being assessed by your officer as a new build. This is because in order to facilitate the new dwelling, the majority of all but the north-eastern walls would be removed and rebuilt and the roof would be removed and altered. This application will therefore be assessed against the requirements of the NPPF and Policy H3 of the South Gloucestershire Local Plan (Adopted) rather than H10.

5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Given that the site lies outside of the defined settlement boundary, its development for housing is contrary to the requirements of Policy H3 of the South Gloucestershire Local Plan (Adopted) and Policy CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted). However, in considering the application your officer has given significant weight to the location of the site abutting the defined settlement boundary, the requirements of the NPPF, and the appeal decision at Charfield which focused on the 5 year land supply.

5.3 On 8<sup>th</sup> June 2015, the Council received the appeal decision for application PT13/4182/O. This application was for the erection of up to 106 dwellings on land at Charfield. One of the conclusions of the inspector determining this appeal was that the Council is unable to demonstrate a deliverable five year housing supply.

5.4 Paragraph 49 of the NPPF states that the relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites against its housing requirements. This is a material consideration in the determination of this application. Quoting from the appeal decision for application PT13/4182/O, '*...policy CS5... of the Core Strategy cannot be considered up to date. The*

*appeal proposal would contribute to the identified unmet housing need within the District and this consideration weighs in favour of the proposal. In such circumstances, the NPPF sets out that a presumption in favour of sustainable development applies.'* The application is therefore being assessed primarily against the requirements of the NPPF rather than Policy CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) or Policy H3 of the South Gloucestershire Local Plan (Adopted).

5.5 Paragraph 14 of the NPPF clarifies that at the heart of the NPPF is a presumption in favour of sustainable development. This site is not within the defined settlement boundary but sits immediately adjacent to it. The site is bound to the north and east by residential development, and to the south by commercial premises. It is only its western boundary that is open to the countryside. The site is within easy walking distance (66m) to the A431 and only 150m to the nearest bus stop served by bus routes 533 (Keynsham - Mangotsfield), 332 (Bath – Bristol City Centre) and 684 (Wick-Keynsham). The site is only 210m from the nearest convenience store, and 800m from the nearest Primary School. The site is also within the acceptable walking distance to a secondary school, doctor surgery and dentist surgery. Although lying outside of the settlement boundary, the site is therefore considered to be a suitably sustainable location to accommodate an additional residential dwelling. The NPPF clarifies that where relevant policies are out of date (as they are in this instance) planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

#### 5.6 Green Belt

Having established that the principle of development is acceptable in terms of sustainability, it is then necessary to assess whether the principle of development is acceptable given the location of the site in the Green Belt.

5.7 Paragraph 89 of the NPPF sets out the limited types of development that may be considered acceptable in the green belt. One of the types of development that can be considered appropriate is '*limited infilling or the partial or complete development of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*' Given that the authorised use of the site is D2, the site is classed as previously developed land as set out in Annex 2 of the NPPF. The existing stable is not temporary being constructed of block and tiles and not being subject to any temporary consent. Subject to an assessment of the impact on the openness of the green belt, the principle of re-development is considered to be acceptable and in accordance with the requirements of the NPPF.

#### 5.8 Impact on the Openness of the Green Belt.

At paragraph 80, the NPPF sets out the five purposes of the green belt. These include to check the unrestricted sprawl of large built-up areas and also to safeguard the countryside from encroachment. For the principle of development to be considered acceptable, the proposed development must not contradict with either of these purposes.

- 5.9 The existing building consists of a block built stable with a tiled roof. The building is arranged in a horseshoe shape with a central yard area. To the west of the site stands a large area that has previously been used for the keeping of horses including a manege. The existing building has a maximum ridge height of 6.2 metres and an eaves height of 2.6 metres. By means of comparison, the proposed dwelling would have a maximum height of 6.1 metres with an eaves height of 2.5 metres. Purely in terms of maximum height, the proposal will have no greater impact on the openness of the Green Belt than the existing use. The proposal includes a single storey extension but this will be within the existing courtyard area and will not project beyond the outer limits of the original building. The proposed extension, by virtue of being enclosed on three sides by the existing building, will not be readily visible from, and will not have any detrimental impact on the openness of the Green Belt. Finally, on the main two storey section of the building, the existing hipped ends are being replaced with gable ends. Whilst this increases the massing of the building, this is mitigated for by the omission of the ridge on the south-western arm of the building. Your officer is satisfied that the new dwelling to be constructed in place of the existing stable will have no materially greater impact on the openness of the green belt than the extant use.
- 5.10 Careful consideration has also been given to the extent of the proposed residential curtilage associated with the dwelling. Although permitted development rights can be removed, domestic planting and paraphernalia can also impact on the openness of the green belt. During the course of the application, an amended plan was received to show a reduced area of residential curtilage that more accurately reflects the existing land form. Compared to the extant use for the keeping of horses and the manege, your officer is satisfied that the proposed residential curtilage will not encroach unacceptably into the green belt. An informative will be added to remind the applicant that not all of the land within the red line of the application site is residential curtilage and a condition will be attached to restrict the extent of the land that may be used as residential curtilage.
- 5.11 In order to preserve the openness of the green belt, a condition will be attached to remove permitted development rights for extensions and garden outbuildings - this is to ensure that the development remains acceptable in terms of green belt policy. Subject to the attachment of a condition removing permitted development rights, the proposal is considered acceptable development in the Green belt in accordance with the requirements of the NPPF and there is no requirement for the applicant to demonstrate very special circumstances.
- 5.12 Design  
The proposed dwelling would sit on the footprint of the existing stable. It would retain the current access and parking arrangements and the existing detached garage/store would be retained in situ. The existing garage would be extended to the front with a roof to exactly match that of the existing building. The design of the dwelling is largely led by the shape and scale of the existing stable building.
- 5.13 The proposed dwelling will be a large, detached 4 bed dwelling and will have a high quality, exemplary design. It will have a simple yet modern design being

finished in a plain white render with interlocking roof tiles. The dwelling will include large expanses of open able glazing. There is no distinct, identifiable character to the immediately surrounding area with the properties taking a variety of forms. Although unique, the proposed dwelling will blend successfully with the surrounding area. It is noted that the Councils landscape architect has requested a landscape condition but this is controlled through the ecological management plan and so therefore, no such landscaping condition will be attached. There is no objection to the design of the dwelling proposed.

5.14 Transportation Development Control

In accordance with the Residential Parking Standards SPD, the plans show the provision of off street parking and turn space for at least four vehicles. This is in excess of the minimum standards and deemed to be entirely acceptable.

5.15 In terms of access, the proposal is to utilise an existing access onto a no through road. Compared to the potential use of the site should the stables be put back to use, the impact of highway safety is deemed to be wholly appropriate.

5.16 Ecology

The existing stable building is occupied by bats. The proposal is to relocate the bats from the stable building into the existing detached garage building. During the course of the application, extensive work has been undertaken by the applicant at the request of the Councils ecological officer to demonstrate that the impact on the bats is acceptable.

5.17 A Bat Survey Report has been provided in support of the application with findings as follows:-

*Habitats*

- Hedgerows, providing foraging and commuting routes for bats.

*Species protected under the Conservation Regulations 2012 (as amended), known as European Protected Species, and Wildlife & Countryside Act 1981 (as amended)*

- Bats – the stable was found to support summer bat roosts for up to four lesser horseshoe bats. Such a roost of this rare species is regarded as being of ‘medium conservation concern’ by Natural England, i.e. important. A brown long-eared bat was noted roosting in August 2015. The hedgerow and immediate area supports commuting and foraging bats of the following species – common pipistrelle, soprano pipistrelle, noctule, serotine and *Myotis* bats. Mitigation for the bat roosts is proposed through adaptations to the existing garage loft space.

*Species protected under the Wildlife & Countryside Act 1981 (as amended)*

- Barn swallows – evidence of active nesting was found in the stable. Birds may also breed in the hedgerows and scrub.

5.18 The bat report states that a Natural England licence will be required for the proposed works, which will remove the bat roosts. Like for like mitigation is

proposed in the garage, which, although broadly suitable, will require modifications, including the addition of a car port to the front elevation which could also provide nesting opportunities for barn swallow. The bat mitigation must be in place before works commence to the stable block.

5.19 A method statement has been submitted to the LPA detailing works to the garage and associated requirements such as suitable planting. This method statement will form the basis of an application for a Natural England licence to facilitate works (which cannot be applied for until planning permission is granted). The agreed mitigation proposals will be based on Section 4 'Implications and Recommendations' in the Bat Report (Burrow Ecological, dated November 2014). Subject to the attachment of a condition ensuring the submission of an Ecological Enhancement Plan, the proposal adequately mitigates against any detrimental impact on bats or swallows.

5.20 Residential Amenity

It is not considered that the proposed development would have any adverse impacts on existing levels of residential amenity. Because of the distances involved, and the fact that the proposed dwelling is to replace an existing building, it is not considered that any neighbouring properties would suffer unacceptably as a result on overbearing, overshadowing or loss of privacy. That said, due to the proximity of neighbouring dwellings, a condition will be attached to restrict the hours of work during the construction period.

5.21 It is noted that one neighbouring resident objects to the application – primarily because of the relocated bat roost that would be located in the existing garage which stands close to the neighbours boundary. As initially proposed, the scheme included a light sampling area for bats to be located close to the rear boundary with no. 134 Bath Road. However, during the course of the application, this light sampling area has been moved to the south of the existing garage in a newly created open 'car port' pulling the sampling area away from the boundary with the residential dwellings along Bath Road. It is not therefore considered that the neighbours will suffer any disturbance as a result of the bat movement.

5.22 The local resident has also raised concern about excessively high planting along the boundary. The planting will be established through the ecological management which shows the proposed new boundary hedge to be set well away from the boundary with the neighbouring resident therefore overcome this concern also.

5.23 Finally, ample amenity space is provided to meet the needs of the intended future residents. Impact on existing and proposed levels of residential amenity is therefore deemed to be entirely acceptable.

5.24 Drainage and Flood Risk

The application site lies in flood zone 1 – that is an area at lowest risk of flooding. The proposed development is not therefore considered to be at unacceptable risk of flood. Foul drainage will be to the mains sewer and the proposal will not unacceptably increase the risk of surface water run off

compared to the existing situation. The drainage and flooding implications of the proposal are therefore acceptable.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 That planning permission be approved subject to the following conditions:

**Contact Officer: Marie Bath**  
**Tel. No. 01454 864769**

## **CONDITIONS**

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

Reason

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

2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B and E) other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In order that the development preserves the openness of the green belt and does not have any materially greater impact on the openness of the green belt than the existing use in accordance with the requirements of the NPPF.

3. The hours of working on site during the period of construction shall be restricted to 07.30 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 residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

4. Development will proceed in accordance with the terms of the Natural England protected species licence

Reason

To ensure that the proposed development is carried out in an appropriate manner that will not have any detrimental impact on protected species in accordance with the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted) and Policy CS9 of the South Gloucestershire Local Plan core Strategy (Adopted) December 2013

5. Prior to the commencement of development, an Ecological Enhancement Plan based on recommendations provided in Section 4 'Implications and Recommendations' in the Bat Report (Burrow Ecological, dated November 2014) shall be submitted to the Local Planning Authority for written approval. For the avoidance of doubt, this will include inter alia type, number and location of bat and bird boxes, species list for new planting. Works must be carried out exactly in accordance with the details so agreed and retained as such at all times thereafter.

Reason

To ensure that the proposed development is carried out in an appropriate manner that will not have any detrimental impact on protected species in accordance with the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted) and Policy CS9 of the South Gloucestershire Local Plan core Strategy (Adopted) December 2013. This must be a pre commencement condition as it is essential that the bats on the site are adequately protected before their roosts are destroyed.

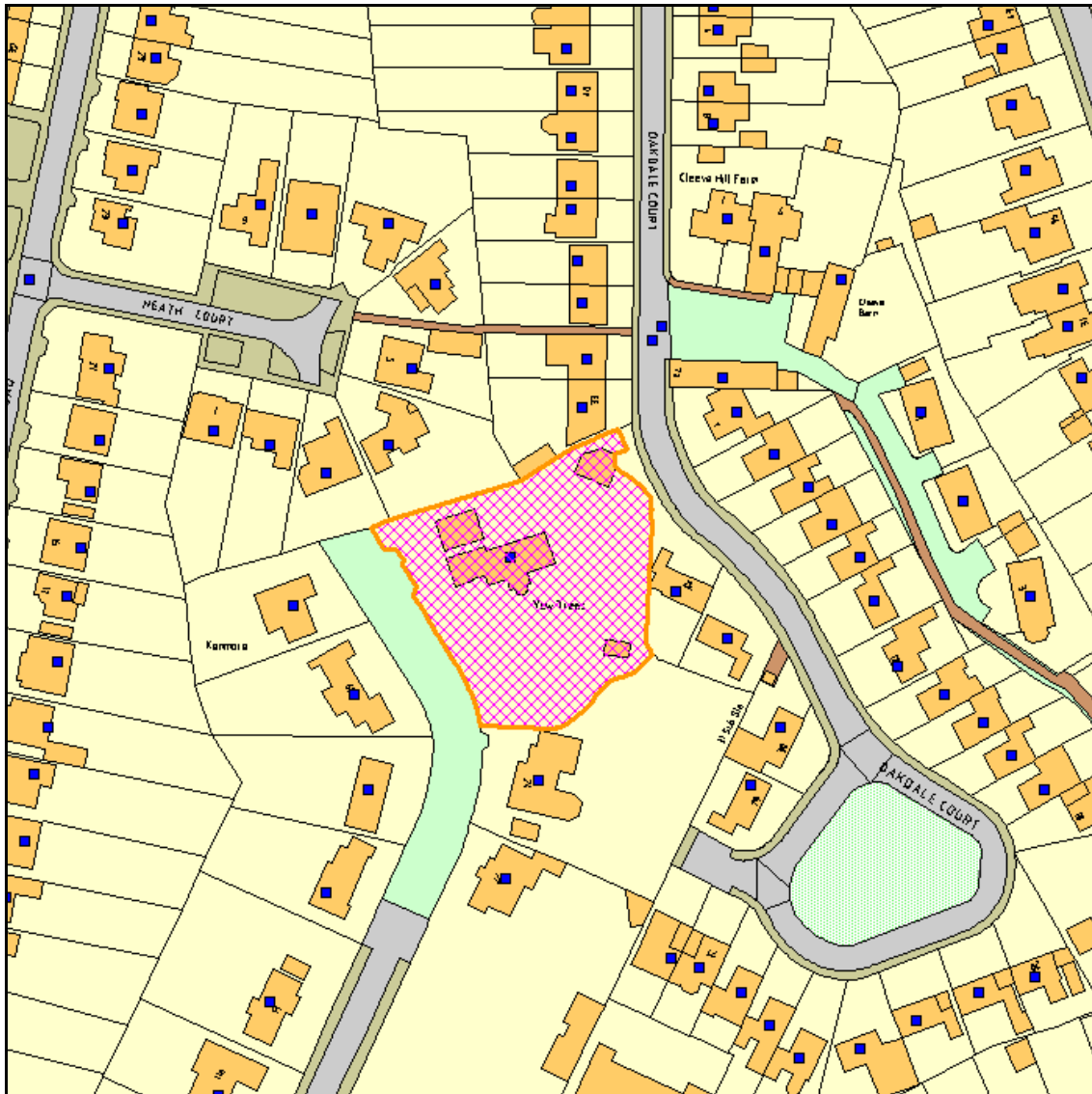
6. The extent of land to be used as residential curtilage associated with the dwelling may not exceed the area as shown on drawing 298.P.002revP6 received by the Council on 24th September 2015. For the avoidance of doubt, the residential curtilage does include the areas marked patio and garden on this plan but does not include the area marked Meadow.

Reason

In order that the development preserves the openness of the green belt and does not have any materially greater impact on the openness of the green belt than the existing use in accordance with the requirements of the NPPF.

**CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015**

<b>App No.:</b>	PK15/2371/F	<b>Applicant:</b>	Mr & Mrs Harprite Purewall
<b>Site:</b>	26 Cleeve Lawns Downend Bristol South Gloucestershire BS16 6HJ	<b>Date Reg:</b>	25th June 2015
<b>Proposal:</b>	Erection of extensions and alterations to provide additional living accommodation. Erection of dormers to facilitate loft conversion. Erection of new attached garage.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	364968 177382	<b>Ward:</b>	Downend
<b>Application Category:</b>	Householder	<b>Target Date:</b>	30th July 2015



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 100023410, 2008. **N.T.S.** **PK15/2371/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application was referred to the Circulated Schedule due to the receipt of letters of objections from local residents, which are contrary to the officers' recommendation.

### **1. PROPOSAL AND SITE DESCRIPTION**

- 1.1 The applicant seeks full planning permission to erect single storey extensions and dormers to facilitate a loft conversion to provide additional living accommodation. The proposal also includes the erection of an attached garage at No. 26 Cleeve Lawns. The application site relates to a large detached bungalow situated on the former site and setting of Cleeve Hill House, which has been demolished. There is an orangery, which is a statutory listed building within the garden area. It should be noted that the site is not situated within a conservation area, and the dwelling itself is not a statutory listed building nor a locally listed building. During the course of the application, a tree preservation order was placed on the existing Yew tree, which is located near the western boundary of the site.
- 1.2 It should be noted that the proposal has been subject to lengthy discussions in order to reduce the impact on the setting of the listed orangery and to improve the design of the proposal. Furthermore the revised site plan has also been submitted to address the concerns regarding the boundary of the site.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework March 2012  
National Planning Practice Guidance 2014

#### 2.2 Development Plans

##### South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design  
CS4A Presumption in favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage.

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

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
L13 Listed Buildings

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)  
Residential Parking Standards (Adopted December 2013)  
Historic Environment Planning Practice Guide March 2010  
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)  
The Setting of Heritage Assets (GPA 3)

### 3. **RELEVANT PLANNING HISTORY**

3.1 P96/4602/L Re-point exterior walls of the Orangery. Approved  
03.12.96

### 4. **CONSULTATION RESPONSES**

4.1 Downend and Bromley Heath Parish Council  
No Objection to the revised proposal

4.2 Other Consultees

Local Lead Flood Authority  
No Comment.

Aboricultural Officer  
No Objection to the revised proposal subject to condition regarding tree protection plan.

The Listed Building and Conservation Officer  
Objection to the original and revised proposal, and recommended refusal due to its design and impact upon the setting of the listed orangery.

Archaeology Officer  
No comment.

### **Other Representations**

4.3 Local Residents

Six letters of objections from residents of No. 19 and 21 Cleeve Lawns and No, 4 Heath Court have been received with regard to this proposal, and their comments are summarised as follow:

- Little empathy with the character of the host dwelling, inappropriate zinc clad modern large flat roof dormer extensions
- Concerns relate to the change in appearance of the property as viewed from the road, which is the west elevation and from the neighbouring property. The flat roof dormer will be part visible and looks quite bulky sitting on the roof slope. Any future loss in landscaping would allow the dormers extension more visible from the road.
- The roof link between the main house and the former garage is very dominant and will obscure a large section of sky
- There is a change in land ownership between the existing and proposed site plans. The proposed site plan shows a small section of land on the NW corner of the site and to the LHS of the drive entrance.
- The increased width of the drive entrance will change the appearance of the boundary, losing some vegetation and open up the frontage of the site.

- The proposed garage would have a further detrimental impact on vegetation, trees and shrubs.
- The proposed extension is substantial in size, the alterations will change the style and character of this simple dwelling.
- The property currently has a very large yew hedge along the northern boundary, which also deprives much, or at times even the whole, of the neighbouring garden of direct sunlight for several months of the year. It should be aware of planning policy publication 'High Hedges Complaints: Prevention and Cure'
- Loss of privacy due to the large amount of high-level fenestration to the intended first floor development
- Its shame to fell the Yew tree to build the double garage, the bungalow itself was named after this tree

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Saved policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows the principle of extensions within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy 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 application site and its context. The proposal accords with the principle of development subject to the consideration below.

As the existing bungalow is situated adjacent to a listed orangery, a suitable weight can be afforded to saved policies L13 of the South Gloucestershire Local Plan (adopted) 2006 and CS9 of the Core Strategy (adopted) 2013 which seek to conserve heritage assets.

### 5.2 Design / Visual Amenity

The original proposal was to erect 2 no. large gables on the south elevation, a number of dormers on the north elevation, and a detached garage, which would result in the loss of the Yew Tree. Officers considered that the proposal would have an unacceptable effect upon the character of the bungalow and the setting of the listed orangery. In addition, a Tree Preservation Order has now been placed on the Yew tree, which would be affected by the original proposed detached garage. The applicant was therefore invited to submit revised plans in order to address these concerns.

The current proposal shows that the originally proposed large gables were replaced with 3 no. pitched roof dormers. An attached garage is proposed adjacent to the north rear boundary with a single storey extension to link the main dwelling and the proposed garage. As such, the proposed garage would not affect the existing protected tree. Furthermore, there would be a number of flat roof dormers on the rear north elevation.

Whilst there are some changes to the original proposal, the Conservation Officer considers that the inconsistent scale of the proposed front dormers and

the large flat roof front extension would cause an adverse impact upon the elegant character of this bungalow. Furthermore, the Officer considers that the proposed flat roof dormers at the rear elevation would not be appropriate in design terms.

Whilst your case officer acknowledges the Conservation Officer's concerns in terms of design, it is considered that the proposed pitched roof dormers are acceptable in terms of design and scale, as such, they would not cause significant adverse impact upon the character and appearance of the host dwelling.

Regarding the proposed flat roof dormers at the north elevation, whilst it is considered that flat roof dormers would not generally be supported, it is considered that the proposed dormers would be located at the elevation, which would not be highly visible from public domain. In addition, the proposed dormers would set down from the ridge and eaves lines, it is considered that these dormers would not cause significant harm to be detrimental to the character and appearance of the host dwelling and the locality.

The proposed plans also incorporate two front extensions, although they would be flat roof structures, it is considered that they would not create an alien or dominate feature to the host dwelling as they would not project beyond the existing bay window and would not cause adverse impact the street scene as they are single storey extensions. Furthermore, the structures would be finished with large glassed panes which would allow the existing building details to still be visible.

Overall, it is considered that the revised proposal would not cause harm to the character or appearance of the host building and the area to a detrimental extent and as such, is considered acceptable in terms of visual amenity.

### 5.3 Residential Amenity

The dwelling is located in an established residential street with neighbouring properties to each elevation. Officers acknowledge that residents' concerns regarding overlooking issues due to the proposed dormers. There would be a number of dormers on the north elevation and one of them would be a bedroom window. Given the proposed dormers would be approximately 11.5 metres from the north boundary of the site, it is considered that these dormers would not cause unreasonable over-looking impact.

Other windows and new openings are considered not to cause an unacceptable loss of privacy to the dwelling as the neighbouring properties are situated of a suitable distance from the proposed extension. Additionally, it is considered that the proposed development will not cause an unacceptable loss of light or overbearing impact to any neighbouring dwellings. It is also notes that the dwellinghouse would have adequate amenity space remaining post development.

Overall, officers consider that the proposal would not harm the living conditions currently enjoyed by neighbouring dwellings and as such, is considered acceptable.

#### 5.4 Sustainable Transport

The application is proposing to increase the total number of bedrooms within the property from two to six. Therefore, the proposal will need to provide 3 no. parking spaces. Given that there would be a new attached garage and there are adequate hard-standing area to provide 2 no. extra parking spaces, it is considered that the proposal would comply with the Council's minimum parking requirements.

Overall it is considered that the provision of parking is adequate for the total no. of bedrooms combined and the development will not have an adverse effect on parking or the highway.

#### 5.5 Heritage Assets

26 Cleeve Lawns is an attractive bungalow with subtle Arts-and-Crafts influences located within the setting of a grade II listed orangery formally associated with Cleeve Hill House, an imposing Elizabethan manor house demolished in the 1930s. The orangery along with the former high rubble stone boundary walls, Kent seat, converted stables and lodge on Downend Road are the only remnant structures of the Cleeve Hill House estate.

The orangery is considered to be circa late eighteenth century. Although the plain rubble stone sides and rear are publicly visible, views of its Doric portico with pediment frontage are restricted from Cleeve Lawns due to mainly boundary structures and established planting. The glimpses obtainable however only add to its picturesque appearance in what is now a mature garden landscape setting.

The bungalow has a substantial tiled roof making a significant contribution to the character of the building. The aesthetic appearance of the bungalow is also complimented by its substantial verdant plot. The large garden also enables the bungalow and tandem views with the listed orangery to be appreciated in a relatively open context. There is also an important historic relationship between the bungalow and the orangery, as although the bungalow is contemporary with many of its Cleeve Lawns neighbours, the origins of Cleeve Lawns can be directly seen in tandem views of the 1930s bungalow and the orangery formally associated with a manor house whose estate facilitated the inter-war suburban expansion of Downend.

Officers acknowledge that the proposed scheme is for a substantial scheme of reconfiguration and extension to turn this bungalow into a large family house. The key elevation is the south-facing front elevation, as this is elevation that contributes to the key views of the listed building. To a lesser degree the east facing side elevation is also of significance.

The previous schemes were to introduce large gables and flat roof dormers with all of differing scales and designs. The case officer therefore agreed with the Conservation Officer that the schemes were not considered acceptable in terms of design and impact upon the setting of the listed orangery.

The latest revised scheme would have 3 no. pitched roof dormers instead of large gables or flat roof dormers on the south elevation. The Conservation Officer agrees that the design would be an improvement but is still concerned about their large scale and their differing scales and positions of the dormers. Furthermore, it is also concerned that the flat roof dormer on the north elevation would be unsightly. Regarding the flat roof single storey front elevations, the Conservation Officer considers they would detract from the character of the building due to their large scale, appropriate design, inconsistent scale of openings. Also, the appearance of the east elevation would remain an incoherent and jarring jumble of architectural components.

Paragraph 132 of the National Planning Policy Framework 'NPPF' states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be'. Paragraph 134 of the NPPF gives further guidance and states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

It should be noted that the proposed extensions and alterations would not be closer to the listed orangery, and there will be no alterations to the listed building itself. Furthermore, the setting of the listed orangery (and the original Cleeve Hill House) has already been significantly compromised by the surrounding residential properties. Therefore, if there is an adverse impact on the setting of the orangery, it would be less than substantial.

In addition, the design of the proposed pitched roof dormers is considered to be acceptable. The proposed flat roof dormers would be located at the rear north elevation and they would not be highly visible from the public domain with a view of the orangery. As such, it is considered that the proposal, on balance, would not cause significant adverse impact upon the historical setting.

The revisions have resulted in a reasonably sensitive response to the need to extend the dwelling, 26 Cleeve Lawns, and the proposal will retain the dominance of the original roof by using the areas of flat roofing and proposing pitched roof dormers. As a result, the listed orangery will remain within a generous plot which retains its largely verdant nature. In this instance, the proposal would allow the setting of listed building to be preserved, as such, this would be considered as a public benefit of the proposal.

Regarding the proposed flat roof single storey extension, the Case Officer understands that the flat roof extensions would not normally be encouraged.

However, given that the proposed extensions are single storey structures, which would not be large in scale, they would be finished with fully glazed panes to ensure the existing architectural elements would not be fully screened, it is considered that the proposal has been designed to preserve the historic character of the site and it is considered that the proposal would not cause detrimental impact to the setting of the listed building.



As the listed orangery is already located within a domestic curtilage of the bungalow and this setting will remain the case, your case officer considers that a refusal of this application would be a disproportionate response to the impact that the proposal would have on the significance of the listed building.

In addition, it should be noted that the permitted development rights are still intact on this property; the bungalow therefore could be altered or extended in such a way that would cause much more adverse impact to the setting of the listed building.

Taking consideration of all of the above, your case officer considers that the proposal would cause less than substantial harm relative to the significance of the heritage asset, and the harm is weighed against the public benefits of 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 That the application be approved subject to the following conditions:

**Contact Officer: Olivia Tresise**

**Tel. No. 01454 863761**

### **CONDITIONS**

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

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December

2013; Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

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

Reasons

- a. This is a pre-commencement condition in order to avoid any unnecessary remedial work in the future.

- b. To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and the National Planning Policy Framework.

4. The hours of working on site during the period of construction shall be restricted to 08.00 to 18.00 Mondays to Fridays, and 08.00 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 protect the amenity enjoyed by those living in the locality to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and the provisions of the National Planning Policy Framework.

5. Prior to the commencement of the development a tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved plan.

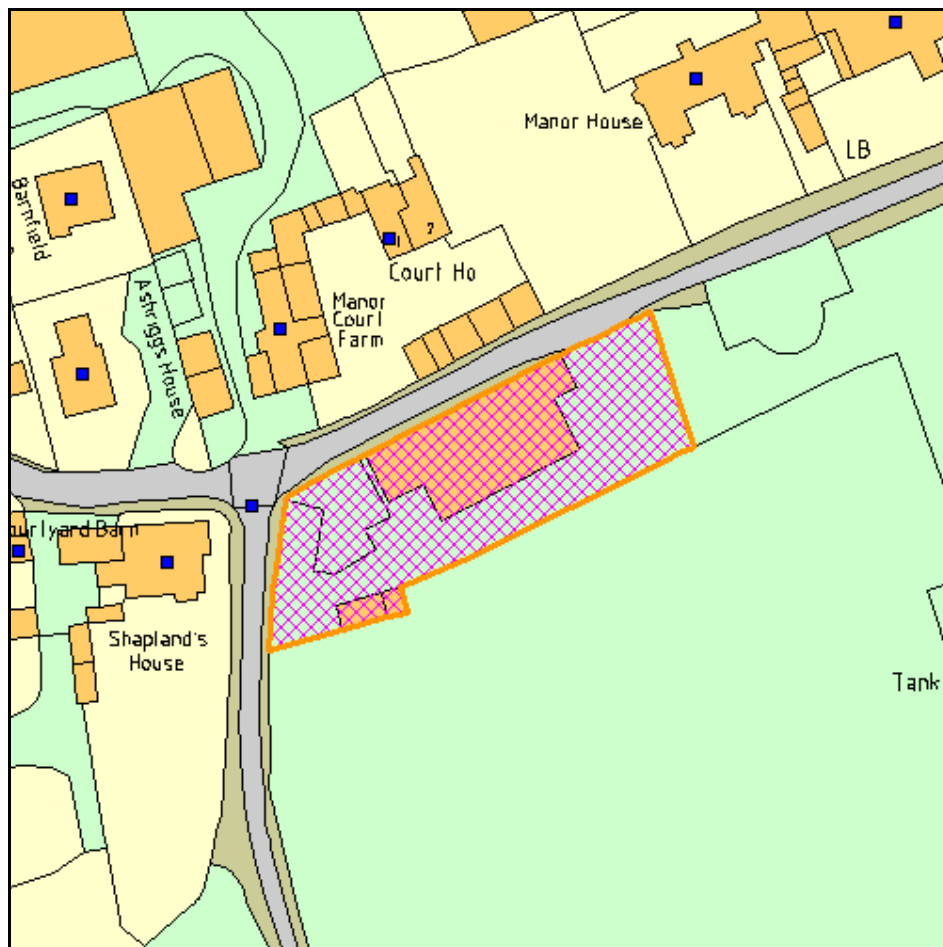
Reasons

- a. This is a pre-commencement condition in order to avoid any unnecessary remedial works in the future.

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

## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PK15/3317/F	<b>Applicant:</b>	Mr C McAlpine
<b>Site:</b>	Long Barn Hyde's Lane Cold Ashton Chippenham South Gloucestershire SN14 8JU	<b>Date Reg:</b>	6th August 2015
<b>Proposal:</b>	Conversion of agricultural building with erection of single storey extension to form 1 no. dwelling, erection of detached outbuilding and associated works. Demolition of existing modern agricultural buildings. (Amendment to previously approved scheme PK09/1354/F).	<b>Parish:</b>	Cold Ashton Parish Council
<b>Map Ref:</b>	375118 172640	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	29th September 2015



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 100023410, 2008. N.T.S. PK15/3317/F

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule due to the receipt of an objection from a local resident, the concerns raised being contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the extension and conversion of an existing barn to form a single dwelling-house. The application site relates to a large traditional barn at the centre of Cold Ashton Conservation Area.
- 1.2 Application PK09/1354/F for a very similar proposal was approved in Sept. 2009 and the current proposal merely seeks approval for some amendments to the previously approved scheme. The original application also included the demolition of two modern agricultural buildings that were subject to separate Conservation Area consent PK09/1355/CA. These works of demolition have now been carried out.
- 1.3 During the course of the application, amended plans have been received to replace the originally proposed 2no. cat-slide dormers with 4no. roof-lights.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

Planning (Listed Buildings and Conservation Areas) Act 1990  
The National Planning Policy Framework (NPPF) 27<sup>th</sup> March 2012  
The National Planning Practice Guidance (NPPG) 2014

#### **2.2 Development Plans**

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

CS1 High Quality Design  
CS4a Presumption in favour of Sustainable Development  
CS5 Location of Development  
CS6 Infrastructure and Developer Contributions  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS15 Distribution of Housing  
CS16 Housing Density  
CS17 Housing Diversity  
CS18 Affordable Housing  
CS34 Rural Areas

##### **South Gloucestershire Local Plan (Adopted) January 2006**

L1 - Landscape Protection and Enhancement  
L2 - Cotswolds AONB  
L9 - Species Protection  
L11 - Archaeology  
L12 - Conservation Area  
L13 - Listed Buildings

- EP2 - Flood Risk and Development
- EP4 - Noise Sensitive Development
- EP6 - Contaminated Land
- H10 - Conversion and Re-use of Rural Buildings for Residential Purposes
- T7 - Cycle Parking
- T12 - Transportation Development Control Policy for New Development

### 2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) Adopted August 2007  
 The Affordable Housing SPD (Adopted) Sept. 2008  
 The South Gloucestershire Council Residential Parking Standards SPD (Adopted) 2014.  
 Development in the Green Belt Adopted June 2007  
 The Cold Ashton Conservation Area Advice Note

### 2.4 Emerging Plan

#### Proposed Submission : Policies, Sites & Places Plan March 2015

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP3 - Trees and Woodland
- PSP7 - Development in the Green Belt
- PSP8A - Settlement Boundaries
- PSP8B - Residential Amenity
- PSP11 - Development Related Transport Impact Management
- PSP16 - Parking Standards
- PSP17 - Heritage Assets and The Historic Environment
- PSP19 - Wider Biodiversity
- PSP20 - Flood Risk, Surface Water and Watercourse Management
- PSP21 - Environmental Pollution and Impacts
- PSP36 - Residential Development in the Countryside.
- PSP39 - Private Amenity Space Standards

## 3. RELEVANT PLANNING HISTORY

- 3.1 PK09/1354/F Conversion of agricultural building with erection of single-storey extension to form 1no. dwelling, erection of detached outbuilding and associated works. Demolition of existing modern agricultural buildings.  
Approved 18 Sept. 2009
- 3.2 PK09/1355/CA Demolition of 2 no. outbuildings.  
Officer Recommendation for approval September 2009.  
This consent has now been implemented.
- 3.3 PK00/3387/CA Works of demolition to facilitate conversion of barn to dwellinghouse (renewal of P95/2111/C)  
Approved April 2001  
This consent was never implemented

- 3.4 PK00/3383/F Alterations and extension of agricultural building to form dwellinghouse. Construction of vehicular access. Erection of stone walls, fences, and carrying out of landscaping scheme (renewal of P95/2110).  
Approved April 2001  
This consent was never implemented
- 3.5 P95/2111/C Works of demolition to facilitate conversion of barn to dwellinghouse.  
Approved February 1996  
This consent was never implemented
- 3.6 P95/2110 Alteration and extension of agricultural building to form dwellinghouse. Construction of vehicular access. Erection of stone walls, fences and carrying out of landscaping scheme.  
Approved February 1996  
This consent was never implemented

#### **4. CONSULTATION RESPONSES**

- 4.1 Cold Ashton Parish Council  
No objection

4.2 **Other Representations**

Lead Local Flood Authority  
No objection

Sustainable Transport

The principle of a residential dwelling on this same site has previously been agreed by SG Council as part of the application no. PK09/1354/F. From a transportation point of view, the current application remains similar to the one previously agreed by the Council hence, there is no highway objection to this application.

Highway Structures  
No comment

Listed Building and Conservation Officer

Following the removal of the cat-slide dormers there are no objections to the proposed scheme.

4.3 Local Residents

1no letter of objection was received from the occupier of Ashrigg House. The concerns raised are summarised as follows:

- Loss of visual amenity from the corner of Slough Lane and Hydes Lane.
- The proposed elevation shown on drawing no. 420-905 has increased by 20cm thus further compromising the view.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para. 14 of the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the development plan is absent, silent or relevant policies are 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 in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

5.2 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.

5.3 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants' to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.

5.4 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.

5.5 The acceptance in-principle of a very similar scheme to that now proposed was recently established with the grant of planning permission PK09/1354/F. The current proposal merely proposes the following amendments to the previously approved scheme:

- i) change in roof finish – from tile to slate;
- ii) insertion of 4no. roof-lights;
- iii) 3no. wood-burning flues;
- (iv) new refuse storage;
- (v) change in external levels; and
- (vi) insertion of ground source heat pump.

5.6 The building the subject of this planning application lies at the heart of Cold Ashton Conservation Area, in the Green Belt, the Cotswolds Area of Outstanding Natural Beauty, adjacent to several listed buildings, and outside of the defined settlement boundary. The building has a complex history but has an authorised agricultural use. Local Plan Policies L2, L12 and H10 are therefore of utmost importance in the assessment of this planning application. These policies only allow for the conversion of such a building providing there is no detrimental impact on the character of the Conservation Area or the Area

of Outstanding Natural Beauty. The impact on the openness of the Green Belt must also be assessed against the relevant sections of the NPPF.

- 5.7 Since the policy regime affecting this proposal has changed little since the approval of PK09/1354/F this report will concentrate on the proposed amendments. The original officer Circulated Schedule report for PK09/1354/F is however appended for information purposes.

(i) Roofing material:

There is no objection to the change in roof finish from double and triple Roman tiles to natural slate. The application of natural slate is considered to be more in keeping with the local character and identify with the material featuring on adjacent neighbouring properties.

(i) Cat-slide dormers:

As submitted, to provide natural light to the 2no. first floor landing at either end of the building, 2no. dormers with cat-slide roofs were proposed. It was considered that with a significant number of new openings already proposed (and approved) for the rear elevation, the cumulative impact of a further 2no. dormers interrupting the south facing eave line would have a negative impact on the character and appearance of the building.

The need for the natural lighting is accepted, but it was advised that either the opening be brought down into the elevation with 2no. ventilation type window slits or simply 2no. roof-lights be inserted into the roof. Due to the levels, the ventilation slit option was not viable and so the plans have been amended with 2no. roof-lights to the south facing roof with 2no. now also proposed for the roadside roof plane.

The proposed additional 4no. roof-lights are considered to be acceptable in principle, but large scale details will be required and secured by condition.

(ii) Flues

It is proposed to now insert 3no. flues to serve wood burning stoves to the north facing roof slope.

Previous advice from the Council's Conservation Officer advised this would be preferable to having the flues to the south, as the preference was to reduce their prominence in views from St Catherine's Valley as opposed to in views from Hyde's Lane. There is therefore no objection to this amendment and this proposal is consistent with previous Conservation Officer advice.

(iii) Refuse Storage

The proposed creation of an underground bin store to the north-west corner of the site is considered to be acceptable, as visually the impact would be negligible. Moreover, the provision of underground refuse storage facilities



would also have the added benefit of helping to minimise the visual impact of the refuse storage.

(iv) Levels and (v) Ground Source Heat Pumps.

There are no objections to these proposals, as the setting of the designated heritage assets will be preserved.

5.8 In response to the local resident concerns, the issue of loss of visual amenity from the corner of Slough Lane and Hydes Lane was previously addressed under application PK09/1354/F and found to be acceptable. The height of the building has not increased. Regarding the level of the boundary wall at the west end of the site adjacent to the west extension, this has been checked and the application drawings reflect the most recent survey of the site. The level of 208.600 is correct for the top of the domed concrete capping to the top of the wall. On top of this there is a random and variable cock and hen coping which is shown on the section on drawing 420 – 905 but wasn't indicated on the original section. The plan, ref. 420 – 900, also shows the wall top level at 208.600. Any perceived increase in the height of this wall is therefore minimal.

5.9 Affordable Housing

The proposal is for 1no. new dwelling only, which is below the Council's threshold (10) for affordable housing provision.

5.10 Community Services

The proposal is for 1no. new dwelling only, which is below the Council's threshold (10) for contributions to Community Services.

CIL Matters

5.11 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1<sup>st</sup> August 2015 and this development, if approved, would now be liable to CIL charging.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

**Contact Officer: Roger Hemming**  
**Tel. No. 01454 863537**

## **CONDITIONS**

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

Reason

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

2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 - Classes A, B, C, D, E, F, G and H, or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the openness of the Green Belt and character of the Conservation Area and to accord with Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013; Policies L1, L2, H10 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the requirements of the NPPF.

3. Notwithstanding previously submitted details, prior to the commencement of development, the design and details including materials and finishes of the following shall be approved in writing by the local planning authority:

- a. eaves
- b. verges (including copings)
- c. ridges
- d. rainwater goods
- e. all new windows (including cill and head treatments)
- f. reveals
- g. all external doors (including frames and fittings)
- h. dormers
- i. bargeboards
- j. any further extract vents and flues
- k. rooflights and all roof glazing
- l. lintols
- m. timber shutters

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. The scheme shall be implemented strictly in accordance with the approved details.

#### Reason

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary in order to ensure that the works serve to preserve the character and appearance of the Conservation Area, along with the setting of the adjacent Listed Buildings, all in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and saved Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

4. No wires, pipework, outdoor lighting, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the development hereby approved otherwise than with the prior written agreement of the local planning authority.

#### Reason

To ensure the development serves to preserve the character and appearance of the Conservation Area along with the setting of the adjacent Listed Buildings, all in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Saved Policies L12 and L13 of the Adopted South Gloucestershire Local Plan (Adopted January 2006).

5. Notwithstanding previously submitted details, prior to the commencement of development a sample panel of facing stonework for the elevations of buildings, of at least one square metre shall be constructed on site to illustrate the proposed stone, coursing, mortar and pointing. The sample panel shall be approved in writing by the local planning authority and thereafter retained on site until the completion of the scheme to provide consistency. For the avoidance of doubt all stonework to be used in the development should be reclaimed.

#### Reason

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary to ensure the development serves to preserve the character and appearance of the Conservation Area along with the setting of the adjacent Listed Buildings, all in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Saved Policies L12 and L13 of the Adopted South Gloucestershire Local Plan (Adopted January 2006).

6. Prior to the commencement of the relevant works, a sample panel of boundary walling stonework (including ha-ha) of at least one square metre shall be constructed on site to illustrate the proposed stone, coursing, mortar, pointing and coping detail. The sample panel shall be approved in writing by the local planning authority and thereafter retained on site until the completion of the scheme to provide consistency. For the avoidance of doubt all stonework to be used in the development should be reclaimed.

Reason

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary to ensure the development serves to preserve the character and appearance of the Conservation Area along with the setting of the adjacent Listed Buildings, all in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Saved Policies L12 and L13 of the Adopted South Gloucestershire Local Plan (Adopted January 2006)).

7. Notwithstanding previously submitted details, prior to the relevant part of the development hereby approved, a representative sample of the natural roofing slate shall be submitted and approved in writing by the local planning authority.

Reason

To ensure the development serves to preserve the character and appearance of the Conservation Area along with the setting of the adjacent Listed Buildings, all in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Saved Policies L12 and L13 of the Adopted South Gloucestershire Local Plan (Adopted January 2006)).

8. Prior to the commencement of the relevant works, full details of all means of enclosure within and around the site, shall be submitted to and agreed in writing by the local planning authority. The proposed development shall thereafter be implemented strictly in accordance with the agreed details and thereafter so maintained.

Reason

To ensure the development serves to preserve the character and appearance of the Conservation Area along with the setting of the adjacent Listed Buildings, all in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Saved Policies L12 & L13 of the Adopted South Gloucestershire Local Plan (Adopted January 2006)).

9. Notwithstanding the submitted plans and prior to the commencement of development, a detailed landscaping plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include full details of all hard and soft landscaping, a planting scheme and times of planting, details of any external lighting, details of all fixed planters, a 5-year maintenance schedule and gate details. The proposed development shall thereafter be implemented strictly in accordance with the agreed details.

Reason

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary to ensure the development serves to preserve the character and appearance of the Conservation Area along with the setting of the adjacent Listed Buildings, all in

accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Saved Policies L12 and L13 of the Adopted South Gloucestershire Local Plan (Adopted January 2006).

10. No windows other than those shown on the plans hereby approved shall be inserted at any time in any elevations of the barn as extended and converted. For the avoidance of doubt this includes roof lights.

Reason

To ensure the development serves to preserve the character and appearance of the Conservation Area along with the setting of the adjacent Listed Buildings, all in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Saved Policies L12 and L13 of the Adopted South Gloucestershire Local Plan (Adopted January 2006).

11. The flue pipes hereby approved should have a permanent proprietary dark finish. Prior to the commencement of the relevant parts of the works hereby authorised, details of the finish and colour of the flue pipes should be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the details so approved.

Reason

To ensure the development serves to preserve the character and appearance of the Conservation Area along with the setting of the adjacent Listed Buildings, all in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Saved Policies L12 and L13 of the Adopted South Gloucestershire Local Plan (Adopted January 2006).

12. The hours of working on site during the period of construction/conversion shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, 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.

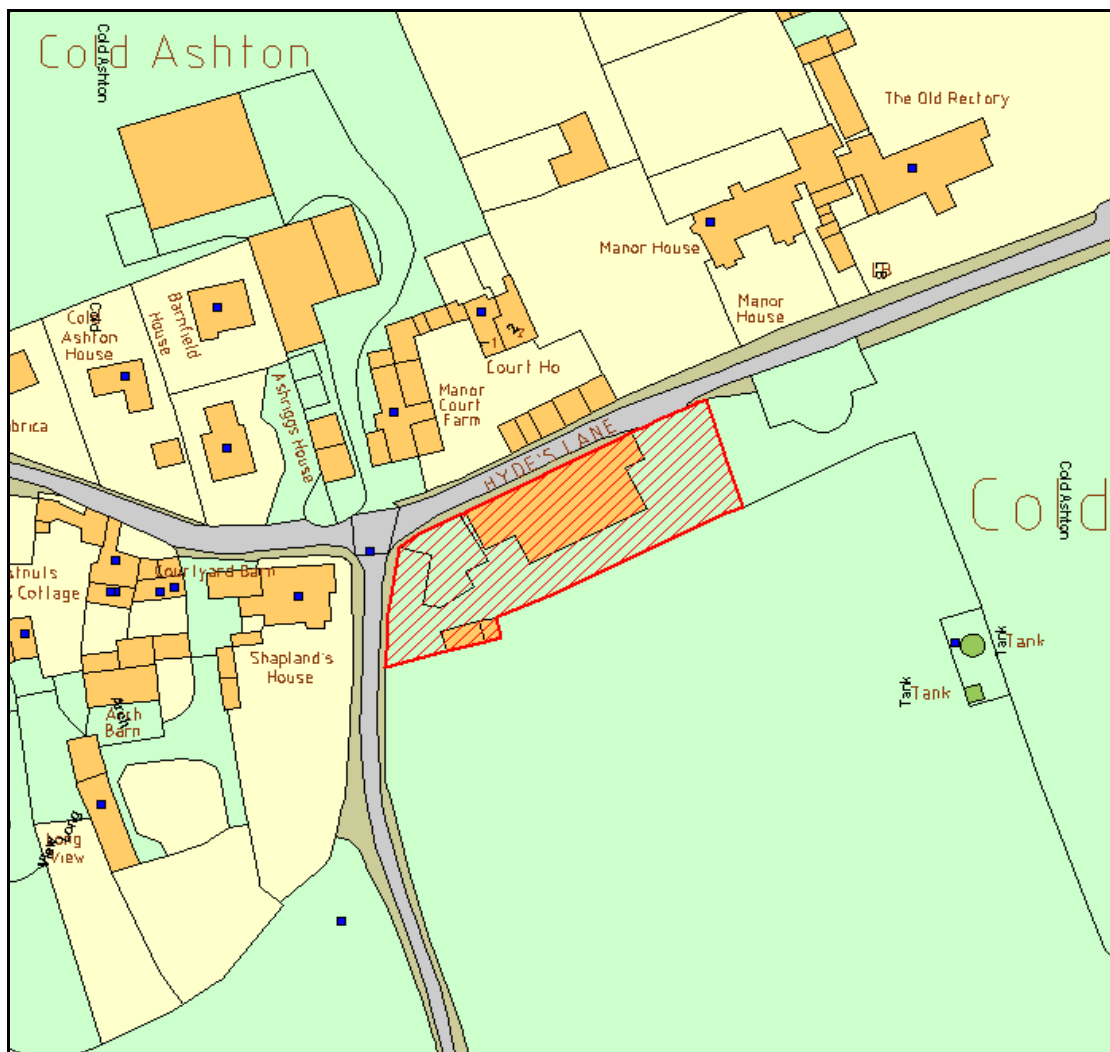
Reason

To protect the residential amenity of the neighbouring occupiers and to accord with the requirements of the NPPF.

# APPENDIX 1 TO PK15/3317/F

## CIRCULATED SCHEDULE NO. 36/09 – 11 SEPTEMBER 2009

<b>App No.:</b>	PK09/1354/F	<b>Applicant:</b>	Mr C McAlpine
<b>Site:</b>	Long Barn Hyde's Lane Cold Ashton Chippenham South Gloucestershire	<b>Date Reg:</b>	23rd July 2009
<b>Proposal:</b>	Conversion of agricultural building with erection of single storey extension to form 1 no. dwelling, erection of detached outbuilding and associated works. Demolition of existing modern agricultural buildings.	<b>Parish:</b>	Cold Ashton
<b>Map Ref:</b>	374931 172594	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd September 2009



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100023410, 2008. **N.T.S.** **PK09/1354/F**

## **INTRODUCTION**

This application appears on the Circulated Schedule due to the receipt of a letter of objection from the Parish Council and 8 letters of objection from local residents.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the extension and conversion of an existing barn to form a single dwellinghouse. The application also includes the demolition of two modern agricultural buildings that are subject to separate conservation area consent. The application site relates to a large historic barn at the centre of cold Ashton Conservation Area.
- 1.2 During the course of the application amended plans have been received to alter some minor details to reduce the domestic appearance of the barn. The site has a complex history as outlined in this report, which is material in the determination of this application.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPG15	Planning and the Historic Environment

#### 2.2 Development Plans

##### South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
L2	Cotswolds Area of Outstanding Natural Beauty
L12	Conservation Areas
GB1	Development in the Green Belt
T12	Transportation Development Control
H5	Reuse of buildings for Residential Purposes
H10	Conversion of rural buildings for residential purposes

#### 2.3 Supplementary Planning Guidance

Design Checklist Adopted August 2007  
Cold Ashton Conservation Area document

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK09/1355/CA Demolition of 2 no. outbuildings.  
Officer Recommendation for approval September 2009 – appearing on the same Circulated Schedule.
- 3.2 PK00/3387/CA Works of demolition to facilitate conversion of barn to dwellinghouse (renewal of P95/2111/C)  
Approved April 2001  
This consent was never implemented

- 3.3 PK00/3383/F Alterations and extension of agricultural building to form dwellinghouse. Construction of vehicular access. Erection of stone walls, fences, and carrying out of landscaping scheme (renewal of P95/2110).  
Approved April 2001  
This consent was never implemented
- 3.4 P95/2111/C Works of demolition to facilitate conversion of barn to dwellinghouse.  
Approved February 1996  
This consent was never implemented
- 3.5 P95/2110 Alteration and extension of agricultural building to form dwellinghouse. Construction of vehicular access. Erection of stone walls, fences and carrying out of landscaping scheme.  
Approved February 1996  
This consent was never implemented

#### **4. CONSULTATION RESPONSES**

##### 4.1 Cold Ashton Parish Council

The Parish Council expresses three concerns regarding the replacement scheme:

1. Concern regarding size of new build
2. Worries about the visual impact of new build on village as you walk or drive through. Barn is big enough without new build
3. Application fine but out building and high wall to the west will greatly reduce the views going down through the village and landscape planting affect on the views of immediate neighbors.

##### **Other Representations**

##### 4.2 Local Residents

8 letters of objection have been received from local residents. A summary of the points of concern raised is as follows:

- Considerable loss of view from the Cotswold Way and Cold Ashton Conservation Area
- No objections to the conversion of the barn but the proposed new extensions will effectively obscure 60% of the view from the junction
- The two buildings will enclose the corner and act as a high wall enclosing the corner
- The demolition of the two ugly modern farm buildings will certainly restore the view but the new extensions will be a blot on the landscape and destroy the view point forever
- The views are mentioned in the Conservation Area Booklet and should be preserved
- There is a sense of balance and proportion at this site in the heart of the village
- Existing views from Shapland House will be lost



- Planting should be restricted as it will further block views
- Proposed entrance is not safe onto a single track road
- This is a very large barn and shouldn't need any extension to convert to a single dwelling
- The trade off to demolish a trivial low profile modern agricultural building to add an extension is unnecessary nonsense
- The previous application approved in 2000 was more suitable

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The building subject of this planning application lies at the heart of Cold Ashton Conservation Area, in the Green Belt, in the Cotswolds Area of Outstanding Natural Beauty, adjacent to several listed buildings, and outside of the defined settlement boundary. The building has a complex history but has an authorised agricultural use. Policies GB1, L2, L12 and H10 are therefore of utmost importance in the assessment of this planning application. These policies only allow for the conversion of such a building providing there is no detrimental impact on the openness of the Green Belt, the character of the conservation area or the Area of Outstanding Natural Beauty. These issues are addressed below.

### 5.2 History

Before one can begin to make an assessment of the current scheme, it is first necessary to understand the history to the site. Planning permission was first granted to extend and convert the barn to a residential dwelling in 1996. This approval was never implemented and a renewal consent was approved in 2001. This second consent again was never implemented and the consent has now lapsed. These previous consents (subsequently called the 'old' permissions in the remainder of this report) included extensive extensions and alterations to the barn.

5.3 Whilst these 'old' consents were granted several years ago, it is important to acknowledge that planning policy in respect of Green Belt and Conservation Areas has not changed significantly since 2001. This current planning application therefore is to be considered against the same criteria the 'old' applications were considered against.

5.4 When assessing this current application therefore, officers have been very mindful of the 'old' planning permissions. Whilst these 'old' permission have now lapsed, should the applicant choose to re-submit an identical scheme, because the policies remain fundamentally the same, it would be very difficult indeed for officers to raise an objection when it has been considered acceptable twice previously. The existence of the 'old' permissions is a material consideration in the determination of this planning permission.

5.5 Policy H10 of the South Gloucestershire Local Plan allows for the conversion of rural buildings outside of the defined settlement boundaries for residential purposes providing the following criteria are satisfied:

- 5.6 **A. All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use: and**  
The principle of the residential re-use of the barn has already been accepted by the Council twice in the past. Whilst no information has been submitted to demonstrate that the building has been marketed for business purposes, it would be unreasonable to insist on this given the planning history.
- 5.7 **B. The buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction:**  
An independent structural engineer has assessed the barn and is satisfied that with some stone stitching and localised repair the building is capable of conversion without major or complete reconstruction. Sketches are included in Annex B of the Design and Access Statement to demonstrate how the work can be carried out without the need to rebuild the existing barn.
- 5.8 **C. The buildings are in keeping with their surroundings in terms of character, form, bulk and overall design: and**  
This is an attractive, historic agricultural barn that contributes positively to the character of Cold Ashton Conservation Area.
- 5.9 **D. Development, including any alterations, extensions or the creation of residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area; and**  
This is the most controversial criteria as the Parish Council and a number of local residents are concerned that the extensions proposed will have a harmful effect on the character of the area. As mentioned by a number of objectors, it is stated in the Planning (Listed Building and Conservation Areas) Act 1990 that special care should be taken to ensure views into and out of the Conservation Area remain unspoilt.
- 5.10 The 'old' permissions previously approved were 'of their time', and would not be considered acceptable today. These permissions included extending the building to the south and to the west, as well as other alterations to the exterior. If these approved proposals were implemented they would, in the opinion of the Council's current conservation officer, have a detrimental impact on the character and appearance of the conservation area. The consent included a large pentagonal single storey extension to the east end of the south elevation, a two storey extension to the west end of the south elevation and an extensive single storey flat roofed wing to the west end. Other alterations included a single storey porch on the south side, as well as several chimney stacks at the roof level and a variety of high boundary walls and metal gates. The accumulation of these alterations had a particularly domestic appearance, contrary to the agricultural character of the building, and would have had an extremely harmful effect on the character of the building and the appearance of the conservation area. This permission has now lapsed, however the policy and legislation relating to conservation areas has not changed since the time of these approvals, and it would therefore be very difficult for the Council to resist an application for the same scheme if this were re-submitted.

- 5.11 The current application proposes a far better standard of conversion than that previously approved. The proposal does include new build, however the proposal is more sympathetic to the architectural integrity of the historic barn, as well as the overall character and appearance of the conservation area. It is recognised that the proposed new extension at the west end of the existing barn will alter certain existing views across St Catherine's Valley. The extension currently proposed for the west elevation is less than half the size of the extension approved under the 'old applications'. Whilst the current extension is taller than the extension previously approved, once the garden walls and the two-storey element are taken into consideration, the impact upon views across St Catherine's valley will be negligible. However it is felt that the majority of views will be maintained, and that views in the opposite direction, towards the village, will be preserved. The height of the single storey outbuilding has been kept as low as possible in an attempt to mitigate any harmful impact, and the removal of the existing outbuilding will have a positive impact on views across the valley from Hydes Lane, as well as views towards the site from the south. The eaves height, ridge height and footprint of this building are no greater than the existing outbuilding.
- 5.12 In order that the historic character and appearance of the conservation area is preserved, it is important that the historic building is retained and repaired, as opposed to significant re-building. The structural engineers report and the analysis, written based on the proposed plans, confirms that the building is in good order and structurally suitable for conversion to a residential conversion, and that 'the vast majority of the masonry (with the exception of the masonry to the south east lean-to) can be consolidated in situ. A condition relating to structural alterations should be imposed on any consent
- 5.13 The total volume of extension subject to this current application are materially smaller than the total volume of extension approved under the 'old' applications. Whilst it would be incorrect to say there will be no impact upon views from the corner of Slough Lane, the impact will be very similar to the impact the 'old' approvals would have had. For this reason, the Council could not substantiate any refusal reason.
- 5.14 **E. The building is well related to an existing settlement or other group of buildings.**  
The building sits at the centre of the village within the Conservation Area. The building is well related to the existing settlement.
- 5.15 Green Belt  
The application does include the change of use of a small piece of land from agricultural to residential where the new driveway is to be created. Because of the change in land levels from the road down into the site, the proposal is to move the access point south from the junction to create an appropriate gradient and access. A very similar arrangement was approved under the 'old' applications and it would therefore be unreasonable to raise an objection at this stage.

- 5.16 By reason of compromise to mitigate against the minimal encroachment into the Green Belt, the whole of the site boundary along the length of the garden is to be set back slightly. As a result of the development therefore there will be no net loss in agricultural green belt and the openness and visual amenity of the green belt will not be compromised.
- 5.17 The existing modern agricultural buildings to be demolished have a volume of just over 1230 cubic metres. The total volume of all extensions proposed as part of the scheme is just over 560 cubic metres. It is clear therefore that the total volume of all built form on the site will be significantly reduced as a result of the conversion. Given that the extensions are sensitively designed to be no higher than the existing buildings on the site, it is not considered that the extensions will have any detrimental impact on the openness of the green belt.
- 5.18 Transportation and Parking  
The proposed access point into the site is as part that approved in the 'old' applications. Highway officers have confirmed there are no highway objections to the creation of a new access at this point. Ample space is provided on site to allow for the parking and manoeuvring of vehicles associated with the dwelling.
- 5.19 Landscaping  
The plans show the planning of a copse in the field to the south of the new driveway. A number of local residents and the parish council are concerned that this additional planning will further impact upon views across the valley. As this copse is outside of the application red line, your officer is not able to condition its installation. Similarly however, the planting of vegetation on agricultural land does not require the benefit of planning permission. Your officer therefore cannot restrict the planting of trees on land not within the application site.
- 5.20 Design and Access Statement  
The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document. The statement is very detailed and thoroughly explains the design rationale behind the scheme.
- 5.21 Use of Energy and Sustainability  
None above building regulations statutory minima.
- 5.22 Improvements Achieved to the Scheme  
During the course of the application minor alterations to the glazing and garden wall arrangements have been received to reduce the domestic appearance of the barn and to retain its historic character.
- 5.23 Section 106 Requirements  
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended).

Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

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

**Contact Officer: Marie Bath**  
**Tel. No. 01454 864769**

### **CONDITIONS**

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

Reason

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

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity [and to protect the openness of the Green Belt and character of the Conservation Area and to accord with Policies D1, L2, L1, GB1, H10 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding previously submitted details, prior to the commencement of development, a detailed specification and schedule of proposed structural works, including the extent of any proposed demolition, shall be submitted to the Council for approval. No works shall be commenced until the Council has given written approval for the submitted details and the development shall be constructed exactly in accordance with the details so approved.

Reason

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan. These are important details which need to be constructed in a sympathetic manner to ensure that the development is compatible with its surroundings.

4. Notwithstanding previously submitted details, prior to the commencement of development, the design and details including materials and finishes of the following shall be approved in writing by the local planning authority:
  - a. eaves
  - b. verges (including copings)
  - c. ridges
  - d. rainwater goods
  - e. all new windows (including cill and head treatments)
  - f. reveals
  - g. all external doors (including frames and fittings)
  - h. dormers
  - i. bargeboards
  - j. extract vents and flues
  - k. rooflights and all roof glazing
  - l. lintols
  - m. timber shutters

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan. These are important details which need to be constructed in a sympathetic manner to ensure that the development is compatible with its surroundings.

5. No wires, pipework, outdoor lighting, satellite dishes or other aerials, alarms, metre boxes or other paraphernalia shall be affixed to the external elevations of the development hereby approved otherwise than with the prior written agreement of the local planning authority.

Reason

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan. These are important details which need to be constructed in a sympathetic manner to ensure that the development is compatible with its surroundings.

6. Notwithstanding previously submitted details, prior to the commencement of development a sample panel of facing stonework for the elevations of buildings, of at least one square metre shall be constructed on site to illustrate the proposed stone, coursing, mortar and pointing. The sample panel shall be approved in writing by the local planning authority and thereafter retained on site until the completion of the scheme to provide consistency. For the avoidance of doubt all stonework to be used in the development should be reclaimed. All development must be carried out exactly in accordance with the details so agreed.

Reason

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan. These are important details which need to be constructed in a sympathetic manner to ensure that the development is compatible with its surroundings.

7. Prior to the commencement of development a sample panel of boundary walling stonework (including ha-ha) of at least one square metre shall be constructed on site to illustrate the proposed stone, coursing, mortar, pointing and coping detail. The sample panel shall be approved in writing by the local planning authority and thereafter retained on site until the completion of the scheme to provide consistency. For the avoidance of doubt all stonework to be used in the development should be reclaimed. All development must be carried out in accordance with the details so agreed.

Reason

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan. These are important details which need to be constructed in a sympathetic manner to ensure that the development is compatible with its surroundings.

8. Notwithstanding previously submitted details, a representative sample of reclaimed natural roofing tile shall be submitted and approved in writing by the local planning authority. All development must be carried out exactly in accordance with the details so agreed.

Reason

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan. These are important details which need to be constructed in a sympathetic manner to ensure that the development is compatible with its surroundings.

9. Notwithstanding the submitted plans and prior to the commencement of development a detailed landscaping plan shall be submitted to the local planning authority. The plan will include full details of all hard and soft landscaping, a planting scheme, details of any external lighting, details of all fixed planters, gate details, and full details of all means of enclosure within and around the site. If acceptable, the authority will give written approval to the details submitted. The proposed development shall thereafter be implemented strictly in accordance with the agreed details and thereafter so maintained.

Reason

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan. These are important details which need to be constructed in a sympathetic manner to ensure that the development is compatible with its surroundings.

10. No windows other than those shown on the plans hereby approved shall be inserted at any time in the any elevations of the barn as extended and converted. For the avoidance of doubt this includes roof lights.

Reason

To ensure that the development serves to preserve the character and appearance of the conservation area, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L12 of the Adopted South Gloucestershire Local Plan. These are important details which need to be constructed in a sympathetic manner to ensure that the development is compatible with its surroundings.



**CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015**

<b>App No.:</b>	PK15/3606/F	<b>Applicant:</b>	Mrs Judith Hawley
<b>Site:</b>	9 Tower Road North Warmley Bristol South Gloucestershire BS30 8YE	<b>Date Reg:</b>	4th September 2015
<b>Proposal:</b>	Erection of single storey and first floor rear extension to form additional living accommodation	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	366955 173493	<b>Ward:</b>	Siston
<b>Application Category:</b>	Householder	<b>Target Date:</b>	29th October 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of single storey and first floor extensions to the rear of the existing dwelling. The purpose of the extension is to provide additional living accommodation at ground floor and a bathroom at first floor. The property is a two storey mid terrace cottage situated within the established residential area of Warmley.
- 1.2 As initially submitted, the plans showed the installation of a dormer window in the rear roof slope. During the course of the application amended plans have been received to completely remove all reference to a rear dormer window. This dormer window could be installed in the future under permitted development rights. The only extensions for consideration are the ground floor and first floor rear extensions.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

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

- D1 Achieving Good Quality Design in New Development
- H4 Extensions within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

- CS1 High Quality Design
- CS4a Presumption in Favour of Sustainable Development
- CS5 Managing the Environment and Heritage

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant at this address although it is noted that both attached properties have submitted applications to extend in the past.

### **4. CONSULTATION RESPONSES**

- 4.1 Siston Parish Council  
None objection
- 4.2 Lead Local Flood Authority  
No objection

## **Other Representations**

### 4.3 Local Residents

Two letters of objection have been received from neighbouring residents. A summary of the main points of concern raised is as follows:

- An extension was refused at the neighbouring dwelling
- An increase in bedrooms would mean more cars and noise
- Issued of blocked drains
- Cannot give permission to attach the proposed extension to the neighbours property – not happy with any works to disturb the party wall
- Cannot understand how the extension can be constructed without encroachment
- The front room could become a further bedroom

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives. Saved Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.

Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

### 5.2 Design

The proposed ground floor extension has been designed to infill the space between the existing ground floor projections at the application site and the neighbouring dwelling. It will have a flat roof with a roof light. The design of the extension is not unusual for the dwelling or surrounding properties.

5.3 The proposed first floor extension is a very simple box style extension to form an en suite. It will have a flat roof, be finished in cladding and have a single obscurely glazed windows. Although the materials to be used are not entirely in keeping, they will not have a detrimental impact on the character of either the host dwelling of the surrounding area.

5.4 Both elements of the application are considered to be acceptable, and typical of other extensions in the locality. The proposal is therefore in accordance with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

- 5.5 Residential Amenity  
Due to its position sandwiched between existing rear projections, the proposed ground floor extension will not have any detrimental impact on neighbouring dwellings by means of loss of privacy or overbearing. Similarly, the first floor rear extension, with a depth of only 2.9 metres and a flat roof to limit its height, will not have any significantly detrimental on the levels of amenity afforded to neighbouring dwellings. Impact on residential amenity is therefore deemed to be acceptable.
- 5.6 Your officer is sensitive to the concerns of neighbours regarding the party wall act and possible additional disturbance. The party wall act is a civil issue that must be addressed outside of the planning application. The granting of planning permission does not give the right for the applicant to build on or enter any land that is not within their ownership and informatives will be attached to the decision notice reminding the applicants of this fact. In order to protect the amenity of neighbouring dwellings during the construction phase, a condition limiting construction hours will be attached.
- 5.7 In terms of the level of amenity afforded to the application dwelling itself, it is acknowledged that the dwelling would be left with a very small area of amenity space. However, given that a similar level of amenity space was previous deemed acceptable at the attached dwelling No 7, it would be unreasonable to refuse the application on this basis.
- 5.8 Highways  
On the basis that the development does not increase the number of bedrooms in the dwelling, there is no transportation objection to the proposal.
- 5.9 Drainage  
The neighbours have expressed concern that the additional en-suites may exacerbate drainage problems in the area. The lead local flood authority have not raised any objection to the proposed scheme. Any issues with existing substandard sewerage infrastructure should be addressed with Wessex Water separately to this planning application. Given that there is no proposed increase in the number of bedrooms, there is no reason to assume that there will be any additional residents and it would therefore be unreasonable to raise an objection on drainage grounds.
- 5.10 Other Issues  
Neighbours have raised concerns regarding the suitability of the existing foundations to accommodate the extra load. This issue will be addressed at building control stage and cannot be considered as part of this planning application.
- 5.11 It is also noted that a neighbour has pointed out that an application for a two storey extension was refused on the adjacent property in 2008. The proposed extension at the neighbouring property was larger than that currently for consideration and assessed against a different policy basis. There is no concern that the granting of permission would conflict with previous decisions.

## 6. CONCLUSION

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

## 7. RECOMMENDATION

- 7.1 That the application be **APPROVED** subject to the conditions listed below

**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).

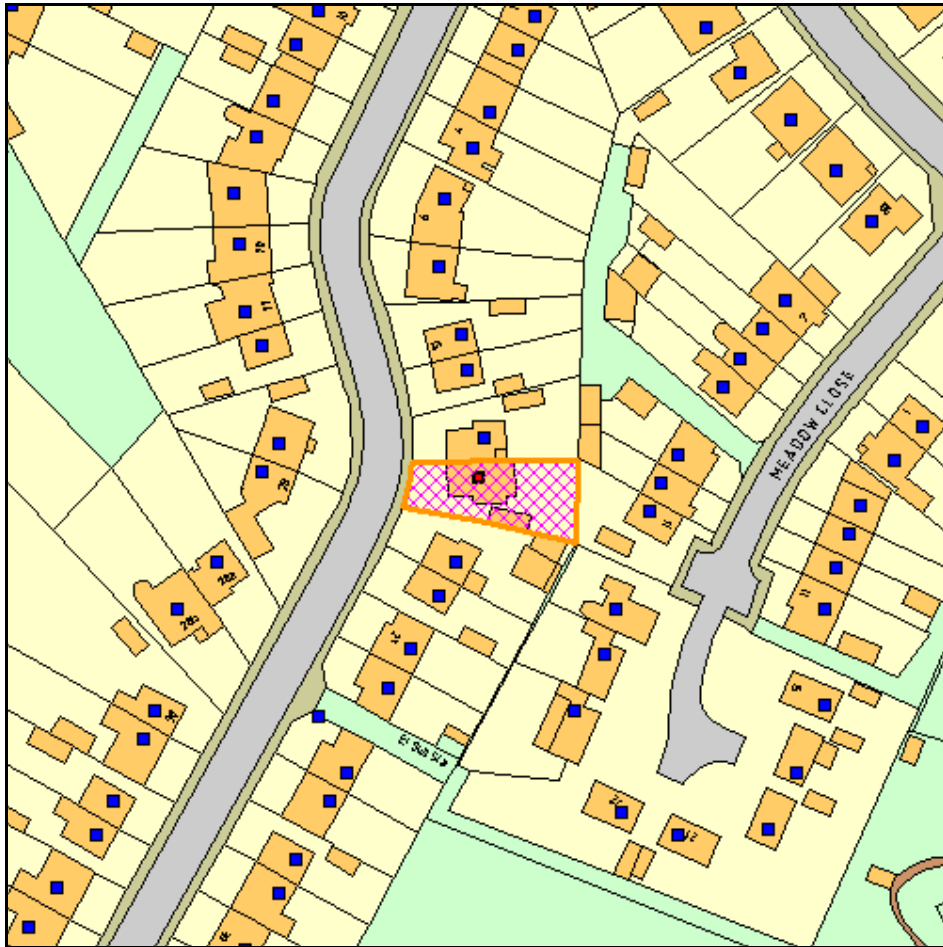
2. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 Monday to Friday; 08.00 to 13.00 on Saturday; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the 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 residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PK15/3618/F	<b>Applicant:</b>	Mr Mark Hanley
<b>Site:</b>	21 Sutherland Avenue Downend Bristol South Gloucestershire BS16 6QJ	<b>Date Reg:</b>	11th September 2015
<b>Proposal:</b>	Erection of detached outbuilding in garden (retrospective).	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365496 177466	<b>Ward:</b>	Downend
<b>Application Category:</b>	Householder	<b>Target Date:</b>	4th November 2015



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## **REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE**

This application has been submitted to the Council's circulated schedule procedure as comments received have been contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks retrospective planning permission for the erection of a single storey detached outbuilding within the rear garden of the host dwelling.
- 1.2 The host property is semi-detached with a concrete render finish to the elevations of the ground floor and a rough stone finish to the first floor elevations. The dwelling has recently been extended to the side and rear under planning ref. PK14/3093/F, this extension is essentially finished.
- 1.3 The host dwelling is within Downend, a well-established two-storey residential area. The application site is located on a bend on Sutherland Avenue, meaning the dwelling is situated in a triangular shaped plot. The majority of dwellings have a detached garages to the rear of the dwellinghouse.

### **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  
CS4A Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
  
South Gloucestershire Local Plan Adopted January 2006 Saved Policies  
T12 Transportation  
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
Residential Parking Standard SPD (Adopted) December 2013  
South Gloucestershire Design Checklist SPD (Adopted) August 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK14/3093/F Approve with Conditions 10/11/2014  
Erection of two storey side and single storey rear extension to provide additional living accommodation.

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
Objection on the following grounds:

- Inconsistency of terminology – indicated as a garden shed whereas it is an outbuilding;
- Roof line is overbearing to neighbouring properties;
- No mention that it is a retrospective application.

4.2 Lead Local Flood Authority  
No comment.

### **Other Representations**

4.3 Local Residents  
Two comments have been registered with regard to this planning application, one in support and one in objection.

The objection comment is summarised below:

- The outbuilding was built without planning permission;
- It represents overdevelopment – it is a small garden, the new building is next to our fence (no. 16 Meadows Close);
- The roof is too high.

The support comment is summarised below:

- As occupier of the adjacent dwelling no. 21 Sutherland Avenue, I have no objection to the application – the structure does not affect our view.

## **5. ANALYSIS OF PROPOSAL**

5.1 This application seeks retrospective planning permission for the erection of a single storey outbuilding in the rear garden of a residential dwelling.

5.2 Principle of Development  
Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.

5.3 Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within the curtilage of existing dwellings. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.

5.4 Design and Visual amenity  
The shed is approximately 3 metres high (2.3 metres from ground level to eaves), and is approximately 5 metres by 3.2 metres – an acceptable size and scale. The shed has a dual pitched roof with modest open gable ends, a feature not too dissimilar to other detached outbuildings within the area.



As stated, in terms of design and site layout, the majority of the dwellings in the area have single storey detached outbuildings within their rear gardens, accordingly, the position of the outbuilding is considered to be acceptable in terms of design and the character of the area.

- 5.5 The proposal will utilise tiles to match the existing dwelling, and also a matching render finish. Additionally, the proposed fenestration will be PVCu to match the existing house.
- 5.6 Overall, the proposal has an acceptable scale and design, which is congruent with the surrounding area and respects the existing dwelling.
- 5.7 Residential Amenity  
Saved policy H4 of the adopted Local Plan aims to ensure that residential development within established residential curtilage does not prejudice the residential amenity of any neighbouring occupier.
- 5.8 The outbuilding is located in a similar position to a previous shed that has now been demolished to facilitate the erection of the outbuilding the focus of this application. The outbuilding is situated in the south east corner of the application site, this corner is bound to the south by a wall approximately 1.8 metres in height and also a lean-to structure, to the east of the structure are conifers (approximately 2 metres in height) and a chain link fence.
- 5.9 The boundary treatments mean that to the east and south east only the pitched roof and rear gable end will be visible. Due to the modest height of the proposal, the outlook of these dwellings to the east and south east will not be materially harmed.
- 5.10 Similarly, by nature of the scale of the proposal there will be no material loss of light to nearby occupiers resulting from this structure. As stated the structure is judged to have an acceptable scale, this together, with the surrounding features in the landscape means the detached outbuilding does not result in a physically oppressive structure that equates to an overbearing impacting to any nearby occupiers.
- 5.11 Overall, the structure is not judged to result in a materially harmful impact on any nearby occupiers.
- 5.12 Transport and Parking  
The proposal does not impact the parking area at the dwelling, and also does not constitute additional bedrooms at the dwelling. Accordingly, there are no transportation objections to this proposal.
- 5.13 Other Matters  
The description of the development is correct, it notes that the development is retrospective, and that the structure is an outbuilding.

## 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.

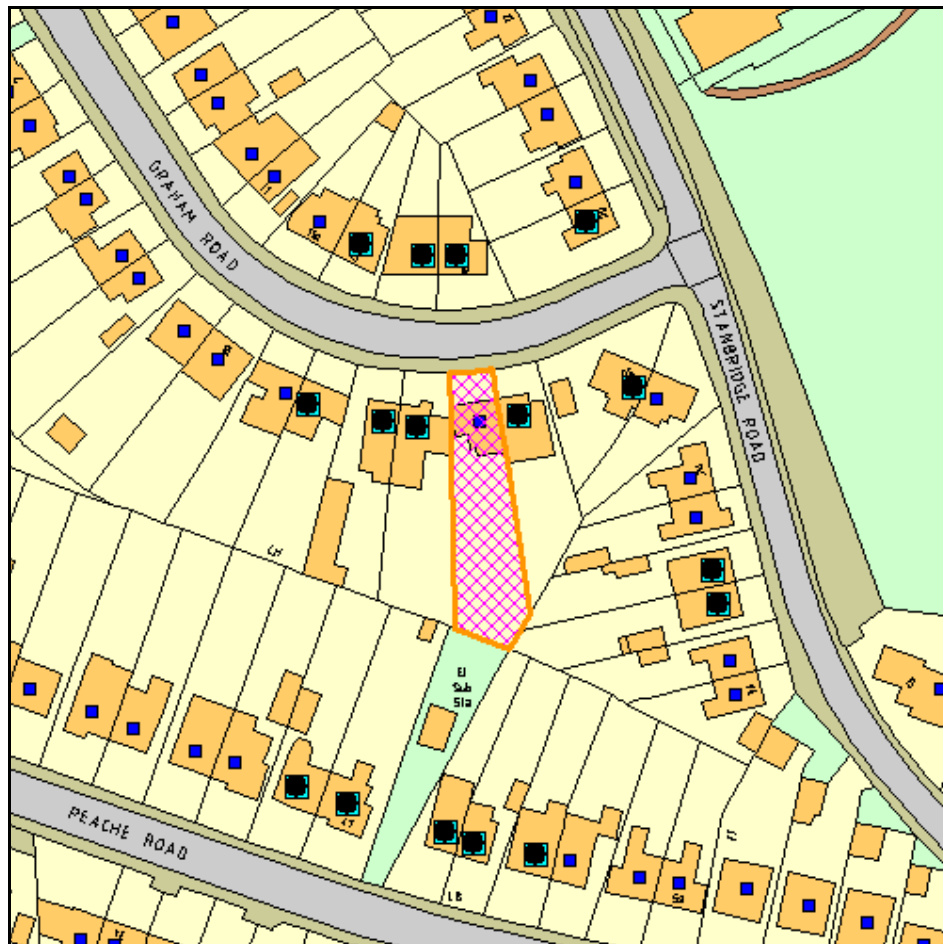
## 7. RECOMMENDATION

- 7.1 It is recommended that planning permission is **GRANTED**.

**Contact Officer: Matthew Bunt**  
**Tel. No. 01454 863131**

## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PK15/3753/F	<b>Applicant:</b>	Mr S Player
<b>Site:</b>	26 Graham Road Downend Bristol South Gloucestershire BS16 6AN	<b>Date Reg:</b>	1st September 2015
<b>Proposal:</b>	Erection of two storey side extension and single storey rear extension. Erection of single storey front porch and detached residential annexe.	<b>Parish:</b>	None
<b>Map Ref:</b>	365660 176798	<b>Ward:</b>	Rodway
<b>Application Category:</b>	Householder	<b>Target Date:</b>	22nd October 2015



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**N.T.S.**

**PK15/3753/F**

## **REASON FOR INCLUSION ON THE CIRCULATED SCHEDULE**

Three comments were received that were contrary to the Case Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a two storey front and side extension and single storey rear extension to form additional living accommodation. The application is also for the erection of a single storey detached residential annexe ancillary to the main dwelling of no. 26 Graham Road, Downend.
- 1.2 Permission is sought for the extension to enlarge one bedroom and to create a fourth bedroom to the rear of the property. The ancillary residential annexe will also create a fifth bedroom.
- 1.3 Revised plans were submitted on 28<sup>th</sup> September 2015 with regard to the two-storey extension to the front of the property. The new plans submitted show a single-storey porch extension.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012  
National Planning Policy Guidance
- 2.2 Development Plans  
  
South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS8 Improving Accessibility  
  
South Gloucestershire Local Plan Adopted January 2006 Saved Policies  
T12 Transportation  
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) August 2007  
Residential Parking Standard (Adopted) December 2013

### **3. RELEVANT PLANNING HISTORY**

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

### **4. CONSULTATION RESPONSES**

- 4.1 Parish/Town Council  
Unparished Area.

## 4.2 Other Consultees

### Lead Local Flood Authority

No objection

### Sustainable Transport

The level of parking to be provided complies with the Council's requirements for the size of the proposed dwelling (including the annexe). On that basis, there is no transportation objection subject to the following conditions:- 1. The proposed annexe is not to be sub-let or sub-divided from the main dwelling at any time. 2. The vehicular parking to the frontage of the site to be provided prior to commencement of the development. 3. The driveway/parking area to have a permeable bound surface and be satisfactory maintained as such. 4. The Applicant to obtain the necessary permission from the Council to extend the existing vehicular crossover onto Graham Road.

## **Other Representations**

### 4.3 Local Residents

These are responses to the initial scheme. Revised plans were submitted and further consultation allowed. There were no objections submitted with regard to the amended plans.

#### **Objection received from No. 24 Graham Road**

1. That the proposed two storey extension to the front of the property is contra to the street-scape and extends beyond the building line. A ground floor porch extension would be acceptable.
2. That the 4.00m roof line to the proposed annex is unnecessarily high.

#### **Objection received from No. 28 Graham Road**

2. In summary: 1) We object to proposed living accommodation annex in rear garden; 2. We have concerns regarding proposed 2 storey extension to the front of house; 3. We have concerns if there are any proposed window to side of proposed rear extension and first floor level; 4. Noise concerns - planning condition to be considered in the event of approval; 5. No other concerns, although Party Wall Act consent not deemed to be implied herein.

#### **Objection received from No. 30 Graham Road**

3. Objections to the two storey front extension because the it is not in-keeping with the other properties on the street. Issues regarding parking provision and privacy concerns regarding the proposed annexe.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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 in accordance with policy CS1 of the Core Strategy, and that there is no unacceptable impact on residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.

Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

## 5.2 Design

The proposed two storey side extension has a lower ridge height than the existing dwelling, allowing the addition to appear subservient to the host. The roof of the extension will be hipped and the size and shape of the openings and the materials chosen match the existing. Therefore the extension is in accordance with policy CS1 of the Core Strategy (Adopted) 2013. The two-storey front extension was considered to be out of keeping with the streetscene and therefore amended plans were submitted on 28<sup>th</sup> September 2015 to show a single-storey porch extension.

The single storey rear extension will extend out from the original building by 4.5 metres to the same line as the proposed side extension. The single storey rear extension will have a lean-to roof with the highest point being approximately 3.9 metres and the height of the eaves being 2.3 metres. There will be five elongated windows to the rear of the single storey extension and three skylights in the roof. The materials used for this extension will also match the existing. Therefore the single storey rear extension is in accordance with policy CS1 of the Core Strategy (Adopted) 2013.

The proposed ancillary residential annex will be situated to the rear boundary of the property, at the bottom of a long elongated garden which is characteristic of the streetscene. The proposed height of the annex will be 4 metres, the length will be 10 metres and the proposed depth will be 7 metres. The roof will be pitched and there will be two skylights to the front facing roof and two skylights to the rear facing roof. There is one proposed small side window and a small, obscure glazed rear window. There will also be glass doors and two windows to the front of the annex. Due to the size and scale of the annex and that the materials used will match and be in keeping with the original building and streetscene, the single storey annex is also in accordance with policy CS1 of the Core Strategy (Adopted) 2013.

## 5.3 Residential Amenity

Amenity is considered in terms of the application site and all nearby occupiers. The proposed development will have little impact on the amenity of the application site. As there is still a large garden space retained after the proposed extensions it is considered that the proposal will not have a detrimental effect on the private amenity space currently afforded to no. 26 Graham Road.

- 5.4 The two storey side extension and the single storey rear extension brings the property closer to the adjacent dwelling, however there are no facing windows. Proposed openings face towards the highway and into the rear garden, providing only indirect views common in residential areas. There is one small side window and a small, obscure glazed rear window proposed to the single storey annex. The neighbours to the side and rear also have very long, elongated gardens, therefore it is considered that there will be no residential amenity issues related to overlooking or the loss of light and privacy currently afforded to the neighbours to the side and rear of no. 26 Graham Road.

The development does not harm residential amenity and is in accordance with policy H4 of the Local Plan (Adopted) January 2006.

#### 5.5 Transport

The development proposes the creation of two additional bedrooms to make a five bedroom house. The minimum parking standards for a five bedroom house is three spaces. On plan no. 3475 SBP rev A three car parking spaces are clearly shown to the front of the property. Therefore, the proposal accords with The Residential Parking Standards SPD (2013)

### 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 It is recommended to **APPROVE** planning permission subject to the conditions listed on the decision notice.

**Contact Officer: Chloe Buckingham**

**Tel. No. 01454 863464**

### 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 annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 26 Graham Road, Downend in order to accord with Policy H4 of the Local Plan 2006.

Reason

In the interests of highway safety and residential amenity and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

3. The hours of working on site during the period of construction shall be restricted to 08.00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

4. Prior to the first occupation of the dwelling hereby approved and at all times thereafter, three off-street parking spaces shall be provided.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the minimum Residential Parking Standard SPD (Adopted) December 2013.

5. The driveway/parking area is to have a permeable bound surface and to be satisfactorily maintained as such.

Reason

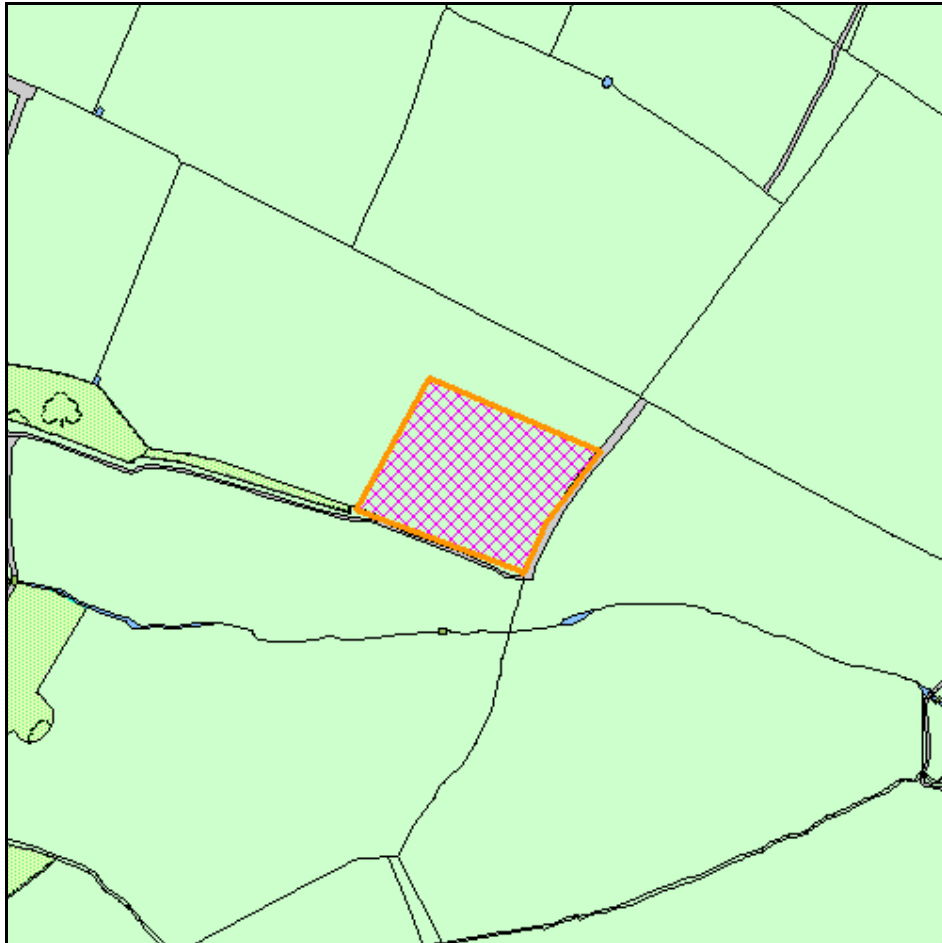
To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.



## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PT12/2644/O	<b>Applicant:</b>	Barratt Developments Limited
<b>Site:</b>	Land At Park Farm Butt Lane Thornbury Bristol South Gloucestershire BS35 1RA	<b>Date Reg:</b>	9th August 2012
<b>Proposal:</b>	Creation of balancing pond and associated drainage infrastructure to serve proposed residential development on Land at Park Farm, Thornbury. Outline application with no matters reserved.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	363826 191393	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Major	<b>Target Date:</b>	5th November 2012

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PT12/2644/O

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

The application is referred to the circulated schedule as representations have been received contrary to the officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The planning application seeks permission for the creation of a balancing pond and associated drainage infrastructure to serve proposed residential development on Land at Park Farm, Thornbury. Outline application with no matters reserved.
- 1.2 The scheme relates to an attenuation pond serving the Park Farm development (PT11/1442/O) which was approved in March 2013. At that time an application for a pond in the location was also approved (PT11/1441/O). This current application is therefore a duplicate application, which was not determined. Whilst the application is in outline, the applicant has submitted information with regard to all reserved matters, including access, layout, external appearance and landscaping.
- 1.3 The site consists of a flat field directly to the west of the approved Park Farm development, to the north of the Pickedmoor Brook. The site is enclosed by existing hedgerows and is not visible from Butt Lane.
- 1.4 The current proposal for the attenuation pond differs from that approved in 2013, in response to the need to revise the overall drainage scheme from that originally approved, following further drainage investigations post-decision of the outline planning permission.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006  
L1 Landscape Protection and Enhancement  
EP2 Flood Risk and Development  
  
South Gloucestershire Core Strategy incorporating Post-Submission Changes  
December 2011  
CS9 Managing the Environment and Heritage  
CS33 Thornbury Housing Opportunity

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT11/1441/O Creation of balancing pond and associated drainage infrastructure to serve proposed residential development on Land at Park Farm, Thornbury. Outline application with landscape matters reserved. Approved with conditions 8 March 2013.

#### 4. CONSULTATION RESPONSES

##### 4.1 Thornbury Town Council

The Town Council cannot support this application without the approval and satisfaction of both the Environment Agency relating to the drainage and Natural England concerning the protection and welfare of badgers.

##### 4.2 Other Consultees

###### Environment Agency

The EA objects to the revised details as the drainage infrastructure has not been fully resolved in light of the groundwater ingress issues.

Further to this the Environment Agency have confirmed that the revised detailed drainage strategy for Park Farm is acceptable (following discharge of conditions on the outline permission) since the revisions to the off-site pond are an integral part of the approved drainage plan for this application, and the EA's objection therefore falls away.

###### Wessex Water

Wessex Water are satisfied the revised changes which will be subject to a Section 104 (Water Industry Act) and engineering agreement.

###### Rockhampton Parish Council

Concerns over the volume of water entering the local drainage rhines which as led to flooding in the village at times of heavy rainfall and high tied on the Severn. The Council have undertaken work to alleviate some bottlenecks in the village but the main problem is that under certain conditions the rhines are full and localised flooding cannot be avoided. We have also met with the Lower Severn Drainage Board and the Environment Agency to discuss the problem.

We are thus most concerned that further development in Thornbury might increase the amount of water being put through the rhines and that this might aggravate the situation in Rockhampton. We believe that any further development in Thornbury should include the infrastructure necessary either to hold back all water until the rhines and tide levels are able to accept this flow, or to accommodate the extra water by other means downstream from Thornbury. The present network has been shown to be inadequate for the current volumes at times of high rainfall.

###### Oldbury on Severn Parish Council

Fundamentally nothing has changed which reduces the concerns which have already been expressed. The Flood Risk Assessment is all about the proposed development site .The information provided does nothing to convince the residents of Oldbury On Severn who live to the internal drainage network that the risk of flooding will not be exacerbated by this development .This is of particular concern because of the cumulative effects of the legacy and other proposed Thornbury development which will influence the Pickedmoor Brook catchment. Whilst the concept of attenuated flood management preventing large volumes of water more than can be expected

from greenfield run of rates is seductive it does not address the bigger and more complex third party flooding potential scenario.

Reference to tide locking in the Severn Estuary Lowlands is a reality made worse by the effects of climate change and will impede the egress of storm water reducing the amount of time available to disperse the accumulated water.

The Flood Risk assessment whilst using a contingency for climate change does not take into account the findings of United Kingdom Climate Projections (UKCP09). Given the physical local flooding experiences of Winter 2012 the effects of surface water flooding and green field run off need to be given greater material weighting. The Environmental Flood Map does not quantify the flood risk associated with the Pickedmoor Brook which is an un-gauged watercourse and there are far too many estimations being used throughout the report. The report admits (3.4.2) that there is a degree of uncertainty associated with fluvial flow estimates derived from modelling. If it is uncertain for the Park Farm Development who is looking after the interests of those living further downstream with the additional cumulative effects of the lower catchment?

We question the accuracy of the information re Tidal Flooding (2.3.2) The report claims that the EA Flood Map indicates that the extent of tidal flooding reaches 8 metres AOD , this requires reconciliation because information available to the SGC Planning Department from the EA unequivocally states that there is potential for a still water tide level of 10.3 Metres AOD.

To summarise, The Flood Risk Assessment information and Flood Management does not cover the subject of what the potential effects of storm water flow are likely to be further down stream.

The community in and around Oldbury Village are of the view that failure to assess the knock on effects is a serious and dangerous omission and that no further consent consideration should be afforded to this and other large development until the matter is satisfactorily resolved .

## **Other Representations**

### 4.3 Local Residents

8 representations have been received from local residents, 7 of which object. The comments are as follows:

- Numbers of houses at Park Farm are excessive
- Set an undesirable precedent
- Concern over drainage plans
- Who will adopt the ponds?
- Who will pay for maintenance?
- How will the ponds be secure- is it intending that they are public open space?
- There is an active badger sett where the proposed balancing pond is to be constructed- can this be taken into account when considering the planning application?

- This is premature application – the local plan makes no provision for housing development here
- No need established for housing
- The Park Farm site is the wrong site for housing in Thornbury
- Harm to wildlife
- Removal of hedges
- Local services stretched
- Balancing pond too small
- No guarantee that the drainage and flood development works will not harm the medieval fishponds Scheduled Ancient Monument
- Increase in traffic
- Diminishment of the floodplain

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application seeks outline permission for a balancing pond to serve the already approved Park Farm development. The scheme seeks to amend the detail of the balancing pond to that approved under PT11/1441/O. This requirement is a direct result of changes to the drainage strategy agreed for Park Farm through the work to discharge the drainage conditions on the housing site. Since this application is essentially a duplicate one, and a similar balancing pond was approved in March 2013, it is considered that the principle of development is already established and is therefore acceptable. As such any comments received to the application that do not relate specifically to the balancing pond application and the drainage of the Park Farm development cannot be taken into account in the assessment of this current application.

### 5.2 Landscape and Visual Amenity

The proposed pond is approximately a third bigger in size than the approved balancing pond- however it has a shallower profile as it is constructed in a different manner, to include under-drainage. It also has a shallower slope to the pond (1:5 slope) than the previously approved. These changes have been made to resolve issues raised by the Environment Agency and the Local Lead Flood Authority regarding potential ingress to groundwater, specifically to ensure the capacity of the pond is to alleviate flooding is maintained.

5.3 The site itself is flat and is well contained from short, medium and long distance views by extensive, existing hedges, with some retained trees and is set well back from any public view points such as Butt Lane or the nearest footpath. The impact on the visual amenity as a result of these proposals is therefore minimal.

5.4 The scheme proposes landscaping, as whilst the application is in outline, the applicant has submitted these details to avoid having to submit them at a later date. The Council's Landscape Officer considers that the landscaping scheme is appropriate and the will not result in to the membrane within the pond. No TPO trees are affected by the proposals. Since the applicant has submitted full landscaping details it is not considered necessary to condition them.

5.5 The proposed access to the pond is via a grasscrete track in the position previously approved as part of PT11/1441/O. As such, the principle of a track in location is considered acceptable, and no changes are proposed.

5.6 Given the above, it is considered that the implications of the proposal of the proposal on the landscape and visual amenity of the area are acceptable and are in accordance with Policy CS9 of the Core Strategy.

5.7 Transportation

No direct transport access to the site is required- the only access required is that for maintenance vehicles. Access is via the Park Farm development itself. As such, there are no transportation issues arising as a result of the proposal.

5.8 Ecology

The site includes a badger sett on the northern corner of the site. The layout of the pond does not interfere with the location of the badger sett. The Council Ecologist has confirmed that further, very recent investigation has established that the sett has not been active for some time and is mostly overgrown. The Council Ecologist has stated that the tunnels only go one way- back into the hedge, and hence the metal post and chain link fence as part of the protective fencing will also safeguard the sett if it is eventually re-used. There are no other ecological issues arising as part of the proposal.

5.9 Drainage

The balancing pond is one part of a wider drainage scheme for the Park Farm development, the majority of which is covered by conditions on the outline planning permission PT11/1442/O. These conditions have now been discharged following amendment of the overall drainage scheme by the applicants to resolve the issue raised by the Environment Agency regarding the potential for groundwater ingress. As such, the Council's Drainage Engineer is satisfied that the proposed scheme provides appropriate drainage for the site and there are no further drainage issues arising from the proposal.

The maintenance of the pond was covered in the original S106 agreement pursuant to planning permission PT11/1442/O and PT11/1441/O, in that it will be privately maintained as a surface water facility in perpetuity. Since this is a new, and separate planning permission, the Council's Legal Officer has stated that a deed of variation may be required to the S106 agreement to cover the provision and maintenance of the amended balancing pond in perpetuity for this duplicate application, and as such, a head of term has been recommended to this effect.

Residential Amenity

There are no existing residential properties that will be affected by the proposed balancing pond. Future residential properties will be approximately 45m from the edge of the balancing pond, and since it will be hidden by existing hedges proposed to be retained, they will be afforded no views of it. As such there will be no impact on the amenity of future residents as a result of the proposals.

### Other Matters

Concerns have been raised by local residents regarding the adoption and maintenance of the pond. The pond will be maintained by the maintenance company that will look after the public open space, with a rent charge made on all properties for the upkeep of the pond(s) and the public open space. This is established practice within South Gloucestershire and the procedure has been included with the signed S106 agreement attached to the outline planning permission for the housing, and the approved balancing pond scheme. This will ensure that the pond is maintained to an adoptable standard.

Concerns have been raised as to whether the pond will be public open space. The pond will be fenced off for safety reasons and be purely for drainage only and will not be publicly accessible- this is stated in the signed S106 agreement pursuant to PT11/1441/O and PT11/1442/O. A condition regarding boundary treatment is recommended, as per the already approved scheme.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 That planning permission be granted subject to the conditions set out below and the applicant first voluntarily entering into a deed of variation, if required, to the S106 agreement pursuant to planning permission PT11/1441/O and PT11/1442/O under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
  - Provision and private maintenance of the balancing pond in perpetuity as a surface water structure serving the Park Farm development
- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the deed of variation, if required
- 7.3 Should the deed of variation not be completed within 6 months of the date of resolution then the application be refused or returned to the circulated schedule or Committee for further consideration on this basis.

**Contact Officer: Sarah Tucker**  
**Tel. No. 01454 863780**

## **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. Details of the boundary treatment to the pond shall be submitted to the local planning authority for approval prior to the first occupation of the adjacent Park Farm site. The details so approved shall be implemented and maintained thereafter as such

### Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS9 of the Core Strategy Adopted 2013

3. The development hereby approved shall be carried in strict accordance with the following plans/drawings:

Drainage strategy overview drawing 12727 SKC019E

Drainage Details sheet 1 drawing C12727 C001.C

Drainage Details Sheet 2 drawing C12727 C002.C

Drainage Details Sheet 3 drawing C12727 C003..C

Basin and SUDS Detailed Drawing C12727 C004.G

Section 104 Drawing C12727 C103F

Storm Manhole Schedule Drawing C12727 C120.F

Detention Basin Earthworks Drawing C12727 C160.E

RE DuoDrain (Interdrain) lifespan Inquiry Email dated 26/11/2014

Duodrain GM Range Data Sheet (14)

Ekotex Lifetime Prediction

HM10M AquaBlock Service Life

Attenuation Pond Landscape Proposals drawing GL0001\_07.D

SUD's Maintenance Schedule

Received on 23/6/2015

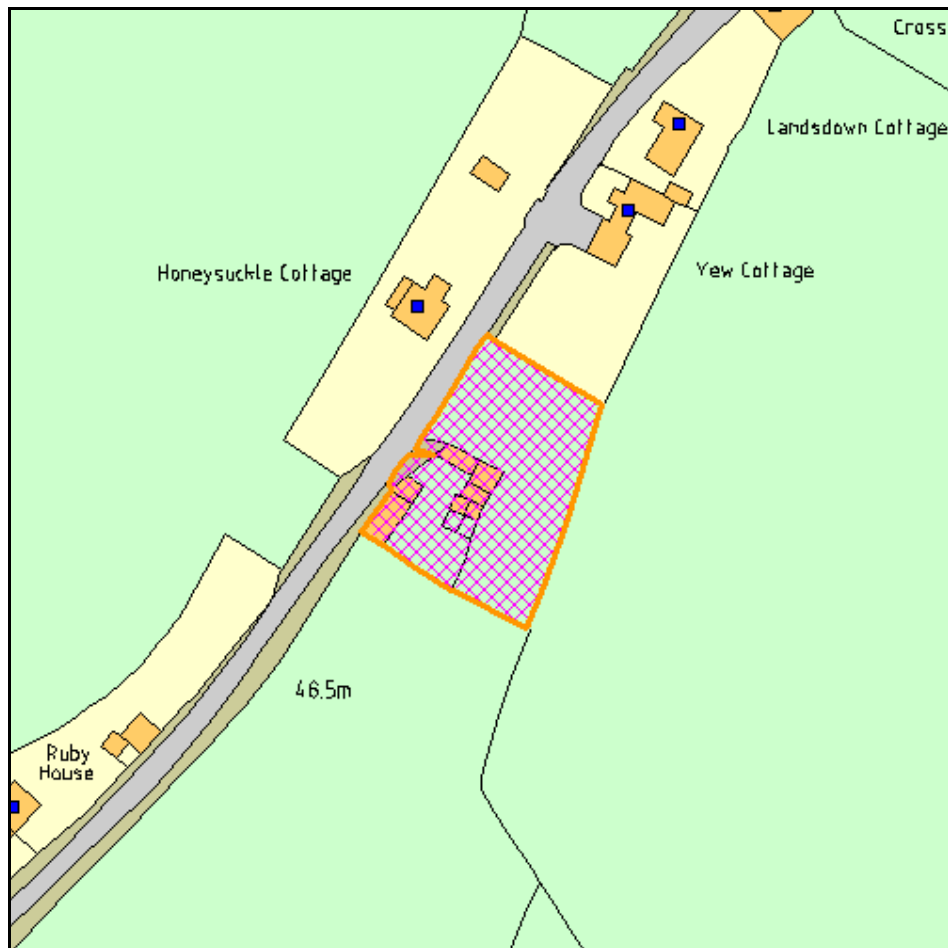
### Reason

In the interests of clarity and in order to define the planning permission



## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PT15/2719/F	<b>Applicant:</b>	Mr J Nelmes And Mrs C Mercer
<b>Site:</b>	Land At Crossways Lane Thornbury Bristol South Gloucestershire BS35 3UE	<b>Date Reg:</b>	30th June 2015
<b>Proposal:</b>	Erection of extensions and conversion of two agricultural buildings to form 1no. dwelling with associated works.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	365447 190823	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th August 2015



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100023410, 2008. **N.T.S.** **PT15/2719/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule following the receipt of an objection from a local resident.

### **1. THE PROPOSAL**

- 1.1 The application relates to a pair of redundant agricultural buildings located within the open countryside to the south-east of Crossways Lane, Thornbury.
- 1.2 The main building is a part two-storey, stone and brick construction with red pantile roof and part single-storey concrete-block addition and lean-to with corrugated sheet roof. The other building is a detached, single-storey stone construction with part pantile roof and part tin sheet roof. An existing vehicular access leads to a central area of hard-standing.
- 1.3 The application proposes the conversion of the main building to provide a two bedroomed dwelling with living area, bathroom and kitchen. To facilitate the creation of the second bedroom, some minor works to extend the two-storey element are required. The second building would be converted into an open fronted car-port/store and utility room. The existing vehicular access into the site off the adjacent lane would be utilised.
- 1.4 The application is supported by the following documents:
  - Structural Survey
  - Design and Access Statement
  - Bat Survey
  - Foul Drainage Assessment Form
  - Septic Tank Specifications

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
The National Planning Policy Framework 27<sup>th</sup> March 2012  
The Planning Practice Guidance 2014

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013.

- CS1 - High Quality Design
- CS4a - Presumption in favour of Sustainable Development
- CS5 - Location of Development
- CS6 - Infrastructure and Developer Contributions
- CS8 - Improving Accessibility
- CS9 - Managing The Environment and Heritage
- CS15 - Distribution of Housing
- CS17 - Housing Diversity
- CS18 - Affordable Housing
- CS34 - Rural Areas

South Gloucestershire Local Plan (Adopted) 6th January 2006.

L1 - Landscape Protection and Enhancement

L9 - Species Protection

L11 - Archaeology

EP2 - Flood Risk and Development

T7 - Cycle Parking

T12 - Transportation Development Control Policy for New Development

H10 - Conversion and Re-use of Rural Buildings for Residential Purposes

Emerging Plan

Draft Policies, Sites & Places Plan

PSP1 - Local Distinctiveness

PSP2 - Landscape

PSP8B - Residential Amenity

PSP16 - Parking Standards

PSP17 - Heritage Assets and the Historic Environment

PSP19 - Wider Biodiversity

PSP20 - Flood Risk, Surface Water and Watercourse Management

PSP36 - Residential Development in the Countryside

PSP39 - Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) Adopted 23<sup>rd</sup> Aug 2007

Development in the Green Belt (SPD) Adopted June 2007

South Gloucestershire Council Residential Parking Standards (Adopted)

South Gloucestershire Landscape Character Assessment (Adopted) Nov. 2014

**3. RELEVANT PLANNING HISTORY**

3.1 None

**4. CONSULTATION RESPONSES**

4.1 Thornbury Town Council

No objection.

4.2 Other Consultees [including internal consultees of the Council]

Sustainable Transport

No objection subject to a condition to secure visibility splays at the access.

Ecology Officer

It is considered that the application passes the three European Protected Species licensing tests and that consequently there are no ecological constraints to granting planning permission. Conditions should be attached relating to the recommended bat mitigation strategy included within the revised bat survey report (Rev 3, July 2015) and artificial bird nest boxes (house sparrow and swallow)

Historic Environment

No comment

Community Enterprise

No response

Lead Local Flood Authority

No objection

**Other Representations**

4.3 Local Residents

1no. objection was received from the occupier of neighbouring Yew Tree Cottage who considered that an area originally shown as the development site was in fact registered in his ownership.

*A revised red edged site plan was subsequently submitted, omitting the land in question.*

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para. 14 of the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the development plan is absent, silent or relevant policies are 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 in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

5.2 The relevant parts of the development plan are The South Gloucestershire Local Plan Core Strategy (Adopted) 11<sup>th</sup> Dec. 2013 and the saved policies within the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan. 2006. The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.

5.3 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants' to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.

- 5.4 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.5 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: *Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.* The site lies on the outskirts of Thornbury and is considered to lie in a relatively sustainable location, close to a mix of local amenities including schools, shops, public houses, sports facilities and employment opportunities with pedestrian and highway links, including a bus route (bus stop 500m away) into Thornbury.
- 5.6 The NPPF seeks to significantly boost the supply of housing and para. 55 seeks to promote sustainable development in rural areas including development which would re-use redundant or disused buildings and lead to enhancement of the immediate setting. There is therefore no in-principle objection to the proposal.
- 5.7 Since the proposed use would be residential, the criteria attached to Policy H10 are relevant in this case. The policy lists criteria, which must be met if planning permission is to be granted and these are discussed below.
- 5.8 Analysis  
Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 relates to the conversion and re-use of rural buildings for residential purposes. It states:
- 'Proposals for the conversion and re-use of existing buildings for residential purposes outside the existing urban areas and the boundaries of settlements as defined on the Proposals Map will not be permitted unless;
- a) *All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use;*
  - b) *The buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction;*
  - c) *The buildings are in-keeping with their surroundings in terms of character, form, bulk and overall design;*
  - d) *Development including any alterations, extensions or the creation of a residential curtilage will not have a harmful effect on the character of the countryside or the amenities of the surrounding area;*
  - e) *The building is well related to an existing settlement or other groups of buildings.'*
- 5.9 **a) All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use;**
- 5.10 As required by Policy H10 (A), alternative uses to residential use for the existing buildings should first be explored. Criterion A requires that all reasonable

attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use. The supporting text (para. 8.217) to the policy states that normally a consecutive period of 12 months marketing is considered to be reasonable.

- 5.11 In this case the buildings are quite run-down and unsuitable for modern agricultural or commercial purposes. Furthermore, the proximity of other residential properties renders the site unsuitable for commercial uses. The viability of such an enterprise remains in question, especially considering the likely cost of conversion of these buildings.
- 5.12 Officers have noted that emerging Policy PSP36 only requires that all reasonable attempts have been made to secure an economic development use which is defined within the Core Strategy as including development within the B Use Classes, public and community uses and main town centre uses; furthermore a 12 month marketing exercise is not specifically required. In addition it is also material to the determination of this application that the Government has recently relaxed planning controls in respect of conversion of existing agricultural buildings to residential properties in the countryside (see GPDO Part 3 Class Q) and this weighs heavily in favour of the proposal. Officers consider in this case, that a residential conversion is, on balance the most appropriate use for the buildings.
- 5.13 **b) The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and .**
- 5.14 A structural survey of the buildings has been carried out by a suitably qualified surveyor. The Structural Survey Report has been submitted and it concludes by saying that the barns are suitable for conversion and do not require major reconstruction or repair and the majority of the stone, brick and block walls and roof structures are suitable for retention.
- 5.15 Officers have also inspected the buildings on-site and concluded that they are physically capable of conversion without major or complete reconstruction. Officers are therefore satisfied that criterion 2 of Policy H10 is met.
- 5.16 Design and Visual Amenity  
Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11<sup>th</sup> Dec. 2013 seeks to secure good quality design in new development and more specifically Policy H10 (D), which relates to the conversion of rural buildings for residential purposes, requires that – ‘Development, including any alterations, extensions or the creation of a residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area.
- 5.17 Residential conversions do tend to have the most impact on traditional farm buildings due to the need to accommodate all of the different rooms and functions associated with domestic properties. Conversions to alternative uses can, therefore, result in more sympathetic schemes of adaptation and re-use that better respect the character and significance of historic farm buildings.

- 5.18 In this case the buildings are of no special architectural interest but do exhibit traditional features. The overall design of the proposed dwelling would be rural in character, incorporating the natural stone facings, brick quoins and roofing materials. As such the proposed scheme would be a visual enhancement. Only limited extension is required but this would be over the existing single-storey footprint.
- 5.19 Some of the proposed residential curtilage may take on a planned, cultivated and domestic character and appearance and the garden could typically accommodate a range of physical features, such as items of hard landscaping, play equipment, clothes drying facilities and garden furniture. However this must be balanced against the fact that the existing buildings would be converted to give a significantly enhanced appearance. The residential curtilage would be well enclosed by existing and proposed boundary walls, fences and hedgerows. Nevertheless, given the rural location and character of these buildings, a condition to remove permitted development rights is in this case considered justified. The proposed conversion and associated change of use of land to residential curtilage is not inappropriate in this case and therefore meets criteria c and d of Policy H10.
- 5.20 Transportation Issues  
Although the site is outside any settlement boundary it is within a reasonable walking and cycling distance of schools, convenience stores and employment opportunities in Thornbury. Since the expansion of Thornbury into the Morton Way and Park Farm developments, the application site now lies on the outskirts of the Town. In accordance with criterion 'e' of Policy H10, the buildings are well related to other groups of buildings, there being some 30 individual dwellings along Crossways Lane.
- 5.21 There is sufficient space within the site to provide adequate parking and turning provision. At least two parking spaces would be provided within the car-port for the 2-bedroom property, which complies with the South Gloucestershire Residential Parking Standards, which are minimum standards.
- 5.22 The proposal would utilise an existing gated access, which although slightly sub-standard compared to current standards is comparable to existing access points along Crossways Lane; officers consider however that a condition should be applied to require visibility splays from a 2.0m setback from the edge of the carriageway to the extents of the site ownership. Subject to the above condition, there is no transportation objection to this proposal.
- 5.23 Landscape Issues  
The site is within the open countryside but has no special designation in the Development Plan. The proposed conversion of the buildings is acceptable in landscape terms. The proposed conversion results in a development that would be well enclosed by the existing and proposed walls, fences and hedgerows. The proposal would continue the sporadic residential development along Crossways Lane. Given the amount of existing vegetation within and around the site, an appropriate scheme of landscaping should be secured by condition, should planning permission be granted. Subject to this condition, it is

considered that there is no landscape character or visual amenity objection to the development with regard to Policy L1.

5.24 Impact Upon Residential Amenity

Although well related to the neighbouring dwellings, the new dwelling would be a reasonable distance from them. The proposed residential use is likely to have significantly less impact on the residential amenity of neighbouring property than a farming use, both in terms of noise or disturbance from the traffic generated; furthermore the general outlook for neighbouring occupiers would be improved by the conversion of these run down buildings. Given the position, orientation and distance of the proposed dwelling in relation to the nearest properties on either side of Crossways Lane, there would be no significant issues of overlooking. Whilst there would inevitably be some disturbance for neighbouring occupiers during the conversion phase, this would be on a temporary basis only and could be adequately mitigated by imposing a condition to limit the hours of working. An adequate area of private residential amenity space would be provided for the dwelling. The proposal therefore accords with Policy CS1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.25 Drainage Issues

The site lies in Flood Zone 1 and as such is not prone to flooding. It is proposed to use a septic tank for foul disposal, the details of which have been provided. Whilst a Package Sewage Treatment Plant would have been preferable, officers have raised no objection to the Septic Tank. The proposal is considered to be in accordance with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.26 Ecology Issues

The site is not covered by any statutory or non-statutory nature conservation designations. Appropriate ecological surveys have been carried out by Avon Wildlife. Officers are satisfied that the application passes the three European Protected Species licensing tests and that consequently there are no ecological constraints to granting planning permission. The Ecological Report recommends a bat mitigation strategy included within the revised bat survey report (Rev 3, July 2015) and artificial bird nest boxes (house sparrow and swallow). Officers support these recommendations, which can be secured by condition, in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.27 Affordable Housing

The proposal falls below the Council's threshold for affordable housing provision.

5.28 Community Services

The proposal falls below the Council's threshold for (10) for contributions to community services.

5.29 5-Year Land Supply

A recent appeal decision APP/P0119/A/14/2220291 – Land South of Wotton Road, Charfield, established (para. 146) that the Council can currently only



demonstrate a 5-year housing land supply sufficient for 4.64 years. As there is provision for windfall sites in the calculation, this weighs in favour of the proposal, which would make a positive contribution, albeit a small one, to the housing supply within South Gloucestershire.

#### 5.30 CIL Matters

The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1<sup>st</sup> August 2015 and this development, if approved, is potentially liable to CIL charging.

### 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 and the South Gloucestershire Local Plan Core Strategy (Adopted) 11<sup>th</sup> Dec. 2013 set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

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

**Contact Officer: Roger Hemming**  
**Tel. No. 01454 863537**

### CONDITIONS

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

Reason

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

2. As regards the building hereby approved, notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Schedule 2 Part 1 (Classes A, B, C, D, E, G, H ) or any minor operations as specified in Part 2 (Class A and C), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

Having regard to the rural character and setting of the buildings; to ensure the satisfactory appearance of the development and to protect the landscape character in general and to accord with Policies L1 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS1 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and the provisions of the NPPF.

3. The hours of working on site during the period of conversion shall be restricted to 07.30 to 18.00 Mondays to Fridays, and 08.00 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 neighbouring properties and to accord with the provisions of the NPPF.

4. Prior to the first use of the development hereby approved, the car parking facilities and turning areas shall be implemented in accordance with the approved plans.

Reason

To ensure adequate on-site parking provision and turning areas in the interests of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and to accord with The South Gloucestershire Residential Parking Standards (SPD) Adopted.

5. Prior to the first use of the development for the purposes hereby approved, visibility splays at the access shall be provided from a 2.00m set back from the edge of the carriageway to the extent of the site ownership. Thereafter the visibility shall be maintained at all times with no obstruction over the height of 0.9m within the splayed areas.

Reason

To ensure adequate visibility at the vehicular access in the interests of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and The South Gloucestershire Residential Parking Standards (SPD) Adopted.

6. Prior to the commencement of the development hereby approved, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting) plus a 5-year maintenance schedule, boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the Landscape in general and to accord with Policies L1 and H10, of the South Gloucestershire Local Plan (Adopted) January

2006; Policies CS1 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and the provisions of the NPPF. This is a pre-commencement condition to ensure that development does not commence before trees are protected.

7. Prior to the first use of the building for the purposes hereby approved, a plan showing the numbers, types and locations of new artificial nesting sites for swallow and house sparrow, should be submitted to and approved in writing by the Local Planning Authority. Thereafter the nesting sites shall be implemented in accordance with a programme to be agreed with the Local Planning Authority.

Reason

In the interests of protected species in accordance with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2011.

8. The development hereby approved shall be subject to the recommendations outlined in Section 6 (Recommendations and Mitigation Strategy) of the revised bat survey report (Rev 3) dated July 2015 by the Avon Wildlife Trust Ecological Consultancy to form the basis of a licence application (derogation) under Regulation 53 of the Habitat Regulations 2010. All works shall be carried out in accordance with said measures

Reason

In the interests of protected species in accordance with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2011.

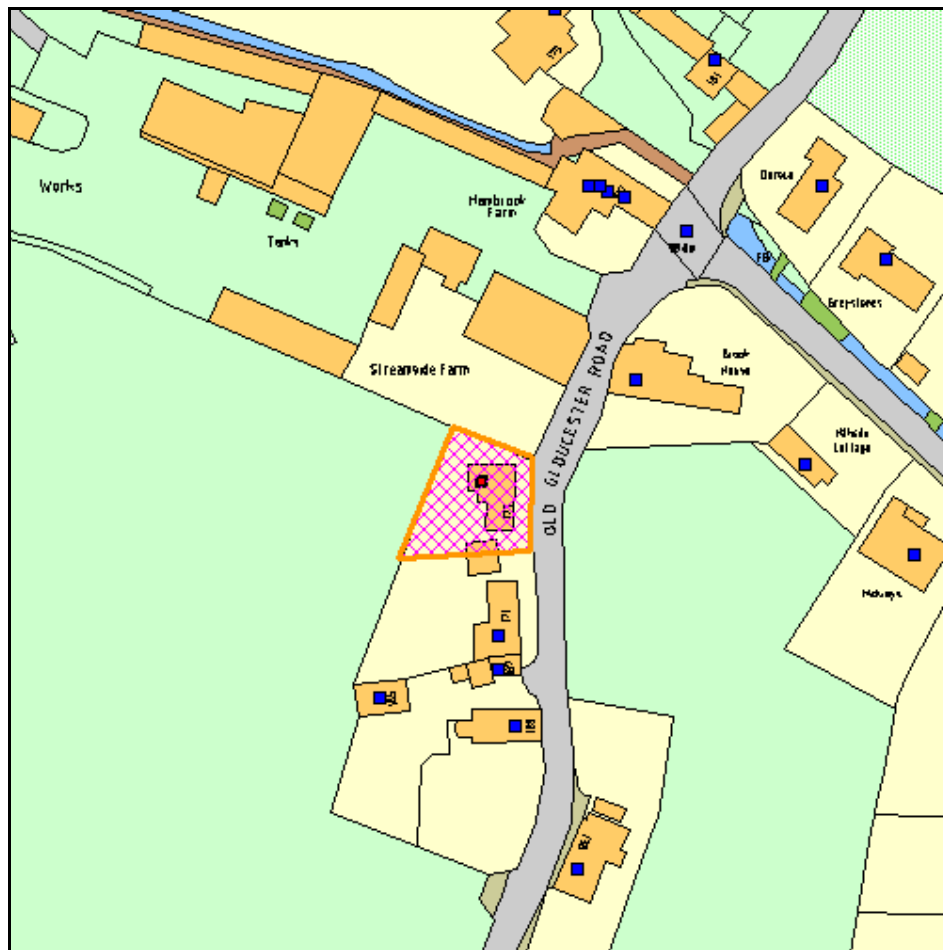
9. Prior to the commencement of the development hereby approved, details or samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th December 2013; and the National Planning Policy Framework.

## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PT15/3137/F	<b>Applicant:</b>	Mr Steve Lee
<b>Site:</b>	The Gables 173 Old Gloucester Road Hambrook South Gloucestershire BS16 1RQ	<b>Date Reg:</b>	21st July 2015
<b>Proposal:</b>	Erection of two storey rear extension to provide additional living accommodation. Demolition of part of existing garage to facilitate erection of detached double garage	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	363820 178774	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Householder	<b>Target Date:</b>	14th September 2015



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PT15/3137/F

## **REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule in accordance with procedure as an objection has been received which is contrary to the Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a two storey rear extension and the erection of a double garage (facilitated through the demolition of an existing garage). It should be noted that this scheme has been the subject of negotiations between the case officer and the applicant to achieve a more appropriate design and subsequently (discussed below) the two storey element has been amended to include a pitched roof
- 1.2 The application site comprises a detached property situated on the western side of Old Gloucester Road. The site located in the Green Belt and within the Hambrook Conservation Area.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS9 Managing the Environment and Heritage  
  
South Gloucestershire Local Plan Adopted January 2006 Saved Policies  
T12 Transportation  
H4 Development within Existing Residential Curtilages  
L12 Conservation Area
- 2.3 Supplementary Planning Guidance  
Residential Parking Standard SPD (Adopted) December 2013  
South Gloucestershire Design Checklist SPD (Adopted) August 2007  
Development in the Green Belt SPD

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P88/3095/C (land adj. to Orchard Cottage) - Demolition of existing garage and outbuildings and partial demolition of boundary wall to facilitate the erection of a detached dwelling and a pair of garages (Approve)  
  
P88/3094 (land adj. to Orchard Cottage) - Demolition of existing garage and outbuildings and partial demolition of boundary wall to facilitate the erection of a detached dwelling and a pair of garages. Alterations to existing vehicular and pedestrian access (Approve)

#### **4. CONSULTATION RESPONSES**

##### **4.1 Winterbourne Parish Council**

Objection - . Members are not against an extension in principle but feel the current design does not conform with details in the Hambrook Conservation Area.

##### **4.2 Lead Local Flood Authority**

No objection

##### **Transportation**

The proposals would increase the number of bedrooms from 3 to 5. SGC minimum parking standards require 3 off street parking spaces for a 5 bed dwelling. Adequate parking will be provided by the proposed double garage and driveway. There are no transportation objections.

##### **Conservation Officer (Summary)**

I would therefore suggest the scale and form of the rear extension is reconsidered, there is in my view an opportunity to retain a more contemporary approach but in perhaps a more traditional form. As submitted I cannot support this application and would advise that scale and form are reconsidered prior to formally resubmitting.

Following the submission of an amended proposal the Conservation Officer has withdrawn this objection

#### **Other Representations**

##### **4.3 Local Residents**

None received.

#### **5. ANALYSIS OF PROPOSAL**

##### **5.1 Principle of Development**

Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within the curtilage of existing dwellings, however given that the site is situated within the Bristol/Bath Green Belt at the heart of considering the principle of development is whether the proposal is acceptable when assessed against Green Belt Policy.

##### **Green Belt**

The National Planning Policy Framework (NPPF) defines the fundamental aim of Green Belt policy as being to prevent urban sprawl by keeping land permanently open, the essential characteristic being openness and permanence. With respect to household extensions therefore the NPPF states that these are appropriate providing that "the extension or alteration does not result in disproportionate additions over and above the size of the original building.

In this case the applicant is proposing, an addition of approximately 25% when the garage and extension are taken together. This is considered a proportionate addition and will not adversely affect the open character of the Green Belt or the purposes of including the land within it and as such accords with the aims and objectives of Green Belt policy within the NPPF as set out above.

The proposed development is considered acceptable in principle to consideration of the impact the design upon the character and appearance of the Hambrook Conservation Area, the impact upon residential amenity and the impact upon highway safety and these issues are considered in the report below.

#### 5.2 Conservation Area, Design and Visual amenity

Policy L12 of the South Gloucestershire Local Plan and Policy CS9 of the Core Strategy seek to ensure that the character and appearance of the designated Conservation Areas are preserved and where possible enhanced.

The proposal as originally proposed involved a bulky, flat roof extension of a contemporary design that would have been appropriate as an addition to a similar building however this building although modern follows traditional lines with rear gables. Within this context the box like form was considered to be out of character with the form of the dwelling even though located on the rear elevation which is to an extent away from the public realm. Officers have worked with the applicant to secure an amendment to the design to incorporate a pitched roof which more closely matches the other gable on this elevation. The use of timber cladding has been retained as has the large window but it is considered that the final form and appearance is appropriate within the context of this being a rear elevation.

The garage will use matching materials to the existing house and its form and scale is considered acceptable.

- 5.3 Overall, the proposal respects the existing dwelling and the character of the area through having an appropriate scale and utilising materials well. Therefore, the proposal is considered to preserve the character and appearance of the Conservation Area and to accord with the aims and objectives of Policy L12 of the South Gloucestershire Local Plan and Policy CS9 of the Core Strategy.

#### 5.4 Residential Amenity

Given the scale and the location of the proposed development in relation to adjoining occupiers it is not considered that the proposal would result in any detriment to the amenity of neighbouring occupiers either with regard to the loss of privacy or loss of outlook through appearing oppressive or overbearing. Overall, the proposal does not materially prejudice the residential amenity of any of the neighbouring occupiers, and therefore accords with saved policy H4 of the adopted Local Plan (saved policy) and the NPPF.

### 5.5 Transport and Parking

The proposal increases the number of bedrooms at the property from three to five. With regard to the Council's residential parking standard this is a material increase in the number of parking spaces required from 2 to 3. Nonetheless, the submitted plans indicate the ability within the site (both within the garage and driveway to the front) to accommodate the required number of parking spaces and therefore there are no objections with regard to highway safety.

## 6. CONCLUSION

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

6.2 The 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 It is recommended that planning permission is **GRANTED** subject to the conditions listed on the decision notice.

**Contact Officer: David Stockdale**  
**Tel. No. 01454 866622**

## CONDITIONS

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

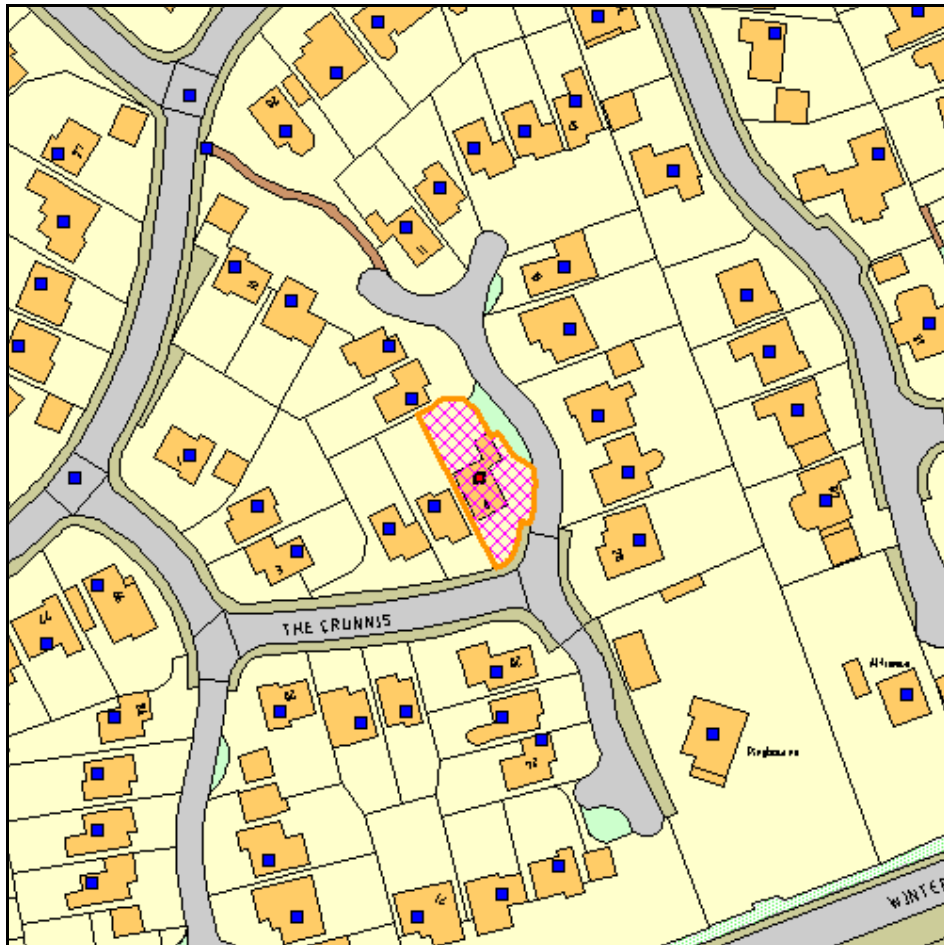
Reason

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



## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PT15/3778/F	<b>Applicant:</b>	Linda Hall
<b>Site:</b>	6 The Crunnis Bradley Stoke Bristol South Gloucestershire BS32 8AD	<b>Date Reg:</b>	9th September 2015
<b>Proposal:</b>	Erection of single storey front and rear extensions, and conversion of existing garage to form additional living accommodation.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	362158 180630	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Householder	<b>Target Date:</b>	2nd November 2015



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- The proposed extension, by reason of its design and position in relation to the existing building, would be out of keeping with the character and visual amenity of the existing dwellinghouse and other nearby properties and, if allowed, would detract from the character and visual amenities of the locality. The proposal is therefore considered contrary to Policy LP51 of the Bristol North Fringe Local Plan and, Policy D1 and H4 of the South Gloucestershire Local Plan (Revised Deposit Draft).

3.2 P86/0020/13 Approval of Reserved Matters 11/02/1987  
Residential development to include the erection of 63 detached dwellings, garages and associated boundary walls on approximately 2.6 hectares (6.5 acres). Construction of estate road and car parking areas. (In accordance with the amended plans received by the council on 19TH January 1987). (To be read in conjunction with P84/20/1).

#### **4. CONSULTATION RESPONSES**

4.1 Bradley Stoke Town Council  
No objection.

4.2 Stoke Bishop Parish Council  
None received.

4.3 Archaeological Officer  
No comment.

4.4 Arboricultural Officer  
No objection – there is a small cherry tree to the front of the dwelling, this will not be affected by the proposal. Trees form no constraint to the proposal.

4.5 Sustainable Transport  
No objection – there is not increase in the number of bedrooms at the property, and there is adequate parking space provided through the dwelling's driveway.

#### **Other Representations**

4.6 Local Residents  
One letter of objection has been received by the Council from the occupier of the adjacent dwelling, no. 5 The Crunnis, the contents of the letter are summarised below:

- It is unclear if there is any intention to create a brick boundary to separate the front gardens of the nos. 5 and 6 – currently divided by small shrubbery hedge owned by no. 5;
- The occupier of no. 5 would not consent to the removal of this hedge;
- If a boundary wall was erected between nos. 5 and 6, then the wall should not be higher than the existing hedge;
- If the matters included were satisfied then it is likely that the objection could be removed.

## 5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of single storey front and side extension, as well as a single storey rear extension to a residential dwelling in Bradley Stoke.
- 5.2 Principle of Development  
Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.
- 5.3 Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within the curtilage of existing dwellings. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.
- 5.4 Design and Visual amenity  
Although The Crunnis as an area does collectively have a recognisable form and scale, officers do not consider the area to have a distinct character. From reviewing the area it is clear that corner plots do have a certain open character to the side of the dwellings, the proposal due to its scale is considered to retain this characteristic.
- 5.5 As stated the scale of the proposal is acceptable, all the components of this proposal are single storey and suitably subordinate in height to the existing single storey side garage. The first component of the proposal extends from the front of the existing garage, the extension has a lean-to roof and the roof ties in well with the existing garage with an appropriate valley arrangement. Similarly, a porch-type extension will extend from the front of this extension, this will also have a lean-to roof, but this components will be slightly lower.
- 5.6 Currently the existing side garage forms part of the eastern boundary, from the garage a boundary wall then extends to the rear curving toward the property to the rear no. 7 The Crunnis. The third component of the proposal is a single storey rear extension this extends from the existing garage. To facilitate this extension, a section of the eastern boundary wall will be removed, and replaced by the external wall of the extension itself in a similar arrangement to the existing garage. The facing brick will be the same material as the existing brick wall, this further allows the proposed single storey rear extension to in-keep and is an appropriate replacement to the loss of the section of boundary wall. From this rear extension, the existing boundary wall will continue in the same form as it does now.

- 5.7 The submitted materials suggest that the proposal will be finished in matching materials, this is encouraged as it allows the proposed extensions to remain congruent with the area. Officers find it important to ensure that the proposed extensions are finished in a matching red brick due to their prominence, accordingly, should planning permission be granted it is recommended that the elevations material is conditioned.
- 5.8 Overall, the proposal has an acceptable scale and design, which is congruent with the surrounding area and respects the existing dwelling.
- 5.9 Residential Amenity  
Saved policy H4 of the adopted Local Plan aims to ensure that residential development within established residential curtilage does not prejudice the residential amenity of any neighbouring occupier.
- 5.10 The proposal does include two windows and a double doors on the side elevation of the proposed rear extension. These openings face the adjacent dwelling, as there is a boundary fence that is approximately 1.6 metres in height in the intervening space between the properties, the proposed fenestration is not considered to result in material loss of privacy to any nearby occupier.
- 5.11 Due to the position and scale of the proposal, a loss of light to nearby occupiers is not expected to result from this proposal. Similarly, as the proposal is positioned away from nearby dwellings, and it has an appropriate scale, the proposal is not expected to result in a materially overbearing impact.
- 5.12 Overall, the proposal is considered to have an acceptable impact on the residential amenity of the nearby occupiers.
- 5.13 Arboriculture  
The Council's arboricultural officer has been consulted, and has stated there are no constraints to development on this site with regard to trees. The cherry tree to the front of the dwelling will not be materially impacted as a result of the proposal. It is noted that the leylandi tree to the north of the dwelling will be removed as a result of this proposal, this is necessary to enable the single storey rear extension. The leylandi tree is fairly modest, and is not considered to contribute significantly to the landscaping or the visual amenity of the area. Accordingly, although the officers will always attempt to retain trees, in these circumstances it is considered that the loss of the leylandi tree is acceptable.
- 5.14 Transport and Parking  
The proposal requires two car parking spaces to accord with the Council's adopted minimum car parking standard. The application site currently has adequate car parking. The proposal means that a new car parking space will be required to enable the site to have adequate car parking facilities, this is reflected in the submitted details - a new car parking space will be installed to the front of the existing dwelling, meaning part of the garden will be removed. The loss of a section of the front lawn is regrettable, however, these works are considered to be permitted development and consequently it would be unreasonable for the Local Planning Authority to try to restrict such

development. To ensure that adequate car parking facilities are provided, a condition is recommended should planning permission be granted to guarantee a minimum of two car parking spaces are provided on site.

#### 5.15 Other Matters

A comment from a member of the public has objected with regard to the potential loss of the shrub hedge boundary between nos. 5 and 6 The Crunnis. The proposal shows no intention to remove this small hedge or to erect a wall in the place of this hedge. Notwithstanding this, the hedge is believed to be in the ownership of the occupiers of no. 5 - any works within or on land that is not within the applicant's ownership would require permission from the land owner.

### 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 It is recommended that planning permission is **GRANTED** subject to the conditions listed below/on the decision notice.

**Contact Officer: Matthew Bunt**  
**Tel. No. 01454 863131**

### CONDITIONS

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

Reason

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

2. The materials to be used in the construction of the external walls of the extensions hereby permitted shall utilise red brick that matches those used in the existing building.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

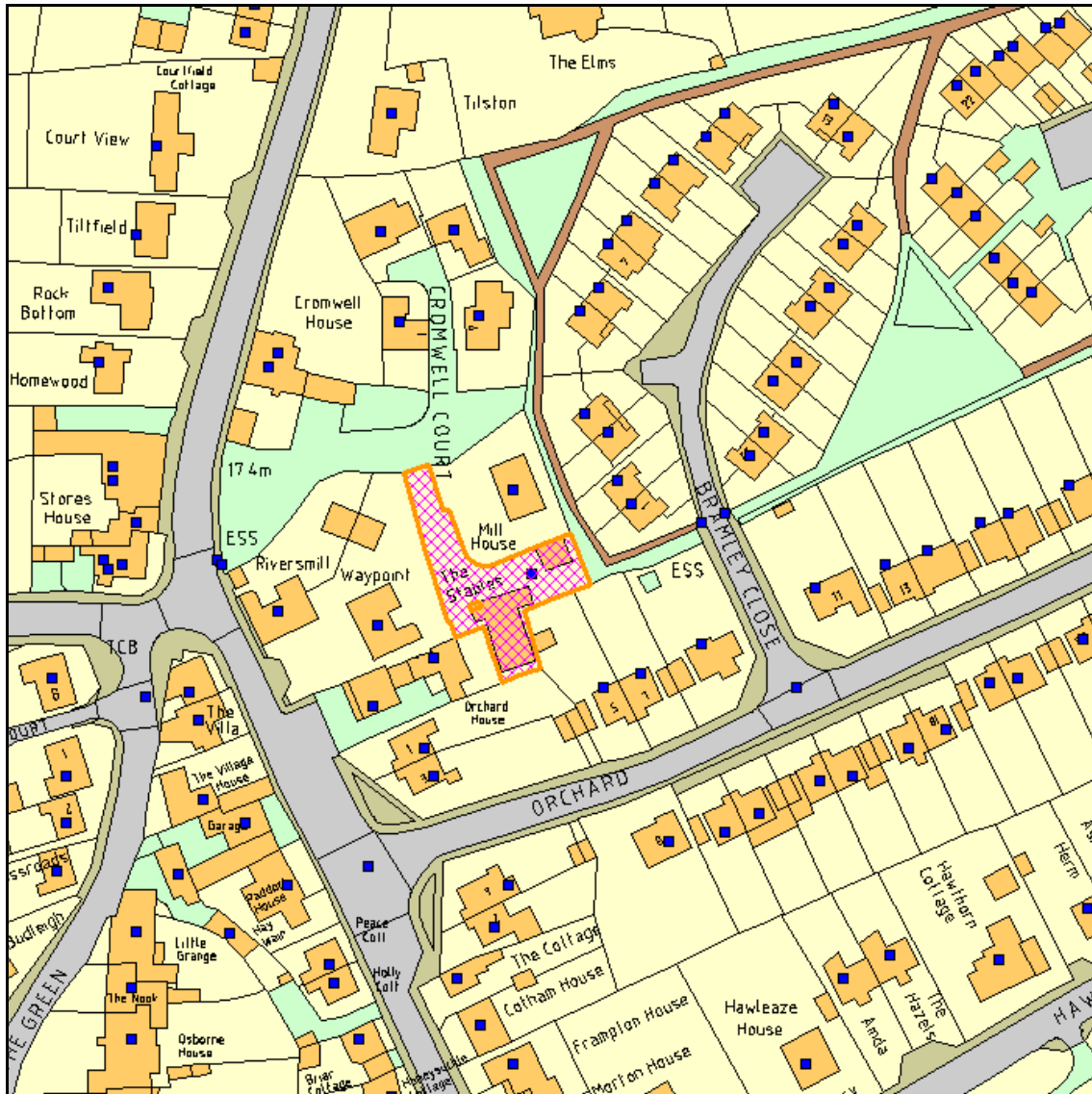
3. Prior to the first occupation of the extensions hereby approved and at all times thereafter, two off-street parking spaces shall be provided that measure a minimum of 2.4 metres by 4.8 metres.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

## CIRCULATED SCHEDULE NO. 41/15 – 9 OCTOBER 2015

<b>App No.:</b>	PT15/3794/F	<b>Applicant:</b>	Mr Peter Dawes
<b>Site:</b>	The Stables The Street Olveston Bristol South Gloucestershire BS35 4DR	<b>Date Reg:</b>	2nd September 2015
<b>Proposal:</b>	Erection of single storey front and side extension to form additional living accommodation	<b>Parish:</b>	Olveston Parish Council
<b>Map Ref:</b>	360163 187018	<b>Ward:</b>	Severn
<b>Application Category:</b>	Householder	<b>Target Date:</b>	27th October 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

The application is referred to the Circulated Schedule as a local resident has objected to the proposal contrary to the officer recommendation of approval.

### **1. THE PROPOSAL**

- 1.1 The site is located the South of Mill House and is accessed from The Street via the yard associated with the former Corn Mill (now developed for housing). The site is located within the Olveston Village Development Boundary and the Olveston Conservation Area. The site is also washed over by the Green Belt. Planning permission was granted the existing dwelling in 2007 (following an earlier permission granted at appeal).
- 1.2 The proposed development consists of a modest single storey flat roof extension to the West elevation of the existing dwelling.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012  
Planning Practice Guidance
- 2.2 Development Plans  
  
South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS5 Location of Development  
CS9 Managing the Environment and Heritage  
  
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings.  
T12 Transportation Development Control Policy for New Development.
- 2.3 Proposed Submission: Policies, Sites and Places Plan March 2015 (Emerging Plan)  
PSP7 Development in the Green Belt  
PSP17 Parking Standards  
PSP18 Heritage Assets and the Historic Environment  
PSP39 Development within Existing Residential Curtilages, Including Extensions and New Dwellings.  
PSP44 Private Amenity Space Standards
- 2.4 Supplementary Planning Guidance  
Development in the Green Belt (Adopted) 2007.  
South Gloucestershire Design Checklist (Adopted) 2007.  
South Gloucestershire Residential Parking Standards (Adopted) 2013.  
Olveston Conservation Area 2013.

### **3. RELEVANT PLANNING HISTORY**

3.1 PT05/1798/F - Erection of detached dwelling on 0.1 hectares of land.

Refused 26<sup>th</sup> July 2005.

This application was refused by the LPA for highway/access reasons only. The application was subsequently allowed at appeal (APP/P0119/A/06/2007345) on 4<sup>th</sup> December 2006

3.2 PT07/1375/F - Demolition of existing garage to facilitate the erection of detached dwelling and garage with associated works.

Approved 22<sup>nd</sup> June 2007.

### **4. CONSULTATION RESPONSES**

4.1 Olveston Parish Council

No Objection.

4.2 Conservation Officer

The Conservation Officer acknowledges that the site is not prominent in the public realm, and due to the limited scale of the proposed extension the character and appearance of the conservation area should be preserved. However the conservation officer raises objection in principle to the use of flat roofs in the conservation area and considers that by virtue of its scale and the fact it would project forward of the existing front building line, the proposed extension would increase the prominence of the flat roofed elements of the building to the point that it would significantly detract from the character of the resultant building.

Accordingly the conservation officer recommends that the proposal is revised to remove the flat roof design so as to accommodate the concerns raised; and that the proposal as submitted is refused.

#### **Other Representations**

4.3 Local Residents

Two comments made in objection are received raising the following areas of concern;

Objection was not raised in regards to the development of the existing dwelling on the basis that it is far enough away from the neighbouring property. Had that proposal included the proposed extension, then an objection would have been raised.

The proposed development would have a detrimental impact upon the amenity of the dwelling at Waypoint. The application site is higher than the adjacent property compounding the proximity of the proposed development to it.

The proposed development is against what was previously agreed.

Google Earth suggests significant hedge growth at the development site and the planning application may be mis-leading.

The proposed development should take place on the East side of the dwelling where it would have less impact on neighbouring properties and no impact upon the writers property.

The owners of the application site have not discussed the proposal with neighbours.

Concern is raised in respect of the Conservation Officer comments on the basis that the use of a pitched roof design could have a greater impact than that being proposed.

## **5. ANALYSIS OF PROPOSAL**

5.1 The application details a domestic extension to an existing dwelling.

### 5.2 Principle of Development

Saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 sets out that the provision of an extension to an existing residential dwelling is acceptable subject to the following considerations.

### 5.3 Green Belt

The site is located within the Village Settlement Boundary associated with the village of Olveston. Olveston is washed over by the Green Belt and as such the impact of the development upon the openness of the Green Belt is a material consideration.

5.4 Paragraph 89 of the National Planning Policy Framework sets out that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. However, exceptions to this presumption include 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.

5.5 The South Gloucestershire Green Belt SPD and the emerging Policies Sites and Places Plan is consistent with the scope of the NPPF in respect of extensions to buildings in the Green Belt; and provides a guiding figure of 30% in terms of what is considered to be proportionate. In this instance the existing dwelling has not been extended previously. The proposed development is modest and would introduce an extension that would be in the region of 15% additional volume. On this basis, officers are satisfied that the proposed development does not conflict with Green Belt Policy and is acceptable in that regard.

### 5.6 Design and Conservation Area Considerations

The site is located within the Olveston Conservation Area. However, it is located away from the general public realm set will back within its own enclosed residential curtilage. Views of the subject dwelling are limited. The dwelling itself is a modern building which sits in the former curtilage of Mill

House, itself a modern building dating from the 1960's. Modern buildings are positioned immediately to the West of the site. Officers consider that the character of the site and the dwelling which sits upon it are relatively isolated from the general core of the Olveston Conservation Area. Whilst the existing dwelling is modern and modest in form, its impact in conservation area terms is neutral.

- 5.7 The Conservation Officer acknowledges that the site is not prominent within the public realm and that the proposed development would preserve the character and appearance of the conservation area. However, it is noted that the Conservation Officer raises objection to the introduction of a flat roofed extension within the conservation area as a matter of principle.
- 5.8 Whilst officers acknowledge that flat roof development is often in conflict with the traditional building forms associated with conservation areas, the site is not located within the key area of the Olveston Conservation Area. Traditional forms are generally associated with 'The Street' and face onto it. The application site is located to the rear of the buildings facing onto 'The Street' and where the character of this part of the conservation area is dominated by the modern Mill House which includes flat roof elements. The subject dwelling is a modest, modern form and which deliberately includes flat roof elements as part of its design; and this in turn informs its character and the character of this site.
- 5.9 The proposed extension is positioned to the west of an existing flat roof wing of the dwelling. It is projected forward of the existing front elevation of the building. The dwelling does not have a traditional 'street frontage' and as such the projection forward of its principal elevation does not introduce a built form in conflict with the character of the dwelling. Indeed, the proposed extension is attached to what is a small entrance vestibule. The proposed development would introduce an extended flat roof element that would balance the flat roof element on the east elevation of the dwelling. It would also act to enclose the existing entrance. Whilst it is acknowledged that the development is not traditional in form, officers consider that it is consistent with the existing character of the dwelling subject of this application.
- 5.10 Given the location and character of the existing dwelling and its relationship with the surrounding conservation area, officers are satisfied that the development would not act to compromise the setting and character of Olveston Conservation Area; and is an acceptable design in its own right. The proposed development would have a neutral impact in this regard.
- 5.11 Residential Amenity  
An objection is received by the Local Planning Authority raising concern about the impact of the development upon the amenity of the occupiers of Waypoint, which is the adjacent property to the West of the application site. Specific concerns relate to the proximity of the development to the property and the difference in the respective levels associated with the application site and residential property at Waypoint.

- 5.12 During the site visit, the case officer observed substantial boundary treatment between the application site and the adjacent property and Waypoint in the form of a 1.8 metre high boundary fence. There is also a substantial boundary wall on the boundary of the site with Orchard House located due Southwest of the application site. To this end, officers consider that the application site is well enclosed and screened from the nearest adjacent dwellings and associated curtilages.
- 5.13 The flat roof design of the extension is such that it would be approximately three metres in height. The west elevation of the proposed extension would be approximately 1.8 metres from the boundary fence with Waypoint, against which there is a well maintained garden associated with Waypoint. The dwelling at Waypoint is approximately 8½ metres due west of the proposed extension. There are no windows proposed to be inserted in the West elevation of the proposed extension and officers noted on site that it is not possible to obtain a direct view from the application site across and into the residential curtilage associated within either Waypoint or Orchard House.
- 5.14 Given the overall height of the proposed extension, its distance from and relationship with the nearest dwellings, officers are satisfied that the development is not of a scale that would result in a detrimental impact in overbearing or over shadowing terms.
- 5.15 Transportation and Highway Safety  
The existing dwelling contains two bedrooms. The extension would provide an additional bedroom. The dwelling has a substantial curtilage and in particular has sufficient space to park two cars and more. In this regard, the proposed development does not conflict with the residential parking standards contained in the adopted Residential Parking SPD. The development would not materially increase the existing level of vehicle movements to and from the site and it such that there would be a neutral impact in terms of highway safety.
- 5.16 Other Issues  
It is noted that the objector has indicated that the proposed development is not in accordance with what has been agreed to be built in the past between the applicant and his neighbour. However, the presence of such an agreement is a civil matter and carries no material weight in the consideration 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 That planning permission is granted subject to the following conditions:

**Contact Officer: Simon Penketh**  
**Tel. No. 01454 863433**

### CONDITIONS

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and the National Planning Policy Framework.

3. The development shall be implemented strictly in accordance with the plans detailed below;

Drawing Numbers

000 (Combined Block/Location Plans)  
001 RevB (Existing and Proposed Floor Plans)  
002 (Existing Elevations)  
003 Rev B (Proposed Elevations)

Reason

For the avoidance of doubt.