



**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. 33/07

Date to Members: 17/08/07

Member's Deadline: 24/08/07

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 12 noon)**. 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 (by 12 noon) (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: 17/08/07

SCHEDULE NO. 33/07

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 12 noon), 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

**Dates and deadlines for Circulated Schedule
over the August Bank Holiday Period 2007**

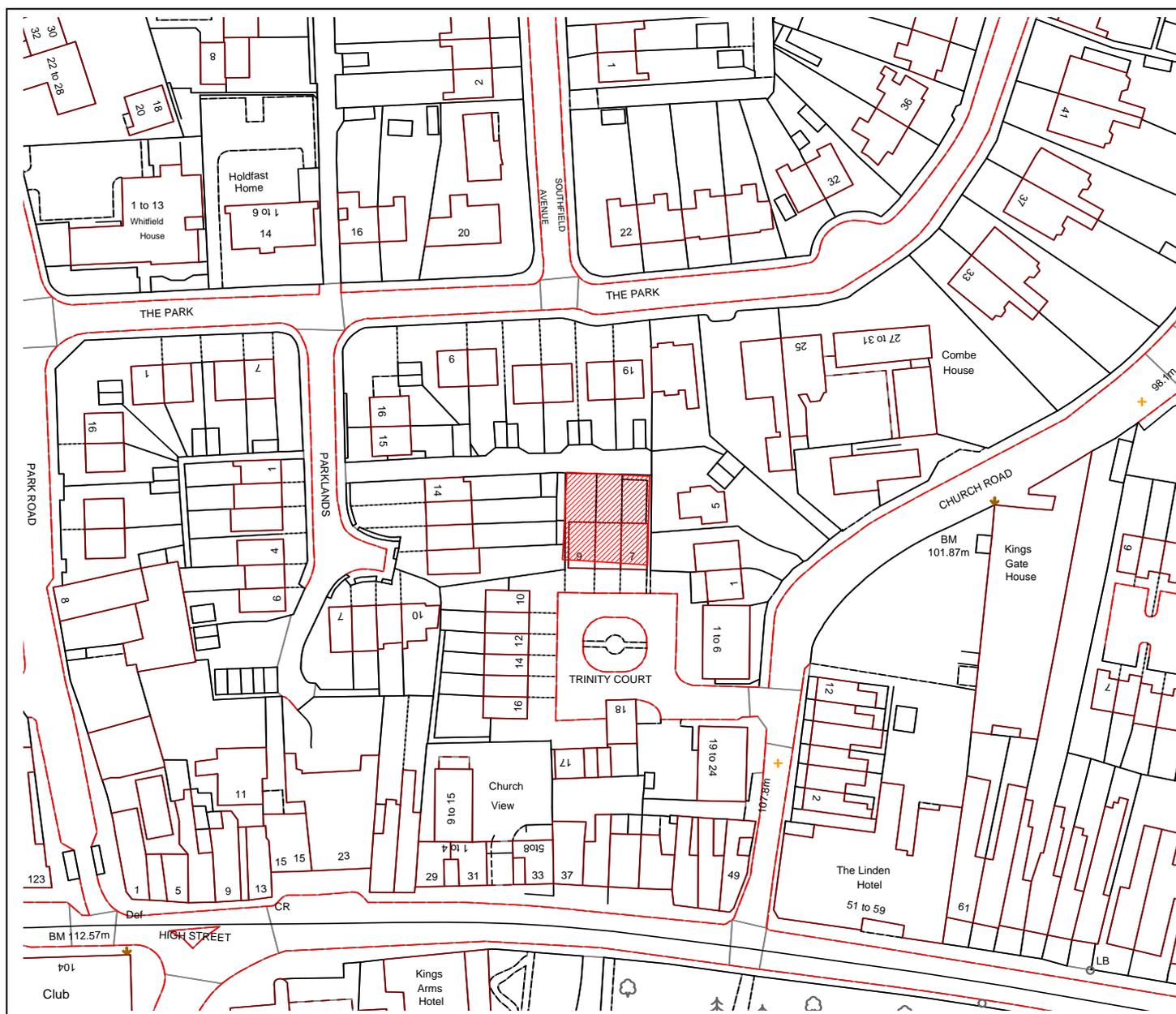
Schedule Number	Date to Members 12 noon on	Members Deadline 12 noon on
34/07	Thursday 23 August 2007	Friday 31 August 2007

Circulated Schedule 17 August 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/2673/F	Approve	Plots 7-9 Trinity Court Kingswood South Gloucestershire BS15 4FG	Kings Chase	
2	PK07/1457/F	Approve with conditions	26 West Street Oldland Common South Gloucestershire BS30 9QS	Oldland Common	Bitton Parish Council
3	PK07/1532/RM	Approve with conditions	Land adjacent 328 North Road Yate South Gloucestershire BS37 7LL	Ladden Brook	Iron Acton Parish Council
4	PK07/1838/F	Refusal	1 Jubilee Crescent Mangotsfield South Gloucestershire BS16 9BB	Rodway	Mangotsfield Rural Parish Council
5	PK07/1870/RVC	Refusal	1 Jubilee Crescent Mangotsfield South Gloucestershire BS16 9BB	Rodway	Mangotsfield Rural Parish Council
6	PK07/1849/F	Approve with conditions	Bitton Recreation Club Bath Road Bitton South Gloucestershire BS30 6HX	Bitton	Bitton Parish Council
7	PK07/1897/F	Refusal	14 Colliers Break Emersons Green South Gloucestershire BS16 7EE	Emersons Green	Mangotsfield Rural Parish Council
8	PK07/2059/F	Approve	99 Harescombe Yate South Gloucestershire BS37 8UD	Dodington	Dodington Parish Council
9	PK07/2147/R3F	Deemed consent	Raysfield Junior School Finch Road Chipping Sodbury South Gloucestershire BS37 6JE	Chipping Sodbury	Dodington Parish Council
10	PT07/1701/F	Approve with conditions	2 Park Row Frampton Cotterell South Gloucestershire BS36 2BS	Frampton Cotterell	Frampton Cotterell Parish Council
11	PT07/1945/F	Approve with conditions	6 Broncksea Road Filton South Gloucestershire BS7 0SE	Filton	Filton Town Council
12	PT07/2009/F	Approve with conditions	63 Gloucester Road Almondsbury South Gloucestershire BS32 4HW	Almondsbury	Almondsbury Parish Council
13	PT07/2216/RVC	Approve with conditions	Land at Hardy Lane Tockington South Gloucestershire BS32 4LN	Severn	Olveston Parish Council

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.: PK06/2673/F	Applicant: Mr R Tschache Barratt Homes
Site: Plots 7-9 Trinity Court Kingswood BRISTOL South Gloucestershire BS15 4FG	Date Reg: 21st September 2006
Proposal: Proposed doors and larger windows on rear elevation of plots 7 - 9. (Amendment to previously approved scheme PK03/2985/F).	Parish:
Map Ref: 65065 73926	Ward: Kings Chase



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INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule Procedure as a result of objections received from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the retention of new doors and window openings on the rear elevations of plots 7-9.
- 1.2 The application site relates to a recently built residential development located within the established residential area of Kingswood.

2. POLICY CONTEXT

2.1 National Guidance
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within existing residential curtilages.

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/2985/F Erection of 23 residential units
Approved July 2005.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
Not applicable

Other Representations

4.2 Local Residents
One letter of objection has been received from a local resident:
- Proposed changes are not the only changes

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Planning permission has already been granted and implemented on this site for residential development. This application however seeks a number of amendments to that approved scheme which relate to window openings. Therefore the only issues to consider relate primarily to the changes which will be considered against Policy H4 of the South Gloucestershire Local Plan which allow for alterations to existing dwelling subject there being no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity
The alterations relate only to the rear elevations of plots 7, 8 and 9 which relate to a terraced row of three storey buildings. The changes have amended the approved ground floor windows which were to serve a shower room to that of a door which now serves a utility room.

- 5.3 In addition at first floor level the previous scheme had approved two windows for each unit to serve the breakfast/kitchen, with one being smaller than the other. The smaller windows have been replaced with larger ones so that all windows are of the same size.
- 5.4 It is considered that the alterations on the rear elevation do not have an adverse impact on the character of the buildings or the immediate surrounding area.
- 5.5 Residential Amenity
An objection has been received from a local resident, although they have not stated the nature of the objection. It is considered that the proposed changes to the window openings have no greater impact on existing levels of privacy than that of the previous approved scheme.
- 5.6 Other issues
Members are advised to consider that other issues as raised by the local resident are currently being looked into.
- 5.7 Design and Access Statement
Not applicable
- 5.8 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 be granted.

Background Papers **PK06/2673/F**

Contact Officer: **Tracey Price**
Tel. No. **01454 863424**

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.: PK07/1457/F
Site: 26 West Street Oldland Common
 BRISTOL South Gloucestershire BS30
 9QS

Applicant: Mrs V A Dring
Date Reg: 10th May 2007

Proposal: Erection of detached garage.
 (Resubmission of PK06/3458/F).

Parish: Bitton Parish
 Council

Map Ref: 67158 71678

Ward: Oldland Common



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100023410, 2007.

N.T.S

PK07/1457/F

INTRODUCTION

This application appears on the circulated schedule due to the receipt of 1 letter of objection from local residents, 2 letters of objection from a Parish Councillor, and 2 letters of objection from the Parish Council.

1. THE PROPOSAL

- 1.1 This is a full planning application for the erection of a detached garage to the front of No. 26 West Street, Oldland Common. The proposed garage would measure 3.4 metres wide, 5.5 metres long and 3.3 metres high.
- 1.2 The application site consists of a two-storey end-terraced dwelling, which is constructed with rubble stones under a clay tiled roof. The site is located within a residential area of Oldland Common.
- 1.3 This application is the resubmission of a previously refused application on the site also for the erection of a detached garage. The previous application was refused for the following reason -
'The mass and scale of the proposed garage would form a visually dominant element out of proportion with the scale and character of the existing building and would be contrary to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006'.

Since the refusal of the previous application, the scheme has been amended to reduce the width of the garage which will in turn reduce its scale and mass – indeed revised plans have been received during the course of this application and the necessary re-consultation carried out. The previously refused garage had a width of 4.3 metres – the garage now for consideration is 900mm narrower. The reduction in width also alters the roof of the proposed garage.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
T12	Transportation Development Control Policy for New Development
H4	Development within existing residential curtilages

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/3458/F Erection of detached garage.
Refused January 2007
- 3.2 P86/4084 Erection of garage.
Refused March 1986
- 3.3 P82/4211 (K3957) Construction of vehicular access
Approved August 1982

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Two letters of objection have been received from the Parish Council – before and after re-consultation. Initially the Parish Councillors felt that the alterations did not address their objections to the previous application. They feel that the design of the proposed garage would be detrimental to and out of keeping with the street scene.

Following re-consultation, the Parish council recognised that the plans were incorrect in showing the proposed garage in relation to the neighbouring properties – this has since been amended. Despite the revised plans the Parish Council remained opposed to the proposed development which they felt did not overcome objections made previously – if only the garage were to be shorter and lower, this may be possible.

Other Representations

4.2 Local Councillor

Independent of the views of the Parish Council, two letters of objection have also been received from a Parish councillor – one letter sent in relation to the initial set of plans and one for the resubmission. The Councillor raises the following concerns;

‘Very little has changed for this reapplication. It is still too imposing structure which as you will see is disproportionate as to the frontage of this Georgian dwelling. This house forms part of the ancient and rare historical ribbon on this side of West Street and any application as to intrusive development should be judged accordingly. The dimensions are still too height (to the apex) and the width spoils the street view. Also I am led to believe there was never permission granted for a garage nor was there a garage as the applicant has said and the drawing by comparison with a neighbours garage – incidentally set up to the side of the house shows a garage of equal size which is not correct. It is higher, wider and longer! Our ancient places are not just for present owners to do what they like with!...’

4.3 Local Residents

Four letters have been received from local residents – three letters of support and one letters of objection.

The three letters of support raise the following points;

- West Street is made up of a selection of properties of varying style, size, age and position and as such does not have architectural standard.
- House frontages vary considerably – many having garages in place
- Any further addition could only further improve the dwelling
- The recent renovation already carried out is to a high standard
- The materials and design are in keeping with the cottage
- Modern flat roof extensions in the vicinity would be obscured by the garage.
- The garage will be sympathetic
- The garage would enhance the row of cottages and West Street

The one letter of objection raises the following points;

- There has never been a garage on the site in the past
- The garage is very big when viewed from the neighbours doors and windows

- The previous refusal reason has not been overcome
- It will be very dominant in the area.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan allows for garage to existing dwellings and development within existing curtilages, subject to there being no adverse impact on existing visual and residential amenity. In addition, the proposal would not prejudice highway safety and the retention of an acceptable level of parking provision.

5.2 Visual Amenity

The proposal is to erect a detached garage in the front of the property. The garage would be adjacent to the neighbour's garage at No. 28, and it would be finished with matching natural stone and clay tiles.

As was the case for the previously refused garage on the site, officers considered that the proposed materials would be appropriate in this location. The garage would have a stone front elevation with cream rendered side and rear walls to match the existing cottage. The only objection to the previously refused garage related to the mass and scale of the garage detracting from the street scene. However, it is your officers opinion that the scale of the garage has now been reduced to an acceptable level. In order for a garage to be useable, the guideline minimum internal dimensions are 2.8 metres wide by 4.8 metres long. This is to allow for modern vehicles to enter the garage easily and then for the occupants to leave the vehicle. Indeed as part of the last application, the Parish Council recognised the need for an area of off street parking to serve the dwelling. The internal measurements of the garage now proposed following the receipt of amended plans are 3 metres wide by 5 metres long – only 20cm larger than the minimum internal requirements needed. It is not therefore considered that the garage is excessively large and it is not possible to reduce the size of the garage by any notable amount else it would be impractical.

Also, by reducing the width of the garage from the previously approved scheme, this has enabled the roof pitch to be increased slightly. As a result, the pitch of the room on the proposed garage will match the pitch of the roof on the existing porch. This will encourage the successful integration of the garage with the existing built form.

It is noted that the plans state this garage is to reinstate the garage back to the original position of the garage. It is also noted that a number of residents, the Parish Council and Parish Councillors state that there has never been a garage in this position. This fact cannot be confirmed or denied by the planning officer. Therefore, this application does not take any account of the possible existence of an old garage as, since it no longer exists, it would not be a planning consideration in the determination of this scheme anyway.

The garage would be erected alongside the garage of the neighbouring property No. 28 West Street. The front wall of the proposed garage would be flush with the front wall of the neighbours garage and thus will not project beyond the existing building line and not will be visually incongruous in the street scene. A local councillor is concerned about the impact of the garage on the historic street.

Whilst some dwellings in the vicinity of the site are listed or locally listed, the application site is afforded no protection. There is no reason to believe that the garage would have any detrimental impact on any historical street pattern.

It is not considered that the proposed garage will have any detrimental impact on the visual amenity of either the cottage or the street scene. Subject to the attachment of conditions ensuring the use of appropriate materials, there are no objections to the scheme as proposed.

5.3 Residential Amenity

No objection was raised to the previous (and larger garage) on the grounds of impact on residential amenity proposed as part of the last refused application. The garage proposed as part of this application will have no additional impact on residential amenity than the last application and thus still no objection is raised. No windows are proposed in the side or rear elevation. The garage would have a hipped roof, which would minimise possible overbearing impact upon the adjacent property. Although the garage would be approximately 5.5 metres away from the neighbour's windows, it is not located directly in front of these windows.

It is accepted that the site is somewhat unusual with a ground floor side windows in No. 28 facing directly towards the application site. However – the bulk of the proposed garage will be screened from view by the existing garage serving No. 28. The proposed garage will project only 1 metre out from the existing rear wall of the neighbours garage and thus only this area will be readily visible from the neighbours windows. However, the applicants could erect a 2 metre high wall along the boundary in the position of the proposed garage without even the need to apply for planning permission. A wall of 2 metres in height erected along the boundary in place of the proposed garage would be almost the same height as the walls of the proposed garage – only the roof would be clearly visible. It is considered therefore, that it would be entirely unreasonable to raise an objection to the impact on the neighbours window when the views from these windows could be blocked at any time to a similar extent without even needing to apply for planning permission.

It is therefore considered that the proposal would not cause significant harm to warrant a refusal reason on the ground of residential amenity.

5.4 Highway Issues

An adequate turning space is proposed in front garden of the property, therefore no highway objection to the scheme.

5.5 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 That the application be approved subject to the following conditions;

Background Papers **PK07/1457/F**

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

CONDITIONS

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

Reason

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

2. The front elevation of the proposed garage shall be finished in natural stone. The stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

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 side and rear walls of the garage hereby approved shall be finished with render. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of 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.

4. The turning space shown on the approved plans shall be provided and surfaced with a bound material prior to the first occupation of the garage hereby approved. The area shall thereafter be kept clear for the manoeuvring of vehicles at all times.

Reason

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

5. The garage shall be used only for the garaging of private vehicles and ancillary domestic storage associated with the use of No. 26 West street. The garage shall not be used for any commercial or business use.

Reason 1

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 Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

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

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.: PK07/1532/RM
Site: Land adjacent 328 North Road Yate
 BRISTOL South Gloucestershire BS37
 7LL

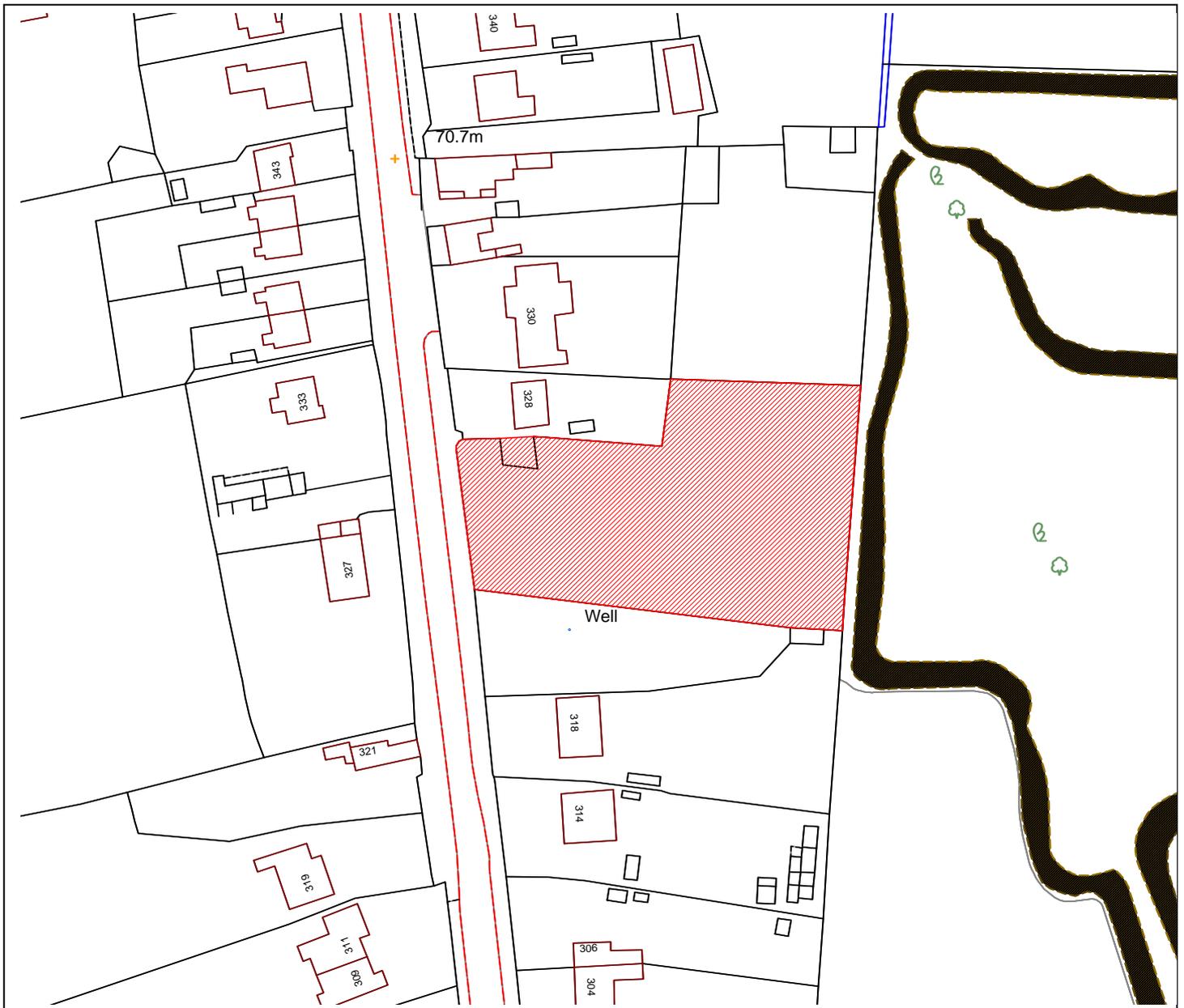
Applicant: Mr D Pearce
Date Reg: 17th May 2007

Proposal: Erection of 5 no. dwellings with
 associated works. (Approval of reserved
 matters to be read in conjunction with
 outline planning permission
 PK03/0388/O).

Parish: Iron Acton Parish
 Council

Map Ref: 69885 84232

Ward: Ladden Brook



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N.T.S

PK07/1532/RM

This application has been placed upon the Circulated Schedule due to the receipt of objections.

1. DESCRIPTION OF PROPOSAL

- 1.1 Reserved matters approval is sought for the erection of five dwellings. Outline planning permission (PK03/0388/O) was granted on appeal in January 2005, with means of access determined at this stage. The current reserved matters application seeks consent for all other matters – i.e. siting, design, external appearance and landscaping. (These are the matters that were reserved by condition at the time of the granting of outline permission and therefore the changes to reserved matters introduced by Circular 07/2006 do not apply in this instance).
- 1.2 The site is some 0.38 hectares in area and is currently an open field, generally flat, with existing hedgerows on the western, northern and eastern boundaries and a post and wire fence to the south. There are existing mature trees which are TPO'd on the North Road frontage.
- 1.3 Four of the five proposed dwellings would be terraced in form, aligned perpendicularly to North Road. The front third of the site would be kept undeveloped, with an informal access track crossing it to the dwellings at the rear. The Design & Access Statement states that the proposed dwellings would have a traditional stone barn appearance, with narrow plan depth, varying ridge heights. Separate garaging would be provided at the rear (east) of the site, predominantly in the dog-leg section to the rear of the existing bungalow, No. 328.
- 1.4 Applicant's supporting information
As well as a Design & Access Statement, the applicant has provided an Arboricultural Report (BS 5837: 2005) as required by Condition 5 of the outline consent. In addition a Landscape Assessment document and a detailed landscaping scheme, as well as a Landscape Management Plan has been provided.
- 1.5 Revisions to the scheme
During the course of the application, the following amendments to the scheme have been submitted:
- Relocation of dwellings further away from southern boundary.
 - Reduction in car parking spaces.
 - Reduction in garaging.
 - Reduction in hard surfacing.
 - Reduction in mass of dwellings.
 - Revised landscaping scheme.
 - Increased use of natural stone.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPS3: Housing
PPS9: Biodiversity and Geological Conservation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

L1 Landscape Protection and Enhancement

L9 Sites of Regional and Local Nature Conservation Interest

L5 Open Areas within defined settlement boundaries

H2 Residential Development

2.3 Joint Replacement Structure Plan

18 Nature Conservation

2.4 Supplementary Planning Guidance

SG Landscape Character Assessment

Character Area 8, Yate Vale

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK03/0388/O Residential Development (Outline).
Refused by LPA on the grounds of development of a greenfield site, loss of an important open area, and loss of nature conservation interest.
Allowed on appeal January 2005.

4. **CONSULTATION RESPONSES**

4.1 Iron Acton Parish Council

Object:

- North Road is currently a linear development. This development is not linear.
- Overdevelopment of the site.
- Visual impact for residents.
- Building materials not in keeping with surrounding dwellings.
- Water table in area is high.
- Would like to request a Sites Panel Meeting.

4.2 Other Consultees

SGC Drainage Engineer

Drainage details must be submitted prior to commencement.

SGC Environmental Protection

No adverse comments.

Other Representations

4.3 Local Residents

Four letters have been received, objecting to the proposal on the following grounds:

- One dwelling only should be allowed due to sewer overloading and inadequate mains water pressure.
- Increased traffic congestion – carriageway is already crumbling, as weight limit is not enforced.
- North Road is semi-rural with a village atmosphere. This would be lost.
- Loss of privacy due to overlooking.
- Development would be beyond the building line.
- Trees are vulnerable.
- Loss of wildlife.
- Overdevelopment not in keeping with area.
- Inspector's letter said to take account of all North Road dwellings currently having long gardens.
- 1-2 dwellings on frontage would be preferable.
- Request close boarded fence along boundary of 318.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of residential development on this site has been accepted through the granting of outline permission at appeal – PK03/0388/O. In addition, the details of the means of access were approved at this stage.

- 5.2 It is therefore necessary to consider any Inspector's comments on how the site should be developed, as well as the relevant criteria in policies D1, H2, L1 and L9 of the SGLP which pertain to the reserved matters of siting, design, external appearance and landscaping.

5.3 Siting – Form of development

In refusing the outline application, the LPA considered that the development of the site would result in the loss of an important open area that separates the residential blocks along North Road, contributing to the semi-rural landscape character of Engine Common. The Inspector however, pointed out that the site is included within the settlement boundary of Engine Common. He considered that despite a number of undeveloped gaps, the settlement is more urban than rural. Further, that although the appeal site is an attractive open feature, he did not consider that it is a critical element of the overall character of the settlement. He considered that the appeal site has the appearance of an undeveloped plot between two more densely developed sections of the settlement. He concluded therefore that residential development at the appeal site would not appear out of place or harmful to the character of the settlement.

- 5.4 He did however state that the settlement is characterised by frontage development and that many properties have long rear gardens. He stated finally, on this matter, that the form of any new development would need to take these characteristics into account, whilst at the same time recognising the need to make efficient use of the land.

- 5.5 The main issue to consider, therefore, is whether the proposed form of development – perpendicular to North Road – complies with the Inspector's comments and is acceptable in terms of Policy D1 which requires siting, overall layout, density and form to be informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.6 Officers consider that whilst frontage development would be the most obviously acceptable form of development for the site, this would allow the development of only two dwellings at the most (a density of 5/Hectare). More importantly however, it would infill the whole of the existing gap between dwellings and inhibit views through to the woodland beyond to the east of the site. The rear part of the site visible from the access would be marred by the view of rear garden fencing. The proposal as submitted however, retains the front (western) third of the site (21 metres in depth) as an open wildflower meadow, with an informal access track only running through it (no kerbs or tarmac). From the front of the site the narrow span (6m) end elevations of the dwellings would be visible, with views through to the woodland beyond afforded by the other open area to the front (north) of the dwellings. It is considered therefore that the proposed layout would respect and enhance the character of the area and by leaving the front part of the site as an open meadow and allowing views of the woodland beyond, the existing character of the site is respected.

With regard to density, it is noted that Policy H2 (B) requires the maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. Further, that it is expected that all developments will achieve a minimum density of 30 dwellings per hectare. PPS3 however supersedes this policy, and states that although 30/ha should be used as the national indicative minimum, LPAs should develop housing density policies, having regard to a number of criteria. As SGC does not have any local density policies (or any plans to develop any) it is up to officers to assess the matter. In this case, as density of 30/ha would result in 11 dwellings on the site, it is considered that this would be wholly inappropriate and would harm the character of the area. As the current proposal is for a terraced block, the density of 13 ha is considered to be as efficient as possible, given the constraints.

Design

The proposed dwellings would be of a simple, traditional cottage style, four of which would be terraced, and one detached. They would have a varying ridge height, of a linear gabled form, with porches to the front elevation. Two of the plots would be entirely finished in natural stone, including the one closest to North Road. Two would be rendered, and one would be a combination of the two material types. Although the dwellings adjoining the site are bungalows, it is considered that the two storey nature of the proposed dwellings would not look out of place in North Road because there are numerous examples of two storey properties, including one of Victorian proportions opposite the site. The use of natural stone and render would integrate well with the existing materials in the street scene, which include examples of brick, smooth and spa render, as well as natural stone. It is considered that the proposed materials would represent an enhancement to the area.

- 5.7 The proposal also includes a natural stone wall between the front meadow and the front and rear gardens of the dwellings. This will form a natural looking screen to the domestic curtilages when viewed from North Road. The proposed garages are considered to be suitably screened from views from North Road and have been designed to be as unobtrusive as possible with a maximum height of 3 metres and minimal massing.
- 5.8 Subject to appropriate conditions to ensure the submission and approval of finished floor levels, samples of materials and implementation exactly as the approved scheme, the design and external appearance of the development is considered acceptable and in compliance with Policy D1 of the SGLP.
- 5.9 Residential Amenity
The proposal has been considered in terms of the residential amenity of adjacent occupants. In terms of No. 328, to the north, the nearest proposed dwelling would be 17 metres away from the rear garden of this property. This distance is considered sufficient to preclude any significant loss of privacy through overlooking, especially considering the mature hedgerow in between. Due to the oblique angle between the front elevations of the proposed dwellings and the rear elevation of the existing dwelling, No. 328, there would be no significant intervisibility between these dwellings. Further back into the site, where the angle becomes less oblique, the distance involved – 30 metres – exceeds the Council's intervisibility standards.
- 5.10 With regard to the existing bungalow – No. 318 – to the south of the site, the aspect is more open, there just being, at present, a post and wire fence between the site and the side garden of this property. However, this property has an unusually wide side garden that is more like a paddock and unlikely to be the original curtilage. Hence there is a distance of 33 metres between the nearest proposed dwelling and the existing bungalow, which also has a very large rear garden. This distance precludes any intervisibility between an existing side window in this bungalow and the proposed dwellings. In addition, it is considered that the set back – minimum 12 metres – of the rear elevation of the nearest proposed dwelling, to the boundary of the side garden of the bungalow, would preclude a significant level of overlooking of this garden area. In addition, due to the distance and angle from the rear elevations, there would be no significant intervisibility between windows. In addition, a new hedge, as well as close boarded fence will be erected between these properties, to aid privacy, and as requested by the neighbour.
- 5.11 With regard to any overbearing effect, this would not arise due to the distances involved (as quoted above).
- 5.12 With regard to residential amenity of future residents, all dwellings would be provided with a reasonably sized, south-facing garden, as well as an open communal area in the rear part of the site. The residential amenity of future occupants is therefore considered satisfactory and in compliance with Policy H2 (A).
- 5.13 Landscaping and Trees
During the processing of the outline application, a TPO was placed on the mature oak and ash trees along the site frontage. Access was permitted through a natural gap in these trees. The current application includes an arboricultural assessment. The main area of concern is the access track running between two of these trees.

It is considered that there is no objection to the proposal, provided the track is constructed over the existing levels, is of a permeable material and the method of construction and materials should be a no-dig solution as described in Paragraph 11.8 of BS 5837: 2005.

5.14 The landscape plan and management document states that the objectives for the site are the establishment of a continuous boundary of native species hedgerows (to add to the existing ones), and the establishment and maintenance of the meadow areas as species-rich, early summer. In addition, a detailed landscaping plan for the individual plots has been received. The revised landscaping plans are now acceptable and in compliance with Policy L1 of the SGLP.

5.15 Nature Conservation

One of the LPA reasons for refusal related to the loss of a site adjoining a Site of Nature Conservation Interest (SNCI) designated under Policy L9 for its combination of neutral and marshy grassland. In between the LPA refusal and the submission of the appeal, the field was ploughed-up and much of the nature conservation interest was lost. It was not therefore an issue at the appeal. The current proposal retains two open meadows areas that will be undeveloped, and a management plan sets out the proposed regime.

5.16 The grassland sward previously found on the site contained a range of species commonly associated with species-rich neutral grassland. The planting plan proposes the sowing of a new wildflower meadow and the landscape management plan sets out the maintenance and cutting regime. The Council's ecologist is satisfied with these provisions, subject to appropriate conditions to ensure compliance. It is considered therefore that despite the regrettable loss of original grassland species on the site, the current proposal involves suitable mitigation for this, in accordance with Policy L9.

5.17 Drainage

It is noted that a number of local residents have pointed out existing deficiencies in both foul and fresh water drainage. The principle of residential development on this site has however already been accepted and there is no reason to consider that a technical solution can not be achieved. In addition, the applicant will be advised to contact Wessex Water with regard to foul drainage.

5.18 Transportation

The means of access has already been approved at outline stage. The number of parking spaces has now been reduced to two per dwelling, including garaging, therefore this is now considered to comply with the Council's maximum standards.

5.19 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 (Consultation Draft).

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 as it is a reserved matters application.

Other matters

It is noted that the Parish Council has requested a visit by the SISC, however this request has not come from a member, hence the application is on the circulated schedule.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the reserved matters submitted in accordance with conditions 1, 3 and 5 associated with Outline Planning Permission PK03/0388/O be APPROVED.

Background Papers **PK07/1532/RM**

Contact Officer: **Helen Ainsley**
Tel. No. **01454 863788**

CONDITIONS

1. The existing hedging on the site shall be retained, apart from that indicated to be removed in the north western area of the site, as per approved drawing 123/07/PP01 Rev C received by the Council on 7 August 2007.

Reason

In the interests of the visual amenity and biodiversity of the area, in accordance with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. There shall be no boundary treatment erected on the site at any time, other than that shown on layout drawing 3F hereby approved.

Reason

In the interests of the visual amenity and biodiversity of the area, in accordance with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The access track through the site, hereby permitted shall be constructed at grade finished in stone dust and without kerbing, and shall be retained as such thereafter.

Reason

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

4. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure a satisfactory standard of external appearance to accord with Policies D1, H2 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. No development shall take place until 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 Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Notwithstanding the finished floor level details shown on the plans hereby approved, details of the finished floor level of each dwelling house relative to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance to accord with Policies D1, H2 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The management of the communal areas shall be wholly in accordance with the Landscape Management Plan (Reckless Orchard June 2007 Rev A) apart from Part 4.0 Ref E11. This shall be as follows: Following on from E10, the grass in the western meadow area shall only be cut 2 further times in the rest of the growing season.

Reason

To maintain the native hedges and maintain the meadow as an informal feature, in keeping with its original character, in accordance with Policies L9 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development 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 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 drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

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.

10. Plot numbers 1 and 4 shall be entirely finished in natural stone. Plots 2 and 3 shall be rendered with natural stone porches. Plot 5 shall be finished in render with a natural stone plinth and natural stone porch. The lintels shall be natural stone. Sample panels of the render and sample panels of the natural stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

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

11. The type of materials shall be entirely in accordance with those shown on the drawings hereby approved.

Reason

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

12. The access from the public highway and access track hereby approved shall be constructed over existing levels, be of a permeable material, and the method of construction and materials should be a no-dig solution as described in paragraph 11.8 of BS 5837: 2005 - Trees in Relation to Construction.

Reason

In the interests of the long term health of the trees, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. The report on an Arboricultural Assessment (Alan Engley June 2007) hereby approved shall be fully complied with at all times.

Reason

In the interests of the long term health of the trees, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The window frame designs shall conform entirely with the drawings hereby 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.

15. The development hereby approved shall be implemented only entirely in accordance with the drawings hereby 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.

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.: PK07/1838/F
Site: 1 Jubilee Crescent Mangotsfield
 BRISTOL South Gloucestershire BS16
 9BB
Proposal: Erection of 1no. detached dormer
 bungalow with creation of new vehicular
 access and associated works.
Map Ref: 66391 77098

Applicant: Mr A Bracey
Date Reg: 14th June 2007
Parish: Mangotsfield Rural
 Parish Council
Ward: Rodway



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N.T.S

PK07/1838/F

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

1. THE PROPOSAL

- 1.1 The application seeks full permission for the erection of 1no. detached dormer bungalow with creation of new vehicular access and associated works.
- 1.2 The site consists of the rear semi-detached property on the corner of Jubilee Crescent and Blackhorse Road, within the urban area of Mangotsfield, which has been extended in line with the PK04/2500/F permission.
- 1.3 The area the subject of this application was the rear communal area for the proposed flats, which included vehicle parking, cycle store and bin storage. The parking area is now proposed at the front of the site, applied for under application PK07/1870/RVC: Variation of condition 4 attached to planning permission PK04/2500/F dated 13th September 2004 to relocate off street parking facilities, which also appears on this circulated schedule. It was noted on site that the bin storage at present is at the front of the property.
- 1.4 The proposed bungalow is accessed off Blackhorse Road, and, excluding the proposed garage, is 9m long, a max. of 6.7m deep and 5.7m high, with a pitched roof and two dormer windows on the front elevation. The materials proposed area thru-coloured render, Redland Breckland Black Grovebury pantiles and white UPVC windows and doors.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
T8	Parking Standards
T12	Transportation Development Control Policy
H2	Proposals for Residential Development, within the Existing Urban Areas
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/2500/F Conversion of existing dwelling to 2 no. 1 bed flats, erection of two storey side extension to provide 2 no. 1 bed flats, creation of vehicular access, 4 no. car parking spaces and associated works. Approved with conditions 2004. Condition 4 required that: 'The off-street parking facilities (for all vehicles, including cycles) including the turning area, shown on the plan

hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.'

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council Refuse. Overdevelopment

Other Representations

4.2 Local Residents

5 objections to the scheme have been received, and two e-mails of support, both from occupiers of the flats on site. The reasons for objecting are:

- Nos 1 and 3 Jubilee Crescent are elevated properties overlooking their gardens and occupiers will be able to view the upper windows of the bungalow
- Bungalow will be 3-4 m from boundary with 3 Jubilee Crescent, which will affect privacy issues and create noise and disturbance for no. 3 Jubilee Crescent and the proposed bungalow
- The site will be overdeveloped
- Developer has removed hedge and trees at rear of property
- Proposed access would mean reversing movements close to bus stop and junction with Jubilee Crescent
- Application needs to be considered in conjunction with PK07/1870/RVC
- Design and Access Statement states the previous planning permission has been implemented and completed- this is untrue, as parking spaces not provided, not bin and cycle store nor timber fencing and hedge planting.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies H2 and H4 allow for residential development within urban areas and within curtilages of existing residential properties, such to certain criteria, including, the case of Policy H2, whether the maximum density compatible with the site has been achieved.

5.2 Government policy in the form of PPS3, which supersedes the Local Plan, states that developments should be well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

5.3 To assess the density meaningfully to enable a proper and full assessment of this application, the site area of the four flats has been included in the calculation. The combination of the bungalow and the flats creates a density of 111 dwellings per hectare. The area is a suburban one, and this density is not considered to integrate well with the surrounding area, creating a more intensive development than would be normally acceptable in this location. This high density calculation adds weight to the argument that the site is 'over-developed', in that it would result in a cramped form of development, which is out of character with the grain of development in the area.

5.4 Given the above assessment, it is not considered that the proposal is acceptable in principle, and is contrary to Policies H2 and H4 of the adopted Local Plan.

5.5 Residential Amenity

The site is the same level as the rear gardens of neighbouring properties, but is lower than the existing flats at no. 1 and nos 3 and 5 Jubilee Crescent. As such, occupiers of the flats would be able to look into the rear garden of the proposed bungalow from a distance of 11m, and the occupiers of the nos 3 and 5 Jubilee Crescent from a distance of approx. 16 and 19m respectively. These sorts of relationships between properties in terms of views into gardens are not uncommon, and are not considered to be harmful to residential amenity of the future occupiers of the bungalow. Concern has been raised that the occupiers of nos 3 and 5 Jubilee Crescent would be able to look into the velux windows on the rear of the proposed bungalow, but this would be at an oblique angle from a distance of between 16-19m, and is therefore not considered harmful to the residential amenity of the future occupiers of the site.

5.6 Given the drop in levels on site, it is not considered that the proposed bungalow would result in overlooking or an overbearing presence for the occupiers of the flats. However, since the proposed bungalow is approx. 10 m from the rear of the flats, and the flats are at a higher level than the proposed bungalow, it is considered that the flats would represent an overbearing presence for the future occupiers of the site, dominating their rear garden. As such, the proposal is considered to harm the reasonable residential amenities of the future occupiers of the site, and the proposal is contrary to Policies H2 and H4 of the adopted Local Plan.

5.7 The proposed bungalow has a small rear garden and the communal area for the four existing flats is curtailed by the proposal to approx. 7m deep. However, given that some external private amenity space is provided for both properties, and there are no current local or national guidelines available for amounts of external amenity space for residential properties, it is not considered that this is so unacceptable as to warrant refusal of the application.

5.8 Concerns have been raised that the proposal would increase noise and disturbance to adjacent occupiers. However, given that the site is within an existing suburban area, close to a busy road, and the proposal is for one bungalow, pre-existing noise levels would not increase so significantly as a result of this proposal to result in harm to the residential amenity of the area.

5.9 Visual Amenity

It is considered that the proposal would represent a cramped form of development, out of grain with the character of development in the area. The site is also a prominent one. It is considered that the proposal would not integrate well with the existing context, which consists of suburban housing with front and rear gardens, which gives the area a pleasing 'softened' streetscene, with housing, in general, set back from the road. The building line of the existing flats and the extension to no. 2 Jubilee Crescent do bring built elements closer to the street, however, the overall feel of the area is one of a 'softened' suburban townscape. In this context, and given that the proposed bungalow would sit 10m behind the existing flats, it is considered that the proposal would represent a visually jarring element in the streetscene, and as such is contrary to Policies D1, H2 and H4 of the adopted Local Plan.

5.10 Transportation

The Highway Officer is concerned that this application removes all safe and effective parking for the existing flats. It is considered that without adequate off-street parking for the existing flats, the proposal would add to on-street congestion on the public highway in close proximity to a road junction. In view of this, the Highway Officer has recommended refusal of the application on the grounds that the proposal, due to the loss of existing safe off-street parking for the existing flats, would result in harm to highway safety, and contrary to Policies T12 and H4 of the adopted Local Plan.

5.11 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

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 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 That planning permission is REFUSED for the following reasons:

Background Papers **PK07/1838/F**

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

REFUSAL REASONS

1. The proposal would result in a cramped form of development, out of character with the grain of development in the area and would not integrate well into the existing context. As such the proposal is contrary to Policies H2 and H4 of the adopted South Gloucestershire Local Plan.
2. The existing flats, due to their position and height in relation to the proposed bungalow would represent an overbearing presence for the future occupiers of the proposed bungalow, dominating their general outlook, harming their reasonable residential amenities. As such the proposal is contrary to Policies H2 and H4 of the adopted South Gloucestershire Local Plan.
3. The proposal, due to its location in a prominent position, creating a cramped form of development out of character with the suburban housing in the area, which has an overall 'softened' visual quality to the streetscene, would result in a visually jarring element in the streetscene, harming the visual amenities of the area. The proposal is

therefore contrary to Policies D1, H2 and H4 of the adopted South Gloucestershire Local Plan.

4. The proposal would result in the removal of the allocated off-street parking spaces for the occupiers of the existing flats at 1 Jubilee Crescent, and would therefore add to on-street congestion thereby adding to the hazards faced by the vehicular and pedestrian traffic to the detriment of road safety. The proposals are therefore contrary to Policies T12 and H4 of the adopted South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.: PK07/1870/RVC
Site: 1 Jubilee Crescent Mangotsfield South Gloucestershire BS16 9BB
Proposal: Variation of condition 4 attached to planning permission PK04/2500/F dated 13th September 2004 to relocate off street parking facilities.
Map Ref: 66390 77086

Applicant: Mr A Bracey
Date Reg: 19th June 2007
Parish: Mangotsfield Rural Parish Council
Ward: Rodway



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N.T.S

PK07/1870/RVC

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

1. THE PROPOSAL

- 1.1 The application seeks variation of condition 4 attached to planning permission PK04/2500/F dated 13th September 2004 to relocate off street parking facilities.
- 1.2 The site consists of a semi-detached property on the corner of Jubilee Crescent and Blackhorse Road, within the urban area of Mangotsfield, which has been extended in line with the PK04/2500/F permission.
- 1.3 The application seeks to remove the four spaces accessed from Blackhorse Road at the rear of the property and relocate them at the front of the site, accessed off Jubilee Crescent. The parking spaces have been installed on site but there is no hauling-way to the highway. There is another outstanding application on this site that appears on this circulated schedule: PK07/1838/F Erection of 1 no. detached dormer bungalow with creation of new vehicular access and associated works.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
T8	Parking Standards
T12	Transportation Development Control Policy
H2	Proposals for Residential Development, within the Existing Urban Areas

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/2500/F Conversion of existing dwelling to 2 no. 1 bed flats, erection of two storey side extension to provide 2 no. 1 bed flats, creation of vehicular access, 4 no. car parking spaces and associated works. Approved with conditions 2004. Condition 4 required that: 'The off-street parking facilities (for all vehicles, including cycles) including the turning area, shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.'

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
Refuse. Overdevelopment

Other Representations

4.2 Local Residents

5 objections have been received to the application, and two e-mails of support-both from residents of the flats on site. The reasons for objection are as follows:

- Will cause major issues relating to braking distances for vehicles accessing Jubilee Crescent
- Parking should be at least 10m from a junction
- Parking location near a road bend, where a electricity pole exists causing a blind spot
- Vehicles park close to the junction adding to highway safety dangers
- No turning area provided
- Jubilee Crescent already has a problem with excessive on-street parking and people parking on pavements
- Blackhorse Road has a speeding problem
- Developer has not had any consideration for local community
- Will cause major highway safety problems
- Parking is unsightly

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Since the application is for a variation of condition 4 of PK04/2500/F, this is the only issue that can be taken into account in the assessment of the application.

5.2 The Highway Officer has stated that he has concerns about the location of the proposed access, as it too close to the junction. Manoeuvring into and out of these parking spaces in close proximity to the road junction would mean increased conflicting vehicle movements here.

5.3 The Highway Officer further states that the area in front of the existing dwellings where the car parking is proposed is too restrictive, including the physical restrictions such as the existing bay window, which reduces the effective length of parking for an average size vehicle and maintaining a clear path to the entrance door. The Highway Officer is concerned that vehicles may not be able to clear the public highway completely when parked, and would therefore leave vehicles overhanging the footway, which would increase the risk to pedestrians.

5.4 The proposal is considered to be detrimental to highway safety due to the creation and use of a substandard access in close proximity to the road junction and is therefore contrary to Policy T12 of the adopted Local Plan.

5.5 The parking spaces, situated on a prominent corner, would result in a visually 'harsh' element in the streetscene, in contrast to the front gardens of properties within Jubilee Crescent and Blackhorse Road, which give a pleasing 'softening' visual quality to the locality and are therefore contrary to Policies H2 and D1 of the adopted Local Plan.

5.6 The proposed parking spaces would also result harm to the residential amenity of the occupiers of the site, as they would be situated abutting the bedroom of flat 2 and the living room of flat 1. The resulting noise, from cars manoeuvring and car doors slamming etc so close to habitable rooms, and the poor outlook afforded from these habitable rooms, would result in harm to the residential

amenity of the occupiers of these flats, contrary to Policy H2 of the adopted Local Plan.

5.7 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

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 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 That planning permission for the variation of condition 4 be REFUSED for the following reason:

Background Papers **PK07/1870/RVC**

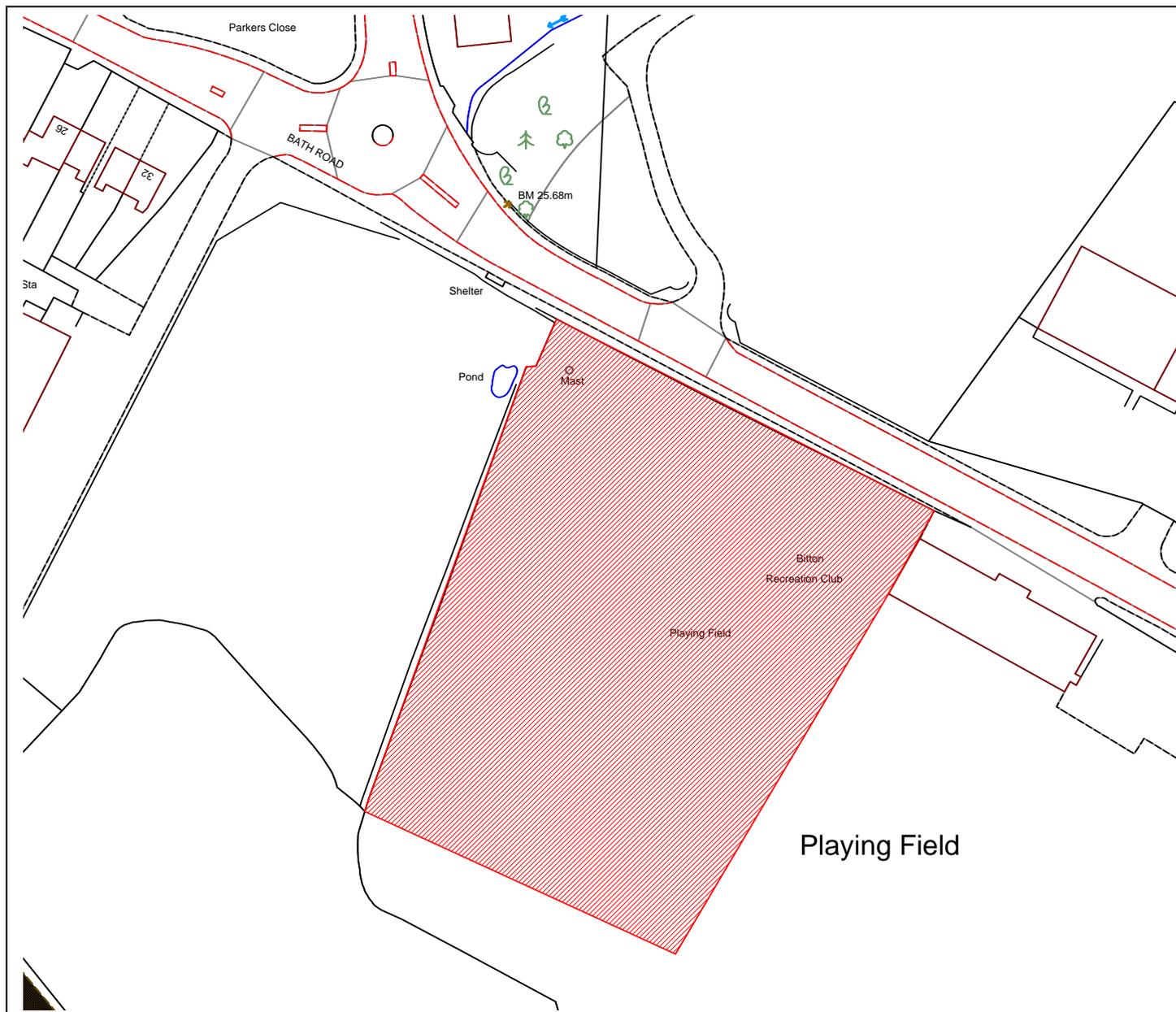
Contact Officer: **Sarah Tucker**
Tel. No. **01454 863780**

REFUSAL REASONS

1. The proposal will lead to the creation and use of a substandard access in close proximity to a road junction and it will further lead to the creation of substandard parking arrangements on site thereby leading to unacceptable effects on road, pedestrian and cyclist safety contrary to policy T12 of the adopted South Gloucestershire Local Plan.
2. The proposed parking spaces, situated on a prominent corner, would result in the introduction of a visually 'harsh' element in the streetscene, in contrast to the front gardens of properties within Jubilee Crescent and Blackhorse Road, which give the area a pleasing 'softening' visual quality. The proposal would therefore harm the visual amenity of the area and are contrary to Policies H2 and D1 of the adopted South Gloucestershire Local Plan.
3. The proposed parking spaces, abutting habitable room windows of both flats 1 and 2, would result in increased noise and disturbance to the occupiers of these flats, by way of car movements and car doors slamming etc. Furthermore, as the parking spaces would be situated so close to the habitable room windows of flats 1 and 2, they would result in a very poor outlook for the occupiers of these flats. The proposal is therefore considered to harm the residential amenity of the occupiers of flats 1 and 2, and as such, the proposal is contrary to Policy H2 of the adopted South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.:	PK07/1849/F	Applicant:	Bitton Afc
Site:	Bitton Recreation Club Bath Road Bitton BRISTOL South Gloucestershire BS30 6HX	Date Reg:	18th June 2007
Proposal:	Erection of new stand attached to Northern end of existing stand. (Resubmission of PK07/0367/F).	Parish:	Bitton Parish Council
Map Ref:	67306 70034	Ward:	Bitton



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PK07/1849/F

INTRODUCTION

This application appears on the Circulated Schedule due to the receipt of a letter of objection from the Parish Council.

1. PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 1 new spectator stand to be attached to the northern elevation of the existing stand. The new modular stand would have a maximum height of 4.4m, a maximum width of 16.8m and a maximum depth of 3.2m. The application is the resubmission of the previously refused scheme reference PK07/1849/F.
- 1.2 The site is located in the Bristol and Bath Green Belt close to the edge of the urban area at Willsbridge and Cherry Gardens. The site lies in a narrow section of open land which forms the break between Willsbridge and Bitton village to the east. The site is bounded on the north by a native hedgerow and the Bath Road. The centre of the site is currently occupied by the pavilion building which dominates views from the road.
- 1.3 As submitted – the application originally proposed to erect two new stands – one to the north and one to the south of the existing stand. During the course of the application, amended plans have been received from the agent to remove one of the stands from the plans. This application seeks consent for the erection of one stand only. Whilst there appears to be a degree of confusion amongst Consultees, this application proposes no alterations whatsoever to the existing car park and parking arrangements.

2. POLICY CONTEXT

2.1 National Policy

- PPS1 Delivering Sustainable Development
- PPG2 Green Belt
- PPG17 Sport & Recreation

2.2 South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- L1 Landscape Protection & Enhancement
- EP1 Environmental Protection
- GB1 Green Belt
- T8 Parking
- T12 Transportation
- LC5 Proposals for Outdoor Recreation & Sports Outside Existing Urban Area and Defined Settlement Boundaries

3. PLANNING HISTORY

- 3.1 PK07/0367/F Erection of 1.8 metre high fence. Extension of existing car park with associated drive. Alteration of existing stands and erection of new stands.
Refused April 2007
- 3.2 PK06/3139/F Erection of 20m dual user telecommunications mast with 2no. ground based cabinets and 3no. 3G antenna and 3no. 2G antenna and associated works.

Approved February 2007

- 3.3 PK03/2447/F Construction of a Multi Usage Games Area with erection of 8no. 10m floodlights and associated fencing. Retention of boundary fencing across site.
Approved March 2004
- 3.4 PK03/2250/F Erection of single storey side extension to provide changing room. Approved December 2003.
- 3.5 PK01/3023/RVC Variation of Condition 2 attached to K424/6 to allow unrestricted operation on 110 days per calendar year.
Approved February 2002
- 3.6 PK01/3158/PNI Prior notification of intent to erect 15m high monopole with 3 no. 1.7m diameter antenna floodlights and associated equipment cabinet.
Approved December 2001
- 3.7 P98/4596 Erection of covered spectator area (to east of main pitch).
Approved November 1998.
- 3.8 P98/4526 Erection of 4 no. floodlight columns.
Approved January 1999.
- 3.9 P98/4342 Change of use of land from agriculture to recreation (land to south west of main pitch).
Approved August 1998.
- 3.10 K4140/1 Erection of spectator shelter adjacent football pitch (to west of pitch).
Approved August 1991.
- 3.11 K4140 Extension (to rear and west) to provide changing accommodation, lounge, committee room and tractor storage. Provision of additional car parking area.
Approved June 1983.

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Bitton Parish Council
Objects to the revised plans submitted as the plan is not clearly presented concerning the intended position of the stand. The Parish Council is still concerned about inconsistent statements about car parking. The development represents increasing development in the Green Belt. Should the Council be minded to permit the development, the Parish Council request that the hedging should be improved to screen the stand from Bath Road.

(b) Other Representations

- 4.2 Local Residents
One letter has been received from a representative of the Garden Centre on the opposite side of the road. Whilst no objection is raised to the proposal, the representative wishes to clarify that the car park of the garden centre cannot be

used as overflow parking. He wishes this fact to be taken into account whilst determining the application.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPG17 – Open Space Sport & Recreation gives general support for improving the value of existing recreational facilities. Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant as it relates to proposals for outdoor sport outside the existing urban area and defined settlement boundaries. Policy L5 allows for proposals for outdoor recreation providing it complies with several criteria relating to access, landscape, transport, residential amenity, parking and suitable illumination. Policy D1 only allows for development where good design standards have been achieved.

PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 state that permission will only be given for essential facilities for outdoor sport and recreation and for other uses that preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. *"The term 'essential facilities' means these should be genuinely required for uses of land which preserve the openness of the Green Belt... Possible examples include small-scale changing rooms or unobtrusive spectator accommodation for outdoor sports"* (PPG2).

5.2 Green Belt / Visual Amenity

The applicant's supporting information contained within the Design and Access Statement indicates that the additional stand is required to upgrade facilities to allow Bitton Football Club to progress in the national football league. There is currently one small spectator stand to the west of the main pitch and it is considered by officers that an additional stand may be considered as an essential facility to facilitate progress. All facilities at the ground are in the process of being improved to cater for additional spectators – it is reasonable therefore to also improve the stands.

With regard to openness of the Green Belt, officers have had regard to the previous consents on the site (see planning history) that include extensions to the clubhouse and pavilion, an all-weather pitch and associated floodlights, telecoms masts and boundary treatments. These developments, whilst individually relatively small in scale, have had an impact on the openness of the Green Belt and it is considered that any further development requires careful consideration. As was investigated during the course of the previously refused application on the site, it is considered that some additional spectator seating to the west of the main pitch may be sufficiently unobtrusive due to the location adjacent to the substantial hedgerow.

During the course of this application, the size of the proposed extension has been greatly reduced. As proposed, the new stand will not have any detrimental effect on the surrounding vegetation and will not require the removal of trees or hedgerows. The combination of the colour of the material to be used in the stand and the fact that the vegetation along the western boundary is quite significant, the visual intrusion into the green belt will be minimal.

In order to protect views of the site from Bath Road, new screen planting is required along the boundary of the site with Bath Road. The agent has expressed verbal agreement to submit a detailed landscaping plan and a condition will be attached to ensure that the landscaping is appropriate for its location.

5.3 Transportation

There application proposes no alteration to the existing parking arrangement at the site. Consultees feel that there appears to be some discrepancies in the plans relating to parking arrangements – this application does not however propose any alterations to the existing parking and access arrangements. Your officer does not consider the car park of the garden centre to be in any way relevant to this application and is certainly not taken into consideration as over flow car parking. The plans for consideration do not show any alteration to existing parking and access arrangements and thus none is to be considered as part of this application.

Highways officers are satisfied that the site is well served by public transport and that the existing access way and car park is sufficient to serve the needs of the site. There is no objection to the application in terms of highway safety.

5.4 Residential Amenity

The nearest dwelling is some 90m from the proposed new stand to the west of the main pitch. These stands have enclosed panels to the rear and there are no significant concerns relating to noise and disturbance resulting from the proposals. As such the impact upon residential amenity is deemed acceptable.

5.5 Other issues – unauthorised development

It was noted on a site visit that there are several unauthorised shipping containers on the site, between the main football pitch and the multi-usage games area. It is believed that the containers are used to store sports equipment. It is considered necessary to investigate further this breach and enforce if necessary.

5.6 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 (Consultation Draft).

5.7 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 That the application be approved subject to the following conditions;

Background Papers **PK07/1849/F**

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

2. Prior to the commencement of development, a sample of the corrugated sheeting to be used externally on the stand hereby permitted shall be submitted to the Council. If acceptable, the Council will give written approval to the sample. All development must be carried out exactly in accordance with the details agreed.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy D1, GB1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority 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); boundary treatments and areas of hardsurfacing. 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 LC5, D1, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Policies LC5, D1, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.: PK07/1897/F
Site: 14 Colliers Break Emersons Green
 BRISTOL South Gloucestershire BS16
 7EE

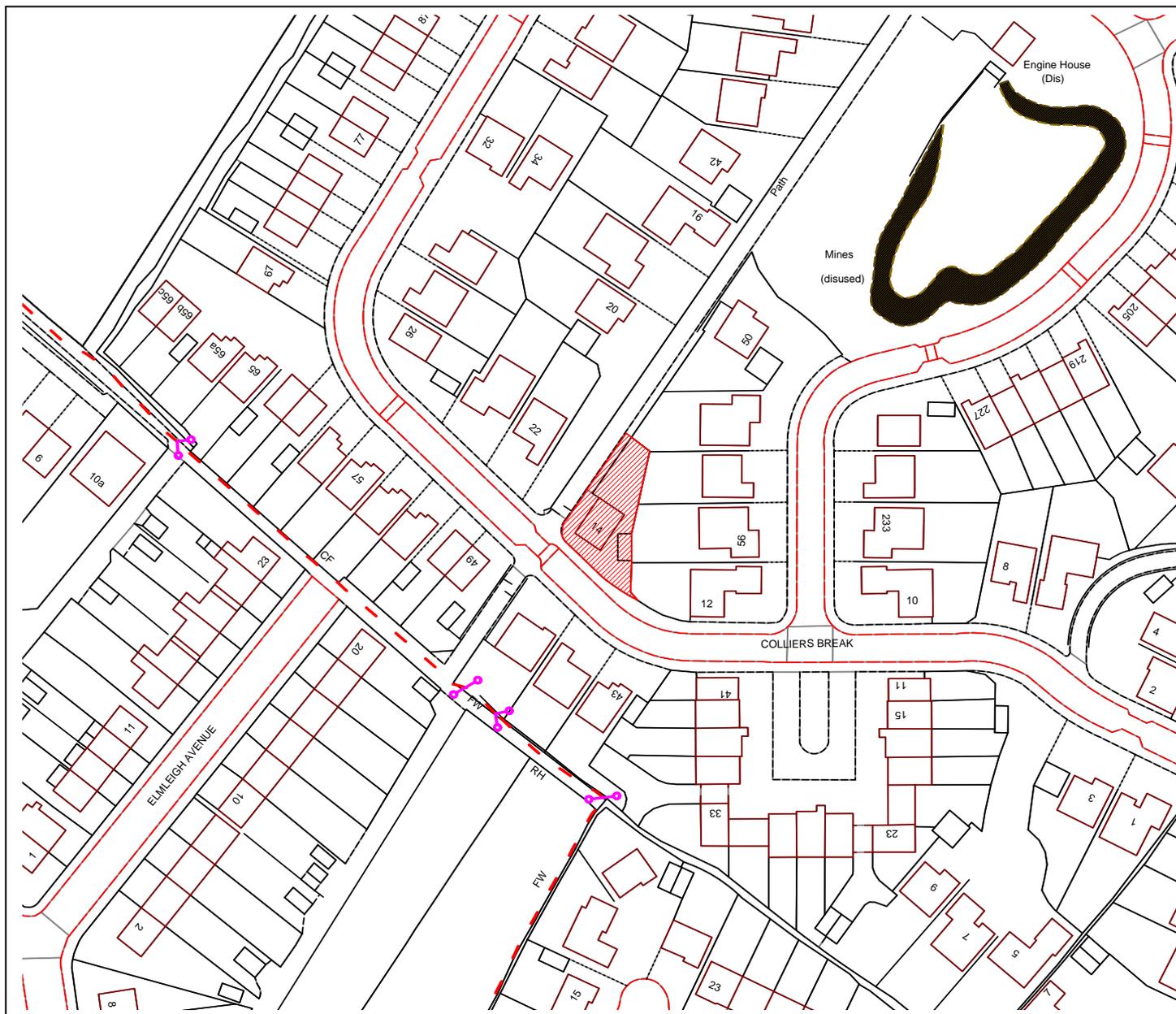
Applicant: Mrs L Comerford
Date Reg: 21st June 2007

Proposal: Change of use from amenity land to residential curtilage. Erection of 1.8metre high boundary fence. (Retrospective).

Parish: Mangotsfield Rural
 Parish Council

Map Ref: 66693 76337

Ward: Emersons Green



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N.T.S

PK07/1897/F

INTRODUCTION

This application appears on the Circulated Schedule due to a supporting comment from Mangotsfield Rural Parish Council.

1. THE PROPOSAL

- 1.1 Retrospective planning permission is sought for the change of use of amenity land to residential curtilage and the enclosing of this land with a 1.8 metre close boarded fence.
- 1.2 The land is located alongside the west elevation of No 14. parallel to an adopted footway (which is both maintained by the Council and is a Public Right of Way).

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
Approve.
- 4.2 Other Consultees
Environmental Services
No adverse comments.

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the Local Plan is considered to be of most relevance in the assessment of this application. This Policy states that proposals for development will only be permitted where they, amongst other things, respect the character of the street scene and surrounding area.

The proposed fence extends along approximately 15 metres of the footpath and projects 1.5 metres into an existing landscape buffer running alongside the edge of the Public Right of Way. It would appear that the landscape buffer and the original sitting of the boundary fence were designed to create an open spacious character for users of the footpath. The proposal, however, results in the loss of a substantial section of this landscape buffer which in turn compresses the openness of the footpath to the detriment of the open character and visual amenity of the surrounding area. Officers therefore consider that the proposed fence and loss of landscaped areas would harm the character and appearance of the footpath and surrounding area and would be contrary to Policy H4 criterion A of the South Gloucestershire Local Plan.

For the avoidance of doubt the positioning of the fence does not physically impede the flow of pedestrians and other users of this Public Right of Way. However, for the reasons outlined above the application is still recommended for refusal.

5.2 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 would be the most appropriate, and a Section 106 Agreement would be 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 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 be **REFUSED** for the following reasons:

Background Papers **PK07/1897/F**

Contact Officer: **Edward Purnell**

Tel. No. **01454 863056**

REFUSAL REASONS

1. The proposed fence, by reason of its location, which results in the subsequent loss of a landscape buffer running alongside the Public Right of Way, would have a harmful effect on the open and spacious character of the footpath and, if allowed, would have a detrimental effect on the visual amenities of the surrounding area. The proposal is therefore considered contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.: PK07/2059/F	Applicant: Mr PD Arpino
Site: 99 Harescombe Yate BRISTOL South Gloucestershire BS37 8UD	Date Reg: 5th July 2007
Proposal: Erection of garden shed and hot tub canopy (Retrospective)	Parish: Dodington Parish Council
Map Ref: 71451 81290	Ward: Dodington



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N.T.S

PK07/2059/F

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure as a result of objections received from Dodington Parish Council.

1. THE PROPOSAL

- 1.1 This planning application seeks retrospective planning permission for the retention of a garden shed and hot tub canopy.
- 1.2 The application site relates to a two storey end terraced dwelling within the established residential area of Yate.

2. POLICY CONTEXT

2.1 National Guidance
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Extensions and Development within domestic curtilages

3. RELEVANT PLANNING HISTORY

- 3.1 P86/2713 Installation of individual oil storage tanks for domestic use
Approved January 1987
- 3.2 P97/2627 Erection of extension to existing garage
Approval Jan.1998
- 3.3 PK02/1628/F Erection of two storey rear extension
Approved July 2002

4. CONSULTATION RESPONSES

- 4.1 Dodington Parish Council
Object on the grounds of potential noise and nuisance to immediate neighbours

Other Representations

- 4.2 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan allows for development within existing residential curtilages subject to there being no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity

The application site relates to a 1970's end terraced two storey dwelling within the established residential area of Yate. The property has already been extended with a two storey rear extension. The existing garage is sited within the existing rear garden.

- 5.3 The hot tub canopy and garden shed are sited between the existing rear extension and garage. The hot tub canopy comprises of an open structure with four supporting posts and a pitched roof measuring 2.28m in width x 2.50m in length x 2.60m in height to the ridge. The garden shed measures 3.04m in width x 4.04m in length x 2.70m in height to the ridge also with a pitched roof. Given the limited scale of both structures it is considered that the works are considered acceptable in design and scale.

5.4 Residential Amenity

The structures subject of this application are sited along the southern boundary of the application site adjacent no. 100 Harescombe. Although the pitched roof of the hot tub and shed will be visible from no. 100 it is considered that given their scale and the fact they are sited further along the boundary, they will not have an overbearing impact.

- 5.5 An objection has been raised by the Parish Council on the grounds of noise and disturbance to the neighbouring occupiers. Member's are advised to consider that this application is for the hot tub canopy and not the hot tub itself, as the hot tub does not require planning permission. Therefore the issue of noise is not a planning consideration in the determination of this application.

5.6 Design and Access Statement

Not required with this type of planning application.

5.7 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 Planning permission be granted.

Background Papers **PK07/2059/F**

Contact Officer: **Tracey Price**
Tel. No. **01454 863424**

CIRCULATED SCHEDULE NO. 33/07 – 17 AUGUST 2007

App No.: PK07/2147/R3F

Applicant: Mr J Bird Raysfield Junior School

Site: Raysfield Junior School Finch Road Chipping Sodbury BRISTOL South Gloucestershire BS37 6JE

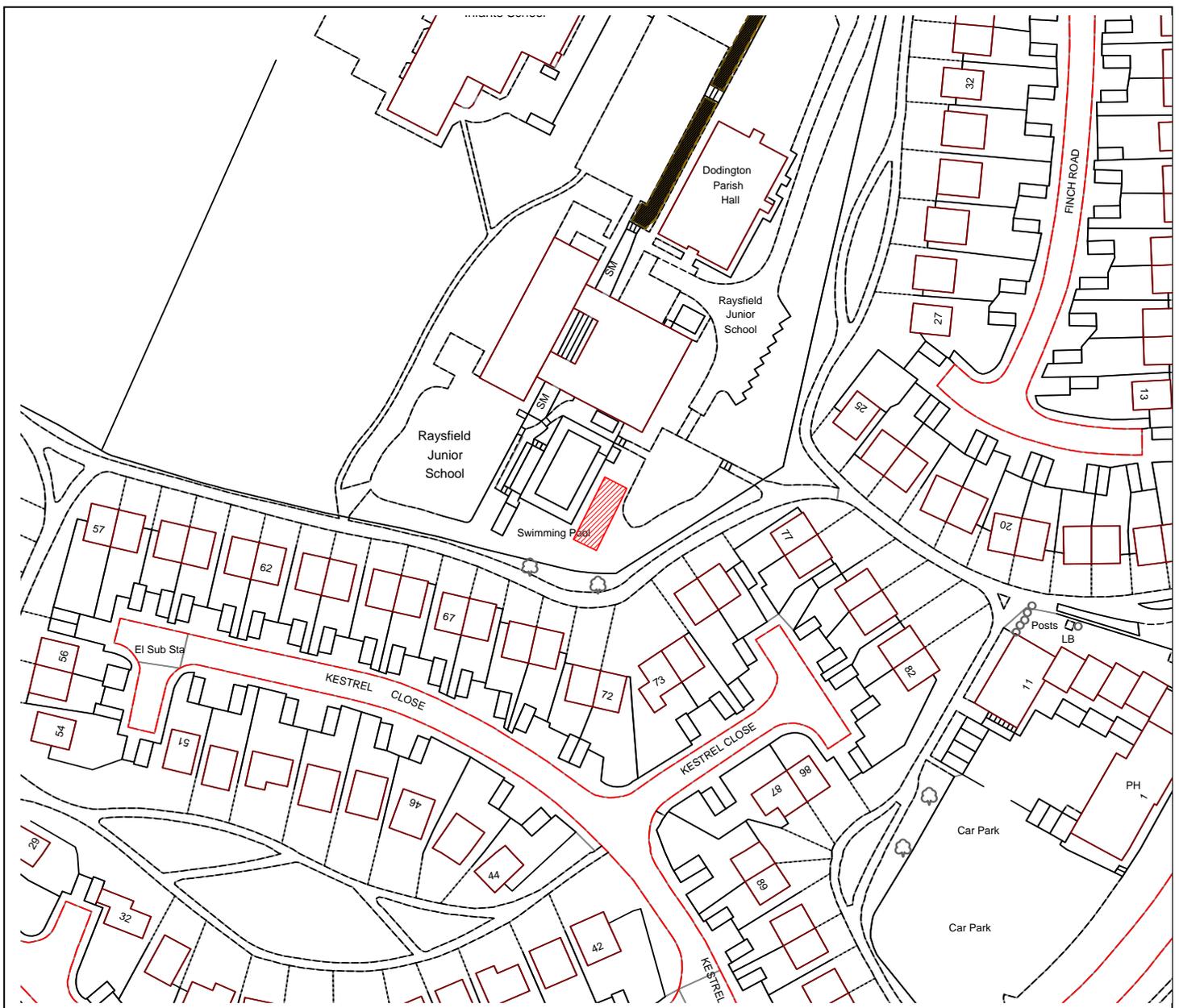
Date Reg: 12th July 2007

Proposal: Erection of single storey detached building to form new timber framed classroom with disabled access ramp and associated handrail. Erection of retaining wall with railings above to a maximum height of 2.5m.

Parish: Dodington Parish Council

Map Ref: 71994 81570

Ward: Chipping Sodbury



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INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure as the applicant is South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 This planning application seeks permission for the erection of a single storey detached building to form a new timber framed classroom with disabled access ramp and associated handrail. Erection of retaining wall with railings above.
- 1.2 The application site relates to an existing Primary school within the established residential area of Chipping Sodbury.

2. POLICY CONTEXT

2.1 National Guidance
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

T7 Parking Standards

T12 Transportation Development Control Policy for New Development

LC9 Protection of Open Space and Playing Fields

LC4 Proposal for Educational Facilities

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history relates to the application site.

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council
No response

Other Representations

4.2 Local Residents
No response

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This is an existing school located within the existing Urban Area of Chipping Sodbury. Within such locations, proposals for expansion or improvement of educational facilities are acceptable, subject to following criteria.

5.2 Visual Amenity

This application seeks permission for a detached wooden building measuring 17.0m in length x 6.0m in width x 3.0m in height to the eaves and 4.50m to the ridge. It will be constructed of a green tin profile roof with timber cladding.

It is proposed to site the building at the rear of the school adjacent the existing play area. It will be sited on a grassed bank which will be excavated.

5.3 Generally the Council only grants temporary planning permission for these types of buildings, given their general appearance on the understanding that the existing building will be extended with a permanent structure, which is more in keeping. It is therefore considered that should planning permission be granted it should be on the basis of a 5 year temporary period.

5.4 Residential Amenity

Those residential properties nearest the application site and that of the proposed classroom relate to those properties of 69-77 Kestrel Close sited south of the application site. There is an existing footpath that runs between the rear private garden areas of those properties and the application site. The proposed classroom would be set back at a distance of approximately 16.0m at the nearest point from the rear boundary of the gardens. It is therefore considered that the proposed classroom by reason of its scale and siting would not have an overbearing impact on the existing residential amenities of those properties.

5.5 Transportation issues

The application site is located off the unclassified Finch Road, which serves as the only access to the wider highway network. The proposed development by reason of its siting will not affect the existing car park adjacent application site. As it is not intended to increase either the number of staff or pupil's there is no transportation objection to this proposal.

5.6 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 (Consultation Draft).

5.7 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 Planning permission be granted subject to the following planning conditions.

Background Papers **PK07/2147/R3F**

Contact Officer: **Tracey Price**
Tel. No. **01454 863424**

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).

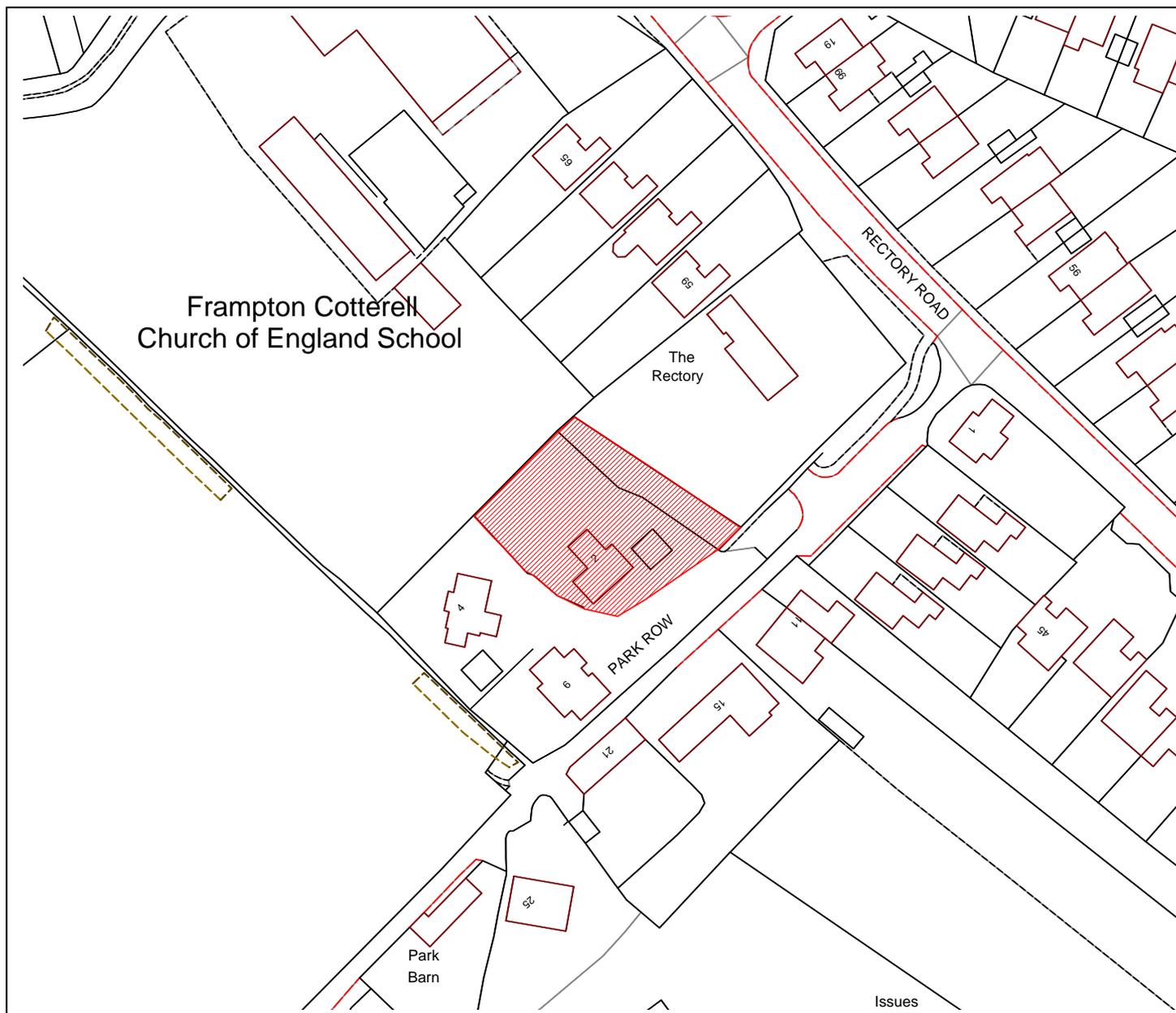
2. The building hereby permitted shall be removed and the land restored to its former condition on or before September 2012 in accordance with the scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason

The form and appearance of the building is out of character with the surrounding area and is permitted for a limited period only because of the special circumstances of the case.

CIRCULATED SCHEDULE NO. 33/07 - 17 AUGUST 2007

App No.:	PT07/1701/F	Applicant:	Mr A Pullin
Site:	2 Park Row Frampton Cotterell BRISTOL South Gloucestershire BS36 2BS	Date Reg:	1st June 2007
Proposal:	Erection of single storey side and rear extension to provide additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	66370 81777	Ward:	Frampton Cotterell



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N.T.S

PT07/1701/F

INTRODUCTION

This application appears on the Circulated Schedule as a result of the neighbour's objection.

1. THE PROPOSAL

- 1.1 This application relates to the erection of a single storey side extension which also extends rearwards of the kitchen area. The proposal measures 3.3 metre wide and extends two metres past the rear kitchen wall. The extension has a pitched roof and is wholly within the side garden area of the property. A path would be maintained between the existing boundary fence and the extension. Materials would be reconstructed stone and tiles to match the existing house.
- 1.2 The application site is one of a few spaciouly built large detached houses within the settlement boundary of Frampton Cotterell.
- 1.3 The application has been amended since submission to show the utility room door and an existing landing window. The neighbours have been consulted and this consultation period expired on 6 August 2007.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 P95/2436 Erection of three detached dwellings Approved
- 3.2 P98/1236 Erection of three detached dwellings (Approval of Reserved Matters) Approved
- 3.3 PT03/3601/F Single storey side extension to form utility room, playroom and study. Erection of rear conservatory.
- 3.4 PT05/2073/F Front Porch Completed

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Town Council
No Objection.

Other Consultees

- 4.2 Sustainable Transport
No impact.

Other Representations

4.3 Local Residents

One letter of objection received in relation to the following queries and points

1. Query whether upvc or timber fenestration is proposed and drawings and form do not correlate.
2. South Gloucestershire site plan inaccurately drafted.
3. Location plan not accurate plots 2 and 4 area closer together than shown.
4. Landing window and door to utility room not shown.
5. Objection to rear projection, detracts from the overall architectural appearance and aesthetics of the proposal.
6. Utility room already permitted and constructed.

With regard to point 1 timber is proposed; 2 is an administrative error and is now resolved; 6 is irrelevant. With regard to 4, the elevation has been amended to include the proposed door and existing/reduced window.

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, overall design and character of the existing property and street scene and would not prejudice amenities of nearby occupiers, highway safety or 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 in general. Timber fenestration is proposed as set out on the drawings rather than the application form but it is not considered necessary to condition this as there is no restriction on the use of fenestration materials on the original house. Due to its single storey nature, limited depth and the substantial distance between properties the extension will not adversely affect the amenities of neighbouring occupiers. The proposal will be visible from outside the site, above the boundary fence, but will not detract from the visual amenity of the immediate area. Adequate garden area will remain and access/parking arrangements are unchanged by the proposal. With regards to the neighbour comments, the site has been visited by an officer and the relationship between the extension and the surrounding houses is considered satisfactory. The application therefore complies with Policies H4 and D1.

5.3 Design and Access Statement

A Design and Access Statement is not required for a Householder application.

5.4 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 That planning permission is granted subject to the following conditions.

Background Papers PT07/1701/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(s):

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

2. The reconstructed stonework to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

Reason(s):

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

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 33/07 - 17 AUGUST 2007

App No.:	PT07/1945/F	Applicant:	Mr & Mrs D Llewellyn
Site:	6 Broncksea Road Filton BRISTOL South Gloucestershire BS7 0SE	Date Reg:	27th June 2007
Proposal:	Installation of 1no. front and 1no. rear dormer window to facilitate loft conversion.	Parish:	Filton Town Council
Map Ref:	59856 78427	Ward:	Filton



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N.T.S

PT07/1945/F

INTRODUCTION

The application appears on the Circulated Schedule in view of one objection letter received from a neighbouring resident.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the formation of front and rear dormer windows.
- 1.2 The application site comprises a Victorian mid-terraced two-storey dwelling on the north side of Broncksea Road, Filton.
- 1.3 Amended plans have been received allowing a reduction in the size of the proposed rear dormer window.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H4: House Extensions
- 2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note 2: House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0873/F: Erection of single-storey rear extension to provide additional living accommodation. Permitted: 4th May 2007

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
'Plans show 2 dormer windows and roof light but application states 1 dormer. Over intensive and overlooking neighbouring properties. *Please note that Contractors have already started work.*'
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Summary of Local Residents Comments:
One letter received expressing the following concerns:
 - The proposal would contribute another house to an area that is already saturated with properties that could later provide for multi-occupancy;
 - Filton already has numerous properties which are increasingly being used for short term lets, often by students and young people;

- The area is increasingly less suitable for families;
- Enlarging the property will inevitably lead to increased traffic pollution;
- The property behind would be overlooked by the rear dormer.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 allows for the principle of house extensions subject to considerations of design, residential amenity and highway safety.

5.2 Design/ Visual Amenity

The application site comprises a mid terraced Victorian style dwelling that has recently benefited from planning permission for a single-storey rear extension; this was under construction at the time of the site visit. This application seeks planning approval for the formation of a front and rear dormer window to allow a loft conversion.

5.3 Concerning the front dormer window, this would be small in size measuring 1 metre in width and 1.95 metres in height whilst it would be encompassed by a pitched roof. In this regard, the proposal would appear near identical to the existing front dormer windows to those properties either side whilst the positioning would also be similar; sited between the single window and bay window below. As such, this element of the proposal is considered to be acceptable.

5.4 The rear dormer would be approximately twice the size of that on the front roof slope with a pitched roof structure encompassing two separate windows. For this reason, the agent was requested to reduce the size of the dormer, ideally to include a single window of identical width to that at first floor level below.

5.5 In response, amended plans have been submitted reducing the size of the dormer slightly although not to the extent requested. In this regard, the agent had cited that the proportions of this width of window would be incorrect given its reduced height. As such, the proposal is on balance considered acceptable with any refusal reason likely to prove unsustainable.

5.6 Residential Amenity

It is not considered that planning permission could be reasonably withheld on this basis given that both dormer windows would primarily overlook the gardens of the application site. Further, properties at the front stand to the opposite side of the highway whilst that behind stands beyond the lengthy garden associated with the host dwelling.

5.7 In view of the above, it is not considered that any significant adverse impact in residential amenity would be caused. In this regard, any associated refusal reason would again be unlikely to prove sustainable given that the overlooking relationship proposed is not uncommon within a residential area.

5.8 Outstanding Issues

In response to the comments expressed by the Town Council, the description of the application has been amended to correctly include both the front and rear dormer windows.

5.9 Design and Access Statement

A Design and Access Statement is not required as part of this application.

5.10 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 is GRANTED subject to the following conditions:

Background Papers **PT07/1945/F**

Contact Officer: Peter Burridge
Tel. No. 01454 865262

CONDITIONS

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

Reason(s):

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(s):

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

CIRCULATED SCHEDULE NO. 33/07 - 17 AUGUST 2007

App No.: PT07/2009/F
Site: 63 Gloucester Road Almondsbury
 BRISTOL South Gloucestershire BS32
 4HW

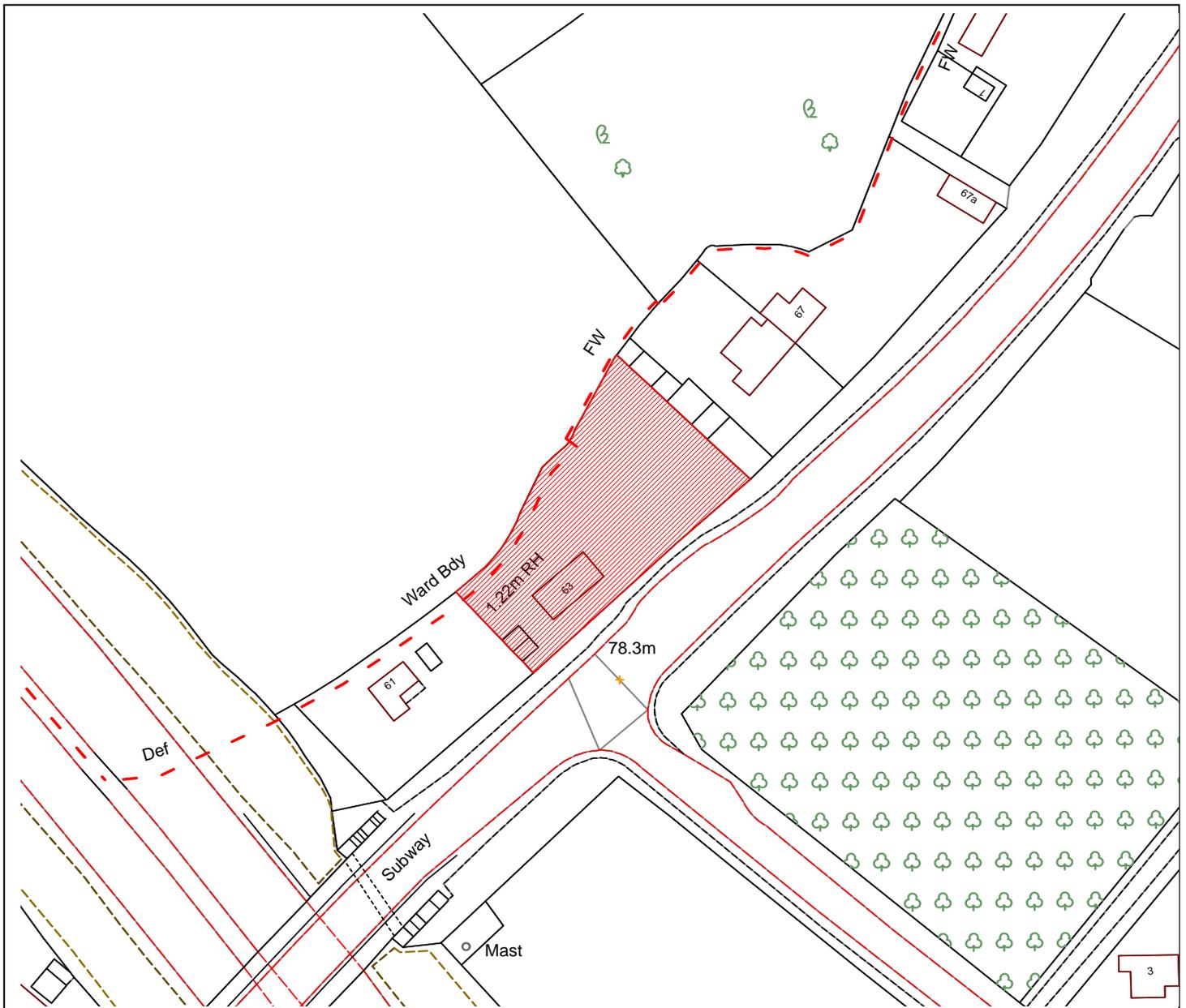
Applicant: Mr J Bourton
Date Reg: 2nd July 2007

Proposal: Erection of 2 storey side extension to
 provide additional living accommodation
 (Resubmission of PT06/3555/F)

Parish: Almondsbury Parish
 Council

Map Ref: 61366 84799

Ward: Almondsbury



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100023410, 2007.

N.T.S

PT07/2009/F

INTRODUCTION

The application appears on the Circulated Schedule following a letter of objection from the Parish Council.

1. THE PROPOSAL

- 1.1 The application is for full permission to erect a two-storey extension to the side/rear incorporating a garage, and a single storey extension to the rear, with a veranda, at this detached dwellinghouse.
- 1.2 The house is situated in the Green Belt beyond any settlement boundary within grounds that are proportionate to the house and are mainly to its Northern side. Fields are to the rear.
- 1.3 The application forms a resubmission of a previously refused scheme PT06/3555/F, which was refused due to the impact on the Green Belt. The previous application featured a two-storey side and rear extension, and single storey rear extension covering the width of the dwelling.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
- 2.2 Joint Replacement Structure Plan
Policy 1 Sustainability
Policy 16 Green Belt
Policy 33 Housing
Policy 35 Housing
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 – Achieving Good Quality Design in New Development
H4 - Development within Existing Residential Curtilages, Including Extensions and New Dwellings
GB1 – Green Belts
- 2.4 Supplementary Planning Guidance
Development in the Green Belt (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/3555/F Erection of two storey side extension to form additional living accommodation. Erection of rear conservatory. Refused 12 January 2007.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
The site is located within Greenbelt and we believe the proposal does not fall within the limited categories of development normally considered appropriate within the Greenbelt and no special circumstances have been demonstrated to override this.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPG2 includes extensions or alterations to dwellings in the list of new buildings that are appropriate development, provided that the extension and any previous extensions does not result in disproportionate addition over and above the size of the original dwelling.

5.2 Policy GB1 of the South Gloucestershire Local Plan reaffirm the central government guidance and seek to resist inappropriate development, development that would have an adverse impact on visual amenity or compromise the openness of the green belt.

5.3 Policy H4 of the South Gloucestershire Local Plan specifically relates to house extensions and development within residential curtilages. The policy requires that any development should be in keeping with the character of the property and area generally in terms of size, design and materials and residential amenity and privacy should not be adversely affected.

Policy D1 of the Plan requires that good quality of design be achieved in new development.

5.5 Green Belt

The addition would equate to an approximate 40% increase over the original dwelling size. This has been reduced from the previously refused application which proposed an increase of 100%. It is now considered that the proposal would be a proportionate addition within the Green Belt, as such does fall within the limited appropriate forms of development in the Green Belt. The Supplementary Planning Documents indicate that extensions over 30% must be carefully considered, with those over 50% volume increase likely to be disproportionate. This 40% addition is considered proportionate in this instance. Very special circumstances need not be shown as proportionate domestic extensions are appropriate.

5.5 Visual Amenity

The existing dwelling relates to a detached property located on the A38 near the motorway bridge and opposite the junction to Hortham Lane. The proposed two-storey extension would be the depth of the existing dwelling house, and extend 6 metres. The roof proposed features hips to match the existing roof. The house as extended would not appear out of context. Materials are to match the existing dwelling.

5.6 Residential Amenity

It is considered that there would not be material harm caused to occupiers of the next-door dwelling in terms overshadowing, loss of privacy or dominance. The extension would be separated from the nearest house by over 30m onto the side elevation of the property. There are no houses opposite. It is considered that adequate amenity space for the enjoyment of the occupiers would remain.

5.7 Transportation Issues

Issues of highway safety are not raised by this scheme.

5.8 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 be approved subject to the following conditions:

Background Papers **PT07/2009/F**

Contact Officer: **Charlene Baker**
Tel. No. **01454 863819**

CONDITIONS

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 33/07 - 17 AUGUST 2007

App No.: PT07/2216/RVC
Site: Land at Hardy Lane Tockington
 BRISTOL South Gloucestershire BS32
 4LN

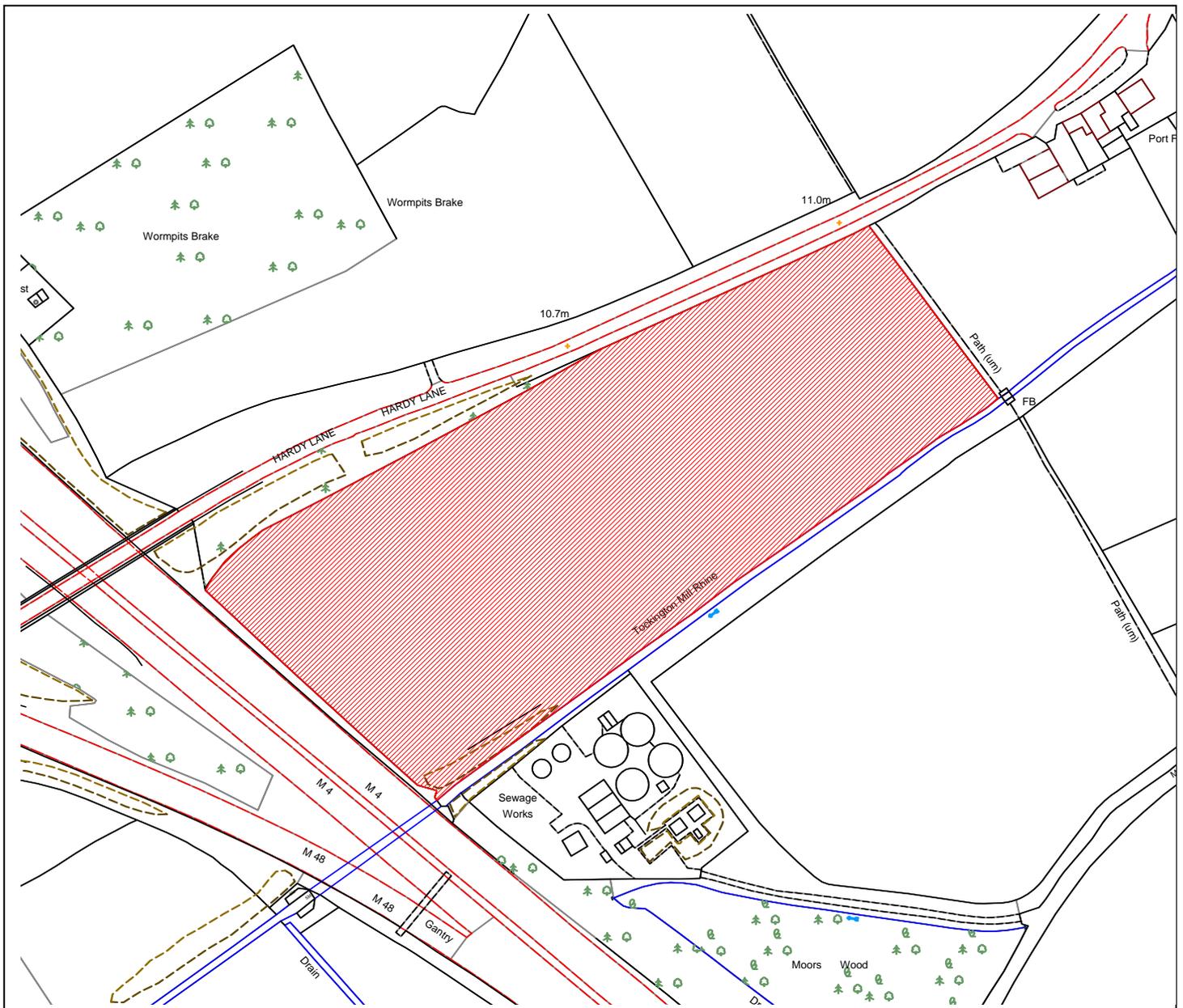
Applicant: Mr J Ball
Date Reg: 19th July 2007

Proposal: Variation of Conditions 3 and 5 attached to planning permission PT07/1521/F to allow for the erection/siting of 3no. mobile horse field shelters and 4no. mobile chicken sheds.

Parish: Olveston Parish Council

Map Ref: 60105 85980

Ward: Severn



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 100023410, 2007.

N.T.S

PT07/2216/RVC

1. THE PROPOSAL

- 1.1 This application relates to the variation of conditions 3 and 5 attached to planning permission PT07/1521/F to allow for the erection/siting of 3 no. mobile horse field shelters and 4 no. mobile chicken sheds on land known as JB Pasture, Hardy Lane, Tockington.
- 1.2 The application site has an area of 3.35 hectares. The site is generally level in nature although it rises to a degree to the western boundary. The site is rectangular in shape and enclosed by mature hedgerows, apart from the southern boundary which consists of a post and rail fence. The west of the site is bordered by the M4 motorway, with Hardy Lane adjacent to the northern boundary. A public footpath runs adjacent to the eastern boundary with open countryside to the east and south. A sewage works lies adjacent to the southern corner of the site.
- 1.3 Vehicular access is via an existing field entrance. The site lies in the open countryside and is also within the Green Belt.
- 1.4 The mobile field shelters measure approximately 3.6m in width, 3.5m in depth and have a ridge height of 3m. The mobile chicken sheds are 2m in width, 1.3m in depth and have a lean-to roof, 1.3m maximum height. Both are of timber construction. The base of the stable and agricultural building permitted under application PT07/1521/F has recently been laid.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS7 Sustainable Development in Rural Areas
- 2.2 Development Plans
Joint Replacement Structure Plan
Policy 16 Green Belts
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
L4 Forest of Avon
GB1 Development Within the Green Belt
E10 Horse Related Development
T12 Transportation Development Control Policy for New Development
LC12 Recreational Routes
- 2.4 Supplementary Planning Guidance
Design Checklist (As Intended to be Adopted)
Development in the Green Belt (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1521/F Erection of 6 stables, 1 no. hay barn and 1 no. storage shed for the keeping of agricultural equipment and breeding of horses and chickens.
Approved 15 June 2007.

4. **CONSULTATION RESPONSES**

4.1 Olveston Parish Council

Object to the proposal on the grounds that there is adequate development on this land already.

Other Consultees

4.2 Sustainable Transport

No objection.

Other Representations

4.3 Local Residents

No response received.

5. **ANALYSIS OF PROPOSAL**

5.1 Background

As can be seen from the planning history, planning permission has recently been granted for the erection of stables, hay barn, storage shed and the change of use of land for the keeping of horses (planning reference PT07/1521/F).

Condition 3 attached to this planning permission states that *“at no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.”*

Condition 5 states that *“no other structures for accommodating animals and providing associated storage shall be erected on the land”*.

The reason for these conditions was to ensure that the character and appearance of the area is protected.

The application proposes to remove/vary these conditions for animal welfare purposes as there is a need to provide mobile field shelter/chicken sheds for the horses and free range chickens. The mobile nature of the buildings is to ensure good land management.

5.2 Principle of Development

The principle of the use of the land for the keeping of horses/chickens has already been accepted by virtue of the previous planning permission. Due to the small nature of the field shelters/chicken sheds, the application is in full compliance with Policy E10 of the adopted local plan which relates to horse related development, as well as policy E9 relating to agricultural development. The proposals due to their small size/scale, would have no adverse impact upon the openness of the Green Belt, would not prejudice amenities of neighbouring occupiers or adversely affect highway safety. They would also not result in any unacceptable environmental effects. As such the proposal complies with the development plan and is acceptable.

5.3 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 (As intended to be Adopted).

5.4 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 Planning permission be granted.

Background Papers **PT07/2216/RVC**

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(s):

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

2. At no time shall the stables and the associated land be used for livery, riding school or other business purposes whatsoever.

Reason(s):

To protect the character and appearance of the area, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The number of horses kept on the site edged in red shall not exceed 6.

Reason(s):

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

4. With the exception of one horse-box, at no time shall trailers or van bodies or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason(s):

To protect the character and appearance of the area, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.