



**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. 21/07

Date to Members: 24/05/07

Member's Deadline: 01/06/07

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: 24/05/07

SCHEDULE NO. 21/07

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

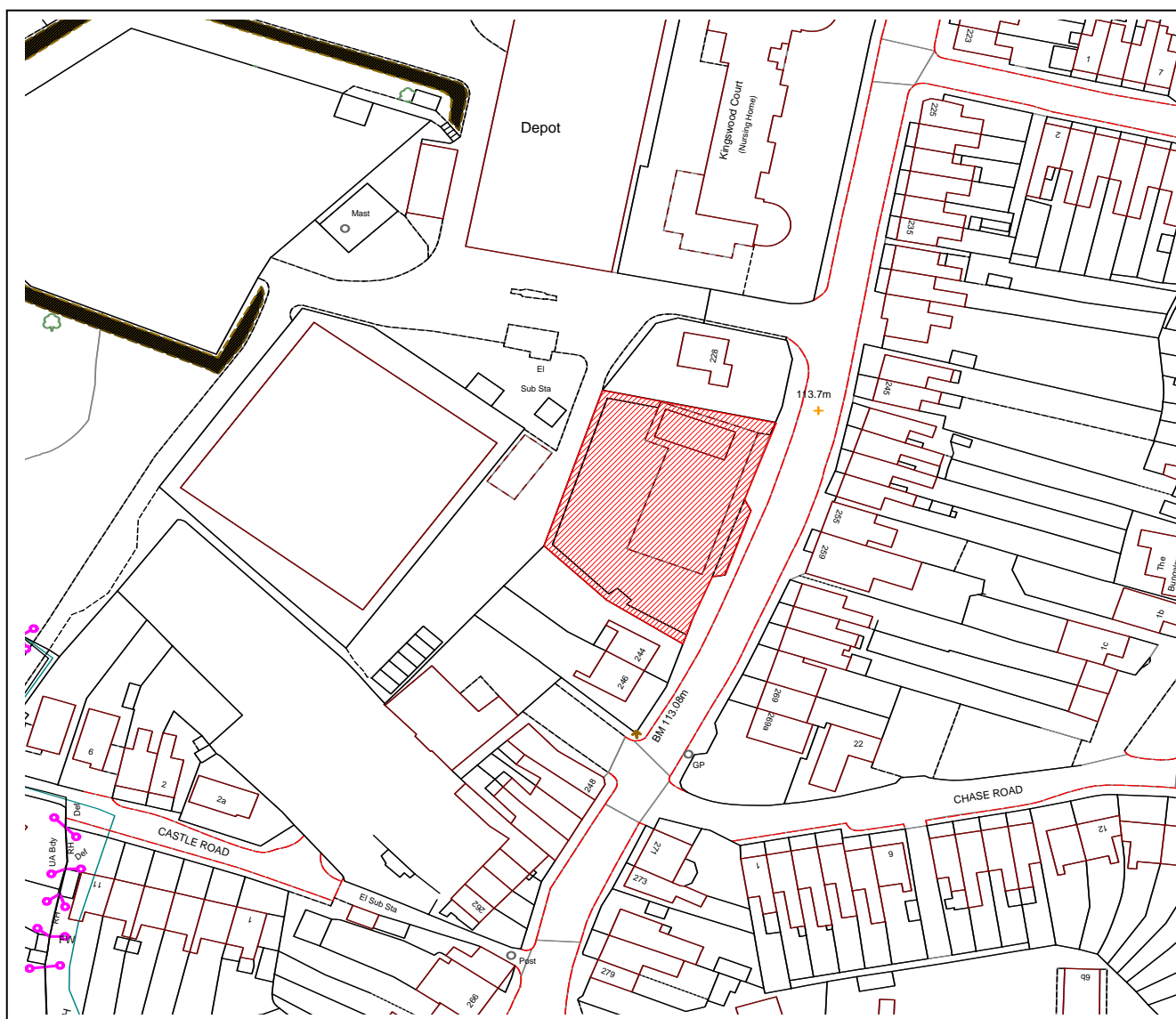
DATE

Circulated Schedule 24 May 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK07/0268/F	Approved subject to Section 106	Chase Service Station Soundwell Road Soundwell South Gloucestershire BS15 1PN	Kings Chase	
2	PK07/0499/F	Approve with conditions	25 Buckingham Gardens Downend South Gloucestershire BS16 5TW	Downend	Downend and Bromley Heath
3	PK07/0773/F	Approved subject to Section 106	The Players Golf Club Wapley Road Codrington South Gloucestershire BS37 6RX	Cotswold Edge	Dodington Parish Council
4	PK07/0790/F	Approve with conditions	16 Grampian Close Oldland Common South Gloucestershire BS30 8QA	Oldland	Bitton Parish Council
5	PK07/0870/F	Approve with conditions	6 Shackel Hendy Mews Emersons Green South Gloucestershire BS16 7DZ	Siston	Mangotsfield Rural Parish Council
6	PK07/0921/F	Approve with conditions	66A Riding Barn Hill Wick South Gloucestershire BS30 5PA	Boyd Valley	Wick and Abson Parish Council
7	PK07/1054/R3F	Deemed consent	Trinity C Of E School Littleton Drew Lane Acton Turville BADMINTON South Gloucestershire GL9 1HJ	Cotswold Edge	Acton Turville Parish Council
8	PK07/1085/F	Approve with conditions	40 Atherston North Common South Gloucestershire BS30 8YB	Oldland	Bitton Parish Council
9	PT06/3454/RVC	Refusal	Filton College New Road Stoke Gifford South Gloucestershire BS34 8QT	Stoke Gifford	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 21/07 – 24 MAY 2007

App No.: PK07/0268/F	Applicant: Esso Petroleum Co. Ltd
Site: Chase Service Station Soundwell Road Soundwell BRISTOL South Gloucestershire BS15 1PN	Date Reg: 31st January 2007
Proposal: Demolition of existing petrol station and erection of replacement sales building, canopy and forecourt with associated car parking and works. Installation of replacement fuel storage tanks.	Parish:
Map Ref: 64615 74591	Ward: Kings Chase



© South Gloucestershire Council 2007. All rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2007.

INTRODUCTION

This application is reported on the Circulated Schedule as it requires a Section 106 Agreement. In addition, there were adverse comments made about the proposal by the Police in terms of crime reduction. The Section 106 Agreement has been negotiated with the applicant and is being provided as a Unilateral Section 106 Agreement.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of the existing petrol station and its replacement with a similar facility. The elements of the site would however be rearranged on the site under this proposal: The existing sales building is at the north of the site. It is proposed to replace this with a larger building for this purpose, extending the existing footprint to the front, back and into the site. The current 12 pumps would be reduced to six, under a canopy which would run along an east-west axis, to replace the current nearly square canopy. Customer parking, the opportunity for which is on a random basis on the apron, would be formalised with a rank of 5 at the site's southern boundary and a further 5 places up to the wall at the eastern boundary (back) of the site. Also proposed is a service yard between the sales building and northern boundary, the front part of which would be covered by a perspex sheeting roof.
- 1.2 The site lies opposite two storey terraced housing. The Bristol Water site, which benefits from planning permission for housing is to the rear, as well as a joinery yard. To the north is a detached two storey house and then a nursing home and to the south an end terraced property, separated from the site by an access lane leading to the rear. This latter property has a secondary window at first floor level facing the site, while the end terraced property has a non-habitable room window facing the site. An acoustic report was requested and received, in respect of the effect of noise which would be generated by the proposal, specifically from the plant to be located in the northwest corner of the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS6	Retail
PPG13	Transport
PPS23	Planning and Pollution Control

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
RT8	Small scale retail uses in Urban Areas
T7	Cycle Parking
T8	Parking standards
T12	Transportation
EP1	Environmental Pollution
EP6	Contaminated Land

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|----------|---|----------|
| 3.1 | P80/4335 | Redevelopment of existing filling station | Refused |
| 3.2 | P81/4267 | Redevelopment of existing filling station | Approved |

- | | | | |
|-----|----------|-----------------------------------|----------|
| 3.3 | P93/4537 | Installation of jet wash facility | Approved |
| 3.4 | P97/4063 | Replacement fuel storage tanks | Approved |

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
No parish

4.2 Other Consultees
Environmental Protection

With reference to the above Planning Application and Noise Report dated 25th April 2007 I am satisfied with the proposal/report providing that the applicant follows the recommendations on pages 13 & 14 of the Noise report.

Due to the fact that the proposal is not a change of use, the standard condition EC02 need not be applied, as it relates to new development on potentially contaminated land. However, as the kiosk will be extending its footprint, this should not take place in such a manner that the building becomes vulnerable to any potential ground contamination associated with the existing fuel pumps and storage. An informative is recommended, advising that 'the developer demonstrates that the building (kiosk) will be protected against the potential effects of ground contamination associated with fuel storage and dispensing; and that any contamination encountered during works is assessed and dealt with accordingly'.

Avon & Somerset Police

Object due to the fact that the existing petrol station has had 62 crimes in the last 10 months, mainly people driving off without paying. This design leaves pumps 1 and 2 vulnerable, as there is little natural surveillance from the check outs.

South Gloucestershire Local Plans Team

The application is for the demolition of the existing sales building (85 sq M.) and replacement with 290 sq mtrs sales area to include a Tesco store. This proposal falls to be considered under policy RT8 of the Local Plan as a small scale retail use. Paragraph 9.97 specifically addresses the scope for small shops associated with petrol Filling Stations. Although there is no formal definition of 'small scale' in the Local Plan, this proposal is essentially a local convenience store and is not considered to be of a strategic scale which would require it to be directed to a town centre location in accord with PPS6. Subject to analysis under policy RT8, there is no policy objection raised.

Other Representations

4.3 Local Residents
No replies received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations, the most significant of these being that the site already houses a petrol filling station. The issues to be analysed are therefore to do with parking and highway safety, design, the effect on residential amenity and pollution control. While a petrol filling station itself is sui generis, this proposal would involve a fourfold increase in the size of the retail

floorspace and this forms a significant proportion of the site and element in the proposal, which also stands to be assessed against policy RT8 for this reason.

5.2 Design and Appearance

It is considered that, given the age of the current filling station, it is looking a little tired and this proposal offers the opportunity to give the site a more modern appearance. The elements of the existing petrol filling station are proposed to be retained in similar positions to their current locations. The overall effect of the proposal would therefore represent a 'face lift' of the existing site, mostly through the use of new materials. It is considered that this effect would enhance the appearance of the site, to the benefit of the street scene, according with policy D1.

5.3 Landscaping and Visual Amenity

The overall scheme is considered to have the appearance of a petrol sales forecourt, with a larger sales building than is there at present. The development therefore would have limited visual impact, in the context of the current situation. A new element would be situated close to the residential boundary at the rear of the site, there is a plant compound proposed. The visual amenity of the site is not considered to be compromised by this screened area, as it would largely be obscured by the bulk of the proposed sales building. With regard to the possibility of enhancing the site through the provision of landscaping, the site is presently very constrained in terms of space. The proposal would intensify the built form on the site, partly through the provision of new features such as cycle parking. However, there are three small distinct areas where some landscaping could be added, two of which would be at the front of the site. A condition appears below requiring a landscaping plan to be applied to these areas.

5.4 Retail Issues

Policy RT8 requires that proposed development should not give rise to unacceptable transportation effects, that it would not prejudice residential amenity, the character of the area and would not harm the vitality and viability of an existing local area. The first three criteria are covered below and the effect on vitality and viability has been assessed as not harmful, as this proposal is relatively small in scale. It is therefore considered that the proposal meets the terms of policy RT8.

5.5 Pollution Control

Taking into account the comments from Environmental Protection, reported at 4.2 above, any approval notice would also carry the informative recommended by the Environmental Health Officer. The application is not for a change of use and therefore the only likely receptor due to any potential land contamination is the new sales building, within the site.

5.6 Transportation

The application is for full planning permission for the demolition of the existing service station building, car wash, pumps and canopy and replacement with a forecourt and convenience store with associated parking.

The existing store that operates with the current filling station is small, at 75m² gross and it sells a limited range of convenience goods. By comparison, the proposed retail element associated with the new development will be 283m² and the operator of the store will be Tesco.

Access

The existing access and egress to the site will remain largely unchanged.

Traffic

Whilst the traffic associated with the site may remain similar, it is anticipated, given the nature and size of the proposed new store on site, that vehicular and pedestrian traffic to and from the development would increase compared to the existing situation. There is no traffic data available relating to the existing operation. However, the applicant/agent gives an estimated count of traffic movements of approximately 800 two-way vehicular movements per day. The figure of traffic suggested by the applicant/agent is significant and it is much higher, when compared with the information that is available on the TRICS data-base, for other similar sized petrol filling station. Two of South Gloucestershire Council's priorities are to encourage walking and cycling and reduce the number of recorded personal injury accidents occurring on the public highway. Access to the development site is on the A4017, Soundwell Road. The A4017- Soundwell Road/Downend Road is on the Council's traffic management list for the casualty reduction scheme. In view of the above therefore, the applicant will be expected to provide mitigating measures (in the form of financial contribution) towards the future highway safety scheme including an enhancement of pedestrian safe crossing facilities to encourage accessibility to the site for those on foot or cycling.

Parking

The proposal includes 10 new customer parking spaces (including disabled) on the site. Cycle parking racks will also be provided by the sales building close to the egress.

Conclusion /Recommendation

In view of the above therefore, the transportation officer's recommendation is for conditional approval subject to the developer making a contribution of £30,000 towards a) future traffic management and road safety in the area and b) towards improving accessibility to the store in order to reduce the need to travel by private car. The final scheme of traffic management /safety works will be subject to public consultation and is likely to involve measures such as enhancing pedestrian access to the petrol filling station/ store. The suggested financial contribution would be secured under an appropriate legal agreement, on a Unilateral basis.

5.7 Crime Prevention Issues

While the Police have pointed out that there are a number of 'drive-off' crimes committed at the petrol station, this is considered to be a matter of site security for the operator. Re-designing the forecourt, whilst better natural surveillance could be achieved of pumps one and two at the front of the site, is not considered to be as effective as providing an up to date CCTV number plate recognition system for the whole site, which would be an option for the operators. Overall, with the number of pumps halved, it is considered that this step in itself is more likely to reduce the opportunity of driving off without paying, as fewer pumps could be in use at any one time.

5.8 Residential Amenity

This issue needs to be assessed against a background of the site being used at present as a petrol filling station. General levels of noise and disturbance associated with the operation of the site, which is next to an A classified road and close to a busy junction, are therefore relatively high. It is considered that

this proposal would leave these levels largely unaffected and the crucial issue is the duration of the use of the site. With this in mind, a condition has been suggested below which would tie the operating hours to the same as those of the present filling station, that is under planning permission ref. no. P81/4267, 0700-2300 Mondays to Saturdays and 0800-2200 on Sundays. Operation would also cover times when deliveries could be made to the site. Close to the residential boundary at the rear of the site, there is a plant compound proposed. This has been re-arranged in accordance with the submitted acoustic report, which specified that the air conditioning units should be as far from the residential boundary as possible. The air conditioning unit would be the element of this area which would produce the most noise and the acoustic report makes clear that this element would be required only during the operating hours for the site, hence the inclusion of a condition below to limit the use for the air conditioning unit and air and water machine on the forecourt to these times. In this case and due to the relatively high background noise levels, there is considered to be no need for a noise level condition to be applied. The noise generation from the air conditioning unit has been reflected in the amended site plan, together with taller boundary treatments as advised in the report. Again, the provision of these have been conditioned, as an acoustic barrier. The recommendations of the acoustic report have informed the relevant conditions below, to ensure that these recommendations are followed in the daily operation of the site. Subject to these conditions, it is considered that this proposal would not result in any harm to residential amenity and therefore complies with that criterion of policy RT8.

5.9 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).

5.10 Section 106 Requirements

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

6. **CONCLUSION**

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

The decision 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 authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions shown below and subject to the signing of the Unilateral Section 106 Agreement supplied with the application, to secure the following:

- (i) The contribution of £30,000 towards future traffic management and road safety measures in the locality.

The reason for this Agreement is:

- (i) To mitigate against the increase in vehicular movements generated by the development and promote the safe accessibility to the site by non-car users.

Background Papers **PK07/0268/F**

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. The use hereby permitted shall not be open to customers or deliveries outside the following times 0700 to 2300 from Mondays to Saturdays inclusive and 0800 to 2200 on Sundays and Bank Holidays.

Reason:

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

3. 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.

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

Reason:

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

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

Reason:

To protect the character and appearance of the area to accord with Policies L1 and RT8 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the first use of the replacement building, the acoustic boundary treatments shown on the approved plans shall be erected and thereafter maintained as specified in the approved acoustic report.

Reason:

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

7. The air conditioning unit and the air and water machine shown on the approved plans shall not be used outside the hours of 0700 to 2300.

Reason:

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

8. All equipment on the site shall be installed and maintained in accordance with the manufacturers instructions, as specified in the approved acoustic report.

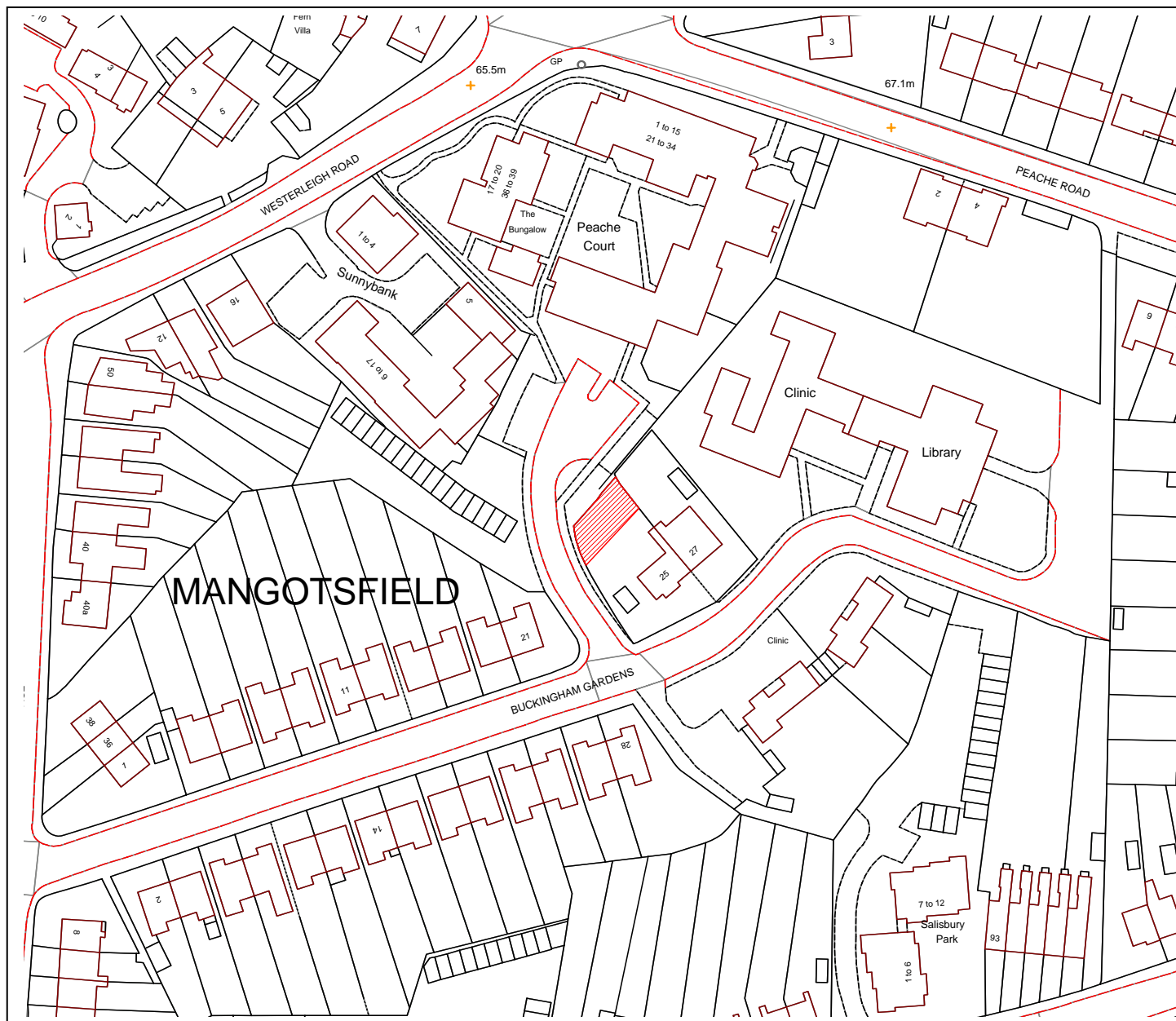
Reason:

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

CIRCULATED SCHEDULE NO. 21/07 – 24 MAY 2007

App No.: PK07/0499/F
Site: 25 Buckingham Gardens Downend
 BRISTOL South Gloucestershire BS16
 5TW
Proposal: Erection of 1 no. dwelling with access
 and associated works. (Resubmission of
 PK06/3630/F).
Map Ref: 65370 76705

Applicant: Mr S Hawkins
Date Reg: 14th February 2007
Parish: Downend and
 Bromley Heath
Ward: Downend



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S

PK07/0499/F

INTRODUCTION

This application appears on the Circulated Schedule due to the submission of two neighbour objections.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 1 no. dwelling with access and associated works. The application is a resubmission of the withdrawn application ref PK06/3630/F. The dwelling would have a maximum height of 7.1m, a maximum width of 7m and a maximum depth of 8.2m.
- 1.2 The application site is located in a primarily residential area of Downend. The dwelling would be located in the rear garden of an existing semi-detached residential property. The surrounding area has no particular vernacular with 1950's bungalows, 1970's semi-detached dwellings, modern sheltered accommodation flats and a modern infill bungalow in Peache Court. A number of health clinics and a library are located nearby at the end of Buckingham Gardens.
- 1.3 The original plans indicated a 3 bedroom dwelling with 1no. off-street parking spaces and with a flank wall at a distance of 9.4m from the rear facing windows of No.25 Buckingham Gardens. It was considered by officers that 1no. parking space for a three bedroom dwelling was insufficient and also that the dwelling was too close to the existing property. After negotiations revised plans for a two-bedroom dwelling located further from the existing dwelling were submitted.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L1 Landscape Protection and Enhancement
H4 Development Within Existing Residential Curtilages
T7 Cycle Parking Standards
T8 Parking Standards
T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

Advice Note 2 House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/3630/F Erection of 1 no. dwelling with access and associated works. Withdrawn.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection

Other Representations

4.2 Local Residents

Two objections have been received from local residents and these can be summarised as follows:-

- Inaccuracies regarding number of dwellings served by Peache Court.
- Peache Court is a busy road and additional vehicles accessing the highway would be a safety hazard as there is already a lot of on-street parking as a result of inadequate parking facilities for the nearby clinics and library.
- The design and orientation of the dwelling would result in loss of privacy to neighbouring occupiers.
- The proposal is overdevelopment of the site and would result in loss of light to the adjacent property.
- The proposal will require foundation footings to be created on South Gloucestershire Council Land.
- The tree on SGC land provides a habitat for nesting birds.
- The plans indicate a fence between 25-27 Buckingham Gardens though there is only a low wire mesh fence.
- The design would be out of character with the surrounding area, being a detached property.
- Concerns over use of existing foul drains.
- Building works would be a disruption to local residents.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for development within existing residential curtilages, including new dwellings, subject to criteria relating to design, visual amenity, residential amenity and highway safety being satisfied. The application stands to be assessed against these criteria, other relevant policies and all material considerations.

5.2 Design/Visual Amenity

The proposed dwelling would be a detached two storey property constructed of red coloured multi-stock brick with dark brown interlocking roof tiles and reconstructed stone cills. The proposal would have a gable frontage to Peache Court and an 8m deep side elevation to the strip of South Gloucestershire Council owned grass verge along the rear of 25-27 Buckingham Gardens that forms a buffer to the parking area of Peache Court. The proposal would involve the removal of a 1.8m high fence and mature Leylandii hedge screen planting on the site. The side wall of the dwelling would then be astride the boundary with the strip of SGC land with a 2m vertical boarded fence defining the remainder of the boundary to the sides and rear of the property. The frontage to the highway would be paved to provide access and parking for 1no vehicle. There would be some soft landscaping to the front at the corner of the plot. Due to the variety of buildings, pattern of development and type of accommodation in the immediate area the proposal is not considered to be out of keeping and the design compliments existing features in the area.

- 5.3 The proposal would involve the loss of an amenity fir tree on South Gloucestershire Council land at the rear boundary. However, this tree is of limited aesthetic value and the Council tree officer has agreed in principle to its removal, subject to the applicant funding its removal and the planting of two replacements. It has been indicated by the applicant that they are willing to agree to this. Overall the loss of the tree is considered to be acceptable.
- 5.4 Residential Amenity
The proposed dwelling would have a blank 4m deep side gable facing the rear of 25 Buckingham Gardens with a 2m high fence defining the boundary to the new plot. The gable would be 10.6m from the rear facing windows of No.25. Guidance contained in Advice Note 2 suggests that the distance between facing windows and blank gables should be 12m. However, PPS3 requires the efficient use of previously developed land and to this end, the proposed distance is considered acceptable having regard to the limited span of elevation (4 metres) and not to have a significant overbearing impact upon the adjacent dwelling.
- 5.5 The proposal would be sufficiently distant from 27 Buckingham Gardens and there would be no first floor windows overlooking the dwelling or its garden area. The proposed dwelling would be 4m from the side boundary to No.27 at its closest point and at a distance of 15m from the original building of No.27 though a single storey rear extension would be within 10m. Due to the orientation of the proposed dwelling with an oblique angle of a 4m wide gable facing away from the house at No.27, the proposal is not considered to have an overbearing impact upon that property. It is conceded that there will be some loss of direct sunlight as the proposal is directly west of the garden of No.27, though this is not sufficient grounds to warrant a refusal as it would not have a significantly overbearing effect.
- 5.6 The proposed dwelling would be 20m from the side and rear of the bungalow on the opposite side of Peache Court, No.21 Buckingham Gardens, and as such it is not considered that there will be any unacceptable loss of privacy resulting from the first floor bedroom window in the front elevation of the new dwelling. Similarly the bedroom window in the north-west elevation of the dwelling would be 18m from the front windows of the recently built bungalow in Peache Court adjacent to the private garage court. This is not considered to be unacceptably close, particularly given that the bedroom window would be offset by 5m and at an angle to the ground floor windows of the bungalow.
- 5.7 The proposal would provide approximately 45sq.m of private amenity space for the two-bedroom dwelling and would retain approximately 140sq.m for the existing house at No.25.
- 5.8 Overall, it is not considered that the proposal would result in any unacceptably overbearing impact or loss of privacy in the area. Furthermore, the proposal provides sufficient amenity space for the existing and proposed dwellings and there are no concerns regarding loss of daylight. As such the impact upon current levels of residential amenity in the area is considered acceptable.

5.9 Sustainable Transport

The proposal retains the current level of off-street parking provision for the existing dwelling and provides 1no space for the proposed two-bedroom dwelling. The maximum parking requirement (as set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006) for a two-bedroom dwelling is 1.5no spaces. As such the provision of 1no space is considered acceptable and therefore there are no highway objections to the proposal. It is however suggested that a condition is attached to any permission requiring plans clearly indicating a useable parking space of no less than 5m x 2.4m in dimensions and cycle parking facilities.

5.10 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).

5.11 Other Matters

The side of the proposed dwelling would be astride the current rear boundary of No.25 Buckingham Gardens and as such the guttering would over-sail the boundary and the foundations would need to be excavated on third party land. Additionally, the proposal would require the creation of a new vehicular access to Peache Court that would cross a narrow strip of land owned by SGC. It is understood that Property Services have agreed in principle to the sale of this land to the applicant though this process has not been finalised or yet agreed by Council. Should the application be approved an informative regarding third party land and the Party Wall Act will be attached to the decision notice.

5.12 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK07/0499/F**

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

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 other than those shown on the plan drawing number 1185/08 hereby approved shall be inserted at any time in the north-east, south-east or north-west elevations of the property.

Reason:

To protect the residential amenity of the neighbouring occupiers] 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 with or without modification) no development as specified in Part 1 (Classes A, B, D, E, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason:

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

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

Reason:

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

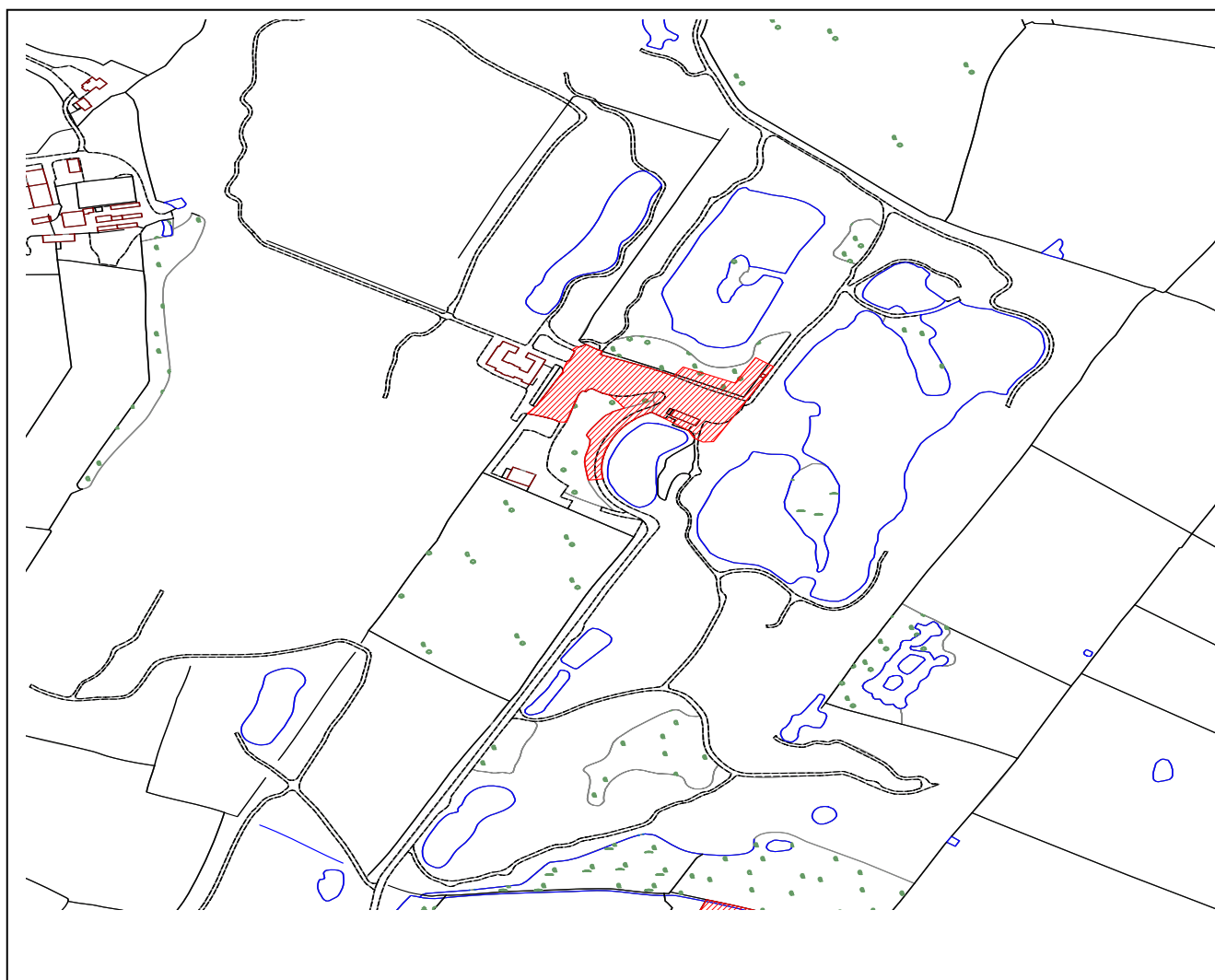
5. Prior to the commencement of development, detailed plans showing the provision of car and cycle parking facilities in accordance with the standards set out in Policies T7 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to and agreed in writing by the Local 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:

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. 21/07 – 24 MAY 2007

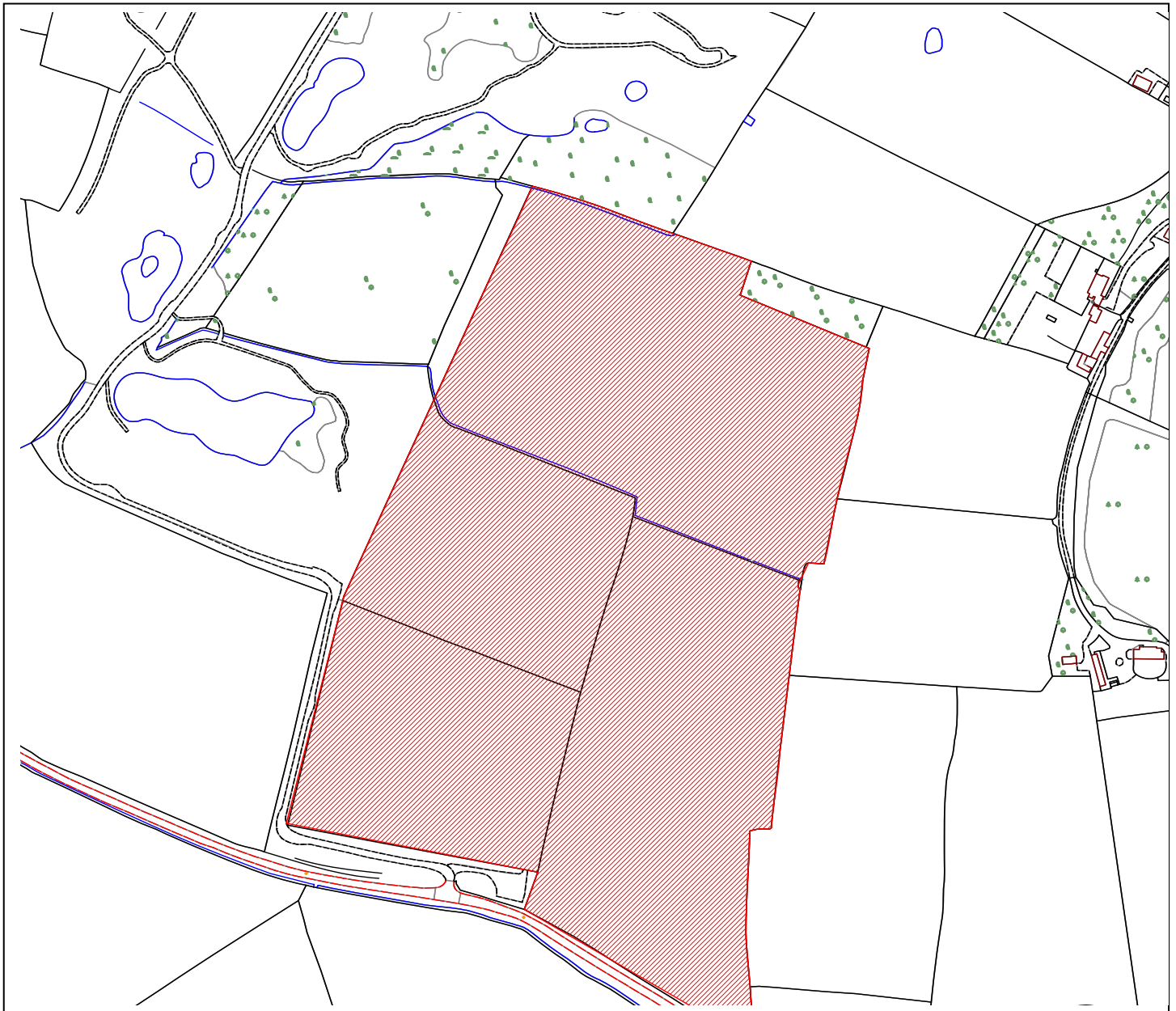
App No.:	PK07/0773/F	Applicant:	Mr AJ Stiff
Site:	The Players Golf Club Wapley Road Codrington BRISTOL South Gloucestershire BS37 6RX	Date Reg:	13th March 2007
Proposal:	Change of use of land from agricultural to twelve hole golf course and extension to existing golf course with associated works to create car parking (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Dodington Parish Council
Map Ref:	74072 78905	Ward:	Cotswold Edge

Map 1 of 2

© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S**PK07/0773/F**



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S

PK07/0773/F

INTRODUCTION

This application appears on the Circulated Schedule in accordance with the procedure for the determination of major applications and due to the receipt of objections from a neighbour and the Parish Council and due to the fact that a Unilateral Section 106 has been submitted with the application. This application originally appeared on the previous Circulated Schedule, since when three further conditions have been added in consultation with Cllr Claire Young, regarding further controls for tipping.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the extension of an 18 hole golf course into a 30 hole course through changing the use of adjoining agricultural land to the south and east of the existing course. The site consists of five fields, adjacent to the site access off Wapley Road, the B4465, which makes its way through the existing course to a car park next to the club house. Also proposed is the enlargement of the existing car park area to allow for additional vehicles generated by the expansion of the golf course. The existing car park lies in the middle of the existing course.
- 1.2 The site is on flat land, within the Green Belt and up to the edge of the Cotswolds AONB, between the existing course and the scarp which rises almost immediately to the east of the site. The nearest dwellings are on the edge of this slope and overlook the site at a distance. As part of this application, the applicants have also submitted a draft Unilateral Section 106 Agreement to the effect that the costs of road signage and markings will be paid up to a maximum of £14,000.
- 1.3 This application follows two previous attempts to gain planning permission for extensions to the golf course, details of which appear at section 3 below.

2. POLICY CONTEXT

- 2.1 National Guidance
- | | |
|-------|-------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPG2 | Green Belts |
| PPG13 | Transport: Guide to Better Practice |
| PPG17 | Recreation |
- 2.2 Development Plans
South Gloucestershire Local Plan
- | | |
|-----|--|
| D1 | Design |
| L2 | Cotswolds AONB |
| L16 | Protecting Agricultural Land |
| GB1 | Development in the Green Belt |
| LC5 | Expansion of Outdoor Sports Facilities |
| T8 | Car parking |
| T12 | Transportation |
| L11 | Archaeology |
| L1 | Landscape Protection and Enhancement |
- 2.3 Supplementary Planning Guidance
Note 13 Development in the Green Belt.

3. RELEVANT PLANNING HISTORY

- 3.1 P91/1679 Change of use of 79 hectares of agricultural land to golf course
Approved 1993
- 3.2 P97/1063 Engineering operations to form golf course Approved 1998
Subject to Section 106 Agreement
- 3.3 PK05/2482/F Creation of 9 additional holes for golf course
Refused due to impact on landscape & AONB and Archaeology
- 3.4 PK06/2453/F Creation of 12 additional holes for golf course
Refused due to inadequate details and subsequent impact on
landscape and AONB and Archaeology

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council
Objects due to environmental, landscape, highways and drainage grounds. The site's strong visual relationship to the Cotswolds scarp make it particularly sensitive to changes.

4.2 Other Consultees
Technical Services Unit
No objection is raised in principle to the proposal. A Flood Risk Assessment has been submitted with the application and it is recommended that this is sent to the Environment Agency for comments.

Environment Agency

In reference to the Flood Risk Assessment (FRA) the Agency has no objection in principle to the proposed development subject to the inclusion of conditions, which meet the following requirements:

CONDITION:

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall utilise Sustainable Drainage Principles and shall not result in an increase in the rate &/or volume of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

REASON:

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

Avon & Somerset Police

No objection

Public Rights of Way

No reply received

Wessex Water

The development is not located in an area with Wessex Water sewers and the Council should be satisfied with the disposal of foul and surface water generated by the development.

Environmental Protection

No adverse comments.

Waste and Minerals

Presuming all the usual issues on an importation site have been addressed by the relevant sections (highways – wheelwash, landscape, drainage etc – see below) the only additional recommended condition would be:

No materials other than non contaminated soil and subsoil shall be deposited at the site.

Reason: To prevent pollution of the water environment and to ensure that development is carried out to an acceptable environmental standard.

Other Representations

4.3 Local Residents

Two letters of objection were received within the consultation period, citing the following concerns:

- Loss of agricultural land
- Maintenance of the golf course takes place using noisy mowers
- More tipping would be required to form the new holes
- Impact upon the AONB and landscape
- Ribbon development along the Westerleigh Road
- Destruction of field systems through SGC planning decisions in the last century
- Noise and light pollution from the clubhouse and the lit car park

- Wildlife has probably been forced off the golf course land
- Flagpoles and flags have been erected on the golf course and left out after events
- If this proposal is allowed, housing could follow
- The course brochure is misleading as the fields to the west have been enlarged at the expense of hedgerows

NB The final four points are either not valid planning concerns or they relate to elements and issues not covered in this planning application.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The most important test when considering whether this proposal is acceptable in principle is whether the proposed use meets the tests for the Green Belt. Since the proposal is for a recreational use of the land, the development would not be inappropriate in the Green Belt, subject to it not having any detrimental impact upon the openness of the Green Belt. Since the proposal does not involve any buildings and the works would not result in any more than a moderate reshaping of the landscape to accommodate the proposed further twelve holes, it is considered that the proposal would not have any detrimental effect upon the open character of the Green Belt in this location. The proposal is therefore considered to be acceptable in principle, subject to the detailed analysis against the other policies below. The car park extension issue is examined in the following section of the report.

5.2 Car Park Extension

The extension to the car park, as mentioned in the introduction and under the principle of development, would affect the central area of the existing golf course. It is considered to be appropriate development in the Green Belt as it supports and is ancillary to, therefore essential to, a recreational use. The car park is within the existing golf course area, which is in a recreational use. The effect of the car park extension on the open character of the Green Belt would be limited to views in from outside the site, from long distances only, as covered in the landscape section below and therefore this is not considered overall to compromise Green Belt openness at this location, subject to the condition requiring screen planting.

5.3 Loss of Agricultural Land

Policy L16 in the Local Plan seeks to preserve high quality agricultural land. It states that development should be on land below Grade 3A, but also gives the opportunity to develop on land of Grades 1, 2 or 3A where the development could not be carried out on agricultural land of a poorer grade. Defra was consulted on the previous application on the grade of agricultural land of the site, but did not reply. It is considered that the agricultural land is surplus and that even if this land is of a higher agricultural grade this would not necessarily be a reason for refusal which is likely to be sustainable on appeal.

5.4 Landscape Issues

Policy Context.

The site lies just outside the boundary of the Area of Outstanding Beauty which follows Sands Lane, slightly to the east of the site. Policy L2 of the South Gloucestershire Local Plan is relevant as it requires that “ Development that would harm the natural beauty of the Cotswolds AONB will not be permitted.” The landscape policy L1 of the South Gloucestershire Local Plan is also central in this instance, requiring the conservation and enhancement of the attributes and features of the landscape and the conservation and enhancement of the amenity of the landscape.

The Council’s Landscape Officer has reported that the site lies principally within the Pucklechurch Ridge and Boyd Valley landscape character area as identified in the South Gloucestershire Landscape Character Assessment. The assessment identifies the area as a diverse undulating landscape of mainly mixed farmland. The Cotswold Scarp is a prominent backdrop and skyline dominating and enclosing views beyond the area to the east. Extensive open views of the scarp are possible from much of the area and greatly influence its character. The character area is therefore important in providing the setting for the western edge of the Cotswold AONB. The foot of the scarp forms the eastern boundary of the character area. Long distance views occur over the character area from the Cotswold Scarp.

Land cover is predominantly of medium sized pasture and arable fields with larger fields on the plateau areas and smaller fields on the steeper ground. Fields are predominantly defined by low clipped hedges or fences. Tree cover and woodland is limited. The landform is a large scale, undulating landscape of plateau and vale. The M4 motorway is a significant feature in the landscape. The site lies at the upper end of the River Boyd catchment which runs southwards to Wick.

Locally a minor broad ridge line runs north / south with Lydes Farm at 126m AOD and Codrington village on the top of the plateau. The land rises gently eastwards across the site before steepening up to form the base of the scarp.

The central and eastern parts of the character area are sensitive to change, which might erode its distinctive character, due to its open nature and visibility from the Cotswold Scarp.

The easternmost part of the site lies within the Cotswold Scarp Landscape Character area. This character area is a steeply sloping, dramatic feature, dominated by the strength of the topography. The scarp offers panoramic views to the west and is highly prominent as a backdrop to the lower lying land to the west. Land cover is diverse, including permanent pasture, woodland and parkland. Any changes in land use, particularly grazing and arable practices, are likely to change the visual texture of fields. The visibility of the character area makes it particularly visually sensitive to changes, viewed from within this character area and the adjoining character area to the west. Features which cause noticeable change to the physical landform or the landscape framework, or are discordant with the landscape pattern have the potential to erode the intrinsic characteristics and distinctiveness of the area.

The Site

Currently the site consists of fields under active agricultural use. No hedgerow exists along the western boundary with the existing golf course, where a fence and ditch mark the boundary. All other field boundaries are marked by hedgerows. These hedges are square trimmed with a number of hedgerow trees. The field pattern is a regular rectangular layout.

The fields rise at a gradient of 1:45 (approximately) at the south west end to 1:20 at the eastern side where the land starts to rise into the foot of the scarp. The general profile of the base of the scarp is gently convex.

Fat Jack Plantation, a small rectangular woodland lies along part of the western side of the site. The woodland currently provides visual separation between the site and part of the existing golf course. A small rectangular copse lies along part of the northern edge of the site but is not included in the application site.

The site is bounded and overlooked on the south by the access road to the existing golf course. This road has been created above the level of the surrounding ground levels by previous tipping. Part of the western site boundary lies adjacent to the existing golf course. This section of the course consists of a substantial water body with timber reveted edges. Man made mounding along the eastern boundary, created for the golf course from imported and excavated materials provides an unnatural profile which is at variance with the adjoining undeveloped land of the application site.

This is the most visually intrusive part of the existing course in relation to views from the east. This is due to the openness of the views, the contrast between the nature of the landform of the golf course, being small scale, relatively steep and relatively complex and the simple, open and regular nature of the application site, which it adjoins. The addition of small scale features such as ornamental beds, the manicured nature of the tees increase this contrast with the agricultural land.

The Proposals.

The scheme involves the creation of an additional 12 holes, 1 of which extends into the existing course, running down the southern side of the woodland. Modifications to the existing greens complex on the edge of the existing course will involve some re-grading in this area will provide a less abrupt landform than currently exists. One of the internal hedgerows is proposed to be removed to allow course formation, with two of the three hedgerow trees retained. The northern half of the site is played east west with land raising used to create a

ridge within the northern field, separating holes 1 and 2 from hole 12. The southern part of the site is roughly north south with land raising and modelling creating a minor north south ridge again separating holes 11 and 10. Hole 11 is played through an existing gap in the hedgerow. Hole 10 is the only one to play across the existing hedgerow and will require a gap to be made in the hedge. Land-raising effects the majority of the site apart from the hedgerow lines and site margins. The maximum height of land-raising is kept to around 2m above existing ground levels and therefore has the potential to be largely contained by the perimeter hedges. A separate access is to be created for lorry movements onto Codrington Road using the existing gateway point to the north. The access point will be closed and planted following completion of the ground works. New hedge planting will flank the existing site access together with some woodland planting adjacent to the entrance. A new lime avenue is proposed alongside the existing site access road. North south running hedgerow lines are shown re-enforced with additional planting within the site and some clumps of tree planting along the southern edge of the site and on the elevated area at the centre of the site using oak, ash and field maple.

The impact of tipping across most of the site means that the more diverse existing grassland areas in the northern field cannot be retained in situ. The scheme proposes translocating some of the turf to the site boundary. The site margins around the hedgerows will be managed as long grass/ rough areas for the benefit of wildlife. By contrast the main areas of the course will be managed to give a more uniform sward in both colour and texture and thereby reduce visual fragmentation of the site. The aim is to mirror the simple colours and shapes of the adjoining landscape. This is considered to be a necessary trade off in terms of reducing visual impact against maximising ecological diversity. However, given the sensitive nature of the site adjoining the scarp the landscape issues should take priority in this instance.

There is a proposal to extend the existing large car park. No justification has been given in terms of traffic forecasts. In landscape terms, the expansion of the car park should be resisted as it lies in a prominent part of the site visible from the AONB and will have an increased effect on the openness of the Green Belt. It is recognised that the enlargement of the course will be likely to generate further traffic to the site and the car park would be required to service this use of the land. In order to prevent harm to the AONB and the openness of the Green Belt, a landscape scheme to screen this area has been required by condition below.

Impact of the Proposal

The principal impact of the development proposal is the change in the nature and character of both the landform and appearance of the landscape. The landform changes from a simple slope from the base of the scarp westwards at a gradient of 1:20, slackening out at the western side of the site to 1:45. The scheme creates a more complex landform, with an east west and an north south running ridge and two individual hills on the east. The gradients of these features vary from 1:5 to 1:40 with more variation in gradient across the site compared with the existing landform. This landform is more diverse than the existing landform of the surrounding area of South Gloucestershire or the AONB. The scheme has been modified to ensure gentle, sweeping gradients predominate with a minimum of bunkers and construction features limited to a section of retaining wall and path at the rear of tee 12, which should be concealed behind the hedgerow in views from the east (the AONB) and a

section of path alongside the central hedgerow. This lies next to an area of long grassland which, it is considered, will reduce its visual impact.

The current landscape of the site has a simple pattern and texture created by the regular pattern of the hedges and the grass of the fields. Variations in colour occur between fields rather than within fields, maintaining the regular pattern. It is considered that the development proposal has as far as possible been designed to reduce the visual complexity of the site, simplifying colours and features. The majority of the hedgerows and hedgerow trees have been retained within the scheme with additional hedge planting in gaps and tree planting within the site where appropriate, principally on the western and southern margins of the site. There will be visual impacts from the construction phase of the works when stripping and storage of topsoils take place together with the visual impacts on the lorry movements into site for the fill material and the machinery movements on site whilst forming and cultivating the landform. The cultivation works are considered to be similar in impact to agricultural operations. It is not considered that the visual impacts of these items would in themselves be sufficient to justify a refusal of the scheme.

Recommendation

It is considered that the degree of change to the landform and general character of the landscape proposed in this development is acceptable and would comply with policy L2. The current open character of the site and its strong visual relationship to the Cotswold Scarp makes it particularly sensitive to change, with this in mind, the landscape officer has recommended the removal of permitted development rights in order to control the creation of steps, paths, fences and other small scale changes without permission as quite small changes cumulatively could damage the landscape. Consequently, subject to the condition shown below removing these permitted development rights, it is considered that the previous reason for refusal has been overcome.

5.5 Residential Amenity

The nearest dwellings are on the edge of the scarp, more than 100 metres distant from the nearest part of the site. The activity proposed to be carried out is relatively quiet and would be limited by necessity to the daylight hours. It is not considered that this proposal would have any detrimental impact upon residential amenity. Maintenance is however another issue. The consultation process has raised the issue of mowing of the greens, which must necessarily take place at times when the course is not occupied. This needs to be set against the rural context of the surrounding countryside and it is considered that such a degree of noise could easily be caused by agricultural machinery which could legitimately be operated on the surrounding land. Accordingly it is considered that, on balance, the proposed change of use would not unduly harm residential amenity.

5.6 Transportation

No highway objections were raised to the initial planning application, ref. no. PK05/2482/F, subject to a condition so that there is no importation of fill material to the site or exporting of excavated material from the site. This condition does not appear to be acceptable to the applicant as the applicant is seeking to import approximately 105,000 cubic meters of imported materials in order to reshape the new golf course. In traffic terms, it is estimated that 105,000 cubic metres of imported infill equates to 13,000 lorry loads. Assuming 5 working days per week, there would be 50 lorry loads per day over a period of 12 months. Given the relative high level of Heavy Goods Vehicle traffic during

the construction period, maintaining road safety would be essential. The existing site access operates with a right turn lane. On the approach to the site access from the West and in the context of the speed limit, forward visibility along Westerleigh Road is considered limited at this location. It is proposed to use this existing entrance for landfill material but it is also proposed that a new exit is created approximately 30m further east for the HGVs. Additionally, the applicant has agreed, through a unilateral Section 106 Agreement, submitted with the application, to make a payment of up to £14,000 towards appropriate safety measures including additional warning signs, road markings etc in the area. The highways officer recommends that a traffic routing agreement is also imposed so that all delivery materials and HGV movements to and from this site would be limited to the A46 and M4 corridor thereby avoiding HGV movements associated with this scheme through the village of Codrington. In view of all the above-mentioned, therefore, there are no highway objections to the proposal subject to the following conditions/ recommendations to safeguard road safety:-

- 1) Satisfactory completion of unilateral legal agreement to secure £14,000 towards traffic management and road safety measures in the area. (Section 106)
- 2) No works shall commence on the site until the applicant submits for approval by the Council all details of access and egress for construction traffic, which shall be carried out by the applicant to the full satisfaction of the Council's Street-Care Manager.
- 3) A full road survey should be prepared and agreed with the Council's Street-Care Manager for Westerleigh Road and any subsequent damage to the highway and its verges/hedge arising from construction traffic shall be rectified by the applicant.
- 4) Provide wheel washing facilities on the site and maintained those satisfactory to ensure that all roads in this vicinity are kept clear of any mud or loose material.
- 5) As part of routing agreement, under the Section 106 Agreement, a written undertaking is required from the applicant that all HGV traffic associated with the development would use Westerleigh Road (only west of the site access) traveling to and from A46 and M4 direction.
- 6) Time scale over which the importation of infill material takes place to the site should be limited to maximum 18 months unless written approval is obtained from the local planning authority.
- 7) The new access created as part of importation of material to the development shall be stopped up permanently and the highway verge shall be reinstated to full satisfaction of the Council's Street- Care Manager.

5.7 Archaeology

The supporting information submitted with the application suggests that the topsoil will be stripped from the site to a depth of between 200 and 225mm. The applicant has now undertaken a geophysical survey of the site which has revealed a number of possible archaeological features, however none of them appear to indicate that archaeology of national importance may be present. It would be feasible therefore to ensure that stripping of the topsoil is undertaken under archaeological supervision. If archaeological remains are identified during the stripping process, these could be excavated and recorded whilst work carries on elsewhere on the site. Clearly this approach involves a degree of risk in that delays may result to the construction of the development, whilst archaeology is recorded. The alternative would be to carry out trial excavation sampling the areas where remains are postulated as well as areas where results are negative to verify the nature of the findings. However the open area stripping, if carried out carefully would potentially allow more effective

recognition and interpretation than trial trenching. The Heritage Officer suggests that a condition would be appropriate to ensure the submission of an Archaeological Brief and will prepare a brief for an appropriate programme of archaeological work. This will include both a watching brief during soil stripping and excavation of remains revealed during this process. It is therefore considered that adequate steps have been taken to overcome the previous reason for refusal in this respect.

5.8 Other Issues

An ecological report based on work carried out in the Summer of 2005 was submitted with this application. The proposal and the ecological management provided in support of the application are considered to be acceptable on ecological grounds. A condition is recommended to ensure that the submitted Ecological Management Plan is implemented in compliance with the report. A condition recommended by the Environment Agency in respect of flood risk also appears below. The last three conditions below have been added in order to give greater control over tipping at the site.

5.9 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). However the scheme is considered acceptable, following the above assessment.

5.10 Section 106 Requirements

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

6. CONCLUSION

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

The recommendation to approve permission 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 authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions shown below and subject to the signing of the Unilateral Section 106 Agreement supplied with the application, to secure the following:

- (i) The contribution of £14,000 towards the provision of road signage and markings.
- (ii) A routing agreement to avoid tipping and construction traffic travelling through Codrington village.

The reason for this Agreement is:

To mitigate against the increase in vehicular movements generated by the development in its construction phase.

Background Papers PK07/0773/F

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) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall utilise Sustainable Drainage Principles and shall not result in an increase in the rate &/or volume of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason:

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal., to accord with policy L17 of the South Gloucestershire Local Plan.

- 3) All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of the golf course extension or in accordance with the programme agreed with the Local Planning Authority and thereafter retained as such unless agreed in writing by the Local Planning Authority.

Reason:

To protect the character and appearance of the area to accord with Policies D1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

- 5) The ecological management plan hereby approved for the site shall be implemented in accordance with the details within in.

Reason:

To protect the wildlife and the ecological interests of the site, in accordance with Policy L8/L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason:

To protect the character and appearance of the area by controlling the introduction of boundary treatments and paths to accord with Policies D1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 7) No development shall take place until details of the access and egress for construction traffic onto and off the highway have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used commenced until the junction has been constructed and is available for use in accordance with the approved plans. There shall be no obstructions to visibility exceeding 0.9 metres in height within the splayed areas.

Reason:

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

- 8) Prior to the commencement of development, a full road survey shall be prepared and agreed in writing by the Council's Street-Care Manager and any subsequent damage to the highway and its verges/hedge arising from construction traffic shall be rectified by the applicant.

Reason:

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

- 9) No development shall take place until details of wheel-washing facilities to be provided on site have been submitted to and approved by the Local Planning Authority. These facilities shall be provided prior to development commencing and maintained during the period of construction. All commercial vehicles shall have their wheels washed before entering the public highway.

Reason:

To minimise disturbance to occupiers of the locality and in the interests of road safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 10) The time scale over which the importation of infill material takes place to the site shall be limited to maximum 18 months from the date of consent unless written approval is obtained from the local planning authority.

Reason:

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

- 11) Before the development is first used, the access for construction vehicles shall be permanently stopped up and the verge reinstated in accordance with details to be submitted to the Council's Street Care Manager

Reason:

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

- 12) No more than 105,000 cubic metres of material shall be imported to the site. A written record shall be maintained at all times during the construction of the golf course and made available to the Local Planning Authority upon written request which gives full details of all inert landfill material brought onto the site.

Reason:

To ensure a satisfactory form of development in accordance with the approved plans and to enable the Local Planning Authority to monitor the site to accord with policy L2 of the South Gloucestershire Local Plan.

- 13) Upon completion of the development hereby approved and prior to the use of the site as a golf course, a survey of the final levels achieved shall be submitted to the Local Planning Authority.

Reason:

To ensure a satisfactory form of development in accordance with the approved plans and to enable the Local Planning Authority to monitor the site to accord with policy L2 of the South Gloucestershire Local Plan.

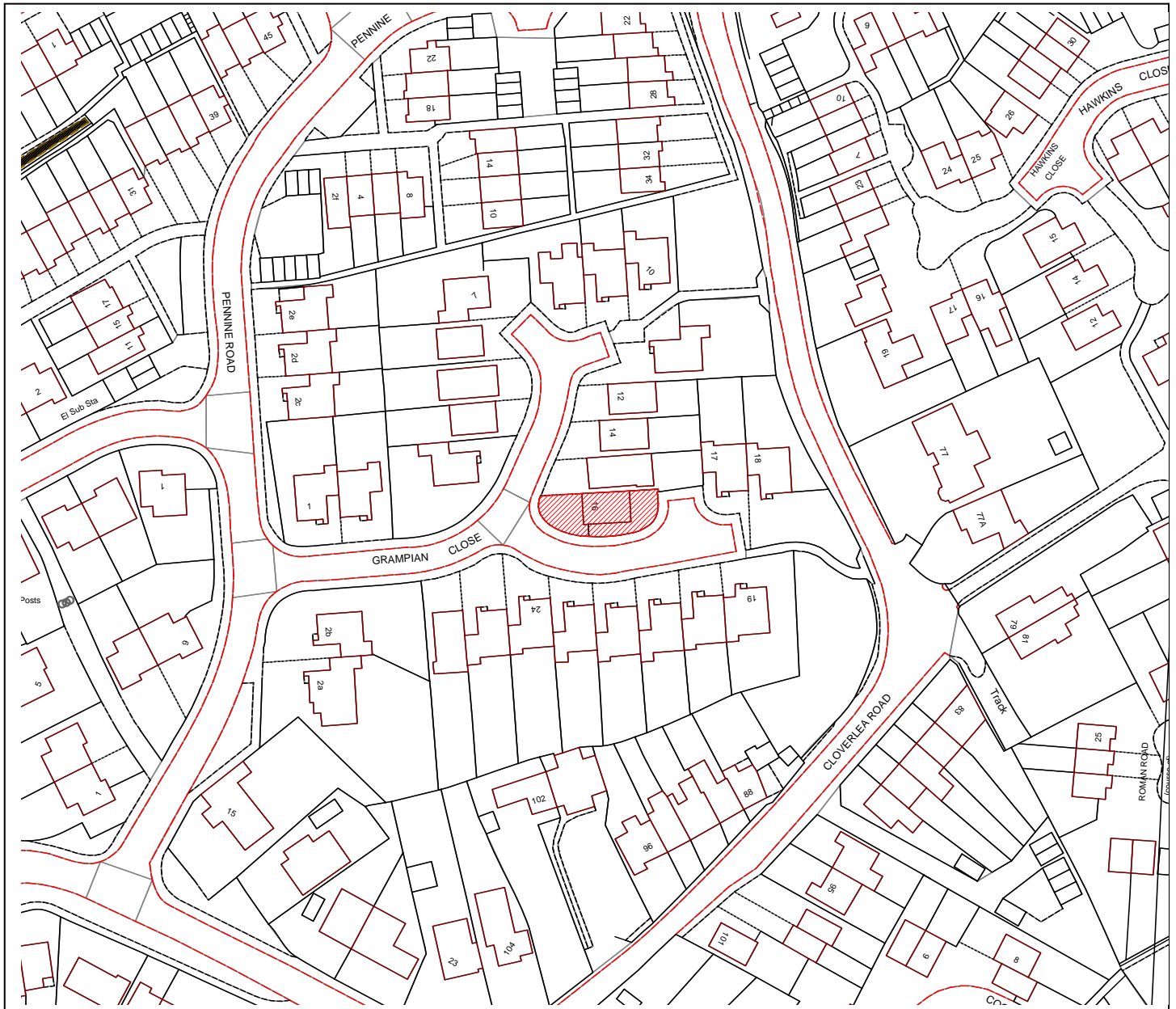
- 14) No materials other than non contaminated soil and subsoil shall be deposited at the site.

Reason:

To prevent pollution of the water environment and to ensure that development is carried out to an acceptable environmental standard to accord with policy EP1 of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO 21/07 – 24 MAY 2007

App No.:	PK07/0790/F	Applicant:	Mr Andrews & Ms Morrison
Site:	16 Grampian Close Oldland Common BRISTOL South Gloucestershire BS30 8QA	Date Reg:	13th March 2007
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	67274 71923	Ward:	Oldland Common



© South Gloucestershire Council 2007. All rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2007.

N.T.S

PK07/0790/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a two storey side extension.
- 1.2 The application site relates to a two storey detached dwelling sited within the residential area of Oldland Common.

2. POLICY CONTEXT

2.1 National Guidance
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
H4 Extensions

2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note no.2 Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history relates to the application site

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council
Councillors objected to this proposed development because of its proximity to the highway and the large block which would be created in a prominent position. If allowed they would prefer to see the roof line of the extension subservient to the existing building.

Other Representations

4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy H4 of the SGLP (Adopted) January 2006 allows for extensions to existing dwellings subject there may be no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity

The application site relates to a two storey detached dwelling situated on the junction of Grampian Close. The application proposes to erect a two storey side extension on the southern elevation of the property alongside the adjacent footpath and road. The extension will be sited on land which is part of the residential domestic curtilage and is enclosed by an existing 1.80m high fence.

5.3 An objection has been raised by the Parish Council with regards the proximity of the proposed extension to the highway and its prominence. Whilst the Planning Officer accepts that the resultant building will be brought closer to the boundary of the site and the adjacent footpath, it is considered that as the extension will be sited within the existing boundary fence, that this will help to break up the mass and appearance of the extension and will also provide an element of separation, as opposed to the extension being flush with the adjacent footpath. In addition, the extension would only be 2.0 metres wide, therefore is in complete proportion with the existing dwelling.

5.4 Members are advised to consider that amended plans have subsequently been submitted which have amended the design of the extension in line with the Council's guidelines terms of subservience. This has resulted in the first floor extension being stepped back from the existing front building line and the ridge height set lower. It is considered that the proposed two storey side extension by reason of its scale, siting and design would not have a detrimental impact on the visual amenities of the immediate locality and street scene.

5.5 Residential Amenity

It is considered that the proposed two storey side extension by reason of its scale and siting adjacent to the highway would not have an adverse impact on the existing amenities of the neighbouring occupiers in terms of overbearing impact or loss of privacy.

5.6 Section 106 Requirements

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

6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, (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 planning conditions.

Background Papers **PK07/0790/F**

Contact Officer: **Tracey Price**

Tel. No. **01454 863424**

CONDITIONS

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

Reason:

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

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

Reason:

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

CIRCULATED SCHEDULE NO. 21/07 – 24 MAY 2007

App No.: PK07/0870/F
Site: 6 Shackel Hendy Mews Emersons Green BRISTOL South Gloucestershire BS16 7DZ

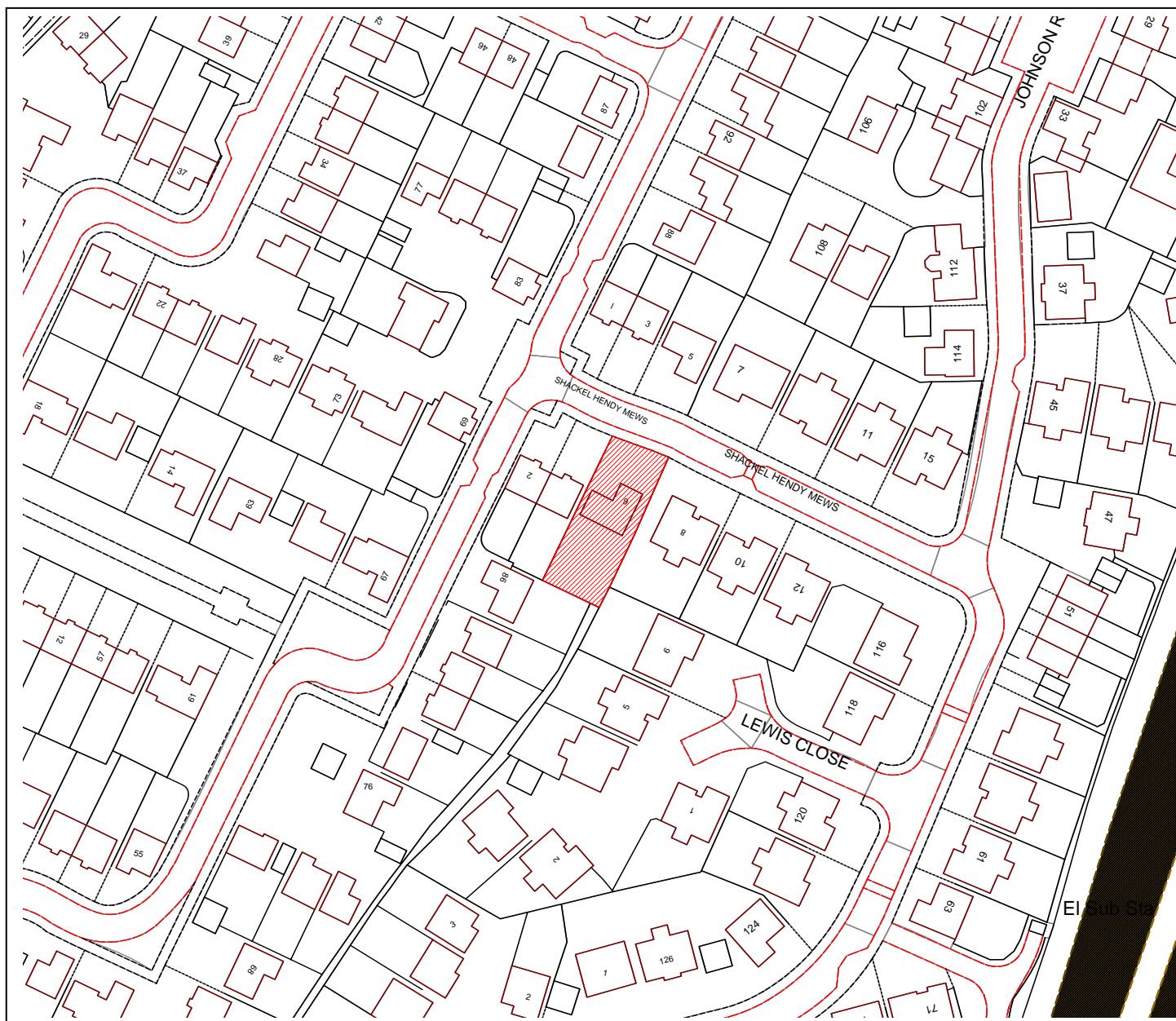
Applicant: Mr & Mrs Stutt
Date Reg: 19th March 2007

Proposal: Erection of rear conservatory. Erection of summerhouse.

Parish: Mangotsfield Rural Parish Council

Map Ref: 66980 76274

Ward: Siston



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S

PK07/0870/F

INTRODUCTION

This planning has been referred to the Council's Circulated Schedule Procedure as a result of objections received from Mangotsfield Rural Parish Council regarding the proposed development.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of a rear conservatory measuring 5.0m in depth on the western elevation and 3.0m in depth on the eastern elevation x 9.0 in width x 2.40m in height to the eaves and 3.50m to the ridge and the erection of a detached summerhouse measuring 3.90m in width x 3.90m in length x 2.85 m in height to the ridge.
- 1.2 The application site relates to a modern two storey detached dwelling which is sited within the residential area of Emersons Green.

2. POLICY CONTEXT

2.1 National Guidance
PPS1

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

H4 Extensions

2.3 Supplementary Planning Guidance
South Gloucestershire Advice Note no.2 Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 PK04/1820/F Conversion of garage to living accommodation
Approved August 2004
- 3.3 PK05/2582/TRE Work to trees
Approved October 2005

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council
Refuse. Conservatory out of proportion with the existing dwelling.

Other Representations

4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the SGLP (Adopted) January 2006 allows for extensions to existing dwellings and development within existing residential domestic curtilages subject there may be no adverse impact on existing visual and residential amenities.

5.2 Visual Amenity

The application site relates to a large two storey modern detached dwelling with a large rear domestic curtilage. Concerns have been raised by the Parish on the grounds that the proposed conservatory will be out of proportion with the existing dwelling. Whilst it is recognised that part of the proposed conservatory will have a large foot print given the proposed depth i.e. 5.0m x 4.50m, it is considered however that the overall scale of the proposed conservatory would not result in a disproportionate addition when viewed in context with the original dwelling, especially as the main dwelling is large scale.

5.3 The application also seeks planning permission for the erection of a detached summer house which will be sited within the north-eastern corner of the garden. Amended plans have subsequently been submitted which have reduced the scale of the summerhouse. The proposed summer house is considered acceptable in terms of scale and design. Members are advised to consider that given the size of the existing garden, it is considered that the proposed developments would not result in overdevelopment of the site.

5.4 Residential Amenity

Council guidelines seek to ensure that extensions where sited adjacent an immediate neighbouring property are limited to 3.0m in length, so as not to have an overbearing impact. In this instance the proposed elevation adjacent no. 4 Shackel Hendy Mews will measure 5.0m. Regard must be had for the existing layout of both houses in relation to one another. No. 4 projects beyond the rear elevation of no.6 (application site) by approximately 2.0m, the proposed conservatory therefore will only project beyond the rear building line by 3.0m which is in line with the Council's guidelines. It is therefore considered that the proposed conservatory by reason of its scale and siting will not have an adverse impact on the existing amenities of the adjoining occupiers in terms of loss of privacy or overbearing impact.

5.5 Again it is considered that the proposed summerhouse by reason of its siting and scale will not have an overbearing impact on neighbouring properties especially no. 6 Lewis Close and 86 Shackel Hendy mews.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the following planning conditions.

Background Papers **PK07/0870/F**

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

CONDITIONS

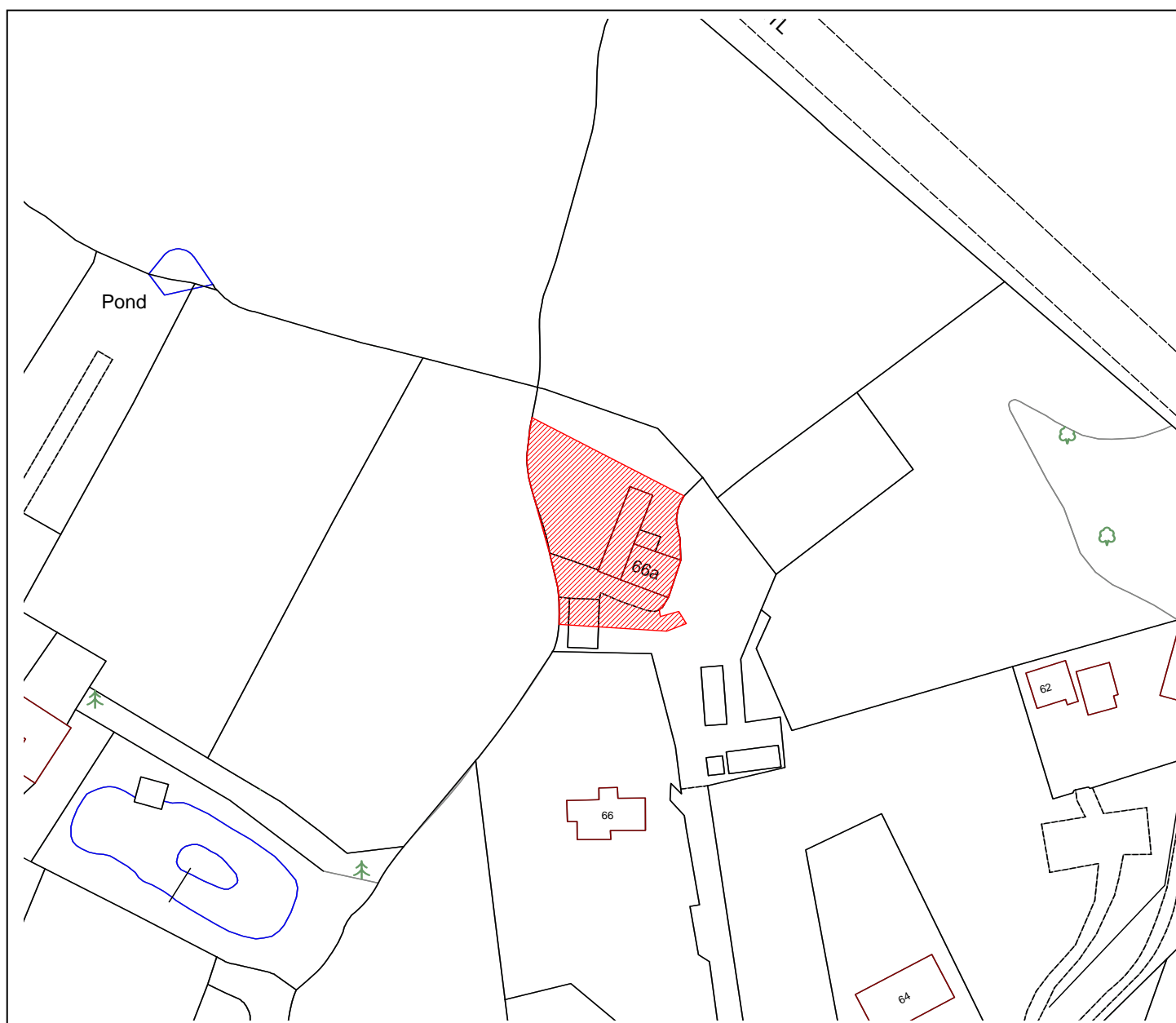
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

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

CIRCULATED SCHEDULE NO. 21/07 – 24 MAY 2007

App No.:	PK07/0921/F	Applicant:	Mrs K Namdjou
Site:	66A Riding Barn Hill Wick BRISTOL South Gloucestershire BS30 5PA	Date Reg:	22nd March 2007
Proposal:	Change of use of holiday unit (Class C1) to residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Wick and Abson Parish Council
Map Ref:	69079 72918	Ward:	Boyd Valley



© South Gloucestershire Council 2007. All rights reserved.

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

100023410, 2007.

N.T.S

PK07/0921/F

INTRODUCTION

This application is referred to the Circulated Schedule due to the receipt of the Parish Council's objection.

1. THE PROPOSAL

1.1 Planning permission PK01/1704/F was granted for the conversion of an agricultural building, adjacent to 66 Riding Hill Barn, to a holiday unit. Condition 9 attached to that planning permission, ensured the use of the building for the purpose of a holiday let, by restricting the occupation of the building by the same person(s) to no more than 42 days in one year. A subsequent application PK05/1956/RVC to remove this condition was granted in September 2005. This in effect allowed the occupation of the property as a normal dwelling house. Unfortunately the description of the development did not change on the original decision notice, which has subsequently resulted in legal difficulties where issues of conveyancing are concerned. This current application merely seeks to regularise the situation.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPS7	Sustainable Development in Rural Areas
PPG9	Nature Conservation
PPG21	Tourism

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

D1	Design
L1	Landscape Protection and Enhancement
GB1	Development within Green Belt
T8	Parking Standards
T12	Transportation Development Control policy for New Development
H10	Conversion and Re-use of Rural Buildings for Residential Purposes
E7	Conversion and Re-use of Rural Buildings
E11	Tourism

3. RELEVANT PLANNING HISTORY

3.1 PK01/1704/F - Conversion of agricultural building to holiday let.
Approved 08.07.02

3.2 PK05/1956/RVC - Removal of Planning Condition 9 attached to Planning Permission PK01/1704/F dated 8th July 2002 (The holiday unit shall be occupied by the same person(s) for no more than 42 days in any 12 month period).
Approved 12th Sept. 2005

4. CONSULTATION RESPONSES

4.1 Wick and Abson Parish Council
The Parish Council strongly objects to the proposal.

Other Representations

- 4.2 Local Residents
No response

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The property lies outside the settlement boundary of Wick and within the Bristol/ Bath Green Belt, the proposal is therefore assessed against the policies listed above, in the light of all material considerations. In effect the acceptance of the use of the property as a residential dwelling house has already been established with the granting of planning permission PK05/1956/RVC, which removed the condition restricting normal occupancy of the building. The current application is therefore a technicality merely required to clarify the situation as regards the description of development.

- 5.2 To reiterate the previous determination of PK05/1956/RVC : previous planning permission was granted for a holiday unit within the site in July 2002 subject to a condition to ensure that the unit remained as tourist accommodation. Application PK05/1956/RVC sought to remove such condition. In light of planning policies, there were particular concerns whether or not the proposal would comply with Policies H9 and GB1 of the then emerging local plan.

- 5.3 Policy GB1 B states that within the Green Belt, permission will only be given for the change of use of land or existing buildings where

1. It would not have a materially greater impact than the present authorised use on the openness of the green belt and would not conflict with the purpose of including land in it.
2. The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction, and
3. The form, bulk and general design of the buildings are in keeping with their surroundings,

Any proposal for development within or conspicuous from the green belt which would have an adverse impact on the visual amenity of the green belt will not be permitted.

Paragraph 8.217 states proposals for residential re-use of buildings will need to be accompanied by a statement clearly demonstrating that every reasonable attempt to secure a suitable business re-use has been made and has failed. The statement should include details of the steps taken to market the building, together with copies of press adverts and letters of confirmations from estate agent. The Council considers a consecutive 12 months period of marketing to be reasonable.

- 5.4 In addition, the proposal is assessed as to the effect upon residential amenity of surrounding occupiers and the provision of amenity space and parking facilities to serve future occupiers of the building.

5.5 Justification

The applicant submitted a number of documents to demonstrate the building had been marketed and there were reasonable attempts to let the building as a holiday let. These were summarised as follows:

5.6 The Estate Agents stated 'The website is visited by more than 10 million people every month and has the greatest coverage out of any property website in the UK. ... We strongly suggest that this excellent quality property is let on standard letting terms of a minimum of 6 months as most of the enquirers are requesting an average of a year term of let,...

5.7 The applicant's surveyor stated 'This property has been on the market to let for some time, originally through Morton & Smith which is now Right Move. The rent was for some time £600 per week, and in July 2004 reduced to £400 per week and there has been one letting in February 2005 for four weeks, which was not really successful, as the property was not looked after. Following marketing and in my experience this property does not fit into the letting market situation here. For successful ongoing holiday lettings one would need much smaller units and for the location certainly £400 per week would be the maximum figure here. The property is very much out of line with the demand for tourist accommodation in this area. Even if additional marketing in magazines etc, were carried out one would not be able to maintain a regular letting performance here....'

5.8 The applicant also submitted copies of press adverts, which clearly showed that the property had been marketed as a holiday let since 1 May 2004 to 8 July 2005 in the Evening Post and Trade-it.

5.9 It was considered that the submitted information including press adverts and letters were sufficient to demonstrate that there were reasonable attempts to let the property as holiday accommodation and that the letting business was not very successful. In addition the building was not considered suitable in design terms for any other business purpose.

5.10 Analysis against policies

The proposal would effectively be to create a new dwelling outside the settlement boundary and within the green belt. Due to the scale and design of the original building, it is considered that the principle of the proposal for conversion to a residential property would have been considered acceptable when PK05/1956/RVC was granted.

5.11 Design and Visual Amenity

No alteration or extension is proposed in the proposal. The works for conversion has already been carried out. The applicant previously demonstrated that the building was marketed as a holiday let for a period of more than 12 months. It is considered that the proposal would not have significant adverse impact upon the openness of the Green Belt.

5.12 Residential Amenity

The building sits apart from the neighbouring properties and is well screened by existing vegetation and timber fencing. The nearest property is No. 66, which is approximately some 40 metres away to the south, so there would be insignificant issues of inter-visibility or overlooking. There will be adequate residential curtilage to serve the existing property. Vehicles will use the existing shared access and track, and there is a double garage adjacent to the boundary. Whilst vehicles will pass close by No. 66, which is approximately 8 metres set back from the edge of the access, the amount of disturbance from the traffic generated by the proposal would be acceptable. It is therefore considered that the proposal would not cause significant adverse impact upon the residential amenity of the neighbouring properties.

5.13 Transportation

There would be no adverse affect upon highway safety should this proposal receive permission, there are therefore no highway objections to this application.

5.14 Environmental issues

The Council's Environment Health Officer has been consulted and has no adverse comments.

5.15 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).

5.16 Section 106 Requirements

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

6. **CONCLUSION**

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

6.2 The recommendation to grant 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 **PK07/0921/F**

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. 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 view of the size and location 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 Policies D1, L1, GB1 and E7 of the South Gloucestershire Local Plan (Adopted) Jan 2006.

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

Reason:

To maintain the rural character the building, and to accord with Policies D1 and E7 of the South Gloucestershire Local Plan (Adopted) Jan 2006.

4. The existing trees and hedgerows within the site shall be retained and shall not be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 (Tree Works). Any trees and hedgerows removed without such consent or dying, or becoming damaged or becoming diseased shall be replaced in the next planting season with trees and hedgerows of such size and species as may be specified by the Local Planning Authority.

Reason:

To protect the character and appearance of the area to accord with Policies E7/D1/L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 21/07 – 24 MAY 2007

App No.:	PK07/1054/R3F	Applicant:	South Gloucestershire Council
Site:	Trinity C Of E School Littleton Drew Lane Acton Turville BADMINTON South Gloucestershire GL9 1HJ	Date Reg:	3rd April 2007
Proposal:	Erection of replacement Primary school with new vehicular access, car parking, landscaping and associated works.	Parish:	Acton Turville Parish Council
Map Ref:	81179 80828	Ward:	Cotswold Edge



© South Gloucestershire Council 2007. All rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023410, 2007.

N.T.S

PK07/1054/R3F

INTRODUCTION

This application is reported on the Circulated Schedule in accordance with the procedure for applications for major development.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a new school on the existing school site, to replace the existing sub-standard accommodation. The building would be erected on what is currently the football field on the village side of the existing school which fronts Littleton Drew Road. Also proposed is a car parking and drop off/ collection area, between the new access and egress. This arrangement would be created, using the existing access to the school building at the western end of the site frontage. The new exit would be further to the west. The application has been submitted by the Council.
- 1.2 In order that this school can be maintained in operation, it is necessary to build the replacement school on the same site, but to the western side of the existing school. When the new school building is ready, the existing school will be demolished to provide the school with an enlarged playing field, exclusively to the east of the site. Apart from the new vehicular exit proposed, the existing pedestrian access to the site will be maintained. Also proposed is a boiler room and storage building to be located behind the existing pumping station immediately to the northwest of the site. After the submission of the application, amended plans were submitted, showing changes to the elevations of the proposed building. Re-consultation was carried out on this basis.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 Educational Facilities
L1 Landscape
L2 AONB
T7 Cycle Parking
T8 Car parking
T10 Travel Plans & Modal shift
T12 Transportation

Supplementary Planning Guidance

Acton Turville Conservation Area Advice Note

Landscape Character Assessment: Character Area 1, Badminton Plateau.

3. RELEVANT PLANNING HISTORY

- 3.1 All planning history on this site relates to piecemeal temporary classrooms or extensions, relating to the current form of the school.

4. CONSULTATION RESPONSES

- 4.1 Acton Turville Parish/Town Council
Objects due to the proposed parking arrangements. At present, parents have to turn their cars in the road either before or after dropping off/ collecting pupils.

The drop off area proposed will not be large enough to accommodate the school's three buses, let alone parents' cars in conjunction with staff car parking and the demand for other visitors. With proposed after school uses as well, the Parish Council considers that there is a shortfall in parking provision. The design and access statement has made several claims for sustainability, which is not reflected in the plans:

- * The main entrance is a single door
- * The areas of red cedar are scattered and look inappropriate
- * The openings on the northern elevation are random in size and spacing, giving the building an untidy look
- * How will the water discharging from the roof be dealt with?

With regard to re-consultation after the plans were amended to change the external design, the Parish raised no objection.

4.2 Other Consultees

Technical Services Unit

No objection in principle. Recommend one condition and informatives.

Environment Agency

The Environment Agency accepts the Flood Risk Assessment, Ref: C60903DS/DC, Rixon Day, February 2007) and have no objections subject to the inclusion of conditions.

Environmental Protection

No adverse comments.

Wessex Water

There is a storm water sewer crossing the site diagonally. Building over this would not be permitted, without diverting the sewer. There should not be any additional storm flow, from the enlarged building and parking area. No information on future pupil numbers has been disclosed, leaving Wessex unable to comment on the future adequacy of the public foul system. The drawings indicate that the proposal would include part of Wessex's Pumping Station in the northwest corner of the site. This building will require a 15 metre clearance.

Architects Panel

The panel was encouraged by the overall form and scale of the building, but would like to know why the green roofs were so limited, as the building would be improved through the use of an entire green roof. The roof over the kitchen does not appear to be satisfactorily resolved where it abuts the hall. The panel recommends approval.

Sport England

Does not need to be consulted as a statutory consultee and do not wish to comment.

Other Representations

4.3 Local Residents

Two letters of objection were received to the original scheme, and three replies in support of the proposal were received citing the following concerns and issues:

- The development should be completed as soon as possible
- Parking is limited by the size of the school grounds and the playing fields should not be sacrificed for this

- Fantastic design – exciting and innovative
 - Glad to see more parking spaces than the DfES standards allow
 - The BREEAM documentation includes a green travel plan
 - Landscaping will compliment the building well
 - The Leylandii trees do nothing to support wildlife and they are better removed
 - Improvement over the current design of the school and the pupils will benefit from this
-
- Would prefer to see the Leylandii cut back rather than felled – it shields the houses from the school and particularly the kitchen delivery area
 - The removal of hedgerows between 1st September and 28th February would be impractical if the development takes place outside those dates
 - The deciduous hedgerow should not be removed
 - The increase in parking spaces from 9 to 11 (with 20 staff members) is insufficient
 - The pick up/ drop off area is almost opposite Hollybush Close, making the junction complex
 - On street parking is dangerous for cyclists using the road
 - A cycle path should be provided as part of the proposal
-
- There should be more school buses instead of car trips to the school
 - An area should be marked outside the school for buses and deliveries to promote road safety
 - The police do little about bad/ fast driving in the vicinity of the school
 - Little scope to promote cycling to school
 - The Badminton Estate has not been approached to provide more land for the school in which to provide more car parking
- NB The final five issues are not valid planning concerns

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The policy context is set by LC4 and the transportation policies. The main other material consideration in this case is considered to be the need to maintain the use of the school during the building works, which determines the position of the proposed replacement school building. Design is a further issue of importance. Policy LC4 allows for the expansion or improvement of educational facilities as long as they meet the criteria of the policy set out in the paragraphs following:

5.2 Degree of accessibility of site

The site itself is a school at present, hence the level of accessibility of the site is not at issue. The number of pupils would remain broadly similar in the foreseeable future, which is reflected in the fact that the replacement school is essentially the same size as the existing. It is a local facility with the potential for accessibility through safe routes by foot and cycle. This issue is explored further, below.

5.3 Effect on Residential Amenity

The replacement school building would be of a similar size and scale in comparison with those buildings which are proposed to eventually be demolished. The main effect upon residential amenity would be the positioning of the building in the western part of the site, as compared to its current position in the middle of the site. This is considered not to have any detrimental impact upon residential amenity. The mass of the building would be at a distance of 23 metres to the nearest dwelling across the road, at which distance it is considered that the proposed building would not have any overbearing impact. It is therefore considered that the proposal would not have any detrimental impact upon the residential amenity of adjoining occupiers. The loss of the screening leylandii trees, at this reduced distance to the school, is not considered to be sufficient to warrant a refusal reason in this instance, given that most noise generated from a school site would be from outside the building and not during lessons. The distance between the nearest housing and the edge of the school site remains the same. The proposal effectively reduces outdoor space in the school site where it is nearest to housing. With regard to coming and going to and from the school, the proposed extension of hours would increase this into the evenings, but also provides a community resource to the village as a whole, the benefit of which is considered to outweigh any perceived harm to residential amenity which would arise.

5.4 Environmental and Transportation Effects

No objection has been raised by the Council's Environmental Protection department. It should be borne in mind that no change of use is involved in this application and the school building would, in effect, be moving from the middle to the western side of the site.

With regard to the transportation effects, the application is for the construction of a replacement school on the existing school site, to provide enhanced accommodation for a similar number of pupils. It is evident that there is some congestion in the area during the school drop off and pick up times and this concern has been highlighted in the Parish Council's response to the consultation. It is important to recognise that there is insufficient land available to provide further car parking. The principle applied in any case, stems from policy T10 of the Local Plan, in that rather than encouraging transporting pupils to school by car, other modes of transport are encouraged, such as walking and cycling, where practicable. In order to reduce car-borne journeys, as part of the scheme, it is proposed to provide a one-way system and create a dropping off area on site. A new vehicular access will be created on east of the existing one. The proposal would improve the situation in respect of parking on the road and it is considered that it will improve road safety. The alternative to this approach would be to supply many parking spaces, in this instance at the cost of the footprint of the school or the playing fields, in order to provide a larger area of parking which would only be used for a few minutes in the morning and a few minutes in the afternoon, by people who are doing no more than visiting the site. The proposed drop off facility would not only promote policy T10, but it is considered to be the only practical option, given the constraints of the site.

In respect of the above, the proposal is for 11 off-street parking spaces including 1 space for a disabled driver on site. Cycle parking will also be provided and an appropriate planning condition is proposed to achieve this. All cycle parking will need to be secure and under cover.

In view of all the above, therefore, there are is highway objection raised, subject to the following conditions;

- 1) Prior to the first use of the new access, both vehicular accesses shall be properly signed as “in” and “out” access and these shall be maintained accordingly thereafter.
- 2) A wheel washing facility shall be provided on site to ensure to ensure that the public highway is maintained free mud at all times during construction period.
- 3) Prior to the first use of the new school, the off street parking shall be provided and maintained satisfactory thereafter.
- 4) Prior to occupation of new school the applicant shall provide details of cycle parking, for approval in writing. The approved cycle facilities shall be implemented in full and these facilities shall be maintained satisfactory thereafter.

5.5 Levels of On Street Parking and the effect on the Residential Amenity of the Surrounding Area

The site is a school at present. The proposed level of parking within the site meets the Local Plan requirement. This level of parking would effectively be used by staff. The bulk of the rest of the traffic generated by this site would be dropping off and picking up pupils, catered for by the drop off/ pick up arrangement. This nature of parking does not have a long dwell time and therefore any increase in on-street parking would be transitory in nature. It is therefore considered that the proposal would comply with policy in this respect. Parking provision, for both cycles and cars is secured through the relevant conditions shown below.

5.6 Flooding

The Flood Risk Assessment submitted with the revised scheme is considered to have overcome any potential problems in terms of flooding. The Environment Agency has not raised an objection to the proposal.

5.7 Design

Overall, the design and layout as proposed for the replacement school building are considered to be acceptable and accord with policy. The layout proposed shown a loosely oval form, with a hall and library at the centre, the administration and staff area wrapping around this on the road side of the site, forming the entrance area and five classrooms extending further from the centre on the southern side of the hub. This layout was developed in consultation with the end users. Materials will be mixed, but the prominent walls will feature Cotswold stone, to bring an appropriate sense of belonging to the village, to counterbalance the non-traditional single storey form which is proposed. The design was altered in respect of a number of minor details after submission and these are considered to enhance the design. Materials have been chosen to reflect both the setting of the building and to be sustainable, with a view to attaining a BREEAM rating of ‘very good,’ which is required by condition below. As the site is near to the Acton Turville Conservation Area, Conservation comments are also relevant, but the Architect’s Panel, as reported above, have recommended that the application is approved.

5.8 Effect on the Conservation Area

The current application is in line with what was agreed at the pre-application stage. From a conservation area perspective, there are no objections to the application. The detailing of materials and finishes will be important to the eventual success of the project, and there should therefore be conditions which require that samples of all external materials and finishes must be submitted and obtained prior to construction.

5.9 Landscape

The site adjoins open countryside on the eastern edge of Acton Turville. It immediately adjoins the Acton Turville Conservation Area and is within the AONB but is outside the defined settlement boundary. There is a significant belt of relatively young tree planting along the southern boundary with natural stone walls to the road frontage.

The Council's Landscape Officer reports that the site is well assimilated into the adjoining countryside due to the tree belt along the southern boundary and it is considered the *status quo* will be maintained under this proposal. The proposed building is considered to be more visually acceptable in the landscape than the existing mixture of permanent and temporary structures although it would be more visible from the north as it is proposed to fell the existing *Leylandii* hedge around the school pumping station. This hedge is considered out of character in the landscape and for this reason there is no objection to the removal. The existing hedge will be replaced by a new native/semi-native hedgerow and a single tree. It is considered however, that the landscape proposals would benefit from the addition of 2no additional trees in this location. The inclusion of these trees would be part of the condition below. The landscape proposals are otherwise acceptable in principle, as they are considered to represent a significant visual improvement for this part of the AONB, but a full planting plan and specification will be required by condition. This plan should include 2no additional trees in the proposed hedgerow surrounding the pumping station, which would be of significant visual benefit.

The tree protection proposals have been discussed with the Council's Tree Officer, who has confirmed they are acceptable and he has no objection to the felling of the *Leylandii* hedge.

5.10 Ecology

The removal of hedgerows has been raised through the consultation process. The loss of the *leylandii* hedge has been analysed in the paragraph above. The only other hedgerow to be removed is along the road frontage, in order to create the new parking and drop off access. This is considered to represent a minimal loss of hedgerow. An Ecological Management Plan has been submitted to accompany the application and ties in with the approach to achieve BREEAM accreditation and a rating of 'very good'.

5.11 Other Issues

The issue of the expansion of the site has been raised through the consultation process. This application relates to the submitted red line boundary of the site. It is not within the remit of the planning system to be involved in land ownership issues. The proposal has to be assessed against whether it will work within the site's boundaries. Wessex Water has raised a number of issues through the consultation process. In clarification, there is no intention to increase the pupil numbers at the school and it is understood that issues over the location and ownership of the pumping station and pipework running across the site have now been resolved.

5.12 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).

5.13 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission is approved subject to the conditions below.

Background Papers PK07/1054/R3F

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

Reason:

To maintain and enhance the character and appearance of the setting of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. 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 Policy T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development, detailed plans showing the provision of cycle parking facilities in accordance with the standards set out in Policy 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:

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.

5. Prior to the commencement of development, details of 'in' and 'out' signage for the access shall be submitted to the Local Planning Authority for approval in writing. The signs shall be displayed in accordance with the approved details prior to the first use of the access and thereafter maintained.

Reason:

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

6. No development shall take place until details of wheel-washing facilities to be provided on site have been submitted to and approved by the Local Planning Authority. These facilities shall be provided prior to development commencing and maintained during the period of construction. All commercial vehicles shall have their wheels washed before entering the public highway.

Reason:

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

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, specifying 2 additional trees in the hedgerow surrounding the pumping station, and a full planting plan and specification for the remainder of the site, together with measures for the protection of retained vegetation during the course of the development; proposed planting and times of planting; boundary treatments and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason:

To protect the character and appearance of the area to accord with Policies D1, L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The development hereby approved shall be constructed to a BREEAM standard of 'very good.' A formal assessment pre-construction or following construction, shall be undertaken by a licensed BREEAM assessor and a copy of the assessors report and the certificate shall be submitted to the Local Planning Authority prior to the first occupation of the building.

Reason:

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

9. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall utilise sustainable drainage principles and shall not result in an increase in the rate and/or volume of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason:

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water management, to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 21/07 – 24 MAY 2007

App No.: PK07/1085/F
Site: 40 Atherston North Common BRISTOL
 South Gloucestershire BS30 8YB
Proposal: Erection of two storey side and first floor
 side extensions to provide additional
 living accommodation.
Map Ref: 67445 72271

Applicant: Mr D Monks
Date Reg: 5th April 2007
Parish: Bitton Parish
 Council
Ward: Oldland Common



© South Gloucestershire Council 2007. All rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2007.

N.T.S

PK07/1085/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of an extension over the existing attached garage to form an additional bedroom. A small two storey side extension will also be erected behind the existing garage to form one continuous two storey side extension.
- 1.2 The application site consists of a link-detached property within a residential area of North Common. The property is sited towards the end of a cul-de-sac and is constructed of brick. The dwelling stands on a modern, open plan estate.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance
Kingswood Advice Note 2: House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 None specific

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Parish councillors object to the development which they felt would adversely affect the street scene and could set an unacceptable precedent for changing link detached houses to terraced houses.

Other Representations

- 4.2 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies several criteria relating to design, scale, highway and impact upon visual and residential amenities being met.

5.2 Design/ Visual Amenity

The proposed extension meets an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The pitched roof of the existing dwelling will be mirrored in the extension and is in keeping with the scale of the building. Matching face brick further attributes to its integration. It is accepted that the Parish Council are concerned that this proposal may set a precedent for similar development in the locality. However, it must be noted that there are a number of dwellings along Atherston that already have the same extension in place – notably properties No. 35, 42, 16 and 18. In light of the existing development in the locality, it is not considered that the proposed extension would have any adverse impact on the character of the street scene.

It is accepted that should property No. 38 Atherston also submit an application for a first floor side extension, the dwellings would be changed from link-detached dwellings to semi-detached properties. However, in determining an application we cannot speculate about possible applications when there is no evidence to suggest this will occur. The impact of any ‘terracing effect’ would be considered during the course of any future application and is not considered to be an issue in this current application.

The extension will be clearly visible from the highway yet subject to compliance with a condition ensuring the use of suitable materials, it is not considered that it will have any detrimental impact upon the character of the area. The impact upon visual amenity is thus considered to be acceptable.

5.3 Residential Amenity

The extension is to be erected over and behind the existing garage and will be contained entirely to the side of the existing building - it will not protrude beyond the main front or rear walls of the existing dwelling. The extension will be erected on the northern side of the dwelling – close to No. 38 Atherston. There are no windows in the southern elevation of No. 38 that will be affected by the proposal in any way. The extension will not result in any additional issues of overlooking or loss of privacy than currently exist.

It is considered that there are no issues of inter-visibility or loss of privacy. Further, there are no concerns relating to overbearing effect and sufficient garden space would remain to serve the property. The impact on residential amenity is subsequently deemed acceptable.

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

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

7. RECOMMENDATION

- 7.1 That the application be approved subject to the following conditions;

Background Papers **PK07/1085/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).

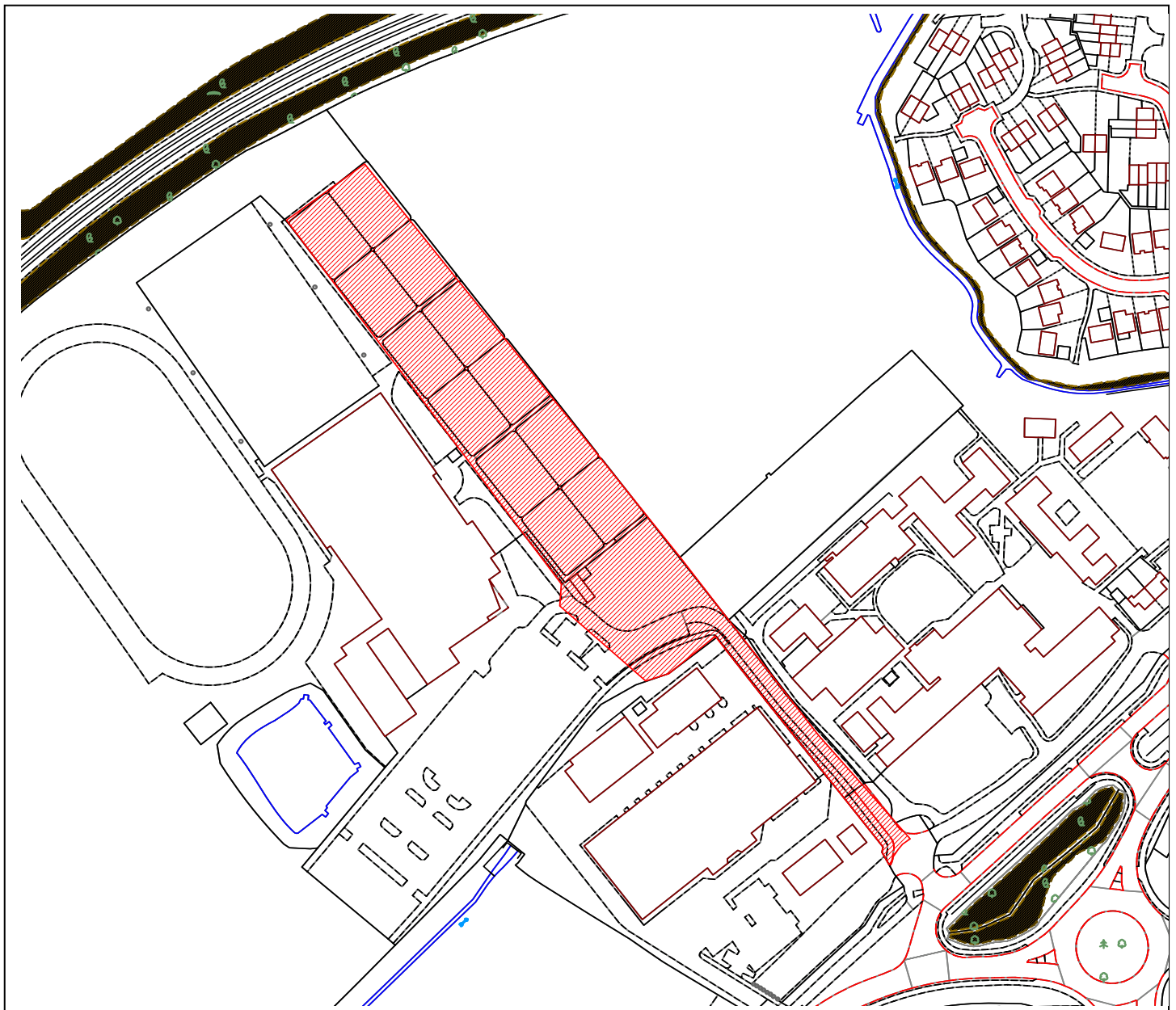
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

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

CIRCULATED SCHEDULE NO. 21/07 - 24 MAY 2007

App No.:	PT06/3454/RVC	Applicant:	Filton College
Site:	Wise Filton College New Road Stoke Gifford BRISTOL South Gloucestershire BS34 8QT	Date Reg:	30th November 2006
Proposal:	Variation of Condition 6 attached to planning permission PT03/15 69/RM dated 10 September 2003 (to allow the use of floodlighting beyond the hours of 10 pm on any day).	Parish:	Stoke Gifford Parish Council
Map Ref:	61642 79443	Ward:	Stoke Gifford



© South Gloucestershire Council 2007. All rights reserved.

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

100023410, 2007.

DC0901MW

1. THE PROPOSAL

- 1.1 The site consists of 12 five-a-side football pitches that were approved under PT03/1569/RM. The approval was subject to conditions, including condition 6 which relates to the operation of floodlighting at the site.
- 1.2 The proposed development consists of the variation of condition 6 of PT03/1569/RM so as to extend the hours of operation by half an hour to 22:30 on any day.

2. POLICY CONTEXT

2.1 National Guidance

- PPS1 Delivering Sustainable Development
PPG17 Planning for open space, sport and recreation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- LC3 Proposals for Sports and Leisure Facilities Within the Existing Urban Area and Defined Settlement Boundaries
EP4 Noise Sensitive Development
EP1 Environmental Pollution

2.3 Supplementary Planning Guidance

None Relevant

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/2079/O Development of 20.4 hectares of land for educational use to include new college building and sports facilities. Approved
- 3.2 PT03/1569/RM Development of land for educational use to include new college building and sports facilities. (Approval of Reserved Matters) (To be read in conjunction with outline planning permission PT02/2079/O).

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

Object on the grounds that neighbouring residents have already objected.

4.2 Sustainable Transport

No Objection

4.3 Environmental Health Officer

The EHO has advised that noise complaints have been received concerning the current use between 18:45-22:00. As a result the EHO has visited the area and made an assessment at the boundary of one of the nearest residential properties from where the continuous blowing of whistles, shouting and thudding of balls against the wooden side boards of the twelve five a side football courts was observed.

It is the opinion of the EHO that the noise associated with the activity is detrimental to the residential amenity of nearby local residents. Further, it is the opinion of the EHO that the proposed extension of the use of floodlighting to 22:30 would further increase this detriment to the amenity of the area for local residents due to noise after 22:00.

Refusal is recommended

Other Representations

4.4 Local Residents

Two letters of Objection have been received. The comments can be summarised as follows;

The proposed extension of the operation of the lights will lead to a further detriment to local residents due to noise from the extended use of the football pitches

The sound barriers shown on the original application have not been implemented

Since the centre opened, play has continued beyond 10 pm and as late as 11pm.

The noise from the use of this centre can be heard as far away as Brierly Furlong

Noise starts as early as 5 pm and also occurs on Sundays

The local residents were not informed of the hours of operation at the time that the original application was made.

The noise from the centre is unacceptable and is worse in the summer months.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application seeks consent to vary Condition 6 of the associated planning approval issued under PT03/1569/RM. The principle of the development has been established and the development has been implemented. However, the effect of the proposed variation is such that the use of the flood lighting associated with this development would be extended from 22:00 hours until 22:30 hours. The impact of this extension in time is addressed below.

5.2 Environmental Impact and Residential Amenity

In general terms, PPG17 advises that in considering the location of new areas of open space and sports and recreational facilities the Local Authority should avoid any significant loss of amenity to residents, neighbouring uses or biodiversity. Policy LC3 of the South Gloucestershire Local Plan (Adopted) January 2006 is consistent with this advice and seeks to ensure that sports development would not unacceptably prejudice residential amenities and would not have unacceptable environmental effects. Policy EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006 supports the above principles in terms of the impact of light pollution and noise levels

- 5.3 In terms of the extension of the time restrictions for the lighting, it is not considered, given the characteristics of the existing equipment that there would be a material impact upon residential amenity in terms of light pollution. Similarly, it is not considered that there would be any material impact upon the wider urban area as a result from a light pollution perspective.
- 5.4 Notwithstanding the above, the desire to extend the time restrictions for the existing lighting is to allow the extended period of play on the existing five-a-side pitches beyond 22:00 hours. Now that the development is implemented and in use, it is very clear that the intensive nature of the 12 five-a-side pitches does generate a significant level of noise from shouting, kicking of footballs and whistles. The applicant has indicated that there can be up to 192 players (16 per pitch) using the facilities at any one time. The Environmental Health Officer (EHO) has advised that noise nuisance complaints have been received. Accordingly, the EHO has observed this activity from a location at the edge of the residential development associated with New Road, and has advised that the noise levels being generated are not acceptable, in residential amenity terms beyond 22:00 hours. It is therefore considered that the proposed variation to Condition 6 will have an unacceptable impact upon the residential amenity of the occupants of nearby dwellings and is contrary to Policy LC3 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.5 The applicant has submitted that the status and popularity of this facility is such that it has been affiliated to the Gloucestershire Football Association. Further, the applicant has submitted that it is crucial to operate the facilities until 22:30 hours in order to enable five 40 minute league games to be played on each court, whilst starting the first game at 18:45 to allow players reasonable time to get to the venue from places of employment etc. However, it is considered that the games could be finished by 22:00 hours simply by bringing the start time forward to 18:15, which is itself not unreasonable. The above is therefore not considered to outweigh the harm to residential amenity that would be caused as a result of the proposed variation.

5.5 Design and Access Statement

A Design and Access Statement is not required with this planning application.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That Planning Permission be refused

Background Papers **PT06/3454/RVC**

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

REFUSAL REASONS

The proposed variation of condition 6 of Planning Permission PT03/1569/RM would allow the continued use of the five-a-side football pitches beyond 22:00 hours until 22:30. Given the intensive nature of the use of those pitches and the number of players likely to be using the facilities at any one time, the proposed variation would lead to an unacceptable impact upon the residential amenities of the occupants of the dwellings to the North East (Located on New Road, Stoke Gifford) and would be contrary to Policy LC3 and EP4 of the South Gloucestershire Local Plan (Adopted) 2006; and PPG17