



**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. 02/07

Date to Members: 12/01/07

Member's Deadline: 19/01/07

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: 12/01/07

SCHEDULE NO. 02/07

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

Circulated Schedule 12 January 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK06/3176/R3F	Deemed consent	Vinney Green Secure Unit Emersons Green Lane Emersons Green South Gloucestershire BS16 7AA	Siston	Mangotsfield Rural Parish Council
2	PK06/3242/F	Approve with conditions	80 Rectory Close Yate South Gloucestershire BS37 5SE	Yate West	Yate Town Council
3	PK06/3394/F	Approve with conditions	Land adjacent to 1 Willow Close Warmley South Gloucestershire BS30 5HZ	Oldland Common	Bitton Parish Council
4	PK06/3503/F	Approve with conditions	41 Court Road Kingswood South Gloucestershire BS15 9QG	Woodstock	
5	PK06/3521/ADV	Approve	Roundabout at Marsham Way/Craven Way/Aldermoor Way, Longwell Green, South Gloucestershire	Longwell Green	Oldland Parish Council
6	PK06/3529/F	Approve with conditions	134 New Cheltenham Road Kingswood South Gloucestershire BS15 1UN	Kings Chase	
7	PK06/3538/REP	Approve with conditions	Land Adjacent 30 Greenore Kingswood South Gloucestershire BS15 8ER	Woodstock	
8	PK06/3607/RVC	Approve with condition	Land at West End Town Farm West End Marshfield, South Gloucestershire SN14 8JH	Boyd Valley	Marshfield Parish Council
9	PT06/2518/CLE	Approve	Mill House Farm Falfield South Gloucestershire GL12 8BU	Thornbury North	Falfield Parish Council
10	PT06/2580/F	Approve with conditions	35 Bush Avenue Little Stoke South Gloucestershire BS34 8LY	Stoke Gifford	Stoke Gifford Parish Council
11	PT06/2820/F	Approve with conditions	3 Gloucester Road Almondsbury BRISTOL South Gloucestershire BS32 4BJ	Almondsbury	Almondsbury Parish Council
12	PT06/3211/F	Approve with conditions	Greenfield Farm Severn Road Pilning BRISTOL South Gloucestershire BS35 4HW	Pilning and Severn Beach	Pilning and Severn Beach
13	PT06/3358/F	Refusal	Severn View Davids Lane Alveston South Gloucestershire BS35 3LN	Alveston	Alveston Parish Council
14	PT06/3433/F	Approve with conditions	14 Old Aust Road Almondsbury South Gloucestershire BS32 4HJ	Almondsbury	Almondsbury Parish Council
15	PT06/3484/F	Approve with conditions	736 Filton Avenue Filton South Gloucestershire BS34 7HE	Filton	Filton Town Council

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
16	PT06/3522/F	Approve with conditions	18 Stanley Mead Bradley Stoke South Gloucestershire BS32 0EG	Bradley Sto Bowsland	Bradley Stoke Town Council
17	PT06/3556/F	Approve with conditions	205 Juniper Way Bradley Stoke South Gloucestershire BS32 0DP	Bradley Sto Sherbourne	Bradley Stoke Town Council
18	PT06/3572/LB	Approve with conditions	Churchill Yard The Street Olveston South Gloucestershire BS35 4DR	Severn	Olveston Parish Council
19	PT06/3577/F	Approve with conditions	Churchill Yard The Street Olveston South Gloucestershire BS35 4DR	Severn	Olveston Parish Council
20	PT06/3581/F	Approve with conditions	T B Grey & Sons Hacket Farm Hacket Lane Thornbury South Gloucestershire BS35 3TY	Thornbury South	Thornbury Town Council
21	PT06/3584/F	Approve with conditions	77 Wallscourt Road Filton South Gloucestershire BS34 7NP	Filton	Filton Town Council
22	PT06/3592/F	Approve with conditions	16 Seventh Avenue Filton South Gloucestershire BS7 0QD	Filton	Filton Town Council
23	PT06/3593/F	Approve with conditions	59 Wades Road Filton South Gloucestershire BS34 7EB	Filton	Filton Town Council
24	PT06/3603/F	Approve with conditions	Bowood Flats Harford Drive Frenchay South Gloucestershire BS16 1NS	Winterbourne	Winterbourne Parish Council
25	PT06/3620/F	Approve with conditions	222 Great Meadow Road Bradley Stoke South Gloucestershire BS32 8DB	Bradley Sto Baileys Court	Bradley Stoke Town Council

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PK06/3176/R3F

Applicant: Mr P Randall South Gloucestershire Council

Site: Vinney Green Secure Unit Emersons Green Lane Emersons Green BRISTOL South Gloucestershire BS16 7AA

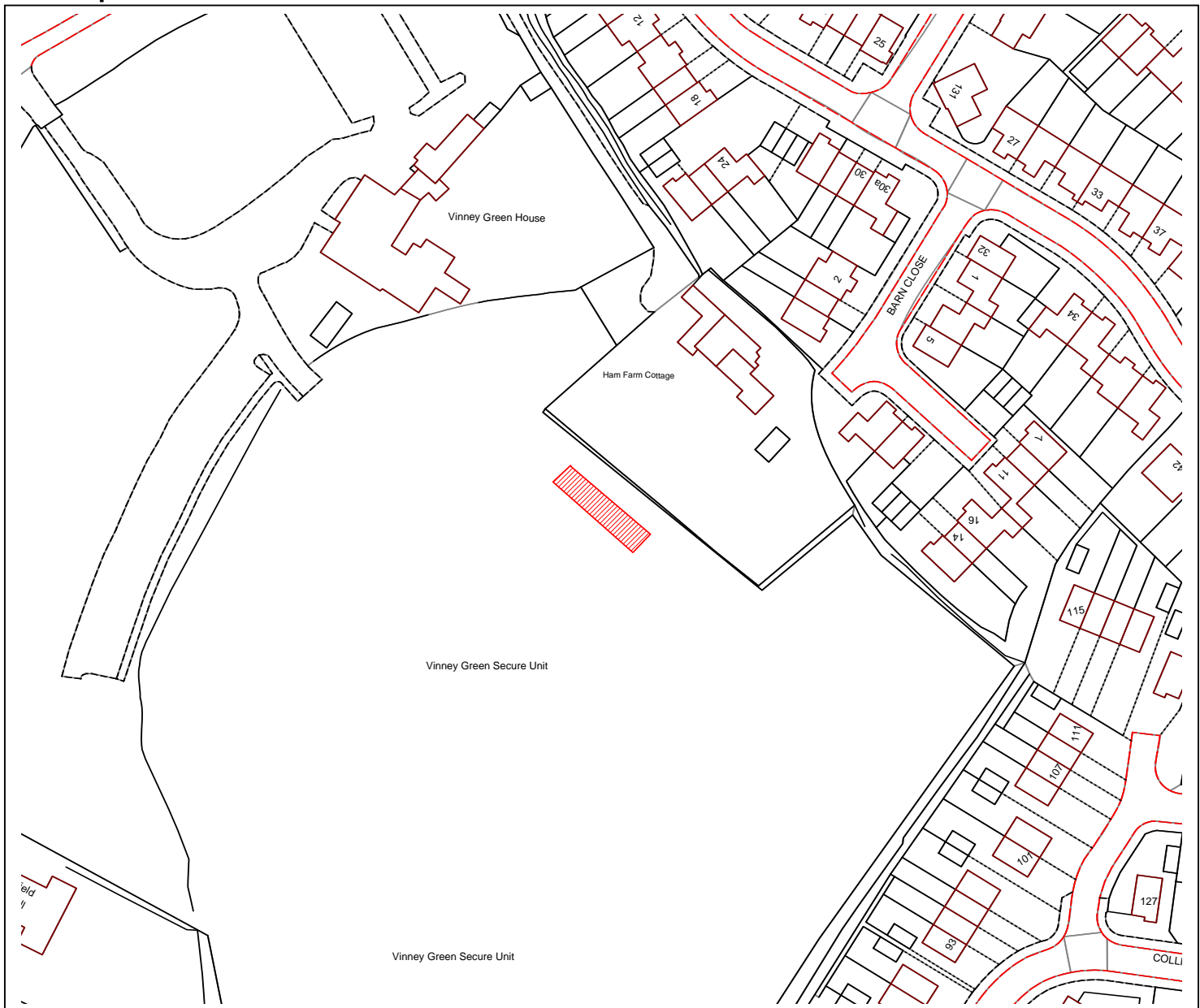
Date Reg: 31st October 2006

Proposal: Erection of single storey office block (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Parish: Mangotsfield Rural Parish Council

Map Ref: 66600 76552

Ward: Siston



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100023410, 2006.

DC0901MW

This application is a Regulation 3 application submitted by South Gloucestershire Council; a local resident has also raised an objection to the proposal. Under the Council's current scheme of delegation, the application must therefore appear on the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application relates to Vinney Green Secure Unit, which is situated within its own expansive grounds to the south of Emersons Green Lane and to the east of Richmond Road. New houses within the Emersons Green Development lie to the east and south of the site. An older property, Ham Farm Cottage, lies to the north east of the site.
- 1.2 It is proposed to erect a single storey building to be used for the training of existing staff. The building would be located within the secure unit adjacent to an existing A/C plant compound. The building would provide an additional floorspace of 84.2 sq.m. comprising of a meeting room, w.c.'s, a small store and office space for three people.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development
PPG13 - Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

D1 - Design in New Development

LC4 - Community Facilities within the Urban Area and Defined Settlement Boundaries

L1 - Landscape Protection and Enhancement

2.3 Supplementary Planning Document Design Checklist (Consultation Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 P92/4663 - Erection of 16no place secure unit for young offenders and associated secure outdoor activity areas.
Observations 26th Feb 1993
- 3.2 P98/4050 - Erection of security mesh onto existing perimeter wall/fence.
Approved 4th March 1998
- 3.3 P98/4660 - Erection of new building to provide office and meeting room accommodation.
Approved 30th Oct. 1998
- 3.4 PK01/3252/R3F - Erection of single storey extension to form waiting area.
Deemed Consent 14th Jan 2002

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council
No objection

4.2 Other Consultees
None

4.3 Sustainable Transport
No objection

Other Representations

- 4.4 Local Residents
One letter of objection was received from the occupant of Ham Farm Cottage, the concerns raised are summarised as follows:
- There is insufficient parking provision to serve the complex.
 - The proposal will result in increased traffic and resultant on-street parking in Richmond Road.
 - Cars drive up to Ham Farm Cottage having missed the sign for the Secure Unit.
 - Emersons Green Lane is already heavily used by pedestrians, cyclists and cars.
 - There is a further application to erect flats adjacent to the lane.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy LC4 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 permits the expansion or improvement of community or education facilities within the existing urban area, subject to criteria that are discussed below. Policy D1 seeks to secure good quality designs in new development.

5.2 Scale and Design
The proposed training unit would be single storey in height and modest in scale, measuring some 15m long x 5.2m wide x 3.6m high with a very shallow mono-pitch roof above, and being adjoined to a building of very similar proportions.

5.3 The form of the building is generally utilitarian but the materials to be used in construction i.e. brick and horizontal cedar cladding, with uPVC double glazed windows, with the use of sunpipes through the shallow pitched roof to provide natural light, are considered to adequately relate to the existing buildings in close proximity. This choice of materials incorporates contemporary design features to reflect the progressive and supportive nature of the work on site.

5.4 Officers are therefore satisfied that the scale and design of the proposal are acceptable.

5.5 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent

with the Council's Design Checklist Supplementary Planning Document (Consultation Draft).

5.6 Impact Upon Residential Amenity

The new training unit would be located entirely within the perimeter of the secure unit, which is enclosed by a very high wire mesh fence and a thick belt of high vegetation. Views into the site from the public and residential areas immediately adjoining the site are very limited indeed. Being located in the far north-eastern corner of the complex, the only residential property likely to be affected is Ham Farm Cottage. The Cottage is however set well back (26-27m) from the perimeter fence and the rear elevation of the proposed training unit would be a further 4m inside the fence. Furthermore the high belt of vegetation between the fence and unit would provide adequate screening, which would be enhanced by the numerous trees that grow within the rear garden of Ham Farm Cottage. Having regard to the single storey nature of the proposal, the unit would have no overbearing impact for the occupiers of Ham Farm Cottage. As there are no windows in the rear elevation of the proposed unit, there would be no loss of privacy from overlooking or inter-visibility for the occupiers of Ham Farm Cottage or any of the houses beyond. Officers are therefore satisfied that there would be no adverse impact on residential amenity to result from the proposal.

5.7 Transportation Issues

The Council's Highway Officer has noted that the proposed training unit would be for the use of existing staff, which would be ancillary to the use of the existing Secure Unit. The amount of traffic generated would therefore be minimal. Officers noted during their site visit that there was more than ample car parking space within the site, wooden bollards prevent car parking on the common land adjacent to Emersons Green Lane.

5.8 Having regard to the objections raised by the local resident, the issues raised relate to existing circumstances which are either not directly related to this proposal or would not be a result of the proposal or would not be exacerbated by allowing the scheme. There are therefore no highway objections to the proposal.

5.9 Landscape Issues

A substantial belt of high vegetation encloses much of the site, not least to the rear of where it is proposed to erect the Training Unit. For most part this vegetation would be retained. The submitted plans indicate that where vegetation would be lost in immediate proximity of the building, this would be replaced by a belt of lower vegetation to allow maintenance of the new building. This is considered to be an acceptable landscape solution.

5.10 Environmental Issues

Subject to a condition to control the hours of construction, the Council's Environmental Health Officer raises no objection to the proposal.

5.11 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 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission be GRANTED subject to the following conditions.

Background Papers PK06/3176/R3F

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason:

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

2. No windows shall be inserted at any time in the rear elevation of the building hereby approved, unless the Local Planning Authority gives consent in writing to any variation.

Reason:

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The hours of working on site during the period of construction shall be restricted to Monday to Friday 8.00 - 18.00 Saturday 08.00 - 13.00 and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All planting, seeding or turfing comprised in the approved details of landscaping as shown on the approved plan no. 1819-P-03 shall be carried out during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason(s):

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

CIRCULATED SCHEDULE NO. 02/07 – 12 January 2007

App No.: PK06/3242/F

Applicant: H D L
Developments
Limited

Site: 80 Rectory Close Yate BRISTOL South
Gloucestershire BS37 5SE

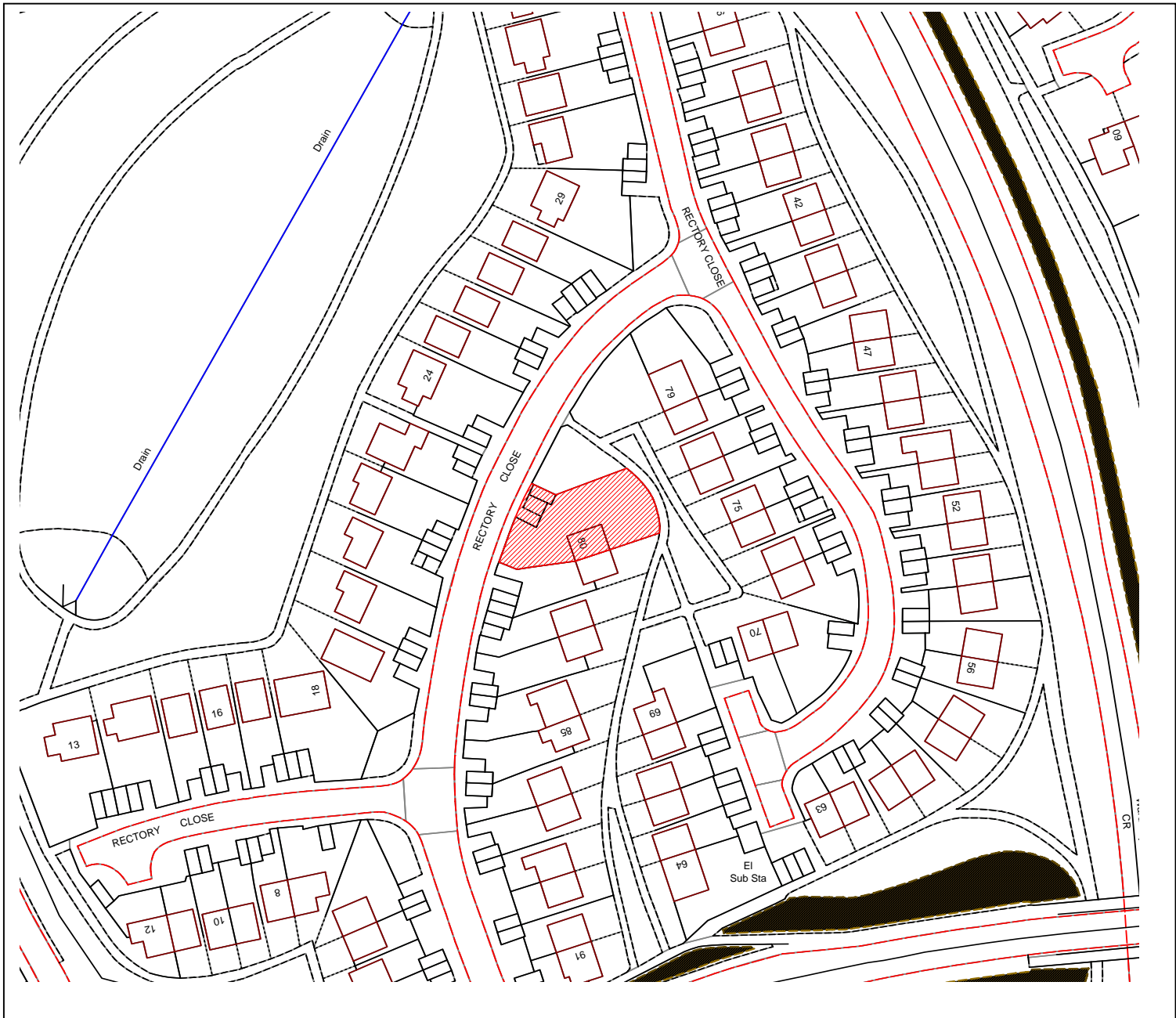
Date Reg: 6th November 2006

Proposal: Erection of 1no. detached dwelling with
car parking, cycle store, landscaping and
associated works. Resubmission of
PK06/2369/F.

Parish: Yate Town Council

Map Ref: 71572 83358

Ward: Yate West



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N.T.S

PK06/3242/F

INTRODUCTION

This application has been referred to the Circulated Schedule following objections to the proposed scheme being received from local residents, although it is also noted that 1no. letter of support was also received.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to erect 1no. dwelling within the side curtilage of an existing residential property that lies within a modern estate laid out in keeping with the Radburn design principles.
- 1.2 Since submission the scale of the proposed curtilage has been clarified with confirmation that the land to the side of the proposed curtilage is designated public open space that is not in anyway to be incorporated within the proposed scheme, for as submitted originally, a planting scheme for this area was proposed which has now been removed.
- 1.3 The application also follows a previous application that was withdrawn following concerns over scale, design and affect upon neighbouring residential properties. Following discussions prior to the submission of this application, the design, scale and siting of the dwelling has been revised.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages including Extensions and New Dwellings
T7 Parking Standards
T12 Transportation Development Control Policy for New Development.
- 2.3 Supplementary Planning Guidance
South Gloucestershire Council Advice Note 2 – “House Extensions”

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/2369/F – Erection of 1no. detached dwellinghouse on land to the side of 80 Rectory Close. Withdrawn 29/09/06.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection
- 4.2 Sustainable Transport
Four off street car parking spaces are proposed, two for the existing dwelling and two for the proposed new dwelling. This complies with Policy T8 of the SGLP.

Therefore subject to a condition controlling the surface material and the retention of the actual spaces, there are no transportation objections to this proposal.

Other Representations

4.3 Local Residents

4no. consultation letters were received from local residents expressing the following summarised objections:

- This application differs very little from the previous scheme with the only difference being that there is lack of “off-setting” of the building lines which is not an improvement and is less visually acceptable;
- The design of the dwelling is out of character with the present houses in the area, being the only detached property and not being of Georgian design windows;
- The proposed scheme would result in a level of overlooking that would invade the neighbour’s privacy;
- An additional property would add to the vehicles using the road that would add to the existing highway hazards;
- The open space adjacent to the site appears to be incorporated into the site; and
- The site lies within an established residential area and there are concerns over noise levels as a direct consequence of this building.

4.4 1no. consultation response was received expressing support for the scheme on the basis that it represents infilling rather than using up open areas as a way of providing additional dwellings. The provision for two spaces for a new dwelling is also a good plan and with the land doing nothing at present, it is considered that a new house would tidy up the area and blend in well with the neighbouring properties along with the proposed planting.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for new dwellings within existing curtilages subject to criteria relating to scale and design, highways, and impact upon visual and residential amenity.

Design/ Visual Amenity

5.2 The detached nature would contrast to the semi-detached neighbouring properties along this side of Rectory Close, although detached dwelling do lie opposite the site and elsewhere within the surrounding area as seen on the ordnance survey plan. It is though not considered that this would lead to a disparate feature that would be harmful to the character of the street scene and so the principle of detached dwelling is considered acceptable. Furthermore it is considered that instead of trying to replicate the form of the host building, a process that would never be truly successful due to its detached nature, the design of the house is given far greater integrity by possessing its own form (gabled roofed) which is considered to “bookend” the run of semi-detached dwellings.

- 5.3 With regards to the actual design of the proposed house, the external materials are to match the existing materials present within the existing house and its adjoining neighbour. The local resident's comments regarding the windows are noted, but a bow window in keeping with the bow windows present on neighbouring properties is shown on the ground floor of the proposed dwelling to aid integration.
- 5.4 There is also within the local resident's consultation responses reference to the revised siting of the dwellinghouse, for within the previous application, the proposed dwelling followed the existing staggered arrangement. The problem with this however was that the dwelling was set forward of the existing house (the front elevation is east facing) and was so set closer to the residential properties to the east with a separation distance below the required 21 metre standard. Subsequently on the grounds of residential amenity (through concern regarding inter-visibility), the building lines of the dwelling were brought back in line with that of the host building. Although it is accepted that there is an urban design argument that the house should follow the stagger, in this case it is not considered essential for the staggered formation of the neighbouring houses does not truly make a significant positive contribution to the visual quality of the area due to its scale and so is not considered worthy of such protection. In addition from the front, the staggered formation is only truly apparent from views from the south and within these views the proposed dwelling would not be visually prominent. It is considered that it is from the rear access road that the proposed house would be most prominent. Therefore in view of no overarching need for the house to follow the staggered layout for it to appear acceptable and in light of the gains in terms of mitigating against any residential amenity concerns, the proposed siting of the house is considered acceptable.
- 5.5 In conclusion, the principle of a detached dwelling is acceptable and the materials will allow for sufficient integration into the street scene whilst the form would give the proposed house its own integrity.
- 5.6 The works to the rear to provide off-street parking are also considered acceptable and in keeping with the character of the street scene.

Residential Amenity

- 5.7 It is considered that sufficient amenity space and privacy levels will be provided for existing and proposed properties. Due to its siting, the only concern with regard to the existing amenity levels of neighbouring properties is the effect upon the neighbouring properties to the east.
- 5.8 As discussed under the previous heading, the dwelling has been set back flush with the front of the existing house. With the dwelling set back in accordance with the existing building lines of the house, the separation distance between the nearest neighbouring property and the front elevation of the proposed new dwelling is approximately 22 metres. Consequently it is considered that the 21 metre separation distance required between habitable room windows to avoid undue levels of inter-visibility has been met and so there are no concerns regarding any significant loss of privacy through overlooking or inter-visibility.

Transportation

- 5.9 As shown on the proposed site plan, 2no. off-street parking spaces will serve the existing and 2no. off-street spaces will serve the proposed house. Such a level of parking provision is compliant with local plan policy and so subject to

the conditions suggested, there are no highway objections to the proposed scheme.

Other Issues

5.10 Of the concerns expressed by local residents which have not been addressed so far within this report, the issue regarding the public open space has been addressed and the implication that the area was to be used as part of the development has been removed entirely from the scheme. The concern regarding the construction hours will be addressed by adding the standard environmental informatives recommended by the Council's Environmental Protection Services Dept.

5.11 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 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

7.1 Planning permission is to be APPROVED subject to the following conditions.

Background Papers **PK06/3242/F**

Contact Officer: **Robert Nicholson**
Tel. No. **01454 863536**

CONDITIONS

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

Reason:

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

2. Notwithstanding the 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) no development as specified in Part 1 (Classes A, B, C, 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:

In the interests of visual amenity and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no walls, fences, gates or other means of enclosure shall be erected, positioned or placed within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a highway, without the prior written consent of the Local Planning Authority.

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. Building operations shall not be commenced until samples of the roofing, external facing materials and boundary wall materials proposed to be used have been submitted to and approved by the Local Planning Authority and all such materials used in construction of the building and boundary walls hereby authorised shall conform to the details so approved.

Reason:

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

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the elevations of the property, unless the Local Planning Authority gives consent in writing to any variation.

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

Reason:

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

7. The off-street parking spaces as shown on the proposed plan (drg no.02211/02 Rev.C) shall be fully surfaced with a bound surface material and maintained satisfactorily thereafter.

Reason:

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PK06/3394/F	Applicant: Mr P Hickinbotham
Site: Land adjacent to 1 Willow Close Warmley BRISTOL South Gloucestershire BS30 5HZ	Date Reg: 23rd November 2006
Proposal: Erection of 1 no. detached dwelling with access and associated works.	Parish: Bitton Parish Council
Map Ref: 67802 72665	Ward: Oldland Common



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N.T.S

PK06/3394/F

INTRODUCTION

This application appears on the Circulated Schedule due to the receipt of four letters of objection from local residents.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of 1 No. detached dwelling within the residential curtilage of the existing dwelling No. 1 Willow Close. Vehicular access to the site will be from Willow Close - which is a private highway. The proposed new dwelling will be erected in the side garden of the existing dwelling and will have four bedrooms.
- 1.2 This application relates to a 291 square metre area of land, which currently forms part of the residential curtilage of No.1 Willow Close. The existing property is detached and has an area of garden space to the rear and an area to the side (north) of the dwelling. It is this area of garden space to the north of the host dwelling that is subject of this application.
- 1.3 During the course of the application, amended plans have been requested to reduce the size of the dwelling and to reduce the number of bedrooms in order to ensure that the proposed dwelling is in proportion to its plot. The external design of the dwelling, particularly relating to window location, has also been altered in order to address officer concerns. Following the receipt of revised plan, the necessary re-consultation was carried out.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering sustainable Development
PPG3	Housing
PPG13	Transport - Guide to Better Practice

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Residential Development in Urban Areas
H4	Development within Existing Residential Curtilages
T8	Parking Standards
T12	Transportation Development Control Policy

3. RELEVANT PLANNING HISTORY

- 3.1 P90/4695 Erection of garage and pitched roof over porch.
Approved December 1990

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No Objections

Other Representations

4.2 Local Residents

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

- The new dwelling would overlook No. 80 and 82 Poplar Road
- The application would result in the loss of open space between Poplar Road and Willow Close
- The application is 'squashing' in development
- The new dwelling will adversely affect the private road that is Willow Close
- The development will increase the parking problem in the existing hammer head
- It would be detrimental to the quality of life of existing residents
- Concerns about the drainage and sewerage system
- Such a large property would be out of proportion
- Upstairs windows will overlook neighbouring properties
- The site used to be part of the gardens of the properties on Poplar Road so is not part of the cul-de-sac
- Insufficient garden space
- Insufficient access
- The new house has no road frontage so there is no parking space for visitors
- The dwelling is out of keeping with the character of the area

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) allows for development within existing residential curtilages including new dwelling subject to there being no adverse impact on the existing visual and residential amenities within the immediate area. Therefore subject to these constraints, the proposal is considered acceptable in principle.

The South Gloucestershire Local Plan (Adopted) identifies the site as lying within the urban area. With the exception of design, it is considered that Policy H2 of the South Gloucestershire Local Plan (Adopted) encompasses all the relevant issues of the above policies, for Policy H2 allows for new residential development providing that the following criteria are complied with:-

5.2 **(a) Development would be on previously developed land.**

The proposed site is considered previously developed land by virtue of its status as land being within the curtilage of the existing residential property. This complies with the definition outlined in PPG3 (Annex C).

The site is therefore considered an appropriate site for residential development subject to compliance with the following criteria.

5.3 **(b) Development would not have unacceptable environmental or transportation effects; and would not significantly prejudice residential amenity.**

Transportation

It is not considered that the means of access as proposed would result in any issues of highway safety. It is accepted that Willow Close is a private highway. Nonetheless, the Council are keen to ensure that the proposed development will not result in any concerns of highway safety. Following the receipt of the revised plans, the proposal is now for the erection of a 4 bedroomed property. In accordance with Council policy T8 of the South Gloucestershire Local Plan (Adopted), the maximum number of bed spaces that can be provided to serve a 4 bedroomed dwelling is 3 spaces. The submitted plan is annotated to clearly show how two off street parking spaces will be provided to serve the dwelling. This is in accordance with South Gloucestershire Policy and is standard in modern development. There is sufficient space on site to allow for the off street parking of three vehicles. Being an unclassified and private highway, there is no requirement to provide off street turning space. In light of sufficient parking space being provided on site, it is not considered that there are any justifiable concerns of increased parking on the highway or in the existing hammer head sufficient to warrant the refusal of the application.

Subject to the attachment of conditions to ensure that the parking spaces are provided to an acceptable standard, there is no objection to the application on the grounds of highway safety or parking.

Residential Amenity

The proposed new dwelling is to be erected in the side garden of No. 1 Willow Close and will be sunk 600mm into the existing ground level. The existing side wall of No. 1 Willow Close facing the application site is blank with no windows facing the proposed new dwelling. As such, it is not considered there are any problems of overbearing or intervisibility between the existing and proposed dwellings on the plot. Indeed there are no primary habitable room windows proposed in the new dwelling facing the existing dwelling.

It is noted that the owners of No. 80 and 81 Poplar Road are concerned that the new dwelling will have a detrimental impact on these properties. The proposed new dwelling will be in excess of 27 metres from No. 80 and 82 Poplar Road, and at this distance, it is not considered that the proposed new dwelling would have any overbearing impact on these properties. To the northern elevation of the new dwelling (facing No. 80 and 82 Poplar Road there are a minimal number of windows proposed. The ground floor windows will be entirely obscured by the boundary treatments. The first floor windows will serve bathrooms only and will be fitted with obscure glazing. The roof lights in this elevation will also serve a bathroom and a landing. Given that none of the windows facing Poplar Road are to be habitable room windows, that the majority are to be obscurely glazed are to be small in size, it is not considered there are any issues of loss of privacy for the properties along Poplar Road.

The elongated window on the eastern elevation of the proposed new dwelling, facing towards No's 2 and 6 Poplar Fields, is to serve a staircase only and combined with the distance to these properties, it not considered to have any detrimental impact on these dwellings.

Whilst it is accepted that naturally the amount of garden space to serve both the existing and proposed dwellings will be reduced, sufficient garden space is retained to serve both dwellings. As such, it is not considered that the proposed development will have any adverse impact on existing levels of residential amenity in the vicinity of the site.

5.4 **(c) The maximum density compatible with the sites location, its accessibility and its surroundings is achieved.**

Planning Policy Guidance Note 3 encourages housing densities of 30 – 50 dwellings per hectare. A density calculation on the site provides a density of approximately 34 houses per hectare. The application is thus in accordance with Government guidance and provides housing at an appropriate density for its location.

5.5 **(d) The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.**

Due to the location of the site in a residential area, a condition would be attached to any consent granted to limit construction hours. Subject to compliance with this condition, it is considered that the proposed site would not result in environmental disturbances.

5.6 **(e) Provision for education, leisure, recreation etc. in the vicinity is adequate to meet the needs arising from the proposal**

The proposal is only for 1 dwelling and therefore would not have a significant impact on the area in terms of service provision.

5.7 Design/Visual Amenity

The design of the new dwelling has a footprint and scale similar to the existing dwellings on Willow Close. By sinking the dwelling 600mm into the existing garden level, the eaves and ridge height of the proposed new dwelling will be similar to the existing dwellings. It is noted that the fenestration to be added into the new dwelling is somewhat unusual and does not follow the traditional pattern of windows in the locality. Nonetheless, it is not considered that the unusual window arrangement is problematic or that it would detract for the character of the area. The design of the proposed new dwelling is thus considered to be acceptable.

5.8 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).

5.9 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 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 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 54A of the Town and Country Planning Act 1990 (as amended), 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) 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 **PK06/3394/F**

Contact Officer: **Marie Worboys**

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. 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) no development as specified in Part 1 (Classes A, B, D, and E) other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason:

In view of the size of the plot any extension/alteration to the dwelling would require further detailed consideration in order to safeguard the amenities of the area and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order), the garage hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage without the prior written consent of the Local Planning Authority.

Reason:

To ensure that the garage is available for its prime purpose of providing parking for a domestic vehicle, to ensure that sufficient off-street parking is retained to serve the development in the interests of highway safety and to accord with Policy H4 of the South Gloucestershire Local Plan ((Adopted) January 2006.

4. The development shall be carried out exactly in accordance with the approved plans, unless the Local Planning Authority gives written consent to any variation. All new external finishes shall be as specified on the plans.

Reason:

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

5. The driveway and parking space shall be surfaced with a fully bound material that shall be maintained satisfactorily at all times thereafter. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

6. The hours of working on site during the period of construction shall be restricted to 7.30 to 18.00 Monday to Friday, 8.00 to 13.00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy (H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PK06/3503/F
Site: 41 Court Road Kingswood BRISTOL
 South Gloucestershire BS15 9QG
Proposal: Installation of 1no. rear dormer window
 to facilitate loft conversion.
Map Ref: 64922 73197

Applicant: Mr & Mrs P Hart
Date Reg: 5th December 2006
Parish:
Ward: Woodstock



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100023410, 2006.

N.T.S

PK06/3503/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the installation of a dormer window into the rear roof slope of the existing dwelling. The dormer window would have a ridged roof, a maximum width of 1.45 metres and a maximum height of 1.3 metres. The application also proposes the insertion of three roof lights – two into the front elevation and one into the rear. These roof lights do not require planning permission and can be installed without the need for planning permission hence they are not for consideration as part of this application.
- 1.2 The two storey mid-terrace dwelling is located within a residential area of Kingswood. The surrounding dwellings in the rank are of similar scale and design.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Extensions
- 2.3 Supplementary Planning Guidance
South Gloucestershire Council Advice Note no.2 House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is unparished

- 4.2 Other Representations

Local Residents

Two letters have been received from local residents. A summary of the points of concern are as follows;

- The dormer would take away privacy of back gardens
- The dormer would face directly into the neighbours kitchen windows and over their patio
- It would give the feeling of being hemmed in when sat in neighbours gardens
- Is there no way the dormer can be put on the front of the house

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions and alterations to existing dwellings, subject to there being no adverse impact on the existing visual and residential amenities of the immediate area.

5.2 Design / Visual Amenity/Conservation Area

The proposed dormer window has been designed to be small whilst still being practical. The wall to fenestration ratio is good with the bulk of the face of the dormer consisting of window. The dormer will not be visible from the highway and as such, it is not considered that it will have any impact on the street scene or surrounding area.

It is not considered that the proposed extensions would have any detrimental impact on the street scene or character of the surrounding area. The design and visual amenity of the proposal is thus considered to be acceptable.

5.3 Residential Amenity

The dormer window will be located on the rear of the property and will face out over the rear garden and towards the properties off Abbotswood at the bottom of the garden. It is the owners of the properties No's 6 and 7 Abbotswood that object to the application on the basis of loss of privacy. The proposed dormer window is to serve an additional bedroom, it must be noted that there is an existing first floor bedroom window to the rear of the property that already faces towards these properties. The dormer window will naturally be higher than the existing rear bedroom window but due to its small scale, it is not considered that it will result in any issues of overlooking. In addition to this, the new dormer window will be approximately 22 metres from the adjoining residential curtilage and in excess of 40 metres from the habitable room windows in No. 6 and 7 Abbotswood. At this distance, it is not considered that there are any issues of loss of privacy. It is considered by the officer that the dormer would not result in any change to the current levels of residential amenity enjoyed by the adjacent occupiers.

As such, it is not considered there are any issues of overbearing. Further, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

6. CONCLUSION

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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 approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission be approved subject to the following conditions;

Background Papers **PK06/3503/F**

Contact Officer: **Marie Worboys**

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.

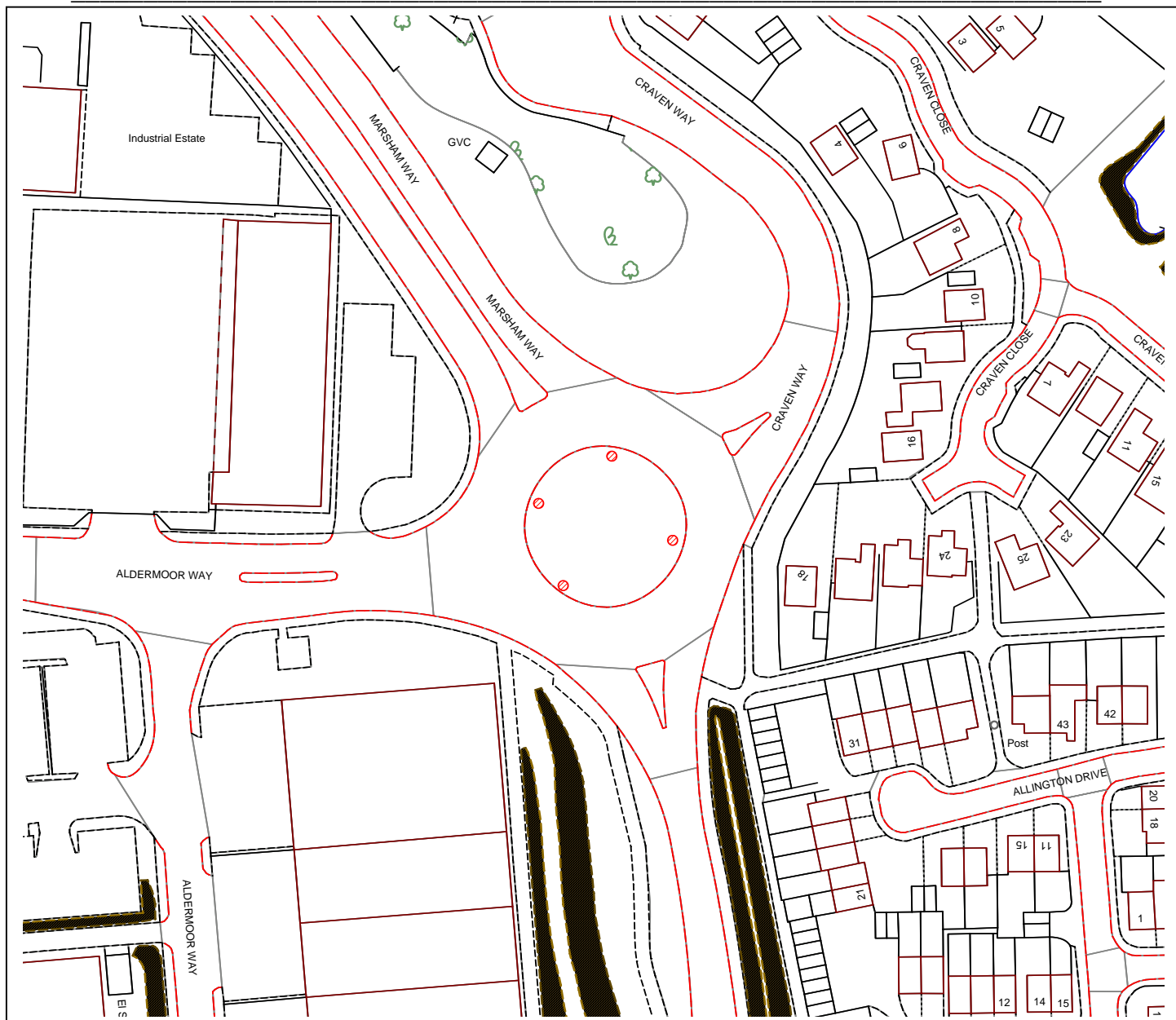
Reason:

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PK06/3521/ADV
Site: Roundabout at Marsham Way/Craven Way/Aldermoor Way, Longwell Green, South Gloucestershire
Proposal: Display of 4 no. non illuminated advertising panels.
Map Ref: 65640 71949

Applicant: Panoramic Ltd
Date Reg: 7th December 2006
Parish: Oldland Parish Council
Ward: Longwell Green



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N.T.S

PK06/3521/ADV

This application appears on the Circulated Schedule due to an objection from the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full advertisement consent for the display of 4 no. non-illuminated advertisement panels on the roundabout of Marsham Way, Craven Way and Aldermoor Way in Longwell Green. One board would be located facing towards each of the vehicular access points.
- 1.2 The roundabout on which the signs are to be displayed is low in height with small trees and vegetation growing in the centre. The roundabout is approximately 33m in diameter and the central planting leaves a wide grass verge approximately 5m in depth upon which 4 no. externally illuminated chevron signs are sited, these facing each access vehicular approach to the roundabout. The application forms part of a wider scheme to allow local companies to sponsor a roundabout in the local area. The nearby roundabout on the Ring Road that serves the Aspects Leisure Centre has 4 no. similar advertising panels installed.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG19 Control of Advertisements

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
L19 Display of Advertisements

3. RELEVANT PLANNING HISTORY

- 3.1 None specific

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

Objection on the grounds that the advertising panels would create a traffic hazard on this very busy roundabout.

4.2 Sustainable Transport

The Council has accepted the principle of these small-scale signs and as a consequence they have been present on several roundabouts in the SGC area for some time. A provision is that they should not have contact details such as email and website addresses or phone numbers.

- 4.3 Further to this, as before and after comparison of accidents at roundabouts where they have been installed shows there is no appreciable impact on highway safety.

4.4 Given this, it is considered that there is no basis for a transportation objection to this proposal, and it is recommended that the following conditions be added to any planning decision:-

- That no email, web, phone or address details be present on the proposed signs;
- That the edge of the proposed signs be at least 450mm away from the edge of the carriageway;
- That the works be carried out to the satisfaction of the Council Street Care Manager.

Other Representations

4.5 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPG19 – Outdoor Advertisement Control, requires that advertisement applications should only be considered in the interests of ‘public safety’ and ‘amenity’. In the case of advertisement control there is no requirement to have regard to the local plan under Section 54a of the Town and Country Planning Act. However, the local plan policies are a material consideration. Policy L19 of the South Gloucestershire Local Plan only allows the display of advertisements subject to a number of criteria including satisfactory appearance, and that they would not be detrimental to the local character, visual amenity and public safety.

5.2 Design/ Visual Amenity

The proposal consists of the installation of advertisement boards facing each approach road onto the roundabout - this totals to a maximum of 4no. signs. Each advertising board consists of two panels with sponsor information and a safety notice below with a total sign face of 100cm wide x 60cm high - the sponsor information panel would be 100cm x 44.5cm with the road safety message below. The maximum height of each sign above ground level would be 1.4m.

5.3 The principle of sponsored signs on the public highway, subject to these complying with an agreed format, has been previously agreed by South Gloucestershire Councils Planning and Transportation Committee. The details of the signs are similar to those approved by the Council elsewhere, and similar signs have been erected on the nearby roundabout on the Ring Road that serves the Aspects Leisure Centre.

5.4 The proposed signs are the same size as the standard adopted elsewhere. In addition, all signs would carry an approved road safety message and the sizes of lettering in the signs comply with those agreed with the Council’s Traffic Management Department.

5.5 There are already large externally illuminated road safety chevron signs on the roundabout. However, due to the relatively large size of the roundabout and the depth of the verge to the central planting it is considered that the addition of 4 advertisement signs would not overburden the site or unacceptably detract from the appearance of the roundabout. It is therefore considered that the

advertisements would not have a detrimental effect on the character and visual amenity of the area and are therefore deemed acceptable.

5.6 Highway Issues

Although the Parish Council contends that the advertising panels would create a traffic hazard, before and after comparison of accidents at roundabouts where they have been installed shows there is no appreciable impact on highway safety. Furthermore there are no address or contact details present on the proposed signs. As such, there are no highway concerns relating to the proposal.

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 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 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.

6. **CONCLUSION**

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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 advertisement consent has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 That the application be granted advertisement consent.

Background Papers **PK06/3521/ADV**

Contact Officer: **Jan Seward**
Tel. No. **01454 864969**

Conditions

None

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PK06/3529/F
Site: 134 New Cheltenham Road Kingswood
 BRISTOL South Gloucestershire BS15
 1UN

Applicant: Mr D Gane
Date Reg: 8th December 2006

Proposal: Creation of new vehicular access.

Parish:

Map Ref: 65157 74365

Ward: Kings Chase



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100023410, 2006.

N.T.S

PK06/3529/F

INTRODUCTION

This application appears on the Circulated Schedule due to the receipt of one letter of objection from a local resident.

1. THE PROPOSAL

- 1.1 This planning application seeks permission for the creation of a vehicular access point. Planning permission is required as the proposed access fronts onto a classified road
- 1.2 The surrounding land uses are mainly residential.
- 1.3 The neighbouring property has recently created a new vehicular access. Whilst resisted by the Council, the vehicular access at the neighbouring property was granted consent at appeal in March 2006.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 – Delivering Sustainable Development
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
T12 Transportation Development Control Policy for Development

3. RELEVANT PLANNING HISTORY

- 3.1 PK01/2497/F Erection of rear conservatory
Approved October 2001

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is unparished

Other Representations

- 4.2 Local Residents
One letter of objection has been received from a local resident. A summary of the points of concern are stated below;
 - Because the neighbours application for access was refused (The access was subsequently granted consent at appeal)
 - The existing lamp post and parked cars restricts visibility
 - It is not needed as they can park on the grass crete
 - It is not possible to turn on site
 - Insufficient justification for the need for the driveway

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy T12 of the South Gloucestershire Local Plan allows for development subject that it does not have an adverse impact on highway safety and satisfies a number of criteria.

5.2 Transportation Issues

A material consideration in the determination of this application is the recent appeal decision received in March 2006 relating to the neighbouring property No. 132 New Cheltenham Road. This application is almost identical to that allowed by the Inspector at the neighbouring property. Other than the siting of the lamp-post, visibility and issues of road safety are exactly the same. The Inspector concluded at the neighbouring property that the new access would not result in any undue issues of highway safety.

In addition to the above, and since the Council's recommendation for refusal on the neighbouring property, the South Gloucestershire approach to determining applications such as this has altered slightly. The issue of requiring off street turning areas for newly created off-street parking spaces was considered at the Development control (East) Committee on 16th February 2006. At this meeting it was resolved '*that (subject to the resolution of the Development Control ((West) Committee) for the purposes of Development Control, the Council will not require turning areas on driveways for existing individual dwellings onto class 3 Highways in urban areas where the statutory speed limit is 30mph or less*'. In light of this resolution, a turning space is not required for this development and thus there are no objections to the application as proposed.

It is accepted that there is a lamppost and protective bollards in the centre at the front of the site. However, the vary narrow width of the lamppost is not considered to pose any issues of insufficient visibility. There is sufficient space either side of the lamppost to access the driveway.

5.3 Section 106 Requirements

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

6. CONCLUSION

6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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) 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 PK06/3529/F

Contact Officer: Marie Worboys

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 new driveway and turning area shall be surfaced with a fully bound material and this shall be maintained satisfactorily at all times thereafter.

Reason:

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PK06/3538/REP
Site: Land Adjacent 30 Greenore Kingswood
 BRISTOL South Gloucestershire BS15
 8ER

Applicant: Mrs Swick
Date Reg: 8th December 2006

Proposal: Erection of 1no. detached bungalow.
 (Renewal of planning permission
 PK01/3365/F)

Parish:

Map Ref: 64332 73179

Ward: Woodstock



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100023410, 2006.

N.T.S

PK06/3538/REP

This application appears on the Circulated Schedule due to the receipt of a neighbour objection.

1. THE PROPOSAL

1.1 The existing house on this site is a render and tile detached house of similar appearance to the others in this cul-de-sac. The site lies at the end of the straight road, beyond the turning head, off which it is accessed. There is also a detached garage in Bradstone and tile in the position of the proposed bungalow, which is proposed to be replaced. The site is open towards the cul-de-sac, but is otherwise screened by a 2.5 metre high conifer hedge to the rear and side. To the side lies a similar detached garage and then the adjacent house. To the rear is a footpath and further properties in Cabot Close. The site sits significantly lower than road level. The existing house on the site has no windows in the side elevation.

1.2 This application follows a previous approval of PK01/3365/F and seeks to renew that planning permission.

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
H4	Residential Development within Curtilages
T7	Cycle Parking
T8	Car Parking
T12	Transportation

3. RELEVANT PLANNING HISTORY

3.1 PK01/3365/F Erection of bungalow Approved 2002

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

No parish

4.2 Other Consultees

Environmental Protection

No objection in principle, subject to the inclusion of informatives on the decision notice.

4.3 Technical Services Unit

No objection in principle, subject to a condition requiring the submission of drainage details and the inclusion of informatives on the decision notice.

4.4 Sustainable Transport

The proposal would provide adequate parking and turning. No highway objection is raised.

Other Representations

4.5 Local Residents

One letter of objection was received, with the solicitor's letter of objection to the 2001 scheme attached, citing the following concerns:

- Ownership of part of the site is claimed to be with the neighbouring property
- The forms do not acknowledge the demolition of the existing garage
- There is a restrictive covenant which binds the site

The solicitor's letter from 2001 cited the following concerns:

- The proposal would be an undesirable precedent, which would encourage others to make similar applications
- It would increase the density of development
- It would harm the balance of garden to dwelling in the road
- The services to the site run through their clients' land and there would possibly be a strain on these
- Restrictive covenant to prevent future building and the Council would be encouraging the breach of this
- The writer acknowledges that these issues may not come under planning matters

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This proposal is the same as that approved under ref. no. PK01/3365/F. The analysis is therefore the same, with the exception of policies and guidance which have changed between the determination of the last application and the submission of this one. These changes amount to the introduction of the design agenda with PPS1, as echoed in policy D1 of the now adopted Local Plan. In principle, this site, being residential curtilage, represents a previously developed, brownfield site within the urban area, which is acceptable for residential development as defined in the South Gloucestershire Local Plan and PPG3, subject to the following concerns being met.

5.2 Residential Amenity

The site is currently screened to side and rear as described above and it is not considered that the erection of a bungalow in this position would have any effect on residential amenities outside the site. Within the site, the angle between the proposed bungalow and existing house, the proposed screen fence and the lack of side windows in No. 30 combine to safeguard residential amenity. The amenity space shown on the plans, at over 50 square metres is considered to be adequate to serve a two bedroom dwelling, as is proposed.

5.3 Visual Amenity/ Design

The current proposal is the same as the previous proposal, with the exception of the window detailing, which is shown to match that of the host dwelling, following the receipt of amended plans. In effect a single storey structure, the garage, would be replaced with a house of similar dimensions and the effect on the street scene is minimised by the site lying lower than street level, leaving a view along the road of a low level feature building as a focal point. It is considered that the scheme would not harm the street scene and complies with policy in this respect.

5.4 Transportation

As with the previously approved scheme, it is considered that adequate space for parking and manoeuvring has been provided within the proposal and this has been reinforced and safeguarded by the condition below. There should be no consequent rise in on-street parking, as this is considered to represent a poor alternative to on-site parking, particularly due to the lower level of the site preventing visibility of vehicles parked on the street.

5.5 Other Issues

The consultation process has highlighted some other concerns, one being the issue of land ownership. The forms submitted show that the site is owned solely by the applicant. If this is not the case, then any other owner would be able to prevent the development as it would involve trespass. This is not therefore a planning issue. Similarly, any restrictive covenant covering the site is a matter for civil law and not the planning system. The demolition of the existing garage does not appear in the description of development in this instance as it does not require planning permission to be demolished.

5.6 Design and Access Statement

The Design and Access Statement submitted with the application is considered adequate 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 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. **RECOMMENDATION**

7.1 That planning permission is approved, with conditions brought forward from the previous permission.

Background Papers **PK06/3538/REP**

Contact Officer: **Chris Gosling**

Tel. No. **01454 863787**

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. Before the development hereby permitted is commenced details of the proposed finished floor levels of the dwelling house relative to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the residential amenities of adjacent occupiers are not prejudiced by development close to the boundary, in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. 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) no development as specified in Part 1 (Classes A, B, E, G and H), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason:

In view of the size of the plot any extension/alteration to the dwelling would require further detailed consideration in order to safeguard the amenities of the area and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Building operations shall not be commenced until details of the roofing and external facing materials proposed to be used have been submitted to and approved by the Council and all such materials used in construction of the building(s) hereby authorised shall conform to the details so approved.

Reason:

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

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevations of the property, unless the Local Planning Authority gives consent in writing to any variation.

Reason:

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

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

Reason:

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

7. Development shall not begin until drainage details incorporating best management practices and the hydrological context of the development have been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

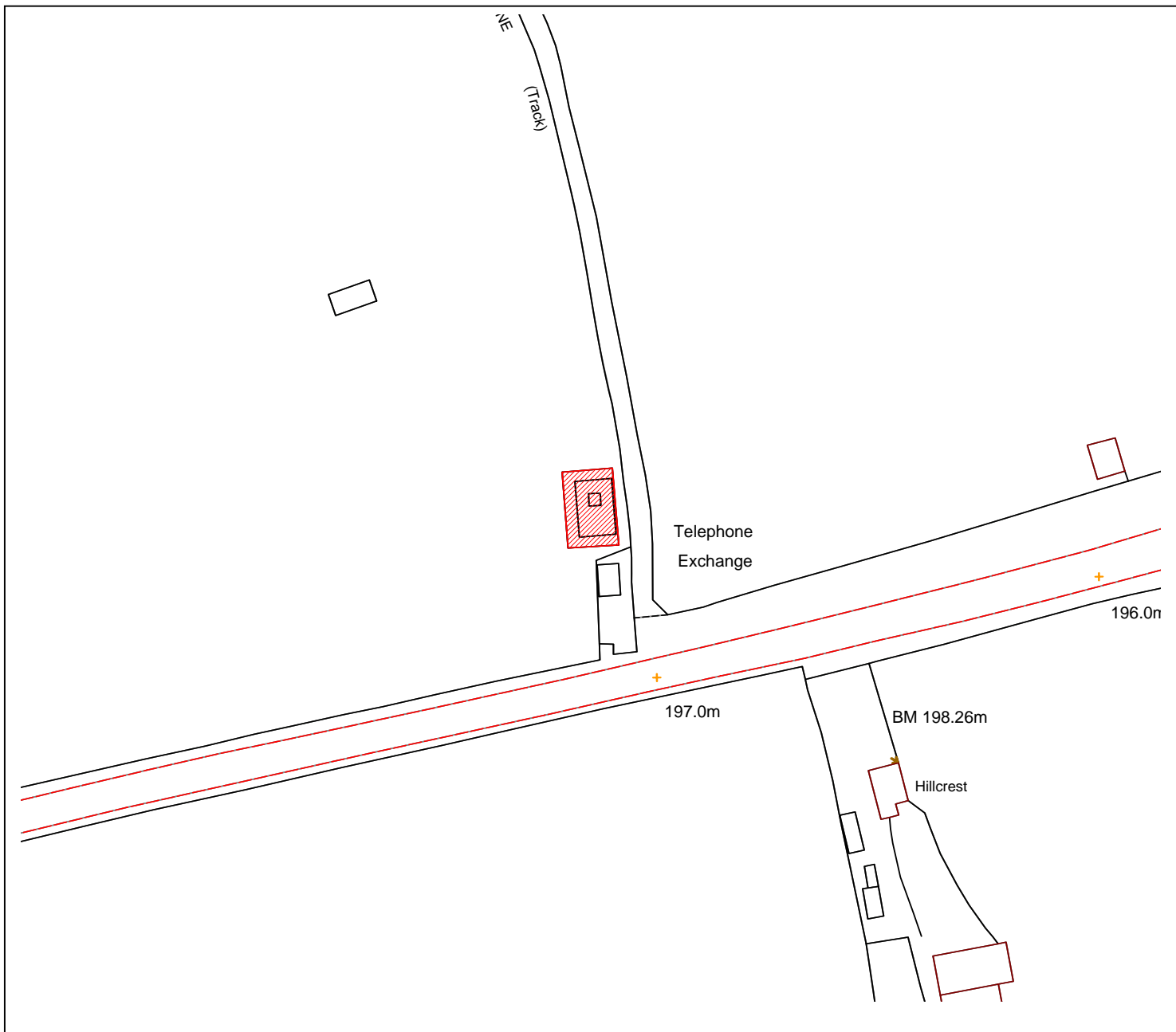
8. No development shall take place until a ground stability survey comprising a comprehensive site investigation report has been submitted to the Council which demonstrates to the satisfaction of the Local Planning Authority that the development hereby permitted can be constructed satisfactorily having regard to the ground conditions within the site.

Reason:

To ensure that development can be constructed having regard to local ground conditions, and to accord with Policy EP7 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 – 12 January 2007

App No.:	PK06/3607/RVC	Applicant:	Airwave O2 Ltd
Site:	Land at West End Town Farm, West End, Marshfield, South Gloucestershire SN14 8JH	Date Reg:	14th December 2006
Proposal:	Removal of condition 5 attached to Planning Application PK01/2933/F dated 19th February 2002 to allow retention of an existing 15m high telecommunication monopole with 3no.digital antenna and associated equipment.	Parish:	Marshfield Parish Council
Map Ref:	76805 73673	Ward:	Boyd Valley



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This application appears on the Circulated Schedule due to the receipt of a neighbour objection and an objection form the Parish Council.

1. THE PROPOSAL

1.1 This application seeks planning permission for the removal of condition 5 attached to planning permission PK01/2933/F which limits the planning permission for the erection of the mast to a temporary period of five years. This temporary period would expire on 27 February 2007.

1.2 The mast in question is a monopole with a headframe situated to the east of the village of Marshfield and its conservation area, screened with the exception of the top of the headframe from both, by a row of beech trees, backed by a conifer brake. The site lies on open land, except for the former exchange building and a derelict agricultural building situated in the field. It lies in the Green Belt and Cotswolds AONB. The equipment cabin is screened by a Cotswold stone wall and a security fence.

1.3 With regard to the reasoning for the approval of a temporary planning permission in 2002, the original Committee Report stated:

The operator has agreed that a temporary five year planning permission would be acceptable in this instance to meet its immediate requirement in establishing the network. It is hoped that within this timescale advances in technology will allow for an alternative mast or system which has less effect upon the openness of the Green Belt and the character of the Cotswolds AONB. Should this not happen, the operator would be able to apply either for a permanent consent for the existing mast and cabin or a renewal of temporary consent.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belt
PPS7 The Countryside
PPG8 Telecommunications

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
L2 Development in AONB
GB1 Development in the Green Belt
S5 Telecommunications

2.3 Supplementary Planning Guidance
Note 13 – Green Belts
SPD on Telecommunications

3. RELEVANT PLANNING HISTORY

3.1 PK01/2933/Ferection of 15 metre high monopole with 3 no. digital antennae and associated equipment cabinet. Temporary permission 2002

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council
Object to the proposal as it represents inappropriate development in the Green Belt and AONB. The Parish Council also believes that there has been

insufficient investigation of mast sharing opportunities, specifically at the Charmy Down site.

4.2 Other Consultees
Environmental Protection
No adverse comments

4.3 Sustainable Transport
No highway objection has been raised to this proposal.

Other Representations

4.4 Local Residents

One letter of objection was received, citing the following concern:

- Given the strong wording of the reason for imposing condition 5 in the original decision of the Council (The mast represents inappropriate development in the Green Belt and is permitted for a limited period only because of the special circumstances of the case) it seems to us that you have no choice but to order the mast to be removed or to allow its retention for a further limited period only.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The only issue to be resolved in this instance is whether the mast can remain on a permanent basis. The operators have also offered to repaint the structure and the opportunity is therefore available to reword condition 3 of the previous planning permission and reapply it.

5.2 Condition 5

Condition 5 states:

The building (i.e. the mast) hereby permitted shall be removed and the land restored to its former condition on or before 28 February 2007 in accordance with the scheme of work submitted to and approved in writing by the Local Planning Authority.

The reason stated for this condition reads:

The mast represents inappropriate development in the Green Belt and is permitted for a limited period only because of the special circumstances of the case.

At the time of approving planning permission for the mast, which forms part of the TETRA network used by the Emergency Services, it was hoped that within the five years from the approval of planning permission, technological innovation would make the need for this mast redundant. However, this has not proved to be the case. The mast, although it is inappropriate development in the Green Belt, was originally considered to meet policy in other regards, for instance the impact on the AONB and Conservation Area and the effect on visual amenity generally. This is considered still to be the case. While the development therefore remains inappropriate within the Green Belt, it is considered that the same very special circumstances which applied at the time of approving the 5 year temporary permission still apply. At that time, the very special circumstances, i.e. the operation of the emergency services network, were considered to outweigh the policy presumption against inappropriate development. It is considered that the need to maintain this system still outweighs the harm to the Green Belt by virtue of the inappropriate nature of the development. It is also noted that PPG8 advises that a lack of alternative

sites which would meet the needs of network coverage or capacity might be considered as very special circumstances. With regard to the effect on the openness of the Green Belt, the tree screen has grown in the interim and it is considered that visual amenity could benefit with the mast being repainted, with the darker, brown colour painted further up the mast to reflect the growth in the trees. This issue is analysed below.

5.3 Condition 3

Condition 3 states:

The mast and ancillary equipment hereby granted permission shall not be erected until their colours have been submitted and agreed in writing by the local planning authority.

The reason for the condition states:

In the interests of visual amenity in the Area of Outstanding Natural Beauty in accordance with policy RP35 of the adopted Rural Areas Local Plan and policy L3 of the South Gloucestershire Local Plan (deposit draft).

The application has been assessed by the Council's Landscape Officer, who concluded that the lower part of the mast is screened to the east by two rows of trees: a tall conifer wind break and a well established row of beach trees. It is open to views from the north. The lower section of the mast is screened by an existing old telephone exchange building. The mast has been painted brown so that when viewed from the west it blends into the backdrop of trees. However the painted section of the mast is not as high as the conifer trees, painting the mast in a matching colour to this height will help to reduce its visual impact when viewed from the west. It is still considered that this location minimizes the impact of the mast on the openness of the Green Belt and the character of the AONB when compared to alternative sites within the area. The landscape considerations under which the mast was granted permission in 2002 have not changed. It is therefore considered that there are no overriding landscape objections, subject to the submission and approval of a specification to paint the mast in a colour to match the existing colour, to the height of the conifer wind break.

5.4 Mast Sharing

This issue was raised as a result of the consultation process. Policy S5 of the South Gloucestershire Local Plan supports and encourages the use of sharing existing masts to avoid the need for the erection of new ones. There are few masts in the vicinity of the site. The Parish Council specifically refers to Charmy Down in the Bath and North East Somerset area. There is also a cluster of masts in the Cold Ashton A46/ A420 roundabout area and a further mast at Pennsylvania, but these are not considered to be suitable for sharing, being lightweight. In addition to this, they would not offer coverage of the valley to the north of Marshfield, as they lie on land lower than the existing site.

The applicant's agent has provided details on the feasibility of mast sharing in order to maintain existing levels of coverage for the network. A justification for the radio coverage required at this 'cell' at West End Town Farm was provided with the application. This existing mast provides coverage to Marshfield, the main A420 road and all the local villages and minor roads surrounding. The applicant also has an installation at Bannerdown Road, Charmy Down, (Airwave Ref. No. AAS033) providing coverage northeast of Bath. The site at West End Town Farm, is required to provide coverage to a different area than that already covered by the Charmy Down installation as that mast does not

provide sufficient radio coverage to the Marshfield area. This degree of coverage is not considered to be possible utilizing any location outside the Cotswolds AONB.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

7.1 That planning permission is reissued, without the five year temporary period for the permission to run (condition 1), without the requirement to erect a screen wall (condition 2), with the former condition 3 retained to require a scheme of painting, with the former condition 4 retained to remove permitted development rights and with former condition 5 removed, as stated in this application.

Background Papers **PK06/3607/RVC**

Contact Officer: **Chris Gosling**

Tel. No. **01454 863787**

CONDITIONS

1. Within one month of the date of this permission, a scheme of painting the mast shall be submitted to and agreed in writing by the Local Planning Authority. The mast shall be painted in accordance with the agreed scheme within one month of the date of that agreement.

Reason:

In the interests of visual amenity of the Cotswold Area of Outstanding Natural Beauty in accordance with Policy L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

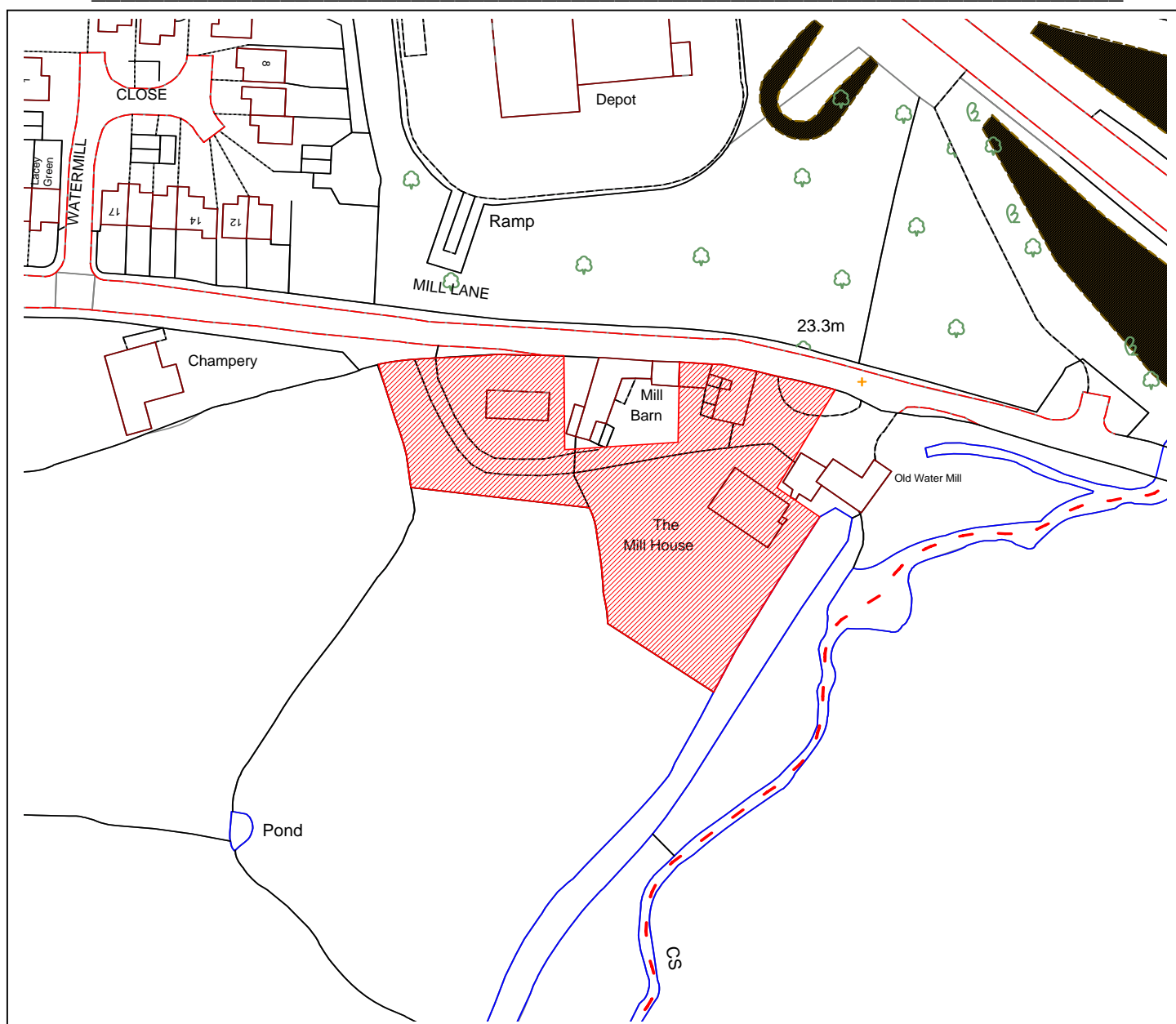
2. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking and re-enacting that order, with or without modification) nothing shall be attached to the mast, nor shall the mast be extended in any dimension, without the prior written consent of the Local Planning Authority.

Reason:

In order to protect the Cotswolds AONB in accordance with Policy L2 of the South Gloucestershire Local Plan (Adopted) January 2006 and to implement the recommendation of the Stewart Report.

CIRCULATED SCHEDULE NO. 02/07 - 12 JANUARY 2007

App No.:	PT06/2518/CLE	Applicant:	Mr & Mrs P King
Site:	Mill House Farm Falfield WOTTON UNDER EDGE South Gloucestershire GL12 8BU	Date Reg:	25th August 2006
Proposal:	Application for Certificate of Lawfulness for the continued use of agricultural land as residential curtilage.	Parish:	Falfield Parish Council
Map Ref:	68538 93260	Ward:	Thornbury North



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N.T.S

PT06/2518/CLE

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, falls to be considered under the circulated schedule procedure.

1. THE PROPOSAL

- 1.1 The application is for a Certificate of Lawfulness for the use of a former farm yard as residential curtilage associated with the subject dwelling.
- 1.2 The site consists of an area of predominantly turfed land that is enclosed by post and rail fencing. The driveway serving the subject dwelling and a residential barn conversion runs through this area and gives access to Mill Lane and the surrounding area. A concrete hard standing also exists close to the access to the site with Mill Lane. This relates to the remnants of a corrugated steel dutch barn which stood in the yard.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 1995 Article 24
Circular 10/97 Enforcing Planning Control

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 4.1 The applicant has submitted a sworn declaration and signed letters written by the current and former residents of the converted barn adjacent to the site (and formerly within the farm) and the adjacent dwelling at The Old Water Mill supported by photographs and copies of bills and receipts in respect of work done at the farm that forms part of the claimed residential curtilage.

5. SUMMARY OF CONTRARY EVIDENCE

- 5.1 None Received

6. OTHER REPRESENTATIONS RECEIVED

- 6.1 None

7. EVALUATION

- 7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to prove precise and unambiguous evidence.
- 7.2 In this instance it must be proven that the land subject to this application has been utilised as domestic curtilage for a period in excess of 10 years. The applicant has submitted a sworn declaration supported with photographic and financial evidence.

- 7.3 The applicant has shown the application site to include an area of land measuring approximately 0.3 hectares. This includes land to the South and north of the subject dwelling that clearly forms residential curtilage.
- 7.4 The area of land to the East of the dwelling contains the driveway and hard-standing (associated with the former dutch Barn); which in turn is fenced off from the adjacent open countryside by way of a post and rail fence. The applicant claims that this area of land was fenced off in 1986 and has submitted financial evidence in support of this claim. The applicants further claim that the former Dutch Barn was utilised as a domestic garage, storage (vehicles, garden mowers, fire-wood etc) and as a games/play room from 1988. Similarly, it is claimed that the external areas surrounding this barn have been continuously used for domestic activities (such as hanging out washing and children's play etc). There is photographic evidence of such activity having taken place.
- 7.3 Having regard to the above, it is considered that the evidence presented by the applicant proves that, on the balance of probability, the whole of the land subject to this application has been used as residential curtilage for a period in excess of 10 years.

8. RECOMMENDATION

- 8.1 A Certificate of Existing Lawful Use be granted for the use of the land as residential curtilage.

Background Papers **PT06/2518/CLE**

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PT06/2580/F	Applicant: Mr C Clay
Site: 35 Bush Avenue Little Stoke BRISTOL South Gloucestershire BS34 8LY	Date Reg: 5th September 2006
Proposal: Conversion of 1no. dwelling to from 2no. flats. Erection of detached double garage	Parish: Stoke Gifford Parish Council
Map Ref: 61387 80458	Ward: Stoke Gifford



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N.T.S

PT06/2580/F

This application appears on the Circulated Schedule as there are objections from local residents to the proposed development, contrary to the Officer recommendations

1. THE PROPOSAL

- 1.1 The site consists of a modern semi-detached dwelling and garage with vehicular access from Bush Avenue via the associated rear access lane.
- 1.2 The proposed development consists of the conversion of the existing dwelling in order to provide two flats and the construction of a new garage building in the rear of the site. The proposed flats are made up of a one bed and a two bed unit.

2. POLICY CONTEXT

- 2.1 National Guidance
 - PPS1 Delivering Sustainable Development
 - PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
 - D1 Achieving Good Quality Design in New Development
 - H4 Development within Residential curtilages
 - H2 New Residential Development within the Urban Areas or Village Development Boundary
 - H5 Conversion of Existing Residential Units into Smaller Residential Units
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (Draft) September 2006

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No Objection
- 4.2 Sustainable Transport
No Objection

Other Representations

- 4.3 Local Residents
5 letters have been received during the consultation process associated with this planning application. All the letters raise objection and the comments can be summarised as follows;

The introduction of flats into an area dominated by houses would be out of character with the surrounding locality.

The proposed development would set a precedent for the conversion of all of the houses into flats

The ground floor flat does not adequately provide space for a disabled occupier

The proposed development would generate additional internal noise and would increase the level of overlooking affecting the adjacent garden area. This would be detrimental to the privacy and residential amenity of the occupants of the adjoining dwelling.

The development will increase the fire hazard to the adjacent dwelling; and there is no means of escape for the residents of the first floor flat

The proposed development would fail to meet the current building regulation standards in terms of noised insulation

The proposed development would cause further on-street parking problems and the proposed off street parking provision is not adequate to cater for the development

There may be access issues in respect of the occupiers rights to use the rear access lane

Access to the back lanes is restricted.

5. **ANALYSIS OF PROPOSAL**

5.1 The proposed development consists of the conversion of an existing dwelling into two flats and associated development. This development has been implemented without the benefit of planning consent. Currently, the conversion of the building is complete with the proposed garage partially complete. The total development has not been completed.

5.2 Principle of Development

Policy H2 and H5 are relevant to this planning application. The policies indicate that the proposed development is acceptable subject to the following considerations.

5.3 Housing Density

PPS3 advises that new residential development should make the most efficient use of land and should use previously developed land. The document advises that new residential development should achieve a minimum density of 30 dwellings per hectare (DPH) having regard to the characteristics of the site and the surrounding locality. Policy H2 supports this principle and encourages a minimum density of 30 DPH and higher where the characteristics of the site permit; Policy H5 is supportive of the introduction of smaller units of accommodation to make a valuable contribution to the supply of housing within South Gloucestershire.

5.4 The proposal site measures approximately 250 sq/m. The proposed development provides 2 dwellings on the site (net increase of 1) and would equate to approximately 80 dwellings per hectare. Although this density is high, it is reflective of the size of the residential units proposed. This site is located within easy reach of services and public transport facilities. The physical/visual relationship of the development with its surroundings are considered below.

5.5 Design and Character Consideration

The proposed development would take place within the curtilage of an existing residential dwelling. As such Policy H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 are relevant to this application. Both of these policies seek to ensure that new residential development is designed so as to be in keeping with the character and visual amenity of the site and the surrounding locality. Policy D1 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006 supports this principle.

5.6 Local residents have expressed concerns that the introduction of flats is out of keeping with the surrounding area, which is dominated by family homes. However, PPS3 encourages the provision of a wide range of house types within communities; and in particular smaller units such as those proposed. The works to the building itself are minimal and the resulting appearance of the development would not materially change from its present appearance. This is discussed in more detail below.

5.7 There are no extensions to the dwelling itself in order to facilitate the development of two flats. There are minor alterations to the building in the form of replacement windows and a wide front door in order to facilitate easier access for wheel chair users. However the physical appearance of the building would remain materially the same and in keeping with the surrounding area.

5.8 The proposal includes the construction of a new double garage building. This is positioned to the rear of the property and access from the access lane leading from Smithcourt Drive. This area is characterised by a wide variety of garages, and the proposed garage is considered acceptable in this context. In addition, it is proposed to provide a cycle store, for use by the occupant of the first floor flat and a bin storage area to the front of the main building (cycle storage for the ground floor flat is within the garage building). It is considered that the principle of positioning those facilities in that location is acceptable. However, the exact details demonstrating the appearance of them are not submitted with this planning application. This can be dealt with by way of planning condition in order to ensure that the facilities are appropriately designed. Two off street car parking spaces are also to be provided to the front of the main building. It is considered that this arrangement is acceptable and very similar arrangements are evident within the immediate surrounding locality.

5.9 Having regard to the above, and subject to the condition indicated, it is considered that the development would not harm the character and distinctiveness of the locality and is compliant with Policies D1, H4, H2, and H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.10 Residential Amenity

Policy H5, H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new residential development; in the form of the flats would not have a detrimental impact upon the privacy and residential amenity of the occupants of nearby dwellings.

5.11 Concern has been raised as to the impact of the development upon privacy and residential amenity through overlooking as a result of the proposed development; and through noise affecting the adjoining residents as a result of increased households within the building. There are also concerns expressed regarding fire risk.

- 5.12 In this instance the proposed residential units would face the highway and across the rear garden area of the existing dwelling. There are no dwellings immediately to the rear (North) of the site. That area is occupied by the Stokers Public House. The impact of the proposed new garage would not be material in this context.
- 5.13 In assessing noise transfer between the new flats and the existing dwelling at 33 Bush Avenue it is necessary to consider the activity that would take place within the building as a house. In this instance, the kitchens and bathrooms relating to the new flats will be positioned on the opposite side of the building from the party wall with the dwelling at 33 Bush Avenue. The accommodation against the party wall will be made up of living room and bedroom accommodation. This type of accommodation is not materially different from that of the dwelling and the use of televisions etc within these areas would be normal activity whether the building was being used for flats or as a dwelling. Although the development would be effectively intensify the number of households within the building, there is no net increase in bed space. On this basis, it is considered that there would be no material impact upon the occupants of the 33 Bush Avenue in this regard. However, where noise generation reaches an intolerable level this would be regarded as a 'noise nuisance' issue and would fall under Environmental Health Legislation.
- 5.14 Fire risk effecting the development is covered by the Building Regulations and it is considered that this will adequately address this issue rather than Planning Legislation.
- 5.15 Having regard to the relationship of the proposed development with the immediate surrounding dwellings it is considered that the proposed development would have no material impact upon the privacy and residential amenity of the occupants of those dwellings.
- 5.16 Further concern has been raised as to the capacity of the proposed bin store to serve four dwellings; and this could have a detrimental impact upon residential amenity. It is considered in this instance that the capacity of the bin store is adequate to cater for the refuse and recycling requirements of the South Gloucestershire collection service.
- 5.17 Transportation
Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon the highway safety and amenity in the surrounding locality. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides maximum parking standards; whilst policy T7 allows for the provision of secure cycle parking to encourage alternative modes of transport to the motor car.
- 5.18 Concern has been raised as to the impact of the development upon pedestrian and vehicular safety as a result of the increase of vehicular movements and parking as a result of the development.
- 5.19 In this instance it is not considered that the increase in vehicular movements would be material as a result of this development. Similarly, the development would not have a material impact upon the waste collection services. The proposed development includes the provision of sufficient secure cycle parking

within the site. This is to be located within a small building to the rear of the building.

5.20 The immediate surrounding locality is characterised by relatively narrow access roads that reflect the period that the area was originally developed. Although Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides maximum parking standards, it is considered appropriate to provide specific off street parking within the proposal site in order to discourage additional on street parking in the locality in the interest of highway safety and amenity. The site is capable of providing sufficient off street parking to satisfy the requirements of Policy T8 and the submitted details demonstrate that this can be achieved satisfactorily.

5.21 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).

5.22 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 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

7.1 That Planning Permission be granted subject to the following conditions

Background Papers **PT06/2580/F**

Contact Officer: **Simon Penketh**

Tel. No. **01454 863433**

CONDITIONS

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

Reason(s):

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

2. Prior to the first occupation of the development hereby approved the off street parking as detailed on the approved plans shall be completed and made available for use by the occupants of the development.

Reason(s):

In the interests of highway safety, and to accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the first occupation of the development hereby approved, full details demonstrating the appearance and construction of the cycle store (located to the front of the building) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter implementation of the cycle store shall proceed, prior to the first occupation of the development, in accordance with the agreed details unless the Local Planning Authority agree in writing to any variation.

Reason(s):

- 1 In the interests of visual amenity and to accord with Policy D1, H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 2 To encourage means of transportation other than the private car, to accord with Policy T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PT06/2820/F
Site: 3 Gloucester Road Almondsbury
 BRISTOL South Gloucestershire BS32 4BJ

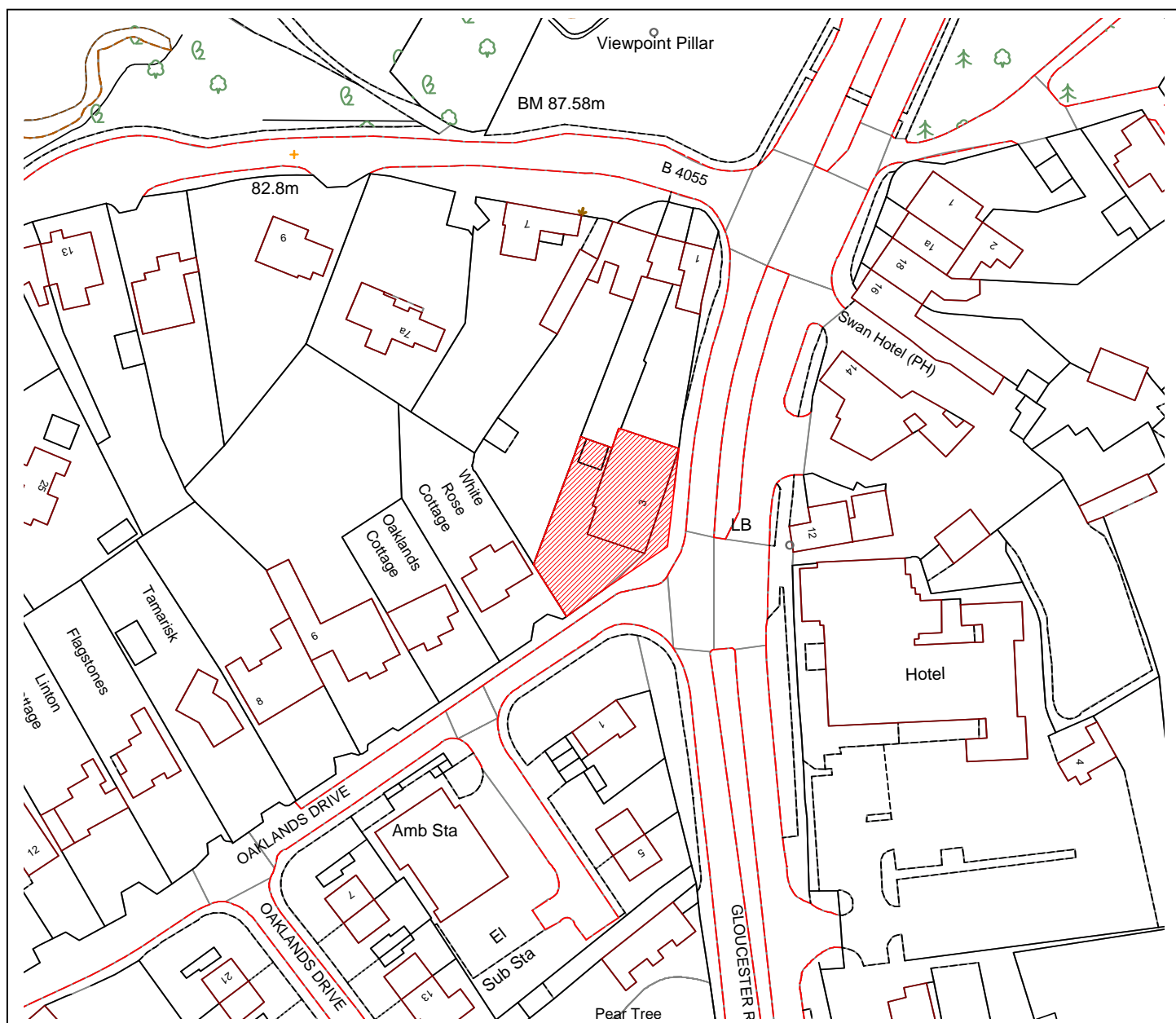
Applicant: Gainwell Ltd
Date Reg: 2nd October 2006

Proposal: Erection of two storey and three storey extension to provide additional office accommodation with landscaping and associated works. Installation of fire stairwell to side elevation

Parish: Almondsbury Parish Council

Map Ref: 60541 83782

Ward: Almondsbury



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100023410, 2006.

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1 N.T.S

PT06/2820/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of objection letters from Almondsbury Parish Council and local residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for extensions and alterations to an existing office building.
- 1.2 The application site forms a detached two-storey building on the west side of Gloucester Road, Almondsbury. The site is positioned within the settlement boundary, which is washed over by the Green Belt.
- 1.3 An amended plan forms part of this application facilitating an increase in size of the application site to accommodate a larger car park of amended layout.

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 Belt
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
GB1 Development in the Green Belt
E3 Employment Development with the Urban Areas & Settlement Boundaries
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy in New Development

3. RELEVANT PLANNING HISTORY

- 3.1 N5520: Use of land and buildings in connection with building construction business, and the preparation and storage of vehicles. Refused: 21 June 1979
- 3.2 N5520/1: Temporary use of land and buildings for the preparation and storage of vehicles. Refused: 13 September 1979
- 3.3 N5520/4: Change of use of part of existing premises from store to office accommodation. Permitted: 30 September 1982
- 3.4 N5520/5: Erection of first floor extension. Refused: 3 March 1983
- 3.5 N5520/6: Erection of first floor extension and formation of enlarged car parking area to provide five additional spaces. Permitted: 15 September 1983
- 3.6 PT02/2364/F: Replacement of window and entrance doors, external rendering to front elevation. Permitted: 3 September 2002

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Very Strong Objection: (in connection with the original plans received)

- The site is on the edge of a Conservation Area and surrounded by 300 year old cottages and a coaching house;
- The design is completely out of keeping with the surrounding area and more in keeping with other buildings on the other side of the motorway at Aztec West;
- The visual impact would have a detrimental impact on the surrounding area;
- The building has already had several alterations recently;
- The car park is insufficient in size for 10 staff and thus there might be cars parked on the road possibly blocking access to the Ambulance station;
- The point of access is onto the busy A38 on the brow of a hill;
- It is considered that a decision cannot be made without a site meeting to view the other properties that the proposal will affect.

4.2 A further letter has been received in response to the amended plans stating that all previous comments remain whilst it is considered that the amendments would exacerbate traffic leaving the site.

4.3 Other Consultees

Urban Design Officer: no objection subject to condition requiring obscure glass to rear elevation details of which should be submitted and agreed.

4.4 Planning Policy Officer: policy GB1 allows for limited infilling within settlements and defined settlement boundaries. Policy E3 allows for extensions of existing buildings within settlements washed over by the Green Belt. The justification text for Policy E3 (para 7.52) states that the term “infilling” for the purposes of this policy means the filling of small gaps within built development. The proposal clearly falls within this and given its location within Almondsbury would not impact on the openness of the Green Belt.

4.5 Sustainable Transport

No objection to the amended plans subject to the following conditions:

- The separate spaces to 1 & 3 Over Lane be provided and maintained;
- The undercover and secure cycle store (including stands) shown be provided and maintained, including one disabled parking space;
- The 14 car parking spaces be provided and maintained, including 1 disabled car parking space;
- The 3 ‘Sheffield type’ cycle stands for visitors be provided and maintained;
- The bin store be provided and maintained;
- Stonewalls on either side of the access be provided and maintained.

Other Representations

4.6 Summary of Local Residents Comments:

Six letters received (from five households) in response to the original plans:

4.7 Design

- Surrounding buildings comprise two-storey traditional stone built dwellings with some of historical significance. Contrastingly, the proposal would form a contemporary build using aluminium cladding, rolled zinc and large glazed

panels with a strong parapet. Such is considered totally out of keeping with the style of this semi-rural location;

- The proposal will set a precedent for further commercial development of Oaklands Drive that will impact on the approach to surrounding countryside;
- The increased height of the build would ensure it would appear prominent within this low density residential area;
- The existing ugly appearance of the building is largely down to the owner who has left it in an unfinished state for the last two years (approx);
- The proposal in its present form is considered to form a lost opportunity;
- The existing building which has no appreciable curtilage to the front and sides is already highly intrusive;
- With no opportunity to soften the proposal with landscaping, it would be overwhelming and inappropriate;
- The 'rural feel' on this side of the M5 should be retained in contrast to the 'A38 hotchpotch on the Bristol side';
- Any proposal should utilise traditional materials and only include third floor accommodation in a pitched roof with a dormers to the front and velux roof lights to the rear.

4.8 Residential Amenity

- It increase in size, depth and height brings the building closer to the rear boundary causing an unacceptable impact on those properties behind;
- The current building is not visible from many nearby properties; the addition of a third-storey would mean that this was no longer the case;
- Rear second floor windows will overlook the properties behind;
- In winter months the build would be highly illuminated impacting on locals;
- The proposal would appear dominant from the rear of adjoining dwellings and block low-level winter sunlight.

4.9 Highway Safety

- The car park appears inadequate whilst there is no provision for customers;
- The applicant approached the owner of the property behind two years ago who wished to buy the lower half of her garden to provide 20 extra spaces;
- The entrance is on the junction with Gloucester Road with little room to await safe passage into the flow of traffic;
- There have been incidences where vehicles leaving Oaklands Drive have nearly collided with those approaching the application site;
- Pedestrian safety will be compromised with vehicles crossing the pavement;
- The owners currently flout parking restrictions with vehicles parked along Oaklands Road. The proposal would increase parking along this road and compromise highway safety to the detriment of residents;
- Enhanced landscaping along the rear boundary (as indicated) would reduce the level of car parking that could be provided.

4.10 Further Issues

- The proposal is classed as a minor extension. However, it would increase the size of the building by 38%, (it is understood that any addition above is 30% should be classified as a major rebuild, not an extension);
- The Design & Access Statement contains many errors and is misleading (the writer highlights these errors in an attached appendix);
- There is plenty of suitable office accommodation in Aztec West and on the Almondsbury Business Park;
- The applicant owns nos. 1 & 3 Over Lane.

4.11 The applicant has responded to some of these concerns in writing stating that:

- Photographs taken from the existing flat roof of the building show that privacy of nearby properties and surrounding gardens will not be affected by windows in the new elevated level (copies of the photos were provided and made available to neighbours);
- Concerning parking/ access issues, the proposal is not requesting anything further than that already permitted and enjoyed by previous users;
- Presently there are four Voodoo employees, two of whom walk to work;
- The car park provides for the other two employees and a company van;
- Property advisors stated that whilst the number of car parking spaces was sufficient for Voodoo, if the premises were remarketed, purchasers might consider the number of spaces insufficient; hence the approach to no. 5.

4.12 Four letters received in response to the additional plans:

- The vehicle access to the site is dangerous;
- Increased parking spaces would increase the number of vehicles;
- The access onto the A38 is incorrectly drawn;
- The proposal is out of keeping with the traditionally built stone buildings;
- Reduced privacy by means of the increased height to the building whilst this would also dictate that it would be visible from a greater distance;
- There is plenty of suitable office accommodation within the Almondsbury Business Park and at Aztec West;
- It is being presented as a minor increase to the building, although would significantly increase its size and the number of people working there;
- The Design and Access Statement is misleading and inaccurate;
- The changes do not take full account of all the concerns previously raised;
- A previous application for a new house behind the site was refused for highway reasons;
- The proposal remains wholly to the convenience of the applicant and to the detriment of local residential amenity.
- Additional parking spaces appear at the expense of the domestic requirements of 1 and 3 Over Lane. Access to these properties is already extremely restricted.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning policy E3 of the South Gloucestershire Local Plan cites that proposals for employment uses within the settlement boundaries will only be permitted provided that: (considered to be relevant in this case)

- Development would not have an unacceptable environmental effect;
- Adequate provision is made for servicing and the proposal would not give rise to unacceptable levels of vehicular traffic or on street parking;
- The proposal would not prejudice residential amenity;
- The character of the area/ settlement is not adversely affected;
- In the case of travel intensive development (B1 office), the location is well served by public transport.

5.2 Further to the above, policy E3 cites that where the site is located within the settlement boundary and washed over by the Green Belt, development will be restricted to infilling, extensions and the conversion and the reuse of existing buildings.

5.3 Policy GB1 of the same plan cites that planning permission will only be given for limited infilling within the boundaries of settlements washed over by the

Green Belt. Having regard to the above, it is considered that this clause can be used to support the above policy advice.

- 5.4 Finally, policy D1 advises that development will only be permitted where good standards of site planning and design are achieved. As such, relevant in this instance, it is cited that:
- Form, scale, height, massing, detailing, colour and materials should be informed by, respect and enhance the character, distinctiveness and amenity of both the site and its locality;
 - Existing features of heritage or amenity value are retained;
 - It is of a scale appropriate to the surrounding landscape/ townscape.

5.5 Design/ Visual Amenity

The application site comprises a two-storey office building on the western side of Gloucester Road, Almondsbury. The building occupies a prominent position on the brow of the hill opposite the Swan Hotel whilst its lack of any frontage pushes the building forward adjacent to the highway. Accordingly, the unit is visible at distance when approaching from both north and southerly directions along the A38 Gloucester Road.

- 5.6 It appears widely acknowledged that the building at present offers little visual amenity value and contributes little to the streetscape comprising a flat roofed structure with rendered front elevation and stone wall to its more prominent southern side. An unfinished block work single-storey rear addition does little to help.

- 5.7 The building was purchased some two years ago by Voodoo Design Works Limited, an operation described as a high technology graphics design and specialist print production company. Accordingly, and in view of the above, the proposal now seeks approval for the refurbishment of and extensions to this building.

- 5.8 As part of the above, the proposal would facilitate a first floor rear extension to encompass the rear of the building sited above the block work extension. This space would accommodate four graphics print personnel and equipment and would benefit from a timber clad façade with this wrapped around either end. Timber framed windows would provide light whilst the roof to the bulk of this extension would comprise a lean-to structure sloped down towards the rear.

- 5.9 Nonetheless, the most prominent addition when viewed from public viewpoints would comprise the third floor accommodation to be sited above the southern end of the building. This would form a pyramid roof over a glazed box, which has been designed to create a focal point and provide visual emphasis to the building. This space would provide studio/ display/ meeting accommodation.

- 5.10 Finally, additions to the building would also allow the provision of a fire escape stairwell at the north end of the building. This also would be housed within a glazed extension albeit with a rendered north wall facing the adjoining cottages fronting Over Lane.

- 5.11 Concerning the materials proposed, with the exception of the timber clad rear, the main part of the building would predominantly comprise an off white render finish similar to that of the existing building; a revised fenestration layout would though be provided. In so doing, the architect states that the materials shown

- would suit the locality and the environment whilst are robust given the proximity of the building to the constant environmental pollution of the A38.
- 5.12 Having regard to the above, it is acknowledged that the proposal embraces a modern contemporary style and would comprise a more dominant feature when viewed from the A38. In so doing, it is considered that it would offer significant visual improvements to that of the existing structure that appears non-descript and visually uninteresting. Further, it is recognised that the proposal has been subject to pre-application discussions and includes Officer comments as part of this proposal.
- 5.13 In response to the comments received, these would appear to indicate that any works to this building should be stone built with any additional accommodation restricted to that contained within a conventional pitched roof. In this regard, it is considered that this could provide an alternative means by which to develop the site. Nonetheless, it is considered that this would unlikely to significantly enhance the appearance of the existing building and would fail to capitalise on its prominent position. Further, the application must be assessed as submitted and this is not the chosen route of the applicants.
- 5.14 Having regard to the above, the proposal is considered to be acceptable and in compliance with the relevant planning policies. Planning approval is therefore recommended in this instance.
- 5.15 Residential Amenity
The application site is located within a predominantly residential area with its rear and flank boundaries adjoining the curtilages of adjoining dwellings.
- 5.16 Having regard to the rear boundary, this adjoins the lengthy rear garden of no. 5 Over Lane. This boundary is lined by coniferous tree screening interspersed by a length of reduced height hedgerow immediately to the rear of the existing building. This restricts views of the building to first floor level only. Further, this lower half of the garden is largely given over to a gravel hard standing with garaging sited adjacent to the far flank boundary. In this regard it is noted that vehicular access to this property is through the car park of the application site.
- 5.17 In the light of the above, it is noted that this aforementioned rear garden area allows an appreciable distance between this neighbouring unit and the existing building whilst the boundary screening helps to limit views through. As such, it is not considered that planning permission could be reasonably withheld having regard to any impact on this dwelling. Nonetheless, it is recommended that a planning condition be attached requiring obscured glazing to the rear elevation.
- 5.18 Properties to the north adjoin the site along their respective rear boundaries with again, the garden area to these units allowing an appreciable distance between. Concerning the impact on these units, it is again noted that garden screening would limit views of the proposal whilst it would be the blank wall of the fire escape stairwell facing these units. Accordingly, it is not considered that any significant adverse impact in residential amenity would be caused.
- 5.19 White Rose Cottage to the south west of the application site fronts Oaklands Drive with its flank wall facing. There appear no windows within the first floor of this elevation whilst its associated garden is separated from the application site by virtue of the rear garden to no.5 Oaklands Drive that runs between. Again, it

is not therefore considered that permission could be reasonably withheld in the light of any impact on this dwelling.

5.20 Concerning that property to the south of the application site, this is sited on the opposite side of Oaklands Road away from the application site and again with mature tree screening between. Further, it is noted that this dwelling faces towards White Rose Cottage and only obliquely towards the application site. It is not therefore considered that any significant adverse impact in residential amenity would be caused to this dwelling.

5.21 Impact upon the Openness of the Green Belt

The application site is located within the Almondsbury settlement boundary and thus extensions to this building are acceptable in principle. Further, the site lies well within this settlement and thus would not be readily visible from locations outside of this boundary. Accordingly, it is not considered that any significant adverse impact to the openness of the Green Belt would be caused.

5.22 Highway Safety

The application seeks to provide extensions to an existing building and to utilise an existing access from the A38. With this in mind, alterations to the original plans were requested allowing an increase in size to the car park and a layout within which, vehicles could satisfactorily negotiate. As such, the proposed car park would now accommodate fourteen parking spaces and allow satisfactory provision for bin and cycle storage. As such, to transportation objection is raised to the proposal subject to the conditioned as listed above.

5.23 In addition, this revised plan also allows for a more formal arrangement to the front of the building to help prevent the existing ad hoc parking arrangement. It is considered that such would be to the benefit of highway safety.

5.24 Outstanding Issues

Having regard to the additional concerns raised, an application for a detached dwelling within the rear garden of no. 5 Over Lane was refused permission in 1976. This was on the grounds that it would represent an unsatisfactory form of back land development without a proper road frontage to the detriment of the character of the area and neighbouring residential amenities. A second refusal reason related to drainage concerns.

5.25 Accordingly, it is not considered that this refusal can have any significant bearing on this application: particularly with regard to highway safety reasons.

5.26 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).

5.27 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 54A of the Town and Country Planning Act 1990 (as amended), 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** subject to the following conditions:

Background Papers **PT06/2820/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. Building operations shall not be commenced until details of the roofing and external facing materials proposed to be used have been submitted to and approved by the Council and all such materials used in construction of the building hereby authorised shall conform to the details so approved.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the building, unless the Local Planning Authority gives consent in writing to any variation.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The glazing on the rear (west) elevation at first and second floor levels shall at all times be of obscured glass. Samples of this obscured glass shall firstly be approved in writing by the Local Planning Authority.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Development shall be carried out in accordance with the approved details.

Reason(s):

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No outside storage shall take place at the premises without the prior consent, in writing of the Local Planning Authority.

Reason(s):

In the interests of visual amenity, to protect the amenity enjoyed by those living in the locality, and to retain the car parking area for vehicles in accordance with Policy D1, E3 and T12 the South Gloucestershire Local Plan (Adopted) January 2006.

7. Details of all boundary treatments (walls, railings or fences) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the development shall only be carried out in accordance with the details so approved.

Reason(s):

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

8. 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; boundary treatments and areas of hardsurfacing.

Reason(s):

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

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason(s):

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

10. No part of the roof area of the building shall be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason(s):

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

11. The off-street parking facilities for 1 and 3 Over Lane shown on the plan hereby approved shall be provided upon completion of the building works, and thereafter retained for that purpose.

Reason(s):

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

12. The fourteen off-street parking spaces for the premises (including one disabled space) shown on the plan hereby approved shall be provided prior to the occupation of the building hereby approved, and thereafter retained for that purpose.

Reason(s):

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

13. The three 'Sheffield type' cycle stands for visitors as shown on the drawing no. 2615-104A shall be provided prior to the occupation of the building hereby approved and shall thereafter be retained for that purpose.

Reason(s):

To encourage means of transportation other than the private car, to accord with Policy T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The undercover secured cycle store (including stands) shown to the rear of the application site shall be provided prior to the occupation of the building and thereafter retained for that purpose.

Reason(s):

To encourage means of transportation other than the private car, to accord with Policy T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. The proposed bin store as shown on drawing no. 2615- 104A shall be provided prior to the first occupation of the building hereby approved and permanently maintained in the position shown.

Reason(s):

To ensure the satisfactory provision of refuse bin and box storage in the interests of the amenity of the area, in accordance with policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

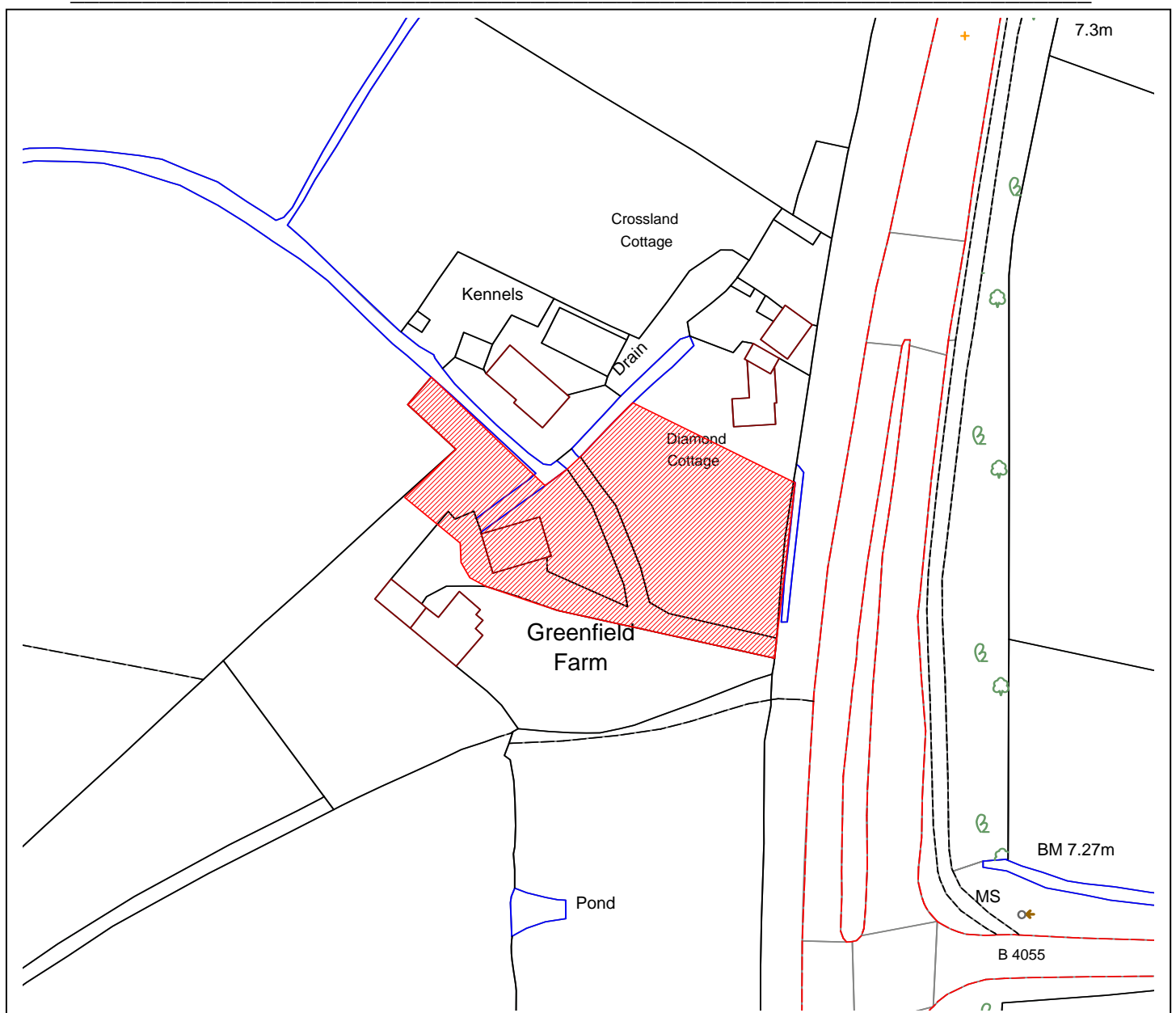
16. The boundary stonewalls on either side of the vehicular access as shown on drawing no. 2615- 104 A shall be provided prior to the first occupation of the building as extended and thereafter retained.

Reason(s):

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

CIRCULATED SCHEDULE NO. 02/06 - 12 JANUARY 2007

App No.:	PT06/3211/F	Applicant:	Mr D Derham
Site:	Greenfield Farm Severn Road Pilning BRISTOL South Gloucestershire BS35 4HW	Date Reg:	2nd November 2006
Proposal:	Conversion of existing outbuilding to form dwelling and construction of detached garage.	Parish:	Pilning and Severn Beach
Map Ref:	55629 86885	Ward:	Pilning and Severn Beach



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100023410, 2006.

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The application appears on the Circulated Schedule due to the objection from the Environment Agency.

1. THE PROPOSAL

- 1.1 The site consists of a traditional dwelling and associated outbuildings. The dwelling has a large curtilage and is accessed via a private lane leading from Severn Road (A403). The site is within the open Green Belt.
- 1.2 The proposed development consists of the extension of the largest of the existing outbuildings in order to provide a new dwelling. It is also proposed to construct a new garage building
- 1.3 The site is within the open countryside and is within the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPS25	Development and Flood Risk

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H4	Development within Residential curtilages
GB1	Development in the Green Belt
EP2	Development and Flood Risk

2.3 Supplementary Planning Guidance

Draft South Gloucestershire Design Checklist (September 2006)

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/3283/F Conversion of Existing Outbuilding to form Dwelling
Approved (14th December 2004)

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No comments received

- 4.2 Environment Agency

Object to the proposed development on the basis that there is no evidence that the development has been assessed against the sequential test and exception tests as set out in PPS25. The environment agency note that this planning was submitted prior to the formal release of PPS25. The Environment Agency advises that the proposed development, having regard to the submitted Flood Risk Assessment (Updated and Revised) December 2006, the development is acceptable in flood risk terms.

- 4.3 Sustainable Transport

Previous comments relating to PT04/3283/F apply. These are:

No Objection subject to the maintenance and retention of a 2x120 metre visibility splay. No planting or built form greater than 0.9 metres shall be allowed within this splay. The access way shall be widened to 4.8 metres for a distance of 8 metres from the carriageway in order to allow a van and car to pass without the need to stand on the carriageway. This shall have a bound surface.

Other Representations

- 4.4 Local Residents
No Comments Received

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the conversion of a domestic outbuilding within the curtilage of an existing residential curtilage in order to provide a new residential dwelling.

5.2 Principle of Development

The principle of the proposed development is established by the previous planning consent; PT04/3283/F which allowed the conversion of the subject building for residential purposes. This planning consent is current, and is implementable until December 2009. However, this planning application details amendments to the previous consent in the form of an increase in the overall height of the building and the introduction of a new garage building to be used in association with the new dwelling. Policy H4 is relevant to this planning application. The policy indicates that the amendments are acceptable in principle subject to the following considerations.

5.3 Green Belt

In accordance with the requirements of PPG2, policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the limited categories of development that are appropriate within the Green Belt. These categories include the extension of existing residential buildings (including new domestic utility buildings such as garages) provided that the development would not result in a disproportionate addition over and above the existing development.

- 5.4 In this instance the re-development of the building for residential purposes has been approved under PT04/3283/F. Therefore the existing building is now regarded as an independent dwelling and the consideration of this application will be made in that regard. It is necessary to assess the increase in the volume of the building together with the visual qualities of the proposed alterations to it and the provision of a new garage building in order to establish whether or not the development would be a disproportionate addition to the existing building. The overall increase in height relating to the existing building amounts to 1.2 metres and an increase of approximately 40% volume in respect of the existing building. It is considered that this element of the proposal would have no material impact in visual terms over the existing situation, and in Green belt terms would not add a disproportionate addition to the building. The proposed garage would involve the demolition of the existing stable building immediately to the East of the main building. The volume of this building can therefore be offset against the volume of the new garage. In this instance, the combined volume increase of the alterations to the main building and the new garage, taking account of the removal of the stable building, would amount to

approximately 50% over and above the volume of the building subject to this application. The scale of the proposed new garage is modest, and the design follows a traditional form and materials. The overall design of the development is not considered to be visually disproportionate and in green belt terms the overall development is not considered to represent a disproportionate addition.

- 5.5 Notwithstanding the above, in the interest of the openness of the Green Belt it is necessary to remove the permitted development rights afforded to the new dwelling under the provisions of the Town and Country Planning Act 1990 (as amended) in order to bring additional building within this site under the control of the Local Planning Authority.
- 5.6 Subject to the use of the above planning condition, the proposed development therefore complies with the provisions of policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPG2.
- 5.7 Design and Residential Amenity
In this instance, the design and position of the proposed development in relation to the surrounding residential properties is such that there would be no material impact in respect of the privacy and residential amenity of the occupants of nearby dwellings.
- 5.8 In visual terms the design of the conversion is very similar to the previously approved scheme under (PT04/3283/F). The key change relates to the raised eaves and ridge level (by 1.2 metres). This work is required in order to provide better living accommodation on the first floor. It is considered that this element of the proposed development is well designed and would not have a material impact over and above the design of the previously approved development.
- 5.9 The proposed garage is to be located to the East of the main building subject to this application. The applicant has indicated that the garage is designed to offer the storage of a motor vehicle and also is design so as to have sufficient room to accommodate specialist equipment required to implement the new dwelling on an 'eco-home' basis. The garage itself is modest in scale and follows traditional design principles. It is considered that the garage building is well designed and would not detract from the visual amenity of the site and the surrounding locality. Further, the development would facilitate the removal of an existing stable building which is in poor condition. This would have obvious visual benefits in this environment.
- 5.10 The proposed development therefore complies with Policy H4 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.11 Flood Risk
PPS25 has now superseded PPG25. The Environment Agency has objected to the proposed development on the basis of the requirements of PPS25, but have acknowledged that the proposed development is acceptable when considered against the requirements of PPG25.
- 5.12 The proposed development was submitted under PPG25, and is supported by a flood risk assessment that adequately demonstrates that there would be no material risk of loss due to flooding in the event of a 1 in 200 year flooding event; and therefore complies with the requirements of PPG25.

5.13 In addition to the above, it is necessary to consider the status of the previously approved development under PT04/3283/F. This application approved the re-development of the subject building in order to provide a single dwelling. This application is current and is implementable until December 2009. The proposed development is not materially different to the approved scheme, in that it proposes a single dwelling through the conversion of the existing building. The proposed garage would simply be a residential outbuilding associated with it. On the basis that it is possible, under the existing consent to convert the building for residential purposes, it is considered that there is no material change in respect of flood risk presented by this proposal.

5.14 The proposed development is therefore acceptable in flood risk terms and is compliant with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.15 Transportation

The previous planning approval under PT04/3283/F included conditions relating to the visibility splays, the widening of the access driveway (for 8 metres from the main highway) and the surfacing of the access road. These conditions were imposed in the interests of highway safety and remain relevant in this instance.

5.16 Subject to the provision of the above conditions, the proposed development is compliant with the requirements of policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.17 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).

5.18 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 54A of the Town and Country Planning Act 1990 (as amended), Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

7.1 That Planning Permission be granted subject to the following conditions.

Background Papers **PT06/3211/F**

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

CONDITIONS

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

Reason(s):

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

2. All new external finishes shall be in materials to match those of the existing building.

Reason(s):

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

3. 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) 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 within the land edged in red and blue on the submitted plan of the site at Greenfield Farm.

Reason(s):

The site is in the Green Belt, and the conversion of this domestic outbuilding may lead to future outbuildings and extensions at the existing and new dwellings. The Local Planning Authority need to monitor the cumulative impact upon the openness of the Green Belt in accordance with policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The highway verge shall be maintained to provide a 2 x 120 metre visibility splay at all times. No planting or built form greater than 0.9 metres shall be allowed within the splay.

Reason(s):

In the interests of highway safety, and to accord with Policy RP1 of the adopted Northavon Rural Areas Local Plan; and Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the first occupation of the residential unit hereby permitted the access shall be widened to 4.8 metres for a distance of 8 metres from the carriageway, to allow vehicles to pass without the need to remain stationary on the carriageway. This surface will have a bound surface.

Reason(s):

In the interests of highway safety to reduce stationary vehicles on the carriageway, and to ensure no loose material is transferred onto the highway. This is to accord with Policy RP1 of the adopted Northavon Rural Areas Local Plan; and Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

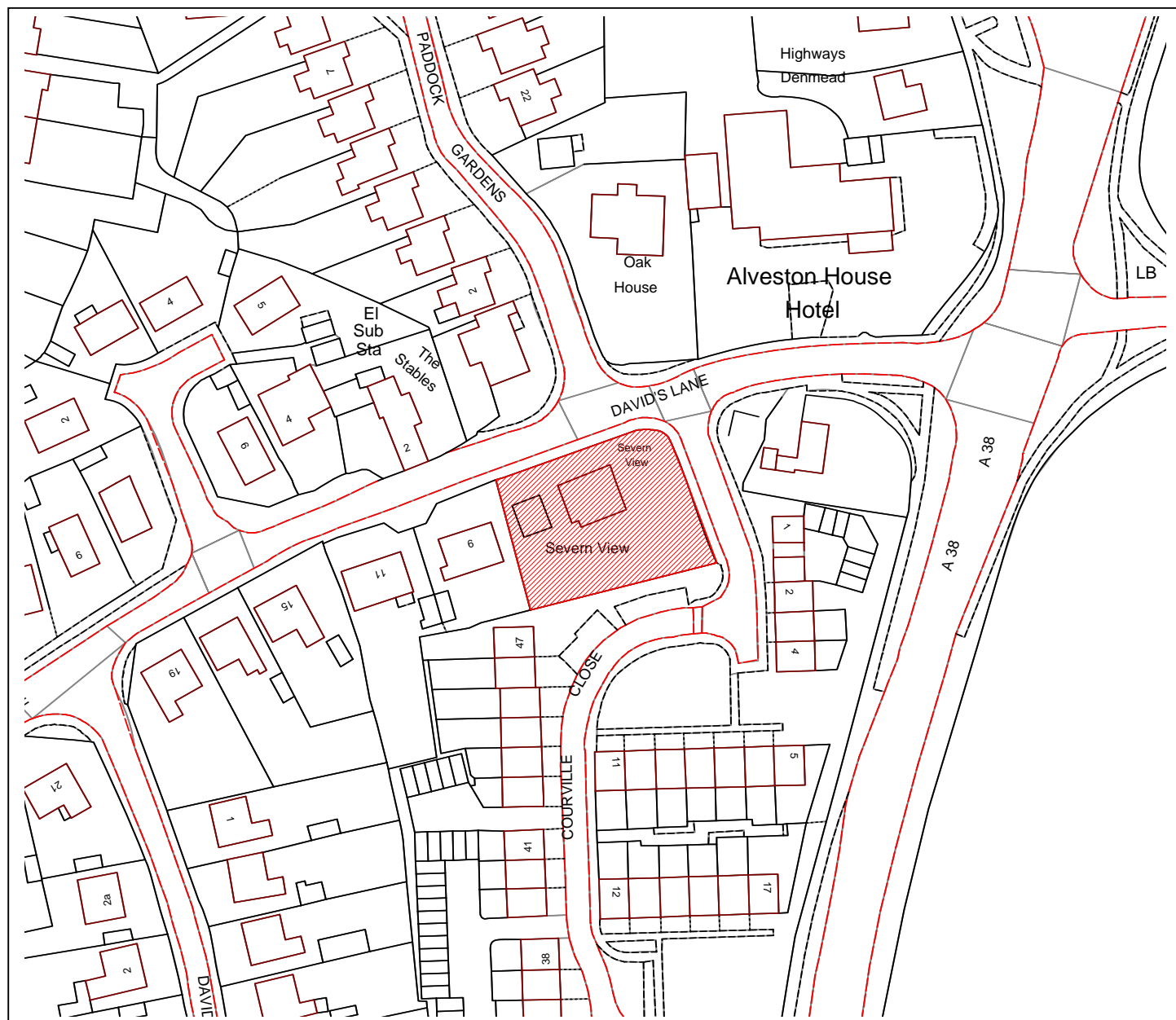
6. The floor levels shall be set at the levels as indicated in the submitted flood risk assessment received on 8th January 2007.

Reason(s):

To reduce the risk of flooding, and to accord with Policy RP1 of the adopted Northavon Rural Areas Local Plan; and Policies L17 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.:	PT06/3358/F	Applicant:	Mr I Walker
Site:	Severn View Davids Lane Alveston BRISTOL South Gloucestershire BS35 3LN	Date Reg:	20th November 2006
Proposal:	Demolition of existing bungalow to facilitate erection of 4no. dwellings with associated works	Parish:	Alveston Parish Council
Map Ref:	63498 87992	Ward:	Alveston



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N.T.S

PT06/3358/F

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

1. THE PROPOSAL

- 1.1 The application seeks full planning approval for four detached dwellings with all of similar design and with each to benefit from a single attached garage.
- 1.2 The application site currently forms a detached chalet style dwelling on the corner of David's Lane and Courville Close (fronting the former). This unit benefits from a detached double garage that stands adjacent to the west side boundary with the property siting centrally on the plot.
- 1.3 The application site lies within the Alveston settlement boundary that is washed over by the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPS3: Housing
PPG12: Transport
- 2.2 Joint Replacement Structure Plan
Policy 16: Green Belts

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
GB1: Development within the Green Belt
H2: Proposals for Residential Development within the Settlement Boundaries
H4: Development within Residential Curtilages including New Dwellings
T7: Cycle Parking
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
- 2.3 Design Checklist Supplementary Planning Document
Development in the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
The Parish Council objects for the following reasons:
 - a) The proposals are much higher than surrounding buildings;
 - b) The design is out of keeping with other units along David's Lane (3 storey);
 - c) Vehicle access is a concern;
 - d) The proposed roof terraces appear to overlook Courville Close.
- 4.2 Other Consultees
Environmental Services: no objections in principle

Technical Services (Drainage): no objections in principle

4.3 Sustainable Transport

Objection on the following grounds:

- a) The driveway to no. 2 is unacceptable due to conflict with Paddock Gardens;
- b) The driveway to no. 1 would not physically allow a car to enter the garage;
- c) All the garages should be 6m in length to accommodate cycle storage.

Other Representations

4.4 Summary of Local Residents Comments

One letter has been received in support of the proposal stating that there is an overwhelming need for housing. It is cited that this area is not Green Belt and is within the village boundary. The writer has attempted to buy a dwelling in this location many times and looks forward to seeing this development built.

4.5 27 letters received objecting to the scheme raising the following concerns:

Design

- a) The new dwellings would be 10m high (those within David's Lane are largely single-storey) and on land rising above Courville Close; they would appear dominant in the street scene and inappropriate;
- b) Reasons for the demolition of the existing unit must be questioned- it is not sufficient to demolish a dwelling to create a brown field site;
- c) New dwellings should be two-storey (as per Courville Close);
- d) The proposal comprises an overdevelopment of the site- evident by the need to gain access from Courville Close;
- e) The visual impact of four properties on small plots would be out of character;
- f) Plots 1 and 2 should be redesigned with the garaging on the opposite side;

Residential Amenity

- a) The proposed roof terraces would overlook the residents of Courville Close;
- b) The increased height would overshadow the adjoining bungalow and cause loss of light to the property and garden;
- c) The neighbouring rear garden will be overlooked;
- d) The adjoining bungalow will be devalued.

Highway Safety

- a) Courville Close provides sheltered accommodation for the elderly;
- b) The garage access point to Courville Close will be detrimental to vehicle and pedestrian safety- the road is narrow and the high boundary treatment along here would hinder visibility to cars leaving this property;
- c) Estate residents are prohibited from parking along Courville Close to allow easy access for emergency vehicles- the proposal will increase the likelihood of parking along the access road;
- d) Unsuccessful applications have been made for yellow lines along the access to prevent parking by hotel guests, commuters etc which causes problems;
- e) The access onto Courville Close is midway between the busy David's Lane junction and a blind bend whilst also opposite to garaging;
- f) Courville Close is the only road in and out of this development;
- g) The accesses opposite Paddock Gardens would be unsafe;
- h) Access/ turning within plot 1 could not be achieved;

- i) A Section 52 Agreement between Lansdown Homes Ltd & Northavon District Council states that free access over the roads must be maintained;
- j) Although the Council holds Courville Close access road adoption rights, the management company retain the right to manage this section of road and denies all residents the right to park here.

4.6 Further Issues:

- a) Consideration should be given to further retirement accommodation- there is a waiting list of 22 and such would complement the existing development;
- b) Builders will use the driveway for deliveries causing noise disturbance;
- c) The consultation procedure is questioned.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policies H2 and H4 allow for the principle of residential development within the existing built up areas and settlement boundaries subject to concerns related to those of design, residential amenity and highway safety. In addition, the maximum density compatible with the site and its surroundings should also be achieved.

- 5.2 Further, policy GB1 and H2 cite that within the settlement boundaries (washed over by the Green Belt), development will be limited to infilling. Supporting text to this policy advises that in the vast majority of cases, acceptable infilling is unlikely to be more than the filling of small gaps within built development, where it does not significantly impinge upon the openness of the Green Belt.

5.3 The Application Site

The application site currently comprises a detached chalet style dwelling sited centrally on its plot with a detached garage building located to its western side. In this regard, it is considered that this existing property typifies the residential character of David's Lane, which comprises single-storey and chalet style units set within plots of a relatively generous size.

- 5.4 Nonetheless, notwithstanding the above, it is further noted that the application site is located at the western end of David's Lane opposite its junction with Paddock Gardens and with the entrance to Courville Close running to its east side. In this regard, dwellings within Paddock Gardens predominantly comprise two-storey units on plots of more restricted width whilst Courville Close, forms a two-storey retirement complex. Further, Alveston House Hotel sits on higher ground overlooking the application site; albeit at a distance.

- 5.5 In the light of the above, it is considered that there is scope for a two-storey development at this site; this should though respect the single-storey character of David's Lane.

5.6 Design/ Visual Amenity

The application seeks permission for four detached 2.5 storey high dwellings to replace the existing bungalow. The units would stand side-by-side fronting David's Lane whilst each would be of near identical design. Nevertheless, two would be handed thus providing a symmetrical appearance to the development.

- 5.7 Accommodation would comprise of a sitting room, and kitchen/ diner at ground floor with three bedrooms and a bathroom above. An ensuite master bedroom that would also benefit from a dressing room would be provided within the roof.

- 5.8 Each unit would benefit from an attached single garage with vehicular access to plots two, three and four gained via David's Lane. Access to plot one would however be achieved via Courville Close with the garage facing the rear of the application site (this being the main difference in the design of these dwellings).
- 5.9 Externally, units would benefit from a staggered front elevation with the porch area and room above set back and encompassed below a higher eaves level. In contrast, a lower ridge would encompass the forward projecting kitchen and front bedroom with this roof design allowing the provision of one front dormer.
- 5.10 Materials would predominantly comprise a render finish (including the rear) with brick to the forward projecting kitchen and bedroom. As detailed within the supporting statement, the architect considers that this proposal will 'provide an infill development that not only fits within the surroundings but enhances them'.
- 5.11 In response, the existing unit benefits from an uncharacteristically large plot; even when compared to the relatively spacious plot sizes contained along David's Lane. Nonetheless, the replacement of this dwelling with four detached units would by definition, provide four relatively narrow plots of only some 9m. This is therefore smaller than those units along David's Lane but is comparable with those properties within Courville Close and Paddock Gardens. In this regard, and in light of the density requirements of policy H2, fewer than four properties on this site is unlikely to be acceptable.
- 5.12 However, notwithstanding the above, by reason of the three storey appearance of the dwellings proposed, it is considered that the application does appear an overdevelopment of the site with the height of the dwellings seemingly raised in an attempt to accommodate the required accommodation within this reduced footprint. Having regard to the nature of the surrounding locality as described, this design approach is therefore considered inappropriate in this instance.
- 5.13 Green Belt Considerations
Policies GB1 and H2 cite that new residential development within settlement boundaries (washed over by the Green Belt) will be restricted to infilling. In this regard, the supporting text to GB1 details that acceptable infilling is unlikely to be more than the filling of a small gaps within built development where it would not significantly impact upon the openness of the Green Belt.
- 5.14 Having regard to the above, as noted the scheme would allow the replacement of one low-rise chalet style unit with four uncharacteristically high, 2.5 storey properties. Consequently, it is considered that the proposals would appear a dominant feature within the street scene and thus also contrary to the Green Belt policy. An alternative design might however overcome these concerns.
- 5.15 Density
The site has an area of 0.1086ha ensuring that the development would achieve a density of 36 dwellings per hectare. This satisfies the expectation of policy H2 that seeks a minimum density of 30 units per hectare where compatible with the site, its location and accessibility. As noted, developments within Paddock Gardens and Courville Close ensure that this density level is considered to be appropriate subject to design related considerations.
- 5.16 Further to the above, it should be noted that a reduction in the level of dwellings to three would provide for a density of some 27 dwellings per hectare. As such,

this is below the expectations of planning policy H2 and thus for this reason, and those issues detailed, is unlikely to be considered as acceptable.

5.17 Residential Amenity

The proposals would replace an existing dwelling and front David's Lane. In so doing, the main outlook from these properties would be towards the front and rear. In this regard, concern has been expressed with regard to the proposed roof terraces at the front of each unit providing for the ensuite master bedroom.

5.18 In response, it is noted that these proposed roof terraces would be relatively small in size and encompassed by the surrounding roof slope: thus restricting views and disguising their provision from ground level. Further each would only directly overlook the associated front gardens with properties opposite sited to the far side of the highway. Finally, it would seem that some responses might have misinterpreted the plans with the terraces thought to be at the rear.

5.19 Nonetheless, notwithstanding the above as noted, there is not considered to be scope for third floor accommodation of this type within this location thus this overriding concern would necessitate the deletion of the roof terraces. This would therefore overcome this concern with regard to any future scheme.

5.20 Further to the above, having regard to any further impact of the proposals on the residents of Courville Close, it is not considered that any significant adverse impact in residential amenity would be caused.

5.21 With regard to that property adjoining the west boundary of the site, this forms a typical unit as seen along David's Lane comprising a single-storey dwelling with a detached garage to its far western side. The property sits some 2m from the boundary whilst there are no side windows contained within its flank gable wall.

5.22 Concerning the impact of the works, it is noted that the closest dwelling would stand away from this shared boundary with its attached garage closest. This would help to offset the impact of the proposal. However, it is still considered that by virtue of the scale, height and massing of the dwellings proposed, this would cause an adverse impact to the amenity of these neighbouring residents. This could be overcome by the design changes previously proposed.

5.23 Highway Safety

All properties would be provided with a single garage whilst plots two, three and four (to be accessed via David's Lane) would also benefit from driveways of slightly under 10m in length: this would provide sufficient car parking for at least one additional vehicle.

5.24 Nonetheless, notwithstanding the above, a highways objection has been raised to the proposed access to plot two with it to be sited directly opposite Courville Close. Further, a highways objection has also been raised to the garages as detailed with these to be at least 6 metres in length to accommodate cycle storage. However it is considered that the provision of cycle parking is something that could be dealt with by condition in the event of an appeal.

5.25 A highways objection has also been raised in connection with plot one. In this regard, whilst a vehicular access point from Courville Close is considered to be acceptable (it is understood that this part of the road remains highway land),

the internal arrangement as shown would not allow sufficient space to access the proposed garage.

5.26 In the light of the above, the proposal is also considered unacceptable from a highway safety viewpoint with planning refusal recommended in this instance.

5.27 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 54A of the Town and Country Planning Act 1990 (as amended), 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 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 **PT06/3358/F**

Contact Officer: **Peter Burridge**
Tel. No. **01454 865262**

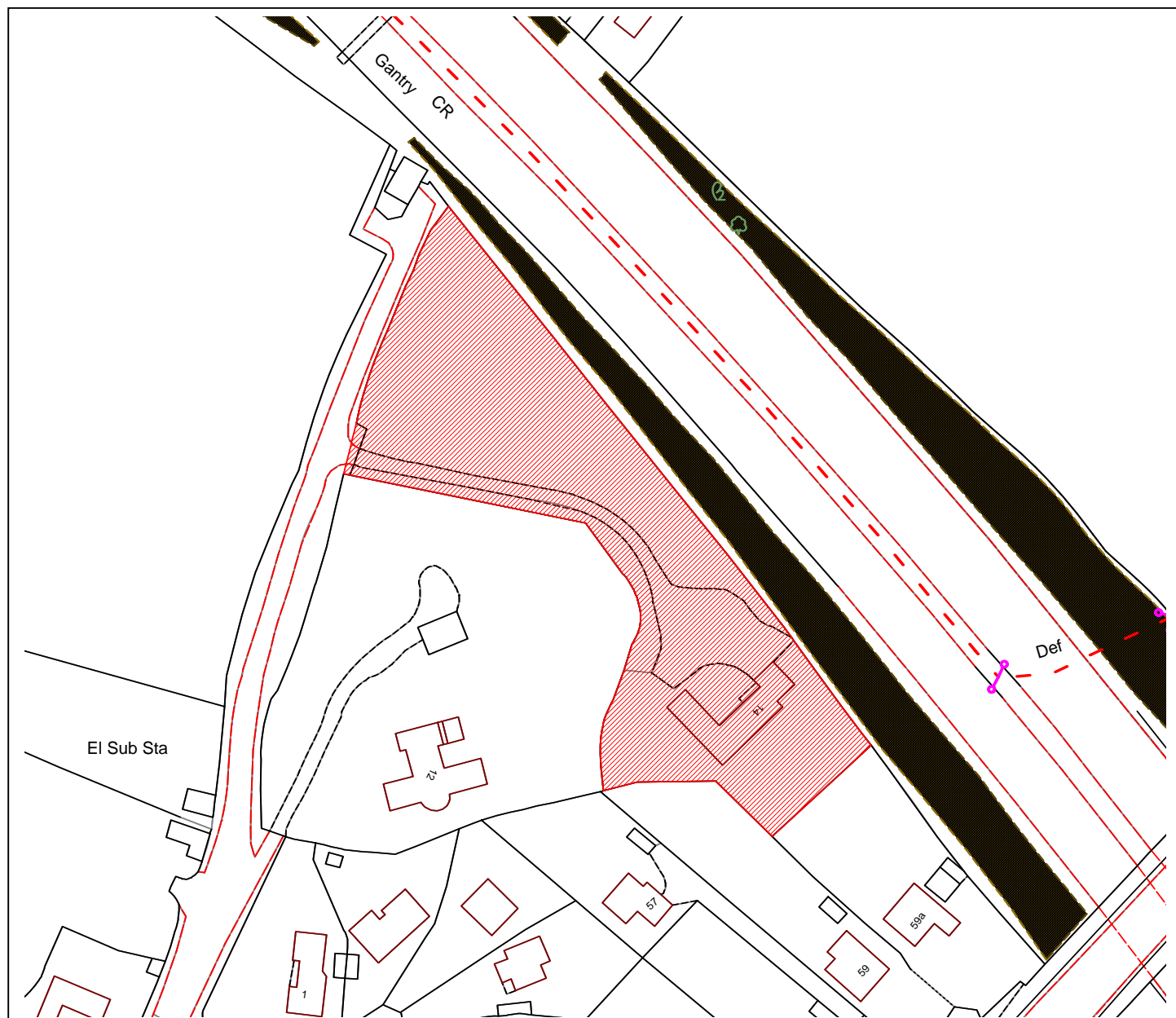
REFUSAL REASONS

- 1 The proposed dwellings, by reason of their scale, massing and height, would appear out of keeping with the character of the area which comprises modest single-storey, chalet and two-storey dwellings. The proposals would therefore comprise an over development of the site and appear a dominant feature within the street scene to the detriment of the visual amenities of the locality. As such, the proposal is considered contrary to Policy H2, H4 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 2 The proposed dwellings by reason of their position, mass and height would have an overbearing effect on the occupiers of the neighbouring property at 9 David's Lane which would be to the detriment of residential amenity and would also be contrary to Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 3 The turning and manoeuvring facilities in and out of the site in relation to plots 1 and 2 do not comply with the requirements of the highway authority. This is because they would introduce turning movements at a point on the network that is likely to interfere

with the safe and free flow of traffic. The proposal is therefore considered to be contrary to Policy D1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PT06/3433/F	Applicant: Mr Mahoney
Site: 14 Old Aust Road Almondsbury BRISTOL South Gloucestershire BS32 4HJ	Date Reg: 28th November 2006
Proposal: Erection of rear conservatory	Parish: Almondsbury Parish Council
Map Ref: 61184 84777	Ward: Almondsbury



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N.T.S

PT06/3433/F

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a rear conservatory, to measure 5.3 x 2.7 metres.
- 1.2 The application site relates to a detached dwelling within the settlement boundary of Almondsbury, which is washed over by Green Belt. The site is accessed through a single lane, with a motorway near the site.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG2 Green Belt
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within the Residential Curtilage
GB1 Green Belt Development
- 2.3 Supplementary Planning Guidance
Development within the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 N2432/1AP Erection of detached bungalow and garaging. Approve with conditions
- 3.2 P84/2589 Erection of single storey side extension to form two bedrooms and en-suite. Approval
- 3.3 P85/1562 Erection of single storey side and front extension to existing bungalow to form billiard room and double garage. Approval
- 3.4 P86/2005 Erection of single storey side and front extension to form lounge and garage. Approval
- 3.5 PT05/0414/F Erection of detached double garage with storage and washing area. Refusal.
- 3.6 Erection of three metre high sound barrier. Approve with conditions.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objection

Other Representations

4.2 Local Residents

One letter written with concern over the state of the existing fencing; the fencing does not allow sufficient privacy, as such would be able to see workmen and building.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to residential dwellings subject to there being no adverse impact on existing residential and visual amenities.

The site lies within designated Green Belt, only extensions considered proportionate to the original dwelling size are considered appropriate development in the Green Belt. Additionally, the development must not impinge upon the openness of the Green Belt.

5.2 Green Belt

The application site lies within the settlement boundary of Almondsbury, which is washed over by Green Belt. Green Belt policies allows for proportionate extensions to dwellings within the Green Belt, and limited infill within settlement boundaries. In this instance the conservatory, and previous extensions would equate to an addition of approximately 50% over the original dwelling size. In this instance, it is considered that the conservatory would be read against the existing building silhouette and would not adversely affect the openness of the Green Belt at this point. Though there have been a number of previous addition, the cumulative addition in this instance is not considered disproportionate given the design and siting of the proposal.

5.3 Residential Amenity

There is a distance of at least 40 metres from the rear of the proposed dwelling to the rear elevation of the nearest dwelling. The conservatory has a width of 5.25 metres, and depth of 2.7 metres. It is considered that due to the distance there would not be an unreasonable impact on loss of privacy between habitable rooms, and there would not be an overbearing impact. The neighbour has raised concern over the state of the fence, considering this is not essential to acceptability of the proposal in residential amenity terms, it would be unreasonable to condition that the fence is repaired prior to the conservatory being constructed.

5.4 Design/ Visual Amenity

The conservatory would feature a lean-to roof, with face brick to match the existing. It is considered that the conservatory is in keeping with the general design of the dwelling.

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 54A of the Town and Country Planning Act 1990 (as amended), 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 approved subject to the following conditions:

Background Papers PT06/3433/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

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

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

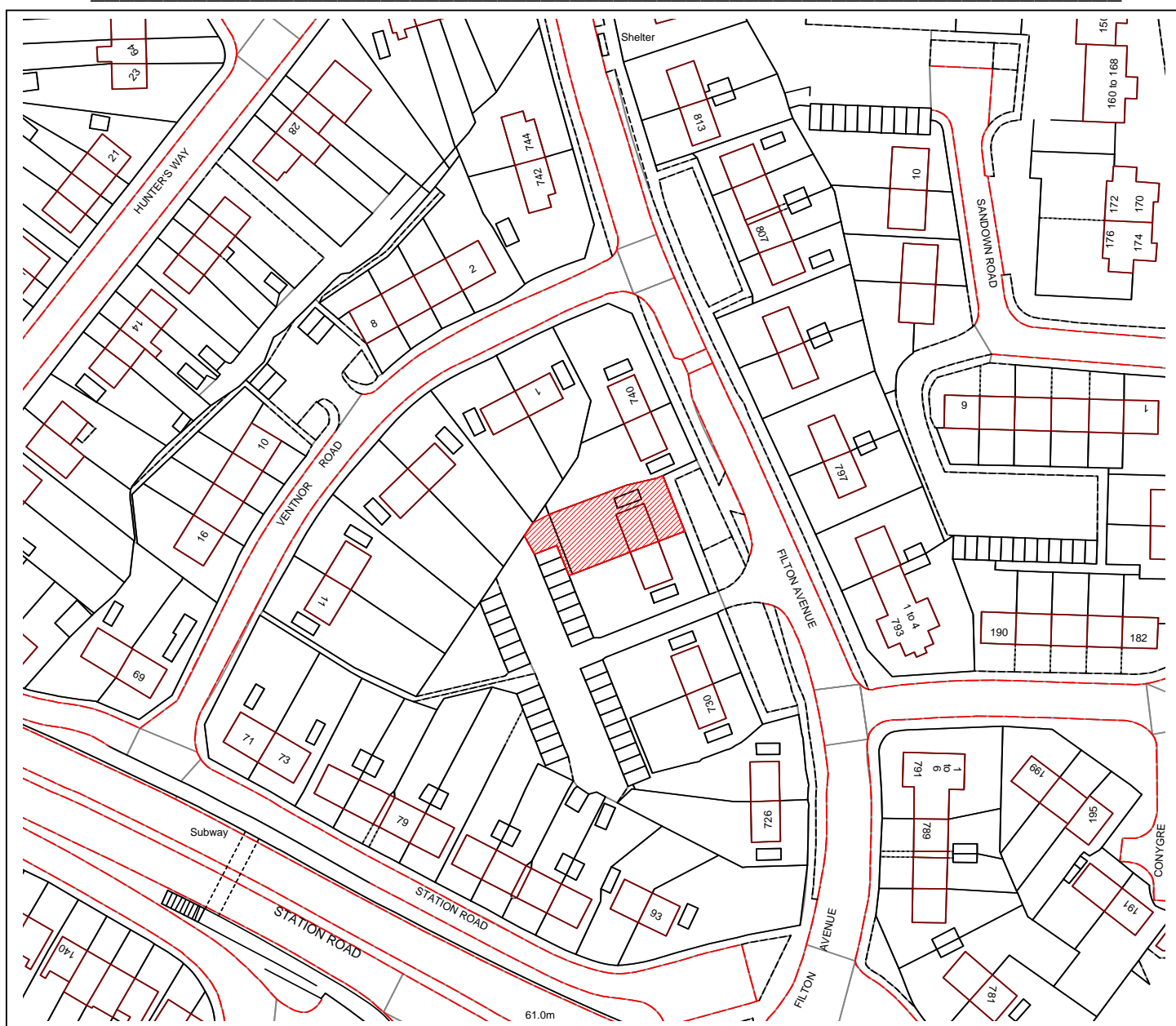
Reason

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

CIRCULATED SCHEDULE NO. 02/07 - 12 JANUARY 2007

App No.: PT06/3484/F
Site: 736 Filton Avenue Filton BRISTOL
 South Gloucestershire BS34 7HE
Proposal: Erection of 2 storey side extension and
 single storey rear extension to form
 additional living accommodation.
 Erection of detached garage.
Map Ref: 60972 79054

Applicant: Mr I Mujtaba
Date Reg: 4th December 2006
Parish: Filton Town Council
Ward: Filton



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 100023410, 2006.

N.T.S

PT06/3484/F

This application has been placed on the Circulated Schedule due to an objection from the neighbour and from Filton Town Council.

1. THE PROPOSAL

This application seeks planning permission for the erection of a two-storey side extension to provide additional living accommodation, and the erection of a detached mono-pitched roofed garage. The property subject to the application is a modern semi-detached dwelling within the established residential area of Filton.

2. POLICY CONTEXT

2.1 National Guidance:

PPS1 Delivering Sustainable Communities

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Development within Residential Curtilage

2.3 Supplementary Planning Document

Design Checklist (Draft)

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATION RESPONSES

4.1 Filton Town Council:

Objects to the proposal on the following grounds:

1. The development is over intensive
2. The developments will double the footprint of the house
3. The development will be intrusive on the street scene.

4.2 Local Residents:

One letter of objection has been received objecting to the proposal on the following grounds:

1. Loss of light
2. Loss of privacy
3. Overbearing impact,

The letter also states that if the development is allowed then any windows along the side of the development should be obscure glazed.

5. ANALYSIS OF PROPOSAL

5.1 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to residential development including extensions to dwellings. It states that any development should be in keeping with the character of the property and the area generally in terms of size, design and materials and that residential amenity should not be adversely affected by the proposal.

5.2 Design

It is considered that this proposal for both the extension and garage in terms of its overall size, design and external appearance is in keeping with the existing property and those that surround it. It would be in keeping with the street scene. The proposal will be constructed using materials that match those used in the construction of the main house. The proposed development will blend in well with the original property.

5.3 Residential Amenity

It is considered that this proposal does not unreasonably impact upon the living conditions of any of the adjoining properties. Its size and design ensure that the proposal does not have an overbearing impact on the surrounding properties nor does it result in an impact on their privacy or light. This is in the main due to the staggered nature of the properties in this area. Only an upstairs bedroom window and a kitchen door are present in the side elevation that overlooks the neighbour at 738 Filton Avenue. A condition is suggested which will restrict any glazing in this elevation to obscure only and the window to be permanently closed to ensure privacy is protected. Subject to this residential amenity is not unreasonably affected.

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 54A of the Town and Country Planning Act 1990 (as amended), 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 subject to the following conditions.

Background Papers **PT06/3484/F**

Contact Officer: **Gareth John**
Tel. No. **01454 863438**

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. No windows other than those shown on the plans hereby approved shall be inserted at any time in the North and South elevation of the property, unless the Local Planning Authority gives consent in writing to any variation.

Reason(s):

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

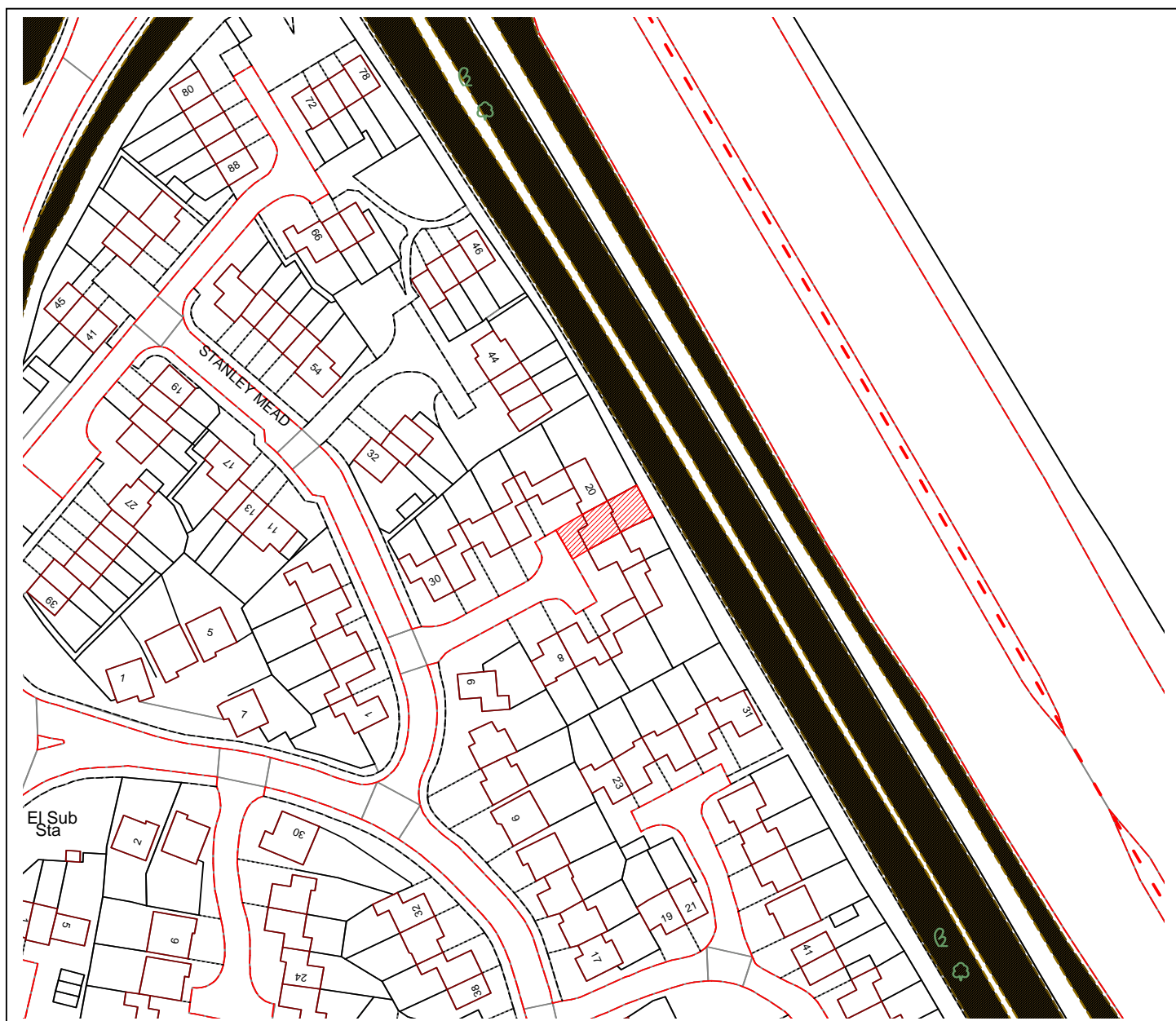
3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed glazing in the North elevation shall be glazed with obscure glass only.

Reason(s):

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.:	PT06/3522/F	Applicant:	Mrs J Souch
Site:	18 Stanley Mead Bradley Stoke BRISTOL South Gloucestershire BS32 0EG	Date Reg:	7th December 2006
Proposal:	Erection of single storey rear extension to form study. Erection of rear conservatory.	Parish:	Bradley Stoke Town Council
Map Ref:	62283 82717	Ward:	Bradley Stoke Bowsland



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey rear extension to form a study, and the erection of a rear conservatory. It is also proposed to alter the internal layout of the garage, to provide space for motorcycle storage, and a utility room.
- 1.2 The application site relates to a semi-detached dwelling with a linked garage, in a modern housing estate within Bradley Stoke. At the rear of the property is an embankment down to the M4.
- 1.3 The application forms an amendment from a previously approved application, with the first floor extension being omitted from the scheme.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within the Residential Curtilage

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/2550/F Demolition of existing garage to facilitate erection of two storey side and single storey rear extensions to form garage, utility room and study with extended bedroom and bathroom above. Erection of rear conservatory. Approve with conditions.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
Objection to the detrimental effect on the visual amenity of the side wall will have on the neighbouring property and loss of light. The roof of the proposed conservatory will form a gully against the house wall that may cause maintenance problems.

Other Representations

- 4.2 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extensions to residential dwellings subject to there being no adverse impact on the existing residential and visual amenities, and the maintenance of highway safety.

A previous application was approved under PT05/2550/F for a similar proposal, which included a first floor side extension, this element of the proposal has been removed in this application. This change was not considered a minor amendment, and therefore the application is to regularise the proposal without a first floor extension.

5.2 Residential Amenity

The application site relates to a semi-detached property. 20 Stanley Mead is linked to the application site through garages, this means that there are two garages between the application dwelling and 20 Stanley Mead. There are no proposed windows on the side of the development therefore there will be no issues concerning loss of privacy.

At the rear of the property it is proposed to extend the existing garage to form a study and erect a conservatory. The study would extend 4 metres near the curtilage boundary by 20 Stanley Mead. It is thought that this proposed extension would not adversely harm the occupiers of the flanking curtilage due to the size and location, being near their garage and away from the main dwelling and garden space.

In relation to the rear conservatory this would measure 2.3 metres in depth and 4.315 metres in width. This would sit nearest the attached dwelling but due to its restricted depth the neighbour would not be adversely affect by this proposal.

5.3 Design/ Visual Amenity

The proposed extension and conservatory would match materials with the existing dwelling, which would be secured through use of a condition. It is considered that this application would be in keeping with the dwelling and street scene as a whole and would not harm the visual amenity of this area.

5.4 Transportation Issues

Previous comments from Sustainable Transport suggested that the application is acceptable in transport terms. The development proposals to remove the majority of the existing vehicle storage use in order to facilitate the installation of a utility. However, a small amount of space has been cited as parking for motorcycles, this would measure approximately 2.277 metres by 2.3 metres. There is also parking space for one vehicle on the driveway and so long as this is maintained there are no objections.

5.5 Other Issues

The Town Council has raised concerns over the gully and whether this can be maintained sufficiently. It is considered unreasonable to withhold planning permission over concern that there may be maintenance issues in the future.

5.6 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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 **PT06/3522/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).

2. All new external finishes shall be in materials to match those of the existing building.

Reason(s):

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

3. A bound surface parking space of 2.4 x 5.5 metres, must be maintained at all times for the storage of private motor vehicles, unless the Local Planning Authority gives consent in writing to any variation.

Reason(s):

To ensure that sufficient off-street parking is retained to serve the development in the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PT06/3556/F
Site: 205 Juniper Way Bradley Stoke
 BRISTOL South Gloucestershire BS32
 ODP

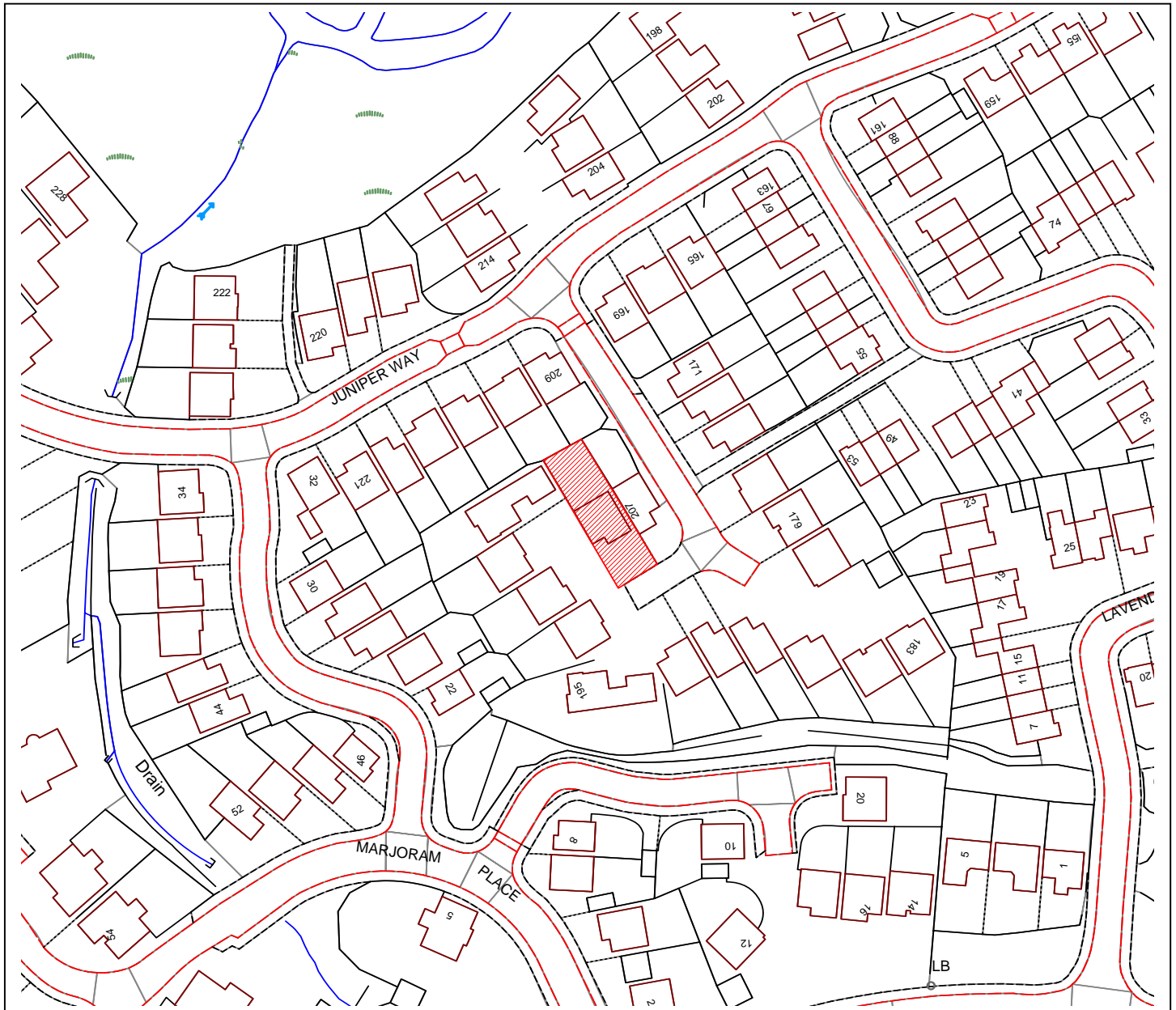
Applicant: Mr & Mrs Blackwell
Date Reg: 11th December
 2006

Proposal: Erection of rear conservatory

Parish: Bradley Stoke Town
 Council

Map Ref: 62848 81315

Ward: Bradley Sto
 Sherbourne



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N.T.S

PT06/3556/F

INTRODUCTION

The application appears on the Circulated Schedule following the receipt of one objection from a neighbour.

1. THE PROPOSAL

- 1.1 The application site relates to a modern detached property located within the well established residential area of Bradley Stoke.
- 1.2 The applicant seeks planning permission to erect a rear conservatory. The proposal would be 3m in length and 3.5m in width. The proposal would have a ridged roof that would be 2.3m in height at the eaves and 3.1m at the ridge.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Design in New Development
H4 Development within Existing Residential Curtilage

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection
- 4.2 Local Residents
One letter received from a neighbour objecting to:
- The lack of detail on the plans
 - The lack of consideration to the slope of the garden
 - The impact on their privacy, because anyone standing up in the inside the proposed conservatory would be able to look directly into their garden. It was suggested that the boundary fence should be increased to 2.5m or 3m to overcome this, however they claimed this would have a huge impact on the light into their garden.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for extension to residential dwellings subject to there being no adverse impact on residential and visual amenity and highway safety.
- 5.2 Residential Amenity
Due to the gradient in the rear garden, the closed-boarded boundary fence slopes down to the bottom of the garden. This would mean the conservatory would be more visible to the neighbouring property, than if the garden was level. However, this issue is not considered to cause a significant loss of privacy to the neighbouring occupier because any view from conservatory

would be from an oblique angle and through a 1.8m close-boarded boundary fence. The proposed conservatory would not be considered to cause an overbearing impact on the neighbouring property because it is set back from the boundary by 1.1m.

5.2 Design and Visual Amenity

The design of the conservatory is deemed to be in character with the modern dwelling and the surrounding area. It is proposed to use a rendered base to match the existing welling this would be secured through the use of a condition.

5.3 Other Issues

The objector raised an issue regarding the lack of detail on the application. However, the site was visited on the 20th December 2006 and the plans are considered to be accurately drawn to scale and present a precise representation of the application site.

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 54A of the Town and Country Planning Act 1990 (as amended), 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 **PT06/3556/F**

Contact Officer: **Peter Rowe**
Tel. No. **01454863536**

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).

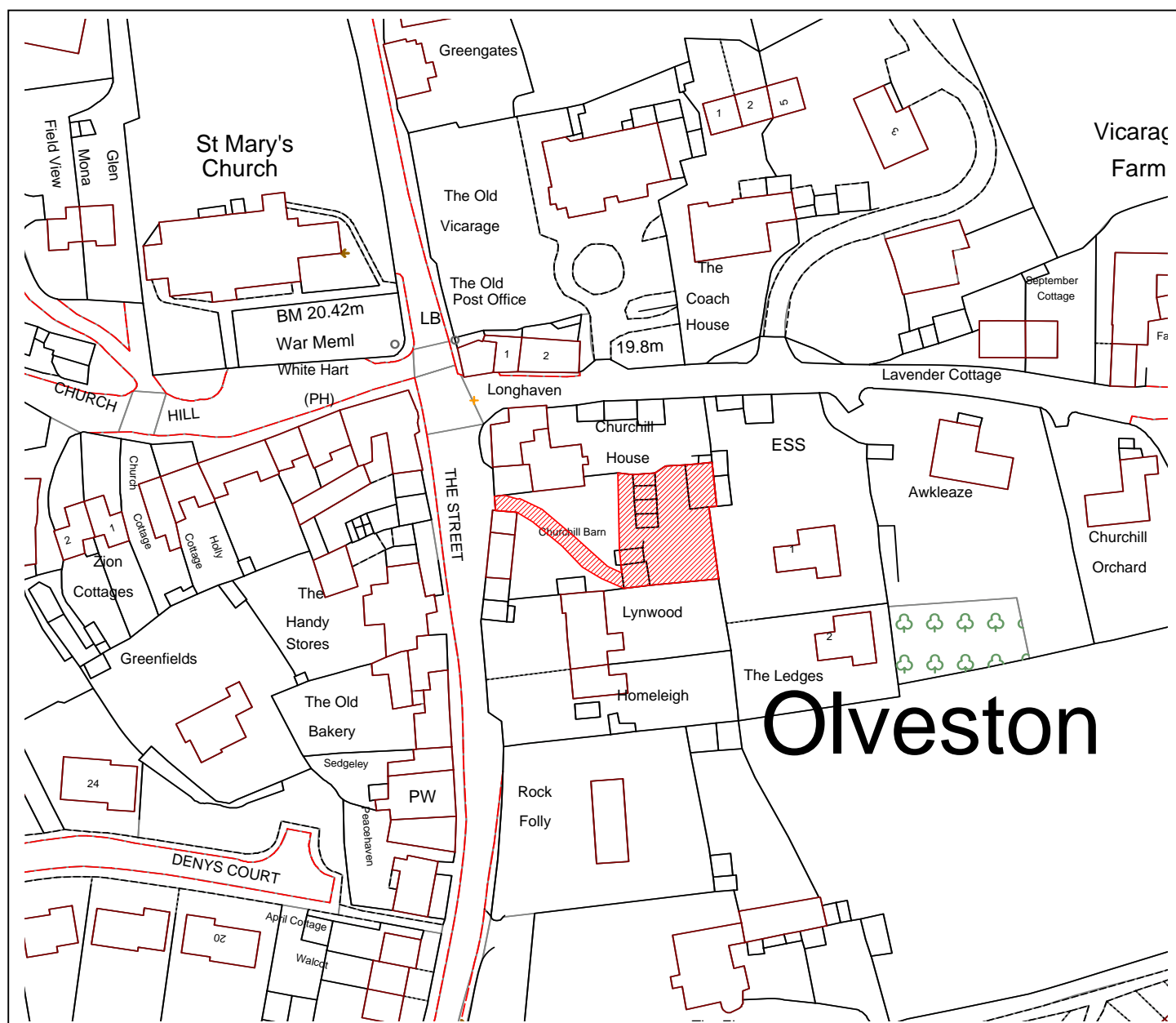
2. All new external finishes shall be in materials to match those of the existing building.

Reason(s):

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.:	PT06/3572/LB	Applicant:	Mrs C Healey
Site:	Churchill Yard The Street Olveston BRISTOL South Gloucestershire BS35 4DR	Date Reg:	12th December 2006
Proposal:	Erection of 1no. dwelling on 0.05 hectares of land and conversion of out building to form detached double garage.	Parish:	Olveston Parish Council
Map Ref:	60150 87231	Ward:	Severn



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N.T.S

PT06/3572/LB

1. THE PROPOSAL

- 1.1 This listed building application relates to the erection of 1 dwelling and the conversion of outbuilding to form detached double garage at Churchill Yard, The Street, Olveston. The proposal also involves the demolition of a derelict shed and a range of lock-up garages to make way for the development.
- 1.2 The site is the former farmyard to Churchill House, a Grade II listed building. It is an open yard set behind Churchill Barn, which fronts The Street at the centre of the village of Olveston and forms the western boundary to the site. The site is accessed directly from The Street to the north-west corner of the site. To the north lies Churchill House and its rear curtilage and to the east the modern residential development of The Ledges. The residence known as Lynwood lies to the southern boundary of the site. The site lies within the settlement boundary and conservation area of Olveston and is also within the green belt.
- 1.3 A full planning application can be found elsewhere on this schedule under planning reference PT06/3577/F.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing
PPG13	Transport
PPG15	Planning and the Historic Environment

2.2 Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 16	Green Belts
Policy 33	Housing Provision and Distribution
Policy 33	Housing Provision and Distribution
Policy 35	Housing Density

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L4	Forest of Avon
L12	Conservation Areas
L13	Listed Buildings
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
GB1	Development Within the Green Belt
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance Olveston Design Statement

3. RELEVANT PLANNING HISTORY

- 3.1 P96/2549 Extension and conversion of existing outbuilding to form single dwellinghouse.
Approved 20 November 1997.
- 3.2 P97/2307/L Conversion of barn to dwelling together with minor works of demolition to facilitate conversion of traditional outbuilding to form second dwelling.
Approved 19 November 1997.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No objection.

Other Consultees

- 4.2 Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
4 letters have been received, 1 letter fully supporting the proposal and the other 3 raising the following concerns/comments:-
- a) height of north gable will seriously shade our garden;
 - b) size of development;
 - c) boundary walls may be affected structurally;
 - d) standing rainwater;
 - e) garage roof will protrude over above our boundary wall and impact upon the visual amenity of our property;
 - f) some works may involve carrying out work to our shared boundary wall and we would ask that the building contractor liaises with us before any works commence;
 - g) a condition regarding construction noise should be imposed;
 - i) walls should be uncoursed local stone and not render;
 - j) should be a minimum 1m space between boundary wall and new dwelling;
 - k) proposal could affect structurally affect attached privy.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
As can be seen from the planning history, planning and listed building consent was previously granted for the scheme in 1997 but this has now time expired. The current scheme is the same as that previously approved.
- 5.2 The application site lies within the settlement boundary of Olveston. In assessing applications for new residential development within the boundaries of settlements policy H2 is particularly relevant. This policy allows for such development provided:-

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

In transportation terms, vehicular access to the yard, off The Street, is unchanged. The current proposal is a renewal of a lapsed planning permission and visibility from the access is considered acceptable given the local constraints upon the highway. As such no objection is raised to the proposal.

With regard to residential amenity the proposal has been designed to ensure that it will not detract from the amenities of neighbouring properties in terms of loss of privacy/overlooking/overbearing impact. The maximum ridge height of the new dwelling is restrained at 6.2m - the dwelling is one and a half storey in height, the upper floor being substantially within the roof space. Due to the location of the new dwelling, its limited height, modest size and scale and the fact that no windows are proposed on the northern elevation, no adverse impact to the nearest dwelling of Churchill House will result in terms of overlooking/overbearing impact/overshadowing.

With regard to the garage element of the proposal, the development is located to the southwestern part of the site. The existing walls of the carport are to be retained with a pitched roof erected above. Concern has been raised with regard to the impact of this roof as it replaces an existing lean-to and as such will be more visible. However, it is considered that the ridge height at 5.8m is on balance acceptable as it is of traditional pitch and of sufficient distance away so as to not materially affect the nearest property.

In terms of proposed materials, a condition will be imposed requiring details of the proposed roof tiles, render and stone walling. The tiles are to be handmade second hand natural clay tiles, the walling stone shall be dressed rubble stone to match the original and the render shall be a traditional rough cast render. These materials are considered appropriate and acceptable for the context of the site and historic character of the area. A condition shall also be imposed regarding proposed repairs to the boundary walls, including any repointing and rebuilding works. As such the proposal complies with this criterion.

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

The site lies within the curtilage of Churchill House, a Grade II listed building. The proposed development involves the re-use and alteration of an existing outbuilding and incorporates the eastern boundary wall as the rear wall of the development. Any further development within the application site would detract from the setting of the adjacent listed building of Churchill House and the appearance of the Conservation Area as a whole. As such the erection of only one dwelling is considered appropriate.

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

The proposal is not adversely affected by any of the above.

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

The proposal is for one dwelling. As such the impact upon service provision will be negligible.

Within the boundaries of settlements washed over by the Green Belt, such proposals will be restricted to infilling.

National and local Green Belt policies make provision for the re-use of existing buildings and also make provision for residential infilling within the development boundaries of Green Belt settlements. The proposal will not impinge upon the openness of the Green Belt as the site is located within the heart of Olveston village and is already surrounded by residential development. The proposal is therefore in compliance with national Green Belt Policy and GB1 of the adopted local plan.

5.3 Conservation and Listed Building Issues

The proposed conversion/development has been designed to ensure that it does not prejudice the character or appearance of this curtilage-listed barn. New openings have been kept to a minimum and are appropriately detailed. The roof pitches, gabled design and proportions are traditional in appearance and appropriate within the context of the adjacent listed building and the character of the Conservation Area. The proposal will greatly improve the appearance of site, which currently has dilapidated and unsightly buildings on it, including a modern rank of garages. The development will enhance the character and appearance of the Conservation Area and village as a whole as well as preserving the setting of the adjacent listed building of Churchill House. The proposal, subject to conditions, therefore complies with national planning policy and advice and policies L12 and L13 of the adopted local plan.

5.4 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).

6. CONCLUSION

6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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 Listed Building Consent be granted.

Background Papers PT06/3572/LB

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

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

Reason

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

2. Prior to the commencement of the works hereby approved, large scale details of the following, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval:-
 - a) flues and vents;
 - b) rainwater goods;
 - c) eaves, verges and ridges;
 - d) windows and doors;
 - e) rooflights.

The works shall not be commenced until the Council has given written approval for the submitted details and the works when carried out shall conform to the details so approved. For the avoidance of doubt, the rooflights shall be traditional cast metal conservation rooflights.

Reason

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of the works hereby approved, samples of the proposed roof tiles, render and walling stone shall be submitted to the Council for approval. No works shall commence until the Council has given written approval and the materials used shall comply exactly with the details so approved. For the avoidance of doubt, the tiles are to be handmade second hand clay tiles, matching the original in colour, profile and texture, and verges are to be bedded on natural slate undercloaks. The walling stone shall be dressed rubblestone matching the original in size, colour and texture, and the render shall be traditional roughcast render.

Reason

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of the works hereby approved, details of the proposed repairs to the boundary walls, including any repointing and rebuilding, shall be submitted to the Council for approval. No works shall commence until the Council has given written approval for the submitted details and the works shall comply exactly with the details so approved.

Reason

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Details of the new boundary wall to be erected on the site shall be submitted to and approved in writing by the Council before the works commences and the works shall only be carried out in accordance with the details so approved.

Reason

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of the works hereby approved, full details of the proposed external joinery and timber cladding finishes, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval. No works shall commence until written approval has been given by the Council for the submitted details, and the materials and finishes used shall comply exactly with the details so approved.

Reason

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Once approved, the finish of the external joinery and cladding shall not be altered without the prior written approval of the Council.

Reason

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

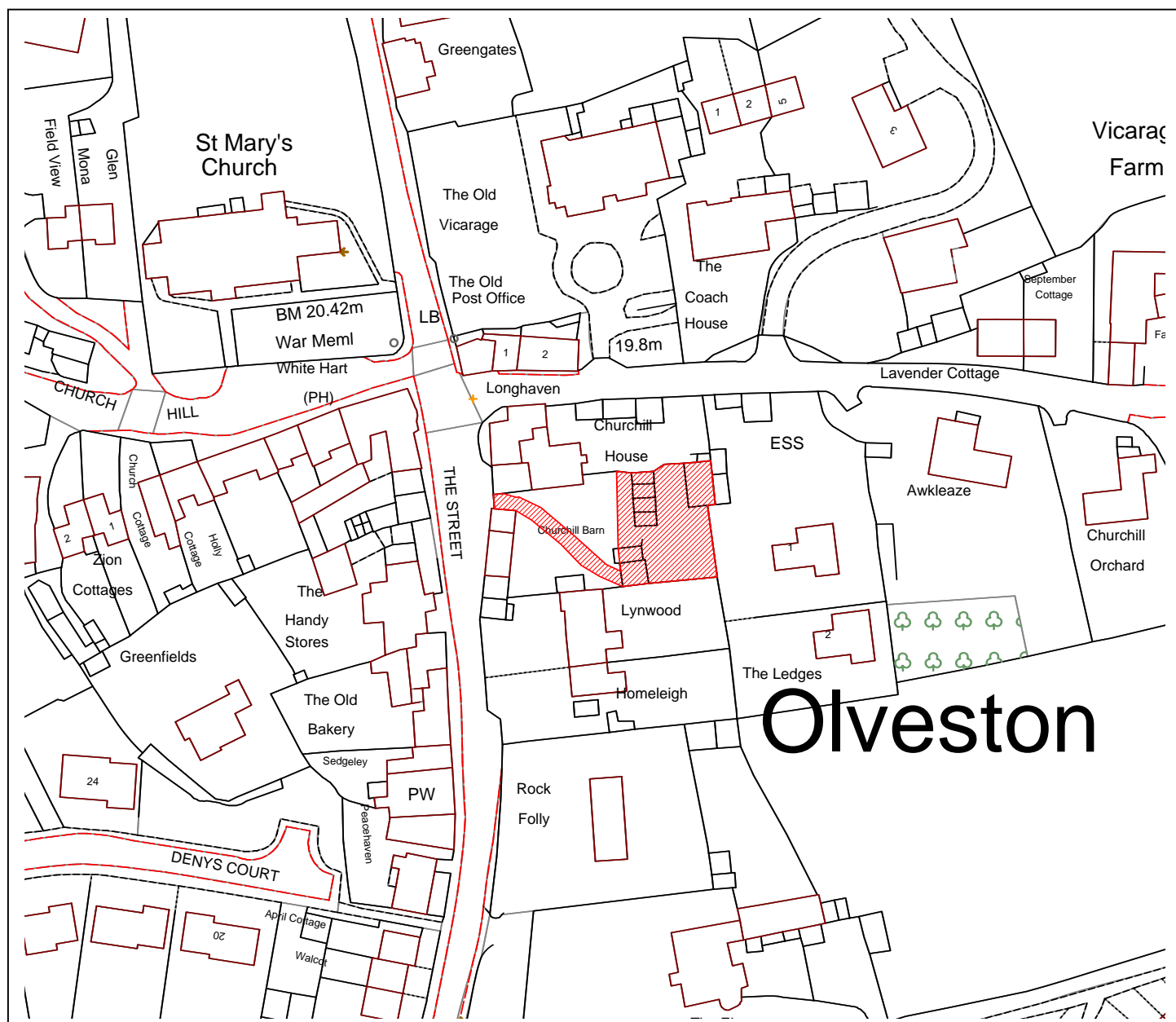
8. Prior to the commencement of the works hereby approved, full details of proposed external electrical fittings, including lights, meter boxes and security alarms, (in respect of which approval is expressly reserved), shall be submitted to the Council for approval. No works shall be commenced until the Council has given written approval for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.:	PT06/3577/F	Applicant:	Mrs C Healy
Site:	Churchill Yard The Street Olveston BRISTOL South Gloucestershire BS35 4DR	Date Reg:	12th December 2006
Proposal:	Erection of 1no. dwelling on 0.05 hectares of land and conversion of out- building to form detached double garage.	Parish:	Olveston Parish Council
Map Ref:	60150 87231	Ward:	Severn



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N.T.S

PT06/3577/F

1. THE PROPOSAL

- 1.1 This full application relates to the erection of 1 dwelling and the conversion of outbuilding to form detached double garage at Churchill Yard, The Street, Olveston. The proposal also involves the demolition of a derelict shed and a range of modern lock-up garages to make way for the development.
- 1.2 The site is the former farmyard to Churchill House, a Grade II listed building. It is an open yard set behind Churchill Barn, which fronts The Street at the centre of the village of Olveston and forms the western boundary to the site. The site is accessed directly from The Street to the north-west corner of the site. To the north lies Churchill House and its rear curtilage and to the east the modern residential development of The Ledges. The residence known as Lynwood lies to the southern boundary of the site. The site lies within the settlement boundary and conservation area of Olveston and is also within the green belt.
- 1.3 The new dwelling incorporates the existing stone walls in the north-eastern corner of the site to create a two storey wing with a new single storey wing extending westwards along the north edge of the site.
- 1.4 The listed building application can be found elsewhere on this schedule under planning reference PT06/3572/LB.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing
PPG13	Transport
PPG15	Planning and the Historic Environment

2.2 Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 16	Green Belts
Policy 33	Housing Provision and Distribution
Policy 33	Housing Provision and Distribution
Policy 35	Housing Density

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L4	Forest of Avon
L12	Conservation Areas
L13	Listed Buildings
H2	Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
GB1	Development Within the Green Belt
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

- 2.4 Supplementary Planning Guidance
Olveston Design Statement
- 2.5 Design Checklist Supplementary Planning Document
Development in The Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 P96/2549 Extension and conversion of existing outbuilding to form single dwellinghouse.
Approved 20 November 1997.
- 3.2 P97/2307/L Conversion of barn to dwelling together with minor works of demolition to facilitate conversion of traditional outbuilding to form second dwelling.
Approved 19 November 1997.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No objection.

Other Consultees

- 4.2 Sustainable Transport
No objection.
- 4.3 Environmental Services
No objection.

Other Representations

- 4.4 Local Residents
4 letters have been received, 1 letter fully supporting the proposal and the other 3 raising the following concerns/comments:-
- a) height of north gable will seriously shade our garden;
 - b) size of development;
 - c) boundary walls may be affected structurally;
 - d) standing rainwater;
 - e) garage roof will protrude over above our boundary wall and impact upon the visual amenity of our property;
 - f) some works may involve carrying out work to our shared boundary wall and we would ask that the building contractor liaises with us before any works commence;
 - g) a condition regarding construction noise should be imposed;
 - i) walls should be uncoursed local stone and not render;
 - j) should be a minimum 1m space between boundary wall and new dwelling;
 - k) proposal could affect structurally affect attached privy.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As can be seen from the planning history, planning and listed building consent was previously granted for the scheme in 1997 but this has now time expired. The current scheme is the same as that previously approved.

5.2 The application site lies within the settlement boundary of Olveston. In assessing applications for new residential development within the boundaries of settlements policy H2 is particularly relevant. This policy allows for such development provided:-

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

In transportation terms, vehicular access to the yard, off The Street, is unchanged. The current proposal is a renewal of a lapsed planning permission and visibility from the access is considered acceptable given the local constraints upon the highway. As such no objection is raised to the proposal.

With regard to residential amenity the proposal has been designed to ensure that it will not detract from the amenities of neighbouring properties in terms of loss of privacy/overlooking/overbearing impact. The maximum ridge height of the new dwelling is restrained at 6.2m - the dwelling is one and a half storey in height, the upper floor being substantially within the roof space. Due to the location of the new dwelling, its limited height, modest size and scale and the fact that no windows are proposed on the northern elevation, no adverse impact to the nearest dwelling of Churchill House will result in terms of overlooking/overbearing impact/overshadowing.

With regard to the garage element of the proposal, the development is located to the southwestern part of the site. The existing walls of the carport are to be retained with a pitched roof erected above. Concern has been raised with regard to the impact of this roof as it replaces an existing lean-to and as such will be more visible. However, it is considered that the ridge height at 5.8m is on balance acceptable as it is of traditional pitch and of sufficient distance away so as to not materially affect the nearest property.

In terms of proposed materials, a condition will be imposed requiring details of the proposed roof tiles, render and stone walling. The tiles are to be handmade second hand natural clay tiles, the walling stone shall be dressed rubble stone to match the original and the render shall be a traditional rough cast render. These materials are considered appropriate and acceptable for the context of the site and historic character of the area. A condition shall also be imposed regarding proposed repairs to the boundary walls, including any repointing and rebuilding works. As such the proposal complies with this criterion.

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

The site lies within the curtilage of Churchill House, a Grade II listed building. The proposed development involves the re-use and alteration of an existing outbuilding and incorporates the eastern boundary wall as the rear wall of the development. Any further development within the application site would detract

from the setting of the adjacent listed building of Churchill House and the appearance of the Conservation Area as a whole. As such the erection of only one dwelling is considered appropriate.

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

The proposal is not adversely affected by any of the above.

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

The proposal is for one dwelling. As such the impact upon service provision will be negligible.

Within the boundaries of settlements washed over by the Green Belt, such proposals will be restricted to infilling.

National and local Green Belt policies make provision for the re-use of existing buildings and also make provision for residential infilling within the development boundaries of Green Belt settlements. The proposal will not impinge upon the openness of the Green Belt as the site is located within the heart of Olveston village and is already surrounded by residential development. The proposal is therefore in compliance with national Green Belt Policy and GB1 of the adopted local plan.

5.3 Conservation and Listed Building Issues

The proposed conversion/development has been designed to ensure that it does not prejudice the character or appearance of this curtilage-listed barn. New openings have been kept to a minimum and are appropriately detailed. The roof pitches, gabled design and proportions are traditional in appearance and appropriate within the context of the adjacent listed building and the character of the Conservation Area. The proposal will greatly improve the appearance of site, which currently has dilapidated and unsightly buildings on it, including a modern rank of garages. The development will enhance the character and appearance of the Conservation Area and village as a whole as well as preserving the setting of the adjacent listed building of Churchill House. The proposal, subject to conditions, therefore complies with national planning policy and advice and policies L12 and L13 of the adopted local plan.

5.4 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).

5.5 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 54A of the Town and Country Planning Act 1990 (as amended), 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 **PT06/3577/F**

Contact Officer: **Vivian Butt**
Tel. No. **01454 863427**

CONDITIONS

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

Reason(s):

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

2. 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) no development as specified in Part 1 (Classes A, B, C, 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(s):

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of the development hereby approved, large scale details of the following, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval:-
 - a) flues and vents;
 - b) rainwater goods;
 - c) eaves, verges and ridges;
 - d) windows and doors;

e) rooflights.

The development shall not be commenced until the Council has given written approval for the submitted details and the development when carried out shall conform to the details so approved. For the avoidance of doubt, the rooflights shall be traditional cast metal conservation rooflights.

Reason(s):

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of the development hereby approved, samples of the proposed roof tiles, render and walling stone shall be submitted to the Council for approval. No development shall commence until the Council has given written approval and the materials used shall comply exactly with the details so approved. For the avoidance of doubt, the tiles are to be handmade second hand clay tiles, matching the original in colour, profile and texture, and verges are to be bedded on natural slate undercloaks. The walling stone shall be dressed rubblestone matching the original in size, colour and texture, and the render shall be traditional roughcast render.

Reason(s):

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of the development hereby approved, details of the proposed repairs to the boundary walls, including any repointing and rebuilding, shall be submitted to the Council for approval. No development shall commence until the Council has given written approval for the submitted details and the development shall comply exactly with the details so approved.

Reason(s):

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Details of the new boundary wall to be erected on the site shall be submitted to and approved in writing by the Council before the development commences and the development shall only be carried out in accordance with the details so approved.

Reason(s):

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of the development hereby approved, full details of the proposed external joinery and timber cladding finishes, (in respect of which approval is expressly reserved) shall be submitted to the Council for approval. No development shall commence until written approval has been given by the Council for the submitted details, and the materials and finishes used shall comply exactly with the details so approved.

Reason(s):

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Once approved, the finish of the external joinery and cladding shall not be altered without the prior written approval of the Council.

Reason(s):

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the commencement of the development hereby approved, full details of proposed external electrical fittings, including lights, meter boxes and security alarms, (in respect of which approval is expressly reserved), shall be submitted to the Council for approval. No development shall be commenced until the Council has given written approval for the submitted details and the development shall be constructed exactly in accordance with the details so approved.

Reason(s):

To maintain and enhance the character and appearance of the Conservation Area and adjacent listed building, and to accord with Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. No windows shall be inserted at any time in the north elevation of the dwelling hereby permitted.

Reason(s):

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

11. The screen walls shown on the approved plan shall be erected in the positions indicated before the dwelling house hereby approved is occupied.

Reason(s):

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

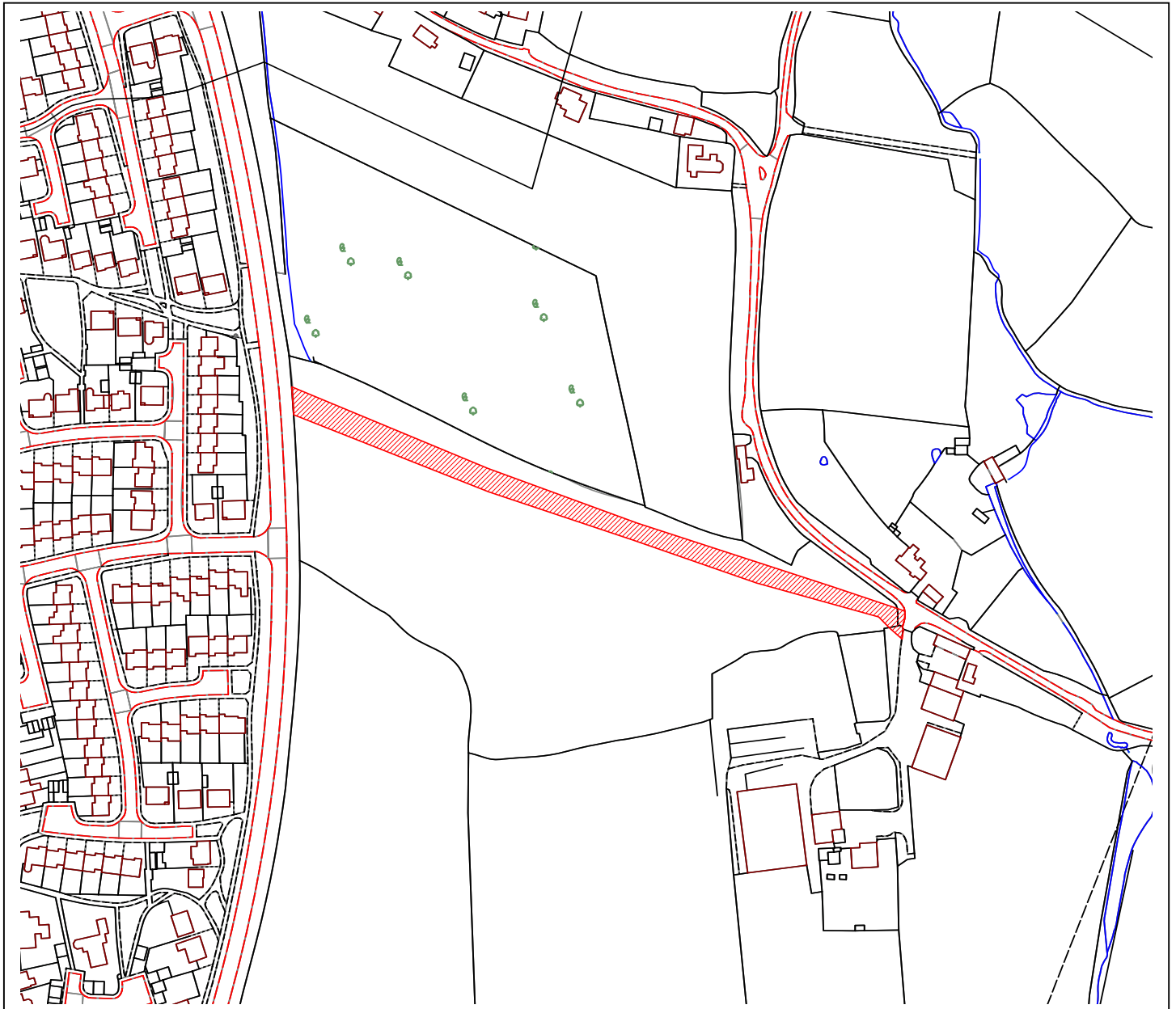
12. The hours of working on site during the period of construction shall be restricted to 07.30 hours to 18.00 hours Monday to Friday and 08.00 hours to 13.00 hours on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of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

Reason(s):

To minimise disturbance to occupiers of nearby buildings, and to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.:	PT06/3581/F	Applicant:	Mr T B Grey & Sons
Site:	T B Grey & Sons Hacket Farm Hacket Lane Thornbury BRISTOL South Gloucestershire BS35 3TY	Date Reg:	13th December 2006
Proposal:	Construction of new access track.	Parish:	Thornbury Town Council
Map Ref:	65318 89949	Ward:	Thornbury South



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N.T.S

PT06/3581/F

This application appears on the circulated schedule due to the objections from local residents.

1. THE PROPOSAL

- 1.1 The application is for the erection of a new track to serve the majority of the farm traffic. The track would run a length of 325m from the main gate of Hacket Farm, along the woodland to the north east of the farm complex to Morton Way.
- 1.2 The track would be constructed in stone with a tarmac mouth onto Morton Way. A post and rail fence would separate the track from the nearby public footpath and an appropriately located crossing point with swing gates will be located where the footpath crosses the track.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving good quality design in new development
L1 Landscape protection and enhancement
T12 Transportation development control policy for new development
LC12 Recreational Routes

The access track is not Agricultural Permitted development as it is located within 25 metres of a classified road.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection in principle to the construction of the track as it would remove heavy agricultural vehicles from Hackett Lane. However the post and rail fence would detract from visual amenity of open field and does not appear necessary to the construction.
- 4.4 Sustainable Transport
The access is to replace an existing access on Hackett Lane, which is accessed via a predominately single track highway with limited passing places. The proposed access is considered an improvement, as reducing the number of vehicles on these country lanes will open them up more for recreational use and reduce potential conflicts.

As such there is no transportation objection, subject to the first 8m tarmaced in accordance with the authorities adoptable specifications, details of which can be obtained from the Council's Street Care department.

- 4.5 Local Residents
Six letters of objection in relation to the following concerns
a) Will introduce more traffic at the junction with Hackett Lane.

- b) The junction with Hackett lane has poor visibility from the direction of St Paul's Church.
- c) Would form a short cut from Morton Way for farm and public traffic.
- d) Lack of adequate controls will allow track to be used by public without normal highway controls
- e) It is unlikely that the enlarged gate will be maintained shut and this will be a magnet for off roading and driving at high-speed and antisocial behaviour.
- f) Proposed increase in lorries and vehicles using this access due to increased noise and pollution
- g) Slow moving vehicles on a road where people exceed the speed limit is a real hazard.
- h) A post box and bus stop are directly opposite the entrance causing limited visibility and increased congestion.
- i) Woodland is a local beauty spot and natural habitat for wild life (including green and greater spotted woodpeckers, possibly owl). Traffic would be detrimental to wildlife.
- j) Morton way is route to school... Hazard to children.
- k) Increased debris on the road would be a hazard.
- l) Track would be used for retail function of farm shop.
- m) Amenity of the footpath would be lost.
- n) The road is on an incline and drivers would have a view into two main bedrooms, effecting privacy.
- o) Road out of keeping and detrimental to area.

Two letters of support were received in relation to the following points:

- a) Would reduce traffic volumes on Hackett lane and Crossways Lane and would consequently improve amenity for residents and local people who use these lanes for recreational purposes.
- b) Vehicles visiting the farm already use Morton way so there would be no increased traffic.
- c) Much need relief to lanes
- d) Hackett Lane has no verge for several hundred yards.
- e) Fencing appears intrusive as woodland is acceptable screen.
- f) Hedge welcome
- g) Fence is surely not for a safety issue as the footpath and tract are perfectly straight such that a tractor would see any walker /dog.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

With regards to Policy T12 of the local plan, the track would provide an appropriate alternative access for farm traffic without material increase in traffic on Morton Way. Hackett Lane/Clay Lane is a narrow and bending lane which facilitates access to a number of houses in addition to Hackett Farm. It is identified as a recreational route under policy LC12 of the local plan and as such use of the lane for recreational walking, cycling and horse riding is safeguarded. LC12 considers development which would adversely affect the recreational use of the lane. The proposal seeks to gate off the access onto Hackett Lane and proposes that all bar the essential journeys to farmland at Crossways Lane would use the new track. This would include harvesting vehicles, lorries and customers for farm shop sales (essentially potatoes). As such the proposal would significantly reduce the impact of the farm on the lane and actually be a pro-active contribution to the safety and enjoyment of users of the recreational route. As such there is no transportation objection to the proposal.

5.2 Visual Amenity

The existing gate on Morton Way would be widened by approximately three metres which would require the removal of one modest sized tree within the hedgerow. The track would be separated from the majority of the field by the planting of a new native hedgerow along the southern side of the track. This would create an appropriate barrier to the track and replace the modest amount of wildlife value lost by broadening the existing gate to Morton Way. The proposed composition of native hedgerow is subject to a condition detailing its implementation and retention. The implications for the woodland wild life is negligible as vehicles are maintained on the track by the post and rail fence. This fence maintains a barrier between the track and the woodland, and protects the footpath.

5.3 Accessibility to nearby footpath

A footpath follows the track on its northern side. The existing access to the public footpath is retained and pedestrian swing gates located in the central area of the track create a safe crossing point for walkers where the footpath changes direction.

5.4 Residential amenity

The proposal would direct traffic away from the houses on the Lanes surrounding Hackett Farm and direct it towards houses in Cleveland Close which back onto Morton Way. The application form advises that the existing traffic visiting the farm will not be increased by the proposal and these vehicles are already using the local road network. Whilst their turning motion may be more noticeable to the nearby households than vehicles simply passing by on Morton Way, this is not considered such disturbance as would warrant refusal of the application.

With regards to the privacy issue raised by a neighbour there is a distance of approximately thirty metres between the new track and the rear elevations of the nearest houses. The relationship of the track to the houses is considered acceptable.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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 track would be located at a point on Morton Way where visibility is acceptable and the rerouting of farm traffic from Hackett Lane would have a significant safety and recreational improvement for users of Hackett Lane. As such the application complies with Policies T12 and LC12 without detriment to landscape or residential amenity.
- 6.3 The decision to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the following conditions

Background Papers PT06/3581/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 species mix set out on plan 50206/2/MB1/RevA shall be implemented in a staggered row of between 4 and 6 plants per metre unless other details are submitted to and approved in writing by the Local Planning Authority.

Reason(s):

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

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the first planting and seeding seasons following the first use of the development, and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason(s):

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

4. The first eight metres of track from Morton Way leading into the field shall be tarmaced in accordance with the authorities adoptable specifications.

Reason(s):

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

5. The means of preventing the track from becoming a thoroughfare to Hacket Lane be submitted to and approved in writing by the Local Planning Authority.

Reason(s):

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PT06/3584/F
Site: 77 Wallscourt Road Filton BRISTOL
 South Gloucestershire BS34 7NP
Proposal: Conversion of existing dwelling to form
 2no. self contained flats and associated
 works. Erection of single storey rear
 extension.
Map Ref: 60600 78685

Applicant: Brady Construction
Date Reg: 13th December
 2006
Parish: Filton Town Council
Ward: Filton



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N.T.S

PT06/3584/F

INTRODUCTION:

The application appears on the Circulated Schedule following letter of objection from two neighbours, and concern from the Town Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the conversion of an existing dwelling with the erection of a single storey rear extension to form two one bedroom self-contained flats, with associated works.
- 1.2 The application site relates to a mid terraced property that fronts onto street within a residential area of Filton. Running at the rear of the site is an unadopted lane where a number of garages have been constructed to provide off-street parking.
- 1.3 During the course of the application, amended plans were received that showed the position of a bin storage area, cycle parking and hardstanding, to allow two off-street parking spaces within the site.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
 - D1 Achieving Good Quality Design
 - H4 Development within the Residential Curtilage
 - H5 Residential Conversions, Houses in Multiple Occupation and Reuse of Buildings for residential purposes
 - T12 Transportation Development Control Policy
 - T8 Parking Standards
 - T7 Cycle Parking

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Firm commitment to provide second parking space is required
- 4.2 Local Residents
Two letters received, in summary:
 - a) The removal of rear wall will leave back of property accessible, and exposes that and next door property
 - b) Wants to ensure that the extension falls within boundary, and that there is no disruption to neighbouring property, including fencing and garden beds.
 - c) Increased parking problem
 - d) Will change character of street

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the conversion of existing residential properties into smaller units of self-contained residential accommodation provided that the proposal would

- a) Not prejudice the character of the surrounding area
- b) Not prejudice the amenities of nearby occupiers
- c) Identify an acceptable level of off-street parking
- d) Provide adequate amenity space

5.2 Design/ Visual Amenity

The proposed single storey rear extension would measure 2.2 metres by 5.4 metres, and would provide room for a kitchen diner. It is proposed to match materials of the proposed extension with the existing dwelling, this would be secured through use of a condition; the design is considered to be in keeping with the existing dwelling. All other works are limited to internal works and therefore would appear unchanged upon the street scene.

From the design and access statement provided it suggests that cycle storage facilities and refuse bin storage areas would be provided, however, the elevations have not been provided, therefore a condition would be added to ensure that details are provided prior to commencement to ensure the design is in keeping with the character of the area.

In this instance, the subdivision of the dwelling into two flats would not significantly or adversely alter the character of the area. The intensification of the land is still considered appropriate to its sustainable location within the urban area.

5.3 Residential Amenity

Internally one flat would be self-contained on ground floor level, this would have one bedroom, using the front door and the main access with an internal door separating the flat, with access to the rear garden. At first floor would be a self-contained one bedroom flat using the ground floor front door as the main access. Overlooking at the rear would be from a bedroom and bathroom, as per the existing arrangement.

The single storey extension would extend 2.2 metres along the boundary of the site; due to the size it is considered that the proposed extension would not adversely harm neighbours.

A neighbour has raised concern that the works may not be contained within the ownership. To this affect Certificate A has been signed to say works are contained within the site. Additionally, an informative would be added to a decision notice to make the applicant aware that consent would be needed to enter, or affect third party land.

5.4 Transportation

The existing dwelling is a three bedroom property, with the conversion it is proposed to provide two one bedroom flats, (one room less than the existing). The extension does not significantly alter the size of the dwelling and is within permitted development maximum volumes.

To the rear of the site is a garage, which is to remain with the development, the applicant has further provided hard standing for another space, there is sufficient space to do this, and the supply of two off-street parking spaces would be in line with maximum parking standards. The maintenance, and deliverance of two spaces, would be secured through use of a condition.

The applicant indicates that they would cycle storage space, to encourage the use of bicycles for both flats, a condition would be added to ensure that adequate storage facilities are provided.

5.5 Amenity Space

The rear garden would have a space of 100 square metres (including the garage), the front garden space has a space of 35 metres squared. It has been indicated that only the ground floor flat would have access to the rear garden space. Policy H5 of the South Gloucestershire Local Plan indicates that conversion *would provide adequate amenity space*, but does not quantify this term. In this circumstance both flats have vehicular and refuse storage, which are basic amenity needs, therefore it is considered that the amenity space adequately serves both sites.

5.6 Other Matters

A neighbour has raised concerns that the removal of a rear wall would expose the properties at the rear of the site. Removal of this rear wall would not constitute development; as such it can be taken down without the express need for planning permission. It is therefore not considered reasonable to withhold planning permission following the neighbours objection/ concern.

5.7 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).

5.8 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 54A of the Town and Country Planning Act 1990 (as amended), 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 approved subject to the following conditions:

Background Papers **PT06/3584/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).

2. All new external finishes shall be in materials to match those of the existing building.

Reason(s):

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

3. Prior to the commencement of the development hereby approved details of cycle parking, shall be proved and approved in writing by the Local Planning Authority. Thereafter shall be installed as such approved.

Reason(s):

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

4. Prior to commencement two off-street standard vehicle parking spaces shall be provided, this may include the existing garage. Thereafter these spaces shall be maintained at the site at all times, unless approved in prior written of the Local Authority.

Reason(s):

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

5. Prior to commencement, details of the proposed bin storage area shall be submitted and approved in writing by the Local Planning Authority.

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. 02/07 – 12 JANUARY 2007

App No.: PT06/3592/F

Site: 16 Seventh Avenue Filton BRISTOL
South Gloucestershire BS7 0QDProposal: Erection of single storey rear extension
to facilitate conversion of existing
dwelling to 2 no. flats with associated
works. Erection of bicycle store.

Map Ref: 60601 78143

Applicant: Mr P Kite

Date Reg: 13th December
2006

Parish: Filton Town Council

Ward: Filton



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100023410, 2006.

N.T.S

PT06/3592/F

INTRODUCTION

This application appears on the Circulated Schedule due to an objection from the Town Council.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the conversion of this single dwelling to 2 No. flats. Garden space for each flat is indicated with a cycle store for each. Access to the rear is from the ground floor only with a shared access to the front. An extension would be provided to the rear to provide kitchen space. Bin storage is shown to the front of the property.
- 1.2 In terms of dimensions, the single storey extension would have a depth of 2.63 metres and height to the top of the mono-pitch roof of 3.6 metres. The application site comprises a mid-terrace property situated on the northern side of Seventh Avenue, a cul-de-sac located off Filton Avenue. The site is located approximately 100 metres from shops in Filton Avenue and close to public transport links.

2. POLICY CONTEXT

- 2.1 National Guidance
- | | |
|-------|------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPG13 | Transport |
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
- | | |
|-----|---|
| D1 | Achieving Good Quality Design in New Development |
| H5 | Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes |
| T7 | Cycle Parking |
| T8 | Parking Standards |
| T12 | Transportation Development Control Policy for New Development |
| EP4 | Noise sensitive development |

The South Gloucestershire Design Checklist (SPD) Draft for Public Consultation: September 2006

3. RELEVANT PLANNING HISTORY

There is no relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No designated off street parking in an already extremely congested part of Filton. No rear access for upstairs flat.
- 4.2 Sustainable Transport
The site is located on the unclassified road Seventh Avenue. The proposal features the conversion of a three-bed house to two one-bed flats, with an insignificant change to the footprint of the building. The

cycle storage meets the criteria set out in Policy T7 of the South Gloucestershire Local Plan 2006. However it is considered that in order to be useable one of these spaces be located to the front garden (a CYCLESAFE locker or similar). There are suitable facilities for required bin standards.

The traffic generated by this proposal would not alter the current situation, and is considered "like for like". On this basis there is no transportation objection to this current proposal.

4.3 Local Residents

There have been no objections received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PPG3 (Housing) and subsequently PPS3 identifies the planning system as a means of widening housing opportunity and choice, maintaining a supply of housing and creating sustainable residential environments. PPS3 (para 10) specifically states that the planning system should provide a mix of housing, sufficient quantity of housing taking into account need and demand and seeking to improve choice and providing housing in locations close to jobs services and infrastructure. It is considered that the development close to local facilities in Filton Avenue would comply with this last criteria. Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 reflecting the aims and objectives set out in this guidance considers the criteria for proposals for the conversion of existing residential properties into smaller units of self-contained residential accommodation. The policy recognises the important contribution that smaller units can make to the supply and range of housing provision in South Gloucestershire and supports the conversion where appropriate of larger properties subject to consideration of the following criteria.

5.2 Character of Surrounding Area

Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for such development provided that there is no adverse impact upon the character of the area. It is acknowledged that the area predominantly consists of single properties however the area is predominantly residential in character. It is not considered that permitting smaller units of accommodation within this context would provide a valid justification for the refusal of the application particularly given the guidance in PPS3 (para 10). The planning policy guidance note stresses the need for a variety and mix of housing and throughout the guidance the emphasis is placed upon the need to help those at the bottom of the housing ladder get access to accommodation through purchase and rent. Given that it is widely recognised that in terms of need the majority of projected growth will be in one-person households reflecting changes in the population. it is clear that Local Authorities should note this trend.

It is not considered that the proposal would adversely affect the character of the area.

5.3 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to achieve a high standard of design in all new development having

regard to scale, form and materials both in relation to the original property and within the wider context.

The proposed alterations are quite minor in scale principally involving the erection of the property at ground floor level with a depth of 2.6 metres. It is considered that the proposed alterations are appropriate in design/visual terms. A condition is recommended to be attached to the decision notice to ensure that matching materials are used to ensure that the extension integrates successfully with the original property.

5.4 Residential Amenity

Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such development should be permitted provided that it would not prejudice the amenities of nearby occupiers and adequate amenity space (either allocated or communal) is provided for future occupiers. It is not considered that the addition of two units of accommodation would cause any significant increase in noise and disturbance. A condition will also be attached to the decision notice requiring the submission of a sound insulation scheme, both for between the proposed units and between the proposal and neighbouring properties either side within the terrace.

The proposed extension to the dwelling given that it is single storey, with a depth of 2.6 metres would not have an adverse affect upon the adjoining occupier. It is not considered that this addition would result in any loss of amenity to neighbouring occupiers.

Subject to the above conditions it is not considered that the proposed development would adversely affect the amenity of neighbouring occupiers or the amenity of future occupiers of the flats or the original property.

It is noted from the submitted plans that a garden for the upper floor flat is to be provided to the rear of that allocated to the ground floor flat. Access to the rear garden would only be from the rear lane and it is unclear how this arrangement would operate in practice. A condition is recommended to require the submission of a workable revised garden layout prior to the first occupation of the flats (to be negotiated with the Case Officer). Subject to this condition and a condition requiring details of sound insulation the proposed development is considered acceptable in these terms.

5.5 Transportation

Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such a development would be acceptable provided an acceptable level of parking is identified. Policy T12 assesses development in terms of the impact of the development upon the wider highway network with the priority being highway safety. Concern has been raised that the proposal has not provided any parking facilities.

The site is located on the unclassified road Seventh Avenue. The proposal features the conversion of a three-bed house to two one-bed flats, with an insignificant change to the footprint of the building. The cycle storage meets the criteria set out in Policy T7 of the South Gloucestershire Local Plan 2006. It is considered however that in order to be useable one of these spaces be located to the front garden (a "CYCLESAFE" locker or similar). There are suitable facilities for required bin standards. Details of the cycle storage and bin storage will be

secured by condition and these facilities should be in place prior to the first occupation of the flats.

The traffic generated by this proposal would not alter the current situation, and is considered “like for like”. At present there are no parking spaces available to the occupiers of the property and this would not alter. Furthermore it is important to note that the site is located within a sustainable location (in line with Central Government Guidance) close to facilities and with good access to public transport links on Filton Avenue to wider areas. PPG13 (para 51) makes clear that Local Authorities should not require developers to provide parking spaces unless there is a significant effect from the development on Highway Safety. This is not considered the case here and on this basis there is no transportation objection to the proposal.

On this basis it is considered that the proposal is in accord with the aims and objectives of Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.5 Design and Access Statement

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

5.6 Section 106 Requirements

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

6. CONCLUSION

- 6.1 In accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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 conditions

Contact Officer: **David Stockdale**
Tel. No. **01454 863131**

CONDITIONS

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

Reason(s):

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

2. All new external finishes shall be in materials to match those of the existing building(s).

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.

3. Prior to the commencement of development, detailed plans showing the provision of cycle parking facilities)in accordance with the standards set out in Policies T7 of the South Gloucestershire Local Plan (Adopted) January 2006, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason(s):

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

4. Prior to the commencement of development a scheme of sound insulation between the proposed units and between the proposed units and the original property shall be submitted to and approved in writing by the Local Planning Authority.

Reason(s):

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Notwithstanding the details set out on the block plan hereby approved, full details of the allocated garden amenity space shall be submitted to and approved in writing by the Local Planning Authority. The details shall include all boundary treatments and access arrangements. The development shall proceed in accordance with these approved details.

Reason(s):

To ensure the amenity of future occupiers and to accord with Policy H5 of the South Gloucestershire Local Plan (Adopted).

6. Full details of the bin storage (to accord with the South Gloucestershire Twin Bin Scheme) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the flats. The development shall proceed in accordance with these approved details.

Reason(s):

To safeguard the amenities of the locality, and to accord with Policy H5 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 02/07 - 12 JANUARY 2007

App No.: PT06/3593/F

Applicant: M & Q
Developments

Site: 59 Wades Road Filton BRISTOL South
Gloucestershire BS34 7EB

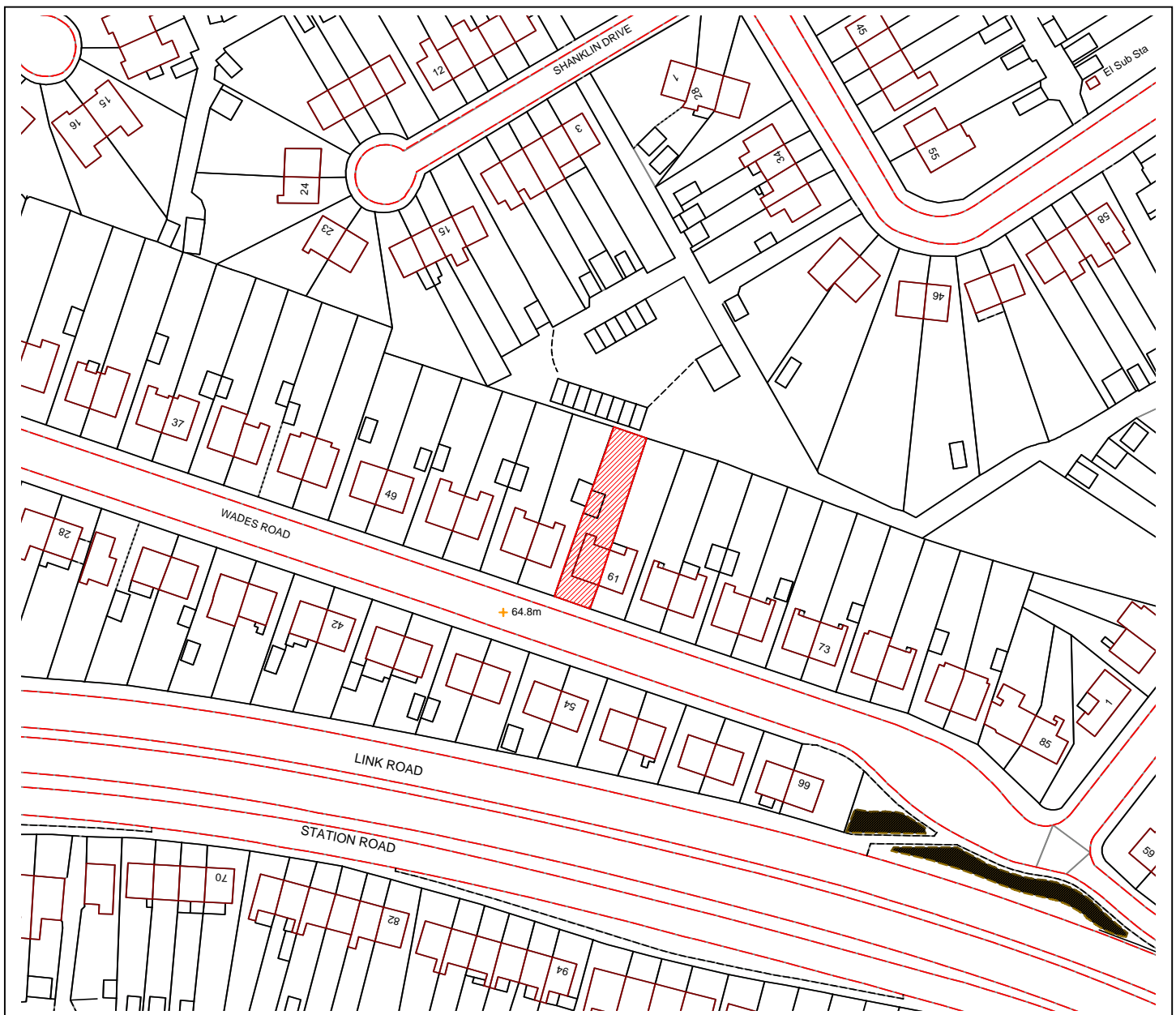
Date Reg: 13th December
2006

Proposal: Conversion of dwelling to form 2 no.
flats.

Parish: Filton Town Council

Map Ref: 60722 79112

Ward: Filton



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N.T.S

PT06/3593/F

This application is placed on the Circulated Schedule due to the objection from Filton Town Council that has been received to the application.

1. THE PROPOSAL

- 1.1 This full application relates to the conversion of an existing dwelling to form 1 no., one bedroom self-contained flat, on the first floor and 1 two bedroom flat on the ground floor. A cycle store for use by both properties will be provided in a shed in the garden. The garden will be divided in two, so each unit has a section of private garden. The recycling area and bin stores will be to the front of the property in a specifically designed storage area.
- 1.2 The application site is located on a quiet road that is characterised by 1920's / 30's semi-detached properties. This property is a semi-detached and is located in roughly the middle of the Road. On street parking is prevalent in the area.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 South Gloucestershire Local Plan

D1	Design
H2	Proposals for Residential Development, including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permission for Residential Development, within the Existing Urban Areas and Defined Settlement Boundaries
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H5	Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential purposes
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
T7	Cycle Parking Standards

2.3 Supplementary Planning Document Design Checklist (Draft)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Objection to the proposal on the following grounds:

1. There is no allocated parking area
2. The layout of the ground floor flat is unsatisfactory

4.2 Local Residents

No responses received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies within the defined urban area of Filton. Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allow for residential development within existing urban areas, subject to a number of criteria including transportation, residential amenity, density and design considerations.

5.2 In terms of the conversion element of the proposal, advice contained within PPS3 encourages the conversion of housing into extra residential accommodation, regarding it as an important source of additional housing, particularly in town centres. This advice is reflected in the Adopted Joint Replacement Structure Plan where policies encourage a mixture of housing types in sustainable locations, especially dwellings for smaller households. This policy stance is reflected in policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006. This policy allows for the conversion of existing residential properties into smaller units of self-contained accommodation provided the following criteria are complied with:-

A. the development would not prejudice the character of the surrounding area;

The proposed conversion can be adequately achieved without detriment to the character of the surrounding area. Inside the property there will be one flat on the ground floor and one flat on the first floor. The proposal will appear as an ordinary dwelling as the property will only have one door on the front elevation which is the entrance to the first floor flat, whilst the door to the ground floor flat is located on the side of the property in a location where you often find secondary doors of similar properties.

B. it would not prejudice the amenities of nearby occupiers;

The site of the proposal is within the urban area of Filton in a predominately residential locality. The proposal will not prejudice the amenities of nearby occupiers to any greater extent than exists at present, especially as the development is for 2 flats within the existing built form. There is a concern over the window and new door in the side elevation of the property, so a condition is suggested requiring any windows on this elevation to be obscure glazed.

C. it would identify an acceptable level of off-street parking;

The site as previously stated is on a quiet road. With no off street parking proposed. There is however a cycle storage area proposed in a small building at the rear of the property.

The parking provided is below the maximum permitted in Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006. However given the sites location close to one of the busiest public transport routes in Bristol, a refusal reason on the lack of off-street parking space could not be substantiated. There is however space at the front of the property to accommodate one off street parking space. Thus a condition is suggested requesting that this area be used as an off street parking space. It is also noted that the applicant has tried

to encourage other methods of transport by including cycle racks within the design for the site in line with policy T7.

D. it would provide adequate amenity space.

The garden covers approximately 150 square metres. This is sufficient to serve the two flats proposed.

5.3 Other Issues

The Town Council has raised a concern over the internal layout of the ground floor flat, but the internal layout of a building is not normally a planning consideration, and no specific problem was identified by the Town Council.

5.4 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).

5.5 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 54A of the Town and Country Planning Act 1990 (as amended), 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 subject to the following conditions.

Background Papers PT06/3593/F

**Contact Officer: Gareth John
Tel. No. 01454 863438**

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. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed glazing in the West elevation shall be glazed with obscure glass only.

Reason(s):

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

3. Prior to the commencement of development, detailed plans showing the provision of a off street car parking space at the front of the site, this shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason(s):

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PT06/3603/F
Site: Bowood Flats Harford Drive Frenchay
 BRISTOL South Gloucestershire BS16
 1NS

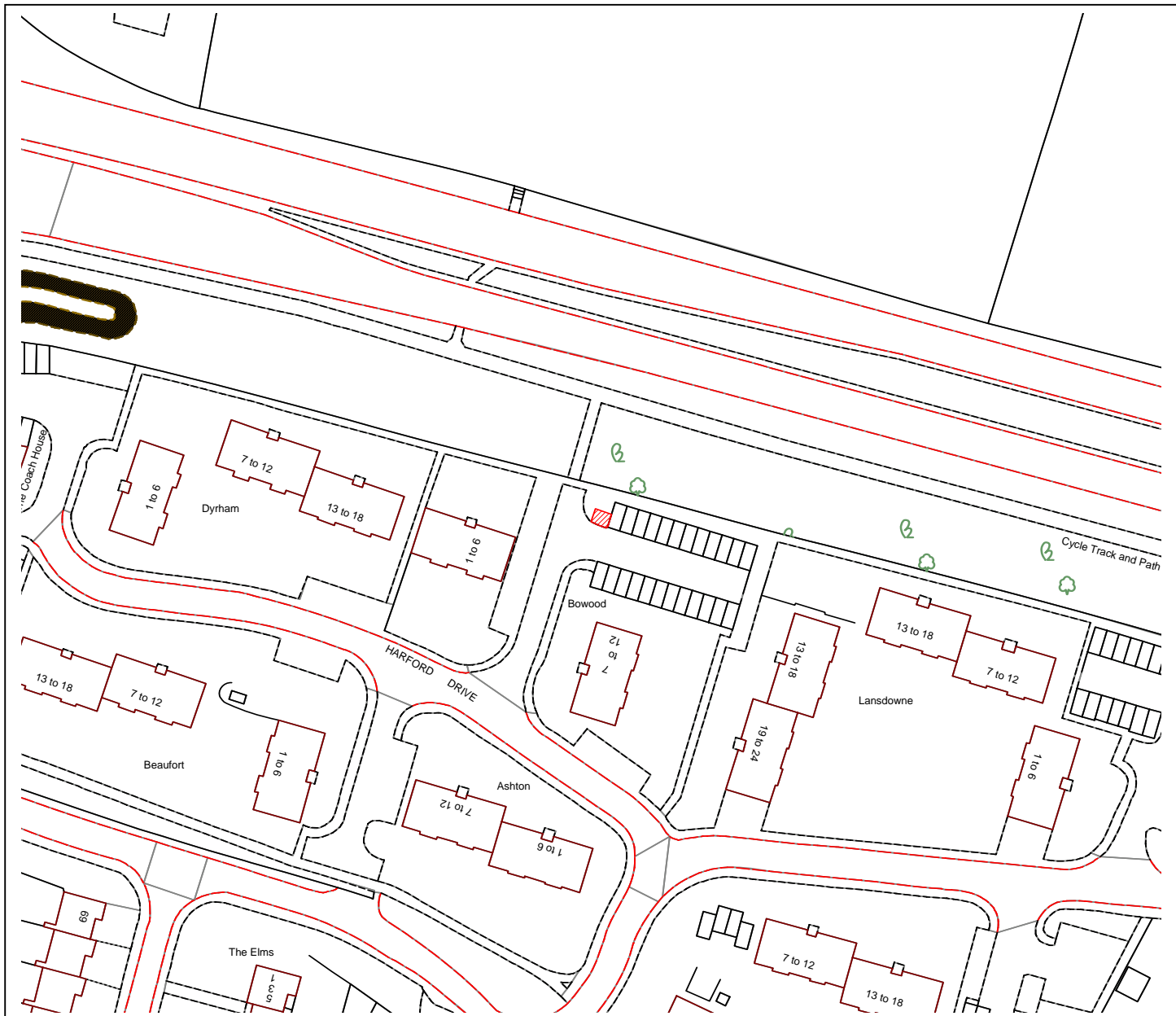
Applicant: Flat Owners
Date Reg: 13th December
 2006

Proposal: Erection of bin store

Parish: Winterbourne Parish
 Council

Map Ref: 64123 78384

Ward: Winterbourne



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100023410, 2006.

N.T.S

PT06/3603/F

This applicant appears on the Circulated Schedule following the receipt of one objection from a neighbour.

1. THE PROPOSAL

- 1.1 The application site relates to a set of modern three-storey blocks of flats within the established residential area of Frenchay. The site lies outside of the Frenchay Conservation Area.
- 1.2 The applicant seeks full planning permission to erect a bin store for Bowood Flats. The store would be sited adjacent to the garage block to the north of the site. The store would be approximately 4.25m in width, 2m in length and 1.83m in height.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design
T12: Transportation Development Control Policy for New Development
L1: Landscape Protection and Enhancement

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No comment
- 4.2 Local Residents
Two letters from residents objecting. They raise all or some of the following points:
 - a. The structure would create an increased security risk for the flats 1-6.
 - b. The use of the bin store would increase noise and disturbance to the flats immediately adjacent to the bin store.
 - c. No evidence of how area would be landscaped to reintroduce the flora and fauna being destroyed and to disguise the bin store.
 - d. The application has no evidence that the consent of the owner of garage adjacent to the proposed structure has been obtained.
 - e. The owners of the flats were not consulted about design prior to submission of the application.
 - f. The bin store would not only be used by Bowood residents and the combination lock would not always be used, therefore resulting in rubbish being thrown over the top of fence.
 - g. The structure does not consider the likelihood of fly-tipping .
 - h. Rats would be attracted as well as greasy decaying food and rubbish being a risk to elderly, frail and infirm.
 - i. The elderly and frail may not have strength to safely lift up the heavy bin.
 - j. There is no indication as to how this facility would be managed, cleaned and maintained
 - k. One disposal facility is not sufficient to serve 24 flats

- l. The views of residents have not been taken into account.
- m. The plans have only become available over the Christmas/New Year period when many residents are away.
- n. Lighting is of concern as it has not been addressed
- o. The owner of the garage does not consent to the proposal.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This development will be principally assessed against Policy D1 of the South Gloucestershire Local Plan (Adopted) 2006 to ensure the residential and visual amenity is not be materially affected by the development. Additionally, the proposal will be assessed against Policy T12 and L1 to ensure the development does not adversely impact the highway safety and the landscape of the application site.

5.2 Design and Visual Amenity

The bin store would be of a simple design and constructed from wooden fence panels. This material is not seen elsewhere on the site, however the store would be sited in an enclosed corner of the site set well back from the main street scene. It is therefore considered that the design of bin store would not significantly affect the overall character of the site.

The objector commented that the proposal would cause an increased security risk to flats 1-6. However, it is not accepted that the development would materially affect this issue. There is no reason to assume there will be problems with the use of the bin (points f, h, l, j, k and n) and these are matters of management rather than being considered material to this modest proposal to serve existing flats, who already utilise bins.

5.3 Residential Amenity

Notwithstanding the comment of the objector, it is not considered that the proposed bin store would cause a substantial increase in noise and disturbance to warrant an adverse material impact on the residential amenity currently enjoyed by the adjacent residents.

The objectors stated that no consent has been obtained from the owner of the garage adjacent to the application site. However, it is considered that the bin store would not material affect the amenity of the garage owner. It should also be noted that Certificate A on the application form has been signed stating the applicant owns the entire application site. In addition, an informative will be placed on any decision for consent indicating that the applicant must ensure that they have all the relevant landowner consents. This is not a material planning issue but a private land law point. Should the owner of the garage refuse his consent then the development cannot proceed notwithstanding any planning permission

5.4 Transportation

The applicant has proposed that refuse vehicles would collect waste directly from the bin store rather than the current on street collection. It is considered that these vehicles would be able to safely manoeuvre within area adjacent to the proposal using the turning stub insitu. Therefore, the proposal is considered to not adversely affect pedestrian or highway safety.

5.5 Landscape

To accommodate the proposed bin store some vegetation would have to be removed. It is considered that this vegetation does not significantly contribute to the character of the landscape of the surrounding area. Hence, this issue is not deemed to form a reason to refuse the application.

5.6 Other Issues

It is not considered points (e) and (m) of the objections are material to the merits of the scheme. The views of residents are taken into account here. Finally, there is no evidence to suggest the provision of a bin store would increase the likelihood of fly tipping, at a point where there is a reasonable degree of surveillance from surrounding properties.

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 54A of the Town and Country Planning Act 1990 (as amended), 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 is granted subject to the following conditions

Background Papers **PT06/3603/F**

Contact Officer: **Peter Rowe**
Tel. No. **01454 863538**

CONDITIONS

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

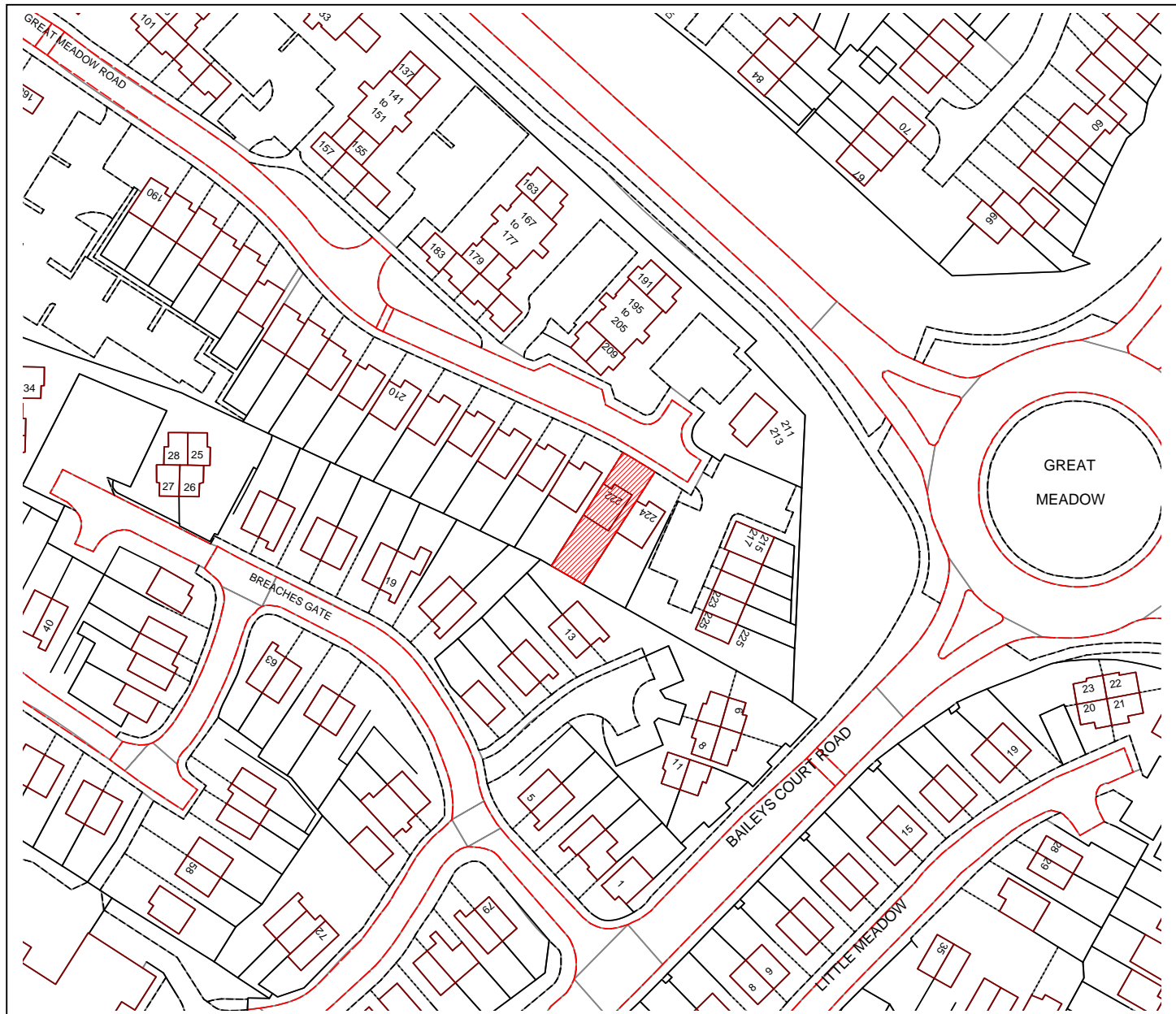
Reason(s):

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

CIRCULATED SCHEDULE NO. 02/07 – 12 JANUARY 2007

App No.: PT06/3620/F
Site: 222 Great Meadow Road Bradley Stoke
 BRISTOL South Gloucestershire BS32
 8DB
Proposal: Erection of rear conservatory
Map Ref: 62976 80847

Applicant: Mr P Taylor
Date Reg: 14th December
 2006
Parish: Bradley Stoke Town
 Council
Ward: Bradley Sto Baileys
 Court



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N.T.S

PT06/3620/F

INTRODUCTION

This application appears on the Circulated schedule because an objection has been received from a neighbour.

1. THE PROPOSAL

The application is for full permission to erect a conservatory to the rear of this end of terrace house. The conservatory would measure 3600mm long and 2850mm wide with a ridged roof to a maximum height of 3000mm, that slopes down to the eaves from 2200mm of its length. The dwelling is set back from the adjoining one by 600mm so that the overlap would be 3000mm.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development

2.2 South Gloucestershire Local Plan (Adopted) January 2006

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

D1 - Achieving Good Quality Design in New Development

3. RELEVANT PLANNING HISTORY

3.1 PT05/0868/F Erection of rear conservatory
Approved at adjacent house 03 May 2005

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council - no objection providing obscure glazing is put into windows overlooking neighbour.

4.2 Local Residents

One letter has been received objecting to the proposal on the grounds of scale, siting and excessive depth, resulting in overlooking and an overbearing affect. Additionally the objector states that the ownership declaration is incorrect insofar as the land to which the planning application relates is subject to disputed ownership.

5. ANALYSIS OF PROPOSAL

5.1 Principle of development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 specifically relates to house extensions and development within residential curtilages. The policies 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 South Gloucestershire Local Plan (Adopted) January 2006 requires that good quality of design be achieved in new development.

5.2 The principle of the extension is acceptable, as the house is located within the settlement boundary.

5.3 Residential Amenity

There would be a fence between the side of the conservatory and the closest neighbour and this side is proposed to be solid, not glazed, except at high level. Notwithstanding the objections raised it is considered that the amenity of local residents would not be harmed materially by reason of loss of privacy, overshadowing nor dominance. A longer conservatory has been allowed and built at the property to the right of this one, number 220.

5.4 Adequate amenity space associated with this dwelling would remain for the enjoyment of the occupiers of the house.

5.5 Visual Amenity

The design of the conservatory would be in keeping with that of the house.

5.6 Transportation

No transportation issues are raised by this proposal

5.7 Ownership Issues

The objector has not clarified the nature of the ownership dispute mentioned. The conservatory is proposed to be situated well within the boundary of the property and therefore the dispute will probably not relate to a mere strip of land but the whole property. Land ownership is not a material consideration in the determination of planning applications and the usual note is proposed to be attached to any decision notice indicating that the permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.

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 1/97 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 1/97 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 54A of the Town and Country Planning Act 1990 (as amended), 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 subject to the following conditions:

Background Papers **PT06/3620/F**

Contact Officer: **Anja Mellergaard**

Tel. No. **01454 863431**

CONDITION

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

Reason

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