



**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. 15/15

Date to Members: 10/04/15

Member's Deadline: 16/04/15 (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 providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

GUIDANCE FOR 'REFERRING' APPLICATIONS

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application and in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Management Technical Support Team. 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.

No Publication of Circulated Schedule Friday 20 March

Please be advised that due to a major planned upgrade our database will be unavailable from 17 – 20 March therefore there will be no Circulated Schedule No:12/15 published on Friday 20 March.

Dates and Deadlines for Circulated Schedule During Easter Bank Holiday 2015

Schedule Number	Date to Members 9am on	Members Deadline
13/15	Friday 27 March 2015	Thursday 02 April 2015 5pm
14/15	Thursday 02 April 2015	Friday 10 April 2015 4.30pm
15/15	Friday 10 April 2015	Thursday 16 April 2015 5pm

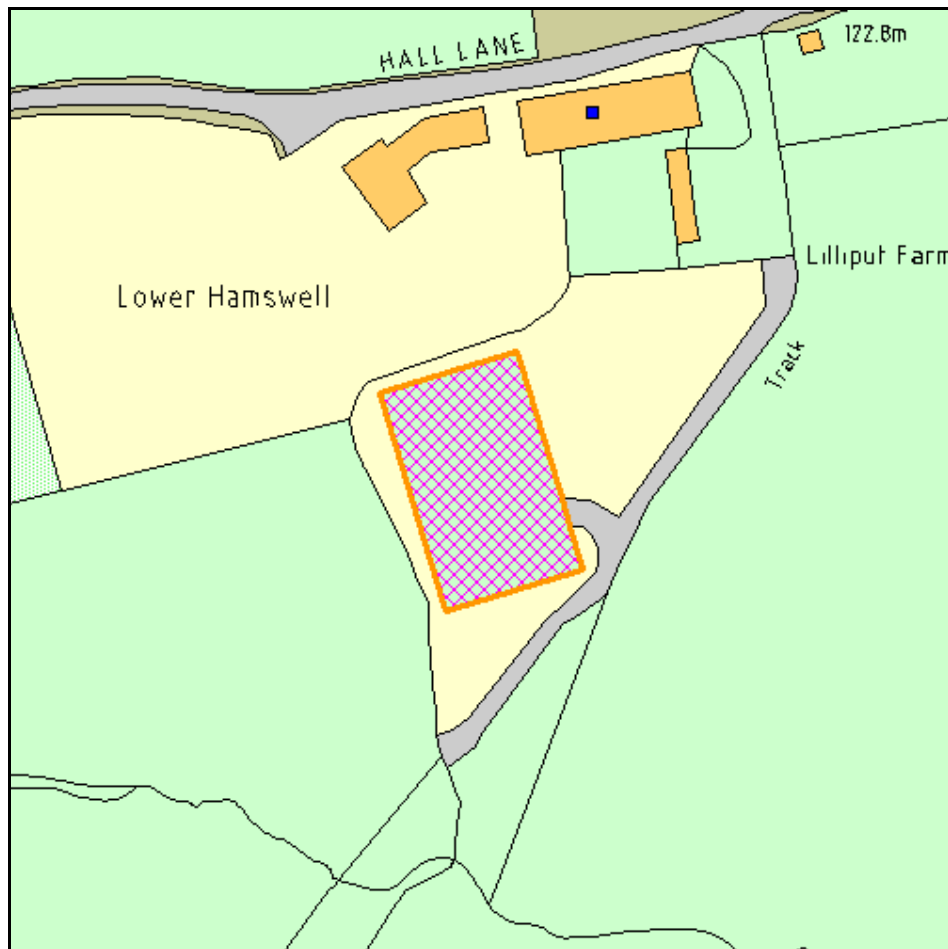
For clarity I have highlighted changed deadlines in **RED**.
All other dates remain as usual.

CIRCULATED SCHEDULE - 10 April 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK14/4932/F	Approve with Conditions	Lilliput Farm Lower Hamswell South Gloucestershire BA1 9DE	Boyd Valley	Cold Ashton Parish Council
2	PK15/0234/F	Approve	7 Woodhall Close Downend South Gloucestershire	Rodway	None
3	PK15/0562/F	Approve with Conditions	11 Central Avenue Hanham South Gloucestershire	Hanham	Hanham Parish Council
4	PK15/0670/F	Approve with Conditions	11 St Martin's Park Marshfield Chippenham South Gloucestershire SN14 8PQ	Boyd Valley	Marshfield Parish Council
5	PK15/0714/RM	Approve with Conditions	53 Badminton Road Downend South Gloucestershire BS16 6BP	Downend	Downend And Bromley Heath Parish Council
6	PK15/0733/CLP	Approve with Conditions	10 Baglyn Avenue Kingswood South Gloucestershire BS15 4XS	Rodway	None
7	PK15/0790/F	Approve with Conditions	31 Stanley Road Warmley South Gloucestershire BS15 4NX	Siston	Siston Parish Council
8	PK15/0814/F	Approve with Conditions	51 Ellacombe Road Longwell Green South Gloucestershire BS30 9BW	Longwell Green	Hanham Abbots Parish Council

CIRCULATED SCHEDULE NO. 15/15 – 10 APRIL 2015

App No.:	PK14/4932/F	Applicant:	Bath And Camerton Archeological Society
Site:	Lilliput Farm Lower Hamswell Bath South Gloucestershire BA1 9DE	Date Reg:	30th January 2015
Proposal:	Change of use of land for the keeping of 2no. portacabins for the storage of archaeological tools and equipment.	Parish:	Cold Ashton Parish Council
Map Ref:	373190 171136	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	23rd March 2015



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100023410, 2014. N.T.S. PK14/4932/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as it represents a departure from adopted policy.

1. THE PROPOSAL

- 1.1 The applicant seeks temporary planning permission for the period of 6 years for the change of use of land for the keeping of 2no. portacabins for the storage of archaeological tools and equipment. The portacabins would be located on an existing area of hardstanding situated to the south of Lilliput Farm. The application site lies in a remote rural location close to a group of farm buildings associated with the grade II listed farmhouse, but separated from it by fields. The site is also within the Bristol/Bath Green Belt and the Cotswolds AONB.
- 1.2 During the course of the application additional details were requested from the applicant to support the proposal in the form of very special circumstances. These were duly received and are considered acceptable.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage
CS23	Community Infrastructure and Cultural Activity
CS34	Rural Areas

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

L1	Landscape Protection
L2	Cotswolds AONB
L13	Listed buildings
T12	Transportation Development Control

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

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

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/3404/PNA Prior notification of the intention to erect an agricultural building for the storage of fodder and agricultural machinery.
No objection 13.11.13

3.2	PK11/1641/F	Erection of an agricultural building for the storage of hay.
	Approved	2.8.11
3.3	P95/2402/L	Removal of French doors and two windows to ground floor "family room" and replacement with window. Formation of new internal doorway between porch and proposed lobby, closure of existing doorway between kitchen and porch.
	Approved	6.11.95
3.4	P93/1678/L	Erection of porch. Alterations to outbuildings (in accordance with amended plan (ref no LF/302/REVA) received at this authority on 22 June 1993 and the agent's letter dated 9 July 1993)
	Approved	18.7.93
3.5	P92/2323/L	Installation of 4 no rooflights in east elevation
	Approved	15.11.92
3.6	P92/1802/L	New and altered fenestration
	Approved	26.7.92
3.7	P92/1140/L	Installation of gable windows in front elevation.
	Refusal	1.4.92
3.8	P92/1139	Installation of gable windows in front elevation
	Refusal	1.4.92
3.9	P91/2325	Demolition of existing single storey rear extension garage and outbuildings; erection of two storey rear extension to provide kitchen and study and family room with 2 bedrooms and bathroom above. (In accordance with the amended pla
	Approved	8.1.92
3.10	P91/2294/L	Demolition of existing single storey rear extension, garage and out buildings; erection of two storey rear extension to provide kitchen, study and family room with two bedrooms and bathroom above; internal alterations and installation of two windows to existing house (in accordance with amended plans received by the council on the 7TH november 1991 as further amended by agents letter dated 19TH november 1991)
	Approved	8.1.92

4. CONSULTATION RESPONSES

4.1 Cold Ashton Parish Council
No objection

4.2 Other Consultees

Landscape architect
No objections

Archaeologist
No objections

Listed Building Officer
No objections

Other Representations

4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. Of particular importance is the location of the site within the Green Belt and the Cotswolds AONB (L2 and SPD: Green Belts). The impact of the proposed development on the landscape and the open countryside is a further consideration (L1 and CS34) as well as its overall design and impact on the grade II listed farmhouse (CS1). Being located within the Green Belt very special circumstances were required to support the application. A list has been supplied by the applicant and these are considered appropriate.

5.2 Green Belt

The Government attaches great importance to Green Belts. As such inappropriate development is by definition harmful and should not be approved except in very special circumstances. The NPPF provides a list of exceptions to inappropriate development and certain other forms of development provided they preserve the openness of the Green Belt.

5.3 The proposal for the change of use of land for the keeping of 2no. portacabins for a temporary period of 6 years does not fall into any of the exception categories. The proposal is therefore inappropriate unless very special circumstances can be shown to outweigh the harm by reason of inappropriateness or any other harm. The applicant has provided a list of very special circumstances as:

- The Bath and Camerton Archaeological Society was founded in 1948 and the Society provides training opportunities for students to undertake excavations as part of their degree. The Society then provides supporting information to the respective universities
- The Society is a registered charity and arranges archaeological/historical excursions and lectures in the Bath
- The Society has undertaken work on behalf of BANES, English Heritage and the National Trust
- All the archaeological activities are done in consultation with the appropriate authorities and approval is always sought whenever the Society wishes to conduct surveys or excavations of Scheduled sites. The Society was based near Norton St Philip for 10 years but has been effectively homeless for the last 3 to 4 years. The 2 portacabins containing all the tools are currently at Trowbridge courtesy of Wessex Water.
- The owner of Lilliput farm is a member of BACAS and has asked the Society to investigate the archaeology of the farm. The intention is to explore the archaeological features on the farm and consult with and inform the South Gloucestershire County Archaeological Officer. It is possible that the disturbed round barrow on the edge of the farm may in fact be part of a long barrow. In addition initial investigations have revealed the site of an eighteenth century hermitage.
- The farm is on the boundary of BANES and we would wish to extend our interests to include the greater Lansdown area and investigate adjacent sites such as the barrow field surrounding the Grenville Monument, the Iron Age hillfort (Caesar's Camp), a Romano British village and pewter manufactory. The Society is also conducting surveys and scheduled to begin digs at the Roman Temple just outside Keynsham and likely to be involved with survey work at the Roman town of Trajectus (near the chocolate factory in Keynsham). The portacabins containing our support equipment would be conveniently sited for all these ventures which lie just outside the boundary of the farm.
- Any finds will be offered in the first instance to the respective county museum/archive and then the landowner. If they are not required then some will be used as teaching aids.

5.4 The above list indicates that the charity provides a service in terms of informing other organisations such as English Heritage of archaeological finds in the area, assists students and others in the learning and education process by providing opportunities for hands on experience and lectures and provides additional assistance in other organised digs such as that to be conducted in Keynsham. It is considered that the list can be regarded as being very special circumstances and along with the limited period of time requested for the portacabins is sufficient to outweigh the harm to the Green Belt caused by the inappropriateness of the proposal and any other harm. The matter of impact on the openness of the Green Belt must be assessed separately.

5.5 The portacabins would be stationed on a large existing area of hardstanding currently used for storing and parking agricultural equipment. The site is well screened by hedges and it is considered that the green portacabins would not impact on the openness of the Green Belt over and above the existing situation sufficient to warrant a refusal. It is therefore also considered that the proposal would not adversely impact on the Cotswold Area of Outstanding Natural Beauty and is acceptable.

5.6 Green Belt balancing summary

The NPPF gives substantial weight to the harm to the openness. However, in the balancing exercise to weigh up both sides of the argument, it is considered that the limited visual impact, given the siting of the portacabins, the educational and scientific benefits of the proposal along with it being time limited count in support of the application and are considered to clearly outweigh the harm to the Green Belt by reason of inappropriate development and openness to this special area. As such the proposal can be recommended for approval.

5.7 Design and visual amenity

The two proposed portacabins would be of slightly different sizes. The larger would measure approximately 7.4 metres in length, 2.3 metres wide with a height of 2.7 metres, while the smaller would measure approximately 6.1 metres in length, 2.3 metres wide with a height of 2.7 metres. Each would have five windows and a door. They would be mounted on loose blocks so as to avoid any ground disturbance. Both portacabins would be of a dark green colour.

5.8 The design, scale and massing are considered to be typical of portacabins and therefore appropriate for their function and need. Although such structures would not be supported as permanent features their temporary nature makes them acceptable in this instance.

5.9 Landscape

The proposed portacabins would be situated within the Green Belt and the Cotswold AONB, to the southwest of the farmhouse and to the south of Hall Lane itself. The cabins would be screened from general view by the existing hedgerows on an area of existing hardstanding. The cabins would be painted dark green and would be in situ for a temporary period. Given the location of the portacabins and the generally hilly topography of the site it is considered that the proposal would not adversely harm the landscape or the Cotswold AONB to such a degree sufficient to refuse the application. The proposal is therefore deemed acceptable.

5.10 Residential Amenity

The siting of the temporary portacabins would be some distance away from the main farmhouse. Given this, there are no concerns regarding adverse impact on the dwelling in terms of overlooking or loss of privacy. The proposal is therefore considered acceptable.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. The portacabins hereby permitted shall be removed and the land restored to its former condition on or before 24 March 2021.

Reason

The site is located within the Green Belt and the applicant has provided very special circumstances to justify the development. The portacabins are generally out of character with the surrounding area and the temporary nature of the development contributes towards the special circumstances of the case.

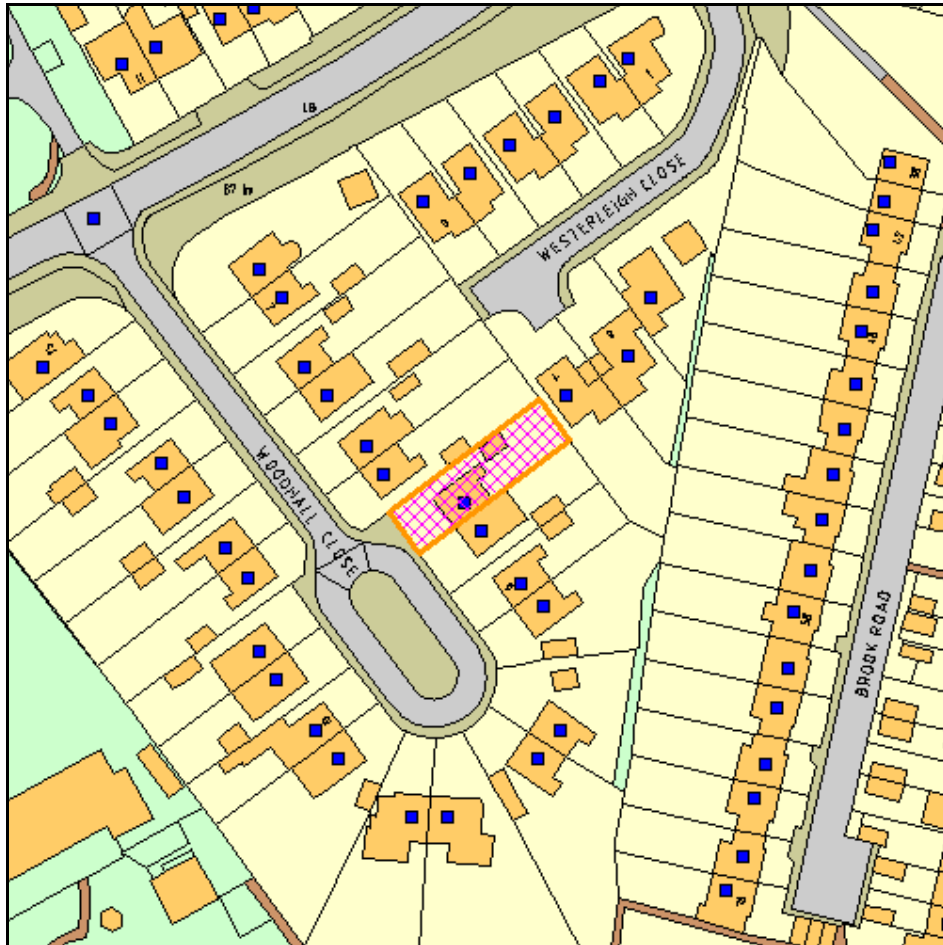
3. The development hereby permitted shall be for the sole use of Bath and Camerton Archaeological Society only for the purposes of storage of archaeological tools and equipment and related activities.

Reason

The site is within the Green Belt and the applicant has provided very special circumstances to justify the development. The permission has been granted solely having regard to the special circumstances of the case and use not in accordance with the requirements of the condition would require the further consideration of the Local Planning Authority in the light of the Development Plan, and any other material considerations.

CIRCULATED SCHEDULE NO. 15/15 – 10 APRIL 2015

App No.:	PK15/0234/F	Applicant:	Mr Richard Silverston
Site:	7 Woodhall Close Downend Bristol South Gloucestershire BS16 6AJ	Date Reg:	19th February 2015
Proposal:	Demolition of existing garage. Erection of replacement extended garage (Retrospective)	Parish:	None
Map Ref:	365825 176959	Ward:	Rodway
Application Category:	Householder	Target Date:	10th April 2015



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 100023410, 2014. N.T.S. PK15/0234/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is listed on the circulated schedule because the officer recommendation to approve is contrary to one letter of objection received from a member of the public.

1. THE PROPOSAL

- 1.1 This application is a retrospective application for the erection of a garage at the rear of the property. The property is a semi-detached dwelling on a residential Close in Downend. The property is bounded by dwellings on three sides and the horseshoe bend of the road to the front. The garage replaces a previous garage which has been demolished. The new garage is taller and extends deeper than the original structure. The land slopes away towards the end of the rear garden and then drops further to the road at the rear.
- 1.2 The retrospective application has arisen from an investigation by the Planning Enforcement Team after a complaint was received. The applicant had previously received advice from the Authority that the works would benefit from permitted development, however this advice has unfortunately proved to be inaccurate and the full planning application is required. The garage cannot benefit from permitted development because it exceeds 2.5m in height and is within 2m of the boundary of the curtilage of the dwellinghouse.

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 (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages Including Extensions and New Dwellings.

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

3. RELEVANT PLANNING HISTORY

- 3.1 EK14/0634 – Planning Enquiry for rebuilding an extended detached garage – Advice provided that the proposal would meet permitted development.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
No comments received

4.2 Other Consultees

Streetcare Drainage - We note that Water Butts are to be used for surface water disposal which is an acceptable method of SUDS, providing they remain and are maintained for the lifetime of the development.

Sustainable Transport – No objection

Other Representations

4.3 Local Residents

One letter of support has been received from the immediate neighbours at no. 6 Woodhall Close confirming that they were consulted prior to the commencement of the work and have no issues with the building.

One letter of objection was received after the expiry of the consultation period however the officer has agreed to consider the comments on account of a number of problems with the Council's web system. The objection is made on grounds that:

- The garage is huge and far exceeds the size of any garage in anyone's back garden that we can see. What is stopping others building this size of garage and if others see this building and the size of this what is stopping perhaps another family living in something of this size?
- Another point is that the roof of this building does not fit in with anything else in the back gardens of these houses and the apex of this new building is just under the owners existing bathroom.
- We look out onto the back gardens of Woodhall Close and this building completely dominates our view of these.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 deals with the principle of development within existing residential curtilages. It asserts that development must respect the existing property and the character of the street scene and not prejudice the amenity of nearby occupiers. The policy relates closely to Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013, which states that 'development will only be permitted where the highest possible standards of design and site planning are achieved'. The NPPF asserts that the Government attaches great importance to the design of the built environment.

5.2 Design – Size, Scale and Character (CS1 and H4)

Development will only be permitted where it 'respects the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area'.

- 5.3 The garage outbuilding is at the rear of the property, set just over 1m back from the corner of the rear elevation. It runs 8m in length adjacent to the boundary with no.6 Woodhall Close, though the applicant has sited the new garage slightly further back from the boundary at 0.425m. The neighbouring property (no.6) is set well in front of this property owing to the shape of the road and has a much smaller shed set just before this garage. Thereafter, the north-west elevation does have a prominent impact. It is noted however that a letter of support has been received from the residents at no.6 and it is not considered that the impact is so overbearing as to merit refusal in its own right.
- 5.4 The building measures 4m in height (2.3m to the eaves) at the highest point of the land, the applicant having previously been advised that he could build to 4m within permitted development constraints. On account of the lie of the land, the rear (north-east elevation) stands at some 4.6m and the height gives the building a real prominence in views from Westerleigh Close at the rear. This elevation faces no.7 Westerleigh Close which is just over 6m away. There is a side window in the facing elevation of no.7, however as this faces straight into the garden of the applicant's property in any event, and the proposal is a garage outbuilding, there is no greater overlooking of habitable rooms.
- 5.5 It is the combination of height and depth that gives the building such prominence and sets it above others in the street scene, which has particular prominence viewed from Westerleigh Close exacerbated by the ground levels. There is a tall garage at no.9 Woodhall Close with pitched roof and a relatively large, though shorter garage with pitched roof at no.4 however, at this height and depth, the building is not considered to be in keeping with the existing character of the street scene. It is noted that the objection comes from a resident at Westerleigh Close and the Planning Officer has viewed the development from the Objector's property in his Enforcement capacity. The roof is prominent and somewhat incongruous in views from Westerleigh Close, notably the first floor of the objector's property.
- 5.6 The applicant has drawn attention to the circumstances of the permitted development assessment however and points out that were the garage to be sited a further 1.6m away from no.6, then the permitted development criteria would not have been exceeded and no planning permission would have been required. The height measurement would be recorded from the highest point of natural ground level and the Council concur with this assertion from the applicant. This is a matter to which significant weight can be attributed. The permitted development criteria are those by which the Government have determined to be the reasonable tolerances for development of such a domestic nature. The failure of the development as it stands is the proximity to the boundary with no.6, the property which has voiced support for the development. Essentially the same development could have been completed on this land, but set 1.6m further away from the neighbour and the development would be beyond the remit of the Local Authority control. By definition of Government legislation, a building of this scale could therefore be deemed, in this manner of speaking, to be in keeping with the wider residential setting.

- 5.7 The development is proposed to be finished in a render to match the existing dwelling however the dark red double roman tiles appear quite a stark contrast to the host dwelling. This matter has been raised with the applicant.
- 5.8 The applicant has advised that the original garage (now demolished) had been fitted with a terracotta red double roman tile and he had sought to match the new materials to those of the original garage as closely as he could. He has also drawn attention to the similarly tall pitched roof at no.9 which was also finished with the terracotta red tile. The applicant has also drawn attention to the considerable cost for replacing the tiles, particularly in the context of this development.
- 5.9 As per the above, significant weight is attached to the fact that a building of this scale and design could have been erected in the rear garden as permitted development. This was evidently the intention of the applicant and he had sought, and even been given written confirmation of his plans from the Local Authority. A permitted development building does not require planning permission and thereby, by definition, benefits from an implied interpretation from Central Government, that it is in keeping with the residential context of a dwelling. The development is considered to be in accordance with Policy CS1 and Policy H4 on this basis. Whilst the Authority would prefer a darker tile given the prominence of the roofline, it is not considered reasonable to impose this by condition, taking account of the fact that such tiles would also be uncontrolled through the permitted development process.

5.10 Amenity of nearby occupiers (H4)

The amenity of neighbouring properties has been considered above and the comments of no.6 writing in support of the application have been noted. The garage is not considered to have an overbearing impact on the other two immediate neighbours given the distances from these properties and the scale of the pitch to the roof.

- 5.11 The size of the garage is such that it will be very prominent in views from from first floor windows on Woodhall Avenue and on Westerleigh Close but whilst it is an imposing structure, it is of a scale that could have been realised as permitted development had it been constructed in a slightly different position and is not so incongruous in appearance as to merit a refusal with such a clear fall-back position.

5.12 Highway Safety / Amenity Space / Separate Occupation (H4)

The development still retains very comfortable amenity space in the garden.

- 5.13 There is not considered to be any impact on highway safety and the development does not impact on any parking availability, only serving to increase the original garage provision.
- 5.14 The garage is not considered to be large enough to provide separate occupation and given that such a use would require planning permission, it is not considered necessary to impose a condition to prevent this explicitly.

Nevertheless, it is suggested that a condition be imposed to prevent against the addition of windows and rooflights without further consideration by the planning authority, in order to further protect the privacy of nearby occupiers.

5.15 Other Matters

The applicant has drawn attention to the flawed advice that he was given through his planning enquiry process and has asked that the Council take this into account in considering his application. Whilst the error is extremely regrettable however, it is not a matter that the Council can now consider as a material consideration in determining whether the garage as constructed can be granted planning permission.

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 be granted subject to the following conditions;

The external walls of the building hereby permitted shall be finished in a render to match that used on the existing residential dwelling.

No additional windows, doors or rooflights shall be inserted at anytime in the building hereby approved.

Contact Officer: James Cooke

Tel. No. 01454 863429

CONDITIONS

1. The external walls of the building hereby permitted shall be finished in a render to match that used on the existing residential dwelling.

Reason

To protect the character and appearance of the site and its context and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

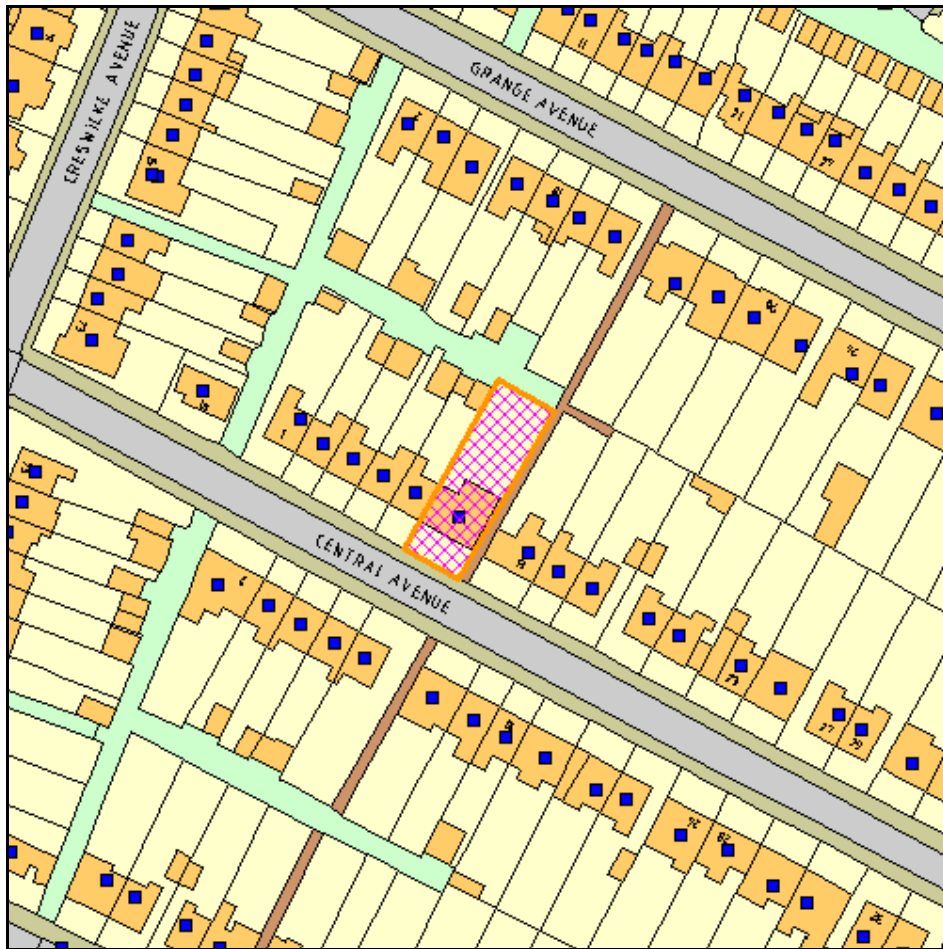
2. No additional windows, doors or rooflights shall be inserted at any time in the building hereby approved.

Reason

To protect the amenity of neighbouring properties and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 15/15 – 10 APRIL 2015

App No.:	PK15/0562/F	Applicant:	Mr Marcus Davis
Site:	11 Central Avenue Hanham Bristol South Gloucestershire BS15 3PG	Date Reg:	12th February 2015
Proposal:	Erection of first floor side and single storey rear extension to form additional living accommodation	Parish:	Hanham Parish Council
Map Ref:	364441 172046	Ward:	Hanham
Application Category:	Householder	Target Date:	6th April 2015



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 100023410, 2014. N.T.S. PK15/0562/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal seeks planning permission to erect a first floor side extension and a single storey rear extension to form additional living accommodation.
- 1.2 The application site is situated in Central Avenue, a residential street within Hanham. The host dwelling is a semi-detached two storey property. The first floor side extension will extend over an existing lean-to garage on the eastern elevation of the property.
- 1.3 Over the course of the application the agent has submitted revised plans correcting a discrepancy in the proposed plans and also changing the position of a side elevation window in the proposed two storey side extension in response to an objection comment. An appropriate period of consultation occurred in response to these changes.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility

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 K2982/1 Approval full Planning 30/06/1994
ERECTION OF SINGLE STOREY SIDE EXTENSION (Previous ID: K2982/1).

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council
No objection.

4.2 Other Consultees

Highway Drainage

No objection, subject to an informative note regarding the position of a public sewer.

Other Representations

4.3 Local Residents

Two letters have been received from neighbouring residents regarding this application. The adjacent neighbour (no. 13 Central Avenue) objected to the proposal on the sole grounds that the proposed side elevation window would look into their landing window and also their rear garden. The objector suggested the window be removed and repositioned to the rear of the property. In response to this the agent has removed the side elevation window and inserted this window on the rear elevation, conforming to the wishes of the objecting neighbour. The occupier of no. 9 Central Avenue submitted general comments asking that the render on the proposed single storey rear extension will match the existing render on no. 9 Central Avenue.

5. ANALYSIS OF PROPOSAL

5.1 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.

5.2 Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within existing residential curtilages. 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.

5.3 Design and Visual Amenity

The proposed first floor side extension has an appropriate scale and form which is subservient to the existing dwelling. Through matching materials such as the red brick on the first floor level and having an appropriate fenestration arrangement, the proposed two storey side extension respects the existing dwelling and the street scene. When compared to the existing situation which is a single storey side extension with a lean-to roof which has a large exposed

render front elevation, the proposal represents an improvement in terms of visual amenity. The proposal further in-keeps with the existing dwelling and the area through utilising a hip-end.

- 5.4 The single storey rear extension will have a lean-to roof and a hip-end on the eastern elevation. The proposal has a maximum height of 4 metres (2.5 metres from ground level to the eaves) and only extends to the rear by 2.8 metres. Accordingly, it is judged that the rear extension has an appropriate scale and form and will match the materials with those used in the existing dwelling.
- 5.5 A resident commented on the application requesting the materials used in the rear extension match those used in their dwelling - no. 9 Central Avenue. The materials used in the proposal will match the existing dwelling which is deemed to be appropriate. In addition to this, the Case Officer is aware that the applicant could change the render finish to the dwelling without the need for planning permission and therefore finds it unreasonable to require the applicant to match the materials used in the proposed rear extension with those of the rear elevation of the neighbouring dwelling.
- 5.6 Accordingly, it is judged that the proposal has an acceptable standard of design and is considered to be in-keeping with policy CS1 of the adopted Core Strategy.
- 5.7 Residential Amenity
Saved policy H4 of the adopted Local Plan only permits new development within the residential curtilage of a dwelling where the amenities of the neighbouring occupiers will not be prejudiced.
- 5.8 The proposal has no windows in the first floor side elevation of the proposed first floor side extension, reducing any chance of overlooking. As a result of the proposed first floor rear window there will be some indirect views into the neighbouring properties gardens. However, such indirect views are expected from housing arrangements of this form, and any overlooking views are not materially increased as a result of this proposal when compared to the existing first floor rear window arrangement.
- 5.9 The proposal will not result in a material loss of light to the neighbouring dwellings due to its position and scale.
- 5.10 Both the proposed first floor side extension and the proposed rear extension will not materially affect how the neighbouring occupiers use their property. Accordingly, this proposal is not expected to result in a materially overbearing impact on the nearby occupiers.
- 5.11 Therefore, the proposed works would not result in any materially detrimental impacts on the residential amenity of neighbouring occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the adopted Local Plan.

5.12 Highways

As a result of the proposal, there will be an increase of two bedrooms at the property, meaning to accord with the Council's adopted parking standard, the property will require three off-street parking spaces. The proposal will retain an existing garage, and in front of the front elevation are two off-street parking spaces. Accordingly, the proposal accords with the Council's adopted residential parking standard.

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 is **APPROVED** with conditions.

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).

CIRCULATED SCHEDULE NO. 15/15 - 10 APRIL 2015

App No.: PK15/0670/F
Site: 11 St Martin's Park Marshfield
Chippenham South Gloucestershire
SN14 8PQ

Applicant: Mr Geoffrey Teasdale
Date Reg: 24th February 2015

Proposal: Erection of two storey side extension
and infill to create additional living
accommodation

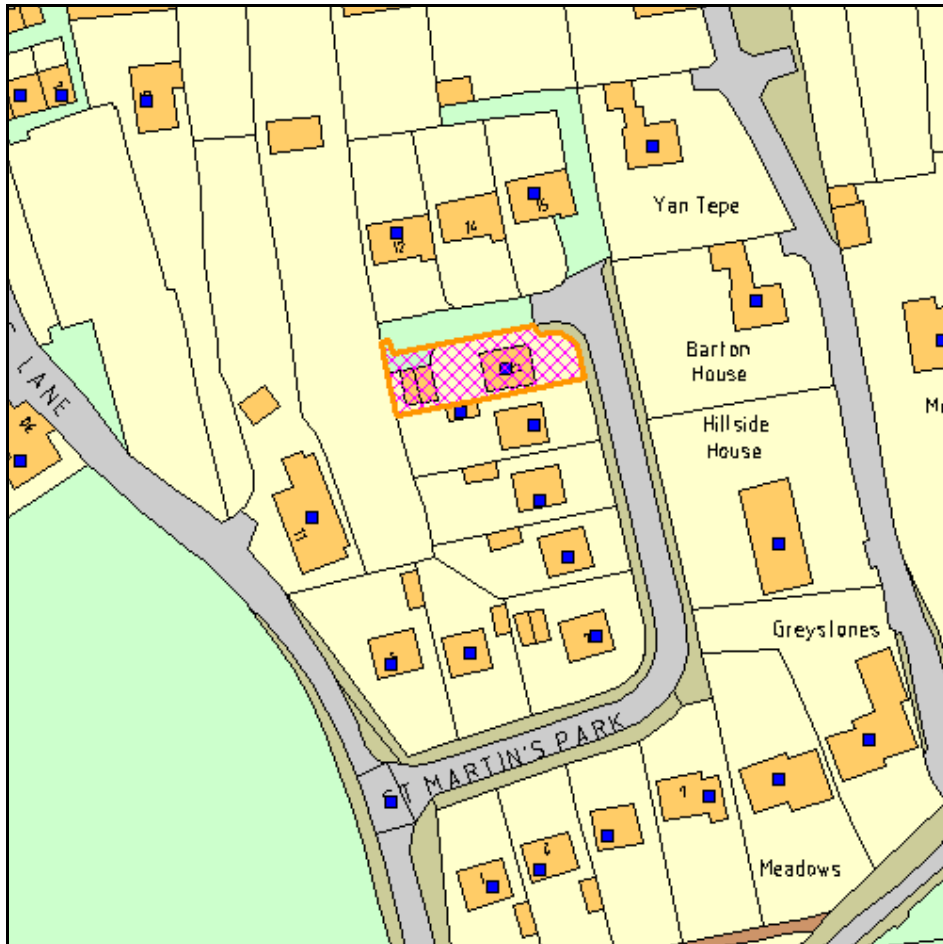
Parish: Marshfield Parish
Council

Map Ref: 377677 173621

Ward: Boyd Valley
Target 16th April 2015

Application Householder
Category:

Date:



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100023410, 2014. N.T.S. PK15/0670/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been submitted to the Circulated Schedule procedure, following an objection from a neighbour which is contrary to the recommendation detailed in this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side extension and infill development at a property on St. Martin's Park in Marshfield.
- 1.2 The application site is within Marshfield Conservation Area, and the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 1.3 Permission is sought for the extension to provide a garden room to replace an existing canopy area, and a large dressing room and storage area at first floor level. The utility room is to be converted into part of the kitchen, however this does not require planning permission and will not be discussed within this report.
- 1.4 Amendments were received on 16th March 2015 at the officer's request to step the extension in from the principle elevation. A period of reconsultation was not deemed necessary, as the amendments reduced the size of the proposal.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility
CS9 Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation
H4 Development within Existing Residential Curtilages
L12 Conservation Areas
L1 Landscape
L2 AONB

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P96/1092/C/ P96/1091 Approve with conditions 11/03/1996
Minor works of demolition to facilitate erection of single storey rear extension.

3.2 N9049 Approval
Erection of entrance porch and open loggia

26/01/1984

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council
No objection.

4.2 Other Consultees

Highway Drainage
No comment received.

Sustainable Transport
No objection.

Listed Building and Conservation
No objection, but a tiled roof would be preferable, or a lead-roll detail to the Sarnafil to break up an otherwise large expanse of 'flat' roof.

Other Representations

4.3 Local Residents

One letter of objection has been received and the points made within it are summarised below:

- The site plans submitted are inaccurate as they do not show 12 St Martins Park as one dwelling (planning permission which was obtained in the late 1980s), and the boundaries to the applicants property are not correctly drawn
- The driveway to the north has shared ownership, and no part of the application should overhang any property which is not owned by the applicant, nor should scaffolding be erected on it. Scaffolding should be erected to the east and west, not to the north on land the applicant does not own.
- The roof design and materials would have a dominating effect in this prominent corner of the road
- The applicant will be away when the builders are there and will not be able to supervise them
- I have to be able to park vehicles on my property and this will hinder my right of way

Several plans to illustrate the above have been sent in by the objector by post, however they have not been received by the date the application had to be submitted to the Circulated Schedule, which was beyond the expiry of the consultation period.

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. The proposal is situated within Marshfield Conservation area, and so the criteria in policy CS9 and policy L12 must be considered. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.2 Design and Impact on the Conservation Area

The original design for the first floor part of the development which was submitted was shown to be flush to the principle elevation, and it was recommended to the applicant that the proposal is stepped in. These amendments were received on 16th March 2015, and the proposal is now considered to be subservient to the host dwelling. Concerns have been raised by a neighbour and the Council's Conservation officer regarding the use of a Sarnafil single ply membrane for the proposed roof, and a condition will be added to the decision notice to ensure that matching tiles are used. The combination of these two changes reduce the impact on Marshfield Conservation Area.

5.3 The proposed infill development to the rear are to infill an open canopy area with a glazed garden room. The external changes proposed are slight and will not impact upon the conservation area. Accordingly, the proposals are considered to be acceptable in terms of policy CS1 and CS9 of the Core Strategy (Adopted) December 2013 and policy L12 of the Local Plan (adopted) January 2006.

5.4 Design and Impact on the Area of Outstanding Natural Beauty

As the proposal comprises of a first floor development within an existing settlement boundary, surrounded by other properties, it is considered that the impact on the Cotswolds Area of Outstanding Natural Beauty is minimal. The proposal is acceptable in terms of policies L1 and L2 of the Local Plan (Adopted) January 2006.

5.5 Residential Amenity

To the north of the proposed development is a shared access track, so loss of light or overbearing onto neighbouring properties or gardens is unlikely. New openings are proposed only on the rear elevation and principle elevation, which offer only indirect views into neighbouring gardens. As the development is predominantly infill or first floor development, there is no impact on the size or quality of the amenity space available to the present and future occupiers of no. 11. Accordingly, the proposal is considered to be acceptable in terms of policy H4 of the Local Plan (Adopted) January 2006.

5.6 Transport

The property is to remain as a three-bedroom property, and the development does not encroach onto existing parking provision. Therefore, there is no transportation objection to the proposal.

5.7 Other Matters

The neighbour at no. 12 has concerns regarding the first floor element of the proposal overhanging the shared access lane. Whilst ownership is not controlled or investigated by the planning system, as it is a legal issue, the applicant was asked to confirm whether the development overhung the access lane, and if so to serve notice on the neighbouring property. The applicant advised that it did not overhang. Whilst ownership is not controlled by the planning system and so it played a minimal part in the decision making process, the applicant will be reminded by means of an informative that they cannot carry out works on land which does not belong to them without the owners consent.

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 **GRANT** planning permission subject to the conditions listed on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

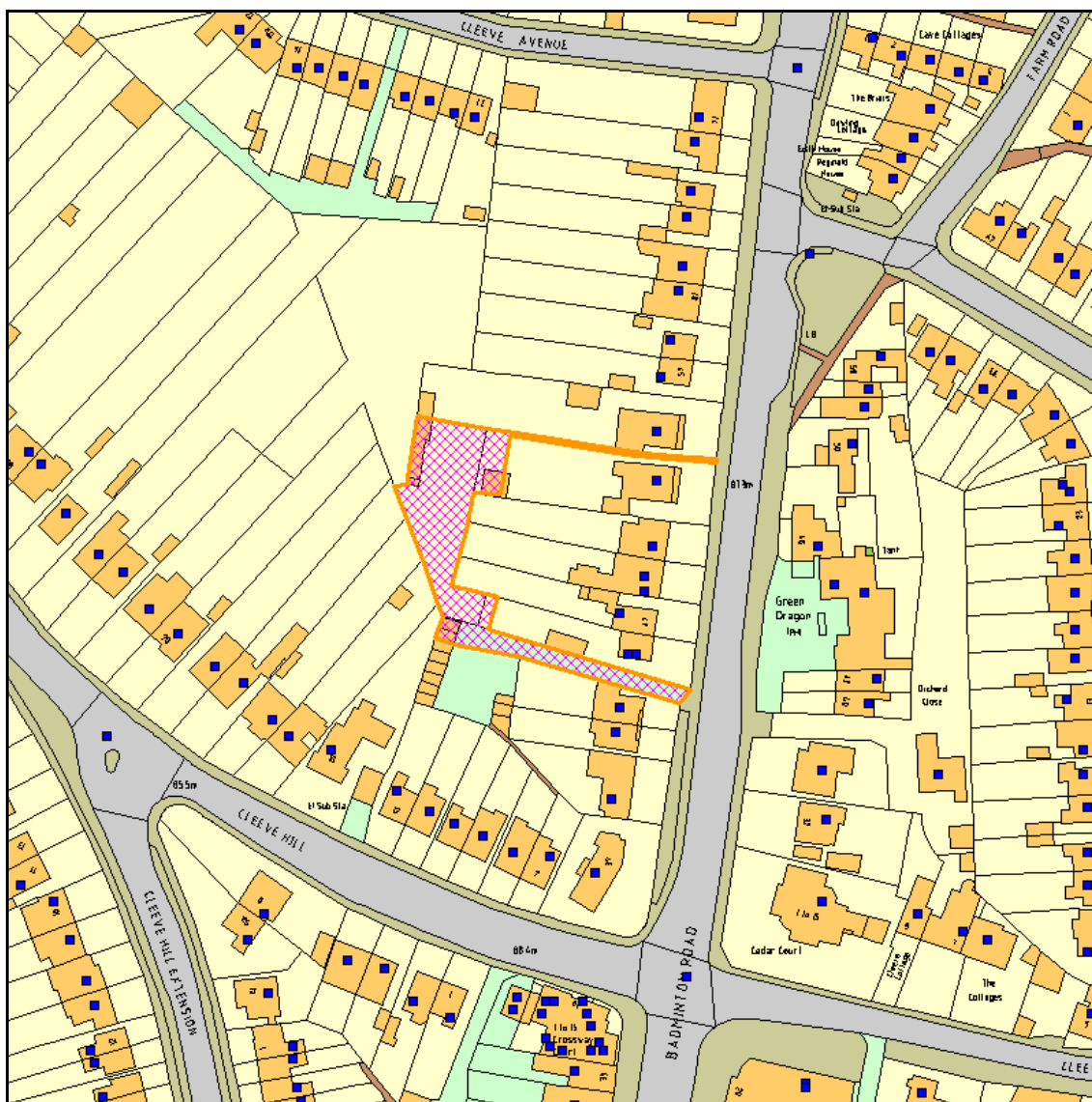
2. Notwithstanding the submitted details, the external finish of the roof slope on the extension hereby approved shall be finished in a tile which matches the appearance of those used on the existing dwellinghouse. If this is not possible, then an alternative finish shall be agreed in writing with the Local Planning Authority prior to the commencement of development.

Reason

In the interests of visual amenity and protecting the character of Marshfield Conservation Area, and to accord with policy CS1 and CS9 of the Core Strategy (Adopted) December 2013 and policy L12 of the Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 15/15 – 10 APRIL 2015

App No.:	PK15/0714/RM	Applicant:	Mr And Mrs Belcher
Site:	53 Badminton Road Downend Bristol South Gloucestershire BS16 6BP	Date Reg:	2nd March 2015
Proposal:	Erection of 1no. dwelling with appearance, landscaping and scale (Approval of reserved matters to be read in conjunction with Outline planning permission PK12/0623/O).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365164 176968	Ward:	Downend
Application Category:	Minor	Target Date:	22nd April 2015



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 100023410, 2014. **N.T.S.** **PK15/0714/RM**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is to appear on Circulated Schedule due to the receipt of three objections from local residents, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters planning permission for the erection of 1no. dwelling with appearance, landscaping and scale (Approval of reserved matters to be read in conjunction with Outline planning permission PK12/0623/O).
- 1.2 The application site comprises a strip of land to the rear of the gardens of No's 45 – 51 Badminton Road. The application site forms part of the rear garden of No.53, which is bounded by gardens on each side, other than the entrance from the parking court off Badminton Road to the south of the site. The layout shows the dwelling positioned towards the end of the rear garden. There are numerous existing trees around the boundary of the site, providing screening.
- 1.3 The proposed layout of the bungalow has changed slightly in that it is now L-shaped, but the same footprint as approved in the outline consent. Parking has already been agreed at outline stage; the shared vehicular access off Badminton Road will be used. The applicant's existing garage in the parking forecourt will be demolished, creating two off-street parking spaces for the new dwelling. Pedestrian access will be via the parking court (as existing) and an additional footpath along the north of No. 53, for taking out bins for collection.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Planning Policy 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
T12 Transportation Development Control Policy
L1 Landscape Protection and Enhancement

2.3 Supplementary Planning Guidance

Residential Parking Standard SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK12/0623/O Erection of 1no. dwelling and garage (Outline) with access and layout to be determined. All other matters reserved
Approved 20.04.12
- 3.2 PK10/2366/O Erection of one dwelling and garage. Access and layout to be determined – all other matters reserved
Refused 2010

4. **CONSULTATION RESPONSES**

4.1 Downend and Bromley Heath Parish Council

OBJECTION -

1. Back land development
2. Unsuitable access to rear
3. Inadequate access for emergency and refuse vehicles as the route is not wide enough

Whilst not a planning issue, right of access and ownership would need to be clarified.

4.2 Highway Drainage

No objection, subject to a SUDS condition.

4.3 Highway Structures

No comment.

4.4 Sustainable Transport

It is noted that Parish Council and some local residents are objecting to this application on the basis of 'backland' development with difficult access to the site for service/emergency vehicles.

Relevant to the determination of this application is the planning history. In 2012, the Council granted planning consent for a new house on this site as part of application PK12/0623/O. All matters relating to access were determined as part of the earlier decision and as such, it is not considered that the access now can be used as a reason to refuse this current application.

The main transportation issues relating to the current application is provision of parking for the new dwelling. Information on the public website doesn't appear to include the applicant's land ownership plan (i.e. red edge/blue edge land). Planning condition to secure parking is best tied to the application site or ownership plan.

Other Representations

4.5 Local Residents

Three objections have been received from neighbouring residents:

- Development work could damage existing drains (No's 18 and 20 Cleeve Hill);
- No way for the fire brigade, ambulance etc. into the site;
- The new property is in the garden of No. 53 and to be used to house the OAPs of the site owners. Should the new property one day be sold to a new buyer, they would be on an island with no way in or out;
- Concerns about access during construction and once property is developed;
- The access lane is narrow and all of the materials delivered will have to come via the shared parking area, causing inconvenience for the residents;
- Access lane could be further damaged during construction works;
- Application site has two pedestrian accesses, but vehicles will have to use shared access lane;
- New property will generate extra traffic;
- Ownership of the title to the access lane is unclear;
- Unable to park outside front of properties due to double yellow lines, so disruption to communal parking court could cause inconvenience.

5. **ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the erection of a dwelling through the approval of the reserved matters of outline planning permission PK12/0623/O

5.2 Principle of Development

The proposed development is acceptable in principle as outline planning permission PK12/0623/O has been granted by the local planning authority. Therefore, this application presents the detail associated with the proposed scheme. This detail must be assessed against, firstly the outline permission for compliance, and secondly, the relevant planning policies on appearance, landscape and scale.

5.3 Compliance with Outline Permission

The outline planning permission determined matters of access and layout. The proposed access utilises the existing shared access lane between No's 44 and 45 Badminton Road. The access lane is used by several properties, providing a parking court and rear access to dwellings on Badminton Road and Cleeve Hill.

5.4 In respect of the layout, the proposed bungalow is located as indicated on the outline planning permission, albeit the shape of the dwelling has changed from rectangular to L-shaped. The proposed dwelling remains the same size in footprint, although more of the built form will bound the western boundary. Existing sheds along the western boundary are to be removed to make way for the proposed dwelling. The proposed change to the layout is not considered to be materially different to the approved outline permission.

5.5 Condition 6 limits the proposed building in terms of height as stated in the approved design and access statement. The proposed building will be significantly lower than the parameters set in the design and access statement.

5.6 Appearance

It is proposed to erect a bungalow measuring 14.35 metres in length with a maximum width of 8 metres on the west side and 4.6 metres on the east side and a maximum roof height of 4.3 metres. Overall, the bungalow would be simple in appearance. Along the front of the bungalow there would be a veranda and a ramp to allow wheelchair access. The majority of the window openings are along the front elevation. The bungalow would be located in the rear garden of No.53 and therefore would not be read as part of the streetscene of Badminton Road as such. The design is considered to be acceptable.

5.7 Landscaping

Condition 5 of the outline permission required the submission of an arboricultural report prior to the commencement of development. The report should include details of all existing trees on the land and details of any to be retained; together with measures for their protection during the course of the development; and proposed planting and times of planting; are to be submitted for approval.

5.8 The proposed bungalow would be served by garden mainly to the south, which tapers to the parking court pedestrian access. The application site is enclosed by existing residential curtilages, including high boundary treatments and vegetation. There are numerous established trees around the application site boundary which will assist in protecting the future occupiers of the site and neighbouring occupier's privacy. These trees are considered to contribute to the quality, character and visual amenity of the site and, as above, are considered worthy of protection.

5.9 Scale

The scale of the proposed development is considered acceptable. The proposal is significantly lower in height than the proposed parameters set in the design and access statement for PK12/0623/O. As addressed in paragraph 5.3 – 5.5, the proposed shape/layout of the dwelling has altered from a rectangular building to an L-shaped building. The size of the footprint of the dwelling remains the same. The scale of the dwelling is modest, being single storey in nature. Initially at outline stage, the proposal included the creation of a first floor. Due to the limited mobility and access needs of the proposed future occupiers the building will remain single storey. This is considered more appropriate due to the backland nature of the proposal and the number of gardens the application bounds. Overall, the scale has been reduced and is considered acceptable.

5.10 Residential Amenity

Development should not be permitted that has a prejudicial impact on residential amenity. The application site would benefit from a good standard of amenity with an acceptable outlook, private garden space, and minimal impact from neighbouring buildings. The proposed dwelling is located to the far end of No.53's existing garden and would not directly bound any neighbouring properties as such, only rear gardens. The proposed layout of the dwelling has altered from rectangular to L-shaped; this is not considered to result in any

material impact on neighbouring occupiers. The western end of the garden currently has a number of existing sheds, which will be demolished as part of the proposal. The proposed dwelling will be set away from the western boundary still and as the scale has been reduced to a more modest-sized bungalow, there is unlikely to be any impact in terms of privacy, overlooking or overbearing on neighbouring occupiers.

5.11 Windows are positioned in a manner where they would not cause overlooking resulting in loss of privacy. Velux windows are used on the rear elevation to provide additional light to the kitchen/dining area and shower room. It is considered that the proposal would not have a prejudicial impact on residential amenity and is therefore acceptable.

5.12 Parking and Access Arrangements

Parking and access have been fully considered in the outline application. New residential development is required to provide sufficient off-street parking facilities to accord with the Council's adopted Residential Parking Standard SPD. The number of parking spaces is determined by the number of bedrooms. This property requires 1no. parking space, however the proposal includes 2no. parking spaces in the parking court to the south of the site. The proposed parking spaces for the new dwelling would replace the applicant's garages, providing direct access for the occupiers from the parking court and through the garden. Parking for No.53 would be provided at the front of the property, within the curtilage, to make up for the loss of the garages in the parking court for the new dwelling.

5.13 Vehicular access to the development site is via a private single-width lane with no footway facility. The access lane is via A432 Badminton Road, a principal classified road. The access lane currently serves 8no. garages, 2no. of which belong to the applicant. Properties on Badminton Road and Cleeve Hill use the parking court due to double yellow lines on both roads. The Officer's site visit revealed that vehicles tend to park outside the garages, which does in turn limit the amount of turning space within the parking court. It is considered that the parking arrangements for the new dwelling and No. 53 will not create any additional traffic. There is also provision for pedestrian access for the new dwelling along the north of No.53 for bins and via the parking court. Whilst the new dwelling is backland development, it would not be 'land-locked' as such, should No.53 be sold in the future.

5.14 Local residents who use the parking court and garages are concerned about the access being used during the construction of the dwelling, i.e. for deliveries and by tradesmen. The access lane is only single-width and doesn't appear wide enough to allow larger vehicles to make deliveries to the site. In the 2010 outline application (Ref. PK10/2366/O), the Officer noted that the Fire Brigade have visited the site and indicated that, provided the proposed dwelling is no more than 70 metres (which it is not) from the existing access and turning area, the Fire Service vehicle could attend to an emergency on site. Issues of rights of way and ownership over a private lane are civil matters not resolved by the planning system and cannot be addressed as such as part of this application.

5.15 Drainage

The Drainage Officer has been consulted and has no objection to the proposal, subject to a SUDS drainage scheme and mining report condition being attached.

- 5.16 Concern has been raised that the development work could damage the existing drains in respect of No's 18 and 20 Cleeve Hill. A public foul sewer runs in an east-west direction through the site. The proposal would include the requisite 3 metre easement either side of the sewer for maintenance purposes.

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 **approve** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) 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 **approved**, subject to the attached conditions.

Contact Officer: Katie Warrington
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

2. Prior to the commencement of development, an arboricultural report shall be submitted to the Local Planning Authority for approval. The report shall include the following; details of all existing trees on the land and details of any to be retained; measures for the protection of the retained trees during the course of the development; and proposed planting and times of planting. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area, to accord with saved policies H4 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

3. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. A detailed development layout showing surface water and SUDS proposals is required as part of this submission. No public surface water sewer is available.

Reason

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012.

4. Prior to the commencement of development, a mining report with details of any necessary mitigation measures shall be submitted to the Local Planning Authority for written approval. The development shall be implemented in accordance with the details in the approved report.

Reason

To ensure that in the event of the land being unstable, it is suitably stabilised to build on. To accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

5. The existing 2no. garages shall be demolished and all off-street parking facilities (for all vehicles, including cycles) shown on the plan 1356-06_A hereby approved as part of outline permission (Ref. PK12/0623/O), shall be provided before the dwelling is first occupied and thereafter retained for that purpose.

Reason

To ensure satisfactory provision of parking facilities in the interest of highway safety and the amenity of the area. To accord with saved policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and the Council's Residential Parking Standard SPD (Adopted) 2013.

6. The off-street parking facilities, turning area and widened access for No. 53 Badminton Road, as shown on the approved plan 1356-06_A (received by the Council on 22nd March 2012), shall be provided before the building is first occupied and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking and turning facilities and in the interest of highway safety and the amenity of the area. To accord with saved policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the Council's Residential Parking Standard SPD (Adopted) 2013.

7. The footpath linking the new dwelling with Badminton Road, shown on the approved plan 1356-06_A (received by the Council on 22nd March 2012), shall be provided before the building is first occupied and thereafter retained for that purpose.

Reason

In the interests of highway safety and to accord with saved policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

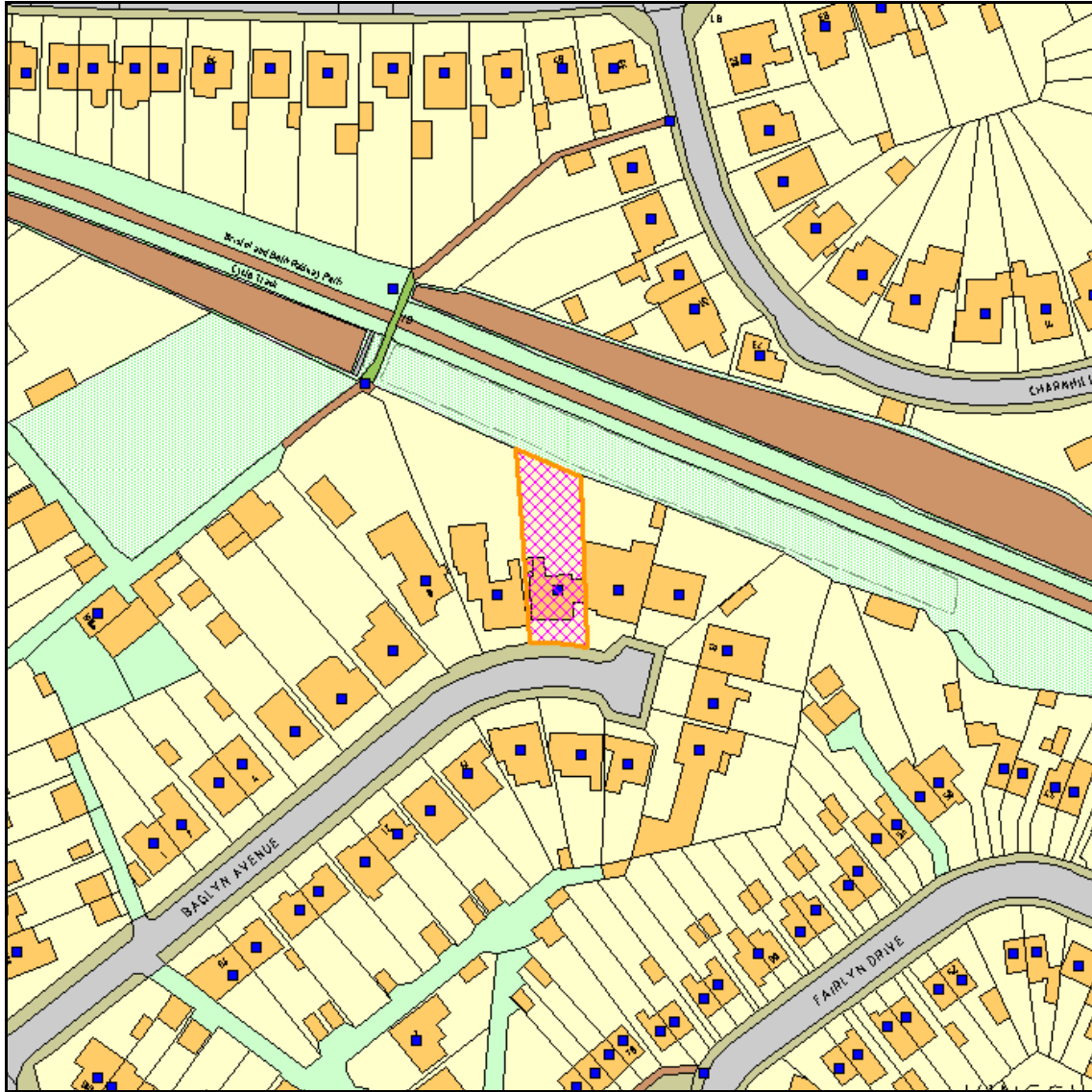
8. The hours of working on site during the period of construction shall be restricted to 08:00 to 18:00 from Monday to Friday; 09:00 to 13:00 Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: 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 the site.

Reason

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

CIRCULATED SCHEDULE NO. 15/15 – 10 APRIL 2015

App No.:	PK15/0733/CLP	Applicant:	Mr J P Ewing
Site:	10 Baglyn Avenue Kingswood Bristol South Gloucestershire BS15 4XS	Date Reg:	26th February 2015
Proposal:	Certificate of lawfulness for the proposed erection of a single storey rear extension.	Parish:	None
Map Ref:	365804 175545	Ward:	Rodway
Application Category:	Certificate of Lawfulness	Target Date:	20th April 2015



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 100023410, 2014. **N.T.S.** **PK15/0733/CLP**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension at 10 Baglyn Avenue, Kingswood, would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (England) Order 2015 (coming into force 15th April 2015).
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Permitted Development) (England) Order 2015
- Schedule 2, Part 1, Class A.

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history

4. CONSULTATION RESPONSES

- 4.1 Parish Council
Unparished
- 4.2 Highway Drainage
No comments received

Other Representations

- 4.3 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Existing Plan 001 (dated 16/02/2015)
Existing Rear Elevations 002 (dated 18/02/2015)
Existing Side Elevation 003 (dated 16/02/2015)
Existing Side Elevation 004 (dated 16/02/2015)
Proposed Plan Version 2 005 (dated 16/02/2015)
Proposed Rear Elevations 006 (dated 16/02/2015)

Proposed Side Elevation 007 (dated 16/02/2015)
Proposed Side Elevation 008 (dated 18/02/2015)
Location Plan 009 (dated 18/02/2015)
Site Plan 010 (dated 24/02/2015)
Email Correspondence received 8th April 2015

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

This application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit; the planning application is based on the facts presented. The submission is not a planning application and thus the Development Plan is not of relevance to the determination of this application.

6.2 The key issue in this instance is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GPDO (2015)

6.3 The proposed development consists of a rear extension. This development would fall within Schedule 2, Part 1, Class A, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

(a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)

The dwellinghouse was not granted under classes M, N, P or Q of Part 3.

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

The total area of ground covered by buildings (other than the original dwellinghouse) would be less than 50% of the total area of the curtilage.

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

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

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

The height of the eaves of the rear extension would not exceed the height of the roof of the existing dwellinghouse.

- (e) **The enlarged part of the dwellinghouse would extend beyond a wall which—**
(i) **forms the principal elevation of the original dwellinghouse;**
or
(ii) **fronts a highway and forms a side elevation of the original dwellinghouse;**
The extension would extend beyond the rear elevation not fronting a highway.
- (f) **Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**
(i) **extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
(ii) **exceed 4 metres in height;**
The application relates to a detached dwellinghouse. The proposed extension would be attached to an existing extension the maximum depth of which is 4 metres beyond the rear wall. The maximum height of the extension is 3.4 metres. The development therefore meets these criteria.
- (g) **Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**
(i) **extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
(ii) **exceed 4 metres in height;**
Not applicable.
- (h) **The enlarged part of the dwellinghouse would have more than a single storey and—**
(i) **extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
(ii) **be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;**
The extension would be single storey.
- (i) **The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;**
The extension would be within 2 metres of the boundary but the eaves would be less than 3 metres.
- (j) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**
(i) **exceed 4 metres in height,**
(ii) **have more than a single storey, or**

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

The development would not extend beyond the side elevation.

- (k) It would consist of or include—**

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

The development would not include any of the above.

- A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—**

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

The application site does not fall on article 2(3) land.

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

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;**

Correspondence from the applicant confirms that materials will be similar to those in the construction of the existing dwellinghouse.

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—**

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

Not applicable.

- (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.**

Not applicable.

7. RECOMMENDATION

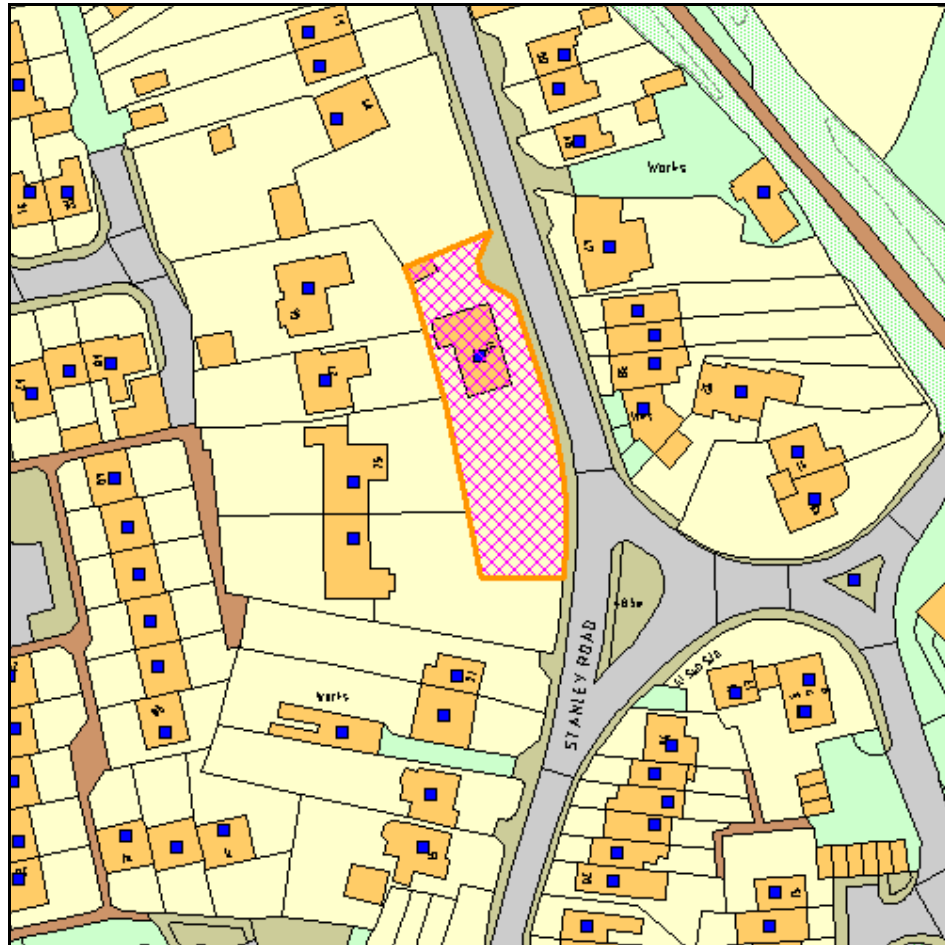
- 7.1 That a certificate of Lawfulness for Proposed Development is granted for the following reason:

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Contact Officer: Sarah Fordham
Tel. No: 01454 865207

CIRCULATED SCHEDULE NO. 15/15 – 10 APRIL 2015

App No.:	PK15/0790/F	Applicant:	Ms J Ogorne
Site:	31 Stanley Road Warmley Bristol South Gloucestershire BS15 4NX	Date Reg:	26th February 2015
Proposal:	Erection of 1 no. dwelling, with access, parking and associated works.(Re Submission of PK14/3291/F)	Parish:	Siston Parish Council
Map Ref:	366855 173791	Ward:	Siston
Application Category:	Minor	Target Date:	20th April 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been submitted to the Council's Circulated Schedule procedure, following representations received from local residents and comments from the Parish Council which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 1 no. new dwelling on Stanley Road in Warmley, including a new access, parking provision and associated works. Warmley is within the Bristol East Fringe Urban Area.
- 1.2 The new dwelling is to be situated within the residential curtilage of 31 Stanley Road, an existing bungalow.
- 1.3 The application is a resubmission of PK14/3291/F, which was withdrawn following issues with the visibility splay for the access crossing third party land. The access has been moved to the north in an attempt to address this.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

H4 Development within Existing Residential Curtilages
T7 Cycle Parking
T12 Transportation

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 Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|-------------|-----------|------------|
| 3.1 | PK14/3291/F | Withdrawn | 15/10/2014 |
|-----|-------------|-----------|------------|

Erection of 1 no. dwelling, with access, parking and associated works.

- 3.2 K382/1AP Approve with conditions 11/01/1977
Erection of a bungalow and garage, construction of a new vehicular access

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Concerns regarding the access at this busy and congested point of Stanley Road, and object to the removal of the hedgerow fronting the site.

4.2 Other Consultees

Highway Structures

No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal technical approval of the proposal to be carried out. This is because the application includes a structure that will support the highway or the land above a highway.

Highway Drainage

No objection, although on the previous, very similar application, it was recommended that a Sustainable Urban Drainage System be sought.

The Coal Authority

No objection, subject to the applicant being informed of the Coal Authority's 'Standing Advice' within the decision notice.

Sustainable Transport

No objection subject to conditions.

Other Representations

4.3 Local Residents

Six letters of objection have been received, which raised the following issues:

- The access would be awkward and dangerous at a blind bend on a road which is busy and used by commuters and commercial vehicles. There have been many accidents in the past
- The replacement wall is more dangerous for drivers if they collide with it – photos have been submitted showing a car in the late 70s which had crashed through the hedge into the application site
- Lorries often park up adjacent to the business opposite, obscuring the view of drivers in both directions
- The proposed visibility is only 2 metres deep whilst other recently approved planning applications at no. 37 and no. 51 have had to use visibility splays which are 2.4 metres deep. The splay has not taken the slope of the proposed driveway into account
- The applicant has drawn a Smart car in the parking spaces to make it appear as though there is more space than is actually there
- Proposed two storey configuration results in an elevated roof line above neighbouring properties and will not be in keeping

- Obtrusive and overbearing
- The view and amount of daylight will be reduced from nos. 21, 23 and 25
- There is not sufficient distance or screening between the proposed dwelling and the bungalows behind, and they will be overlooked
- Removal of the boundary hedge will have a negative effect on the semi rural street scene, and will encourage parking on the footpath. A replacement hedgerow would not have enough light or space to grow high enough to replace the original
- The hedgerow should not be removed without first confirming ownership – no. 31 is shown as not registered
- The view from the bench on the opposite side of the road will be obscured – this view is often enjoyed by elderly people

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site lies within the Bristol East Fringe Urban Area and being residential curtilage, there is no in-principle objection to the development of the site for residential use. Accordingly, the relevant policies for the considerations of this application are primarily CS1 and CS5 of the South Gloucestershire Core Strategy (Adopted) December 2013, and policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. Whilst these are permissive of proposals for new residential development, this is subject to considerations of design, residential amenity and highway safety whilst adequate amenity space should be provided for any new separately occupied dwelling.

5.2 Design

The general locality is characterised by a variety of building styles and scales. To the west along a lane behind the site is a row of bungalows with a finish of render and brick, and to the south is a pair of two-storey post-war semi detached properties, with a hipped roofline. The host dwelling, no. 31 Stanley Road, is a bungalow finished with reconstructed stone, and on the opposite side of the highway is a mixture of small terraced stone properties, a large detached property with a mock Tudor style façade and two prominent link-detached 70s style dwellings on higher ground. There is also a small commercial workshop directly to the east of the site, and whilst Officers acknowledge that the lane to the west of the site be made up of single storey or 1 ½ storey housing only, Stanley Road is predominately two-storey dwellings with a mixture of age, architectural style and materials.

5.3 The topography of the site slopes down significantly from east to west. The site on which the new dwelling, vehicular access and double garage is proposed is currently within the residential curtilage of no. 31 Stanley Road. Due to the sloping ground, the garden has a tall concrete wall on the south and west boundary which is 2.2 metres and 1.8 metres in height respectively, and helps to provide privacy. This wall is to be retained as part of the proposal.

5.4 The proposed dwelling is to be positioned fairly central in the plot with garden to the south and west and parking and turning to the north, with the garage in the north-east corner. The garage is to have a pitched roof, double roman interlocking tiles and a smooth render finish. The low eaves height and the garage's position on the lowest lying topography to the rear of the site allow for it to appear discreet. The proposed dwelling is to be two-storey, and the eaves have been kept low with three rear facing pitched dormers, and three front facing dormers. The house will be finished in clay interlocking tiles, render with stone quoins and UPVC joinery. Render is widely found in the vicinity and the stone quoins nod to the two-storey terrace across the highway, and therefore it is considered that the materials enable the proposal to blend sympathetically with the character of the area, despite the mismatch of surrounding architectural styles. The dormer windows are finished with horizontal timber boarding, as is the pitch of the canopy over the front door, and stone cills and lintels are proposed on the ground floor windows and doors, softening the modernity of the new dwelling with traditional features. Overall, the design of the new dwelling and associated garage is considered to be acceptable in terms of policy CS1 of the Core Strategy (Adopted) December 2013.

5.5 Residential Amenity

Objections are raised as to the impact of the development on the residential amenity of the occupants of nearby dwellings. In particular, concern relates to the proximity of the proposed rear dormer windows with the front windows and front gardens of the bungalows to the east. This potential impact has been fully assessed, and it appears that the closest window to window distance is 18 metres (from the northernmost dormer window to the principle elevation of no. 25 Stanley Road) and this is not a direct view due to the angle of the outlook from the dormer window, and additionally it's height which would predominately allow views across the rooftop. Loss of light has also been raised as a potential threat to residential amenity. Dwellings to the north of development are usually most likely to be affected, which in the case is the host dwelling no. 31 Stanley Road, and whilst some loss of light will be experienced by the occupiers, the linear positioning of the two dwellings ensure that this is minimal, and would affect only part of the garden. The topography of the land prevents any loss of light occurring to the east, and the bungalows to the west will only be minimally affected in the mornings. It is not considered that the levels of lost sunlight caused would be detrimental to residential amenity, or form a reason for refusal.

5.6 Policy CS17 of the Core Strategy (Adopted) December 2013 allows for new dwellings within existing garden space subject to each home having adequate private/semi private outdoor space. In this case, whilst the private amenity space of no. 31 Stanley Road is being significantly reduced, the remaining space to the south is considered adequate for a bungalow. The proposed dwelling is to have more amenity space available than the bungalow, and this is appropriate due to the proposal having a larger resident capacity than no. 31. The proposal is surrounded by either the highway or access lane on three sides, but the topography of the land and the retained 1.8 metres – 2.2 metre concrete wall allows for more of the garden to be hidden from the public realm.

The proposal is considered to protect the residential amenity of the present and future occupiers of the development and its neighbours, and is therefore in accordance with policy H4 of the Local Plan (Adopted) January 2006.

5.7 Landscaping

There are concerns raised regarding the loss of vegetation on this site, namely the hedgerow which runs along the eastern boundary with Stanley Road. There is no protection afforded to the vegetation and no Tree Preservation Orders will be breached as a result of removing the hedge, and as such is not a planning consideration, as the owner of the site is entitled to carry out this work without any planning consent. That said, the hedge is in a prominent position and to reduce the impact of its removal, a condition will be attached to the decision notice requiring the applicant to submit details of the proposed replacement wall, to ensure that the materials chosen enhance the visual amenity of the area. The applicant has advised that the conifer tree to the south-east of the site is to be retained, and at least two native trees are to be planted within the site to positively contribute to the visual amenity of the area.

5.8 Transport

The only real change to the proposal from the previously withdrawn application is the location of the access, which has been moved further to the north to avoid the visibility splay crossing over third party land. Local residents have raised concern over the impact of the development on highway safety as a result of the proposed vehicular access onto a busy highway where the road bends and the topography is steep, causing potentially poor visibility. Plans submitted with the application show visibility of 2 metres by 43 metres on both side of the site access with the public highway, which takes into account the topography of the site. This is considered acceptable, and a planning condition will ensure that the splay is implemented and maintained.

5.9 A double garage is shown on the site plan plus an area to the front of it for casual parking. There is adequate space on the site for the garage and parking areas to be used and also provide a turning area so that vehicles can enter and egress the site in a forward gear. One of the objection letters mentioned that a very small vehicle has been shown on the plans, allowing the parking area to appear larger than it is, however the proposed garage meets the Council's standards for two parking spaces as outlined in the Residential Parking Standards, with additional parking available on the driveway.

5.10 Based on the plans submitted, it is almost certain that the foundation for the new retaining wall would effect the foundation of the existing wall, which the Transport Officer believes forms part of the adjoining highway, Therefore, any future works to the wall to replace it must ensure public safety, and accordingly a condition will be issued on the decision notice should the proposal be approved, to secure details of the design and structure of the new wall so that it can be approved by the Council's structural engineer, and to ensure the highway is unaffected by the development on the whole, a highway survey must also be conditioned. Overall, subject to conditions, the proposal is considered to be in accordance with policy CS8 of the Core Strategy and policy T12 of the Local Plan, as well as the Residential Parking Standards SPD.

5.11 Drainage

No public surface water sewer is recorded as being available on site, and soakaways have been indicated as the method of surface water disposal. On the previously withdrawn application, the Council's Drainage Engineer had requested that a Sustainable Urban Drainage System (SUDS) is required at this location to ensure appropriate drainage in this urban environment, and this is still considered to be a relevant point here. A condition on the decision notice will ensure that adequate drainage details are submitted.

5.12 Other Matters

Objections have been received regarding the development obscuring views from the front windows of the bungalows to the west of the site, as well as from the bench to the south-east of the site. This point has been considered by officers, however as views are not deemed essential for residential amenity purposes, these comments have been given very limited weight in the decision making process.

Comments have also been received raising concerns regarding ownership of no. 31 and the hedgerow which runs along the front boundary. In order to alleviate their concerns, an informative will be issued on the decision notice reminding the applicant that they cannot carry out works on land they do not own without the landowner's permission.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

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

Reason

To ensure adequate drainage, to prevent flooding and to accord with policy CS9 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework (2012).

3. Prior to the commencement of development, all details of the proposed new retaining wall (including plans, sections, materials and specification) shall be submitted to and approved by the Council's Structural department. The approved retaining wall shall then be constructed in accordance with the approved plans and subsequently maintained thereafter.

Reason 1

In the interests of highway safety and stability, and to accord with policy T12 of the Local Plan (Adopted) January 2006.

Reason 2

In the interests of visual amenity, and to accord with policy CS1 of the Core Strategy (Adopted) December 2013.

4. No operations except the construction of the access shall be carried out until the proposed site access has been constructed in accordance with the approved plans (51618/00/103 Rev D and 51618/00/101 Rev D) and the Council's standard construction details, and the visibility splays shown provided, and maintained free of all obstruction thereafter.

Reason

To ensure the access is constructed with due regard to highway safety, and in accordance with policy T12 of the Local Plan (Adopted) January 2006.

5. The gradient of the new driveway shall not be steeper than 1 in 15 within 6 metres of the edge of the existing carriageway, and shall thereafter not be steeper than 1 in 7.

Reason

To ensure the access is constructed with due regard to highway safety, and in accordance with policy T12 of the Local Plan (Adopted) January 2006.

6. Prior to the commencement of development, a highway survey (including photographs) of the adjoining public highway must be submitted and approved in writing by the Local Planning Authority.

Note: Any post damage to the public highway arising from the development or the associated works, such as works to the retaining wall, would have to be remedied by the applicant at their own cost.

Reason

To ensure that the highway is not damaged, in the interest of highway safety and to accord with policy T12 of the Local Plan (Adopted) January 2006.

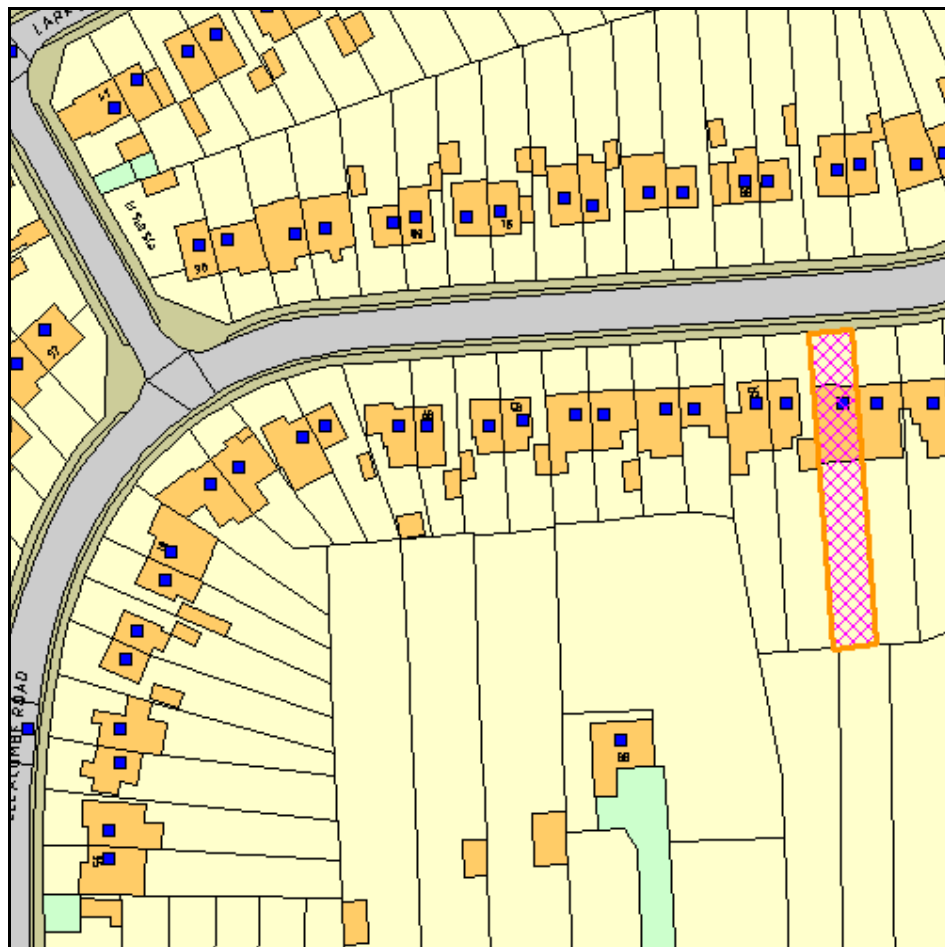
7. Prior to the occupation of the development, the off-street parking shown in drawing no. 51618/00/101 Rev D must be provided, and subsequently maintained thereafter.

Reason

To ensure adequate parking and in the interests of highway safety, and in accordance with policy CS8 of the Core Strategy (Adopted) December 2013, policy T12 of the Local Plan (Adopted) January 2006, and the Residential Parking Standards (Adopted) 2013.

CIRCULATED SCHEDULE NO. 15/15 – 10 APRIL 2015

App No.:	PK15/0814/F	Applicant:	Mr Steven Merrick
Site:	51 Ellacombe Road Longwell Green Bristol South Gloucestershire BS30 9BW	Date Reg:	2nd March 2015
Proposal:	Erection of first floor side extension to form additional living accommodation	Parish:	Hanham Abbots Parish Council
Map Ref:	365564 170755	Ward:	Longwell Green
Application Category:	Householder	Target Date:	21st April 2015



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 100023410, 2014. **N.T.S.** **PK15/0814/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This is a full planning application for a proposed first floor side extension. A local resident has objected to this proposal.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission to erect a first floor side extension to 51 Ellacombe Road, Longwell Green.
- 1.2 The application site relates to a linked semi-detached two storey dwelling set in long narrow plots. The property is finished in a light coloured brick with box dormer windows to the first floor front a rear elevations set within a pitched roof and clad in hanging tiles. The roof is covered with dark coloured concrete double roman tiles.
- 1.3 There is an existing single storey extension to the side of the property to form a garage and kitchen and further single storey extension to the rear of the property.
- 1.4 The plot is set on a residential street with the principle elevation facing towards a highway. The property is a linked semi-detached with parking and garden to the front and a garden to the rear.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPD (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 K786/2 16.03.1983 Approved
Single storey side extension to provide garage & kitchen diner
- 3.2 K786/1 11.03.1981 Approved
Erection of a single storey rear extension.

3.3 K786 21.04.1975 Approved
Erection of a conservatory.

4. CONSULTATION RESPONSES

4.1 Hannah Abbots Parish Council
No Objection

4.2 Other Consultees

Sustainable Transport
No Objection, subject to a condition.

Highway Drainage
No Objection in principle, subject to the following informative:
The proximity of a public foul sewer may affect the layout of the development.
Refer the application to Wessex Water for determination.

Other Representations

4.3 Local Residents

One Letter of Objection has been received from a neighbouring resident raising concern about windows in the side elevation and loss of light.

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.

5.2 Visual Amenity

The proposal consists of a first floor side extension to form an additional bedroom, this will also incorporate a small balcony spanning approx. 800mm in depth to the rear of the property. The proposed extension would extend over the existing single storey side extension. The front dormer window would be continued along the principle elevation, with a pitched roof extending into a gable projection with a small balcony to the rear. The new dormer to the principle elevation will be clad with plain tiles in a colour to match the original box dormer. The side and rear elevations will be rendered with a light coloured render to match existing. Whilst it is acknowledged that proposed extension would result in a large addition to the original dwelling, it will be sited above an existing side and rear extension and so the footprint would not be increased.

Furthermore the use of materials has been informed and is in keeping with the character of the existing dwelling.

Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

5.3 Residential Amenity

The dwelling has neighbours to both sides, with neighbours to the rear separated by long gardens and neighbours to the front separated by a road, gardens and parking areas. The proposed addition will not extend beyond the existing rear extension building line. There is a proposed balcony to the rear of the property, however it is considered that due to its small size it is considered that it will not result in a loss of privacy to an unacceptable extent.

There will be a small window to the side elevation of the property, this was implemented to break up the potentially overbearing blank side elevation. It is considered that the window will not create any loss to residential amenity as it will be obscure glazed. It is therefore considered the new extension will not result in a loss of privacy or loss of light to any neighbouring dwellings.

Overall, it is considered 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, however the property already provides two off street parking spaces and a garage which is considered appropriate, and as such, there are no objections in terms of parking and 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 That the application be **APPROVED** subject to the conditions attached to the decision notice.

Contact Officer: Jessica Robinson
Tel. No. 01454 868388

CONDITIONS

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

Reason

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

2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

3. A minimum of two off-street parking spaces shall be provided and permanently maintained within the residential curtilage of the 51 Ellacombe Road.

Reason

To accord with policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Residential Parking Standards SPD (Adopted) 2013.