



**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. 42/07

Date to Members: 19/10/07

Member's Deadline: 26/10/07

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: 19/10/07

SCHEDULE NO. 42/07

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

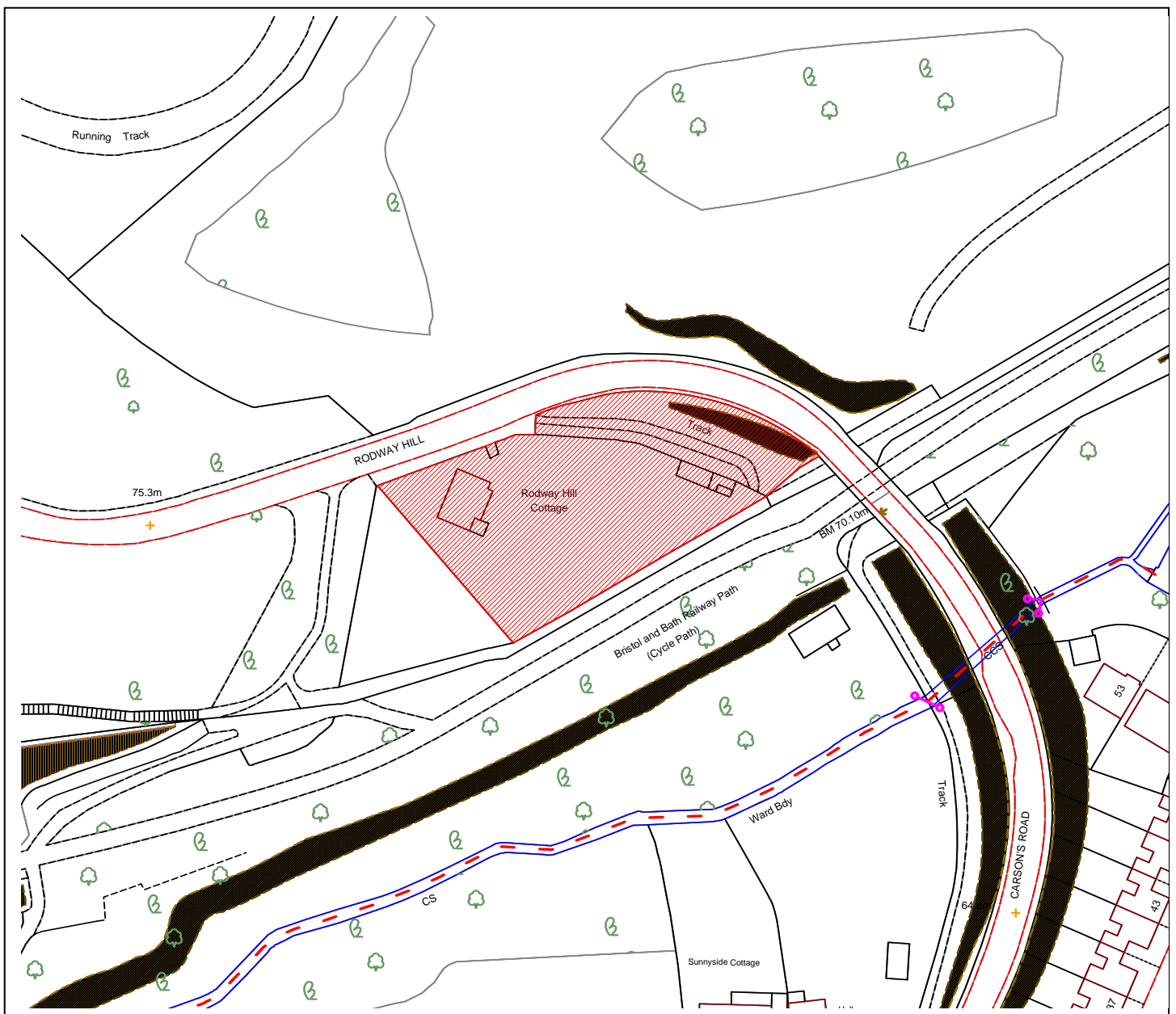
DATE

Circulated Schedule 19 October 2007

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1.	PK07/1906/O	Refusal	Rodway Hill Cottage Rodway Hill Mangotsfield South Gloucestershire BS16 9LJ	Emersons Green	Mangotsfield Rural Parish Council
2.	PK07/2727/F	Approve with conditions	19 Cleeve Lawns Downend South Gloucestershire BS16 6HH	Downend	Downend and Bromley Heath
3.	PK07/2764/F	Approve with conditions	9 Vayre Close Chipping Sodbury South Gloucestershire BS37 6NT	Chipping Sodbury	Sodbury Town Council
4.	PT07/1884/F	Refusal	Land off M5 Sacombe Lane Cribbs Causeway Bristol	Almondsbury	Almondsbury Parish Council
5.	PT07/2357/F	Approve with conditions	Rose Cottage Heathend South Gloucestershire GL12 8AX	Charfield	Cromhall Parish Council
6.	PT07/2680/F	Approve with conditions	218 Ormonds Close Bradley Stoke South Gloucestershire BS32 0DZ	Bradley Stoke North	Bradley Stoke Town Council
7.	PT07/2692/F	Approve with conditions	Elm Bank Main Road Easter Compton South Gloucestershire BS35 5RJ	Almondsbury	Almondsbury Parish Council
8.	PT07/2698/F	Approve with conditions	9 Dewfalls Drive Bradley Stoke South Gloucestershire BS32 9BW	Bradley Stoke Central and Stoke Lodge	Bradley Stoke Town Council
9.	PT07/2785/F	Approve with conditions	97 Amberley Road Patchway South Gloucestershire BS34 6BZ	Stoke Gifford	Stoke Gifford Parish Council
10.	PT07/2792/F	Approve with conditions	3 Clyde Road Frampton Cotterell South Gloucestershire BS36 2EA	Frampton Cotterell	Frampton Cotterell Parish Council
11.	PT07/2848/F	Approve with conditions	83 Watleys End Road Winterbourne South Gloucestershire BS36 1PW	Winterbourne	Winterbourne Parish Council
12.	PT07/2868/O	Approve with conditions	2 Wotton Road Charfield South Gloucestershire GL12 8TP	Charfield	Charfield Parish Council
13.	PT07/2896/F	Approve with conditions	35 Blackberry Drive Frampton Cotterell South Gloucestershire BS36 2SL	Frampton Cotterell	Frampton Cotterell Parish Council
14.	PT07/2899/RM	Approve	60 Dragon Road Winterbourne South Gloucestershire BS36 1BJ	Winterbourne	Winterbourne Parish Council
15.	PT07/2909/F	Approve with conditions	2 Mortimer Road Filton South Gloucestershire BS34 7LF	Filton	Filton Town Council
16.	PT07/2920/F	Approve with conditions	819 Filton Avenue Filton South Gloucestershire BS34 7HQ	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 42/07 – 19th OCTOBER 2007

App No.:	PK07/1906/O	Applicant:	Ms R L Brain
Site:	Rodway Hill Cottage Rodway Hill Mangotsfield BRISTOL South Gloucestershire BS16 9LJ	Date Reg:	22nd June 2007
Proposal:	Demolition of outbuilding and single storey extension to existing dwelling to facilitate the erection of two-storey extension and erection of 4 no. dwellings and garages (Outline) with layout and means of access to be determined.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	66699 75407	Ward:	Emersons Green



© 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.

DC09011MW

This application appears on the Circulated Schedule because representations from local residents supporting the scheme have been received, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to Rodway Hill Cottage, a two-storey dwelling (Circa. Late 18th C/ early 19th C), its garden and rubble stone outbuilding. The site is 0.279ha in area and lies within a hollow enclosed to the north and west by an embankment adjoining the A4174 Rodway Hill; to the west by a generally wooded area and to the south by the Bristol and Bath Railway Path (Cycle Path) which lies within a wooded corridor. The 'cottage' lies on a raised portion of the sloping site in the north-eastern corner, overlooking the landscaped garden and hard-standings. The single-storey outbuilding lies in the south-eastern corner of the site. Vehicular access is gained via a narrow driveway that slopes steeply down from Rodway Hill and behind the outbuilding. The entire site is very well enclosed by existing natural stone boundary walls and high vegetation.
- 1.2 The site lies on the far eastern edge of the Urban Area as defined in the South Gloucestershire Local Plan (Adopted) 6th January 2006 and on the south-eastern perimeter of Rodway Common. To the north, on the opposite side of Rodway Hill road, the land slopes steeply upwards to Pomphrey Hill, which has recently been landscaped and laid out to playing fields; this land lies within the designated Green Belt. The north-eastern part of the application site also lies within the Rodway Common Site of Nature Conservation Interest (SNCI).
- 1.3 The application seeks outline consent only with layout and access to be determined; all matters of design/appearance, scale and landscaping would be the subject of a later reserved matters application. It is proposed to demolish the existing outbuilding and an existing single-storey extension to the west of Rodway Hill Cottage; renovate and extend (two-storey extension to the east) Rodway Hill Cottage; erect 4no. detached houses within the garden area; close off the existing vehicular access and introduce a new access to the west of Rodway Hill Cottage.
- 1.4 The application is supported by a Design and Access Statement including Photographic Survey, Arboricultural Report, Archaeology & Historic Environment Record, Protected Species Survey as well as a Coal Mining Report and an Acoustic Report which were submitted at a later date.

2. POLICY CONTEXT

- 2.1 National Guidance
 - RPG10 - Regional Planning for the South West
 - PPS1 - Delivering Sustainable Development
 - PPG2 - Green Belts
 - PPS3 - Housing
 - PPG9 - Nature Conservation
 - PPG13 - Transport
 - PPG24 - Planning & Noise

2.2 Development Plans

Joint Replacement Structure Plan (Adopted Sept 2002)

- Policy 01 - Sustainable Development Objectives
- Policy 02 - Location of Development
- Policy 03 - Landscape Protection (through Local Plans)
- Policy 33 - Housing Provision and Distribution
- Policy 34 - Re-use of Previously Developed Land
- Policy 35 - Housing Density
- Policy 59 - New Development Transport Issues

South Gloucestershire Local Plan (Adopted) 6th January 2006

- D1 - Design
- GB1 - Development within the Green Belt
- H1 - Proposed Sites for New Residential Development and Mixed Use Schemes including Residential Development.
- H2 - Residential Development within the existing Urban Area
- H6 - Affordable Housing
- L1 - Landscape Protection and Enhancement
- L5 - Open Areas within existing Urban Areas and Defined Settlements
- L7 - SSCI
- L9 - Species Protection
- L11 - Archaeology
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP4 - Noise Sensitive Development
- EP7 - Unstable Land
- LC2 - Provision of Education Facilities (Site Allocations and Developer Contributions)
- LC12 - Recreational Routes
- T7 - Cycle Parking Provision
- T8 - Parking
- T12 - Transportation

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug. 2007.
- South Gloucestershire Landscape Character Assessment (SPD) Adopted August 2005 - Area 12 Westerleigh Vale and Oldland Ridge
- Trees on Development Sites (Adopted) November 2005.
- Development in The Green Belt (SPD) Adopted June 2007
- Advice Note 1 - 'Altering Your Home' Oct. 1994

3. RELEVANT PLANNING HISTORY

- 3.1 P74/4151 - Change of Use of existing Coach House to Residential Unit. Refused 11th July 1974 for the following reasons:
- Inappropriate to neighbouring Green Belt
 - Result in sporadic development
 - Inadequate access and turning facilities.
 - Site could be affected by proposed 'loop road'.

- 3.2 PK07/0141/O - Demolition of existing dwelling to facilitate the erection of 5no. dwellings and garages (Outline) with layout and means of access to be determined.
Withdrawn 19th March 2007 due to officer concerns.

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
Refuse – inadequate access.
- 4.2 Other Consultees
None

Other Representations

- 4.3 Local Residents
2no. letters of support have been received, both from Downend residents. The statements made in support of the scheme are summarised as follows:
- The proposed houses would not be seen from the Green Belt land opposite.
 - The Green Belt land opposite the site is not part of the public walkway.
 - Very little of Rodway Hill Cottage can be seen from the adjacent Cycleway.
 - The proposal would improve the area.
 - The proposed homes are much needed.
 - The site is screened by trees.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The site is within the Existing Urban Area as defined in the South Gloucestershire Local Plan (Adopted) 6th January 2006. Government advice contained in PPS3 – ‘Housing’ supports a more efficient and sustainable use of land in the urban area, with a provision for more intensive housing development in and around existing centres and close to public transport nodes.
- 5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 2, the locational strategy, aims to concentrate development for jobs, housing and facilities within the main urban areas, in order to maintain and develop their vitality and quality as regional and sub regional centres. JRSP Policy 19 requires development to be managed in a manner that respects local character and distinctiveness through good design.
- 5.3 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:
- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
 - B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per

hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.

- C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
 - D. Provision for education, leisure, recreation and other community facilities within the vicinity is adequate to meet the needs arising from the proposals.
- 5.4 The established use of the land is residential curtilage and is therefore previously developed land. Policy H4 permits development within existing residential curtilages subject to criteria similar to H2. Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to secure good quality designs.
- 5.5 There is therefore no in-principle objection to the residential development of the site but this would be subject to the criteria contained in other Local Plan policies which are discussed below.

5.6 Density

Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like PPS3 seeks to avoid development, which makes an inefficient use of land. PPS3 (para.47) indicates that a national indicative minimum density of 30 dwellings per hectare should be used and whilst not prescribing any maximum figure, the PPS encourages the highest density that can be achieved within the various local considerations that need to be taken into account.

- 5.7 Including the existing Cottage, the proposal equates to 17.92 dwellings per hectare, which falls well below the minimum prescribed figure in both PPS3 and Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. Question 16 of the recently adopted South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug 2007, is related to achieving an appropriate density and asks:

“Is the density of the development appropriate to the accessibility of local services and facilities as well as public transport routes?”

Despite being right on the edge of the Urban Area, the site is in a relatively sustainable location, being close (800m) to the centre of Mangotsfield Village with its shops, services and bus routes; Mangotsfield School is also a short distance away as are the new sporting and recreational facilities at Pomphrey Hill; furthermore the site lies immediately adjacent to the Bristol/Bath Cycle Way. In this respect therefore a density higher than that proposed would normally be expected in this location. Recent residential developments to the south and east of the site certainly achieve higher densities than that proposed. Justification for the lower density with respect to the site’s location in the spatial context is therefore required.

- 5.8 Officers have considered the various constraints on the development of the site, which itself is considered to be anomalous in its physical characteristics. In the first instance development of the site is significantly constrained by the site’s topography, consisting of a hollow enclosed for most part by steep wooded

banks, part of which lies within an SNCI. The need to provide a new access and turning facility within the site and the proximity of the existing dwelling are further constraints, as is the proximity of the site to the Green Belt. The landscape character of the site is also considered to be a key feature worthy of retention, the details of which are discussed at length in the landscape section below.

5.9 Having considered all of these constraints, officers are satisfied that the proposed density is acceptable and more than the proposed 4no. new houses on the site could not realistically be achieved. The scheme therefore makes the most efficient use of the site.

5.10 Layout

The siting of the proposed dwellings and layout of the scheme are to be determined at this outline stage. The dwelling footprints and positions in relation to each other, the access road and site boundaries etc. could not therefore change in any subsequent reserved matters application, should outline consent be granted.

5.11 The submitted plans show the dwellings arranged as detached houses around the central access road, thus forming a small cul-de-sac. Officers are satisfied that the position of the buildings would adequately enclose the street and create a meaningful public realm, with the car parking acceptably integrated into the street scene.

5.12 Although large in scale, the buildings would be adequately spaced and orientated with respect to each other. Given that the large dwellings are likely to be occupied by families, adequate private amenity space must be provided. PPS3 paras. 16 and 17 place great emphasis on private open space, especially for family dwellings, furthermore the South Gloucestershire Design Checklist SPD (see Q 16) requires the open space to be easily and safely accessible.

5.13 The applicant has submitted a plan and figures to demonstrate that there would be an adequate amount of amenity space for each dwelling. Whilst in terms of overall quantity there would be an adequate amount of amenity space to serve each dwelling, the quality of the space would be poor and in some instances the space, being immediately adjacent to the road, would not be private. Due to the orientation of each dwelling, the areas of amenity space would be poorly arranged around the houses, consisting in part of thin strips or small individual areas of irregular shape, which makes the usability of the space less attractive to future occupiers. Furthermore for plots 1 to 4, large areas of the amenity space would lie beneath the tree canopy or on sloping land, further compromising the usability of the space. Given the scale of the proposed dwellings therefore, officers consider that there would be inadequate private, usable amenity space to serve the properties. In this respect therefore the proposal represents an overdevelopment of the site.

5.14 Landscape and Green Belt Issues

Impact upon views from the Green Belt

The design/appearance and scale of the development remain to be determined as reserved matters and need not therefore be considered under this outline application. Indicative plans have however been submitted showing proposed floor plans and elevations. Since layout is to be approved at this outline stage, the submitted plans indicate this. In addition they show the proposed scale

parameters, which establish the 3-dimensional building envelope within which the detailed design of the buildings would be constructed. The scheme would provide the following:

Plot 1 - 1 no. 2-storey 4 bedroom house i.e. Rodway Hill Cottage
With integral double garage and 2no. external parking spaces = 208sq.m. + garage.

Plots 2, 3 and 4 - 3no. 3-storey 4/5 bedroom properties with integral double garage and 2no. external parking spaces = 237 sq. m. each + garage.

Plot 5 - 1no. single and 2-storey 4 bedroom property with attached Double garage and 2no. external parking spaces = 187 sq.m + garage.

The Design and Access Statement page 7 indicates that the new dwellings on plots 2,3,4 and 5 will have ridge heights 10m above existing ground level.

- 5.15 As previously mentioned, the application site is quite anomalous in the landscape character. This is mainly due to its position on the very edge of the Urban Area, directly opposite the Green Belt land to the north and being almost entirely enclosed by wooded slopes to the north, east and west, and to the south by the wooded corridor of the Bristol Bath Cycle Path, which runs along the former railway line. The site makes a significant contribution to the sylvan and semi-rural 'sleepy hollow' character of the immediate landscape. The site's character is best appreciated when approached from the west along Rodway Hill road and also for the many cyclists, joggers and walkers that frequent the cycle path to the south. Further to the east and south, where new housing developments have recently been constructed, the semi-rural character is lost. The site does however form an important landscape buffer between these new housing estates and Rodway Common to the west, and the adjacent Green Belt Land to the north.
- 5.16 In terms of the Green Belt, Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 follows the guidance given in PPG2 in that, any proposals for development that are conspicuous from the Green Belt, which would have an adverse impact on the visual amenity of the Green Belt, should not be permitted.
- 5.17 The proposed scale parameters indicate that the buildings would be large being 10m high, furthermore the indicative elevations show plots 2, 3 and 4 as 3-storey dwellings. Normally such properties would be highly conspicuous in a location such as this, being so close to the edge of the Green Belt. The relative heights of the buildings in relation to the level of Rodway Hill road however would in part be compensated for by the fact that the ground level, on which the houses would be built, would be significantly lower.
- 5.18 Pomphrey Hill lies within the Green Belt land to the north of Rodway Hill road. The land rises steeply to the north and is public open space. The slopes facing the application site have been partly used for new tree planting and this will no doubt mature in time. The surrounding grassed areas, due to their steepness are not heavily used, but some walkers do frequent these areas and the application site can be viewed from the top of the hill. The applicant has however submitted a good deal of information, which adequately demonstrates that due to the presence of the dense tree belt to the front of the site, the development would not be so conspicuous from the Green Belt as to have a

significant detrimental impact upon it's visual amenity. Whilst it is proposed to retain the tree belt adjacent to Rodway Hill road, some trees within this belt may be lost in order to provide the path widening and associated retaining wall, this can however be mitigated for with additional planting, secured through the landscaping scheme, to be determined at reserved matters stage. Indeed the indicative landscaping shown on the submitted plans provides additional infill planting on the northern boundary, which would enhance the screening of the development when viewed from the north. The proposal is therefore considered to accord with current Green Belt policy.

5.19 *Impact on the landscape character of the area.*

Moving to the impact of the scheme on the individual character of the site and surrounding landscape in general. Due to the noise levels resulting from traffic using Rodway Hill road, the erection of a 1.8m high Acoustic Fence is proposed along the entire length of the northern and eastern boundaries of the site. The fence, together with the retained trees and new planting, would screen views of the site for users of Rodway Hill. The presence of such a fence however would appear as a strident and discordant feature that would be completely at odds with the character of this section of Rodway Hill, which to a large extent is defined by the natural stone walls that enclose the roadway. The nature of the acoustic barrier could however be controlled via the landscaping scheme submitted at the reserved matters stage. Officers consider that a natural stone wall to match the others along the road would be a far more appropriate acoustic barrier and is listed within the acoustic report as one of the alternative options that would be acceptable.

5.20 The Cycle Way and footpath lie adjacent to the southern boundary of the site and notwithstanding the presence of a 1.9m high natural stone boundary wall and trees, there are currently views from the cycleway, through the site to as far as Pomphrey Hill. It is considered that the erection of the four large properties proposed would entirely alter the character of the site, completely blocking the views through it and creating a very urban feel in place of the existing 'sleepy hollow' character that currently makes an important contribution to the character of the area. Furthermore the visual break between the Green Belt and Rodway Common and the new housing estates to the south and east of the site, would be severely eroded to the detriment of the landscape character and surrounding area, contrary to Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

5.21 The applicant has attempted to justify the proposed scale of development by making comparisons with the recent nearby residential developments at Siston Hill (The Meadows), Bridge Farm (Beaufort Vale) and Carsons Road. Officers acknowledge that these developments contain buildings of a scale that are similar to those proposed and that some of these buildings are adjacent to both the Green Belt and Cycle Path. There is however a distinction to be made between these sites and the very individual characteristics of the application site.

5.22 In the first instance the Carsons Road site was already a brownfield site consisting of an existing factory and associated sports ground. The Siston Hill site was already allocated for housing in the Local Plan, whilst Bridge Farm was previously developed land having an existing residential use with planning permissions for industrial uses. The character of these sites was quite different from that of the application site. In particular, Siston Hill comprised of open

fields whilst Bridge Farm had no special landscape character, being an area of rough land that linked the other two sites. Since these sites do not compare favourably with the characteristics of the application site, officers consider that these developments do not justify the development proposed.

5.23 Impact Upon Residential Amenity

The only existing residential property that might be affected by the proposal, is Rodway Hill Cottage itself. Notwithstanding the inadequacy of the proposed private amenity space as highlighted above, officers are satisfied that the proposed dwellings would be sufficiently spaced and would not have an overbearing impact for existing or future occupiers alike. Whilst design is a reserved matter, it is likely that issues of overlooking or inter-visibility could be 'designed out'. The issue of noise from traffic using Rodway Hill Road is discussed under the Environmental Protection section below. Some disturbance during the development phase is inevitable, but this would be on a temporary basis only and a condition to control the hours of working could be imposed. There would therefore be no significant adverse impact on residential amenity.

5.24 Highway Issues

The existing site access is substandard in many respects. It is poorly located and badly orientated with the public highway and it is in close proximity (75m west) to the traffic signals on the bridge over what is now the Bristol and Bath Cycleway i.e. former railway line. Visibility splays from the access onto the public highway are restricted. In view of this therefore, the proposed closure of the existing access would be beneficial in road safety terms.

5.25 It is proposed to construct a new access some 30m west of the existing site access. At the junction with Rodway Hill the new entrance would be 5.5m wide and at a level gradient with a 2m wide footpath for at least 6m into the development. The access way would then revert to 4.1m wide with no footway and a 1m service strip as it sweeps down into the site. The maximum gradient would be 1 in 14 and a new turning head of 17.5m x 17.5m would be provided to accommodate a refuse vehicle.

5.26 The new access would have a far superior visibility splay (2.4m x 45m) to that existing. Furthermore it is proposed to widen the footway to 2m adjacent to the front of the site, on the southern side of Rodway Hill, to ensure that visibility splays are secured in perpetuity, all to the benefit of highway safety.

5.27 In terms of parking, each dwelling would have its own private driveway leading to a double garage of adequate size (5.0m x 5.0m), 4no would be integral garages and one (Plot 5) detached. There would also be room for two parking spaces on each private driveway. Standard sized (240-litre) refuse and recycling bins would be provided for each dwelling.

5.28 Having regard to all of the above, officers have no highway objections to the proposal.

5.29 Ecological Issues

The bank and trees forming the north-eastern part of the site lie within the Rodway Common Site of Nature Conservation Interest (SNCI), designated for its wetland and neutral and calcareous grassland. The proposed development would result in the loss of part of the SNCI – specifically to accommodate plots 2, 3 and 4 as shown on the submitted block plan. Policy L8 of the South

Gloucestershire Local Plan (Adopted) 6th January 2006 does not normally permit development that would cause damage to local nature conservation interests. It is not considered that there is any importance that could be attributed to the scheme to outweigh the value of the substantive interests affected and no measures are offered in mitigation for the loss. The proposal would therefore be contrary to Policy L8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

5.30 Archaeology

The existing buildings are not afforded any statutory protection and are not 'locally' listed. There is no evidence to suggest that Rodway Hill Cottage has any connection with the former railway line. The older outbuilding, to be demolished may have been used as a workshop in the past and a photographic record of the building should be carried out prior to demolition and submitted to the Council; this can be secured by condition.

5.31 Environmental Issues

Policy EP1 does not permit development that would unacceptably harm the environment, or the health, safety and amenity of users of the site or surrounding land, as a result of pollution to water, air or soil, or through noise, vibration, light, heat or radiation. These matters are generally covered by normal Environmental Health legislation not controlled by the planning process. Concerns have however been raised by officers about the likely impact for future residents of noise emanating from the traffic using Rodway Hill road. In response, the applicant commissioned a Road Traffic Noise Control Report from an appropriately qualified Acoustic Consultant. The Council's Environmental Health Officer has inspected the report and noted that the report indicates that the site currently falls within category B (PPG24) and therefore recommends an acoustic barrier be erected to the height of 1.8m along the northern and eastern boundary of the site. Officers are satisfied that the proposed mitigation measures should provide the required attenuation to bring the development into PPG24 Category A (Daytime). There are therefore no objections on environmental grounds.

5.32 Drainage Issues

PPG25 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 require that, proposed development ensures that foul and surface water disposal arrangements are acceptable and incorporate sustainable drainage principles. In addition, development will not be permitted where it could increase the risk of flooding. The Council's Drainage Engineer has raised no objections to the principle of the development, which would also be the subject of Building Control.

5.33 Other Issues Raised

Two letters of support for the scheme were received, albeit from residents of Downend who are acquaintances of the applicant. One of the matters raised in support of the proposal was housing need. It is acknowledged that there is a need for new housing in South Gloucestershire and that there is currently a shortfall in allocated housing sites being brought forward within the required Local Plan timescales. Whilst officers acknowledge that this is a material consideration that must be afforded considerable weight, it does not in this case outweigh the harm to landscape character, ecological interests and residential amenity as outlined above.

5.34 Community Services

The proposal is for 4no. houses only and since this falls below the 10 unit threshold for contributions to Community Services, no contributions are requested in this case.

5.35 Education

The proposal falls below the threshold (5no dwellings) for contributions towards Education. It is therefore considered that no contributions to education provision can be justified for this development.

5.36 Affordable Housing

The site area is below 0.5 hectares in area and the proposed number of units (4) is below local and national policy guidance on the threshold for requiring affordable housing (15). There is therefore no requirement for the provision of affordable housing in this case.

5.37 Design and Access Statement

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

6. CONCLUSION

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

6.2 The recommendation to refuse 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 Outline Planning Permission be REFUSED for the following reasons:

Background Papers **PK07/1906/O**

Contact Officer: **Roger Hemming**
Tel. No. **01454 863537**

REFUSAL REASONS

1. The proposed development, by reason of its intense urban character and layout, if allowed would adversely affect the contribution that the application site makes to the quality, character, amenity and distinctiveness of the locality and landscape, which would be contrary to Policies L1 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.
2. The proposed development would result in loss or damage to an area of land designated as the Rodway Common Site of Nature Conservation Interest (SNCI), further, there are no mitigating measures proposed. The proposed would be contrary to Policy L8 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.
3. The proposal represents an over-development of the site, which results in inadequate usable private amenity space, which would be to the detriment of the residential amenity of future occupants of the proposed family sized dwellings. The proposal would therefore be contrary to PPS3 - Housing, and Policies H2, H4 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.: PK07/2727/F
Site: 19 Cleeve Lawns Downend BRISTOL
 South Gloucestershire BS16 6HH

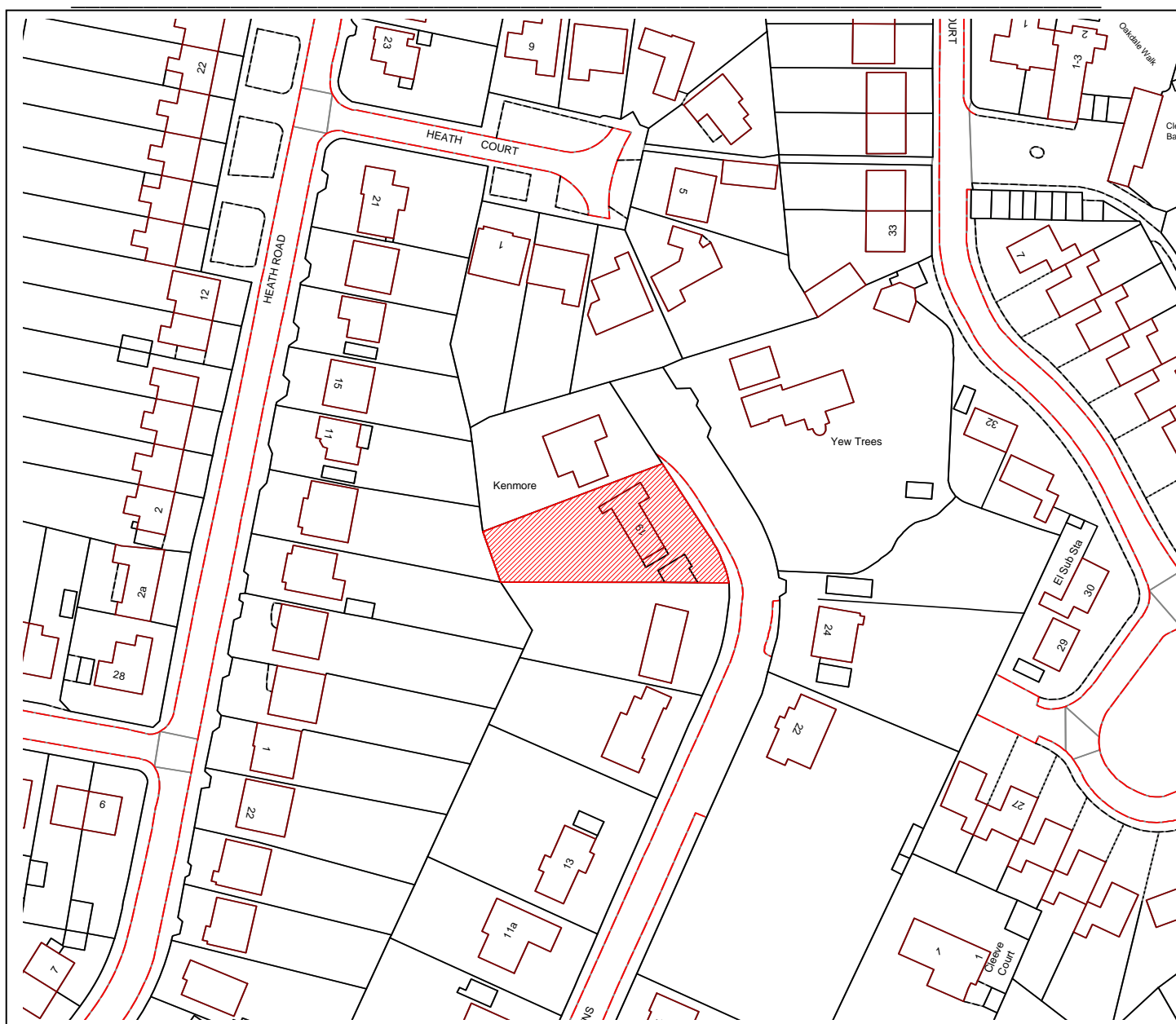
Applicant: Mr & Mrs J Honey
Date Reg: 6th September 2007

Proposal: Erection of two storey and single storey side and single storey rear extensions to provide double garage and additional living accomodation. Erection of front porch.(Resubmission of PK07/1757/F)

Parish: Downend and Bromley Heath

Map Ref: 64927 77356

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

PK07/2727/F

INTRODUCTION

This application appears on the Circulated Schedule as a result of consultation responses received.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a two storey extension to provide additional living accommodation with garage at ground floor level, and a further single storey side extension to provide a further garage, essentially creating a double garage, the proposal also incorporates a single storey rear extension along the full extent of the rear elevation of the property and a porch to the front of the property.
- 1.2 The property itself is a detached dwelling house set in a large private curtilage.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1757/F – Erection of two storey side and single storey rear extensions to provide garage and additional living accommodation. Erection of front porch. Withdrawn 17 July 2007.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Local Residents
Two letters of objection have been received. The first raises concerns over existing inadequate drainage of Cleeve Lawns itself, impact of the extension upon sewerage, the submitted plans showing an office, and the potential for

obstructing the road. The second concurs with this and raises concern over the nature of the proposed design.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development at this location whilst extensive in what it is seeking to provide can be considered acceptable in principle and in accordance with the relevant policies of the Development Plan, as referred to in the Policy section above, subject to meeting acceptable standards of design and preservation of reasonable residential amenity.

5.2 Residential Amenity

A previous application for this site sought permission for a double gabled extension on the southern end of the house. Officers raised concern over the two storey element of the proposal in relatively close proximity to the neighbouring curtilage and the overbearing impact this may have. The application was subsequently withdrawn. The current application seeks to address these previous concerns. To the southern part of the house a single gabled extension is now proposed, this time accompanied by an attached single storey garage. This has reduced the scale and bulk of development near to the shared boundary. In addition to this the existing single detached garage which is also located very near to the shared boundary on the southern area would be removed and replaced by the proposed single attached garage, thus further reducing development bulk on or near to the boundary, the proposal retains all of the other elements included in the previous proposal. The proposal is not considered to significantly impact upon the residential amenity of the neighbouring property in this direction. There are not considered to be any overbearing impact or issues of overlooking associated with any other neighbouring properties.

It is not considered that the proposed front porch or single storey rear extension would impact upon other properties within the vicinity.

5.3 Design

The design represents a significant improvement upon the previous application and offers an elementary of symmetry to the property as a whole by mirroring the single gable at the northern part of the dwelling. Whilst the proposals appear extensive, the scale, design and materials to be used are not unacceptable and adequately integrate with the existing property. The proposed materials used would match those of the existing dwelling.

5.4 Parking

Whilst the existing single detached garage would be demolished, the proposal incorporates two garage spaces, in addition to the off-street area available to the front, parking provision is considered adequate at this location.

5.5 Other Residential Concerns

Concerns over drainage have been received by local residents. Drainage requirements are met by other legislation that ensures that drainage from one landowner would not materially impact neighbouring properties. The extension would in any case utilise the existing drainage infrastructure of the property. The issue of the drainage of the unadopted road is not associated with this application.

If the development is within 3 metres of an existing public sewer, then the sewerage authority would need to formally agree any works to their satisfaction before any development could take place, therefore protecting the integrity of the sewer system.

Reference is also made to one of the proposed rooms being labelled as an office. Any consent approved does not give permission for the wholesale change of use of the premises for business use, however the designation of one of the proposed rooms as an 'office' for personal use would not in its own right require planning permission.

In response to the concerns over the blocking of the road and the 'turning circle' it provides, any consent given would not give permission to operate on land not within the applicant's control.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission is granted.

Background Papers **PK07/2727/F**

Contact Officer: **Simon Ford**
Tel. No. **01454 863714**

CONDITIONS

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

Reason:

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

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

Reason:

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

3. 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.

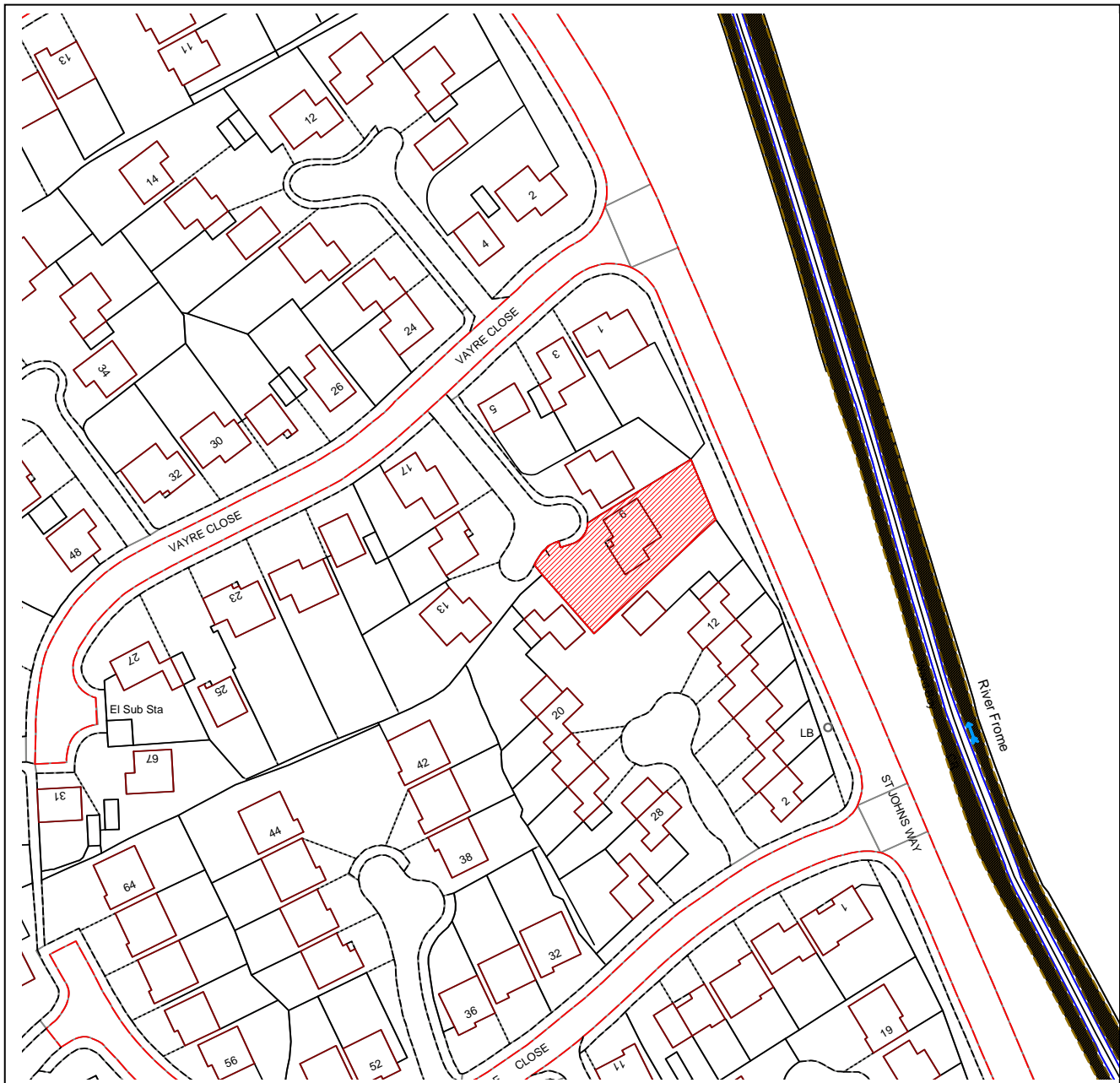
Reason:

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. 42/07 – 19 OCTOBER 2007

App No.: PK07/2764/F
Site: 9 Vayre Close Chipping Sodbury
 BRISTOL South Gloucestershire BS37
 6NT
Proposal: Erection of detached double garage.
Map Ref: 73407 82472

Applicant: Mrs C Graham
Date Reg: 10th September
 2007
Parish: Sodbury Town
 Council
Ward: Chipping Sodbury



© 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

PK07/2764/F

INTRODUCTION

This application appears on the Circulated Schedule as a result of consultation responses received.

1. THE PROPOSAL

- 1.1 The application seeks permission for a detached double garage within the front curtilage of the property. This would facilitate the replacement of the existing attached double garage which the applicants would convert to additional living accommodation.
- 1.2 The property itself is a detached dwelling house set on a cul-de-sac containing properties of similar scale and design.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 P86/2827 – Conversion of existing garage into lounge and erection of single storey side extension to form additional garage. Approved 21 January 1987.
- 3.2 P91/2438 – Erection of detached double garage, erection of porch and construction of pergola. Approved 27 October 1991.

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
No objection
- 4.2 Other Consultees
No comments received

Other Representations

- 4.3 Local Residents
One letter of objection has been received. The letter raises concerns over the height and proximity of the proposal and the impact this would have on the view and openness to their side door.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The proposal for the development of a detached double garage at this location is considered acceptable in principle and in accordance with the relevant policies of the Development Plan, as referred to in the Policy section above.

5.2 Residential Amenity

The proposed garage would be located on part of the existing driveway area to the front of the house. This would be in the vicinity of the side of a house located on an adjacent cul-de-sac. Between the two properties is a fence to approximately 1.8 metres in height, beyond which is an access path along the side of the neighbouring house to a side door. The side wall of the proposed garage would be between 1.1 metres and 70cm from this shared boundary, beyond which is the side path of the neighbouring house. The height of the wall on the elevation facing the neighbouring property would be 2.5 metres. It is also noted that a similar proposal, incorporating a detached double garage at this location was previously approved. It is not considered that a significant impact to residential amenity could be demonstrated on the basis of impact to a side door to an adjacent dwelling, this side door already immediately opens out onto the boundary fence. It is also not considered that the first floor window in this side elevation would be unduly affected by the single storey structure. Taking these details into account, it is not considered that any unreasonable impact would accrue in terms of overbearing impact sufficient to warrant a refusal. The proposal would therefore be of an acceptable scale and design for this location.

5.3 Design

The design, scale and materials to be used are considered to be an acceptable form of development at this location and would be in keeping with the existing property. The proposed materials used would be matching those of the main property.

5.4 Parking Provision

Sufficient off-street parking provision, in accordance with Council requirements, would remain under the terms of this application. Whilst the existing double garage would be converted into additional living accommodation a further double garage would be provided and the significant driveway provision, including turning space, would remain.

5.5 Section 106 Requirements

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

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

7.1 That planning permission is granted.

Background Papers **PK07/2764/F**

Contact Officer: **Simon Ford**
Tel. No. **01454 863714**

CONDITIONS

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

Reason:

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

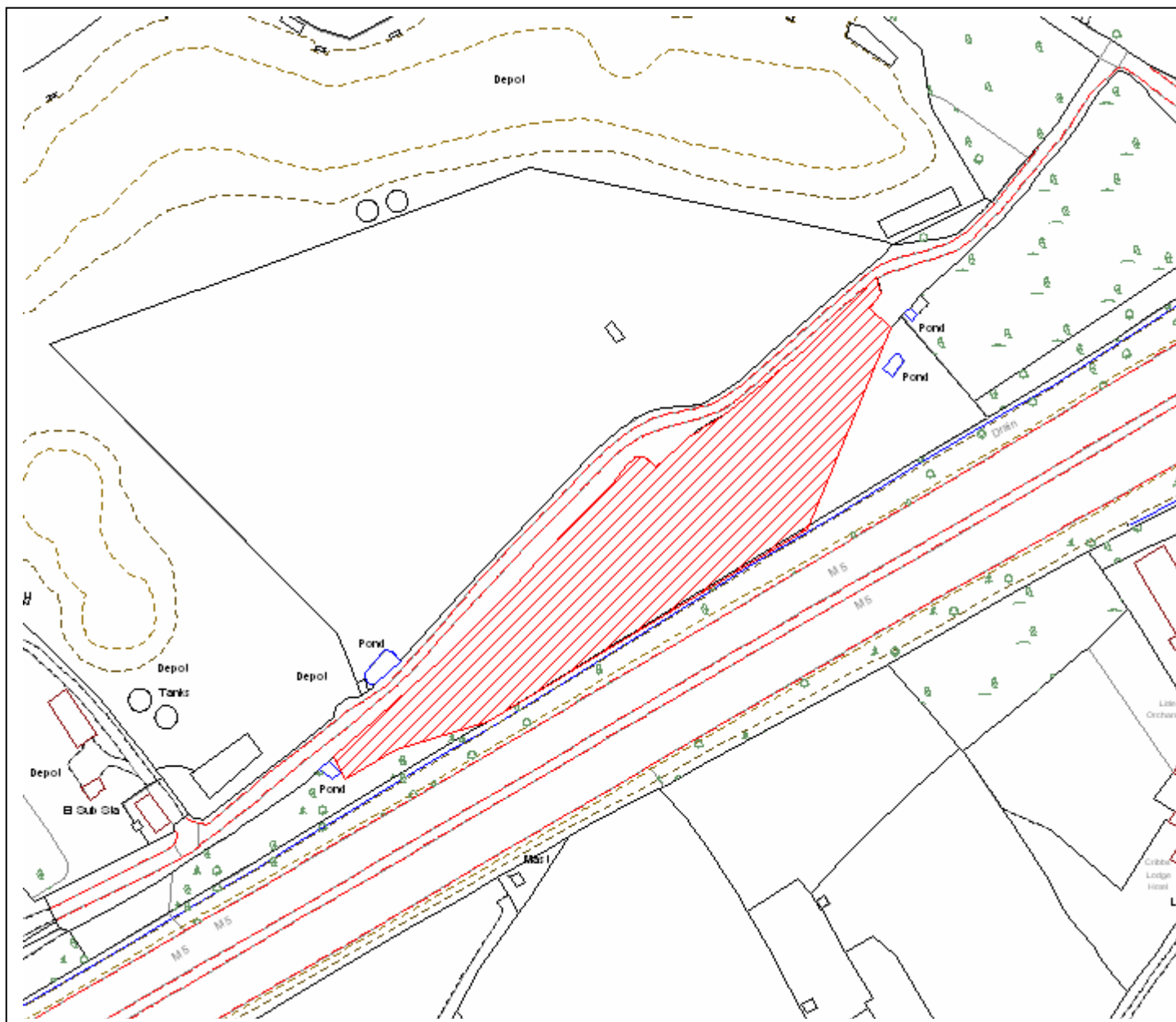
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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. 42/07 – 19 OCTOBER 2007

App No.:	PT07/1884/F	Applicant:	Mr Price
Site:	Land off M5 Sacombe Lane Cribbs Causeway South Gloucestershire	Date Reg:	21st June 2007
Proposal:	Use of land for the siting of 20 no. transit pitches for gypsy use, siting of 1no. mobile home, 1no. touring caravan and erection of amenity building.	Parish:	Almondsbury Parish Council
Map Ref:	57167 81026	Ward:	Almondsbury



© 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

PT07/1884/F

INTRODUCTION

This Application Appears on the Circulated Schedule as it is a major application.

1. THE PROPOSAL

- 1.1 The site consists of approximately 11,000 sq metres of land immediately to the North of the M5 Motorway. Access into the site is via a gated access track leading from Hollywood Lane
- 1.2 The submitted application form shows that this application seeks consent for the provision of 20 transit pitches for gypsies and travellers, an ancillary block, mobile home and one touring caravan for a site warden.
- 1.3 Notwithstanding the above, the submitted design and access statement and drawings detail the introduction of 29 transit pitches as opposed to the 20 detailed above. The drawings also show a proposed position for a septic tank.
- 1.4 The site is located within the open green belt.
- 1.5 The applicant has submitted information in support of this application which identifies the national and local need for transit gypsy and traveller sites. This document makes particular reference to Circular 01/06 'Planning for Gypsy and Traveller Caravan Sites; and section 225 of the Housing Act, which collectively acknowledge the need for Local Authorities to provide for Gypsy and Traveller Sites
- 1.6 The applicant points out that in the case of South Gloucestershire there is not sufficient identified sites to cater for demand. The lack of available sites and the pressure of convictions has left gypsies with no choice other than to occupy land without planning permission. The development of this site to provide transit gypsy and traveller accommodation will go toward overcoming this problem and should be supported. In addressing this proposal, the Local Planning Authority should consider the location of the site which is next to the development at Cribbs Causeway and next to a major motorway, and in this sense the application site is 'as good as anywhere'. In addition, it is argued that the provision of a site within the urban area would lead to a campaign of objections from local residents and/or the site would be located on undesirable land such as an old rubbish tip. The applicant also maintains that the previous concerns expressed by the planning inspector at the previous appeal (assumed to be referring to APP/P0119/A/00/1043177) over access can now be overcome.
- 1.7 The applicant has not sought to identify what are the very special circumstances by which the harm to the openness of the Green Belt is outweighed. However, this site has been the subject of two planning appeals (APP/G0120/A/92/199234 and APP/P0119/A/00/1043177) which specifically address this issue. This is discussed within the analysis of the application below.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

PPG2	Green Belts
PPG3	Housing
PPS7	Sustainable Development in Rural Areas
PPG13	Transport
PPS23	Planning and Pollution Control
PPG24	Planning and Noise
PPS25	Flood Risk

Development Plans

2.2 Adopted Joint Replacement Structure Plan Policy 16 Green Belt

2.3 South Gloucestershire Local Plan (Adopted) January 2006

GB1	Development within the Green Belt
H12	Sites for Gypsies (subject to High Court Challenge)
H3	Residential development in the Countryside
D1	Design
L1	Landscape
EP1	Environmental Pollution
EP2	Flood risk and development
EP4	Noise sensitive development
EP9	Development in the Vicinity of Safety Hazards
T8	Car parking
T12	Transportation
LC12	Recreations routes

2.4 Supplementary Planning Guidance Landscape Character Assessment SPD – Severn Ridges (Area 18)

2.5 Government Circulars

01/2006	Planning for Gypsy and Traveller Caravan Site
18/94	Gypsy Sites Policy
3/99	Non-mains drainage
11/05	The Town and Country Planning (Green Belt) Direction 2005

3. RELEVANT PLANNING HISTORY

- 3.1 P90/2376 Use of approximately 43 acres of land for residential gypsy caravan site comprising 25 residential pitches and day rooms, 25 working areas, 1 warden's pitch and 35 transit pitches
Refused
- 3.2 P91/1980 Use of land as residential gypsy caravan site comprising 23 residential pitches and car park. Construction of access road.
Refused and Appeal Dismissed
- 3.3 P99/2520 Use of land for siting of 10 Caravans for gypsy families. Construction of hard standing and access and installation of septic tank.
Refused and Appeal Dismissed

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

The Parish Council object to the proposed development for the following reasons;

- The site is located within the Green Belt and the development is inappropriate as Spaniorum Hill has conservation interest
- The site is very close to the extremely busy M5 and there are several Health and Safety Issues
- The MOD's fuel storage tanks and pipelines. The HSE advises against planning permission and evidence is held that indicates the close proximity of the site to the Petroleum Storage Depot would cause a risk to the health of any resident whether temporary or permanent.
- Fume and noise pollution from the motorway
- Straying animals onto the motorway
- Increased litter finding its way onto the motorway. The area already suffers from fly-tipping
- Unsightly view from the motorway
- The site can become water-logged
- The development will increase the level of traffic which will have an impact upon the Cribbs Causeway Area which is already under pressure at peak times
- The highway network is inadequate for the type and volume of traffic proposed
- There are already a number of existing gypsy sites located within Almondsbury Parish and the neighbouring Parishes. Although there is not a transit site in the Parish, there is one less than 5 miles away within the boundary of Bristol City Council. That site is infrequently used and has been the vandalised on numerous occasions
- The previous planning application on this site was refused at appeal as the development was not considered to be appropriate development within the Green Belt. The Parish Council believe that there are no significant changes since that decision
- The Parish Council believe that the granting of this planning permission would have a detrimental impact upon the daily lives of local residents; and wish to support the parishioners in strongly objecting to this application.

4.2 Sustainable Transport

Due to the lack of supporting information to enable the application to be fully assessed and as no mitigation works have been proposed as part of this application it is assumed that none are proposed and that the current geometry and visibility of Sacombe Lane and the junction with Hollywood Lane are to remain as present. This will lead to unacceptable highway safety conflicts

created by the substandard road widths and inappropriate geometry and visibility at the junction with Hollywood lane. This is contrary to policy T12 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4.3 The Environment Agency

Object on the basis that no Flood Risk Assessment (FRA) has been submitted.

4.4 The Highways Agency

Raise no objection

4.5 The Health and Safety Executive

There are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case.

4.6 Oil Pipeline Agency

Acting as Agents for the Ministry of Defence, the Agency strongly oppose this application on the basis that it will not be in the interest of the health and safety of the proposed residents living in close proximity to a petroleum storage depot.

4.7 Local Residents

89 sets of comments have been received during the course of this assessment. The comments raise objection to the proposed development. The reasons for objection can be summarised as follows;

The site is located within the Bath and Bristol Green Belt and is not appropriate development within the Green Belt.

The site is located close to junction 17 of the M5 motorway and the access to Hollywood Mansion and as such the access is inadequate to cope with the volume of traffic proposed

The site is located in close proximity to a known hazardous substance (Petroleum) storage.

The site will suffer from detrimental levels of noise from the M5 Motorway and Filton Airfield

The site will suffer from high levels of airborne pollution from the M5 Motorway

There are already sufficient transient sites in close proximity which are under-used.

There are already significant numbers of existing gypsy sites within four to five miles of this site.

There will not be any reasonable way of policing the short term occupancy requirements of the proposal

The development would encourage the unauthorised use of neighbouring private land

The development will have a detrimental impact

There is a fear of increased levels of crime and anti-social behaviour in the locality

4.8 The Ramblers Association

Object as the development will deter walkers from using the nearby Public Right of Way (OAY 95)

5. **ANALYSIS OF PROPOSAL**

5.1 The proposed development consists of the introduction of a transit site for gypsies and travellers.

5.2 Principle of Development

Policy H12 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this planning application. The Policy states that the use of land for the stationing of residential caravans occupied by gypsies shall be permitted provided the proposal complies with criteria:

- a Development would not have unacceptable environmental effects.
- b The land is not the subject of unacceptable levels of noise disturbance, air pollution etc.
- c The proposal would not unacceptably prejudice the amenities of neighbouring residential occupiers.
- d Adequate provision is made for vehicular access, parking and manoeuvring.
- e Preferably sites should be within a reasonable distance of local services and facilities.

Policy H12 goes on to state that Gypsy sites will not normally be appropriate within the green belt except in very special circumstances. Policy H12 is currently subject to a High Court challenge, the decision on which is awaited. These issues are addressed below.

5.3 Green Belt Considerations

The site is located within the Green Belt where Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPG2 effectively preclude this type of development taking place within the Green Belt, unless very special circumstances can be shown. Policy H12 is supportive of this approach.

5.4 However, in this instance, the site has been subject to two planning appeals (APP/G0120/A/92/199234 and APP/P0119/A/00/1043177). These relate to planning applications P91/1980 (23 pitches) and P99/2520 (10 pitches) respectively. In the case of both of these appeals, the planning inspector resolved that the need for transit gypsy and traveller sites in South Gloucestershire was sufficient to out-weigh the harm to the openness of the Green Belt. It is considered that these decisions are of significant weight in assessing this submission.

5.5 Since the above decisions were made, South Gloucestershire Council has been directed by the Secretary Of State (SoS) to amend its Local Development Scheme to include a Gypsy & Traveller Development Plan Document (DPD). The Secretary State, via the formal Direction, is explicit in stating that there is a clear and immediate need to bring forward a specific Gypsy and Traveller DPD containing site allocations. That need, in the opinion of the Secretary of State,

is evidenced by a continuing presence of significant numbers of caravans on unauthorised developments and encampments over an extended period of time. The Secretary of State regards the numbers of caravans on unauthorised developments as a particularly significant indicator of continuing and relatively constant and high levels of unmet need. At the Cabinet Meeting on 8th January 2007 it was resolved to undertake the DPD to a timetable that has a proposed adoption date of December 2010.

- 5.6 Also of particular importance is circ.01/2006 (Planning for Gypsy and Traveller Caravan Sites) that has been issued since the local plan was adopted, and since the above appeal decisions were made. Circ.01/2006 states:

45. ... Circular 11/95, *The Use of Conditions in Planning Permission*. Paragraph 110 advises that a temporary permission may be justified where it is expected that the planning circumstances will change in a particular way at the end of the period of the temporary permission. Where there is unmet need but no available alternative gypsy and traveler site provision in an area but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area which will meet that need, local planning authorities should give consideration to granting a temporary permission.

46. Such circumstances may arise, for example, in a case where a local planning authority is preparing its site allocations DPD. In such circumstances, local planning authorities are expected to give substantial weight to the unmet need in considering whether a temporary planning permission is justified. The fact that temporary permission has been granted on this basis should not be regarded as setting a precedent for the determination of any future applications for full permission for use of the land as a caravan site. In some cases, it may not be reasonable to impose certain conditions on a temporary permission such as those that require significant capital outlay.

- 5.7 On the face of it, officers consider that this application is clearly one where, having regard to guidance in Circ. 01/2006, a temporary planning permission should be considered, and that there exists sufficient very special circumstances, on the grounds of unmet need, to outweigh the normal presumption against inappropriate development in the Green Belt.

- 5.8 Notwithstanding the above, there are constraints relating to this site that raise considerable doubt regarding its suitability for a transit gypsy and traveller site, whether temporary or not. This issue is raised below.

5.9 Proximity to Hazardous Storage Installation.

The application site is adjacent to a Fuel Storage Depot associated with the Ministry of Defence; and the Wales and West Gas Pipeline. The site falls under the 'Control of Major Accident Hazards regulations (COMAH). This is the highest level in terms of designated safety hazards. The application site falls within the area of highest risk identified by the Health and Safety Executive (HSE).

- 5.10 Policy EP9 is relevant in this instance. The policy indicates that occupied development will not be permitted close to premises where the materials stored or activities carried out could cause serious danger to public health.
- 5.11 In this instance the HSE has advised that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case. On the basis of the above it is not considered prudent to encourage the residential occupation of the site given that there is a risk, albeit very small, of a major accident in very close proximity to the site. For this reason officers consider that although there is a need for transit provision, the overriding concern has to be the welfare of the potential occupants of the site and that the site is not suitable for any form of residential occupation, even on a temporary basis.
- 5.12 Noise and Airborne Pollution
The site is located in very close proximity to the M5 Motorway which is a source of air and noise pollution. As such Policies EP1 and EP4 are relevant to this planning application. At the previous planning appeal (APP/P0199/A/00/1043177), the planning inspector did not apply any objection to the use of the site for a transit site in Noise and Airborne pollution terms. However, that decision was made 7 years ago and it is reasonable to assume that there will be changes in the levels of traffic and pollution affecting the site. For this reason it is considered appropriate that this issue be re-addressed.
- 5.13 In relation to noise the Councils Environmental Health Officer has advised that it is likely that Noise levels at the site will fall into Noise Category D as identified in PPG24. Although, local residents have submitted comprehensive noise assessment data it is the responsibility of the developer to submit noise data and appropriate mitigation in support of development. In this instance, given that there is a fundamental objection to the development such information has not been requested in order to avoid unreasonable abortive costs to the developer. However, without this information, an adequate assessment in relation to noise cannot be carried out and the proposal falls to be contrary to policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.14 In relation to airborne pollution the Councils Environmental Health Officer has advised that it is likely that pollution levels are likely to be high and that the development itself would result in the designation of all or part of the site as an Air Quality Management Area (AQMA) in accordance with PPS23. If this becomes the case the Local Authority will be required to implement an action plan to improve air quality within the site. In practice the EHO advise that inadequate improvements could be achieved. Nonetheless it is with the developer to identify the current levels of airborne pollution within the site. Again, given that there is a fundamental objection to the development such information has not been requested in order to avoid unreasonable abortive costs to the developer. However, without this information, an adequate assessment in relation to airborne pollution cannot be carried out and the proposal falls to be contrary to policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.15 Flood Risk
Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not be at risk of flooding and would not itself generate a risk of flooding elsewhere.

- 5.16 In this instance, the development requires a Flood Risk Assessment on the basis that the site exceed 1 hectare. Accordingly the Environment Agency have objected to the proposed development. However, Wessex Water have indicated that there is adequate drainage to serve the site, although a water supply will have to be pumped to the site from the nearest connection.
- 5.17 Although the site is large the scale of the proposed development is relatively modest and would not necessarily have a detrimental impact upon flood risk in areas surrounding the site. On the basis that it is likely that a connection can be made to existing drainage systems, it is considered that an appropriately worded condition is sufficient to address this issue. A refusal reason relating to flood risk cannot therefore be sustained.
- 5.18 Transportation
The site has been the subject of a planning appeal (APP/G0120/A/92/199234) in the past where the previous inspector dismissed the appeal because it would have resulted “in highway dangers at the junction of Sacombe Lane and Hollywood Lane” this was then determined by the Secretary of State who agreed with the Planning Inspector and stated that “the sub-standard visibility at the junction of Sacombe Lane and Hollywood Lane would be severely detrimental to highway safety”. The later appeal (APP/P0119/A/00/1043177) was also dismissed on a very similar basis.
- 5.19 It is likely that the use of Hollywood Lane to access the wider highway network will increase. This is likely to increase the potential for conflicts to occur via the existing substandard access.
- 5.20 As part of the application the applicant has included very limited details of the internal site manoeuvring, but not the how an modified junction with Hollywood Lane would be implemented and how the impact of the development on Sacombe Lane and Hollywood Lane will be addressed. Along Sacombe Lane runs a PROW which will be affected by the proposal, mitigation in relation to this has not been submitted for consideration. The applicant has not indicated number and type of vehicle movements, nor has vehicle tracking data to indicate that vehicles can safely access and egress the site.
- 5.21 Due to the lack of supporting information to enable the application to be fully assessed and as no mitigation works have been proposed as part of this application it is assumed that none are proposed and that the current geometry and visibility of Sacombe Lane and the junction with Hollywood Lane are to remain as present. This will lead to unacceptable highway safety conflicts created by the substandard road widths and inappropriate geometry and visibility at the junction with Hollywood lane. This is contrary to policy T12, LC12 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.22 Detail
Conflicting information regarding the number of transit pitches has been submitted. The application form details 20 pitches and forms the basis of the description of this development. However, the submitted drawings and Design and Access Statement detail 29 transit pitches. It is considered that the difference in the number of pitches is material in considering the impact of the development in visual and landscape terms. Despite seeking clarification from the applicant confirmation of the intended number has not be given.

- 5.23 Similarly, the level of information provided with submission is very limited and is not sufficient to adequately address the impact of the proposed development in visual and landscape terms. Again, additional information has been requested but has not been provided.
- 5.24 For the above reasons, it is considered that the conflicting and inadequate detail submitted with this application is such that a full and proper assessment of the development in visual and landscape terms cannot be carried out. As such it is considered that the development is contrary to Policy L1, D1 and H12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.25 The Human Rights Act
The Human Rights Act 1998 came into force in October 2000. Section 6 of the Act makes it unlawful for a public authority to act in such a way that is incompatible with a convention right, unless it is required to act in such a way by legislation. Article 8 of the Convention is particularly relevant in the determination of this application. This right relates to an individuals right to respect for his private and family life, his home and his correspondence. Both the European and domestic court has held that occupation of caravans by gypsy families forms an integral part of their ethnic identity. The refusal of planning permission may constitute an interference with convention rights. However, the refusal of planning permission in this case only relates to new development where there is not currently any occupation in line with the proposed development. The recommendation to refuse planning permission for this reason does not imply unreasonable interference with Human Rights.
- 5.26 Attention is also drawn to Article 2 that refers to the right to a proper education. This is particularly of relevance to children of compulsory school attendance age. There is no evidence to suggest that a right to a proper education and access to appropriate education would be prejudiced by refusal of planning permission for the recommended reason.
- 5.27 It is considered that there is no transgressions of rights under Article 14 of the convention; refusal of planning consent does not involve discrimination against the applicant. Likewise, it is not considered that there exists conflict with the Race Relations Act 1976 and Race Relations Amendment Act 2000.
- 5.28 Design and Access Statement
The Design and Access Statement submitted with this application is not considered to demonstrate that the applicant has adopted a design approach that is consistent with the Councils Design Checklist Supplementary Planning Document (Adopted)

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission be refused for the following reasons.

Background Papers **PT07/1884/F**

Contact Officer: **Simon Penketh**

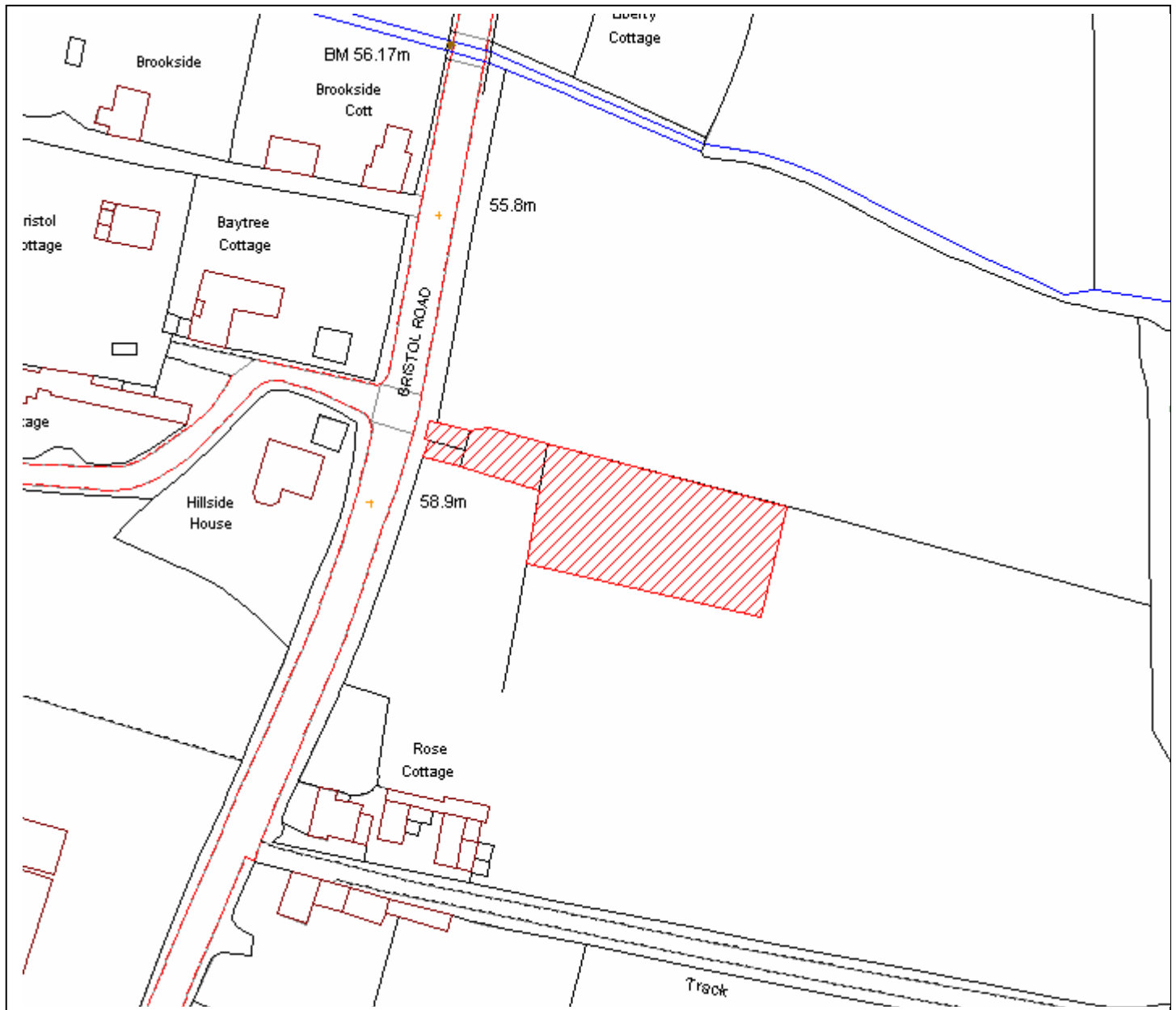
Tel. No. **01454 863433**

REFUSAL REASONS

1. The site which is subject to this planning application is adjacent to a known environmental hazard (fuel storage) and as such falls under COMAH regulations. Given the nature of the proposed development in relation to the proximity and nature of stored hazardous materials could cause serious danger to the health and safety of the future occupants of the development. As such the proposed development is contrary to Policy EP9 and H12 of the South Gloucestershire Local Plan (Adopted) January 2006.
2. Insufficient information has been provided to enable an accurate assessment of the working of the junction of the development with Hollywood Lane and the impact of the proposed development upon the safety and movement of traffic using Hollywood Lane and the surrounding highway network. As such the proposed development is contrary to Policy T12 and H12 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. Insufficient information has been provided to enable an assessment of the impact of Noise from the M5 Motorway upon the amenity of the site and the future occupants of the development. As such the proposed development is contrary to policy EP4 and H12 of the South Gloucestershire Local Plan (Adopted) January 2006; and PPG24
4. Insufficient information has been provided to enable an assessment of the impact of airborne pollution from the M5 Motorway upon the amenity of the site and the future occupants of the development. As such the proposed development is contrary to policy EP1 and H12 of the South Gloucestershire Local Plan (Adopted) January 2006; and PPS23
5. The information submitted with this application shows conflicting detail with respect to the number of transit pitches proposed to be implemented; and does not provide sufficient detail by which to assess the visual and landscape impact of the proposed development. The proposed development is therefore contrary to policy D1, L1 and H12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2357/F	Applicant:	Mr & Mrs K Jackson
Site:	Rose Cottage Heathend South Gloucestershire GL12 8AX	Date Reg:	1st August 2007
Proposal:	Erection of agricultural building for the storage of equipment and livestock.	Parish:	Cromhall Parish Council
Map Ref:	69760 89427	Ward:	Charfield



© 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

PT07/2357/F

INTRODUCTION

This application has been placed on the Circulated schedule as objections have been received from Cromhall Parish Council,

1. THE PROPOSAL

- 1.1 This full application relates to the erection of agricultural building to store agricultural machinery, hay and livestock at land to the North of Rose Cottage Heathend.
- 1.2 The proposed building is “U shaped” and measures a maximum of 18.3m in width, 30m in length and has a ridge height of 4m. It lies within the open countryside and benefits from an existing vehicular agricultural access. The rear and side of the site is screened by a 2m hedgerow.
- 1.3 In support of the application the applicants have confirmed that there are no alternative building available which could be used, and that the proposed livestock is only intended to allow the property to be self sufficient. In addition, all of the present agricultural machinery is parked outside and as such is exposed to the weather.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS7 Sustainable Development in Rural Areas
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
E9 Agricultural Development
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Cromhall Parish Council
Object to the proposal for the following reasons...
 - 1, Building is in open countryside
 - 2, The access is dangerous
 - 3, The building seems overly large for the size of unit
- 4.2 Sustainable Transport
No objection, Subject to appropriate conditions on use of building, and gates on the access.

- 4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies within the open countryside. Advice contained within PPS7 specifically relates to the erection of agricultural buildings and this advice is reflected in Policy E9 of the South Gloucestershire Local Plan (Adopted) January 2006. This policy allows for the erection of agricultural buildings subject to the following criteria:-

A. They are sited on land which is in use for agricultural purposes and there are no existing underused buildings available;

The proposed building is located on an agricultural field. The applicant's have confirmed that there is inadequate storage at present and no appropriate underused buildings are available for the purpose proposed. As such the proposal complies within this criterion.

B. Adequate provision is made for access and manoeuvring of machinery and livestock to avoid the perpetuation, intensification or creation of a traffic hazard;

The proposal does not alter or affect any existing vehicular access. The site is also set back well away from the main road and is adequately serviced by the existing access.

C. Development would not have unacceptable environmental effects;

No comment has been raised to the proposal from the Council's Environmental Services. It is considered the proposal accords with this criterion.

D. The proposal would not prejudice the amenities of people residing in the area.

The nearest property to the application site is that of Hillside cottage which is, located over 70m away and is to the other side of the main road. This is considered to be of sufficient distance,. As such the proposal will not be detrimental to the amenities of nearby occupiers and accords with the above adopted policy in its entirety.

5.2 Landscaping Issues

In assessing applications for agricultural buildings, particular attention should be paid to the siting, size, massing, form, materials and design of any new farm buildings in order to minimise any adverse effect on the landscape.

- 5.3 The applicant's have submitted justification as to the reasoning behind the size and location of the proposed building, which is to be sited some 35m from the Bristol Road, behind an existing hedge, which is also set back from the road. It utilises the existing field access and hardstanding. The proposal will be located within the open countryside which consists of medium sized irregular shaped fields with substantial well maintained hedgerows. The area has a level topography and at 4m high the building will be a prominent feature within the landscape. However, from the submitted supporting information it is clear that

such a building of the size proposed is required. It is also well related to the existing farm which is opposite the site. Therefore, subject to a landscaping scheme and confirmation of an appropriate colour for the building, it is considered that the proposal can be satisfactorily integrated within the landscape. The proposal is therefore acceptable in landscaping terms.

5.4 Design and Access Statement

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

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be granted.

Background Papers **PT07/2357/F**

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

CONDITIONS

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

Reason(s):

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

2. No 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(s):

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

3. The development hereby permitted shall not be occupied or the use commenced before any gates to the vehicular access are set back a distance of 9 metres, measured from the nearest edge of the carriageway to which access is obtained. Such gates shall be capable of opening only in a direction away from the carriageway.

Reason(s):

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

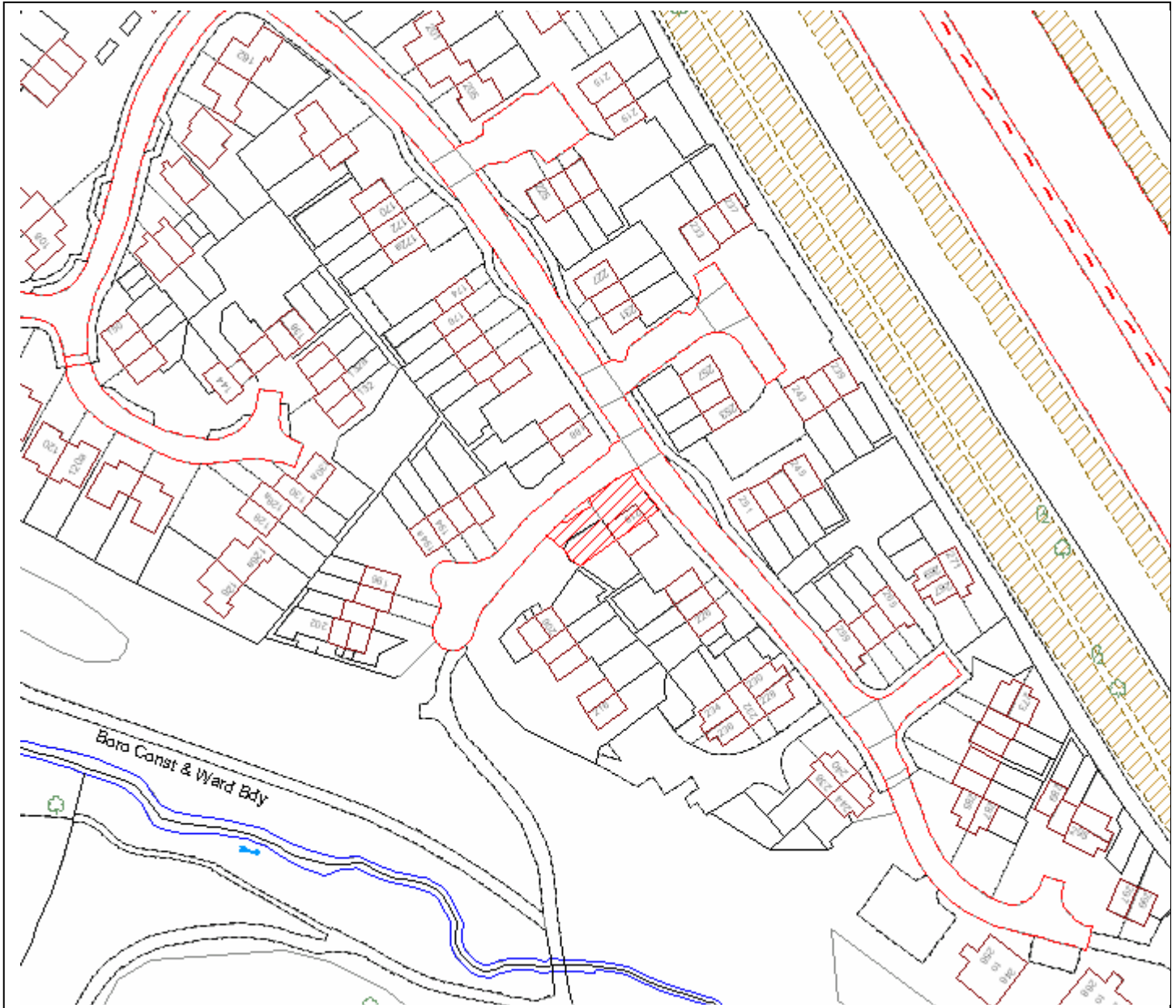
4. No development shall take place until details/samples/colours of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2680/F	Applicant:	Mr C P Barnes
Site:	218 Ormonds Close Bradley Stoke South Gloucestershire BS32 0DZ	Date Reg:	30th August 2007
Proposal:	Erection of 1 no. dwelling with associated works.	Parish:	Bradley Stoke Town Council
Map Ref:	62457 82322	Ward:	Bradley Stoke North



© 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

PT07/2680/F

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two-storey attached dwelling.
- 1.2 The application site comprises an existing two-storey semi-detached dwelling on the west side of Ormonds Close, Bradley Stoke.
- 1.3 Corrected plans form part of the application with the block plans originally shown at an incorrect scale.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	Proposals for New Residential Development
H4	Development within Residential Curtilages
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Urban Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 P84/0020/1: Residential, shopping and employment development. Permitted: 3 December 1986

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

No objection

4.2 Other Consultees

Environmental Services: no adverse comments

Technical Services (drainage): no objections in principle

4.3 Sustainable Transport

Highways DC: no objection subject to the following conditions:

- o Plans showing a parking area measuring a minimum of 2.4m x 4.8m shall be submitted and approved in writing before development is commenced. This area shall be kept clear of obstruction and used for no other purpose;
- o A contribution of £1800 is required to offset the incremental damage caused to the oversubscribed Bristol Fringe highway network.

Other Representations

- 4.4 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning policies H2 & H4 of the South Gloucestershire Local Plan allow for the principle of new residential development subject to considerations of design, residential amenity and highway safety. Further, planning policy H2 states that the maximum density compatible with the site and location should be achieved whilst policy H4 states that sufficient garden space should be retained for the existing dwelling and provided for any new property.

5.2 Design/ Visual Amenity

The application site forms a semi-detached dwelling on the west side of The Culvert, Bradley Stoke. The property occupies a corner position with a short cul-de-sac adjoining its north flank boundary. Planning approval is sought for a two-storey attached dwelling which would occupy the existing garden land to this side of the host dwelling.

- 5.3 The proposal would replicate the design of the existing dwelling measuring 4m in width and with a ridge height equal to that of the existing. Accommodation would differ slightly providing a kitchen and WC to the front with a lounge/diner at the rear. Two bedrooms would sandwich a central bathroom above.

- 5.4 Although occupying the side garden, the build would remain inset from the carriageway with a narrow strip of garden retained and with the vehicular lay-by behind also maintained. It is therefore considered that there is adequate space to accommodate the build, especially in view of the proximity of surrounding dwellings to the highway. The proposed site also allows sufficient space to replicate the size and design of the host unit thus providing a terrace of three units; similar to those to the north and south of the application site.

- 5.5 In view of the above, the proposal is considered acceptable and in keeping with the general character of the area.

5.6 Density

The proposal would provide a density of development equivalent to 100 units per hectare (approx.). This therefore accords with the expectations of planning policy H2 and thus there is no objection to the proposal on this basis.

5.7 Amenity Space

The existing dwelling would retain a smaller rear garden with the proposal also to benefit from a rear garden. As such, there is no objection to the proposal on this basis with an adequate level of private amenity space provided.

5.8 Residential Amenity

The corner position of the application site ensures that all other neighbouring properties stand at an appreciable distance from the site of the proposal. That closest would comprise a similar two-storey semi-detached dwelling to the far side of the cul-de-sac with its main outlook towards the front and rear and one small side facing window overlooking the application site.

5.9 That to the rear fronts the aforementioned cul-de-sac with its garden area and that providing for the application site providing a large degree of spacing to the proposal. That opposite backs onto Ormonds Close fronting a further cul-de-sac.

5.10 In view of the above, it is not considered that any significant adverse impact in residential amenity would be caused.

5.11 Highway Safety

There is no transportation objection to the proposal given that space would be provided for vehicle parking at the end of the proposed rear garden. A more detailed plan is however required to show a parking area measuring a minimum of 2.4m x 4.8m. Given that it appears that this space can be accommodated, such can be dealt with by means of a condition. This level of provision would comply with the Council's car parking standards which detail that a maximum of 1.5 spaces should be provided for a two bedroom dwelling.

5.12 Further, there is also some concern as to the incremental damage caused to the oversubscribed Bristol north fringe highway network. Therefore, a financial contribution (assessed at £1800 for a single dwelling) is required towards the North Fringe Development (Transport Measures) proposals. This should be secured by means of a S278 agreement prior to the issue of any permission.

5.13 Design and Access Statement

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

5.14 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 Authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant permission subject to conditions set out below and the applicant first voluntarily enter into an agreement under Section 278 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- 7.2 A contribution of £1800 towards the North Fringe Development Proposal (Transport Matters) initiative. The reasons for this agreement are to mitigate against the impact on the Bristol North Fringe local road network to comply with Policy T12.
- 7.3 That the Head of Legal & Democratic Services be authorised to prepare and seal the agreement.
- 7.4 Should the section 278 agreement fail to be determined within one year of this resolution, then the application is refused on the failure to secure the head of term set out in section 1 of the recommendation.

Background Papers **PT07/2680/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

3. 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 and B), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason(s):

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers all to accord with Policy D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development, detailed plans showing the provision of car parking facilities in accordance with the standards set out in Policy 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 with a bound surface for that purpose.

Reason(s):

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

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2692/F	Applicant:	Mr P Archer
Site:	Elm Bank Main Road Easter Compton South Gloucestershire BS35 5RJ	Date Reg:	3rd September 2007
Proposal:	Erection of extension to existing front conservatory and rear extension to form additional living accommodation with balcony and railings.	Parish:	Almondsbury Parish Council
Map Ref:	57411 82197	Ward:	Almondsbury



© 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

PT07/2692/F

INTRODUCTION

This application has been placed on the Circulated Schedule as an objection has been received from a neighbour.

1. THE PROPOSAL

This application seeks planning permission for the erection of a single storey front extension to side conservatory, and a single storey rear extension, with balcony above, this is to provide additional living accommodation.

The property subject to the application is a semi-detached cottage within the established settlement boundary of Easter Compton. The site also lies in area washed over by Green Belt.

Amended plans have been received since the application was first submitted showing solid wooden panels along the length of the balcony in order to protect the privacy of the neighbouring property.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Communities
PPG2 Green Belts

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Residential curtilage
GB1 Green Belt

2.3 Supplementary Planning Document
Design Checklist
Green Belt

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council
No objection

4.2 Local Residents
One letter of objection has been received from a neighbouring property

- Privacy issues from balcony as it will come a metre past the neighbouring property

The letter does confirm that if the application was to be approved then they would like to see a solid screening along the length of the balcony to protect their privacy.

5. ANALYSIS OF PROPOSAL

5.1 Green Belt

PPG2 - Green Belts carries a presumption against 'inappropriate development' within the Green Belt. Inappropriate development is defined in PPG2 as development, which is harmful to the Green Belt. Such development should not be approved except in very special circumstances. PPG2 identifies the extension or alteration of a dwelling, as appropriate development provided that it does not result in a disproportionate addition over and above the size of the original building.

Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to resist inappropriate development within the Green Belt, and to ensure that new development will not have an adverse impact on the visual amenity or compromise the openness of the Green Belt.

It is considered that in this instance due to the small-scale discrete nature of the proposed development when combined with the previous conservatory to the property it will not conflict with the objectives of the Green belt in this location. The design of the proposal is in line with the design of the property and those that surround. The proposal is therefore not seen as being a disproportionate addition to the property. It must also be noted that the site lies within the settlement boundary where there is presumption in allowing development of the type proposed.

5.2 Design / Residential Amenity

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

5.3 Design

It is considered that this proposal in terms of its overall size, design and external appearance is in keeping with the existing property and those that surround it. The proposal will be constructed using materials that match those used in the construction of the main house. Thus ensuring that the proposed development blends in well with the original property.

5.4 Residential Amenity

It is considered that this amended proposal does not impact upon the amenities of any of the adjoining properties. Its size and design ensure that the proposal does not have an overbearing impact on the surrounding properties nor does it result in a impact on their privacy. With the proposed screen the privacy of the neighbouring property will therefore be retained.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the following conditions

Background Papers **PT07/2692/F**

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

CONDITIONS

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

Reason(s):

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

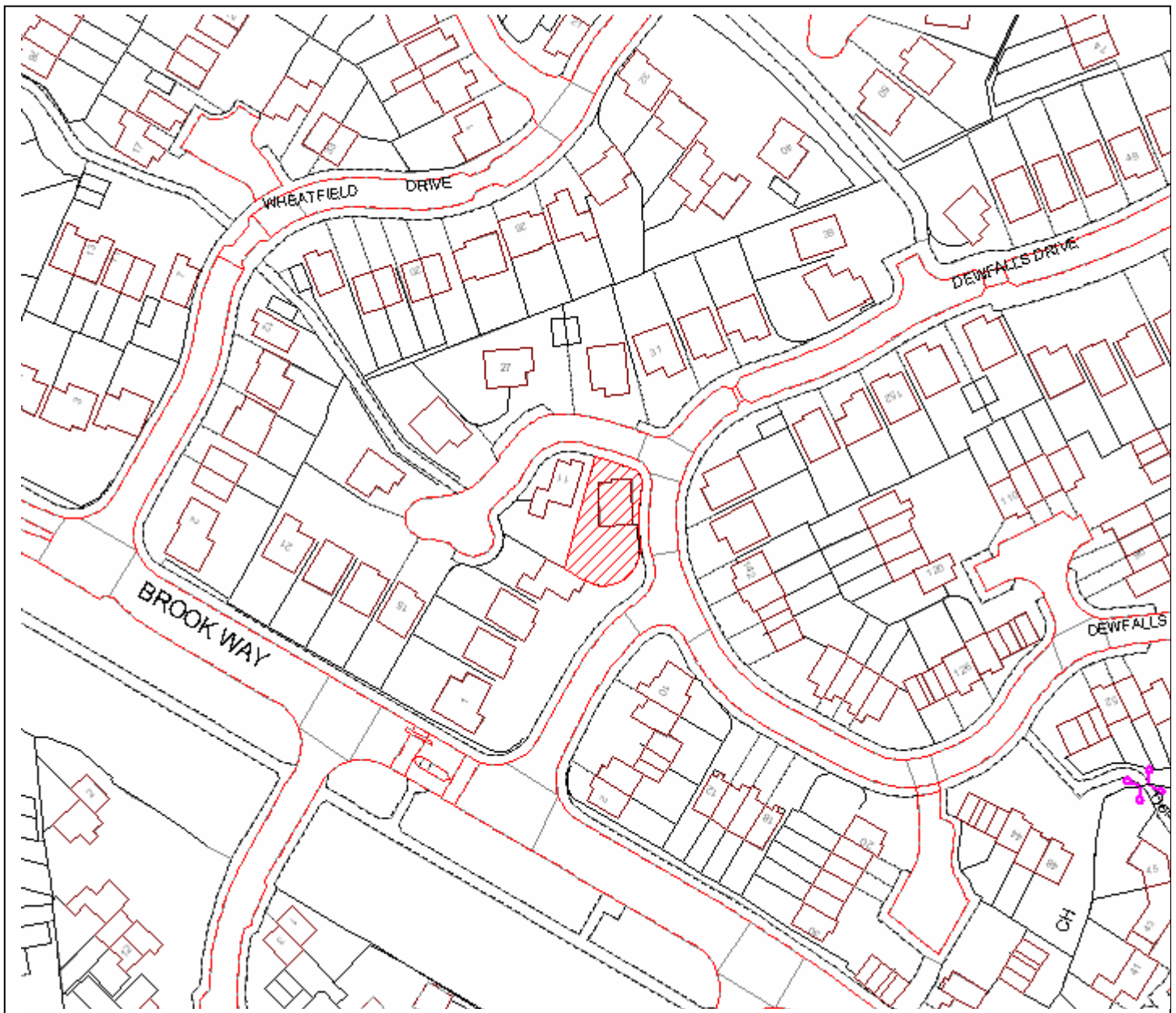
2. The balcony hereby approved shall not be used until the proposed 2 metre high solid screen panel has been erected along the south eastern edge between Elm House and Elm Bank for the length of the balcony. Prior to the erection of the balcony details of the style of screen shall be submitted to and approved in writing by the Council, the screen shall then be erected in accordance with those details.

Reason(s):

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

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2698/F	Applicant:	J Ford & M Thompson
Site:	9 Dewfalls Drive Bradley Stoke South Gloucestershire BS32 9BW	Date Reg:	3rd September 2007
Proposal:	Erection of 2 storey side extension to form additional living accommodation	Parish:	Bradley Stoke Town Council
Map Ref:	61588 82188	Ward:	Bradley Stoke Central and Stoke Lodge



© 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 appears on the Circulated Schedule after the receipt of one objection from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of two storey side extension. The proposal would be provide additional bedroom and a family room.
- 1.2 The application site relates to a modern detached dwelling situated within a well established residential area of Bradley Stoke.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection

Other Representations

- 4.2 Local Residents
One letter received which objects to the proposal on the following grounds:
 - a) The proposal would reduce light into conservatory
 - b) The proposal would impact privacy if windows are inserted into side elevation
 - c) The proposal would be built close to boundary
 - d) The proposal would provide an outlook of brick wall
 - e) The proposal would make the two dwellings appear terraced

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to residential dwelling subject to there being no adverse impact on the residential amenity.

- 5.2 Policy D1 of the Local Plan considers general design principles and ensures good quality design.
- 5.3 Residential Amenity
The application site is situated on a corner plot which is bounded by two dwellings (No. 7 and 11 Dewfalls Drive). The proposed two storey extension would be situated on the dwellings south-western elevation which faces No. 11.
- 5.4 The proposed extension would include a rear window which would provide oblique views into the rear garden of No. 11 and some views into the rear garden of No. 7. However, it is considered that the proposed window would offer the same relationship as existing first floor rear windows. As such, no additional harm would be caused to the privacy of the neighbouring occupiers. It is considered that the future insertion of windows in the extensions south-west elevation would have detrimental impact on the privacy of the neighbouring occupiers of No. 11. It is therefore recommended that a condition is attached to prevent the insertion of windows in this elevation.
- 5.5 The scale and massing of the proposed extension would be subservient to the existing dwelling and the proposal would be sited approximately 2.5 metres from No. 11 at the nearest point. It is considered that this relationship would not result in a loss of light or an overbearing impact to No. 11. Furthermore, it should be noted that the dwelling and the proposed extension faces onto No. 11 at an oblique angle. It is considered that this angle would further reduce the impact of the proposals built form on the adjacent neighbouring occupiers.
- 5.6 In light of the above it is considered that the proposed extension would not result in an overbearing impact nor prejudice the privacy of nearby neighbouring occupier. As such the proposal would maintain the residential amenity of nearby occupiers in accordance with Policy H4 of the Local Plan.
- 5.7 Design and Visual Amenity
The ridge height of the proposed extension would be set down by 0.9 metres and the building line would be set back by 3.7 metres in relation to the existing dwelling. Given this design solution, and the massing and scale of the extension, it is considered that the proposal would appear subservient and proportionate to the existing dwelling. It is proposed that the extension would be finished in tiles and brick to match the existing dwelling. Furthermore, consideration has also been given to the detailing of the extension, such as the fenestration, which would match the existing dwelling.
- 5.8 In light of the above, it is considered proposed extension would respect the character and appearance of the existing dwelling and surrounding residential area in accordance with Policy D1 and H4 of the Local Plan.
- 5.9 Section 106 Requirements
In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular 05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning permission is **GRANTED** subject to the following conditions:

Background Papers **PT07/2698/F**

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

CONDITIONS

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

Reason(s):

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

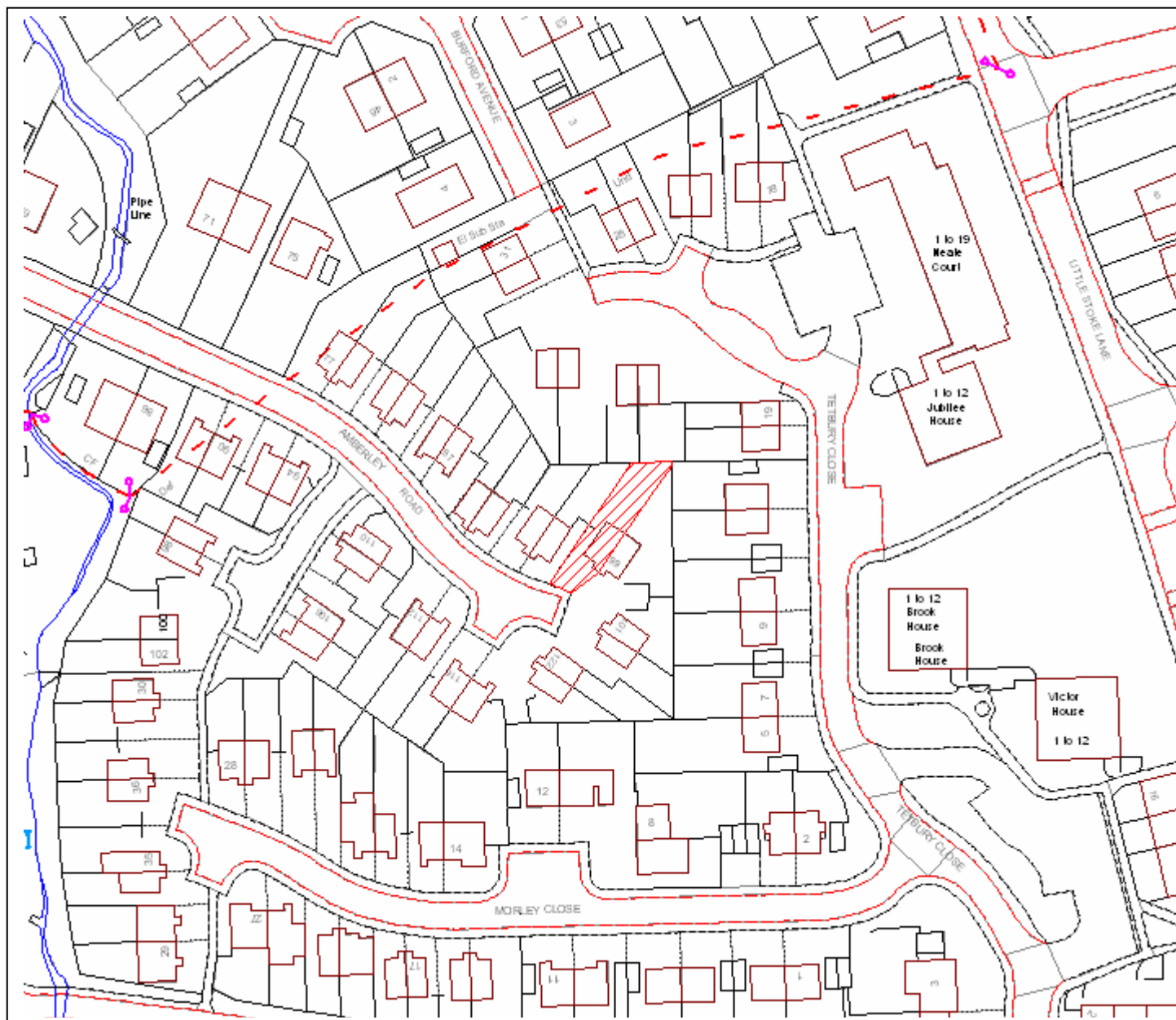
2. No windows shall be inserted at any time in the south-west elevation (Facing No. 11 Dewfalls Drive) of the property.

Reason(s):

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

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2785/F	Applicant:	Mr & Mrs T Pritchard
Site:	97 Amberley Road Patchway South Gloucestershire BS34 6BZ	Date Reg:	12th September 2007
Proposal:	Erection of two storey side extension to provide additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	61089 81525	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.

N.T.S

PT07/2785/F

INTRODUCTION

This application has been referred to the circulated schedule as an objection has been received from a neighbouring property.

1. THE PROPOSAL

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

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Communities

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Residential curtilage

2.3 Supplementary Planning Document
Design Checklist

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council
No response received

4.2 Local Residents
One letter has been received and raises the following issues:

- a) the two storey building is out of keeping with the area
- b) the development could stop the neighbour carrying out a similar development

5. ANALYSIS OF PROPOSAL

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

5.1 Design
It is considered that this proposal in terms of its overall size, design and external appearance is in keeping with the existing property and those that surround it. The proposal will be constructed using materials that match those used in the construction of the main house. Thus ensuring that the proposed development blends in well with the original property.

5.2 Residential Amenity

It is considered that this proposal does not impact upon the amenities of any of the adjoining properties. Its size and design ensure that the proposal does not have an overbearing impact on the surrounding properties nor does it result in an impact on their privacy. No windows are proposed which directly overlook adjacent properties. Therefore residential amenity is not affected.

5.3 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the following conditions

Background Papers **PT07/2785/F**

Contact Officer: **Gareth John**

Tel. No. **01454 863438**

CONDITIONS

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

Reason(s):

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

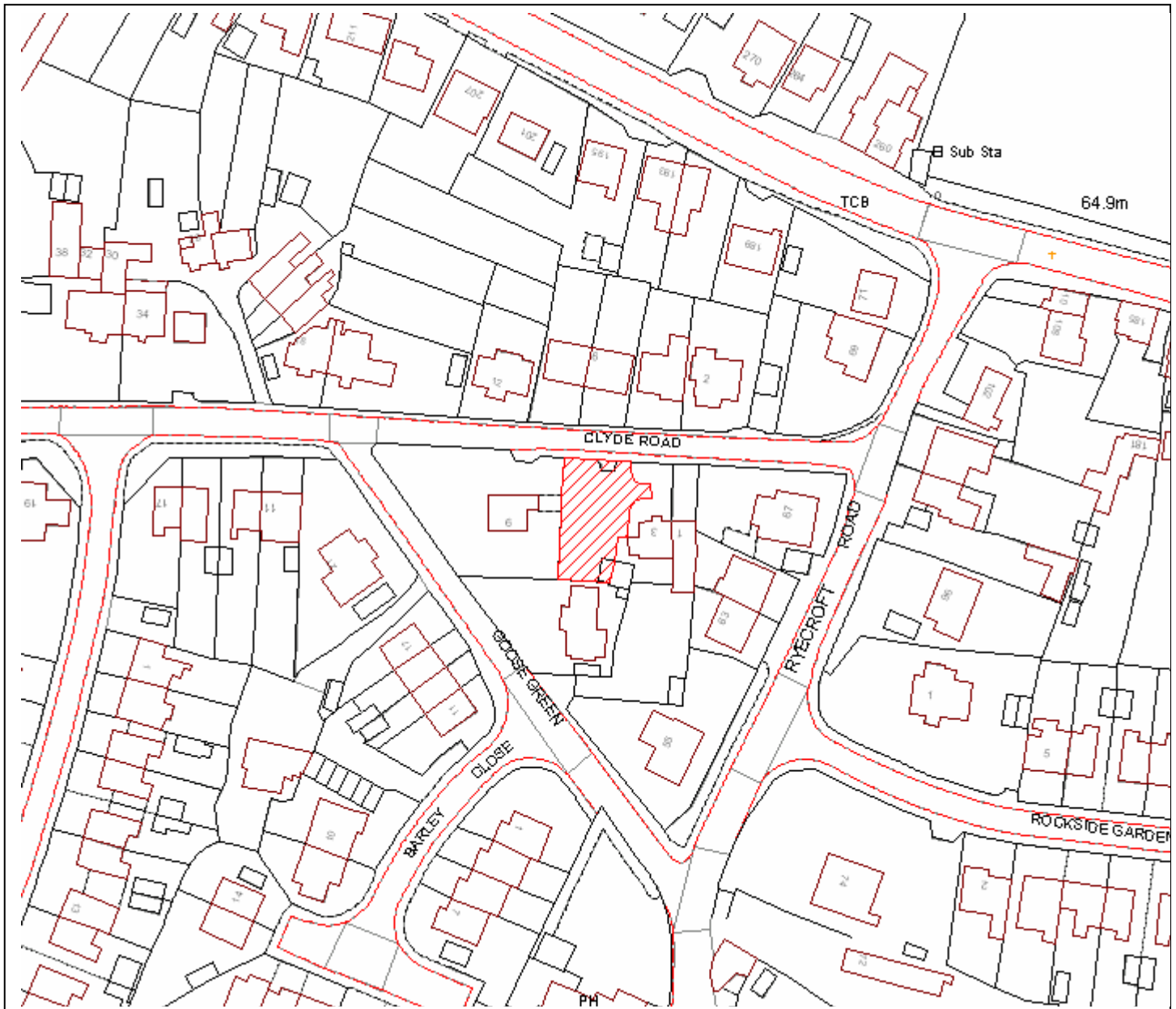
2. There shall be no first floor windows in the western elevation of the proposed extension without written consent from the Local Planning Authority.

Reason(s):

To protect the residential amenities of the neighbouring occupier and to accord with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2792/F	Applicant:	Mr A R Cake
Site:	3 Clyde Road Frampton Cotterell South Gloucestershire BS36 2EA	Date Reg:	12th September 2007
Proposal:	Alterations to existing access to facilitate erection of 1 no. detached dwelling with associated works (Resubmission of PT07/1439/F)	Parish:	Frampton Cotterell Parish Council
Map Ref:	67053 81670	Ward:	Frampton Cotterell



© 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

PT07/2792/F

INTRODUCTION

This application has been placed on the Circulated schedule as two letters have been received which raise issues with the proposal.

1. THE PROPOSAL

- 1.1 The site consists of a modest detached dwelling with access onto Clyde Road. The dwelling benefits from an area of residential curtilage to the west of the existing dwelling. This area of land currently contains small ancillary buildings and a grassed area.
- 1.2 The proposed development consists of the construction of a new detached dwelling and integral garage. The new dwelling will have a natural stone front with rendered sides and rear. The new dwelling will have its own area of private amenity space to its rear, whilst at the front of the dwelling there is a joint access for the existing and proposed.
- 1.3 This application is the resubmission of PT07/1439/F which was refused Planning permission on the 27th June 2007 for the following reason:

The proposal would intensify a sub standard access by way of visibility. This would add to the hazards faced by the travelling public to the detriment of highway safety and contrary to T12 of the South Gloucestershire Council Local Plan

The applicants in an attempt to overcome the refusal reason have moved the front wall backwards in order to improve visibility.

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 Achieving Good Quality Design in New Development
H4 Development within Residential curtilages
H2 New Residential Development within the Urban Areas or Village Development Boundary
T12 Transportation Development Control Policy for New Development
T8 Parking Standards
- 2.3 supplementary Planning Document
Design Checklist (Draft)

Frampton Cotterell and Coalpit Heath Village Design Statement (Consultation Draft) (This document is not afforded full SPD status as it is not prepared by SGC, but inspectors have in the past given it a degree of weight hence the document is a material consideration in the determination of this application.

3. RELEVANT PLANNING HISTORY

3.1 PT07/1439/F ...Erection of a dwellingRefused

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Town Council
No Objection to the proposal

4.2 Sustainable Transport

No objection to the amended scheme

4.3 Local Residents
Two letters has been received during the consultation period associated with this planning application but it states no objection to the proposal. The letter does however a raise a number of observations and these can be summarised as follows;

- Cars will park on the recessed access
- Construction disruption
- Impact on moving wall on neighbouring properties.

5. ANALYSIS OF PROPOSAL

The proposed development consists of the construction of a new dwelling within the curtilage of an existing dwelling and within the Settlement Boundary associated with Frampton Cotterell.

5.1 Principle of Development
Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 are particularly relevant to this planning application. These policies collectively indicate that the proposed development is acceptable subject to the following considerations.

5.2 Housing Density
PPS3 encourages new housing development that would achieve a housing density of between 30 and 50 dwellings per hectare (DPH) so as to make most efficient use of land. Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 carries this principle forward and seeks to ensure that the highest density is achieved in new housing development having regard to the characteristics of the site and its surroundings.

The whole site measures approximately 577 square metres. The proposed development (including the existing dwelling) translates to a density of 34 DPH. This is consistent with national guidance and the adopted development plan policy.

5.3 Design
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves good quality design that is informed by and consistent with the character and distinctiveness of the site and its surroundings. This principle is supported by Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

Generally, the locality is characterised by a wide variety of house types, styles and period. The site is located to the West of the existing dwelling associated with this property. The new dwelling is proposed to be positioned centrally within the plot allocated to it, with the front elevation of the building facing the road. The design of the dwelling itself is contemporary in style and displays relatively modest detailing. The overall height of the building is consistent with that of the existing dwelling either side of this site. And is constructed using materials that are widely and traditionally used in the area. Consequently it is considered that the design and position of the proposed dwelling is acceptable and would not detract from the character and distinctiveness of the site and its surrounding locality.

5.4 Privacy and Residential Amenity

Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that the privacy and residential amenity of the occupants of existing dwellings are not unacceptably compromised as a result of new residential development. The policies also seek to ensure that new residential development would achieve an acceptable level of privacy and residential amenity in respect of the occupants of the new dwelling.

Having regard to the above, it is considered that the proposed development would not unacceptably compromise the residential amenity of the occupants of nearby dwellings. Furthermore, it is considered that the proposed development would allow sufficient privacy and residential amenity for the occupants of the new dwelling.

5.5 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not result in a detrimental impact upon the highway safety and amenity in the locality. This principle is supported by policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides maximum parking standards in respect of new development.

Clyde Road is an unclassified substandard highway with no pedestrian facilities on the site side of the road. The proposal seeks to add an additional dwelling to the South side of the road. Access to the original dwelling is already considered sub standard as the visibility splays pass over third party land and is obscured via third party planting. Thus the applicant has proposed to set the front wall of the development back from the highway thus improving the visibility for both the existing and proposed dwelling. Consequently the Visibility is now considered to be acceptable subject to a number of highway conditions.

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 preferable to a Section 106 Agreement.

6. **CONCLUSION**

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

Background Papers **PT07/2792/F**

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

CONDITIONS

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

Reason(s):

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

2. No development shall take place until details and 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(s):

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevations of the property.

Reason(s):

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

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(s):

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

5. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

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

6. The building shall not be occupied until the associated car parking areas and manoeuvring areas have been drained and surfaced in accordance with the details approved in writing by the Local Planning Authority. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason(s):

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

7. Prior to the commencement of development a 2.0m visibility zone shall be provided from the edge of the carriageway over the entire frontage. Nothing over 0.6m in height above the adjacent carriageway shall be permitted to remain on this land.

Reason(s):

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

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2848/F	Applicant:	Mr G Dunn
Site:	83 Watleys End Road Winterbourne South Gloucestershire BS36 1PW	Date Reg:	18th September 2007
Proposal:	Erection of 2 storey side extension to provide additional living accommodation	Parish:	Winterbourne Parish Council
Map Ref:	65600 81307	Ward:	Winterbourne



© 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

PT07/2848/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of an objection from Winterbourne Parish Council and two local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of a two storey side and rear extension. The proposal would provide additional living accommodation.
- 1.2 The application site relates to a semi-detached dwelling situated within a well established residential area of Winterbourne. The rear boundary of the site adjoins to playing fields which are designated as Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
Design Checklist (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection – Cramped development which would create a terraced house. Garage to be used for storage would leave more cars on T junction
- 4.2 Sustainable Transport
No objection. The garage would be lost but the hard standing will be extended to provide sufficient parking for two vehicles which accords with standards.

Other Representations

- 4.3 Local Residents
Two letters of objection have been received from local residents stating the following:
- a) None of the semi-detached dwellings in the row have extensions over drive
 - b) The extension would set a precedent for houses to become terraced
 - c) Loss of character of the street

- d) The proposal would cause a loss of light, make the site feel claustrophobic and would overshadow the drive of No. 81 Watleys End Road

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 allows for the extension to residential dwelling subject to there being no adverse impact on the residential amenity and highway safety.

- 5.2 Policy D1 of the Local Plan considers general design principles and ensures good quality design.

5.3 Residential Amenity

The application site is bounded by two dwellings to the side (Nos. 81 and 85 Watleys End Road) and playing fields to the rear. The proposed development would consist of a side and rear extension on the dwellings north-western elevation (Facing No. 81).

- 5.4 The extension would be built along the party wall which is immediately adjacent to the drive of No. 81, which provides access to a detached garage. The neighbouring dwelling has an existing rear lean-to extension which has depth of approximately 2.5 metres. As such, the proposed two storey rear extension would only exceed the rear building line of No. 81 by approximately 1 metre. In addition to this, the adjacent dwellings amenity space is separated from the proposal by approximately 3 metre due to the siting of the drive and garage.

- 5.5 Local residents have indicated that the proposed extension would result in an adverse overbearing impact (E.g. loss of light, claustrophobic and overshadowing) on the occupiers of No. 81 Watleys End Road. However, notwithstanding these representations, it is considered the proposed relationship between the proposal and the neighbouring dwelling would be acceptable and as such, would not result in any overbearing impact detrimental to the amenity of the neighbouring occupier.

- 5.6 The initial plans showed that the proposal would include a window in the side elevation overlooking the garden of No. 85. It was considered that this relationship would adversely prejudice the privacy of the neighbouring occupier. As such, it was negotiated with the applicant that the window should be removed. This has been shown on the amended plans. It is recommended that a condition is attached to ensure no windows are inserted in this elevation at a later date.

- 5.7 The proposed extension includes an opaque glazed bathroom window in the side elevation facing No. 81. It is recommended that a condition is attached to ensure that this window remains opaque to an obscurity level of at least level three to ensure the privacy of the adjacent occupier.

5.8 Design and Visual Amenity

The proposed extension would comprise of a front lean-to porch and a side and rear extension which would be finished in materials to match the existing dwelling. The side extension would be situated between the dwellings side elevation and the party wall. The ridge height of the proposed extension would be set down by approximately 0.2 metres and the building line would be set

back by 0.6 metres in relation to the existing dwelling. The two storey rear would be approximately 3.2 metres in width and 3.4 metres in depth. The extension would include a hipped roof which would be set down by approximately 1.4 metres from the existing ridge height. It is considered that this design solution would present a subservient and proportionate extension which would respect the appearance and character of the existing dwelling from the front and rear elevations.

5.9 The Parish Council and the local residents have raised concerns that the proposed side extension would make the dwelling appear terraced and would cause a loss of character to the street. It is appreciated that the existing street scene has a uniform rhythm which is characterised by the equal gaps between the semi-detached dwellings.

5.10 Notwithstanding the above, it is considered that the extension would be of a good quality of design and would respect the character and appearance of the existing dwelling. As such, when the subservient extension is read in context with surrounding dwellings, it would not cause significant the harm to the character of the street scene. Furthermore, it is not considered that the proposal will cause the dwelling to appear terraced.

5.11 Transportation

The proposed development would result in the existing garage being lost. However it is proposed that the hard standing would be extended to provide parking for two vehicles and would therefore accord with the Councils parking standards. The Council Transport Officer raised no highway objection, however it was recommended that a condition was attached to ensure the parking area is consolidated (not loose stone or gravel), kept clear of obstruction and not used other than for parking of vehicles in connection with the development hereby permitted.

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

7. RECOMMENDATION

7.1 Planning permission to be **GRANTED** subject to the following conditions:

Background Papers **PT07/2848/F**

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

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason(s):
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The glazing on the north-west elevation (Facing No. 81 Watleys End) shall at all times be of obscured glass of at least obscurity level three.
Reason(s):
To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
3. No windows shall be inserted at any time in the north-eastern elevation (Facing No. 85 Watleys End Road) of the rear extension.
Reason(s):
To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The parking area shown on the submitted plan shall be properly consolidated (not loose stone or gravel), kept clear of obstruction and not used other than for parking of vehicles in connection with the development hereby permitted.
Reason(s):
To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy H4, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2868/O	Applicant:	Mr Elliott
Site:	2 Wotton Road Charfield South Gloucestershire GL12 8TP	Date Reg:	20th September 2007
Proposal:	Erection of 1 no. dwelling (Outline) with siting and access to be determined. All other matters reserved.	Parish:	Charfield Parish Council
Map Ref:	71759 92060	Ward:	Charfield



© 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

PT07/2868/O

INTRODUCTION

This application has been referred to the Circulated Schedule due to objections from the Parish Council and a local resident.

1. THE PROPOSAL

- 1.1 This outline application relates to the erection of 1 detached dwelling and garage at Springleaze, Wotton Road, Charfield. All matters are reserved for future consideration apart from siting/layout and means of access.
- 1.2 The application site consists of a two storey dwelling set to the rear of the site. Vehicular access is off Wotton Road. Open countryside lies to the rear and south-western boundary with the property of 4 Wotton Road forming the north-eastern boundary. The site lies just within the settlement boundary of Charfield.
- 1.3 The proposed development requires the blocking up and relocation of the existing access to the north-eastern corner of the site

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

Joint Replacement Structure Plan

Policy 1	Sustainable Development Objectives
Policy 2	Location of Development
Policy 34	Re-use of Previously Developed Land
Policy 35	Housing Density

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.4 Supplementary Planning Guidance

Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 N140/6 Erection of detached bungalow and garage (Outline).
Approved 29 September 1983.
- 3.2 P84/1308 Erection of bungalow and garage (Reserved Matters).
Approved 18 April 1984.
- 3.3 PT03/0698/F Conversion of integral garage to form dining and lounge

area.

Approved 17 April 2003.

- 3.4 PT05/0098/F Erection of first floor extension to change bungalow to two storey dwelling.
Approved 15 February 2005.

4. CONSULTATION RESPONSES

4.1 Charfield Parish Council

Object to the proposal on the following grounds:-

- a) boundary of the property is outside the site line of the existing property and would detract from the openness of the view and streetscene;
- b) property would be in front of the site line of other existing houses;
- c) vehicle access is closer to the bend in the main road and poses danger to other users and more vehicles would be using a dangerous exit;
- d) location of spring not accurate and ground samples needed - spring is a flooding risk;
- e) lack of amenity space for existing dwelling;
- f) lack of school spaces for what is considered to be a family home.

Internal Consultees

4.2 Sustainable Transport

No objection.

4.3 Drainage Comments

No objection.

Other Representations

4.4 Local Residents

1 letter has been received objecting to the proposal on the following grounds:-

- a) overlooking.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Advice contained within PPS3 states that Local Planning Authorities should make effective use of land by re-using land that has been previously developed. Using land efficiently is a key consideration in planning for housing. Additional housing on previously developed land within existing towns and cities promotes more sustainable patterns of development. This policy stance is reflected in policies contained with the Adopted Joint Replacement Structure Plan and the South Gloucestershire Local Plan (Adopted) January 2006. However, such development must be acceptable in terms of its impact upon the character of its surroundings.

- 5.2 Policy H2 of the adopted Local Plan specifically relates to new residential development within the boundaries of settlements provided the following criteria are complied with:-

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

i)Transportation Issues

In transportation terms, the site is located off the B4058 Wotton Road. The development proposes the relocation of the existing vehicular access to the north-eastern corner of the site, and the closure of the existing access. A double garage is proposed for the new dwelling with parking and turning facilities for the existing and proposed dwelling to the front garden area.

It is considered that the proposal is acceptable in transportation terms, subject to the double garage increased in size in order to accommodate cycle parking. This will be a condition of any planning permission. The visibility from the new vehicular access and the parking/ turning facilities for both dwellings is acceptable and in accordance with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

ii)Residential Amenity

With regard to residential amenity issues, the proposal, due to its location, will not result in any adverse impact to surrounding occupiers in terms of overbearing impact/loss of light. In terms of visual amenity, the proposal is also considered acceptable. The site, although located to the edge of the settlement boundary, will not be overtly visible within the street scene. A thick bank of mature hedgerows/trees is located along the southern boundary of Charfield Hill to the west and as such the site of the proposed dwelling is well screened as one travels into Charfield. Although the site will be more visible from the east, the back drop of Charfield Hill reduces any visual impact to an acceptable degree.

In terms of any overlooking/loss of privacy, this will be assessed under the reserved matters application in relation to its design. However, it is considered that this issue can be overcome by the location of first floor windows.

In terms of siting, it is recognised that the building sits well forward of the existing dwelling and the adjacent property of 4 Wotton Road. However, along this part of Wotton Road there is no recognised building line – the Pear Tree Public House, 10, 12 and 14 Wotton Road and the property opposite the site known as Lindy Villa are all set close to the edge of the footway and Wotton Road. As such the built form of the immediate area is not uniform and this is a distinct feature of this part of Charfield, unlike Wotton Road further to the east where the built form of development does become more regular in terms of its layout. Furthermore, other properties do not face onto Wotton Road with some facing up and down Wotton Road in an east/west direction. The proposal is therefore considered acceptable in terms of its siting and layout.

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

The application site has an area of some 0.111 hectares resulting in a density of 18 dwellings per hectare. A minimum density of 30 dwellings per hectare is advocated within the Local Plan, where local circumstances permit. It is considered that due to the set-back of the original dwelling within the site, any further development would be restricted and would adversely impact upon the amenities of the existing

property. The adverse effects on an increased housing density to existing levels of residential amenity would outweigh any benefits in terms of efficient use of the land and as such the proposal accords with this criterion.

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

The proposal is not affected by any of the above to a material degree and therefore complies with this criterion.

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

The proposal is for 1 additional dwelling and as such will not impinge upon levels of service provision within the locality to a significant degree. The application therefore complies with this criterion.

5.3 Policy H4 of the emerging local plan is also relevant as it relates to residential development within existing residential curtilages and is concerned with more detailed design issues. This policy allows for new development provided the overall design and character of the existing property and street scene are respected; the amenities of nearby occupiers are not adversely affected; highway safety/parking is acceptable and adequate private amenity space is available for the existing and proposed dwelling. Of the above, design and garden area have not been covered in any depth under the preceding paragraphs. However, as the application is in outline, design issues will be assessed under any future reserved matters application. In terms of overlooking or loss of privacy issues this will be considered in the detailed design of the proposal. With regard to garden area, the existing dwelling has a rear garden depth of some 10m and a minimum area of approximately 240m². The private garden area associated with the new dwelling ranges in depth from 5m to 10m and has an area of some 220m². These garden areas are ample in size and commensurate with the size of the plot.

5.4 Conclusion

In conclusion, the proposal complies with the adopted local plan and is acceptable. No objection has been raised in drainage terms and a condition relating to sustainable drainage will be a condition of any planning permission should consent be granted.

5.5 Design and Access Statement

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

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

7. RECOMMENDATION

- 7.1 Outline planning permission be granted subject to the following conditions:

Background Papers **PT07/2868/O**

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

CONDITIONS

1. Approval of the details of the design/appearance, scale and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason(s):

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the design/appearance and scale of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason(s):

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason(s):

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

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the

date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason(s):

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

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

Reason(s):

To minimise disturbance to occupiers of neighbouring properties and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

Reason(s):

To ensure that development minimises the use of energy and natural resources as required by PPS1 and its draft supplement Planning and Climate Change, Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006, the South Gloucestershire Design Checklist and Policy G of the draft Regional Spatial Strategy for the South West of England.

7. Notwithstanding the details submitted on approved drawing 4828/02, the proposed double garage shall have an internal width and depth of 6m.

Reason(s):

In order to accommodate cycle parking facilities, and to accord with Policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting), and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details. For the avoidance of doubt the tree identified on approved drawing 4828/02 located to the south-western boundary shall be retained.

Reason(s):

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.

9. The screen walls/fences shown on the approved plan shall be erected in the positions indicated before the new dwelling is occupied.

Reason(s):

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

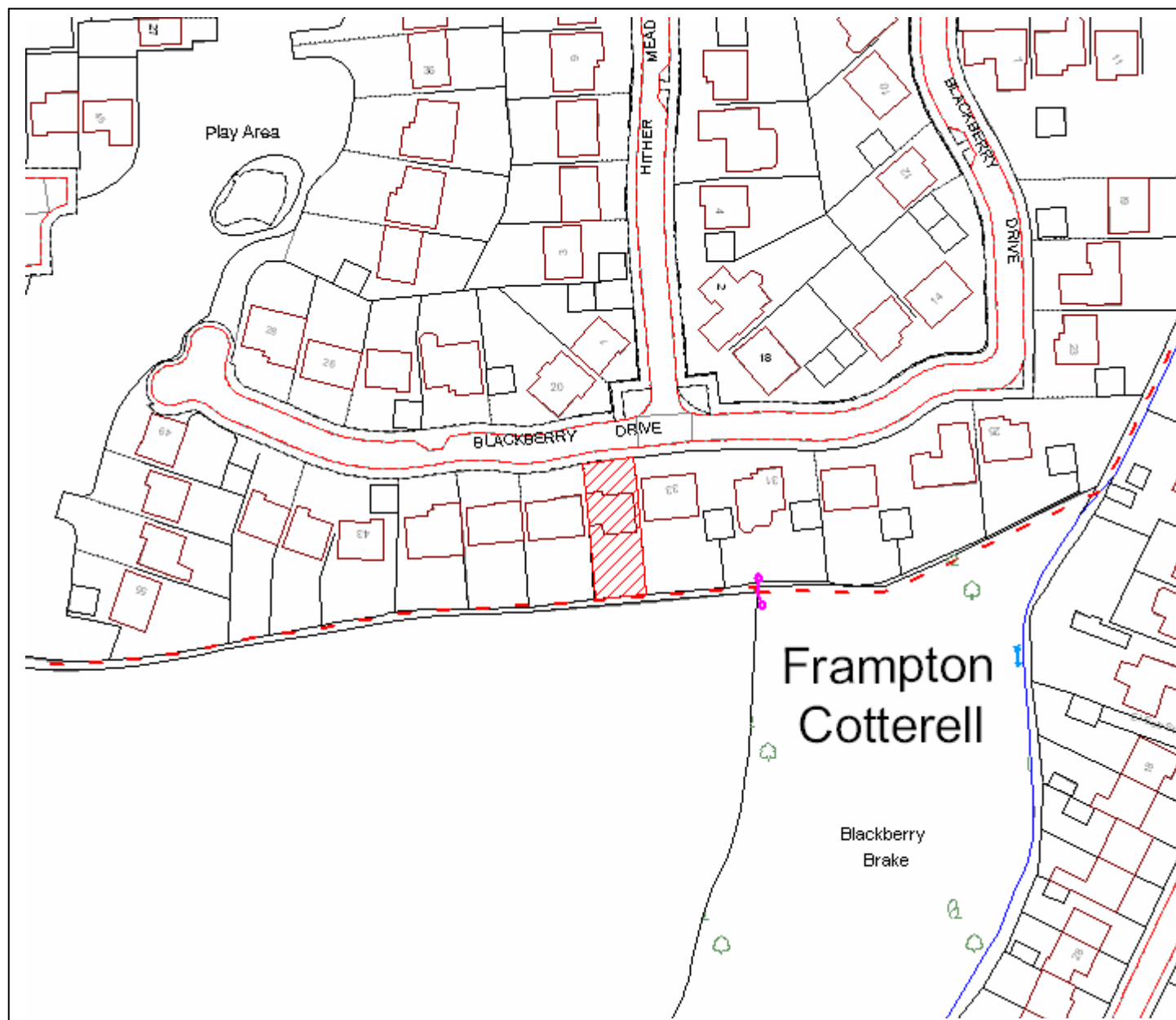
10. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s):

To ensure that a satisfactory means of drainage is provided, and to accord with Policy L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2896/F	Applicant:	Mr & Mrs J Steeds
Site:	35 Blackberry Drive Frampton Cotterell BRISTOL South Gloucestershire BS36 2SL	Date Reg:	24th September 2007
Proposal:	Erection of two storey side extension to provide additional living accommodation and garage	Parish:	Frampton Cotterell Parish Council
Map Ref:	66973 80622	Ward:	Frampton Cotterell



© 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

PT07/2896/F

INTRODUCTION

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

1. THE PROPOSAL

1.1 This application relates to the erection of two storey side extension at 35 Blackberry Drive, Frampton Cotterell. The property is detached, with vehicular access to the front of the property off Blackberry Drive, which is a cul-de-sac. The rear of the site backs onto open countryside.

1.2 The site lies within the settlement boundary of Frampton Cotterell.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance
Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

3.1 None.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell
No objection.

Other Consultees

4.2 Sustainable Transport
No objection.

Other Representations

4.3 Local Residents
1 letter has been received objecting to the proposal on the following grounds:-
a) encroachment;
b) undermines detached status of our property by proximity of extension;
c) proposal will detract from the overall character of Blackberry Drive;
d) set a precedent;
e) estate was designed to have a mix of different types of accommodation and this development will change that balance significantly.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 It is considered that the application accords with the above policy criteria. The design of the extension including its proportions, scale, massing and detailing is in keeping with the existing property and area as a whole and will not detract from the character of the street scene. The proposal, due to its location to the side of the property, will not adversely affect the amenities of adjacent occupiers in terms of overlooking/overshadowing/loss of privacy. Although it is recognised that the adjacent property of 37 Blackberry Drive lies directly adjacent to the site, no windows are present on the side elevation facing the extension. Moreover, the proposal does not extend beyond the front or rear building line. In visual terms, the proposal is clearly detached. Blackberry Drive is also characterised by its wide range of house types and designs and as such the proposal will not adversely affect the mix of house types/accommodation on the estate. Adequate garden area will remain and 2 off-street parking spaces will still be available.

5.3 In terms of encroachment, Certificate A has been submitted as part of the application confirming that no encroachment onto neighbouring property will occur. However, informatives will be attached to any planning permission stating that planning permission does not give any rights to carry out works on land not within the ownership of the applicant, and that should it be necessary to enter any land to construct, externally finish or carry out any other works, the prior written consent of the owner/occupier will be required.

5.4 The proposal is therefore in accordance with policies D1 and H4 of the adopted development plan and is acceptable.

5.5 Design and Access Statement

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

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.

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

7. RECOMMENDATION

- 7.1 Planning permission be granted.

Background Papers **PT07/2896/F**

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

CONDITIONS

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

Reason(s):

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

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.: PT07/2899/RM
Site: 60 Dragon Road Winterbourne South Gloucestershire BS36 1BJ
Proposal: Erection of 1 no. detached dwelling with associated works. (Approval of reserved matters to be read in conjunction with outline planning permission PT05/2649/O) (Amendment to PT06/1082/RM)
Map Ref: 64785 80192

Applicant: Mr R Bruce
Date Reg: 24th September 2007
Parish: Winterbourne Parish Council
Ward: Winterbourne



© 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

INTRODUCTION

This application has been referred on to the Circulated Schedule due to objections raised from local residents and the Parish Council.

1. THE PROPOSAL

- 1.1 This application relates to the approval of Reserved Matters (siting/layout, design/appearance, scale and landscaping) for the erection of one detached dwelling on land adjacent to 60 Dragon Road, Winterbourne. Means of access was considered and approved as part of the outline application (PT05/2649/O). Approval of the outstanding reserved matters was granted under planning application PT06/1082/RM. However, this application seeks an alternative house design.
- 1.2 The application site has an area of some 0.04 hectares. It is broadly rectangular in shape and linear in form and measures some 46m in length with a width ranging from 8 to 10m. It currently forms the southern garden area associated with 60 Dragon Road. The site lies within the settlement boundary of Winterbourne.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Adopted Joint Replacement Structure Plan
Policy 1 Sustainable development objectives
Policy 2 Location of development
Policy 33 Housing provision and distribution
Policy 34 Re-use of Previously Developed Land
Policy 35 Housing Density (20-25 per ha)
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
L4 Forest of Avon
H2 Proposals for Residential Development within the existing Urban Area and Defined Settlement Boundaries
H4 Development within Existing Residential Curtilages, including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/2120/F Conversion and extension of existing detached double garage to form self-contained granny annex. Approved 14 July 2004.
- 3.2 PT05/2649/O Erection of dwelling (outline). Approved 2 November 2005.

- 3.3 PT06/1082/RM Erection of 1 no. detached dwelling with associated works
Approval of reserved matters.
Approved 26 may 2006.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Object to the proposal on the following grounds:-
a) increase in traffic parking on road;
b) only has 2 parking spaces and no garage;
c) Dragon Road is particularly busy.

Other Consultees

- 4.2 Sustainable Transport
No objection.

- 4.3 Local Residents
2 letters have been received objecting to the proposal on the following grounds:-
a) access has yet to be agreed;
b) access would add another hazardous entry point on to what is a very busy road;
c) loss of trees would lessen character of street scene;
d) erection of a significant smaller house and plot would be to the detriment of character of that section of Dragon Road;
e) no access exists.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The principle of development has already been accepted by virtue of outline planning permission PT05/2649/O and reserved matters PT06/1082/RM. This application differs in terms of its overall design. The means of access and parking/turning was considered acceptable at outline stage and remains the same as that under PT06/1082/RM. The main issues to consider under this reserved matters application are the siting/layout, design/appearance, scale and landscaping of the site. As the site lies within the curtilage of 60 Dragon Road, policy H4 of the adopted Local Plan is particularly relevant. This policy allows for new dwellings within existing residential curtilages and includes criteria covering design and amenity issues. Policy H4 allows such development only where it complies with the following criteria:-

A) Respects the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area;

It is considered that the proposal complies with the above criterion. There is no particular house type prevalent to the western side of Dragon Road – they are all of varying size and design. However, they are predominately of a detached nature. The proposed dwelling, although contemporary in appearance is considered to be in keeping with the street scene in terms of its size, design and external appearance. The dwelling is to have a rendered finish with interlocking tiles to match adjacent properties. The building is also of a scale that is acceptable within its context. The main alteration to the previously

approved scheme is that the front elevation is a gabled elevation with the roof ridge running east-west rather than north -south. This reduces the overall impact and massing of the original scheme within the street scene, especially as the ridge height is some 0.2m lower than the previously approved scheme and the width of the dwelling has been reduced from 7.6m to 7.4m. Although side dormer windows are proposed these are small in size and will not be overtly visible within the street scene, especially as they are only 2.2m in width, 0.3m below the ridge height of the main dwelling and are set back some 5m from the house frontage. The dormers are integral to rather than a dominant feature of the dwelling. The established building line along Dragon Road is also maintained. As such the development will be readily assimilated within the street scene and accords with this criterion.

B) would not prejudice the amenities of nearby occupiers;

The dwelling continues the existing front building line of Dragon Road. Although the rear elevation extends beyond the adjacent property of 66 Dragon Road, it is only by some 4m and is over 5m away from the side elevation of this dwelling. Furthermore, no habitable windows are located on the side elevations which will ensure that no overlooking will occur. Existing planting along the boundary is also to be retained and supplemented where necessary but boundary treatment will be a condition of any consent. No overlooking/ loss of privacy or overbearing impact will therefore result from the proposal and as such no loss of residential amenity will occur.

C) would not prejudice highway safety or the retention of an acceptable level of parking provision, and an acceptable level of parking provision is provided for any new separately occupied dwelling;

Means of access and parking/turning has previously been agreed under the terms of the Outline application and adequate off-street parking and turning is available for the existing and proposed dwelling. No objection is raised from Transportation and the proposal therefore complies with this criterion.

D) would not prejudice the retention of private amenity space.

Adequate rear garden area is available for the new dwelling, the rear garden having a length of over 21m and an area in excess of 180m².

The proposal therefore complies with this policy in its entirety and is in accordance with the development plan.

5.2 Section 106 Requirements

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

5.3 Design and Access Statement

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the Reserved Matters submitted in accordance with conditions 1 and 2 associated with Outline Planning Permission PT05/2649/O dated 2 November 2005 be APPROVED.

Background Papers **PT07/2899/RM**

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

CONDITIONS

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

Reason(s):

To minimise disturbance to occupiers of neighbouring properties and to accord with Policies H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

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

3. The off-street parking and turning facilities shown on the plan hereby approved shall be provided before the dwelling is first occupied, and thereafter retained for that purpose. The parking and turning area shall be maintained with a bound surface.

Reason(s):

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

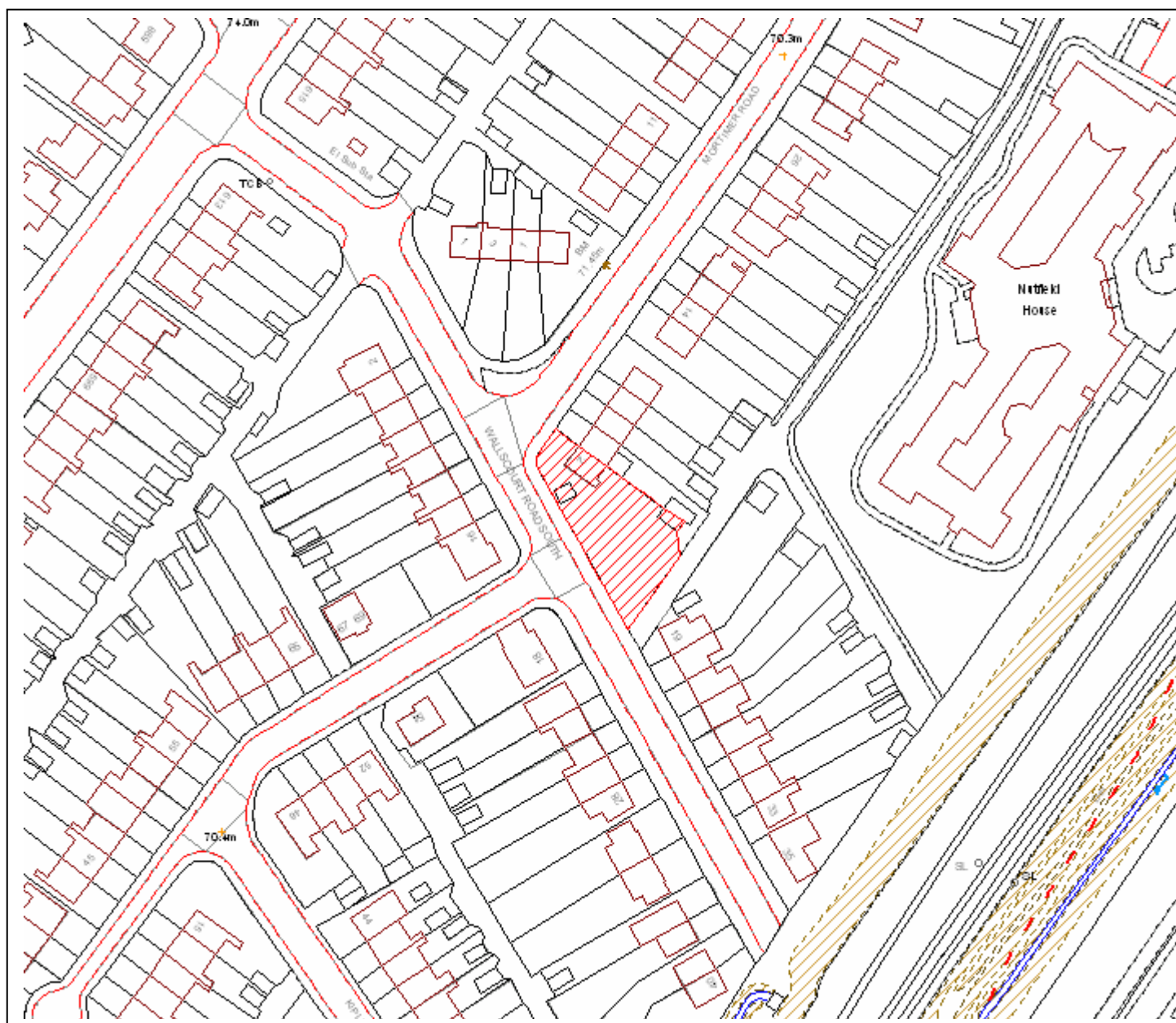
4. No doors or gates shall be hung so as to open over or across the public highway/footway.

Reason(s):

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

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.:	PT07/2909/F	Applicant:	DB Builders
Site:	2 Mortimer Road Filton South Gloucestershire BS34 7LF	Date Reg:	25th September 2007
Proposal:	Erection of extension to existing house to form separate dwelling and erection of 2no. semi detached dwellings in rear garden with associated works. (Resubmission of Planning Application PT07/0002/F) (in accordance with amended plans received on 28 September and 2 October 2007).	Parish:	Filton Town Council
Map Ref:	60795 78352	Ward:	Filton



© 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

INTRODUCTION

This application has been referred to the Circulated Schedule due to objections from the Town Council and local residents.

1. THE PROPOSAL

- 1.1 This full planning application relates to the erection of a two storey side and single storey rear extension to existing property to form separate 2 bed dwelling (unit 1) and the erection of 2no. 2 bed semi detached dwellings (units 2 and 3) in rear garden with associated works at 2 Mortimer Road, Filton. The proposal provides 1 off-street parking space for each of the proposed dwellings as well as covered and secure cycle parking and bin storage. One off street parking space for the existing dwelling is also provided in the front garden area.
- 1.2 The application site including the existing dwelling has an area of 0.057 hectares. The site is a large triangular shaped corner plot with Mortimer Road running along the front boundary. Wallscourt Road South forms the side boundary and to the rear of the property lies an access lane serving the rear of the properties of Mortimer Road. The site slopes in a south-easterly direction and lies within the urban area of Filton.
- 1.3 Rear pedestrian access is provided to serve 2 Mortimer Road and Units 2 and 3. A 1.2m boundary wall is proposed along the Wallscourt Road South frontage, also separating the off-street parking space to unit 1 from the garden area to this property. A 1.2m wall is also proposed along part of the Wallscourt Road South frontage enclosing the front and part of the side garden area associated with unit 3. The remaining side boundary of unit 3 with the adjacent access lane, rear of 2 Mortimer Road and units 1, 2 and 3 is formed by 1.8m timber fencing. This fencing also forms the boundary treatment separating the rear garden areas of units 2 and 3.

2. POLICY CONTEXT

- 2.1 National Guidance
- | | |
|-------|------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPG13 | Transport |
- 2.2 Adopted Joint Replacement Structure Plan
- | | |
|-----------|-------------------------------------|
| Policy 1 | Sustainable development objectives |
| Policy 2 | Location of development |
| Policy 33 | Housing provision and distribution |
| Policy 34 | Re-use of previously developed land |
| Policy 35 | Housing density (20-25 per ha) |
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
- | | |
|-----|---|
| D1 | Design |
| L17 | The Water Environment |
| H2 | Proposals for Residential Development, including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permissions for Residential Development, within the Existing Urban Areas and Defined Settlement Boundaries |

H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T7	Parking Standards
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.4 Supplementary Planning Guidance
Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P89/1141 Erection of detached dwelling and garage. Construction of new vehicular and pedestrian access. Approved 28 April 1989.
- 3.2 P92/2014 Erection of detached dwelling and garage; construction of vehicular and pedestrian access (outline). Approved 17 September 1992.
- 3.3 PT05/2905/O Erection of 1 no. dwelling (outline). Resolution to grant consent on 18 November 2005 subject to a Section 106 Agreement. The S106 Agreement has yet to be signed and as such no formal planning permission for the site currently exists.
- 3.4 PT07/0002/F Erection of two storey side and rear extension to form separate dwelling and erection of two storey detached building in rear garden area to form 4 no. one bedroom flats. Application withdrawn 26 January 2007.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Object to the proposal on the grounds that it is not in keeping with neighbouring properties.
- 4.2 Sustainable Transport
No objection.
- 4.3 Council Drainage Comments
No objection.
- 4.4 Local Residents
3 letters have been received objecting to the proposal on the following grounds:-
a) over-development;
b) parking;
c) access for emergency vehicles;
d) loss of view;
e) increase in traffic;
f) overlooking;
g) out of character;
h) security;
i) loss of light/privacy;
j) difficulty n accessing garage .

Of the above, loss of view is not a relevant planning objection.

An additional letter of objection has been received from an individual living outside the District, on the following grounds:-

- a) out of keeping;
- b) density of development;
- c) loss of light/privacy;
- d) noise and disturbance from building activity and increased number of people residing on the site;
- e) difficulty in accessing garage at 4 Mortimer Road;
- f) highway safety/increased parking .

5. ANALYSIS OF PROPOSAL

5.1 As can be seen from the previous planning history, the principle of residential development for one dwelling to the rear of the site has been accepted since 1989. The current proposal differs in that the site as a whole now proposes an additional 4 units of residential accommodation.

5.2 Principle of Development

The application site lies within the urban area of Filton. Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant as it relates to new residential development within existing defined settlement boundaries and urban areas, setting out the policy criteria in which such applications are to be assessed. This policy also incorporates national and regional planning policy and advice contained within PPS3 and the Adopted Joint Replacement Structure Plan. Policy H2 allows for residential development within existing defined settlement boundaries subject to the following :-

(A) development would not have unacceptable environmental or transportation effects and would not significantly prejudice residential amenity;

5.3 Transport

In transportation terms the proposal is acceptable. It provides one off-street parking space for each new dwelling as well as the existing dwelling and also secure and covered cycle parking and bin storage. No objection is therefore raised, subject to a financial contribution of £1,800 per new dwelling (£5,400 in total) towards the North Fringe Major Scheme (Transport Matters). With regard to accessing the garage at 4 Mortimer Road, a fence could be erected along this boundary without planning permission, provided it was wholly within the applicant's ownership.

5.4 Residential Amenity

With regard to residential amenity, the proposal is also considered acceptable. The development maintains the building line of Mortimer Road as well as Wallscourt Road South. As unit 1 is located to the side of the existing property and is on a corner plot, no overlooking or overbearing impact will occur to surrounding properties from this dwelling. With regard to units 2 and 3 to the rear, they do not extend beyond the rear building line of the nearest property of 19 Wallscourt Road South and are similarly orientated. No loss of amenity will therefore result to this dwelling. These units will also not adversely affect 4 Mortimer Road due to the location, orientation and distance away from this property. Furthermore, the front elevation of units 2 and 3 are some 20m

from the opposite property of 18 Wallscourt Road South and this is an adequate distance in terms of overlooking/loss of privacy.

- 5.5 The first floor rear windows of units 2 and 3 will not result in any overlooking or loss of privacy over the rear garden areas of 2, 4, 6 Mortimer Road as their orientation ensures that only an oblique angle is afforded. The only window at first floor level in the side elevations of units 2 and 3 serve the stairs. However, to ensure no overlooking, in particular over the garden areas associated with 2 Mortimer Road and unit 1, a condition will be attached requiring the glazing to be obscure and non opening.
- 5.6 The distance between the rear elevation of unit 1 to the side elevation of unit 2 at single storey level is limited at 8.2m. However, at two storey level this increases to over 12m. This distance is considered acceptable and will not be overbearing on the occupiers of unit 1. The proposal is therefore considered acceptable in terms of residential amenity.
- 5.7 With regard to design and visual amenity issues, this will be assessed under paragraph of 5.12 of this report.

(B) the maximum density compatible with the sites location, its accessibility and its surroundings is achieved;

- 5.8 The application site has a site area of some 0.057 hectares, resulting in a housing density of 70 dwellings per hectare. Advice contained within the adopted local plan states that within existing urban areas that are well served by public transport, higher density development exceeding 50 dwellings per hectare should be achieved. It is considered that the proposal respects the scale, mass and street form of its surroundings and can be adequately incorporated within the street scene without adversely affecting the character of its surroundings or the visual/residential amenity of the locality. The proposal therefore complies with this criterion.

(C) the site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination;

- 5.9 The site lies within the residential area of Filton. It will not be adversely affected by any of the above and therefore complies with this criterion.

(D) provision for education, leisure, recreation etc. within the vicinity of the site is adequate to meet the needs arising from the proposal.

- 5.10 The proposal is for 3 additional dwellings. It is considered that due to the urban nature of the site and the existing level of service provision within the locality, adequate provision within the vicinity of the site is adequate to meet the needs arising from the proposal.
- 5.11 Also of relevance is policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. This policy specifically relates to development within existing residential curtilages. Such development is normally only permitted where it is acceptable in terms of its design, its effect on the street scene and locality, visual amenity issues/ privacy considerations and degree of garden area. Of the above, design and garden size have yet to be considered.

5.12 Design

The extension to 2 Mortimer Road continues the rank of terraces and replicates existing design features present within the locality, including the hipped roofs, roof pitches and bay windows. It maintains the existing building line of Mortimer Road and forms a visual stop at the junction with Wallscourt Road South. The proposed development to the rear of the site maintains the building line of Wallscourt Road South and continues the building form naturally. The design of this element also respects the character of the street scene, orientation and grain of existing development and integrates well within the street pattern. The use of materials such as painted render and Double Roman roof tiles further integrates the development.

- 5.13 It is considered that the scale and massing of the development respects the surrounding and traditional built form. The eaves, ridge heights and roof scale as well as the bay window features have been designed to repeat the major design elements present within the immediate locality. The proposal will blend in with the existing street scene, reflecting the surrounding context. The rhythm of the area is therefore maintained and not compromised by the development.

The proposal is therefore considered to be acceptable in terms of its design, siting, layout, density, form, scale, height, massing, detailing and materials. It is informed by and respects the character of the area and therefore complies with policies H4 and D1 of the adopted local plan.

5.14 Garden Area

The private amenity space associated with the existing property, new dwelling to the side and the semi-detached dwellings have garden areas between 55 to 60m². Although it is recognised that these areas are modest, they are considered adequate and commensurate with the size of dwellings proposed.

In conclusion, the application accords with adopted policies D1, H2, H4, T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and is acceptable.

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, having regard to the above advice, the transportation improvements are appropriately the subject of a Section 106 Agreement (or other similar agreement) and would satisfy the tests set out in Circular 05/2005. It is considered that this would be best secured via an agreement under Section 278 of the Highway Act.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering an agreement under Section 278 of the Highway Act to secure the following:
- (a) A financial contribution of £5,400 towards the North Fringe Development Major Scheme (Transport Matters).

Reason: To provide a contribution commensurate with the scale of development towards the North Fringe Development Major Scheme (Transport matters) as identified in the South Gloucestershire Local Plan (Adopted) January 2006 and to accord with Policies T12, H2 and H4 of this plan.

- (2) If the Section 278 Agreement is not signed and sealed within 12 months of this determination then, in view of the length of time the application should either:
- (a) Return to the Development Control Area Committee for reconsideration or alternatively;
- (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a legal agreement, for the reasons listed in section (1) a above.

Background Papers **PT07/2909/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason(s):

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

3. The hardstanding areas shall be constructed of a bound surface.

Reason(s):

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

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

Reason(s):

To protect the residential and visual amenity of neighbouring occupiers due to the modest size of the plots and to accord with policies D1/H2/H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason(s):

To ensure that the development minimises the use of energy and natural resources as required by PPS1 and its draft supplement Planning and Climate Change, Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006, the adopted South Gloucestershire Design Checklist and the draft Regional Spatial Strategy for the South West of England, Policy G.

6. No doors or gates shall be hung so as to open over or across the public highway/footway.

Reason(s):

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

7. The screen walls/fences shown on the approved plan shall be erected in the positions indicated before the dwelling houses to which they relate are occupied.

Reason(s):

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

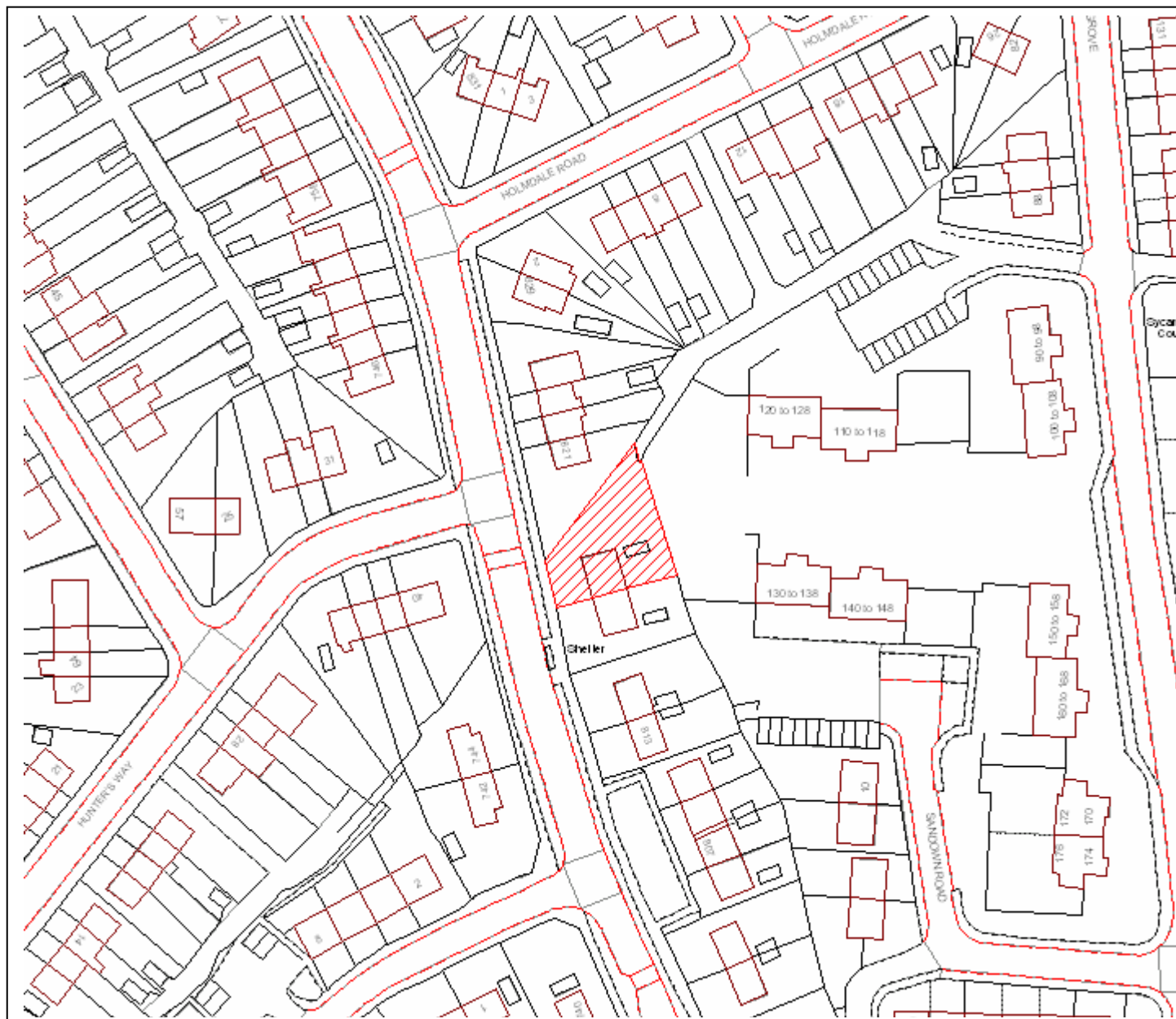
8. The glazing at first floor level on the side elevations of units 2 and 3 shall at all times be of obscured glass (level 3) and be permanently fixed in a closed position.

Reason(s):

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

CIRCULATED SCHEDULE NO. 42/07 – 19 OCTOBER 2007

App No.: PT07/2920/F	Applicant: Mrs D Hill
Site: 819 Filton Avenue Filton South Gloucestershire BS34 7HQ	Date Reg: 26th September 2007
Proposal: Erection of single storey front and side extension to form a playroom.	Parish: Filton Town Council
Map Ref: 60985 79179	Ward: Filton



© 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

PT07/2920/F

INTRODUCTION

This application has been referred to the Circulated Schedule due to objections raised by Filton Town Council.

1. THE PROPOSAL

- 1.1 This application relates to the erection of a single storey front and side extension at 819 Filton Avenue, Filton. The extension measures 4.4m in width, 7m in depth and has a hipped roof with a ridge height of 4.4m. The extension projects 1.5m beyond the front elevation of the property.
- 1.2 The application site is a semi-detached property located on a large, triangular shaped plot. The site lies within the urban area of Filton.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Object to the proposal on the grounds of protruding building line and concerns over the front entrance.

Other Consultees

- 4.2 Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 It is considered that the application accords with the above policy criteria. The size, design and location of the extension is in keeping with the existing dwelling and area as a whole. Although the extension projects forward of the front elevation, this is only by some 1.5m. Due to its limited projection and single storey nature it is not considered to disrupt the building line of this part of Filton Avenue to such an extent as to be harmful to the street scene, especially as various porches have been erected along Filton Avenue. The single storey nature, location of the extension and large curtilage will ensure that no adverse impact will result to the residential amenities of neighbouring occupiers. Access/parking arrangements are unchanged and adequate garden area will remain. The proposal therefore complies with the adopted plan and is acceptable.

5.3 Design and Access Statement

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

5.4 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission be granted.

Background Papers **PT07/2920/F**

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

CONDITIONS

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

Reason(s):

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