



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF PLANNING, TRANSPORTATION AND STRATEGIC
ENVIRONMENT**

CIRCULATED SCHEDULE NO. 38/08

Date to Members: 19/09/08

Member's Deadline: 25/09/08

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 **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.**

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Area Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (eg, if the schedule is published on a Friday, comments have to be submitted by the end of Thursday) (see cover page for the date). A proforma is attached for your use and should be forwarded by fax to the appropriate Development Control Support Team, or by sending an email with the appropriate details to PlanningApplications@southglos.gov.uk

Members will be aware that the Director of Planning, Transportation and Strategic Environment has a range of delegated powers designed to improve the efficiency and effectiveness of the Development Control service. The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Area 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
- g) Applications for the following major development:
 - (a) Residential development the number of dwellings provided is 10 or more, or the development is to be carried out on a site having an area of 0.5 ha or more and the number of dwellings is not known.
 - (b) Other development(s) involving the provision of a building or buildings where the floor space to be created is 1000 sq. m or more or where the site has an area of 1 ha or more.

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 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 Team Leader 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. Do not leave it to the last minute
- Always make your referral request in writing, either by letter, e-mail or fax, preferably using the proforma provided. Make sure the request is sent to the Development Control Support Team (East or West as appropriate), not the case officer who may not be around to act on the request, or email planningapplications@southglos.gov.uk. Please do not phone your requests, as messages can be lost or misquoted.
- 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

CIRCULATED SCHEDULE

DATE: 19/09/08

SCHEDULE NO. 38/08

If you wish any of the applications to be considered by the appropriate Area Committee you should return the attached pro forma not later than 5 working days from the date of the appropriate schedule (by 5pm), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email Planningapplications@southglos.gov.uk.

The Circulated Schedule is designed to improve the effectiveness and efficiency of the Development Control service. To minimise referrals to the Area Committees, Members are requested to discuss the case with the case officer or team leader to see if any issues can be resolved without using Committee procedures for determining the application.

COUNCILLOR REQUEST TO REFER A REPORT FROM THE CIRCULATED SCHEDULE TO THE APPROPRIATE COMMITTEE

NO. OF SCH	APP. NO.	SITE LOCATION	REASON FOR REFERRAL
Have you discussed the application(s) with the case officer and/or area team leader?			
Have you discussed the application with the ward members(s) if the site is outside your ward?			

Please note: - Reason for Referral

The reason for requesting Members to indicate why they wish the application to be referred, is to enable the Committee to understand the reason for referral in the determination of the application, or to allow officers to seek to negotiate with the applicant to overcome the Member's concerns and thereby perhaps removing the need for a Committee determination.

SIGNATURE

DATE

Circulated Schedule 19 September 2008

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK08/1461/F	Approve with conditions	Bar-Celona, 87/91 Regent Street, Kingswood, South Gloucestershire, BS15 8LJ	Kings Chase	
2	PK08/2300/F	Approve with conditions	20 Northend Road, Kingswood, South Gloucestershire, BS15 1UB	Kings Chase	
3	PT08/1576/F	Approve with conditions	Whiteshill House, Whiteshill, Hambrook, South Gloucestershire, BS16 1SD	Winterbourne	Winterbourne Parish Council
4	PT08/1917/F	Approve with conditions	14 Snowberry Close, Bradley Stoke, South Gloucestershire, BS32 8GB	Bradley Stoke South	Bradley Stoke Town Council
5	PT08/2230/F	Approve with conditions	64A Gloucester Road, RudgeWay, South Gloucestershire, BS35 3RT	Thornbury South and Alveston	Alveston Parish Council
6	PT08/2239/F	Refusal	8 Oakhill Farm, Oakhill Lane, Hallen, South Gloucestershire, BS10 7RW	Almondsbury	Almondsbury Parish Council
7	PT08/2266/ADV	Approve with conditions	65 Richmond House, High Street, Thornbury, South Gloucestershire, BS35 2AP	Thornbury North	Thornbury Town Council
8	PT08/2285/LB	Approve with conditions	Churchill House, The Street, Olveston, South Gloucestershire, BS35 4DP	Severn	Olveston Parish Council
9	PT08/2306/F	Approve with conditions	15 Salem Road, Winterbourne, South Gloucestershire, BS36 1QF	Winterbourne	Winterbourne Parish Council
10	PT08/2361/F	Approve with conditions	894 - 896 Filton Avenue, Filton, South Gloucestershire, BS34 7AY	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.: PK08/1461/F
Site: Bar-Celona, 87/91 Regent Street, Kingswood, South Gloucestershire, BS15 8LJ

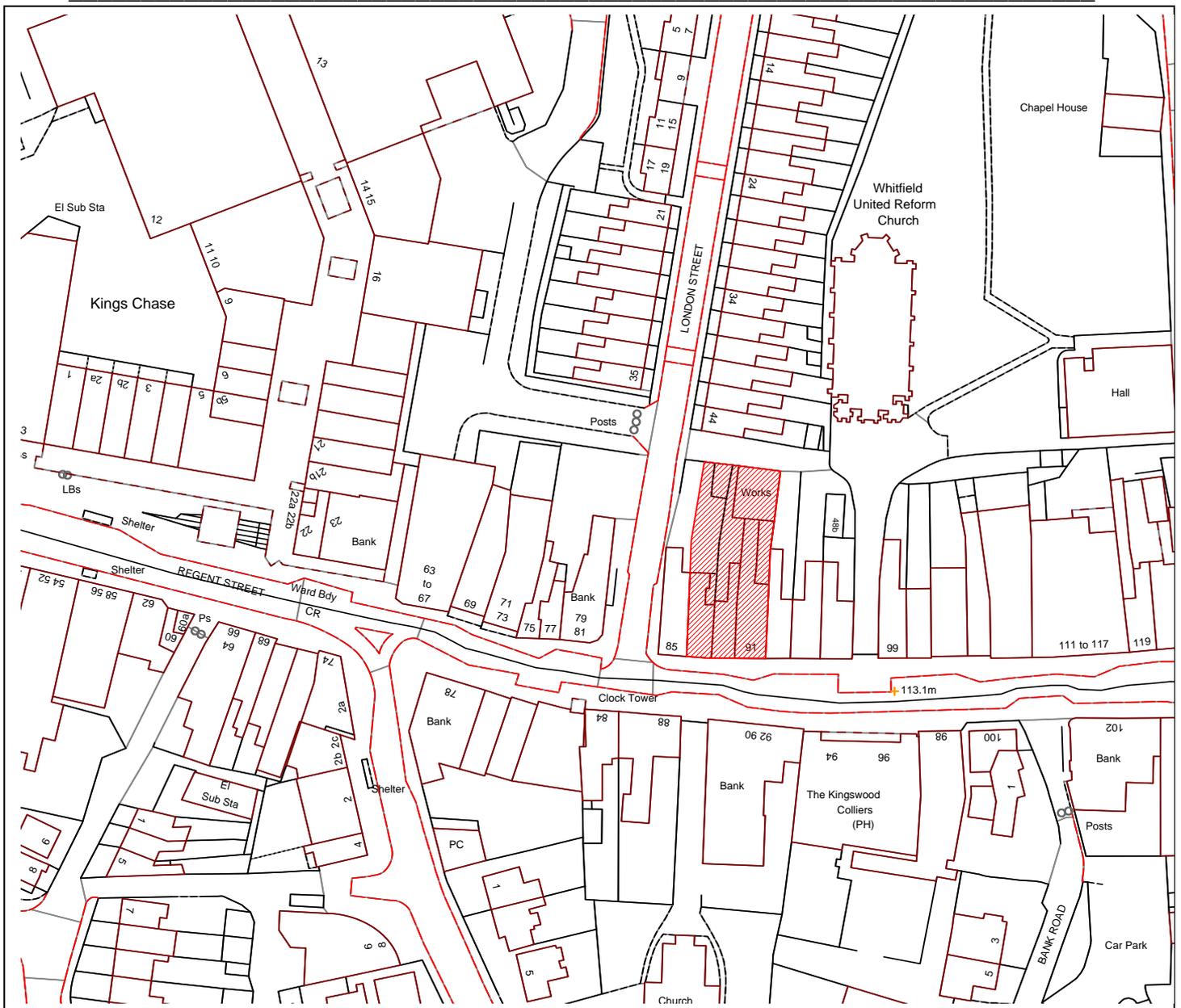
Applicant: Mr A Costi
Date Reg: 29th May 2008

Proposal: Erection of first floor rear extension to form servery and erection of screen fence enclosure to terrace to facilitate use of roof terrace as a smoking, drinking and eating area ancillary to the main use of the building. (Retrospective).

Parish:

Map Ref: 64852 73869
Application Category: Minor

Ward: Kings Chase
Target Date: 16th July 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.
 DC0901MW

INTRODUCTION

This application has been referred to the Circulated Schedule following the receipt of objections from local residents.

1. THE PROPOSAL

- 1.1 The site is located in the heart of Kingswood Town Centre and as such lies within the Primary Shopping Frontage as defined in the South Gloucestershire Local Plan (Adopted) 6th January 2006. The property is bounded to the west and east by retail premises and to the north (rear) by a service road, beyond which are residential properties within London Street.
- 1.2 The ground floor of the property has planning permission for use as a restaurant, although more recently it has in part been used as a bar and nightclub. These unauthorised uses are now the subject of a separate retrospective application (PK08/2558/F) which seeks to regularise the situation.
- 1.3 Above the restaurant are a number of flats on 2/3 floors, to the rear of which, at first floor level, are small roof top amenity areas and the terrace the subject of this application. Until recently the terrace was screened by a parapet wall 1130mm high to the boundary with no. 85 Regent St, but was not screened from the existing rear service road and residential properties located in London Street. Ventilation equipment and associated services are located at the furthest end of the roof/terrace.
- 1.4 It is proposed to use the roof terrace as an eating/drinking area for customers who wish to smoke. The proposed hours of use are 10.00hrs to 18.00hrs. Mon – Sun incl. Works have already been carried out to facilitate the proposed use, which has already begun; in this respect the application is retrospective.
- 1.5 A small extension has been erected to act as a servery to the terrace. The terrace has been screened to the north using close-boarded/insulation backed fencing panels, enclosing the service area, and extending the fencing above the line of the existing parapet wall to no.85, finishing at a height level with the flat roof to the servery. Seating for up to 50 covers has been introduced to the terrace as well as a retractable canopy. Access to the terrace is via an existing stairway between the existing restaurant and bar area.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 - Delivering Sustainable Development
PPS6 - Planning for Town Centres

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L13 - Listed Buildings
- EP1 - Environmental Pollution

T12 - Transportation Development Control Policy
RT1 - Development in Town Centres
RT12 - Use of Upper Floors in Town Centres

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List (SPD) Adopted 23rd August 2007

3. RELEVANT PLANNING HISTORY

There have been numerous applications relating to this property, the most relevant of which are listed below:

- 3.1 PK04/0207/F - Conversion of living accommodation to 6no. self-contained flats. Change of use from shop (A1) to restaurant (A3) and new shop front. Approved 4th May 2004.
- 3.2 PK04/4099/F - Change of use of ground floor of main building from A1 (retail) to A3 (restaurant). Change of use of ground floor of rear building from (general industrial) B1 to A3. Conversion of living accommodation of main building to five dwellings and conversion of 1st floor workshop to 1no. dwelling. Retention of rear boundary wall to a height of 2.5m Retention of side boundary wall to 3.8m. Retention of walkway & staircase, erection of glazed roof to form ground floor rear extension (restaurant) & single storey side extension to form toilet block.
Approve with conditions 31st Jan 2005
- 3.3 PK06/0687/F - Construction of basement to form storage for A1/A3 use. Erection of single storey rear extension to form extended restaurant area. Erection of glazed walkway and formation of terrace area at first floor level. Erection of two and three storey rear extension with installation of 1no. rear dormer to facilitate the conversion of 2no. existing dwellings to form 5no. (total) self-contained flats. Installation of shop front (retrospective).
- 3.4 PK08/2558/F - Change of use from restaurant & café (A3) to a mixed use comprising restaurant & café (A3), Bar (A4) and Nightclub (sui generis). (Resubmission of PK08/0089/F)
Pending

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
Not a parished area.

4.2 Other Consultees

Avon & Somerset Police
No response

Other Representations

4.3 Local Residents

5no letters/e-mails of objection were received from local residents. The concerns raised are summarised as follows:

- The terrace would be a late night smoking/drinking area for the night club.
- Smell of smoke for occupier of no.33 London St.
- Excessive noise at weekends.
- The terrace is supposed to be a communal space for the flats.
- The fence would have an adverse impact on visual amenity.
- Would devalue neighbouring property.
- Loss of fire escape.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The property lies within the Primary Shopping Frontage of Kingswood Town Centre. Policy RT9 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 resists the change of use of existing A1 retail uses at ground floor level within the Primary Shopping Frontages. Since the application relates to a first floor roof terrace and the property is not used for retail purposes, Policy RT9 does not apply in this case.

5.2 Of more relevance is Policy RT1, which permits retail and other development appropriate to a town centre location (including Kingswood) subject to a number of criteria reflecting the latest government guidance given in Planning Policy Statement 6 – ‘Planning for Town Centres’. Policy RT12 only permits the change of use of residential accommodation above ground floors in town centres, where it is directly related to the continued viability or enhancement of the ground floor use.

5.3 The authorised use of the ground floor is A3 restaurant/café. The applicant considers that the roof terrace also falls into this use. Officers have noted however that the approved plans for application PK06/0687/F shows the terrace area as an amenity space for the use of future occupiers of the flats.

5.4 Notwithstanding the possible amenity space issue for the flats, the roof terrace as proposed would provide a relatively secluded area for customers of the restaurant to eat and drink and also be able to smoke at the same time. The proposal is therefore directly related to the continued viability or enhancement of the ground floor use.

5.5 The criteria attached to Policy RT1 are discussed as follows:

5.6 **A. It would not detract from the overall vitality and viability of the centre;**

5.7 Both PPS6 (paras. 2.22 & 2.23) and Policy RT1 encourage a diversity of uses which add to the vitality and viability of town centres; these uses include restaurants. ‘Barcelona’ is now a well established and popular restaurant located in the heart of the town centre. As a result of recent smoking legislation it has become necessary for such premises to have designated smoking areas; the proposal offers the opportunity to provide such a facility as well as increasing the seating area for customers. In this respect the proposal would not detract from the vitality and viability of the centre.

5.8 **B. It would be consistent with the scale and function of the centre;**

- 5.9 The existing restaurant is large and the use of the terrace for the purpose proposed is considered to be appropriate in scale and function for a restaurant of this size.
- 5.10 **C. It would be accessible to public transport users, pedestrians, cyclists and those with special mobility needs;**
- 5.11 The site lies in a highly sustainable location in the heart of the town centre and is therefore well served by sustainable forms of transport and pedestrian/cycle routes.
- 5.12 **D. It would not have unacceptable environmental or transportation effects, and would not prejudice residential amenity;**
- 5.13 Transportation Issues
Officers consider that the site is in a sustainable High Street location where the public transport and pedestrian facilities are good. The proposal would not adversely impact upon highway safety and parking in the area. There are therefore no highway objections.
- 5.14 Environmental and Residential Amenity Issues
A number of concerns have been raised by local residents, not least the level of noise that would emanate from the terrace, particularly at weekends and later into the evening. Since this is a retrospective application, officers have had the opportunity to visit the terrace in its completed form. The terrace is well enclosed by the 2.5m high perimeter fencing, the service hatch extension and the adjacent buildings. The fencing is quite thick and includes an internal sound insulation panel. As part of this proposal an acoustic report has been submitted, which has been carried out by an appropriately qualified independent consultant. The acoustic report provides an indicative noise prediction for noise from the terrace. The prediction is for noise from people talking as it affects the nearest noise sensitive properties and is in preliminary format.
- 5.15 The acoustic report noted that the acoustic fence is expected to provide at least 10 decibels sound attenuation to the nearest noise sensitive properties i.e. no.44 London Street and the flats above the restaurant itself. It was envisaged that no amplified music would be allowed on the terrace, and this could be secured by condition.
- 5.16 The report concluded that the predicted noise level from 15 people speaking at a normal level would be 5no. decibels below the measured background noise level at the nearest noise sensitive property until 22.00hrs thus suggesting that use of the terrace until 22.00hrs would not have an adverse affect on the nearest residential properties. This is however a theoretical level based on a number of factors, including the behaviour of the users.
- 5.17 Given the height of the acoustic fence and the position of the terrace in relation to the neighbouring properties, there would be no loss of privacy from overlooking. Officers noted that there are no windows in the principal side elevation of no.44 London Street. Furthermore there is only a car park below the terrace to the east and a service area/bin store to the rear. Beyond the fence to the east is a walkway to the flats above the restaurant. Within the fence adjacent to the walkway is a fire escape door from the terrace.

The terrace itself is accessed from the restaurant via a stairwell with doors at either end. Officers consider that in order to avoid noise breakout from the bar area, that automatic door closing devices should be installed to the doors and this can be secured by condition.

- 5.18 Given the height of the acoustic fence and the distance of the terrace from the nearest properties, officers consider that cigarette smoke is likely to disperse before it could affect the nearest properties. Whilst some lighting of the terrace may be necessary, this could be controlled by condition.
- 5.19 In terms of anti-social behaviour and management of the terrace, this would to some extent be controlled by licensing. The terrace area was recently granted a drinks licence for the hours of 10.00hrs to 18.00hrs i.e. the proposed hours of use, which again could be controlled by condition. Furthermore there is a good CCTV security system in place and there would be further supervision of the terrace from the serving hatch.
- 5.20 Having considered all of these factors, officers are satisfied that adequate controls could be enforced. Given however the sensitive nature of the proposal and that the results of the acoustic report are indicative only, officers consider that in this instance, a temporary 1 year permission is appropriate. This would give the Council the opportunity to fully assess the impact of the proposed use for a reasonable length of time, after which the applicant would have to re-apply to continue the use of the terrace.

5.21 Loss of Amenity Space

Officers are mindful of the fact that the approved plans for PK06/0687/F show the roof terrace as being an amenity area for future occupiers of the flats above the restaurant. In the current proposal, only small areas of the terrace are retained for amenity purposes. During their site visit, officers observed that despite being available for use, these amenity areas did not appear to be used by the existing occupiers for any domestic purposes at all.

- 5.22 Flats above shops in town centre locations often have no amenity space at all and given the very sustainable location of this site, officers consider that the retention of the whole roof terrace as an amenity area could not be justified.

5.23 **E. It would include residential accommodation or other non-retail uses appropriate to a town centre on upper floors.**

- 5.24 The accommodation above the restaurant already comprises flats and the proposed use of the terrace would be an appropriate non-retail use in this town centre location.

5.25 Scale and Design

The amount of new build is very modest in scale; the servery measures only 2.5 x 2.5 x 2.5 metres. The external walls are finished using render to match the existing building. The window and door is painted softwood to match the existing building. The acoustic screen fence is stained wood and has the appearance of a roof garden fence. Such a boundary treatment to a restaurant roof terrace is considered to be appropriate in this town centre location.

5.26 Conservation Issues

The Whitfield Tabernacle Conservation Area and Listed Buildings lie to the north-east of the site and any development must respect the setting of both the Conservation Area and Listed Buildings. Having regard to the small scale of the development and its position behind existing buildings and adjacent to the service outlets to the rear of the restaurant, the setting of the Conservation Area and Listed Buildings would not be adversely affected.

5.27 Landscape Issues

No vegetation or landscape features are affected by the scheme.

5.28 Other Issues Raised

The impact upon property values is not a material consideration in the determination of planning applications. A fire escape would be maintained from the terrace to the walkway to the east and then to the stairs at the rear.

5.29 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

5.30 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant temporary (1 year) planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 That temporary 1 year planning permission be GRANTED subject to the following conditions:

Background Papers PK08/1461/F

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. The use of the roof terrace for the purposes hereby granted shall be for a temporary period of 1 year from the date of this decision, whereafter the use shall revert back to that originally authorised, unless given the prior written consent of the Local Planning Authority.

Reason:

There is insufficient evidence available at this stage to fully assess the impact of the development and permission for a limited period will allow the Local Planning Authority time to re-assess the development in the light of experience of the use, the provisions of the Local Plan, and any other material considerations.

2. The use of the roof terrace for the purpose hereby permitted shall not be open to customers outside the following times: 10.00hrs to 18.00hrs Monday to Sunday incl.

Reason:

To minimise disturbance to occupiers of nearby residential dwellings and to accord with Policies RT1 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Within 1 month of the date of this decision details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To prevent light pollution in the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policies RT1 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The acoustic fence hereby permitted shall be maintained at all times at the height and position shown on the approved plans unless permitted otherwise in writing by the Local Planning Authority.

Reason:

To minimise disturbance to occupiers of nearby residential dwellings and to accord with Policies RT1 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. There shall be no amplified music played at any time in association with the use of the roof terrace for the purposes hereby permitted.

Reason:

To minimise disturbance to occupiers of nearby residential dwellings and to accord with Policies RT1 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Within 1 month of the date of this decision, automatic closing devices shall be installed on the doors at either end of the internal stairway leading to the roof terrace and maintained as such thereafter unless otherwise permitted in writing by the Local Planning Authority.

Reason:

To prevent noise breakout from within the main building and to minimise disturbance to occupiers of nearby residential dwellings and to accord with Policies RT1 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 2

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.: PK08/2300/F
Site: 20 Northend Road, Kingswood, South Gloucestershire, BS15 1UB
Proposal: Erection of single storey rear extension to form additional living accommodation. Installation of dormer window to side elevation to facilitate loft conversion.
Map Ref: 65054 74538
Application Category: Minor

Applicant: Mr Fear
Date Reg: 16th August 2008
Parish:
Ward: Kings Chase
Target Date: 3rd October 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S

PK08/2300/F

INTRODUCTION

The application has been forwarded to the Circulated Schedule for Member consideration as a representation has been received contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application site is situated within a predominantly residential part of Kingswood. The application site is broadly rectangular in shape and contains a post war two storey semi detached dwelling with attached garage to the side.
- 1.2 The application proposes a single storey rear extension and side dormer in the north roof slope.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Parish Council

None

Other Representations

- 4.2 Local Residents

One letter received from the occupier of 19 Blackthorn Walk raising concern in relation to overlooking from the proposed dormer.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their

curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed. The dwelling is situated within a suburban residential context. The dwelling the subject of this application is a semi-detached two storey building with attached garage to the side. The proposed extension would be screened from public vantage points by existing fencing on the north boundary. The proposed dormer is well proportioned to the existing roof and dormer features are not uncommon in the area. The design and materials would be of good quality in keeping with the character of the existing dwelling and would respect the character distinctiveness and amenity of the surrounding area. As such it is considered that the design of the proposal accords with the criteria of Policy D1.

5.3 Residential Amenity

Adequate rear amenity space to the property would be retained following the erection of the proposed extension. With regard to neighbouring properties, the proposed extension would be screened from the dwellings to the north by the existing close boarded fence on the north boundary. Additionally, the modest scale of the proposal and its positioning in relation to the rear windows of the dwelling to the east would ensure there is no prejudice to the amenity of neighbouring occupiers.

Concern was raised from the adjacent occupier to the north in relation to the potential for loss of privacy from the proposed dormer in the north roofslope. The applicant has agreed for the window of the proposed dormer to be fitted with obscured glazing and to be non-openable. A condition requiring the retention of the dormer in this respect would be attached to the decision notice. On this basis the proposal is considered not to compromise the amenity enjoyed by the adjacent occupiers.

5.5 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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 Consent is GRANTED subject to the following conditions and informatives:

Background Papers **PK08/2300/F**

Contact Officer: **Sean Herbert**
Tel. No. **01454 863056**

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 and 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 D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The glazing for the proposed dormer on the north elevation of the development hereby permitted shall at all times be of obscured glass and be permanently fixed in a closed position.

Reason:

To protect the residential amenity of the neighbouring occupiers to accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 3

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.: PT08/1576/F

Applicant: Wilson Property Developments

Site: Whiteshill House, Whiteshill, Hambrook, South Gloucestershire, BS16 1SD

Date Reg: 11th June 2008

Proposal: Erection of 4 no. dormer windows to front elevations.

Parish: Winterbourne Parish Council

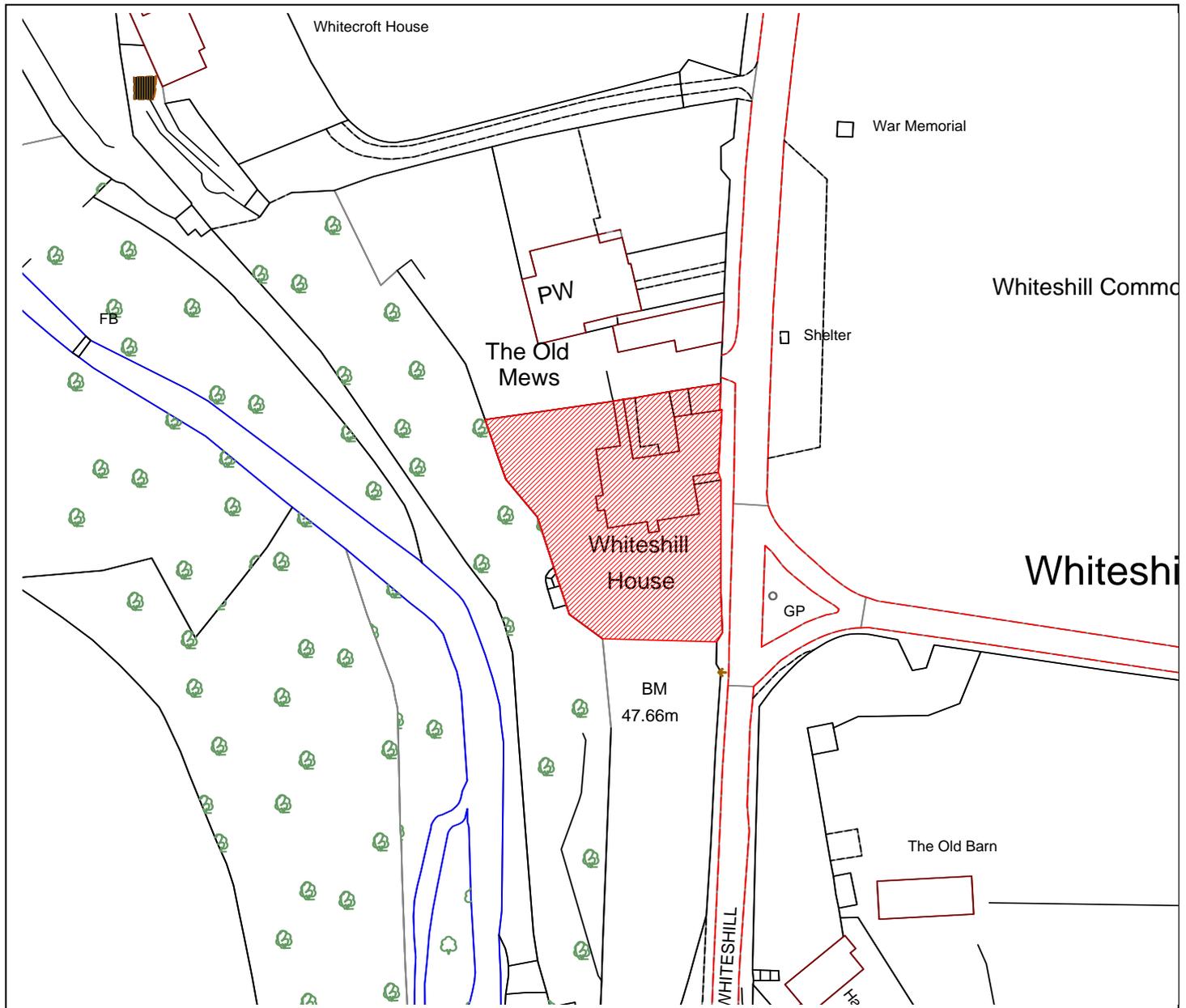
Map Ref: 64474 79236

Ward: Winterbourne

Application Category: Minor

Target Date: 4th August 2008

Date:



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

The application is on circulated schedule due to the comments received due to a neighbour consultation.

1. **THE PROPOSAL**

- 1.1 This application seeks to install four uniformly sized dormer windows to the front of this detached locally listed building. An enforcement notice is in place which stipulates that the existing dormers need to be removed entirely from the roof and as such the following assessment takes into account only the proposal and not any betterment which might be gained over the existing situation.
- 1.2 The site is located in the open countryside and in the green belt. The site is a locally listed building which is in the process of being converted into flats. The Enforcement team are involved in the site due to certain unauthorised work but for the purposes of this application only the proposed dormer windows will be considered.

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG15	Planning and the historic environment
PPG2	Green Belts

2.2 Development Plans

Joint Replacement Structure Plan (Adopted) September 2002

Policy 19	Cultural Heritage Protection
Policy 16	Green belts

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving good quality design in new development
H5	Residential conversions, houses in multiple occupation and reuse of buildings for residential purposes.
L15	Buildings and structures which make a significant contribution to the character and distinctiveness of the locality.
L13	Listed buildings
GB1	Green Belt
L4	Forest of Avon
EP1	Noise protection

Supplementary Planning guidance

South Gloucestershire Council's Adopted Local List Supplementary Planning Document.

South Gloucestershire Design Checklist
Development in the Green Belt

3. **RELEVANT PLANNING HISTORY**

PT08/1852/F Removal of Condition 1 attached to planning permission PT04/1918/F dated 30 August 2006 to allow all new external rainwater and soil pipes to be UPVC. Refused and an appeal has been lodged.

PT07/1144/F Alterations to building including insertion of dormer windows in roof and increasing height of previously approved first floor extension (amendment to previously approved scheme PT04/1918/F). Refused

PT07/1014/RVC Variation of Condition 4 attached to Planning Application PT04/1918/F dated 30 August 2006, to allow the rendering of the north elevation to match the existing rendered elevations of the property. Refused 23/5/2007

PT04/1918/F Erection of first floor side extension and single storey rear extension to facilitate the conversion of existing offices to form 10 no. flats (in accordance with amended plans received by the Council on 23 July 2004, 16 December 2005 and 15 February 2006). Approved with a S.106 on 30th August 2006.

PT01/0043/F Change of use of Nursing Home (Class C2) to Offices (Class B1). Approved

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council
No objection in principle.

4.2 Other Consultees
Conservation Team
Acceptable in principle subject to a condition. Detailed comments are incorporated below

4.3 Transportation
There are no highway implications associated with this revision and as such no transportation objection.

Other Representations

4.4 Local Residents
One letter of objection received in relation to the following points:

- sets a dangerous precedent to undermine the planning process.
- Concerned that the proposal might only be approved as better than the unauthorised dormer windows.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Whiteshill House is a locally listed building and as such policy L15 is relevant to the determination of the application. A listed building is located behind The Old Mews but this is unlikely to be affected by the works. Policy H5 deals with residential conversions and seeks, in part, to protect the character of the surrounding area and the amenities of nearby occupiers. In view of the above policies the matters to be assessed below are those of the impact of the built form of the host building, the visual amenity of the building and the impact of the proposal on the neighbouring dwelling.

5.2 Effect on building

Whiteshill House dates from 1768 but was re-fronted and extended in the nineteenth century. The building was used in the recent past as a nursing home, but has received planning permission for conversion to 10no. flats, which is now nearing completion. Historically the building did not have any dormer windows. The inspector at a recent appeal determined that the existing dormer windows were inappropriate and should be removed. This application has been submitted as an alternative proposal.

The fenestration of Whiteshill is classically inspired, typical of many Victorian buildings. The windows are timber sliding sashes, of vertical proportions, and positioned with regularity. The proposed dormer windows have been designed to be positioned in line with the ground and first floor windows. It is quite common in traditional buildings that there are fewer dormer windows than there are windows on the elevations, however, there are examples of historic buildings where this is not the case. When considering the revised proposal it is important that the inspectors report is carefully considered. It is considered that the inspector did not consider that the principle of dormer windows in the front elevation to be unacceptable. However, he did comment that the front roof pitch was clearly visible when approaching the up the hill from the south. If the principle of dormer windows are to be accepted, it is felt that the number and position as proposed could not be resisted.

The dormers now proposed are flat, lead clad roofed dormers with timber framed sliding sash windows. As such the principle of these are acceptable although the large scale details supplied need to be amended as the large scale details provided to date show the dormers with a very deep fascia/roof, and wide side panels (cheek ends).

It is considered that the general form of the dormers proposed are now acceptable subject to narrower side panels and fascia sections being sought by condition and the application as such would comply with policy 19 of the structure plan and Policies D1, H5 and L15 of the local plan.

5.3 Residential amenity

The proposed dormers would not overlook any residential building and as such would comply with Policy H5 of the Local Plan.

5.4 Green Belt

The site is located in the Green Belt where limited extensions to dwellings are acceptable provided that it does not result in disproportionate additions over and above the size of the original building. The proposed dormers create little additional volume on the building and given that the above considerations render the design of the dormers acceptable in the roofscape, then on balance the dormers are considered to comply with policy GB1. There will be no material impact on openness.

Noise protection

A scheme of noise protection is considered necessary. As such a Condition which mirrors that attached to the scheme for conversion to ten units (PT04/1918/F) is suggested.

5.5 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

The decision 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 following conditions:

Background Papers **PT08/1576/F**

Contact Officer: **Karen Hayes**
Tel. No. **01454 863472**

CONDITIONS

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

Reason

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

2. Notwithstanding previously submitted details, and prior to the commencement of development the detailed design of the dormer windows shall be submitted and approved in writing by the Local Planning Authority. The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with cross sections. The drawings shall illustrate a narrower fascia section and vertical cheek end section than shown in the drawing number 4308/P – 1200, submitted as part of the application. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason

In order that the development is of an appropriate standard of design and serves to preserve the special interest of the locally listed building, in accordance with policies D1 and L15 of the Adopted South Gloucestershire Local Plan and the Adopted South Gloucestershire Local List Supplementary Planning Document.

3. Within four weeks of the date of this permission a scheme of protection for the proposed flats from noise from the M4 shall be submitted to the Local Planning Authority. All works which form part of the approved scheme (in writing) shall be completed prior to the first occupation of the development.

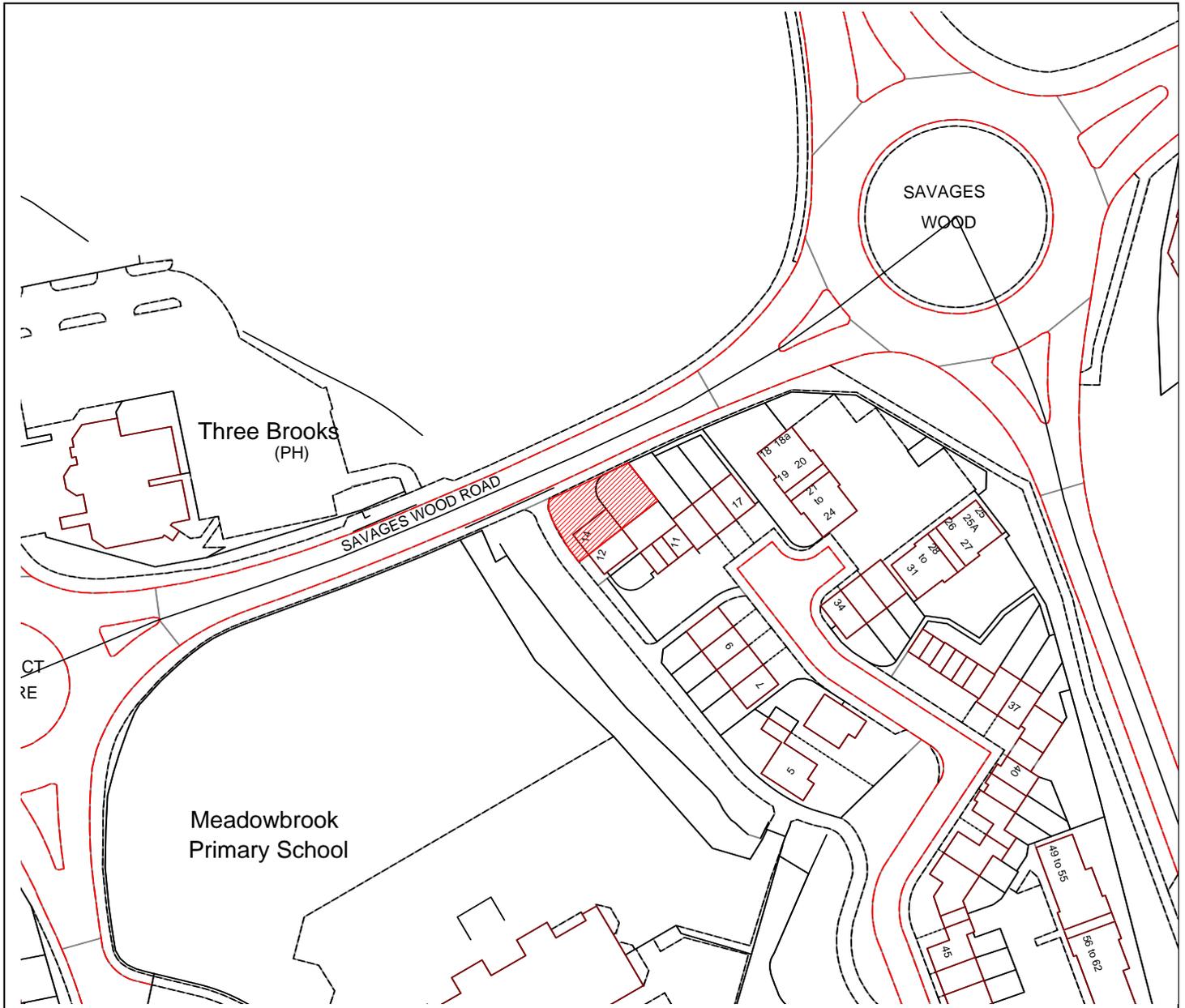
Reason

To protect the amenities of the occupiers of the flats, and to accord with Policy EP1 of the Adopted South Gloucestershire Local Plan January 2006.

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.: PT08/1917/F
Site: 14 Snowberry Close, Bradley Stoke, South Gloucestershire, BS32 8GB
Proposal: Erection of two storey side extension to form additional living accomodation.
Map Ref: 62132 81843
Application Category: Minor

Applicant: Mr N Kadi
Date Reg: 10th July 2008
Parish: Bradley Stoke Town Council
Ward: Bradley Stoke South
Target Date: 25th August 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S

PT08/1917/F

This application is circulated as the officer recommendation differs from the consultation responses.

1. THE PROPOSAL

- 1.1 This application relates to the erection of a two storey side extension to this semi-detached house within the settlement area of Bradley Stoke. The plans show that the enlargement of a bedroom is proposed at first floor level and the ground floor would be a playroom with doors to both front and rear elevations.
- 1.2 Bricks and tiles are proposed to match the existing house.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3074/F Rear conservatory approved
- 3.2 PT04/0367 Erection of two metre high rear boundary wall.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection

Other Representations

- 4.2 Local Residents
One letter of objection was received from a neighbour with regard to the following matters:
- daylight /sunshine loss from garden of 15 Snowberry Close.
 - ground drainage
 - privacy in the garden
 - does not compliment the current style and symmetry of all the townhouse styles in Snowberry Close.

A further email was received from AAL on behalf of the management company for Snowberry Close which advised that one member had complaint about the lack of parking in the area. Also concerned that as the extension has its own entrance it could be converted into a separate dwelling house in the future.

4.3 Transportation

No increase in vehicle movements anticipated so no transport objection.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In assessing applications for residential extensions, Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Extensions are normally permitted provided they respect the massing, scale and overall design and character of the existing property and street scene; do not prejudice the amenities of nearby occupiers; are acceptable in terms of parking provision and highway safety and allow for the retention of adequate private amenity space.

- 5.2 It is considered that the application accords with the above policy criteria. The size and design of the extension is in keeping with the existing property and area as a whole. The distance to neighbouring houses prevents the extension which fronts onto Savages Wood Road from adversely affecting neighbouring houses. Additionally as the extension is over ten metres from the garden to the east of the site it will not have a material impact on the enjoyment of that garden. Adequate garden area will remain to the rear of the property.

With regard to parking the Councils parking standards are such that a house with four or more bedrooms should have a maximum of three parking spaces. As such the existing parking spaces are sufficient and need not be added to as part of this application. In addition it is appropriate to note that the plans do not show an increase in bedroom numbers, simply a larger bedroom. As such the Access/parking arrangements are unchanged by the proposal. The application therefore accords with the adopted development plan and is acceptable.

Other issues

Comment was received about the potential to convert the extension into a separate dwelling. Such a change would require a planning application for a change of use and at that point the planning merits, which would include transportation consideration, would be considered.

5.3 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be granted subject to conditions.

Background Papers **PT08/1917/F**

Contact Officer: **Karen Hayes**
Tel. No. **01454 863472**

CONDITIONS

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

Reason

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

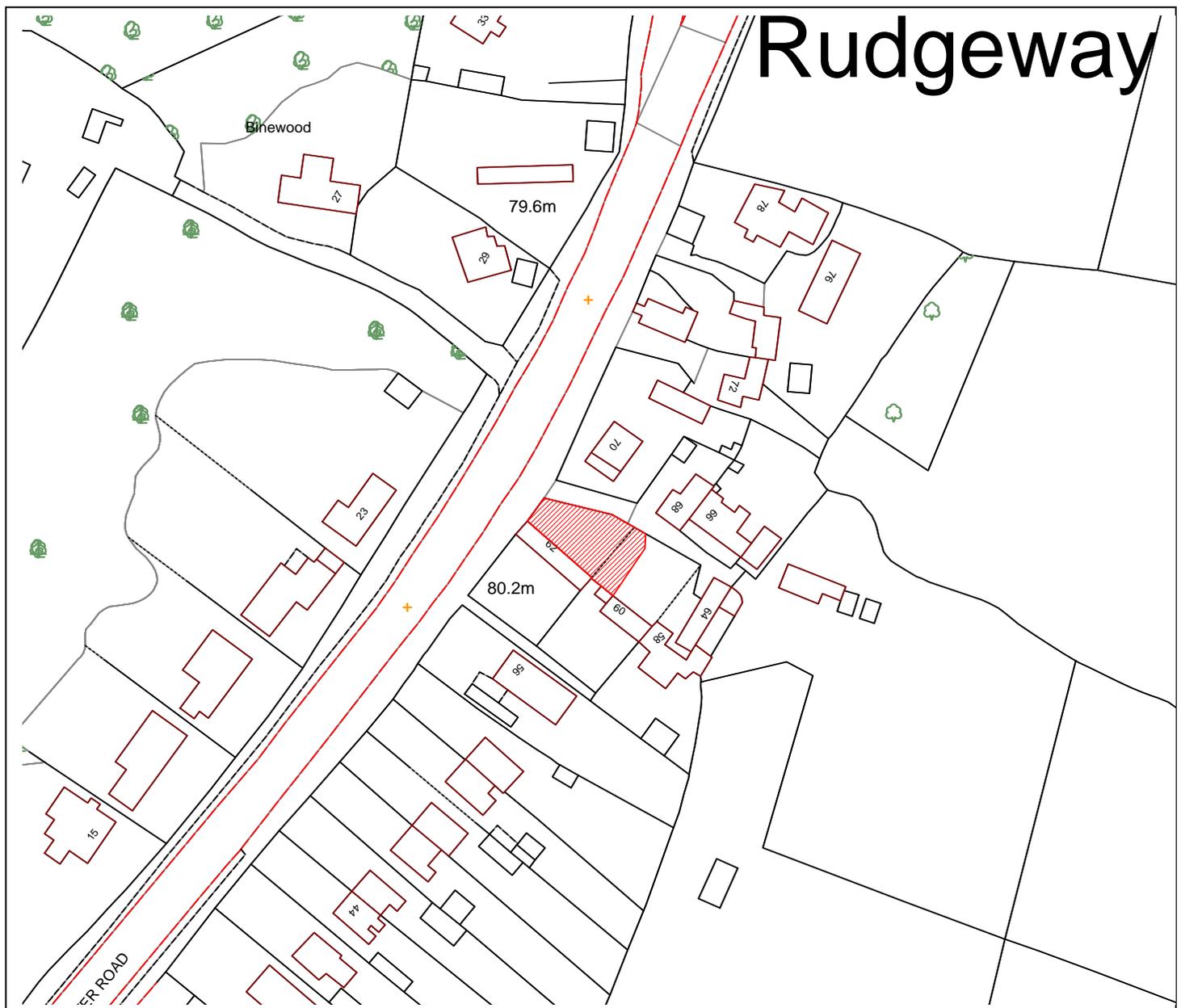
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.:	PT08/2230/F	Applicant:	Mr P Murphy
Site:	64A Gloucester Road, Rudge way, South Gloucestershire, BS35 3RT	Date Reg:	9th August 2008
Proposal:	Erection of 1 no. detached dwelling with new access and associated works (Re-Submission of PT07/2359/F)	Parish:	Alveston Parish Council
Map Ref:	62585 86526	Ward:	Thornbury South and Alveston
Application Category:	Minor	Target Date:	29th September 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2008.

N.T.S

PT08/2230/F

1. THE PROPOSAL

- 1.1 The site consists of the front garden area associated with the existing dwelling on site. Access to the site is from the A38 via the existing lane which also gives access to nearby dwellings and farmland. The site is located within the Village Development Boundary Associated with Rudgeway, which in turn is washed over by the Green Belt.
- 1.2 This planning application details the subdivision of the plot and the construction of a new dwelling and access. This application is a resubmission of a development proposal that was refused under PT07/2359/F. The resubmission is intended to address the design and siting objections apparent in that application.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPS3	Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H4	Development within Residential curtilages
H2	New Residential Development within the Urban Areas or Village Development Boundary
GB1	Development in the Green Belt
T12	Transportation Development Control Policy for New Development
T8	Parking Standards
T7	Vehicular Parking Standards
EP4	Noise Sensitive Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/2359/F Erection of 1 no. detached dwelling with new access and associated works.
Refused

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

Object to the proposed development on the grounds that access to the site is difficult.

4.2 Sustainable Transport

The level of proposed parking is acceptable. However, further details relating to the layout of the access as referred to in the application should be submitted. This can be dealt with by a planning condition.

- 4.3 Environmental Health Officer
No Objection in principle.

Other Representations

4.4 Local Residents

6 letters have been received during the consultation process associated with this planning application. The letters raise objections to the development. The relevant comments are summarised as follows;

The proposed development will introduce additional vehicles onto the access lane to the detriment of highway safety

The access onto the A38 is dangerous and additional vehicles using it will compound the problem.

The development will not benefit the village, and would not provide affordable housing

The development will have a detrimental impact upon surrounding properties, in respect of privacy and over-looking and will have an overbearing impact on adjacent dwellings. The proposed development would also result in a loss of sunlight to adjacent properties.

The proposed development is cramped and would detract from the character and visual amenity of the locality, and the street scene.

The proposed development could have a detrimental impact upon the foundations of the adjacent property to the South.

The development will result in the loss of mature trees.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the erection of a new dwelling within the curtilage of an existing dwelling. The proposed development would achieve a density of approximately 39 dwellings per hectare. The site is within the Village Development Boundary associated with Rudgeway.

5.2 Principle of Development

Policy H4 and H2 are relevant to this planning application. The policies indicate that the proposed development is acceptable subject to the following considerations.

5.3 Green Belt

PPG2 provides the very limited categories of appropriate development within the Green Belt. Accordingly, policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 provides very similar categories. These categories allow for new residential development provided that such development would take place within existing village development boundaries and would represent the infilling of small gaps between existing development.

- 5.4 In this instance, the site is located within the village settlement boundary and the site is located amongst existing development within that boundary. As such it is considered that the proposed development does represent the infilling of a small gap between existing development. The proposed development therefore complies with Green Belt policy.
- 5.5 Design
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design. This principle is supported by policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.6 Rudgey is characterised by a wide variety of residential buildings in plots of various sizes. The centre of Rudgey, in which this site is located, is dominated by traditional buildings grouped closely together and interspersed with modern development. In this regard, the character of Rudgey is distinctive in its own right.
- 5.7 The proposal site forms the front garden area of the dwelling currently associated with it. (There is very limited space to the rear of the dwelling). The site is wedge shaped which restricts the development potential of the site. In this instance it is not considered that there are any trees on this site which are of such a value that they should be protected under a Tree Preservation Order. The loss of the trees on this site is acceptable and should not result in the application being refused.
- 5.8 The previous application detailed the siting of the dwelling as being central within the site. The footprint of the proposed building was square in shape and very deep in proportion to its height. The elevational treatments were such that there was no focal/key elevation presenting itself to the street scene. Officers considered that these issues would have resulted in a very poor quality development in respect of its design and siting.
- 5.9 This proposal details a dwelling which would now present itself to the lane in a more traditional way. The footprint of the building also takes on a more traditional form. This particular area of Rudgey is characterised by traditional dwellings situated closely together and accessed via lanes off the A38. It is considered that the proposed development is consistent with the 'grain' of the development in this location. It is also considered that the siting and design of the proposed dwelling is such that the previous objections are now resolved. On this basis, the proposed development is acceptable in design and visual amenity terms.
- 5.10 Residential Amenity
Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new residential development would not result in a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings.
- 5.11 Public comments have been received that raise concern over the impact of the proposed development as a result of overlooking and loss of light into the nearby dwellings. However, in this instance, the site is located to the north of 62 Gloucester Road, which contains no windows in its northern elevation. The nearest dwellings to the North of the site are located across the access lane which serves those dwellings and this site. The proposed development is such

- that its windows (including those at first floor level) would look over the access lane (North) and across the single storey element of the dwelling at number 62 to the South. Clearly, there will be views across adjacent residential curtilages. However, it is considered that these views would not give direct views into the adjacent dwellings and private garden areas. As such, it is considered that the position of the proposed building, in relation to the surrounding dwellings would have no material impact upon the privacy and residential amenity of the occupants of those dwellings.
- 5.12 There is no specific right to light in planning terms. The issue to be addressed from a planning perspective is the impact of the development in respect of whether or not it would result in an overbearing impact. In this instance, the building is modest and position in such a way that there is adequate separation from the development to the North. The relationship with the development immediately to the South is such that any impact of the proposed development is significantly reduced by virtue of the position of the single storey element of that dwelling. It is therefore considered that the proposed development would not have an overbearing impact in respect of the immediate surrounding development.
- 5.13 Noise
The site is located very close to the A38, which is a heavily trafficked highway that generates significant levels of noise throughout the day. Policy EP4 seeks to ensure that new noise sensitive development (such as residential development) would not be subject to unacceptable levels of disturbance due to close proximity to sources of noise or vibration. This is supported by Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.14 It is considered that the revised proposal (in comparison with the previously refused application) is now designed and sited in such a way that would effectively minimise the impact of noise from the A38 to an acceptable level.
- 5.15 Transportation
Policy T12 seeks to ensure that new development would not result in an unacceptable impact upon the safety and amenity of the surrounding highway network. Policy T8 provides the maximum parking standards for new development. It is also considered that there would be sufficient space to provide the necessary level of cycle parking within the site should any development be approved. This issue can be dealt with by a suitable worded planning condition.
- 5.16 The proposed development would provide a single parking space. This level of parking is considered acceptable. The position of the space is also acceptable. The developer has indicated that there would be alterations to the access and the width of the lane to allow improvements to the access onto the A38. In this instance, it is considered that this approach is acceptable in principle. However, further details should be submitted to clarify the exact detail. This is appropriately the subject of a planning condition and the details should be submitted prior to commencement of the development, should it be approved.
- 5.17 Design and Access Statement
The Design and Access Statement submitted with this application is considered to demonstrate that the applicant has adopted a design approach that is consistent with the Councils Design Checklist Supplementary Planning Document (Adopted)

5.18 Affordable Housing

Whilst the developer has implied that the dwelling by virtue of its potential value would be 'more affordable' when compared to more sizable dwellings, it is not considered that this would be sufficient to constitute 'affordable housing' in as defined under policy H6 of the South Gloucestershire Local Plan. Nonetheless, the scale of the proposed development is such that there is no affordable housing requirement and no further consideration of this matter can be given.

5.19 Other Matters

Concern is raised in respect of the impact of the development on the structural integrity of the adjacent dwelling at number 62. Essentially, this is a civil matter, and no further consideration of it can be taken as part of this planning application.

5.20 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

6.2 The decision 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 following conditions.

Background Papers **PT08/2230/F**

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

CONDITIONS

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

Reason

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

2. Notwithstanding the submitted details, further technical details demonstrating the methods and extent of works in respect of the proposed access and widening of the access lane shall be submitted to the Local Planning Authority prior to the commencement of any development hereby approved; or no later than 6 months of the date of the decision (whichever is the sooner). No development shall commence until the submitted details have been agreed in writing by the Local Planning Authority. Thereafter, the development shall continue in accordance with the agreed details and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

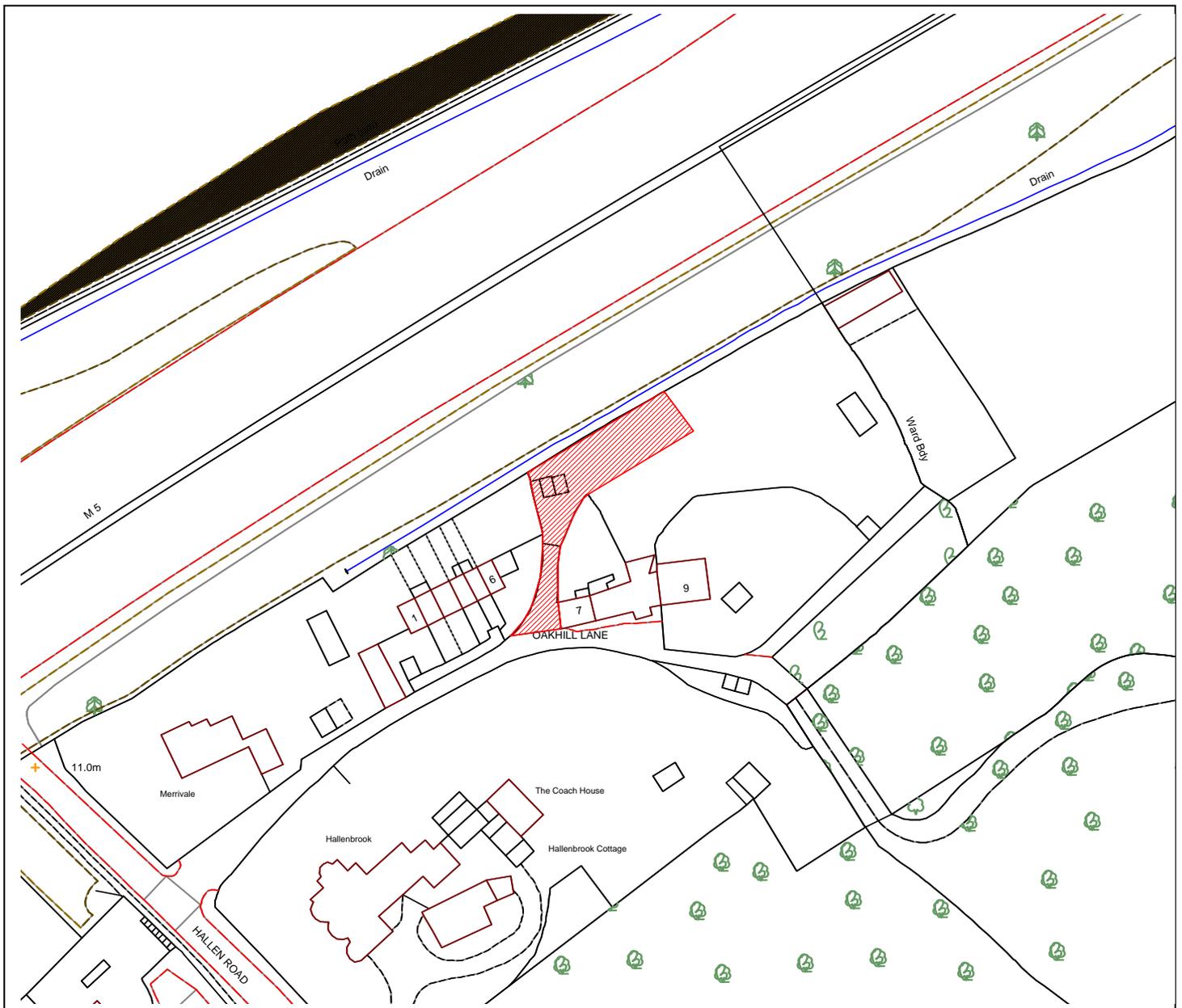
Reason

In the interests of highway safety, and to accord with Policy D1, H2 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 6

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.:	PT08/2239/F	Applicant:	Mr M Lewis
Site:	8 Oakhill Farm, Oakhill Lane, Hallen, South Gloucestershire, BS10 7RW	Date Reg:	9th August 2008
Proposal:	Conversion of existing outbuilding to form 1 no. dwelling with associated works.	Parish:	Almondsbury Parish Council
Map Ref:	55363 79850	Ward:	Almondsbury
Application Category:	Minor	Target Date:	18th September 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2008.

N.T.S

PT08/2239/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of one letter of support from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the conversion of an existing outbuilding. The existing outbuilding has been used as a workshop. The conversion would involve the insertion of windows and roof lights, alterations to the roof and the formation of a garden and parking areas.
- 1.2 The application site is situated outside the Hallen settlement boundary and is designated as Green Belt. Furthermore the site is situated adjacent to the M5 motorway.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1: Delivering Sustainable Development
PPS3: Housing
PPS7: Sustainable Development in Rural Areas
PPG13: Transport
PPG24: Planning and Noise

2.2 South Gloucestershire Local Plan (Adopted) January 2006

- D1: Achieving Good Quality Design in New Development
H10: Conversion and Re-use of Rural Buildings for Residential Purposes
GB1: Development within the Green Belt
EP4: Noise-Sensitive Development
T12: Transportation Development Control Policy in New Development

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Development within the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT01/1978/F Use of land for stationing of mobile home.
Approved on 13th September 2001
- 3.2 PT06/1482/RTC Continued use of land for stationing of mobile home.
Approved on 23rd June 2006

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
None received.

4.2 Transportation Development Control

Recommend refusal. The increase in use of the sub-standard junction of Oakhill Lane with Hallen Lane by the proposed development would be prejudicial to road safety.

- 4.3 Environmental Services
Noise survey requested. Recommend refusal until survey received.
- 4.4 Building Control
The building appears to be in a good state of repair and structurally sound, and therefore capable of conversion without major or complete reconstruction.
- 4.5 Local Residents
One letter has been received from local residents. The comments have been summarised below:
- A. Support proposal subject to a condition which ties the development to the existing dwelling;
 - B. The applicant now operates own business and does not need extensive workshop;
 - C. The proposal would be less intensive than the existing workshop; and
 - D. The works would enhance the appearance of the building.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Planning Policy Statement 7 supports the re-use of appropriately located and suitably constructed existing rural buildings. Re-use for economic purposes is most preferable, however residential conversion may be more appropriate in some locations, and for some types of building. Policy H10 of the South Gloucestershire Local Plan reiterates this policy stance, it states that development will not be permitted unless:-
- A. *All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use; and*
 - B. *The buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction; and*
 - C. *The building are in keeping with their surroundings in terms of character, form bulk and overall design; and*
 - D. *Development, including any alterations, extensions or the creation of a residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area; and*
 - E. *The building is well related to an existing settlement or other groups of buildings.*
- 5.2 The application site is designated as Green Belt. Policy GB1 of the Local Plan and South Gloucestershire Development within the Green Belt SPD identifies that the re-use of the building in the Green Belt may be appropriate, providing that there would not be a materially greater impact on the openness of the Green Belt.
- 5.3 The application site is situated in close proximity to the M5 motorway. Policy EP4 of the Local Plan states that noise pollution is a serious problem which can be detrimental effect on health. As such noise sensitive development (e.g. dwellinghouses) which would suffer an unacceptable degree of disturbance as a result of close proximity to existing noise and vibration will not be permitted.

5.4 Suitable Business Use

PPS7 and Policy H10 of the Local Plan states that all reasonable attempts should be made to secure a suitable business before considering a residential use. The site is closely surrounded by residential dwellings and would be served by a sub-standard access. Therefore, it is considered that a business use in this location would materially harm the amenities of the nearby occupiers and furthermore the intensification of the sub-standard access would adversely harm highway safety. It is therefore considered that a business use would not be suitable on this site.

5.5 Integrity of the Existing Outbuilding

PPS7 and Policy H10 of the Local Plan also state that the buildings for conversion should be of permanent construction, structurally sound and capable of conversion without major or complete reconstruction. To assess this particular issue the Council's Building Surveyor was consulted. The surveyor visited the site and carried out an external inspection. This concluded that the building appeared to be in a good state of repair and structurally sound, and therefore capable of conversion without major or complete reconstruction.

5.6 Design and Visual Amenity

The application site relates to an existing outbuilding which is approximately 6.3m in length and 2.2m in width. The building has an approximate eaves height of 3.5m and ridge height of 5.5m. The height varies due to the fall of the land. The existing building has a stone façade and several wooden garage doors in the south and north-east elevation.

5.7 The proposed conversion would involve the insertion of half glazed timber screens within southern opening, a glazed screen in the north-eastern opening and five conservation roof lights would be inserted into roof. Furthermore, the roof would be made good where necessary. No extensions to the building are proposed. The garden area would be approximately 24 square metres in area and would be demarked by a 2m acoustic fence to the north and a 1.4m timber fence to the south.

5.8 The application site is situated within an established residential area which comprises of a collection of traditional rural cottages. It is considered that the converted building would relate well to these existing buildings and the creation of a residential curtilage would not have a harmful effect on the character of the countryside. Moreover, the proposed design approach would be sensitive to the existing building and would respect its rural character and design.

5.9 Residential Amenity

The proposed conversion does not involve any extension. As such, the impact of the proposed windows on privacy would be the only material issue to assess. The proposed windows would be situated some 18m from the nearest residential dwelling. It is considered that this distance would prevent any material loss of privacy to nearby occupiers.

5.10 Green Belt

It is considered that the re-use of the existing building for residential use would not result in a materially greater impact on the openness of the Green Belt. It is noted that the enclosure of the garden areas by fencing could have an adverse affect on openness. However, in this instance the site is situated, in well

established residential area which is adjacent to a motorway. In view of these features, it is considered that much of the openness of the Green Belt has been lost. Therefore, on balance, the proposed enclosure would not materially harm openness in this location.

5.11 Transportation

The proposed development would gain access onto Oakhill Lane which has access to the wider highway network at junction with Hallen Road. The Council Transport Engineer considers that this junction is sub-standard in terms of its severely restricted visibility to the north, at its junction with a busy classified road. As a consequence inter-visibility is poor between vehicles leaving Oakhill Lane and oncoming traffic travelling (nearside carriageway).

5.12 The applicant has claimed that the traffic generated by the proposed dwelling would not be greater than the buildings current use for applicant's hobby for the restoration of classic cars. This use is considered to be ancillary to No. 8 Oakhill Lane and is not a separate authorised business use. Therefore, notwithstanding the applicant's argument, it is considered that an additional residential unit onto Oakhill Lane would result in an incremental increase in use of this junction, which would have an unacceptable effect on road safety.

5.13 Noise

The application site is situated within 5.5 metres from the M5 motorway. It is considered that this would give rise to excessive noise and vibration. In view of this, the Council Environmental Protection department have requested a noise survey before providing any comment.

5.14 The applicant has argued that this issue can be overcome by a grampian condition which would require a detailed scheme of sound attenuation to be submitted prior to development commencing. Notwithstanding this argument, it is considered that this type condition would not pass the 'Six tests for Conditions' outlined in Circular 11/95. This is because the Local Planning Authority cannot be sure, without a noise survey, that a detailed scheme of sound attenuation would mitigate any noise issue. Therefore, a grampian could leave the applicant in an unreasonable position where they were unable to discharge the condition.

5.15 It is therefore recommended that the application is refused because the Local Planning Authority cannot be sure that the proposed dwelling would not suffer an unacceptable degree of disturbance as a result of close proximity to existing noise and vibration.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission to be **REFUSED** for the following reasons:

Background Papers **PT08/2239/F**

Contact Officer: **Peter Rowe**
Tel. No. **01454 863131**

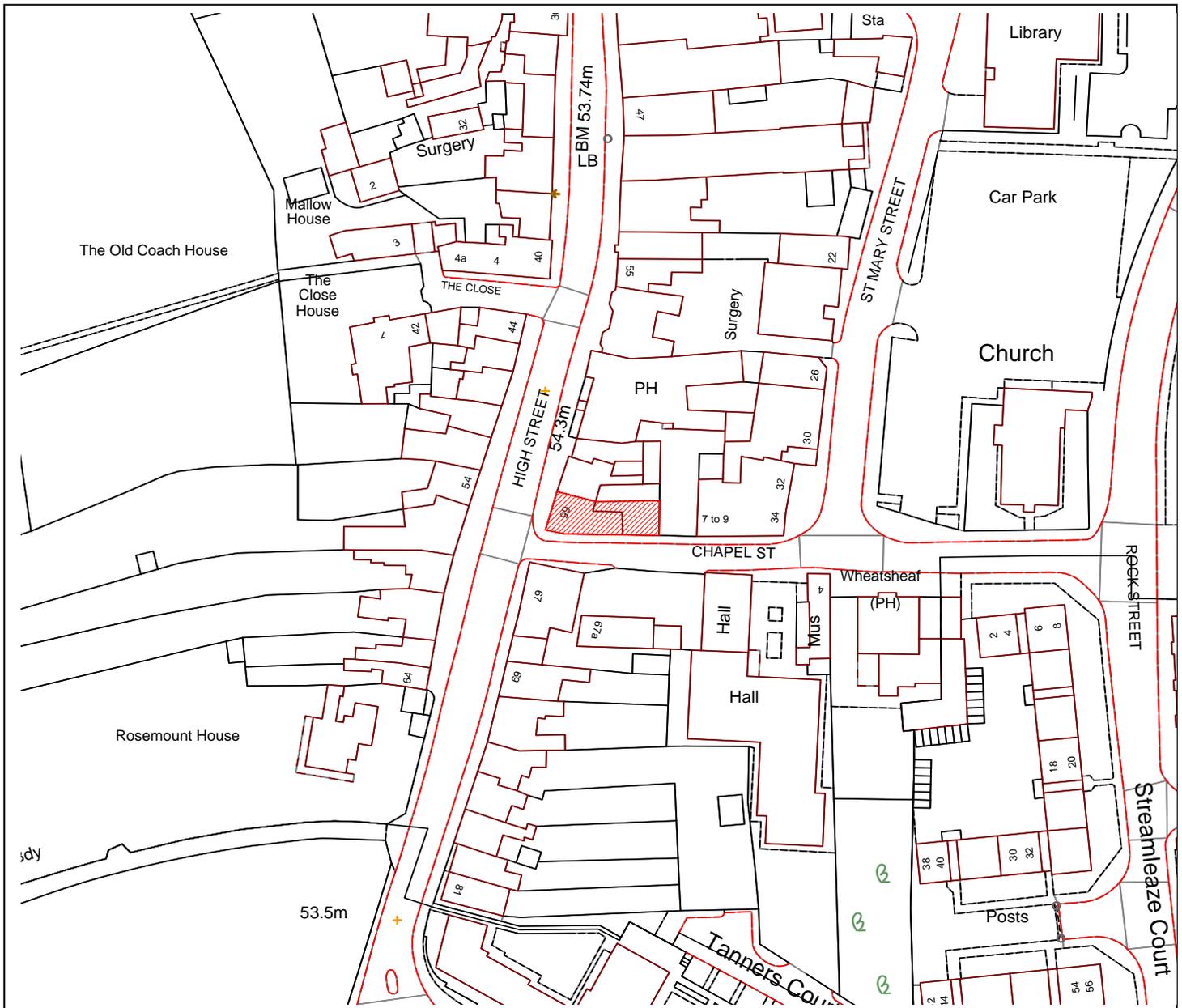
REFUSAL REASONS

1. The increase in use of the sub-standard junction of Oakhill Lane with Hallen Lane by the proposed development would be prejudicial to road safety. The proposal is therefore contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006,
2. The application site is situated in close proximity to the M5 motorway which is a source of noise and vibration. The submitted application did not include a Noise Survey. As such, the Local Planning Authority were unable to fully assess whether the proposed noise-sensitive development would suffer an unacceptable degree of disturbance as a result of close proximity to existing noise and vibration. The proposal is therefore considered contrary to Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 7

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.:	PT08/2266/ADV	Applicant:	Mr R Baker Blend Cafe LTD
Site:	65 Richmond House, High Street, Thornbury, South Gloucestershire, BS35 2AP	Date Reg:	12th August 2008
Proposal:	Display of 2 no. non illuminated fascia signs and 1 no. projecting sign	Parish:	Thornbury Town Council
Map Ref:	63670 89865	Ward:	Thornbury North
Application Category:	Minor	Target Date:	29th September 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2008.

This application appears on the Circulated Schedule as a representation was made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks Advertisement Consent for the display of 2 no. non illuminated fascia signs and 1 no. projecting sign.
- 1.2 This is a period building situated on the corner of Thornbury High Street and Chapel Street. The property lies within the Thornbury Conservation Area and is on a designated 'secondary shopping frontage'. The use of the ground floor is Café (Class A3) and this application seeks Advert Consent for associated signage.
- 1.3 The proposal consists of a total of three signs. The first is a front fascia sign made of timber board with acrylic lettering measuring 0.8 m in height and 4 m in width. The second sign will be a hanging sign on the corner of the building measuring 0.8 m in width and 0.8 m in height. The third sign will be positioned on the side of the building on an existing plaque with acrylic and foam lettering reading 'Blend Café Lounge'.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG15	Planning and the Historic Environment
PPG19	Outdoor Advertisement Consent
- 2.2 Development Plans

<u>South Gloucestershire Local Plan (Adopted) January 2006</u>	
D1	Achieving Good Quality Design
L12	Conservation Areas
L19	Display of Advertisements
- 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007	
Thornbury Conservation Area SPD	

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2918/ADV – Display of 2 no. non illuminated fascia signs and 1 no. projecting sign. Approved 17/11/2006.
- 3.2 PT08/0320/F - Change of use of ground floor from Office (Class A2) to Cafe (Class A3) as defined in the Town and Country Planning (Use Classes Order) 1987 (as amended 2005). Approved 14/03/2008.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection.

Other Representations

4.2 Local Residents

One objection made on the grounds that there are already too many cafes and food outlets in Thornbury.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPG19 advises that advertisements should only be assessed on visual merit and impact upon public safety. It is not necessary to consider the actual need for new advertisements.

Accordingly, Policy L19 of the South Gloucestershire Local Plan (Adopted) January 2006 states that consent for the display of advertisements will be granted provided that the advertisements would not be detrimental to the immediate location in which it is to be displayed, by virtue of its size, siting, materials, colour or illumination, or that the cumulative effect of the proposal would be detrimental to character and visual amenity of locality. The proposal should not prejudice public safety.

The proposal is therefore considered acceptable in principle subject to the following detailed assessment.

5.2 Visual Amenity

Richmond House is located on Thornbury High Street which is characterised by a range of shopping outlets displaying advert signage. It is therefore considered that the proposed signage would not detract from the character of the locality. Given the size and scale of Richmond House it is considered that the proposed size and number of adverts on the building would not be detrimental to the appearance of the building. The proposal is therefore considered to comply with Policy L19 of the Local Plan.

5.3 Public Safety

The proposed signage is predominantly to replace existing signs. The signs are at a suitable height and a suitable distance from the edge of the carriageway. As such, it is not considered that the signs will have any impact on existing levels of public safety.

5.4 Other Matters

In regard to the objection raised it is noted that this application is for advertisements and is not determining the Use Class of the premises which has already been established as A3.

6. CONCLUSION

6.1 The decision to grant consent 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 Advertisement Consent is **GRANTED**.

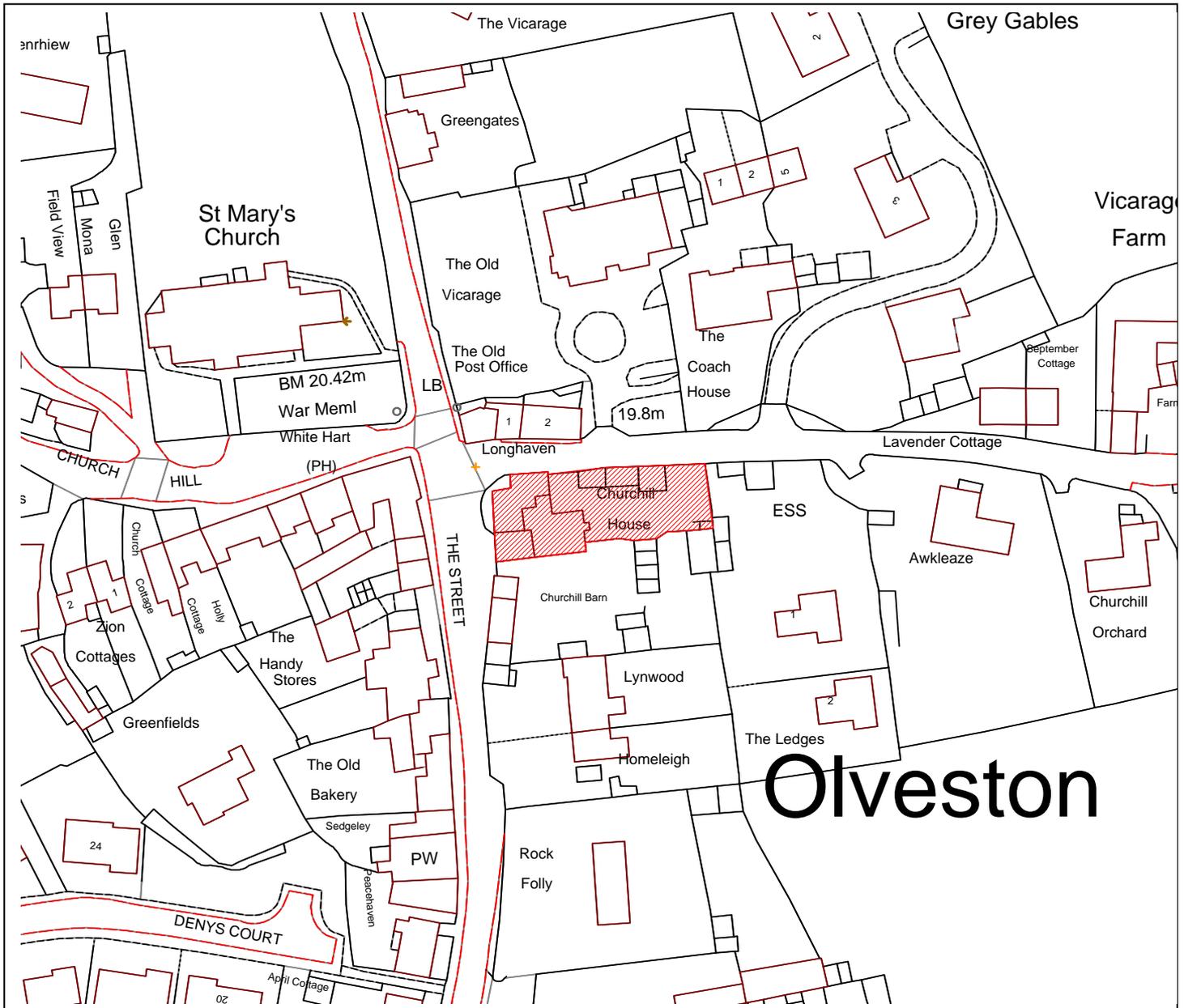
Background Papers **PT08/2266/ADV**

Contact Officer: **Will Collins**
Tel. No. **01454 863819**

ITEM 8

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.:	PT08/2285/LB	Applicant:	A & F Macaskill
Site:	Churchill House, The Street, Olveston, South Gloucestershire, BS35 4DP	Date Reg:	15th August 2008
Proposal:	Increase in height of boundary wall to 2.1m; formation of gateway and installation of access gates.	Parish:	Olveston Parish Council
Map Ref:	60149 87247	Ward:	Severn
Application Category:	Minor	Target Date:	6th October 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2008.

N.T.S

PT08/2285/LB

This application has been referred to the Circulated Schedule due to a letter of objection received from a local resident.

1. THE PROPOSAL

- 1.1 This listed building application relates to the increase in height of boundary wall to 2.1m; formation of gateway and installation of access gates within the southern boundary wall separating Churchill House with Churchill Yard, The Street, Olveston.
- 1.2 The application site is a Grade II listed building located within the settlement boundary and Olveston Conservation Area.
- 1.3 This application proposes to increase the height of the boundary wall from 1.2m to 2.1m as well as forming a new 2.4m opening in the wall to provide gated access.
- 1.4 A full planning application has yet to be submitted but will be required for the proposed increased height of the wall and the access gates.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Quality Design in New Development
L12 Conservation Areas
L13 Listed Buildings
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/3572/LB Erection of dwelling and conversion of outbuilding. Approved 19 January 2007.
- 3.2 PT06/3577/F As above. Approved 19 January 2007.
- 3.3 PT07/3019/F Erection of dwelling and conversion of outbuilding (Amendment to PT06/3577/F). Approved 7 November 2007.
- 3.4 PT07/3101/LB Demolition of part of existing boundary wall; erection of new infill section and replacement of existing concrete wall will stone wall to match the remainder. Approved 16 November 2007.

4. **CONSULTATION RESPONSES**

- 4.1 Olveston Parish Council
No objection.

Other Representations

4.2 Local Residents

- 1 letter has been received objecting to the proposal on the following grounds:-
- a) design of gates unattractive;
 - b) property already has a number of entrances to the house off Vicarage Lane;
 - c) increased congestion on High Street;
 - d) outlook;
 - e) highway safety by virtue of increased use of access;
 - f) access is unmetalled and requires proper foundations/surfacing;
 - g) no need for an increase in wall height.

Of the above b, c, d, e, f and g are not relevant to the determination of this listed building application. However, they will be considered under any future planning application.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

In assessing applications for listed building consent, advice contained within PPG15 is particularly relevant and states the importance of preserving the built heritage. This advice is reflected in Policy L13 of the South Gloucestershire Local Plan (adopted) January 2006. This policy only permits development that affects a listed building or its setting provided the building and its setting is preserved and features of architectural or historic interest and the character of the building are retained.

- 5.2 The application proposes an increase in the height of the wall and the introduction of double gates. This application must be assessed solely on its impact on the character and setting of the listed buildings. The issues raised in the objector's letter will be addressed under any future full planning application which will be required before any works are commenced.

- 5.3 From the submitted plans it is unclear what impact the formation of the new vehicular access upon the setting of the listed building will have as no details have been provided showing hardstandings etc. that would be associated with the gateway. Officers have taken the view that a well detailed wall and gate would not adversely affect the character of the adjacent listed and curtilage listed structures. However, there are serious issues to be considered as part of any planning application in terms of a detailed landscape scheme showing how the access would be achieved within the site and these details will need to accompany the required planning application. It is a regrettable that the applications were not submitted concurrently in accordance with government guidance. However this is not a reason not to determine this Listed Building Application.

5.4 No objections are therefore raised to the proposal subject to conditions requiring agreement of large scale details of the stone copings, entrance piers and a condition requiring the new gates to exactly match those fronting Vicarage Lane and an informative stating that planning permission will also be required.

6. CONCLUSION

6.1 The decision to grant listed building works 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 Listed building consent be granted.

Background Papers PT08/2285/LB

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. Prior to the commencement of the works hereby approved, sample panels of the proposed repointing and external walling shall be erected on site, for approval by the Local Planning Authority. No works shall be commenced until written approval has been given by the Local Planning Authority, and the walling shall be constructed exactly in accordance with the samples so approved.

Reason

To maintain and enhance the character and setting of the listed building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall take place until full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

- (a) stone copings;
- (b) entrance piers.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The new entrance gates shall exactly match those fronting Vicarage Lane, as indicated on the submitted plans.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 9

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.:	PT08/2306/F	Applicant:	Mr & Mrs J Woolford
Site:	15 Salem Road, Winterbourne, South Gloucestershire, BS36 1QF	Date Reg:	18th August 2008
Proposal:	Erection of first floor rear extension to provide additional living accommodation. (Resubmission of PT08/1061/F)	Parish:	Winterbourne Parish Council
Map Ref:	65807 81204	Ward:	Winterbourne
Application Category:	Minor	Target Date:	2nd October 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2008.

N.T.S

PT08/2306/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of two letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a first floor extension above the existing single storey extension. The proposal would be approximately 4.2m in width, 3m in depth and 6.3m in height. The development would provide additional living accommodation.
- 1.2 The application site relates to modest sized mid-terrace cottage. The site is situated in well established residential area within the Winterbourne settlement boundary.
- 1.3 This application is a resubmission of the previously withdrawn application PT08/1061/F.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/1061/F Erection of first floor rear extension to provide additional living accommodation.
Withdrawn on 9 June 2008

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection.
- 4.2 Local Residents
Two letter of objection have been received from local residents. The mains from these are summarised below: -
 - A. Design – extension should match that of No. 13;
 - B. New window on the north-side should be no closer than existing door;
 - C. Construction parking should be limited via condition;
 - D. Extension dominates existing dwelling;
 - E. Loss of light;
 - F. Parking issues;
 - G. Loss of privacy; and

H. Concerns regarding guttering overhanging property; the location of the soak-away and the siting of scaffolding.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extension to residential dwelling. This is subject to the proposal:

- respecting the character and appearance of the existing dwelling and the surrounding area;
- not prejudicing the amenities of nearby occupiers,
- maintaining highway safety; and
- providing adequate amenity space.

5.2 Policy D1 of the Local Plan applies to all types of development. It considers general design principles to ensure new development respects, conserves and enhances the character and quality of the surrounding local environment.

5.3 Residential Amenity

The application site is adjoined by two dwellings to the side (Nos. 13 and 17 Salem Road). Representations have been received from both of these occupiers which have raised several objections to scheme regarding a loss of light and privacy. These issues are assessed below: -

5.4 Overbearing Analysis

The proposed first storey extension would only exceed the rear building line of No. 13 by 3 metres. This depth is considered to be appropriate for a first floor extension. Furthermore, the extension would be situated to the north of this particular dwelling and therefore would not significantly overshadow the first floor bedroom window of No.13. With regard to No. 17, the proposed first storey extension would only exceed its rear building line by 0.6 metres. This depth is not considered to result a detrimental overbearing impact or a material loss of light which would harm residential amenity.

5.5 Privacy Analysis

With regard privacy, the proposed extension would include two rear windows which would afford some oblique views into the amenity space of No. 13 and 17. It is considered that these views would be typical of inter-visibility expected within well established residential areas. As such, it is considered that the development would not harm privacy.

5.6 The occupier of No. 17 has raised concerns regarding the replacement of the existing door in the northern elevation with a window. It is considered that this alteration would not materially alter the existing relationship and therefore would not harm privacy..

5.7 Disturbance Analysis

Representations have been made regarding the disturbance arising through construction. It is considered that domestic extensions of this type would not result in significant or an unreasonable disturbance. If any problems arise during construction then the Council Environmental Protection team can investigate and take action under separate legislation, if necessary.

5.8 Design and Visual Amenity

The proposed development comprises of a rear gable projection above the existing single storey flat roof extension. The applicant has proposed that the development would be finished in materials to match the existing. The ground floor extension would be greater in depth and this would be achieved through a canopy roof. The proposed gable would match the size, shape, angle and form of the adjacent gable extension at No. 13.

5.9 It is noted that the depth of the gable be slightly greater than the adjacent extension (>0.6m). Representations have been received which object to this greater depth because it does not match. Notwithstanding these comments, it is considered that this slight variation in depth would not materially harm the visual amenity of the terrace.

5.10 In view of these features, it is considered that the proposed development would respect the scale, massing, proportions, material and overall design of the existing and the character of the surrounding area.

5.11 Transportation

Representations have been received which object to the proposal on the grounds of a lack of parking. The proposed extension would provide one additional parking space. In view of the Council's maximum parking standards set under Policy T8 of Local Plan, it is considered that on balance that one additional bedroom would not give rise to unacceptable road safety problems.

5.12 Other Matters

The representations have raised a couple of other issues, these are addressed below:

1. Construction Traffic

It is considered that the limited level of additional traffic movements generated by a householder extension would not materially harm residential amenity or highway safety. It would therefore be unreasonable to restrict construction traffic in this instance.

2. Land Ownership, Guttering and Scaffoldings

The applicant has served Certificate B with this application. This confirms that the neighbours have been notified that the development would encroach/attach to their land. The plans show that the gutters would not encroach. Nevertheless, the standard land ownership informative will be attached. This advises the applicant that consent should be sought before entering neighbouring land. The granting of planning permission does not impact on private land ownership rights and any developer must ensure they also have the land rights to develop aside from any planning permission.

5.13 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. **CONCLUSION**

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

The decision 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 Planning permission to be **GRANTED** subject to the following condition:

Background Papers **PT08/2306/F**

Contact Officer: **Peter Rowe**
Tel. No. **01454 863131**

CONDITION

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 and Country Planning Act 1990 (as amended).

CIRCULATED SCHEDULE NO. 38/08 – 19 SEPTEMBER 2008

App No.: PT08/2361/F
Site: 894 - 896 Filton Avenue, Filton, South Gloucestershire, BS34 7AY
Proposal: Demolition of 2 no. existing dwellings to facilitate the erection of 10 no. flats with car parking, access and associated works.
 (Resubmission of PT08/0866/F)
Map Ref: 60442 79658
Application Category: Major

Applicant: Mr Martin
Date Reg: 21st August 2008
Parish: Filton Town Council
Ward: Filton
Target Date: 13th November 2008



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2008.

This application has been referred to the Circulated Schedule as it constitutes major development.

1. THE PROPOSAL

- 1.1 This full application relates to the demolition of 2 no. dwellings to facilitate the erection of 10 no. flats with associated car parking at 894-896 Filton Avenue, Filton. The proposal is two storey in nature with accommodation provided within the roof space and served by rooflights to the front, rear and side roof slopes. The development consists of two elements. The front part of the building occupies a similar footprint and siting to the existing pair of semis and has an overall width of 16.8m, depth of 7.5m with a ridge height of 8m. The rear element reads as a two storey extension and is of a narrower width at 13.6m, depth of 6m with the same ridge height.
- 1.2 The proposal provides 4 no. two bed flats and 6 no. one bed flats. Eight off-street parking spaces and enclosed bin store are proposed to the front of the site with a covered and secure cycle store to the rear. The remaining part of the site is dedicated to communal garden.
- 1.3 The application site currently consists of a pair of brick built semi detached dwellings set within a large curtilage. The east and south of the site lies adjacent to other residential properties with Filton Avenue forming the northern boundary. The Filton College campus lies to the western boundary, with the car parking area immediately adjacent to the site. The site lies within the urban area of Filton.
- 1.4 This application is a resubmission of PT08/0866/F which related to the demolition of 894-896 Filton Avenue and the erection of 12 flats. That application was substantially different in terms of its design and size, arranged in an 'L' shape and consisting of a 2½ storey element to the front incorporating front and rear dormers and a 2 storey rear wing some 19m in depth.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Joint Replacement Structure Plan
Policy 1 Sustainable Development Objectives
Policy 2 Location of Development
Policy 33 Housing Provision and Distribution
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
EP4 Noise Sensitive Development
L4 Forest of Avon
L18 The Water Environment
H2 Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries

H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
LC2	Provision for Education Facilities (Site Allocations and Developer Contributions)
LC8	Open Spaces and Children's Play in Conjunction with New Residential Development

2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/0866/F Demolition of 2 no. existing dwellings to facilitate the erection of 12 no. flats with car parking, access and associated works.
Refused 9 May 2008 on the following grounds:-
- 1) substantial scale and mass;
 - 2) effect on local highway network;
 - 3) inadequate provision for educational facilities generated by proposal;
 - 4) inadequate provision for public open space requirements;
 - 5) no acoustic report submitted to demonstrate that proposal may not be adversely affected by noise from A38.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No response received.

Internal Consultees

- 4.2 Sustainable Transport
No objection subject to a financial contribution secured under an appropriate legal agreement.
- 4.3 Department for Children and Young People
No objection subject to a financial contribution for additional primary school provision.
- 4.4 Community Services
The proposed development for 10 no. flats falls below the threshold for Section 106 contributions. A financial contribution is therefore not now required.
- 4.5 Housing
The proposed development for 10 no. flats falls below the threshold for seeking affordable housing contributions.
- 4.6 Environmental Services
No objection subject to implementation of proposed acoustic measures.

External

4.7 Wessex Water

The development is located within a sewered area with foul and surface water sewers. A private sewer also crosses the site. Points of connection on to Wessex Water systems will be required. State that the developer should be aware of the importance of checking with Wessex Water to ascertain whether there may be unchartered sewers or water mains within or very near to the site.

4.8 Local Residents

6 letters have been received objecting to the proposal on the following grounds:-

- a) overlooking;
- b) increased noise;
- c) eyesore;
- d) inadequate parking provision;
- e) design out of character;
- f) highway safety;
- g) Filton is an area mainly of residential homes;
- h) may encourage drug dealers/drug activity;
- i) will the flats be rented out and tenants vetted accordingly;
- j) refuse/rodent problems;
- k) too many flats in area;
- l) many empty 'lets' empty in area.

Of the above, g, h, i, j, k and l are not relevant planning considerations.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As can be seen from the planning history, a recent application for a similar development was refused, largely due to its size and scale. This application is substantially smaller and of a design more appropriate to its context.

- 5.2 Advice contained within PPS3 promotes more sustainable patterns of development. In particular it encourages the better use of previously developed land, especially in existing urban areas. However, such development should achieve good design to ensure that the character of the area is not adversely affected. In particular, housing development should be well integrated with, and complement, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Consideration of design and layout must be informed by the wider context, townscape and landscape of the wider area. This advice is reflected in the Joint Replacement Structure Plan and the South Gloucestershire Local Plan (Adopted) January 2006. Policy H2 of the local plan is particularly relevant and allows for residential development within existing urban area and defined settlement boundaries subject to the following criteria: -

- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity;**

5.3 Transportation

In transportation terms, the site is located on Filton Avenue, a classified highway. The site is located within the Bristol North Fringe in close proximity to a frequent bus service, a train station and within walking/cycling distance of shops, services and employment opportunities. In terms of access, a 6m wide drive is to be provided to allow for two-way traffic. The bin store is also located to the front of the site for ease of access.

5.4 The proposal provides 8 off-street parking spaces which equates to a ratio of 0.8 per dwelling and adequate cycle parking which is secure and covered. Due to the highly sustainable location of the site the level of parking is considered acceptable, provided the spaces are shared between the occupiers rather than allocated. It is recognised that concerns have been raised from local residents regarding parking provision, however car ownership cannot be assumed in more sustainable locations within the North Fringe. In addition, whilst Filton Avenue is a busy classified road, the site has potential to be self-sufficient and as such highway safety on the adjoining network should not be compromised. This is in accordance with the Council's standards set out under policies T7, T8 and T12.

5.5 However, to offset the low level of parking a financial contribution is required towards the North Fringe (Transport Measures) Scheme. This is assessed at £900 per additional flat, less an allowance of £3,600 for the existing dwellings (£1,800 per dwelling). The overall contribution is therefore £5,400. This will need to be secured via an appropriate legal agreement consisting of either a Section 106 of the Town and Country Planning Act 1990 or a Section 278 agreement of the Highways Act 1980. The applicant has indicated his agreement to such a contribution.

5.6 Residential Amenity Overbearing impact/loss of light/sun

The site has residential property to the east and southern boundaries. In terms of overbearing impact/loss of light, the proposal is considered acceptable. The location of the front element of the proposal occupies a similar position to the existing pair of semi-detached dwellings fronting Filton Avenue, which is set back from the front elevation of the adjacent property of 892 Filton Avenue by some 7.5m. This is comparable with the existing situation. The side elevation of the proposal is also a greater distance from this boundary at 3.4m. Although the overall depth of the development is 14m, a 6.5m distance exists between the nearest part of the development and the adjacent property and as such any overbearing impact/loss of light will not be so significant as to warrant a refusal. With regard to the properties to the rear, these are located over 40m away and will not be affected by the proposal.

5.7 Loss of privacy/overlooking

In terms of loss of privacy/overlooking, the proposal is also considered acceptable. Only a limited number of windows, including roof lights are proposed to the side elevations but these are all obscurely glazed and fixed and do not serve habitable rooms. Properties to the south of the site will also not be affected by loss of privacy to a material degree due to the distance between dwellings. In addition, the minimum depth of the proposed rear garden is 13m. Appropriate boundary treatment will ensure that privacy levels are maintained between surrounding garden areas. Furthermore, the intervisibility distance between the front elevation and the property opposite is over 30m. The application is therefore acceptable in this regard.

5.8 Noise/disturbance

The increase in the residential intensity of the site in terms of noise and disturbance is considered acceptable. The proposal is located within an urban area that already has a degree of background noise, especially bearing in mind the adjacent Filton College and the A38 Gloucester Road. The additional level of residential accommodation is not considered to result in a material increase to existing levels of noise and disturbance to warrant a refusal.

5.9 However, in terms of the future occupiers of the development, the site, due to its proximity to the A38 and Filton Avenue may be adversely affected by traffic noise. Policy EP4 seeks to ensure that new noise sensitive development, such as residential development, would not be subject to unacceptable levels of disturbance due to close proximity to sources of noise or vibration. An acoustic report has been submitted as part of the application to assess this issue. No objections have been raised from the Council's Environmental Services Officer provided that the recommendations listed in the report, such as the use of acoustic double glazing, is implemented as part of the development. This overcomes the previous refusal reason and is in accordance policy EP4 of the local plan.

B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved;

5.10 The site has an area of 0.097 hectares and is located within the urban area of Filton. The proposal will result in a housing density of 103 dwellings per hectare. Densities of 50 dwellings or more are encouraged where local circumstances permit, especially in and around town centres and locations well served by public transport. The proposed density is substantially above the minimum density requirement stipulated in PPS3 and policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and the adopted Design Checklist SPD. However, some sites can achieve this level of density, especially as the development relates to flats and not dwellings. It is considered that the highly sustainable nature of the site, the design of the proposal and its siting/layout can accommodate this level of density without adversely impacting upon the character of the area.

C. The site is not subject to unacceptable levels of noise, disturbance, air pollution, smell, dust or contamination;

5.11 With the possible exception of noise, the development is not affected by any of the above to a material degree.

D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.

5.12 The proposal is located within the urban area of Filton. There are numerous primary and secondary schools within the vicinity of the site. The locality is also well served by local shops, supermarket and pubs as well as community facilities including doctors, sports and recreation and employment opportunities. It is also sustainable in transportation terms with frequent bus services and a nearby train station. However, local education is inadequate to meet the need arising from this residential development and will be discussed below.

5.13 Education

Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006 states that where local education provision is inadequate to meet the need for places arising from a residential development, the council will negotiate with developers to secure provision to meet those needs. In most cases this constitutes financial contributions to provision or enhancements of existing education provision in the vicinity. The Council's Education Department has advised that there is a projected surplus of secondary school places but a deficit of primary school places in the locality. The proposed development of 10 flats will generate one additional primary school pupil based on the pupil number calculator, which is assessed on the basis of 4 primary pupils per 100 flats with one or two bedrooms. Current DfES cost calculators give a figure of £10,747 per additional primary pupil place, indexed at Q4 2008 prices. A financial contribution of £10,747 is therefore required. The applicant has indicated his agreement to such a contribution.

5.14 Other Policy Considerations

Also of relevance is Policy H4 of the adopted local plan. This policy relates to residential development within existing residential curtilages and only allows such development where the design, massing, scale and proportions are in keeping with the character of the street scene; residential amenities are not adversely affected; transportation issues are acceptable in terms of parking and access and adequate private amenity space is provided. Of the above, the issues of design and garden area have yet to be considered.

5.15 Design

The building has been arranged in two distinct parts:- a wider 2 storey element fronting Filton Avenue and a slightly narrower 2 storey rear extension. The roof of the proposal is hipped in form and the ridge heights of both elements are the same at 8m. The front part of the proposal has the same front building line as the existing pair of semi-detached dwellings, set back from the adjacent terrace by approximately 7.5m. The front of the site is to be used for car parking and turning purposes, this area also accommodating the bin store.

5.16 The area consists of a variety of house types ranging from terraced and semi-detached two storey properties of no architectural merit. The large and modern college buildings are also located immediately to the north-west and south-west of the site. The proposal incorporates 3 entrances to the front elevation, the middle one of which provides a communal entrance to the flats above. The front elevation is symmetrical in appearance and occupies a similar footprint to the existing dwellings to be demolished.

5.17 In visual terms the proposal will not appear out of keeping with the street scene. The overall massing of the proposal has been reduced by virtue of the hipped roof form, which is not an uncommon feature along Filton Avenue. The ridge height of the proposal at 8m is also only 0.6m higher than the ridge height of the existing and adjacent dwellings. The scale and bulk of the building reflects the context of the site which is urban in appearance and characterised by modest, domestic dwellings. The proposal will therefore be in keeping with the grain of surrounding development and can be adequately accommodated on the site without detracting from the visual amenities of the immediate area and the wider locality. The proposal is therefore acceptable in terms of its design.

5.18 Garden Area

The area of communal garden to be provided is some 400m². This area serves all 10 apartments. It is considered that this communal area is of a size that is adequate to serve these units of accommodation, especially as they are limited in size, the largest being two bed and unlikely to provide for family accommodation.

5.19 Ecology

No ecological information has been submitted as part of the application. A site survey needs to be undertaken to show whether the site contains slow-worms and hedgehogs and this should be a condition of any consent.

5.20 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document.

5.21 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, having regard to the above advice, the transportation improvements and education contributions are appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

6.2 The decision to 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 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an appropriate legal agreement within 6 months of this determination to secure the following:

(i) A financial contribution of £5,400 towards the North Fringe Major Scheme (Transport Matters).

Reason: To provide a contribution commensurate to the scale of the development towards the North Fringe Major Scheme (Transport

Measures) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with Policies T12, H2 and H4 of the South Gloucestershire Local Plan (adopted) January 2006.

- (ii) A financial contribution of £10,747 towards additional primary school provision.

Reason: There is a projected deficit at primary level in the local area and to comply with Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006.

- (2) If the Legal Agreement is not signed and sealed within 6 months of this determination then, in view of the length of time that has elapsed, the application should either:

- (a) An update report appears on the Circulated Schedule.
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section 1.

Background Papers PT08/2361/F

Contact Officer: Vivian Butt
Tel. No. 01454 863427

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 and Country Planning Act 1990 (as amended).

- 2. No development shall take place until details/samples of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 3. No development shall take place until the local planning authority has been provided, and approved in writing, an initial design stage assessment by an accredited assessor of the Code for Sustainable Buildings and an accompanying interim certificate stating that the building has been designed to achieve Level 3 of the Code (or such national measure of sustainability for house design that replaces that scheme). The building shall then be subject to a post-completion check by the assessor and issue of a final Code certificate of compliance prior to the first occupation.

4. The residential units hereby approved shall not be occupied until a scheme for the management of the communal areas of the development (both internal and external) for the first 2 years of occupation has been submitted to and agreed in writing by the Local Planning Authority. The scheme should include management responsibilities and maintenance schedules. The scheme for the management of communal areas shall be carried out as approved.

Reason

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

5. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 hours Monday to Friday and 08.00 hours to 13.00 hours on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No development shall take place until there has been submitted to and approved in writing a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting) and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies H2/H4/D1/L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. No development shall take place until 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 that a satisfactory means of drainage is provided, and to accord with Policy L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. The glazing on the side (east) elevation of the building including roof slope hereby permitted shall at all times be of obscured glass and be permanently fixed in a closed position. The obscure glazing to be used shall be at least level 3 obscure glazing.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. The development hereby permitted shall not be occupied until the bin store has been provided in accordance with the agreed details.

Reason

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

12. Prior to the commencement of any works on the site, a site survey shall be undertaken to determine whether slow-worms and hedgehogs are present on the site. This shall be submitted to and approved in writing by the Council. If slow-worms and hedgehogs are found, a mitigation strategy shall be drawn up and agreed with the Council and the development when carried out shall conform to the details so approved.

Reason

To protect the wildlife and the ecological interests of the site, in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.