



**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. 37/15

Date to Members: 11/09/15

Member's Deadline: 17/09/15 (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:

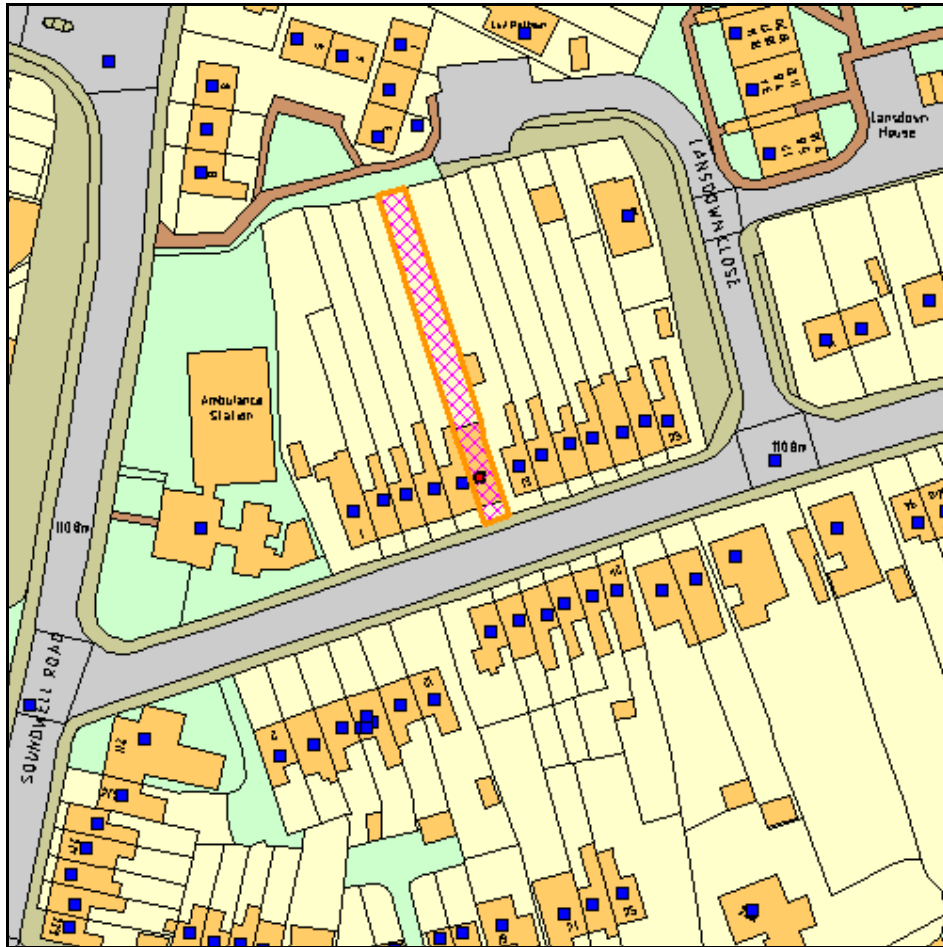
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s)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

CIRCULATED SCHEDULE - 11 September 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/2854/CLP	Approve with Conditions	11 Lansdown Road Kingswood South Gloucestershire BS15 1XA	Kings Chase	None
2	PK15/3278/F	Approve with Conditions	63 Wraxall Road Warmley South Gloucestershire BS30 8DW	Parkwall	Oldland Parish Council
3	PT15/1490/FDI	Approve	Land At Severnside South Gloucestershire BS35 5RE	Almondsbury	Pilning And Severn Beach Parish Council
4	PT15/2162/F	Approve with Conditions	Ridge House Mumbleys Lane Thornbury South Gloucestershire BS35 3JU	Severn	Oldbury-on- Severn Parish Council
5	PT15/2185/F	Approve with Conditions	Airbus Operations Ltd Pegasus House 182 Gloucester Road North Filton South Gloucestershire BS34 7QB	Filton	Filton Town Council
6	PT15/2432/F	Approve with Conditions	11 Elming Down Close Bradley Stoke South Gloucestershire BS32 8AQ	Stoke Gifford	Bradley Stoke Town Council
7	PT15/3231/F	Approve with Conditions	13 Elizabeth Close Thornbury South Gloucestershire BS35 2YN	Thornbury South And Alveston	Thornbury Town Council

CIRCULATED SCHEDULE NO. 37/15 – 11 SEPTEMBER 2015

App No.:	PK15/2854/CLP	Applicant:	Mr Steve Gage
Site:	11 Lansdown Road Kingswood Bristol South Gloucestershire BS15 1XA	Date Reg:	31st July 2015
Proposal:	Application for the Certificate of Lawfulness for proposed rear dormer to form loft conversion	Parish:	None
Map Ref:	364748 174768	Ward:	Kings Chase
Application Category:		Target Date:	24th September 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The 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 installation of a rear dormer to form a loft conversion at 11 Lansdown Road, Kingswood would be lawful.

1.2 The 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 solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning Act 1990 (As Amended) 1990 section 192 Country Planning (General Permitted Development) Order 1995 (GPDO) (As Amended) Schedule 2, Part 1, Class B.

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

3.1 There is no relevant Planning history

4. CONSULTATION RESPONSES

4.1 Town/Parish Council
Unparished

4.2 Councillor
No Comment

4.3 Other Consultees
No Comment

Highway Drainage
No Comment

Other Representations

4.4 Local Residents
No Comment

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Site location and block plan. Floor Plan for existing ground floor, first floor and second floor. Section and Elevations as Existing. Floor Plan for existing ground floor, first floor and second floor. Section and Elevations as Proposed, all of which were received on 29th July 2015.

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

The 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 application is based on the facts presented. The submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO (As Amended) 1995.

- 6.3 The proposed development consists of the installation of a rear dormer window to form a loft conversion. This development would fall under the criteria of *Schedule 2, Part 1, Class B* of the Town and Country Planning (General Permitted Development) Order (as amended) 1995, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows for dormer additions subject to the following:

B.1 Development is not permitted by Class B if –

- (a) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;**

The proposed dormer would sit 0.3m below the ridge of the existing roofline, and therefore does not exceed the height of the highest part of the roof.

- (b) Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;**

The alterations to the roofline would be to the rear elevation.

- (c) The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than-**

(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case;

The dormer extension would have a volume below 40 cubic metres and is therefore below the maximum resulting roof space for a terraced dwelling.

(d) It would consist of or include-

(i) The construction or provision of a veranda, balcony or raised platform, or

The proposal does not include the construction of any of the above.

(ii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe;

The proposal does not include any alterations to the chimney, or the installation of a flue or soil and vent pipe.

(e) The dwellinghouse is on article 1 (5) land.

The dwellinghouse is not on article 1 (5) land.

Conditions

B.2 Development is permitted by Class B subject to the following conditions:

(a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

The proposed dormer extension will be constructed from materials to match those used on the existing dwelling. As such the proposal therefore complies with this condition.

(b) Other than in the case of a hip to gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20cm from the eaves of the original roof; and

The part of the dormer which is closest to the eaves of the original roof is approximately 0.25 metres away. The proposal therefore meets this condition.

(c) Any window inserted on a wall or roof slope forming the side elevation of a dwellinghouse shall be-

(i) Obscure glazed; and

(ii) Non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The dormer window is to the rear of the dwelling and therefore this is 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 Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Contact Officer: Chloe Buckingham
Tel. No. 01454 863464

CIRCULATED SCHEDULE NO. 37/15 – 11 SEPTEMBER 2015

App No.:	PK15/3278/F	Applicant:	Mr Roger Hutton
Site:	63 Wraxall Road Warmley Bristol South Gloucestershire BS30 8DW	Date Reg:	31st July 2015
Proposal:	Erection of two storey front and single storey rear extension to provide additional living accommodation. (Resubmission of PK15/0929/F)	Parish:	Oldland Parish Council
Map Ref:	366276 172690	Ward:	Parkwall
Application Category:	Householder	Target Date:	24th September 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following a comment from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey front and single storey front and rear and side extension. This application follows a recently refused scheme and has been submitted after extensive pre-application discussion/advice. It seeks to overcome the refusal reasons by reducing the depth of the two-storey front extension and by removing the two-storey rear and side extensions.
- 1.2 The application site relates to a semi-detached traditional cottage located in an established residential area of Warmely. The site is not covered by any statutory or non statutory designations.
- 1.3 The dwelling is set back from the main road by approximately 25 metres, in line with neighbouring dwellings to the west. To the east, the dwelling is bordered by Wraxall Road, which is now a public foot and cycle path beyond which there are modern dwellings located on Gregory Court. The dwelling is viewed in the context of the attached neighbouring dwelling No. 65, which is a more modern, larger and wider dwelling with a lower ridge height.

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
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
T12 Transportation Development Control Policy

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standard SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/0929/F Erection of two storey front, rear and side extensions to form additional living accommodation and erection of detached garage.

Split decision 29.4.15
(garage approved)

Refusal reason 1:

The proposed development fails to reach the highest possible standards of site planning and design. The proposal by virtue of its overall design, scale, massing and proportions would fail to appear sympathetic or subservient and would be out of keeping to the original, modest cottage and neighbouring dwelling. The development is therefore contrary to policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), the South Gloucestershire Design Checklist SPD (Adopted) August 2007, and the provisions of the National Planning Policy Framework, March 2012.

Refusal reason 2:

The proposed two storey front extension would have a harmful impact on the residential amenity of the neighbouring dwelling. The proposed siting and scale of the proposed development, and orientation of the application site and neighbouring dwelling would result in overshadowing. The proposal would be contrary to Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 and Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 (Saved Policies).

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
No objection

4.2 Other Consultees

Archaeologist
No objection

Drainage Engineer
No comment

Sustainable Transport
No objection

Other Representations

4.3 Local Residents

One letter has been received from a local resident:

- we object to any kind of extension, not going to say much more as no matter what we say will more than likely be ignored, and we assume the planning permission will go ahead no matter what anybody says since foundations etc. have already be put in.

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 which in this instance includes the recently refused application. This application has sought to overcome the refusal reasons and has been submitted following some extensive pre-application advice. It is considered that the proposal has addressed the refusal reasons and the proposal now accords with good design principles by respecting the original modest cottage, has acknowledged the potential impact on the residential amenity of neighbours and the application site itself.

The proposal is considered to accord with the principle of development and can be recommended for approval,

5.2 Design and Impact on Visual Amenity

The application site is located off Wraxall Road and is set back from the road by a substantial distance. The front of the site is used for parking and permission has recently been granted for the erection of a single, detached garage here. An existing single storey side extension has been demolished and foundations for the proposed rear extension have already begun on site at the time of the Officer's site visit. The application site is semi-detached to No. 65 Wraxall Road which is proportionally different to the application site dwelling, aside from the fact they are currently the same depth. The neighbouring house is more modern in style, with a lower ridge height and a horizontal emphasis, with smaller windows.

Front extensions:

- 5.3 This proposal seeks to erect a single storey front extension with a reduced depth two-storey front extension above. The single storey front extension would cater for a porch area and study on the ground floor and a slightly increased footprint to the living area. This extension would measure approximately 3 metres from the main front building line and extend across the entire front of the dwelling for approximately 5.5 metres. It would have an eaves height of 2.3 metres and its mono-pitched roof would achieve a height of 3 metres. Above this extension is proposed the first floor front extension. This would serve to increase the size of the master bedroom. It would measure approximately 1.5 metres deep, 5.5 metres wide, have eaves of 4.9 metres and a height to ridge of 7.4 metres. Openings would be retained in the front elevation in the form of the main front entrance with the reconfiguring of the window arrangement to allow one at ground floor and two at first floor. Proposed materials would be painted render and concrete tiles. These are acceptable. In terms of its overall design, scale and massing the proposed two-storey front and single storey front extension is considered to respect the original cottage and is therefore appropriate to it and the character of the immediate area.

Side/rear extension.

- 5.4 The single storey rear extension would extend across the entire width of the rear elevation for 6 metres and also continue out to the side for an additional approximate 1.2 metres. For the most part it would have a depth of 2.3 metres

and an overall height of 3 metres. This structure would extend the existing kitchen area and create a dining area and downstairs WC. The proposal would see the removal of an existing rear dormer window and its replacement with three rooflights in what has been described at the 1.5 storey rear element of the property. New openings would be to the rear at ground floor level in the form of a window and a set of full height doors and two windows in the side elevation of this new side/rear single storey addition. Three rooflights would bring in additional light. Materials used would be painted render and concrete tiles. In terms of its overall design, scale and massing this single storey extension is considered appropriate to the host property and can be recommended for approval.

5.5 Residential Amenity

As mentioned above, the application site is attached to No. 65 to the west. This scheme has sought to address previous concerns regarding overshadowing to this neighbour by having a stepped front extension. Although the front single storey element would extend beyond the building line created by No. 65 by 3 metres, the two-storey part would only extend out by 1.5 metres. It is acknowledged that there would be some changes for this neighbour, it is considered that this would not impact adversely on to such an extent as to warrant the refusal of the application. Neighbours to the east are separated from the site by a wide footpath and fencing of 1.8 metres in height; given there would be no new first floor openings in the opposing elevation, it is considered there would be no adverse impact on these neighbours over and above the existing situation.

5.6 Transport and Parking

The proposed extensions would not increase the number of bedrooms within the dwelling and given that the property benefits from a long front garden it is considered there is adequate off-street parking space within the site boundary to provide the necessary parking for the size of the proposed dwelling in accordance with the Council's adopted Residential Parking Standards. On that basis, there is no transportation objection to the proposed development.

5.7 Other Matters

An objection has been received from a local resident and is quoted above. Although the objector has declined to be specific in their comments, it is noted that this person raised objections to the recently refused scheme along the lines of potential noise and dust and environmental pollution, loss of light, loss of privacy and impact on property value. For the sake of completeness these issues will be re-assessed here.

- 5.8 As stated in the previous Officer's report *The proposed works may cause minor inconvenience to some occupiers for a period of time, but would unlikely cause environmental pollution to a degree that would harm neighbouring occupier's health. However, the fact that construction works will take place on site and there are some neighbouring properties to the east and west is not a reason to prevent new development taking place.* In light of the previous comments, a condition regarding working hours and an informative regarding good working practice will be attached to the decision notice.

5.9 With regard to loss of light and impact on privacy, this proposal does not include a two-storey side extension. The existing first floor side windows will remain and an additional window at ground floor level will be introduced here. Given the properties are separated by quite a wide footpath, at approximately 15 metres distant, the fact that the complainant's property is at a slightly elevated position and the garden is bound by fencing of approximately 1.8 metres in height it is Officer opinion that there would be no issues of overlooking or impact on privacy of this neighbour over and above that already existing. The value of property following any development is not a planning issue and is outside the remit of a planning report.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

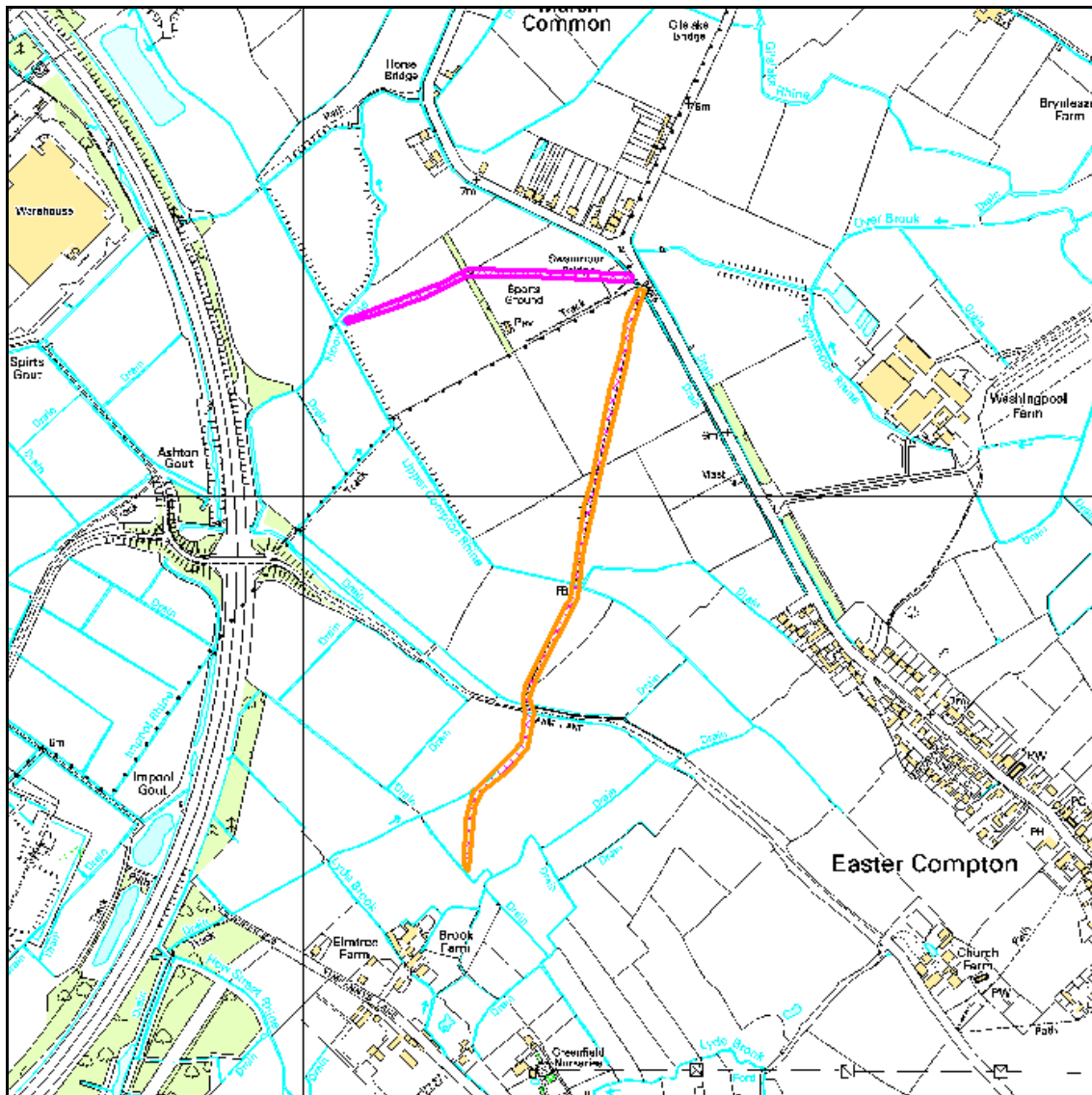
2. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

CIRCULATED SCHEDULE NO. 37/15 – 11 SEPTEMBER 2015

App No.:	PT15/1490/FDI	Applicant:	Harrow Estates PLC And Robert Hitchins Ltd
Site:	Land At Severnside South Gloucestershire BS35 5RE	Date Reg:	17th April 2015
Proposal:	Alterations to footpaths ORN/62/20, ORN/62/30, ORN/62/40, ORN/61/10, ORN/61/20, ORN/59/20, ORN/66/10, and OAY/67/10.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	357035 183173	Ward:	Almondsbury
Application Category:	FDI	Target Date:	20th May 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

Under the current scheme of delegation all footpath diversion orders are required to be determined by the circulated schedule process.

1. THE PROPOSAL

- 1.1 The application is made under Section 257 of the Town and Country Planning Act 1990 (as amended) for the diversion of footpaths ORN/62/20 ORN/62/30 ORN/62/40 ORN/61/10 ORN/61/20 ORN/59/20 and ORN/66/10 and OAY/67/10
- 1.2 It is stated that development pursuant to the extant 1957 Severnside planning consents (Ref. SG.4244) is the reason for the requirement for the footpath diversion applications.

2. POLICY CONTEXT

- 2.1 National Guidance
Circular 01/2009 - DEFRA
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
LC12 Recreational Routes
T6 Cycle Routes and Pedestrian Routes
- 2.3 South Gloucestershire Local Plan Core Strategy Adopted December 2013
Policy CS8 Improving Accessibility

3. RELEVANT PLANNING HISTORY

- 3.1 Extant Severnside consents (Ref. SG.4244). These were planning permissions granted in 1957 and 1958 over large areas of land owned by ICI at Severnside.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
Pilning and Severn Beach Parish Council strongly object to any change of the ancient rights of way in this area. There is no reason what so ever for the paths to be moved or changed other than to facilitate the building of warehouses. The footpaths were here long before 1957 and therefore they should be retained.

Other Representations

- 4.2 Public Rights of Way
The agricultural land crossed by these public rights of way is to be extensively developed with warehousing, which already has planning consent. A number of the footpaths require diversion to fit with the proposed road structure and buildings but some new links will also be made, including new bridleway provision connecting Station Road with Farm Lane which can also be used by cyclists. All the new works will require certification and the existing routes will not be legally closed until this has taken place.

The proposed scheme has been drawn up in conjunction with the Public Rights of Way team and I have already drawn the developer's attention to Local Plan Policies T6 and LC12, the Rights of Way Improvement Plan and Defra Circular 1/09 (which states that paths should not run along pavements). I have suggested that the new paths should be of a stone/dust surface of 2m separated from the roadways by a grass verge and some landscaping. I have suggested a specification of 200-300mm (either all type 1 or crusher run topped with type 1) and then a top coat of dust. The new bridleways will need to be 3m width, but a grass surface is proposed for the southern bridleway which will be acceptable if it is well drained. The bridleway from Station Road should be a stone/dust surface as it is likely to be well used by cyclists for access to Western Approach away from the busy roads.

4.3 Landscape

No landscape objections

4.4 Fisher German (On behalf of Esso Petroleum Co. Ltd)

Our client does have apparatus situated near to the proposed works, however there are no objections to the proposals as long as the guidance contained within their 'Special Requirements for Safe Working' and the covenants contained in the Deed of Grant are adhered to.

4.5 Local Residents

One letter of objection has been received, as follows:

This is an objection for several reasons:-

1. it is difficult to assess, what are quite complex proposals, when some of the plans and drawings have been scanned upside-down.
2. it would appear that the proposed diversions/closures are necessitated by proposed development, the detail of which is as yet not available, so any proposal to amend the paths network is premature
3. the draft of the proposed buildings layout, included with the application, would appear to be at odds with the conditions laid down by the 1957-8 consents, and contrary to subsequent masterplanning agreements. Further consideration of the paths proposals could be seen to imply acceptance of the draft layout. Negotiations on these particulars, and consequent amendments thereto, will affect the path proposals here.
4. to ensure that alterations to the paths network are acceptable it is necessary to see what is envisaged in relation to the landscaping associated with each building to be proposed.

In summary, this is very much 'cart-before-the-horse', and in any case, as with any proposal of this scale, it should be the subject of a public exhibition and consultation as part of the application process.

I therefore ask you to suspend any deliberations on this matter, and to 'stop the clock' until the parts of the development which must be determined by the LPA, have been approved.

5. ANALYSIS OF PROPOSAL

5.1 Principle Matters

The diversion of a Public Right of Way is not development as defined in the Town and Country Planning Act. As such a diversion order can only be considered within planning legislation when the diversion of the footpath is required in order to allow the implementation of a planning permission. The nature of the assessment should consider the proposed route and its suitability in terms of the amenity of the public right of way and whether or not the diversion is reasonably necessary in respect of the planning permission it relates to. The footpath issue has been identified in context with the historic Severnside (ICI) 1957/8 planning permissions which are deemed extant and the proposed redevelopment across the area of footpaths that the permission entails.

5.2 The Proposal

The proposals are to divert the routes referred to above to accommodate the implementation of part of the Severnside consent, in this particular area of the consent, as identified on the layout plans. The site does fall wholly within the '1957' consent, which is considered a very large consent for various industrial and warehousing uses across a wide area, and has been found sound in the Courts and implementable in its current form. This historic consent does not feature conditions and constraints that would be likely to be included in a planning decision made today. Hence for the majority of the site area affecting the PROW diversions, the Local Planning Authority has no further control over the layout. As such, the Council have no further powers available to enable us to negotiate a different layout in this location. The 1957 consent does not require the submission of plans, apart from an area 200 yards deep area from Marsh Common Road, which requires a very 'open' form of reserved matters application- for which the only matter that is reserved is the layout (a requirement of condition 1 of the permission).

5.3 The proposed diversions are the result of the proposed layout of the site given by the developers, in conjunction with negotiations with the Council's PROW team on the basis of that layout. Given the scope of the 1957 consent, the Council have no recourse to ask for a public exhibition or any consultation under the terms of the planning permission, which has been found to be extant in the Courts and implementable in its current form. Whilst it cannot automatically be assumed that the rights of way would be diverted, in which case the layout of the site would need to accord with and reflect the PROW's routes, it must also be acknowledged that the scope of the 1957 consents exists and will continue to be implemented in some form and the area will be developed, creating a different environment and context for the area and its existing PROW networks. Weight should also be given to the economic development benefits the implementation of this already granted planning permission would give. It is therefore considered that a pragmatic approach to the PROW issues in assisting with their diversion and acknowledging and addressing the changing context of the area as opposed to simply refusing to divert them acknowledges the situation and negotiation has taken place to ensure the Council's PROW team are satisfied with the approach and outcome of the proposed diversions is acceptable.

- 5.4 The footpaths required diversion is to fit with the proposed road structure and buildings but some new links will also be made, including new bridleway provision connecting Station Road with Farm Lane which can also be used by cyclists. All the new works will require certification and the existing routes will not be legally closed until this has taken place. The proposed scheme has been drawn up in conjunction with the Public Rights of Way team and are considered acceptable by the Council's Public Rights of Way Officer.
- 5.5 Given the above, it is considered that the diversions are suitable in terms of amenity and necessary in the light of existing planning permissions and development of the site.

6. CONCLUSION

- 6.1 The recommendation to raise no objection has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all material considerations set out in the report.
- 6.2 The proposal is considered to satisfactorily comply with Circular 01/09 and Policy LC12 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 and CS8 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 as alternative routes would be provided.

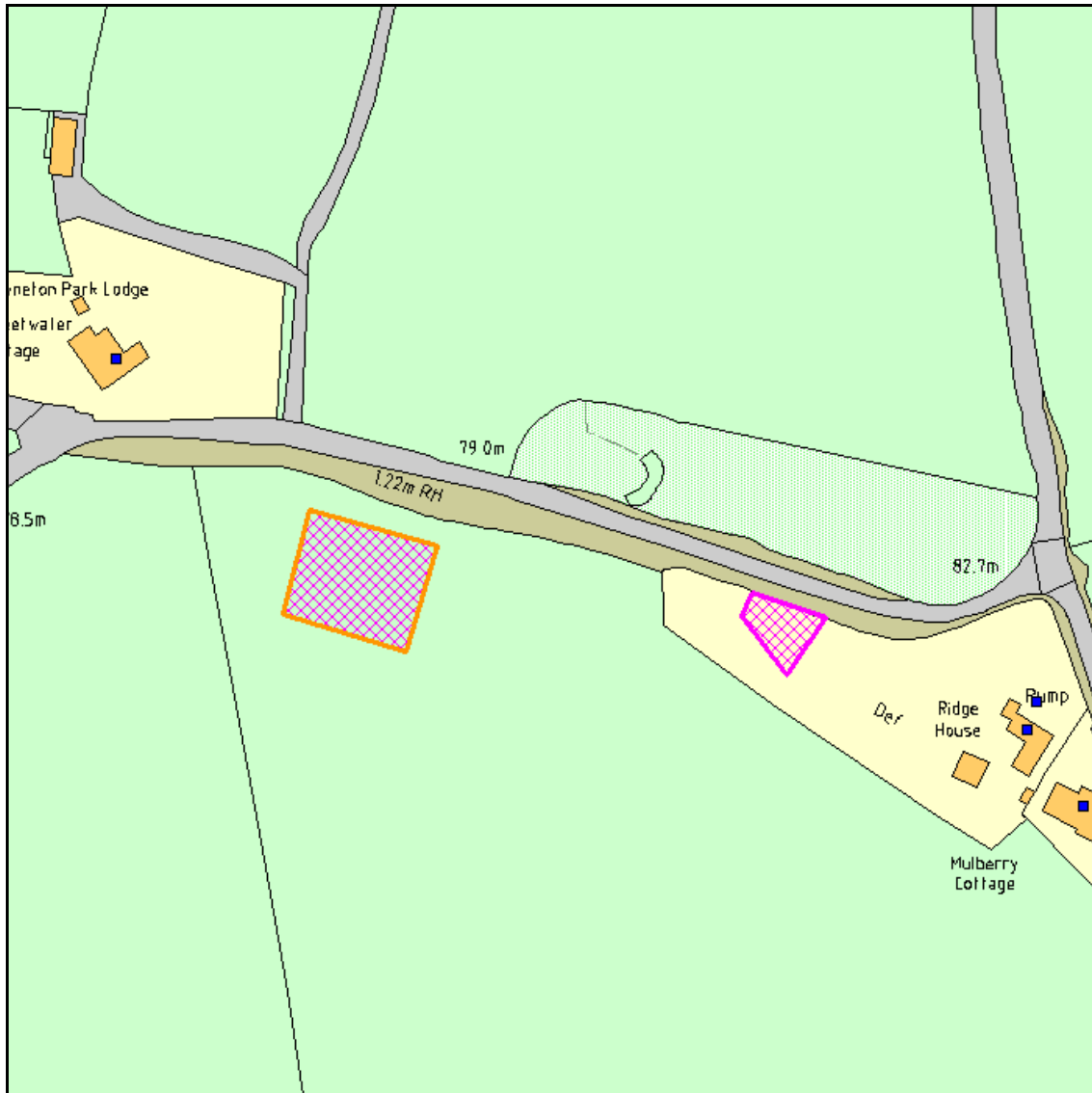
7. RECOMMENDATION

- 7.1 That no objection be raised to the proposed diversion of footpaths ORN/62/20 ORN/62/30 ORN/62/40 ORN/61/10 ORN/61/20 ORN/59/20 and ORN/66/10 and OAY/67/10 and that the Head of Legal Governance and Democratic Services be instructed and authorised to make an Order under Section 257 of the Town and Country Planning Act 1990 for the diversion of these footpaths as illustrated on map reference 411, submitted with the diversion application.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CIRCULATED SCHEDULE NO. 37/15 – 11 SEPTEMBER 2015

App No.:	PT15/2162/F	Applicant:	Miss Lucy Weaver North & Letherby
Site:	Ridge House Mumbleys Lane Thornbury Bristol South Gloucestershire BS35 3JU	Date Reg:	3rd June 2015
Proposal:	Partial change of use of residential curtilage into land for the keeping of horses, erection of steel portal framed building for the stabling of horses and the creation of a manege	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	362077 189177	Ward:	Severn
Application Category:	Minor	Target Date:	24th July 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the circulated schedule owing to comments made by some local residents which are contrary to the recommendation in this report.

1. THE PROPOSAL

- 1.1 The application seeks permission for the partial change of use of residential curtilage into land for the keeping of horses, the erection of a steel portal framed building for the stabling of horses and the creation of a riding arena.
- 1.2 The riding arena is proposed on land which has planning permission for a mixed use; both agricultural and land for the keeping of horses, following planning consent PT12/1219/F. The change of use part of the application intends to extend the area of land approved for the keeping of horses to accommodate the entrance to the field and the proposed stable block.
- 1.3 The application site is situated on Mumbleys Lane which is in the open countryside outside of any established settlement boundary, and is within the Bristol/Bath Green Belt.
- 1.4 During the course of the application, amendments have been received to the red line to show the portion of residential curtilage which is to change use.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS34 Rural Areas

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

E10 Horse Related Development
L1 Landscape Protection and Enhancement
L16 Protecting the Best Agricultural Land
EP2 Flood Risk and Development
T12 Transportation DC Policy
LC12 Recreational Routes

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) 2007
Landscape Character Assessment (Adopted) 2005

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT15/2155/RVC Withdrawn 09/07/2015
Removal of condition 5 attached to planning permission PT12/1219/F to allow for the development of improved stabling and a manege
Withdrawn at officers request, as purpose of application duplicated PT15/2162/F
- 3.2 PT12/3252/CLE Approve 19/11/2012
Application for certificate of lawfulness for the existing use of land as residential curtilage.
- 3.3 PT12/1219/F Approve with conditions 25/06/2012
Change of use of land from agricultural to mixed use of agricultural and land for the keeping of horses.

Condition 5:

No jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land other than that shown on drawing no. 002/A and up to a maximum of two moveable field shelters the details of which, shall firstly be agreed in writing with the Local Planning Authority. Thereafter, development shall accord with these agreed details.

4. **CONSULTATION RESPONSES**

- 4.1 Oldbury-on-Severn Parish Council
No comment received.
- 4.2 Aust Parish Council
No objection. Requests that business use, additional illumination and parking is restricted on site.
- 4.3 Other Consultees
- Lead Local Flood Authority
No comment.
- Highway Structures
No comment.
- Landscape Officer
No objection subject to a landscaping condition.
- British Horse Society
No comment received.

Other Representations

- 4.4 Local Residents
Two letters of objection have been received:
- Stables are of commercial scale

- This is encouraging more horses on to single track, national speed limit lanes and is an accident waiting to happen
- Riding arena will cause light pollution from floodlighting
- Increase in number of traffic and number of horses using Mumbleys Lane and Sweetwater Lane
- Already a large equestrian business operating on Mumbleys Lane

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The National Planning Policy Framework 2012 states that new buildings within the Green Belt should be considered inappropriate development in the green belt with the exception of the categories of development identified within paragraphs 89 and 90. Under paragraph 89 amongst others the following development is considered to be an exception:

'provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it'

5.2 The proposal for the erection of a stable block and the riding arena is considered to fall within the above exception and as such the principle of the stable is considered acceptable. Details of location and design, together with any other equine paraphernalia can all affect the openness of the green belt and how the proposal impacts on the visual amenity of the Green belt and these will be assessed below. Policy E10 of the SGLP permits proposals for horse related development outside the boundaries of settlements subject to criteria relating to environmental effects, residential amenity, highway safety, access to riding ways, horse welfare, and provided no existing suitable buildings are available which are capable of conversion.

5.3 Landscape and Visual Amenity

The proposed riding arena is located to the west of the stables, and will be a very low level structure screened by the existing hedge. The topography of the land prevents views of the riding arena from the south.

5.4 The stable is located close to the road and will be seen within the context of the existing residential dwellings, and Mumbleys Lane runs along the northern boundary of the site. There is a public footpath along this lane which is classified as a Major Recreational Route. The boundary planting between the stable and the lane consists predominantly of semi mature trees, including ash, and limited understorey, including ivy. This planting will partially screen the proposed stable, however it will be ineffective as a screen during the winter months. The stable will be open to views from the west, across the garden which is fairly open. The location is at a relatively high point within the surrounding landscape and is not overlooked. The area to the north consists of large open fields however there are no public footpaths in this direction and within the wider landscape there is a good network of vegetation.

- 5.5 There is no landscaping objection subject to a detailed scheme of landscaping being secured by condition. This would include native planting along the north boundary with Mumbleys Lane to enhance the existing boundary, and it should show how views from the east will be at least partially screened, perhaps by planting trees within the residential curtilage. The plan should show the species, density of planting, time of planting and method of protecting the plants from grazing animals, including horses and rabbits, and method of maintaining a weed free area around the plants for five years while they are establishing. Horse paraphernalia will be restricted by a condition requiring any gates, fences, structures to be subject to a further planning application, and this will include the removal of the existing temporary shelters, which are to be replaced by the proposed new stable block. Subject to these conditions, the development is acceptable in terms of policy CS1 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013 and policy L1 of the Local Plan (Adopted) January 2006.
- 5.6 Design
The proposed building is steel portal framed, with concrete panels and timber Yorkshire boarding walls, and a fibre cement roof. It appears agricultural in nature which is appropriate within the rural setting. The riding arena is proposed to be unfenced to reduce its visual impact. Overall the development is acceptable in terms of policy CS1 of the Core Strategy (adopted) December 2013.
- 5.7 Highway Safety
The proposal is to utilise the existing access which is acceptable for private use. Accordingly, use as a livery or riding school would need to be controlled by a condition. The site is situated within a rural area and although there no bridleways directly from the site it is considered that it is appropriately located to provide suitable and safe riding. Furthermore, the site already has planning permission for keeping up to six horses, and this application does not propose an increase in the number of horses.
- 5.8 Residential Amenity and Environmental Impacts
There is a scattering of residential properties in the vicinity, although they are few and far between. The closest is Mulberry Cottage to the south-east and is considered to be an adequate distance and the development would not give rise to any material impact on the amenity of the occupiers of the dwelling. It is considered that the proposed development, by virtue of the private nature of the use, would not give rise to any unacceptable environmental effects. Furthermore, as previously mentioned, the area of land used for the keeping of horses is only extending slightly and the number of horses allowed at the site is not being increased from the previous permission.
- 5.9 Horse Welfare
The wider site (within the blue line and under the ownership of the applicant) has an extant planning permission for up to six horses. The size of the site is to be increased slightly to incorporate the area of residential curtilage surrounding the proposed stables, but the increase in land is not enough to justify the keeping of an additional horse. A maximum of six horses can be kept within the blue line and this will be conditioned on the decision notice.

The proposed stables exceed the minimum standards of 3 metres by 3.7 metres per horse and the additional space is for storage. Officers are satisfied that the welfare of the horses will be ensured following the development.

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** subject to the following conditions:

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 a scheme of landscaping, which shall include proposed planting and times of planting, shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To screen views from the north and east and to protect the visual amenity of the area and the openness of the Green Belt, in accordance with policy CS1, CS9 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013 and policy L1 of the Local Plan (Adopted) January 2006. This is required prior to commencement of development to ensure the planting is in situ at the earliest opportunity during or after development.

3. Prior to the installation of any lighting or illumination proposed for the riding arena, details must be submitted to the Local Planning Authority for written approval. The lighting shall then be installed in accordance with the approved details.

Reason

In order to prevent light pollution across the landscape and the Green Belt, and to accord with policy CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013.

4. The number of horses kept within the site edged in blue shall not exceed six.

Reason

In the interests of the welfare of horses, to accord with the guidance of the British Horse Society; and Planning Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on land within the red lines other than the stable block hereby approved.

Reason

To protect the character and appearance of the area and to maintain the openness of the Green Belt, all to accord with Planning Policies L1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006 and policy CS1 and CS34 of the Core Strategy (Adopted) December 2013.

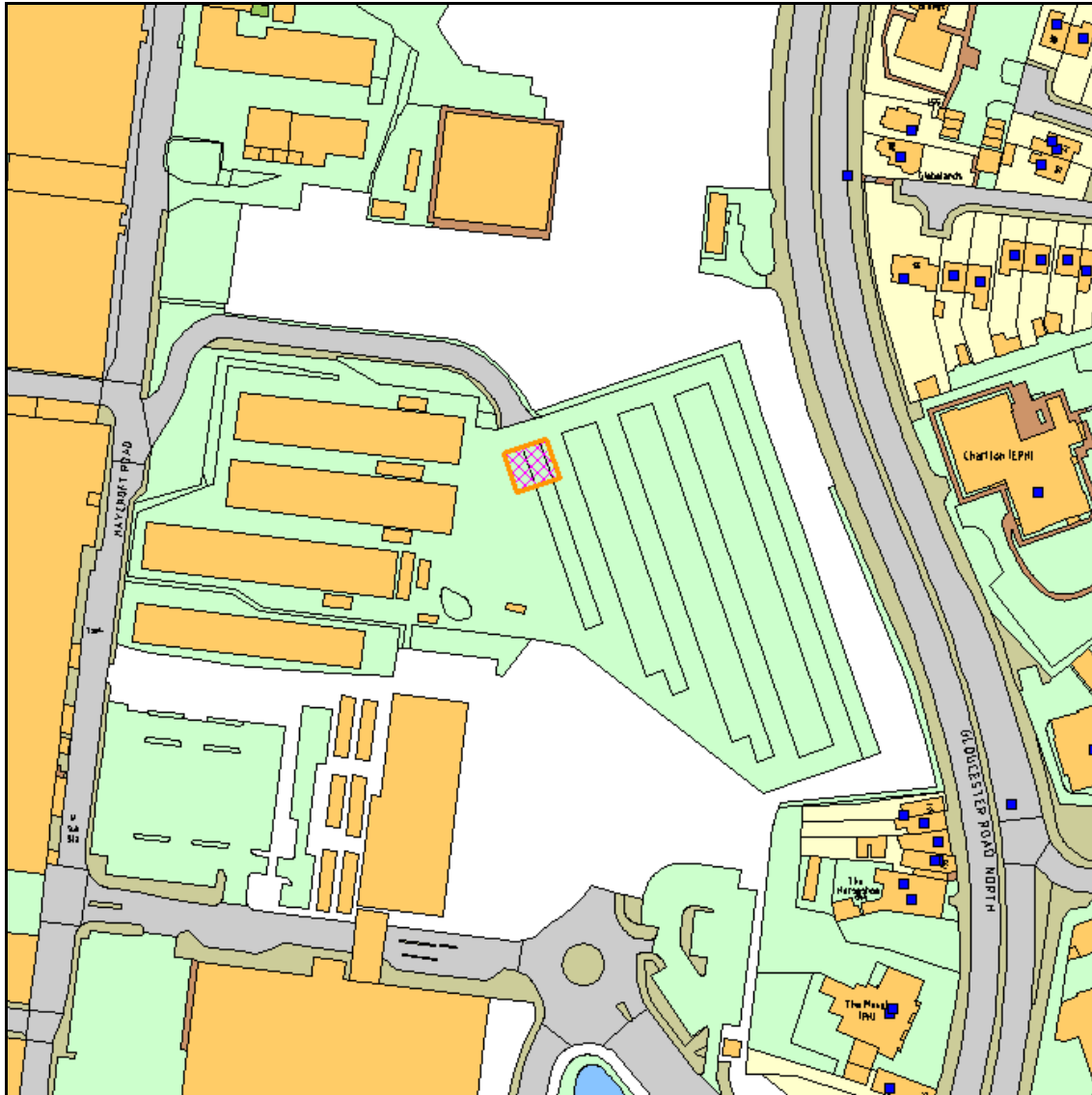
6. The two existing temporary shelters situated within the blue line and approved under condition 5 of planning permission PT12/1219/F, shall be removed on the first use of the stables hereby approved.

Reason

To prevent a cumulative build up of structures associated with animal storage, to protect the character and appearance of the area and to maintain the openness of the Green Belt, all to accord with Planning Policies L1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006 and policy CS1 and CS34 of the Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 37/15 – 11 SEPTEMBER 2015

App No.:	PT15/2185/F	Applicant:	Vodafone Limited
Site:	Airbus Operations Ltd Pegasus House 182 Gloucester Road North Filton South Gloucestershire	Date Reg:	27th May 2015
Proposal:	Temporary erection of 17.3 metre high mast with associated works	Parish:	Filton Town Council
Map Ref:	360249 179433	Ward:	Filton
Application Category:	Minor	Target Date:	16th July 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal is for the temporary erection of a 17.3m high mast with associated works.
- 1.2 The site is located adjacent to British Aerospace, just off Gloucester Road, Filton

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
S5 Telecommunications

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT15/0753/PN1 - Prior notification of the intention to erect a 15 metre mini macro pole accommodating 6no. antennae, 3no. equipment cabinets and 8no. concrete bollards at ground level with associated works. No objection 13th April 2015.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No objection
- 4.2 Sustainable Transportation
No transportation objection

Highways Structures
No comment

Lead Local Flood Authority
No comment

Listed Building/Conservation Officer

In light of the separation distances between the application site and the designated heritage assets and the local topography, there are no objections.

Other Representations

4.3 Local Residents

Three letters of objection have been received as follows: *'This is Vodaphone telecommunications mast giving off high levels of Wireless Microwave Radiation, for those individuals living and working close to these towers or masts a powerful electromagnetic field (EMF) which has links to everything from stress and sleep disorders to birth defects, cancer and Alzheimers. We are exposed to 100 million times more Electromagnetic Radiation than our grandparents were. Unless Vodaphone or Airbus Operations Ltd are able to prove beyond a shadow of a doubt that this mast at this location is safe to the health and well being of all those individuals that both live and work in the area surrounding this mast, the planning application should not go ahead or be accepted, unless those that grant the permission for this mast to go ahead take personal responsibility and liability for the health and well being of those living and working within the close proximity of this mast.'*

'Comment: I object to the planning on the basis that there is a Day Nursery and College just across the road from the planned site, we still are discovering the adverse effects of the radiation emitted by these masts, until further research is done into the long term effects of exposure to the radiation given out, I think we should consider protecting our children and the children of our community against unknown and potentially life threatening conditions caused by these masts. I could cite a long list of research papers and examples of children being effected by the radiation, but I'm convinced that it would be fruitless as you wouldn't actually read it all, but you should make an effort to look into some of the cases and reconsider placing a potentially lethal construction so close to where many children spend up to 11 hours a day. I understand that this is a temporary installation, but I am also convinced that once it is in place, it will be easier to apply and be successful in making this a permanent site for a mast, I therefore object on the grounds of safety and the health of the local children, and also in the almost sneaky way that the phone company have made this application.

Hopefully enough people will have the sense to see what the phone company is up to, and to lodge many complaints about the mast being placed so close to a centre of learning and a nursery full of small children who are unable to make the choice to protect themselves from a potentially lethal dose of radiation.'

One further letter has been received expressing concern on the basis of the proposals being right next to a nursery.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

National Guidance acknowledges the importance of high quality communications infrastructure for sustainable economic growth and enhancing the provision of local community facilities and services. Policy S5 of the SGLP states that telecoms facilities will be permitted provided that they would not unacceptably prejudice residential amenities and where they are located so as to minimise the impact upon the environment. It should be noted in this respect that an existing prior notification for a permanent mast exists within the vicinity of the current proposals, approximately 50 metres to the east, and nearer to Gloucester Road, again within land adjacent to British Aerospace. The principle of a mast serving the area has therefore been established. The applicants have stated that the main reason for the proposed deployment of a temporary mast is to provide coverage in the interim until the permanent site (under ref. PT15/0753/PN1) is live. The delay with the permanent site going into build and then live is related to a lease being agreed. Once this process is complete the permanent site will go into build and the temporary structure will be removed from the site.

5.2 Design/Appearance/Siting

The proposed mast would measure up to 17.3 metres in height to the top of the antennas and incorporate associated base station equipment next to it within compound fencing. It is located on the corner of an area of hardstanding associated with British Aerospace. It is set some 75 metres from the roadside (Gloucester Road), between which is a tree line and some other vegetation also exist. An existing consent under prior notification exists much nearer to the roadside, approximately 50 metres to the east and this proposal would form an interim and temporary development whilst delays with the permanent siting were overcome. On this basis, and given the context of the proposed site and location, the mast is considered to be in an acceptable in siting terms and the design is also considered acceptable.

5.3 Health and Safety Considerations

The applicants have submitted a Declaration of Conformity with ICNIRP (International Commission on Non-Ionizing Radiation Protection) Public Exposure Guidelines. Government advice states that it is not for planning authorities to determine health safeguards for telecoms proposals if the proposals meet International Commission guidelines. On this basis, whilst the concerns raised above are noted it is considered that the proposal is acceptable. The proposals are located on Airbus operations land, whom will need to agree the site. The nearest properties to the current proposal, are located over 100 metres to the east, across the dual carriageways of Gloucestershire Road. Filton college campus is located approximately 180 metres to the north east, across Gloucestershire Road. A permission already exists to erect a 15 metre mini macro pole accommodating 6no. antennae, 3no. equipment cabinets and 8no. concrete bollards at ground level with associated works located approximately 50 metres to the east, approximately 25 metres off the Gloucestershire Road and the properties beyond.

In this respect, it is considered that the proposal would not have a materially more harmful impact in terms of local amenity in its own right or upon the existing situation and it meets the Governments current safety criteria. It is considered that it would not have a material impact in terms of highway safety and there are no highways objections to the proposals.

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 temporary proposals are near to an approved telecoms location and the details are of an appropriate standard in design. The proposal would not materially harm the local amenities of the area. As such the proposals accord with Policies S5 and T12 of the South Gloucestershire Local Plan (Adopted) 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy December 2013.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted on a temporary basis.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

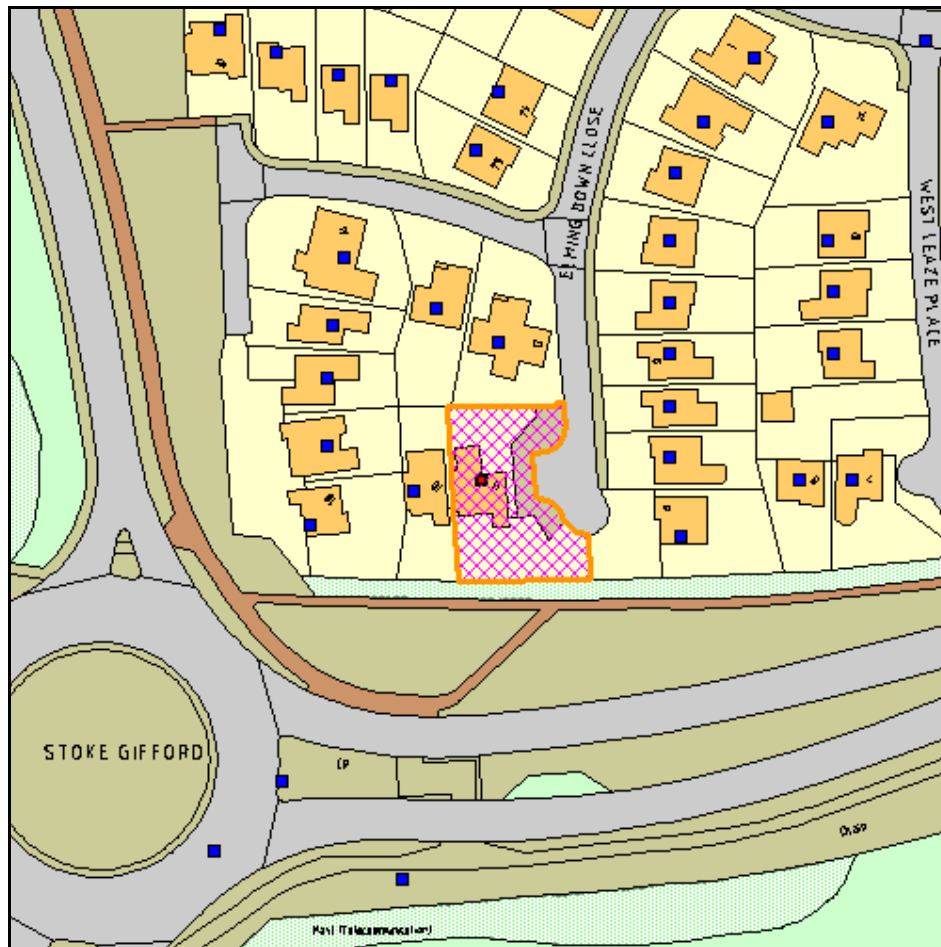
2. The development hereby permitted shall be removed and the land restored to its former condition within 1 year from its implementation, the date of which shall be notified in writing to the Local Planning Authority upon implementation.

Reason

In accordance with the details submitted by the applicant and to limit the masts in the immediate vicinity, in accordance with Policy S5 of the South Gloucestershire Local Plan Adopted January 2006.

CIRCULATED SCHEDULE NO. 37/15 – 11 SEPTEMBER 2015

App No.:	PT15/2432/F	Applicant:	Mr Walker
Site:	11 Elming Down Close Bradley Stoke Bristol South Gloucestershire BS32 8AQ	Date Reg:	22nd June 2015
Proposal:	Erection of front porch. Demolition of existing boundary wall and erection of 2.9m. high replacement wall and screen fencing.	Parish:	Bradley Stoke Town Council
Map Ref:	361964 180527	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	14th August 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to a consultation response received, contrary to Officer recommendation

1. THE PROPOSAL

- 1.1 The application is for the erection of a front porch, demolition of existing boundary wall and erection of a 2.9m high combined replacement wall and screen fencing.
- 1.2 The property is a detached modern volume built dwelling situated on a cul-de-sac containing and is located within the residential area of Bradley Stoke.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Council Residential Parking Standards December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
Bradley Stoke Town Council objects to this planning application on the following grounds:

The proposals are out of keeping with the streetscene and surrounding area.

Sustainable Transportation

The applicant seeks to erect a front porch, demolish the existing boundary wall and erect a 2.9m replacement wall. Provided that the replacement wall remains within the site boundary of the property there are no transportation objections.

Highways Drainage

No comments

Other Representations

4.2 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design / Visual Amenity

The proposals essentially seek to utilise the curtilage space available, creating a larger private amenity space behind the wall where the property borders the cul-de-sac. The wall itself would be 2 metres high with a screen trellis on top, to a further height of 90cm. Whilst the concerns raised are noted, in this instance there is not considered to be a particularly prevalent streetscene that would be interrupted or impacted by the proposals. On the side of the road of the proposed wall relocation, other boundary walls exist (to around 1.8 metres) currently nearer to the roadside, the application site itself is also currently enclosed by a boundary wall and then with conifer/privet vegetation to a height greater than 3 metres towards the roadside, already therefore giving a sense of enclosure on this elevation. The boundary treatments proposed would be moved nearer to the roadside, in line with the distance of the neighbouring boundary wall. On the other side of the cul de sac are open plan front curtilages/driveways with no enclosure and hence there is not considered to be a specific or coherent streetscene that is likely to be disrupted to any material degree. In the context of the existing site and surroundings the proposed boundary wall and screen fencing are considered to be of an acceptable size, design and location in comparison to the existing dwelling and the site and surroundings. The porch in its own right is considered of acceptable design and scale. Materials used will match those of the existing property.

5.3 Residential Amenity

Given the overall scale of the proposed wall, the existing position and height of the boundary and its associated vegetation and its relationship with the existing dwelling and surrounding properties it is not considered that it would give rise to a significant or material overbearing impact upon neighbouring properties. Similarly it is not considered that the proposed front porch raises any amenity issues. It is considered therefore that the proposals would be acceptable in terms of residential amenity.

5.4 Sustainable Transportation

The replacement wall would seek to utilise the existing curtilage providing additional private amenity space. There are no highways objections to the proposals.

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 proposals are of an appropriate standard in design and are not out of keeping with the main dwelling house surrounding properties or context of the area. Furthermore the proposal would not materially harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposals accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy December 2013.

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

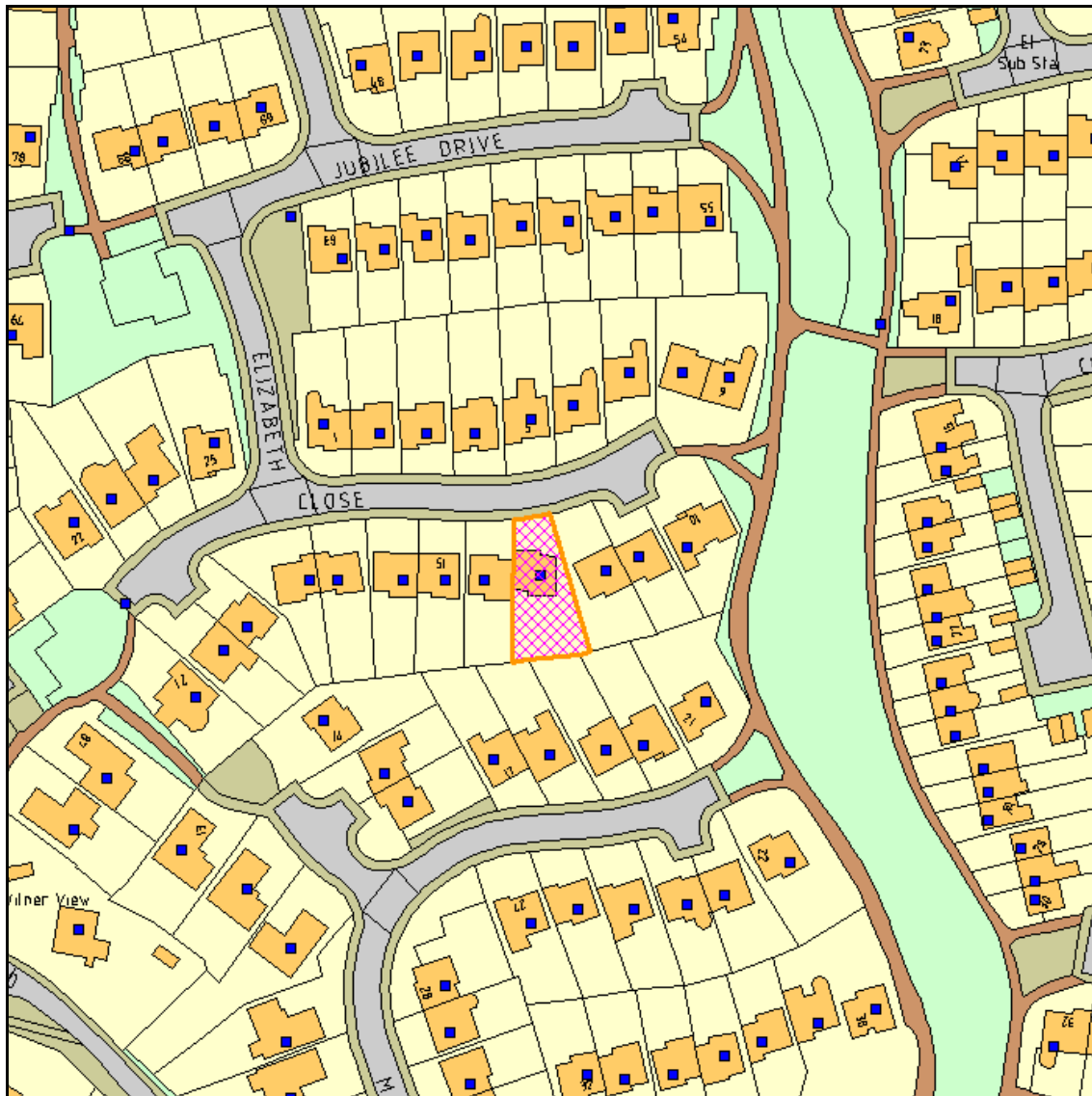
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 37/15 – 11 SEPTEMBER 2015

App No.:	PT15/3231/F	Applicant:	Mr Mark Finnis
Site:	13 Elizabeth Close Thornbury Bristol South Gloucestershire BS35 2YN	Date Reg:	28th July 2015
Proposal:	Installation of front dormer window to provide additional living accommodation	Parish:	Thornbury Town Council
Map Ref:	364926 189877	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	18th September 2015



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 100023410, 2008. **N.T.S.** **PT15/3231/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application is for the installation of front dormer window to provide additional living accommodation.
- 1.2 The property is a linked detached property set on a cul de sac containing similar dwellings, within the residential area of Thornbury.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/2408/F – Single storey rear extension to form sun room. Approved 6th September 2012.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

No comments received

4.2 Lead Local Flood Authority

No comment

Other Representations

4.3 Local Residents

One letter raising concerns has been received, as follows:

'Firstly, a certain amount of amount of light will be taken away from our front bedroom and our lounge if this installation is built. We already lose some light in the lounge because it is set back from the side of our neighbour's garage and would prefer to lose no more. Secondly, the side wall of the installation

appears to be very close to the existing side wall of our house (the actual clearance is not specified on the plans) and rises a little above the level of our roof. Without adequate clearance we would have no outside access to the part of our property blocked by the installation. We would prefer adequate clearance to be specified on the plans submitted, and adhered to in the construction if the application is approved.'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design / Visual Amenity

The proposed extension is of an appropriate standard in design and is not out of keeping with the character of the main dwelling house and surrounding properties. There are number of examples of various dormers within the immediate vicinity in the cul de sac. The dormer is of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials used i.e. tiles will match those of the existing dwelling.

5.3 Residential Amenity

Whilst the concerns raised are noted, the size, scale and location of the proposals must also be acknowledged. The front wall of the application dwelling is already set forward from the adjoining dwelling by approximately 90cm. The proposed dormer would be approximately 2.5 metres wide and extend towards the side of the adjoining dwelling, above the garage, this would bring it to within approximately 40cm of the first floor side wall of the adjoining property and within approximately 1.5 metres from the nearest window. The dormer would be set back very slightly from the main front wall of the existing dwelling and would only protrude approximately 80cm from the front wall of the adjoining property. Given these circumstances and given the overall scale of the dormer and its design and relationship with the existing dwelling and surrounding properties it is not considered that it would give rise to a significant or material overbearing impact upon neighbouring properties such as to warrant or sustain a reason for refusal of the application. It is considered therefore that the proposal would be acceptable in terms of residential amenity. In terms of clearance space and access, this is a civil matter, and the scaled plans submitted are adequate for what is being assessed under the planning application, however planning permission would not grant rights to carry out works, repairs, or gain access to property not within the applicant's control.

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 recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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