



**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. 20/08

Date to Members: 16/05/08

Member's Deadline: 23/05/08

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by the Planning and Transportation Committee on 21 November 1996. The procedure is designed to increase the effectiveness and efficiency of the Development Control Service. Under the arrangement reports are circulated on a weekly basis.

The reports assess the application, consider representations which have been received, and make a recommendation regarding the proposal. The procedure is designed to ensure that Members are aware of any concern expressed by interested parties in their ward and indicate a recommendation.

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **within five working days of the publication of the schedule (by 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:16/05/08

SCHEDULE NO. 20/08

If you wish any of the applications to be considered by the appropriate Area Committee you should return the attached pro forma not later than 5 working days from the date of the appropriate schedule (by 12 noon), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email Planningapplications@southglos.gov.uk.

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

**Dates and Deadlines for Circulated Schedule
over the Whitsun Bank Holiday period May 2008**

Schedule Number	Date to Members 12 noon on	Members Deadline 12 noon on
21/08	Thursday 22 May 2008	Friday 30 May 2008

Circulated Schedule 16 May 2008

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK06/3298/F	Approve with conditions	Land at Back Lane Rear of 43 High Street Wickwar South Gloucestershire GL12 8NP	Ladden Brook	Wickwar Parish Council
2	PK08/0578/F	Approve with conditions	Nomix Offices, Portland Street, Staple Hill, South Gloucestershire, BS16 4PS	Staple Hill	
3	PK08/0874/O	Approve with conditions	26 Whittucks Road, Hanham, South Gloucestershire, BS15 3PJ	Hanham	Hanham Parish Council
4	PK08/0912/F	Approve with conditions	Green Lane Farm, Dyers Lane, Iron Acton, South Gloucestershire, BS37 9XW	Ladden Brook	Iron Acton Parish Council
5	PK08/0928/F	Approve with conditions	18 Homefield Road, Pucklechurch, South Gloucestershire, BS16 9QD	Boyd Valley	Pucklechurch Parish Council
6	PK08/0931/F	Approve with conditions	52 Stanshawes Drive, Yate, South Gloucestershire, BS37 4EU	Yate Central	Yate Town Council
7	PK08/0943/F	Approve with conditions	Crane Close, Warmley, South Gloucestershire, BS15 4NT	Siston	Siston Parish Council
8	PK08/0961/F	Approve with conditions	Former Lindmans Factory, Tower Lane, Warmley, South Gloucestershire, BS30 8XT	Siston	Siston Parish Council
9	PK08/0966/F	Approve with conditions	47 Rockland Road, Downend, South Gloucestershire, BS16 2SW	Downend	Downend and Bromley Heath
10	PK08/1000/F	Approve with conditions	2 Wellington Road, Kingswood, South Gloucestershire, BS15 1PS	Kings Chase	
11	PK08/1011/F	Approve with conditions	19 Parkwall Road, Cadbury Heath, South Gloucestershire, BS30 8HL	Longwell Green	Oldland Parish Council
12	PK08/1018/F	Approve with conditions	171 Cranleigh Court Road, Yate, South Gloucestershire, BS37 5DP	Yate North	Yate Town Council
13	PK08/1069/F	Approve with conditions	6 Elmore, Yate, South Gloucestershire, BS37 4JG	Yate Central	Yate Town Council
14	PT08/0267/F	Approve with conditions	Land between 93 and 95 Pretoria Road, Patchway, South Gloucestershire, BS34 5PY	Patchway	Patchway Town Council
15	PT08/0802/F	Approve with conditions	Garage Court off North East Road, Thornbury, South Gloucestershire, BS35 1DZ	Thornbury North	Thornbury Town Council
16	PT08/0934/RVC	Approve with conditions	West of England Institute of Specialist Education, New Road, Stoke Gifford, South Gloucestershire, BS34 8LP	Frenchay and Stoke Park	Stoke Gifford Parish Council
17	PT08/0940/F	Approve with conditions	21 Crantock Drive, Almondsbury, South Gloucestershire, BS32 4HF	Almondsbury	Almondsbury Parish Council

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
18	PT08/0956/F	Approve with conditions	10 Marjoram Place, Bradley Stoke, South Gloucestershire, BS32 0DQ	Bradley Stoke South	Bradley Stoke Town Council
19	PT08/0962/F	Approve with conditions	9 Home Farm Way, Easter Compton, South Gloucestershire, BS35 5SE	Almondsbury	Almondsbury Parish Council
20	PT08/0973/F	Approve with conditions	2 Hazeldene Road, Patchway, South Gloucestershire, BS34 5DS	Patchway	Patchway Town Council
21	PT08/0978/F	Approve with conditions	16 and 18 Castle Street, Thornbury, South Gloucestershire, BS35 1HB	Thornbury North	Thornbury Town Council
22	PT08/0989/R3F	Deemed consent	Severn Beach Primary School, Ableton Lane, Severn Beach, South Gloucestershire, BS35 4PP	Pilning and Severn Beach	Pilning and Severn Beach

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.: PK06/3298/F
Site: Land at Back Lane Rear of 43 High Street Wickwar WOTTON UNDER EDGE South Gloucestershire GL12 8NP

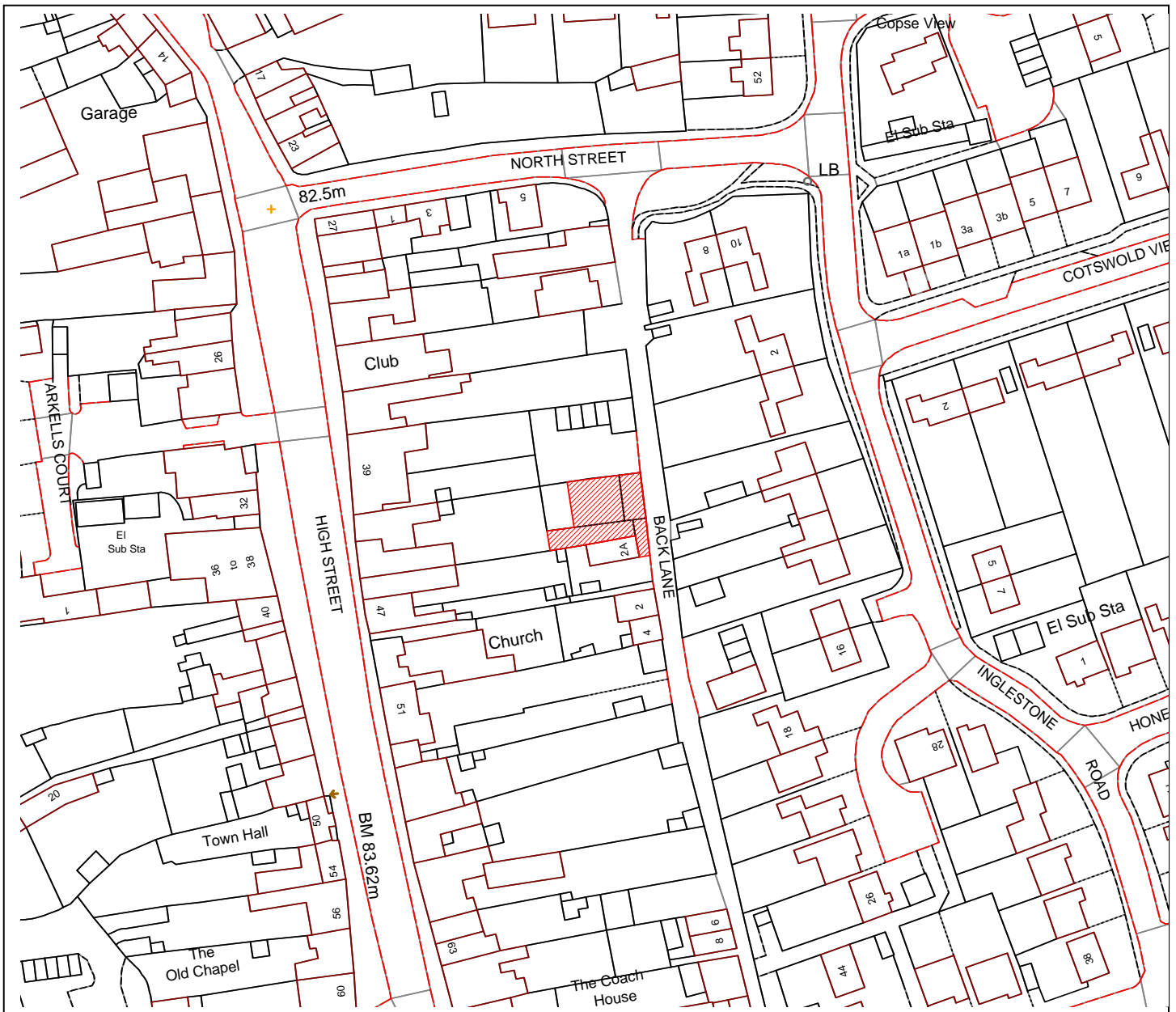
Applicant: Ms S Brown
Date Reg: 13th November 2006

Proposal: Conversion and extension of single garage to form 1 no. dwelling with associated works. (Resubmission of application PK06/0382/F)

Parish: Wickwar Parish Council

Map Ref: 72464 88500
Application Category: Minor

Ward: Ladden Brook
Target Date: 2nd January 2007



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INTRODUCTION

This application is referred to the Circulated Schedule following objections to the proposed scheme being received by local residents and the Local Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to construct a two-storey dwellinghouse and other associated works which involve the creation of a curtilage and off-street parking.
- 1.2 The application site is land to the rear of No.43 High Street and lies adjacent to Back Lane, which is slowly developing its own frontage. The site is occupied by a dilapidated garage that once served No.43 High Street, but the ownership of the property has been fractured so now the application site is outside the ownership of the existing owner/occupier of No.43. The site however includes an access lane which still serves the rear of No.43 as well as a parking area which serves the rear of the neighbouring property of No.45.
- 1.3 The access lane that runs along side the existing garages is therefore a shared access for which the properties of No's 43 and 45 have a right of way over. The extent of the right of way is however in question, as the applicant has stated that within their deeds, the width of the right of way that has to be maintained is 8 feet (2.4 metres) but such defined dimensions are being disputed by neighbouring parties.
- 1.4 The description of development has been previously queried with the applicant's agent, as it implies the existing dilapidated structures on the site will be retained as part of the development, but Officers consider that in truth all existing walls of this single skin building will simply be demolished. An invitation was made to have the description of development amended, but this request was not followed up. Nevertheless, it is considered that notwithstanding the description of development, a more accurate assessment of the scheme would lead to the conclusion that the resultant building if approved would be entirely new build.
- 1.5 This application follows a previous refusal (as noted in para 3.1). This application is therefore seeking to address the four previous reasons of refusal.
- 1.6 Since the submission of this application, a number of revisions have been made to the design of the dwelling and its position and scale have been changed and reduced to accommodate a curtilage area which previously wasn't proposed.
- 1.7 Revisions also have been made to the layout of the curtilage in an attempt to accommodate a sufficient private curtilage, off-street parking as well as ensure access to the neighbouring properties is maintained as far as possible.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historic Environment

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Housing
L12	Conservation Areas
L13	Listed Buildings
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

Wickwar Conservation Area Advice Note

3. RELEVANT PLANNING HISTORY

3.1 PK06/0382/F- Conversion and extension of single garage to form 1 no. dwelling with associated works. Refused

1. The proposal would lead to the creation of a poor parking arrangement to serve the development. In addition, the development would lead to an increased use of a substandard access by reasons of unsatisfactory visibility, lack of a footway and insufficient road width, thereby increasing hazards faced by highway users to the detriment of highway safety contrary to policy T12 of the South Gloucestershire Local Plan.
2. The proposed development would result in the loss of the existing parking facility which serves the existing property, number 43 High Street. The proposal would therefore lead to further on-street parking on High Street, adding to parking congestion and increasing hazards to the travelling public. This is contrary to policy T12 of the South Gloucestershire Local Plan.
3. The proposed dwelling would be detrimental to the prevalent traditional pattern of built development onto Back Lane at the end of the burgage plots, by virtue of its bulk and height, the excessively wide gable end, the semi-dormers which do not respect the vernacular style, the excessively large number of windows facing the lane, the excessive number of large, non-traditional rooflights and the prominent barge and eaves boarding. The proposal would fail to preserve or enhance Wickwar Conservation Area, contrary to policy L12 of South Gloucestershire Local Plan and the guidance note for Wickwar Conservation Area.
4. The proposed development, by virtue of its height, bulk, location and character, would have a detrimental impact upon the historic setting of the nearby Listed Building, contrary to policy L13 of the South Gloucestershire Local Plan.

4. CONSULTATION RESPONSES

4.1 Wickar Parish Council

2no. consultation responses were received from the local parish Council.

First response dated 01/12/06

There is no objection to the proposed development provide the materials are in keeping with the local buildings to the requirements of the SGC Conservation Officer. It is considered that the cladding at the front of the house is not in keeping with the local buildings and should be changed to stone or render.

Second response dated 12/02/08

This is a former burgage plot on which a garage has been built into an existing wall bordering Back Lane. We consider the plans too ambitious for the available space and we would refer to the Conservation Officer to comment on whether the existing walls (especially the one next to Back Lane) can be altered. On the balance we object to the application.

Other Representations

4.2 Local Residents

8no. consultations responses were received from neighbouring residents which expressed the following summarised objections to the proposed scheme.

- There is an incorrect assumption over the scale of the right of way as no specific measurements are noted in any of the deeds but a simple line which is currently under dispute between the applicant and neighbouring residents;
- The access at the entrance is shown at 2.43 metres width and with obstruction caused by the gateposts this could be reduced further – 2.25m. This creates an immediate issue that the proposed development reduces the right of way for both No.41 and No.43. By law if a right of way is not kept clear of obstructions at any time or is reduced then an injunction can be taken out against the offender. It is confirmed that if planning permission is granted and the right of way is reduced, an injunction would be taken out against the applicant and legal action would be taken against the Planning Dept for allowing such a development to take place.
- If the applicant intends to increase the right of way to 3 metres, this can not be legally enforced unless it is lodged with the land registry. Therefore should the application be granted planning permission, boundary treatment could be constructed in the position as shown on the approved plans;
The applicant's statement that there is currently a 3 metre clearance on the driveway is misleading, as this does not apply for the whole length of the driveway as shown on the current plans;
- The physical hard boundary as shown would result in access difficulties for neighbouring properties;
- The west facing elevation would overlook a neighbour's rear garden and so if approval is to be recommended, then this windows should either be obscured or moved to a position that does not infringe on privacy levels;
- The two old gates attached to No.2A should be removed;
- The proposed perimeter wall would run over existing manhole covers making maintenance and access impossible;

- The gateposts add to the history of the Conservation of Wickwar and should be retained;
- Bollards are installed as suggested on Back Lane to help improve pedestrian safety;

It is though noted that 5 of the consultation responses were received by the same resident in response to the amendments made to the scheme.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy L12 states that only development that preserves or enhances the character and appearance of the conservation area will be permitted. In addition to this test, the adopted local plan housing policy (H2) is also of relevance and criterion (A) states that proposals for residential development will only be permitted where it would not have unacceptable environmental or transportation effects and would not significantly prejudice residential amenity.

Conservation/ Design Issues

- 5.2 The site is currently occupied with a garage building, a high boundary wall and the remnants of other outbuildings. The freestanding section of the wall coming off the boundary wall, in a north/south direction, is of recent construction with a visible damp proof course insitu. From evidence noted on site, the garage wall fronting the lane was previously less than 2 metres in height but was increased at some stage using different stonework compared to the lower sections.
- 5.3 There are a number of existing houses now fronting onto Back Lane which some clearly being recent developments. The character of the Back Lane is not though yet typified these residential properties. The Wickwar Conservation Area SPD makes a specific reference to the character of Back Lane: *“These (historic burgage) plots were used for gardens, workshops and storage etc. Each plot was separated from its neighbour by a stone boundary wall. Within these plots many outbuildings and other structures were constructed for various small scale industrial, horticultural and other activities.”* It is considered that the garage and the remains of the other buildings on the application site are such outbuildings.
- 5.4 The historic maps of the site show that there was a cluster of four small structures on the site, whereas a house would be shown as one. Even if there had been a house on the site previously, the current structures and layout are more in keeping with the character of the area today. The Wickwar Conservation Advice Notice again makes a specific reference to these structures and the contribution that they make: (a) *“The outbuildings, stone walls and their historic layout are an important legacy of the past and they should be retained and repaired”* (b) *“In particular it is important that the long narrow nature of the burgage plots are preserved...and the loss of the historic layout will be resisted”*. (c) *“Enhancement strategy should resist the removal of outbuildings, boundary walls and other historic elements”*. (d) *“Enhancement strategy should protect the informal character and enclosure to the lane by retaining... Walls and the muddle of outbuildings”*.
- 5.5 Although this advice could be interpreted as providing a basis for an objection to any such scheme, it has to be recognised that there is a very recent approval of a dwelling adjacent to Back Lane (PK04/3104/F). Therefore although an “in

- principle” objection could not be sustained on conservation grounds, it is essential that any building is of a design that reflects and reinforces the characteristics of Back Lane as noted above.
- 5.6 It is noted that a previous scheme for a dwellinghouse on this site was refused on 4 counts – the first two reasons related to access issues but the third reason was the poor relationship of the building to the prevalent pattern of development (burgage plots) and the poor design, scale and form of the proposed building. Finally due to the poor design and scale, it was considered the proposed scheme would have an adverse effect on the setting of the adjacent listed building.
- 5.7 In submitting this application, the above 2 conservation reasons for refusal would clearly need to be addressed if this scheme is to be supported.
- 5.8 As submitted, it was considered that the orientation of the new building would address the traditional burgage plot layout, as the axis of the building would run parallel to the boundary line. Moreover being set close up to the boundary adjoining Back Lane, it would help maintain the enclosed character of Back Lane while following the traditional pattern of development.
- 5.9 Issues such as scale and design however would still need to be addressed, as previously the design was of a bland modern suburban dwellinghouse with ungainly proportions and clumsy detailing.
- 5.10 As initially submitted, the design approach was considered to be a significant improvement in terms of quality, however the scale and excessive gable fronting Back Lane were still considered to be an issue. Therefore since submission a number of revisions for the design have been made which has seen the apex of the prominent gable facing Back Lane reduced in height but also width so overall it is more in keeping with the local vernacular style. The footprint of the building it is noted has also been reduced for amenity reasons.
- 5.11 The changes in fenestration (design and specification) have also improved the appearance of the building, with the dormer of the south elevation of particular note. The previously proposed Cedar boarding has been deleted with walls now being a combination of natural stone and lime rendered walls. The canopy of the south elevation also provides a traditional feature that will contrast and the half gable coming off the front section which although awkward in appearance, is acceptable as in this case, due to the site context this building should not ideally appear too coherent. The north elevation does appear quite bulky, but due to the adherence to the burgage layout, this is unavoidable but far from a negative, it is considered that this would contribute to the enclosed character of Back Lane. The chimney stack rising from the wall plate on the north elevation is also considered a positive detail that would provide visual interest.
- 5.12 In looking at the other proposals within the scheme, no details have been provided about the coursing of the walls. The last submitted plan makes reference to the walls being constructed of stone, but a condition detailing coursing would be required to ensure (a) it is of sufficient quality and (b) the coursing of the walls match the coursing of the main house. There are also no details concerning the metal fencing that is to be erected on top of the stone wall that is to enclose the rear curtilage. There is a concern that this could appear too formal and the annotation “traditional pattern” does not address this

concern. A condition is therefore suggested so that details of this metal fence are pre-approved, and as a guide they should be extremely simply in design and construction.

- 5.13 Overall it is considered that the quality inherent within the design is acceptable and is a vast improvement over the previously proposed scheme with its bland and uninteresting design. It is considered that subject to the suggested conditions, if approved the proposed new dwelling would preserve the character and appearance of the Wickwar Conservation Area. Moreover, in view of the proposed design, it is no longer considered that the proposed new house would detract from the setting of the adjacent Grade II listed building.
- 5.14 There has been a particular reference made to the loss of the existing gateposts that are both attached to the same flank wall of the adjacent house. These gates no longer provide any function and are of a simple timber sections embedded into the ground. Although it could be argued to be historic, they are not of such interest that their loss is of any concern and the fact that they no longer serve any functional purpose reinforces this view, as if there was a functional and historic gatepost arrangement insitu, then the retention of this detail would be sought. As it is, the gateposts are remnants of previous gated entrances which are not considered worthy of retention (although their removal doesn't require permission or Conservation Area Consent. Therefore the proposed loss of these two simple redundant gateposts would not detract from the character and appearance of the Wickwar Conservation Area.

Residential Amenity

- 5.15 It is not considered that the proposed new dwellinghouse would cause any overbearing effects that would be detrimental to the existing levels of amenity currently enjoyed by neighbouring properties. The main concern with this scheme in relation to residential amenity is the potential loss of privacy through overlooking or inter-visibility.
- 5.16 The proposed dwellinghouse would have windows facing eastwards onto Back Lane and position in the south facing elevation. It is considered that these windows would not have any significant effect on privacy levels. It is considered that it is the windows in the west facing elevation (looking back towards to the properties fronting the High Street) which is of most concern to local residents.
- 5.17 The west facing elevation contains two casement windows – one ground floor and one first floor window. It is considered existing and proposed boundary treatment would help screen views out of the ground floor window, although the gradient would reduce the effectiveness of this, as the ground slopes from west to east. The consequence of this is however the ground floor window would not overlook any neighbouring property. The distance separating the rear elevation of the proposed new house and the closest part of a neighbouring property that fronts onto the High Street is approximately 26 metres. This distance exceeds the Council's guide of 21 metre separation distance necessary to avoid any undue levels of inter-visibility. The first floor window would look back towards the neighbour's rear gardens and so overlook them, however although this could be argued to reduce privacy levels, it is not considered that the introduction of 1no. window would result in a level of overlooking or the cumulative effect (along with existing levels of overlooking due to terracing) would cause such a significant loss of privacy that it would be harmful to amenity levels.

- 5.18 With regard to the prospective occupiers of the proposed new dwelling, it is considered that following a reduction in footprint to create the rear garden, the level of amenity space now proposed is acceptable and the private amenity space would not be overlooked to the detriment of amenity levels. It is therefore considered that the amenity levels that will be provided for the prospective new occupiers will be acceptable.

Transportation

- 5.19 The access to the existing garage is via Back Lane and this would remain the same for the new dwelling. The location of the existing garage at the site entrance is such that it makes the side lane, which serves parking areas for properties No.41 and No.43 High Street, fairly restricted. Based on the information provided by the applicant and the owners of No's 41 and 43, No's 41 and 43 only have a right of way of the existing side lane and the applicant claims that this right of way is limited to 8'0" (or 2.43m).
- 5.20 Following discussions with the applicant and concerns expressed about restricted access width, the applicant has agreed to widen the lane to 3 metres which is wider than the legal rights of way that is currently enjoyed by both occupiers of No.41 and 43. This alteration along with a taper in the south-western corner of the boundary wall would make the situation easier for access by the others compared to the existing situation.
- 5.21 In respect of off-street parking, it is proposed to provide one parking space for the new dwellings and this is compliant with the South Gloucestershire Council maximum parking standards.
- 5.22 Therefore subject to the suggested conditions to be attached to any approval, there are no highway objections to the proposed scheme.

Local Resident's Issues

- 5.23 Of the issue raised which have not been addressed in this report, the main issue of the right of way is fundamentally a civil matter that will need to be resolved (if required) by the parties involved. However, as per Council's transportation policy, in considering development proposals for development there is a duty to ensure not only suitable access arrangements are proposed for the new development, but existing access arrangements are not prejudiced as a result of any approval. It is considered that the amendments sought to the site plan to provide a 3 metre wide access and tapered wall to aid movement is as far as the Council could go without being seen to be unreasonable. Although the applicant intends to demarcate the extent of the 2.4 legal right of way by a flush kerb, steps need to be taken to ensure no boundary treatment is erected in the future which would reduce the 3 metre width. Therefore as this area is within the red line of the application site, permitted development rights which would enable the erection of a boundary wall up to 2 metres without permission are to be removed.
- 5.24 The concern over the implications for the manhole cover are a matter that will be addressed and resolved within the Building Regulations application.

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.

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PK06/3298/F**

Contact Officer: **Donna Whinham**
Tel. No. **01454 865204**

CONDITIONS

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

Reason:

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

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

Reason:

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect amenity of the neighbouring occupiers and to accord with Policies D1,H2,L12 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Sample panels of stonework (for the main house) demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason:

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

4. The stonework used in the construction of all boundary walls is to match the stonework of the main house in terms of colour, texture and pointing, unless prior written approval for any variation is given by the Local Planning Authority.

Reason:

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

5. A sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason:

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

6. Prior to the commencement of any development, large scale details of the proposed metal railings are to be submitted to the local planning authority for written approval.

Reason:

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

7. Notwithstanding the details shown on the approved plans, the rooflights shown on the north elevation should be "conservation" style rooflight units fitted with a central glazing bar and installed flush with the roof surface. Details of the specification of the rooflights to be used shall be submitted to the local planning authority prior to installation.

Reason:

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

8. The rainwater goods shall be cast metal and painted black.

Reason:

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

9. Prior to the commencement of development, a sample of the double Roman tile to be used is to be submitted to and approved by the Local Planning Authority and all such materials used in construction of the building hereby authorised shall conform to the details so approved.

Reason:

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

10. Prior to the occupation of the dwelling, the off-street parking in line with the submitted and approved plans shall be provided and maintained satisfactory thereafter.

Reason:

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

11. The access as shown shall be constructed in accordance with the submitted and approved plans (the demarcation of legal right of way shall be flush with the surface of the main surface for example) and shall be maintained thereafter.

Reason:

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

12. The parking area as well as the access lane shall be surfaced with bound surface material (ie.no loose stone or gravel) and maintained satisfactorily thereafter.

Reason:

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

13. No windows (including rooflight) other than those shown on the plans hereby approved shall be inserted at any time in the elevations or roof of the building hereby permitted.

Reason:

To ensure a satisfactory standard of external appearance and protect the amenities of neighbouring properties, and to accord with Policies D1, H2 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.: PK08/0578/F
Site: Nomix Offices, Portland Street, Staple Hill, South Gloucestershire, BS16 4PS
Proposal: Change of use from Offices (Class B1 & B2) with extensions to 10no. self contained flats (Class C3) as defined in the Town & Country Planning (Use Classes Order) 1987 (as amended). Erection of 3no. terraced houses and 1no. detached dwelling with garages, parking and associated works.

Applicant: Camborne Homes
Date Reg: 28th February 2008

Parish:

Map Ref: 64768 75437
Application Category: Major

Ward: Staple Hill
Target Date: 27th May 2008



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100023410, 2008.

DC0901MW

INTRODUCTION

This application has been referred to the Council's Circulated Schedule procedure as this is a major application and this is in line with the Council's procedures.

1. THE PROPOSAL

- 1.1 This planning application seeks full planning permission for the change of use of existing Offices with extensions to form 10no. self contained flats and the erection of 3no. terraced houses and 1no. flat over detached garage with garages, parking and associated works.
- 1.2 The application site relates to land which is occupied by a two storey office block located within the established residential area of Staple Hill. Access will be gained via the existing vehicular access point from Portland Street.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Joint Replacement Structure Plan
2 Location of development
34 Reuse of previously developed land
35 Range of housing types
59 Transport issues – new development
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
L1 landscape Protection and Enhancement
H2 Residential Development
H6 Affordable Housing
T6 Cycle Parking Provision
T7 Parking Standards
T12 Development Control Transportation Policy
LC2 Provision of Education facilities
LC8 Open Space
EP1 Environmental Pollution
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD Adopted August 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history relates to the application site:

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Town/Parish Council
The application site does not come under a Parish/Town Council

4.2 Wessex Water

The developer should contact Wessex water to agree a point of connection onto Wessex systems.

(b) Other Representations

4.2 Local Residents

2 letters and a petition with 88 names have been received from local residents raising the following objections regarding the proposed development, which have been summarised as follows by the Planning Officer:

- Overdevelopment of site
- Overdevelopment of area given other planning applications PK07/1622/F & PK072052/F nearby
- Highway issues i.e. parking
- Pollution
- No help for existing services i.e. buses, schools, shops, doctors
- Loss of employment units

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H2 of the South Gloucestershire Local Plan allows for residential development within the existing urban area. The application site is located within the established residential area of Staple Hill and relates to land currently occupied by offices. The principle of residential development is considered acceptable subject to the following being satisfied:

5.2 Density

PPS3 seeks to ensure that the maximum density of the site is achieved so as to ensure efficient use of land. The proposed density on the site is 93 dwellings per hectare and is greater than the minimum density level set out in Policy H2 and PPS3, this is nevertheless considered appropriate given the sustainable nature of the location, close to local services and local transport routes. It is also considered that regard must be had for the fact that of the 14 units 10 are flats which clearly raises the density.

5.3 Design/Scale and Layout of Development

The application site and surrounding area is characterised as follows. The surrounding area is predominantly residential and is bound by residential properties along the eastern boundary of the site. Land along the western and northern boundary of the site relates to a factory and large scale red brick warehouse style building and small scale employment units and the land to the west is currently subject to two separate planning applications for residential development.

5.3 The application site relates to a 1980's two storey detached office building with an unsympathetic addition on the western elevation. The building has a white render finish with concrete tiles. Car parking is laid out to the front of the building.

5.4 The scheme comprises of two parts; the conversion of the existing building and the addition of two extensions either end of the building. The proposed layout responds well to this self contained location, with the car parking located within the central area which will be broken up with a number of soft landscaped areas.

It is considered that the submitted scheme has demonstrated that the site can be developed at this density as satisfactory levels of on site car parking, communal and private space can be satisfactorily accommodated on the site.

- 5.5 The Planning Officer is of the view that the proposed conversion of the existing building for flats make an efficient and sustainable use of the building. It is also considered that given the self contained nature of the site that the site can satisfactorily accommodate the proposed 2.5 storey new build i.e 9.20m high without having an overbearing impact on the visual amenities of the immediate street scene. The design of the scheme proposes a number of roof lines at various heights which are considered to add visual interest and help break up the mass. The proposed materials have been chosen to respect the existing building, however the proposed development has taken on a modern approach in its appearance, and it considered that this allows the development to have a more distinctive appearance rather than slavishly replicating the appearance of older properties within the area. A condition will be imposed to ensure that all materials are of a high standard.
- 5.6 Concerns have been raised on the grounds that this application must be considered together with the other nearby applications. Members are advised to consider that the Council must assess this application on its own individual merit and is not in a position to assess the overall cumulative impact of the other applications as well.
- 5.7 Residential Amenity of existing neighbouring Residents
Those residential properties nearest the proposed development are no.'s 64-50 Soundwell Road sited along the eastern boundary of the application site. This application proposes a 2.5 story element i.e 9.20m high at the highest point along this boundary, which will be set back from the adjoining rear boundary of the rear gardens of those properties by 9.0m and will be set back from the original rear building line of the two storey residential properties by 21.0m. Most of these properties have been extended at ground floor level.
- 5.8 Members are advised to consider that revised plans have subsequently been submitted reducing the overall height of this proposed building from that of 10.20m to 9.20m. Whilst it is accepted there are a number of habitable room windows on the rear elevation of the proposed development, it is considered that given the proposed siting in relation to those neighbouring properties, it would not have an adverse impact on those properties in terms of overbearing impact or loss of privacy or overbearing impact.
- 5.9 The rear of the existing building subject of the conversion backs onto a site occupied by a number of small scale industrial units. The western boundary of the site adjoins a site that is occupied by a factory and is currently subject to a planning application for residential development. Regard has been had for the layout of that scheme in the event should planning permission be granted.
- 5.10 Residential Amenity of future occupiers
The proposed development by reason of its layout provides satisfactory levels of on site amenity space in the way of separate private gardens for the proposed dwellings, private communal amenity space for the two bedroom flats and the provision of a balcony. In addition this application is subject to the provision of a financial contribution towards the enhancement off site Public Open Space.

- 5.11 It is also considered that satisfactory on site communal bin storage and cycle parking facilities have been provided in terms of accessibility, appropriate size and amount. Both of which will be subject to planning conditions to ensure that these are in place prior to the first occupation of the development.
- 5.12 As discussed the rear elevation of the existing building back onto a number of small scale commercial units. The Council's Environmental Protection team have confirmed that there are no issues regarding noise and disturbance for the future occupiers of the development. The Planning officer has however negotiated a revised layout which ensures that all living rooms and bathrooms are sited on the front of the building.
- 5.13 Transportation Issues
The Council's Highway Officer has advised the following. Visibility from the site access is poor to the east but is considered acceptable given that the existing "uses class" is more onerous than the proposed in terms of traffic generation. An industrial unit is likely to generate larger vehicles on a more frequent basis than the traffic associated with a residential development.
- 5.14 Objections have been received regarding the impact of this development on parking and also as a result of the other planning applications. The Council must assess this application on its own individual merit and is not in a position to assess the overall cumulative impact of the other applications as well. The level of proposed vehicle parking accords with standards with either 1 or 2 spaces available per unit. There is also room within the site for informal visitor parking (along the access lane), which could take place without causing congestion. Revised plans are to be submitted with regards making the four of the parking spaces slightly larger.
- 5.15 With reference to the Council's minimum cycle parking standards 1 sheltered cycle parking space is required for each unit. It is accepted that 8 of the dwellings could use their garage/car port for bike storage with a further 4 spaces available on either side of the 2 stands. Revised plans have been submitted proposing cycle parking to the rear of the existing block, which is considered accessible and secure, and will be subject to a planning condition.
- 5.16 It is not anticipated that a refuse vehicle will enter or turn within the site and as a result the bin store has been sited close to the entrance. Revised plans are to be submitted with regards making the bin area slightly larger.
- 5.17 It is therefore considered that in light of the above there are no highway transportation objections regarding this proposed development.
- 5.18 Landscaping Issues
It is considered that there are no landscaping constraints on this site that would prevent this site from being developed. Should planning permission be granted a condition will be imposed requiring the submission of a detailed landscaping scheme of all new proposed landscaping.
- 5.19 Drainage Issues
The Council's Drainage Engineer has advised that in principle no objection is raised with regards the drainage aspects of the proposed development, and

has advised that where appropriate the Council will require the use of soakaways for roofs or permeable surfaces for private drives and parking areas to satisfy ground water replenishment and surface water pollution in compliance with Sustainable Drainage System requirements.

5.20 The site is within a former mining area. It is recommended that a condition be imposed requiring the submission of a mining report.

5.21 Financial Contributions:

Community Services

Community Services require a financial contribution of £28,540.71 towards Public Open Space as the proposed development would create a need for extra public open space. This is subject to a unilateral undertaking.

Education

Education has confirmed that as there is a projected surplus capacity at both primary and secondary schools with the area, and therefore there is no requirement for an education contribution.

Affordable Housing

There is no requirement to provide an element of affordable housing as the number of units proposed fall below the Council's threshold of 15 units.

5.22 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.

5.23 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

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 planning permission, subject to the signing of a Unilateral Section 106 Agreement, to secure the following:

- (i) The contribution of £28,540.71 towards the enhancement of existing Public Open Space, more specifically;
- i) Enhancements are to be carried out within 2km of the development. It is likely to be spent at Soundwell Playing Fields and Page Park, but would reserve the right to allocate funds accordingly.

The reason for this Agreement is:

- (i) The proposed development would create a need for extra public open space and this is to mitigate against the identified shortfall of Public Open Space within the area

Planning permission be granted subject to the following planning conditions.

Background Papers **PK08/0578/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

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

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

Reason:

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

4. Within 3 months from the date of the decision, detailed plans showing the provision of cycle parking facilities in accordance with the standards set out in Policies (T7 and T8) of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason:

To encourage means of transportation other than the private car, to accord with Policy T10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The residential units hereby approved shall not be occupied until details of the bin storage enclosure has been submitted to and approved by the Local planning Authority and been provided in accordance with those approved details.

Reason:

In the interests of the future occupiers of eth development and to accord with Policy H5 of the South Gloucestershire Local Plan.

6. Within 3 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policy EP1of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policy EP1of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Within 3 months from the date of the decision a scheme of landscaping, which shall include details of all proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason:

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

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

Reason:

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

10. Prior to the commencement of any works on the site a mining report must be submitted to and approved in writing by the Local Planning Authority. Works shall proceed in accordance with the approved details.

Reason:

To prevent non-point source pollution and flooding, and to accord with Policies L17, L18 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 hours Monday to Friday and 0800 to 1300 hours 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.

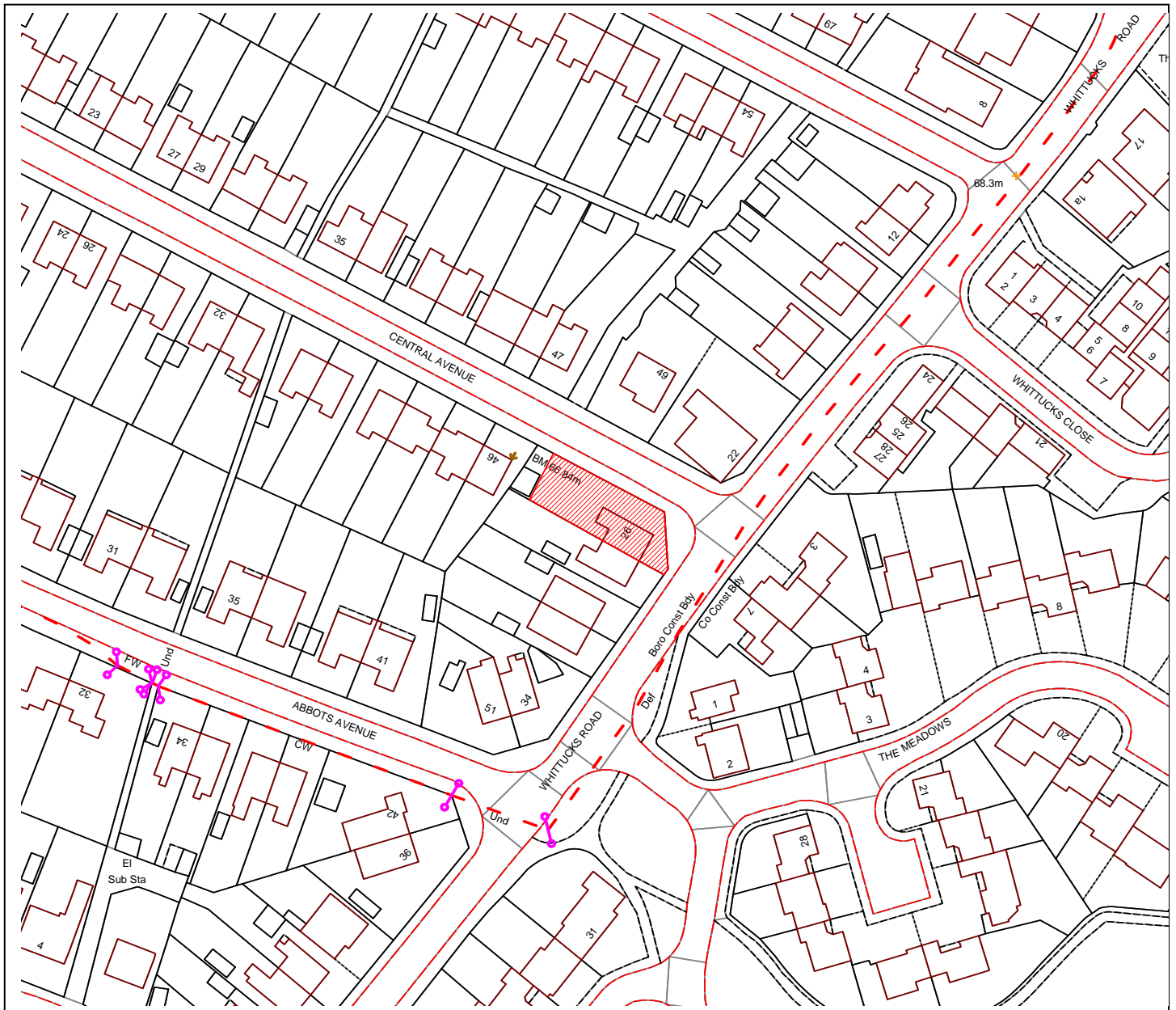
Reason:

To minimise disturbance to neighbouring occupiers and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.: PK08/0874/O
Site: 26 Whittucks Road, Hanham, South Gloucestershire, BS15 3PJ
Proposal: Erection of 1no. attached dwelling (Outline) with layout and access to be determined.
Map Ref: 64593 71935
Application Category: Minor

Applicant: Mr Zabek
Date Reg: 1st April 2008
Parish: Hanham Parish Council
Ward: Hanham
Target Date: 26th May 2008



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N.T.S

PK08/0874/O

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

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for the erection of 1 no. dwelling with matters of layout and access to be determined.
- 1.2 The application site relates to domestic curtilage located within the established residential area of Hanham.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan

D1	Design
T7	Parking Standards
H2	Residential Development within existing Urban Area and Defined Settlement Boundaries
H4	Development within existing residential curtilages
T12	Transportation

2.3 Supplementary Guidance

Supplementary Planning Document Design

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

(a) Statutory Consultees

4.1 Hanham Parish Council

Concerns over access issues which is likely to be onto a very narrow road.

(b) Other Representations

4.2 Local Residents

No response.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

- The application site is located within the established residential area of Soundwell. Policy H4 & H2 of the South Gloucestershire Local allows for residential development within existing residential curtilages provided a number of criteria are satisfied.
- 5.2 This outline application seeks matters of “*layout*” and “*means of access*” to be determined with all other matters reserved.
- 5.3 Layout
The application site relates to a two storey post war semi detached property on the junction of Whittucks Road and Central Avenue. The proposed dwelling will be sited on the side elevation of the existing property. The proposed dwelling has been designed to read as a subservient extension to the existing property in terms of scale i.e. width. Information has also been submitted which gives an indication of the overall scale in terms of height. It is considered that a dwelling of this scale and in this location would be in keeping with the character of the existing property and immediate surrounding area.
- 5.4 It is also considered that a dwelling in this location would not have an adverse impact on the existing of neighbouring properties in terms of overbearing impact or loss of privacy, given the proximity of the proposed dwelling in relation to those nearby properties.
- 5.5 Satisfactory levels of onsite private amenity space will be provided for the existing and proposed dwelling.
- 5.6 Transportation Issues
Concerns have been raised by the Parish Council regarding access onto a very narrow road. The occupiers of the existing dwelling currently gain vehicular access on and of the road in question, as the existing dwelling has a single garage with a parking space in the front.
- 5.7 This application proposes to provide one parking space for the new dwelling alongside the existing parking, which is in line with the Council’s maximum car parking standards. Revised plans have subsequently been received in light of highway concern relating to the width of the proposed car parking space and the need for a visibility splay adjacent the proposed car parking space in order to provide better pedestrian visibility for vehicles exiting the site. A condition will be imposed requiring that the boundary wall between the parking for both dwellings is kept to a maximum height of 0.6m.
- 5.8 Due to the receipt of satisfactory amended plans no objection is raised on transportation grounds regarding this proposed development.
- 5.9 Landscaping Issues
Landscaping matters are to be dealt with as part of any future reserved matters application. It should be noted however that there are no landscaping constraints on the site.
- 5.10 Drainage Issues
The Council’s Engineering Consultancy has advised that no objection is raised in principle to this proposed development and that the applicant consider the use of soakaways or permeable surfaces for roofs, private drives and parking

areas for ground water replenishment and surface water pollution control so as to ensure a satisfactory means of drainage.

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PK08/0874/O**

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

CONDITIONS

1. Approval of the details of the scale, appearance of the building 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:

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 scale and appearance 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:

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:

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

4. There shall be a visibility splay of 2.0m x 2.0m as shown on the approved dwg. 1478/11 Rev. B date stamped the 25th April 2008 and all boundary treatment along this splay shall be restricted to 0.60 in height.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PK08/0912/F	Applicant:	Mr & Mrs S Hill
Site:	Green Lane Farm, Dyers Lane, Iron Acton, South Gloucestershire, BS37 9XW	Date Reg:	4th April 2008
Proposal:	Conversion of existing outbuildings to form offices (Class B1) as defined in Town and Country Planning (Use Classes Order) 1987 (as amended).	Parish:	Iron Acton Parish Council
Map Ref:	69188 84482	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	23rd May 2008



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100023410, 2008.

DC0901MW

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks full planning permission to convert a range of redundant outbuildings, mainly cattle shelters, into an office. The application states that the office would be used for design and meeting facilities for the applicants engineering business. The building would be divided internally to form one drawing office/conference room and one office. A toilet would also be installed.
- 1.2 The building has an L-shaped footprint, has a tiled roof construction and its walls are mainly constructed of Stone. The proposed scheme would also involve the removal of some areas of unsympathetic infilling of the barn walls and the creation of two new canopy roofs over doors to create sufficient headroom.
- 1.3 The site lies just outside of the Green Belt and is outside of any defined settlement boundaries.

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)

D1	Achieving Good Design
L1	Landscape Protection and Enhancement
E6	Employment Development in the Countryside
E7	Conversion and re-use of Rural Buildings

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/4035/F Conversion of existing farm building to form a residential annex.
Refused January 2005
- 3.2 PK02/1008/F Raise height of roof or part of dwelling to create third floor living accommodation.
Approved May 2002

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Iron Acton Parish Council
Object to the application on the following grounds;

'The proposed development is located on a narrow, single track, residential lane, accessed through Chaingate Lane, which is also a narrow residential lane. The Parish Council do not believe that this lane is suitable to accept the additional traffic movements that would occur if the development were to be given approval.'

(b) Other Representations

4.2 Local Residents
None Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Key to the determination of this application are policies E6 and E7 of the adopted South Gloucestershire Local Plan. Both policies set out a list of criteria that must be satisfied before the conversion of buildings for employment purposes can be considered acceptable. By means of summation, the criteria relate mainly to impact on residential amenity, traffic generation, the structural integrity of the buildings, and the effect on the countryside.

5.2 Analysis

Policy E7 of the South Gloucestershire Local Plan (Adopted) allows for the conversion and re-use of existing buildings for employment purposes outside the boundaries of settlements provided that;

A. The buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction;

Whilst no structural report has been submitted with the application, the design and access statement claims that the building is structurally sound and is capable of conversion, simply requiring dry-lining and floor-works. The existing roof of the barn is intact and mainly watertight but is bowing slightly in places. The application does state that the existing roof tiles will be removed, new felt laid and the tiles replaced. On the basis of the information available, there is no reason to dispute the claim made in the design and access statement that the buildings are capable of conversions without major or complete reconstruction. Whilst the tiles are to be removed and replace, there is no reference to the removal of the existing roof timbers and thus it is assumed that these will be retained. It is not considered that the removal and replacement of the roof tiles constitutes major reconstruction.

B. The buildings are in keeping with their surroundings in terms of character, form, bulk and overall design;

The buildings subjects of this application are traditional buildings being former cow sheds. The main form of the building is natural stone walls with a clay tiled roof. Typical of many agricultural buildings, parts of the barns have been in filled with unsympathetic block work. In accordance with the supporting text to policy E7, the application proposes the removal of many existing unsympathetic materials.

The buildings are of low form and are subservient to the host dwelling being tucked back slightly away from the carriageway. The buildings are in keeping with their rural setting and their retention is recommended.

C. Development including any alterations, intensification or extensions, would not have a harmful effect on the character of the countryside or the amenities of the surrounding area;

The buildings are of traditional agricultural proportions. Because of this, there is insufficient headroom at eaves level to allow for the insertion of doors. In order to accommodate doors, three small gables are proposed – two new gables and one to replace an existing gable. Whilst these gables clearly represent extensions to the existing building, because of their very small scale and unobtrusive nature, it is not considered that they will have any harmful effect on the character of the area.

The most significant changes to the barns are on the south and west elevations. It is also considered by your officer however that these elevations are the least visible due to the positioning of the main house on the site. Large sections of the south and west elevations of the barns are to be removed and replaced with windows and timber panelling. Whilst on the plans the alterations look quite extensive, the only sections of the barn walls to be removed actually consist of unsympathetic block and brickwork not integral to the structure of the original barn. Subject to the attachment of a condition to ensure the submission of details of the new windows and timber panelling, it is considered that the alterations could actually result in a visual improvement.

The northern side of the barn is the side that is most prominent from the highway and surrounding countryside. This northern elevation is to remain as per the existing barn and will not be altered in any way.

The eastern elevation of the barn faces out onto the farmyard and agricultural buildings. A series of small conservation style roof lights are to be inserted into this eastern elevation. The three additional roof lights as proposed are to be very small in scale having both a height and width of 50cm. It is not considered that the insertion of these roof lights would have any impact on the surrounding countryside.

5.3 Highway Issues

It is acknowledged that access to the site is substandard in respect of visibility distances. Highway officers have made a detailed assessment of the scheme and providing the building is used ancillary to the main building then there is not likely to be any significant additional traffic generation from the proposal. Given that the building is to serve an existing family business, it is possible that the business is already run from the main house and thus extra traffic is already visiting the site for this purpose. Consideration must also be given to the fact that the buildings in their current form could already generate additional traffic movements on their own should they be put back to agricultural use.

Whilst the highway is undeniably narrow, it is still an adopted Class 4 highway and can be used by vehicles at any time. The proposed change of use will have a limited impact upon highway safety and subject to the attachment of a condition to ensure the office is used ancillary to the main dwelling, there are no highway objections to the scheme.

5.4 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.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/0912/F**

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

CONDITIONS

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

Reason:

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

2. The office hereby approved, shall at all times be used ancillary to the occupation of the main dwelling to which it is attached. The offices shall not be subdivided or sub-let without the prior written consent of the Local Planning authority.

Reason:

In the interests of highway safety and to prevent any intensification of use which could attract additional traffic movements to comply with the requirements of Policies T12 and E6 of the South Gloucestershire Local Plan (Adopted).

Reason 2:

In the interests of the levels of residential amenity afforded to the main dwelling by means of loss of privacy and noise. To comply with the requirements of Policy E6 of the South Gloucestershire Local Plan.

3. Prior to the commencement of development on the site, details of the materials to be used in the window and timber panels units shall be submitted to the local authority for written approval. If the details are acceptable, all development must take place exactly in accordance with the details so agreed.

Reason:

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

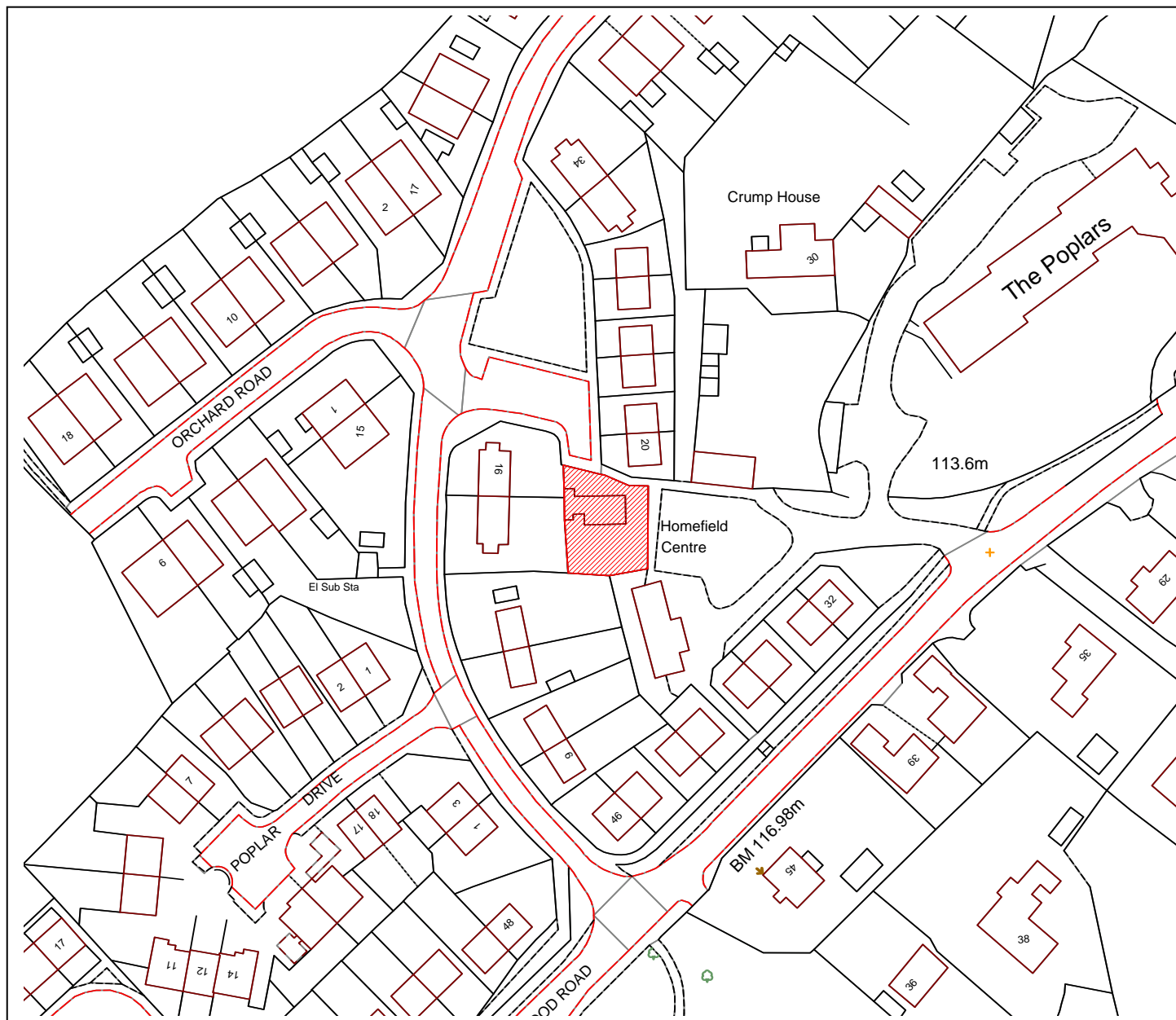
4. All new external rainwater and soil pipes shall be coloured black.

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. 20/08 – 16 MAY 2008

App No.:	PK08/0928/F	Applicant:	Mr D Stacey
Site:	18 Homefield Road, Pucklechurch, South Gloucestershire, BS16 9QD	Date Reg:	7th April 2008
Proposal:	Erection of first floor side extension to form additional bedroom accomodation.	Parish:	Pucklechurch Parish Council
Map Ref:	69739 76320	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	25th May 2008



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N.T.S

PK08/0928/F

This application has been placed upon the Circulated schedule due to concerns raised by Pucklechurch Parish Council.

1. THE PROPOSAL

1.1 This planning application proposes to erect a first floor side extension to provide additional living accommodation to a detached dwelling in Pucklechurch. The existing dwelling features a brick finish. The surrounding dwellings are similar in age and design, albeit they are predominantly single storey dwellings.

2. POLICY CONTEXT

2.1 National Guidance
PPS1 Delivering Sustainable Development

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

2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

3.1 PK07/2929/F – Erection of single storey side extension to form additional living accommodation. Replacement of flat roof with pitched roof over existing single storey extension and garage. Approved with conditions 24th October 2007.

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

“Councillors would like the following concerns taken into consideration when the application is determined.

- 1. Concern that the size of the proposed extension exceeds the permitted increase.*
- 2. Concern that the building will be up to the boundary.*
- 3. Concern that the size of the extension will increase the footprint to such an extent as to overwhelm the bungalows.”*

4.2 Other Consultees

No comments received.

Other Representations

4.3 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

5.2 Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

5.3 Design

Policy D1 of the Local Plan requires all new development to be well-designed; it lists eight criteria to be considered.

The design and scale of the proposed extension as well as the choice of materials (to match the existing house) is acceptable.

5.4 Residential Amenity

The design proposes no side elevation windows to the extension, thus there would not be a harmful impact upon the amenities of neighbouring occupiers by reason of loss of privacy by way of overlooking. The extensions also because of their acceptable scale in relation to siting would not pose a harmful overbearing impact to the adjoining bungalows.

A condition can be appended to the approval that requires that the prior express consent of the local planning authority should be sought for any future proposals for the insertion of additional windows in the west elevation of the extension so as to protect the future privacy at the neighbouring dwellings.

Concern has been raised that the proposal exceeds the 'permitted increase'. Officer assume this relates to the permitted development rights for detached dwellings, that has been exceeded in this instance. The result of which is the requirement to submit the application subject of this report.

5.5 Design and Access Statement

N/A

5.6 Section 106 Requirements

N/A

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission be approved with conditions.

Background Papers **PK08/0928/F**

Contact Officer: **Donna Whinham**

Tel. No. **01454 865204**

CONDITIONS

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

Reason:

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

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

Reason:

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

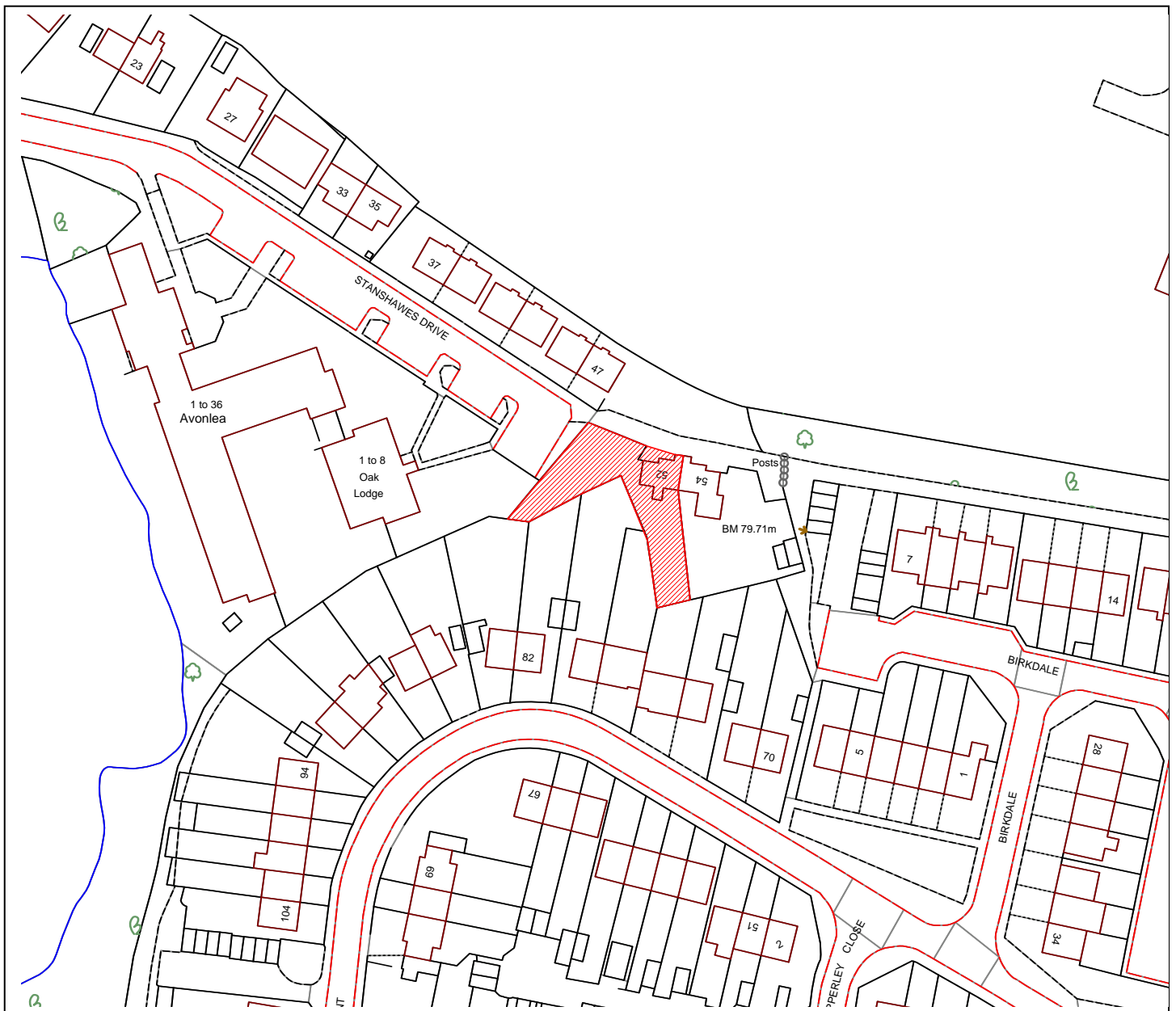
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed in the west elevation.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PK08/0931/F	Applicant:	Mrs L Nicolle
Site:	52 Stanshawes Drive, Yate, South Gloucestershire, BS37 4EU	Date Reg:	7th April 2008
Proposal:	Erection of first floor rear extension to provide additional bedroom occomodation.	Parish:	Yate Town Council
Map Ref:	70955 81938	Ward:	Yate Central
Application Category:	Minor	Target Date:	26th May 2008



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INTRODUCTION

This application appears on the Circulated Schedule as there is public comment that is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This planning application proposes to erect a first floor rear extension to provide additional living accommodation to a semi-detached dwelling in Yate. The extension would measure 3000mm x 5000mm and would be approximately 2500mm from the boundary with adjoining dwelling. The existing dwelling features a stone finish and has a large garden. There is a public right of way to the front of the site.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P87/1956 – Erection of two storey side extension to provide garage, shed area and W.C. with two bedrooms and shower room above. Approval full planning given on 4th August 1987.
- PK02/3735/F – Erection of two storey side extension to form garage utility room with additional bedrooms and en-suite above. Approved with conditions 17th March 2003.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
“No Objection”.
- 4.2 Other Consultees
N/A.

Other Representations

- 4.3 Local Residents

One representation received, on behalf of nos. 1-8 Oak Lodge to the west, objecting on the grounds of a concern of a change to the look of the property and its historical importance, noise parking and dust.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed; it lists eight criteria to be considered.

The scale of the proposed extension as well as the choice of materials (a stone, tile and coining to match the existing house) is considered to compliment the existing dwelling.

Sited to the rear of the dwelling, the extension would not pose a harmful impact upon the appearance of the pair of semi-detached dwellings. The adjoining semi-detached dwelling features a rear single storey extension.

5.3 Residential Amenity

The siting of the proposed extension in combination with its proposed scale ensures that there would not be a harmful impact upon the living conditions of the occupiers of neighbouring dwellings. The extension would not pose a harmful overbearing impact or loss of light or loss of privacy.

A condition can be appended to the approval that requires that the prior express consent of the local planning authority should be sought for any future proposals for the insertion of additional windows in the east elevation of the extension so as to protect the future privacy at the adjoining dwelling.

5.4 Design and Access Statement

N/A

5.5 Section 106 Requirements

N/A

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning Permission be approved with conditions.

Background Papers **PK08/0931/F**

Contact Officer: **Donna Whinham**
Tel. No. **01454 865204**

CONDITIONS

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

Reason:

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

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

Reason:

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

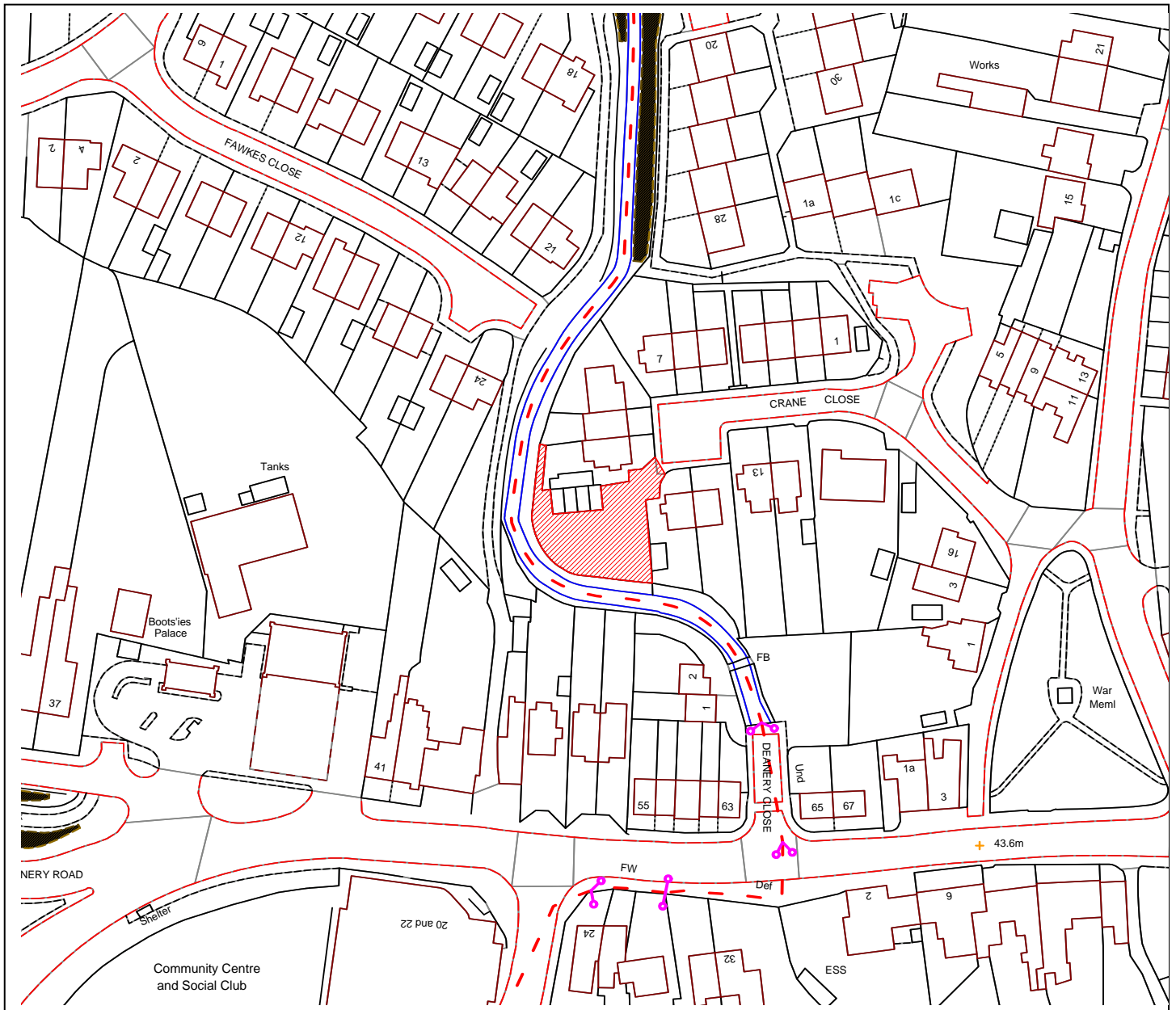
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed in the east elevation

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PK08/0943/F	Applicant:	Mr R Glanville
Site:	Crane Close, Warmley, South Gloucestershire, BS15 4NT	Date Reg:	7th April 2008
Proposal:	Erection of 2no. attached garages with loft storage area and associated works.	Parish:	Siston Parish Council
Map Ref:	66754 73636	Ward:	Siston
Application Category:	Minor	Target Date:	26th May 2008



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N.T.S

PK08/0943/F

INTRODUCTION

This application appears on the Circulated Schedule following the receipt of objections from local residents, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site is an area of open ground located at the end of a residential cul-de-sac in the heart of Warmley. To the south and west, the site is bounded by the banks of the Warmley Brook. Residential properties circa 1960 in age, lie to the north and east. An unrestricted vehicular access leads into the site from the end of the cul-de-sac i.e. Crane Close. Within the site on its northern boundary are a row of four domestic garages, each owned by local residents.
- 1.2 It is proposed to erect two single garages in a single block, with loft storage above. The building would be located on the eastern edge of the site.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development
PPG13 - Transport
PPS25 - Development and Flood Risk

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design
EP1 - Environmental Pollution
EP2 - Flood Risk and Development
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development.
L1 - Landscape Protection and Enhancement
L4 - Forest of Avon
L5 - Open Areas within the Existing Urban Areas and Defined Settlements
L17 & 18 - The Water Environment

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P82/4068 - Erection of 5 garages and 1 no. single pre-fabricated garage.
Withdrawn 20th Feb 1982
- 3.2 P90/4574 - Erection of block of five domestic garages.
Approved 7th June 1991

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

No response

4.2 Other Consultees

4.3 The Environment Agency

No objection subject to the following conditions:

- Prior submission and approval of a scheme of surface water drainage.
- Floor levels to be set at least 300mm above ground levels.
- Maintenance of a 5m buffer adjacent to Warmley Brook.

Other Representations

4.4 Local Residents

Three letters of objection were received from local residents. The concerns raised are summarised as follows:

- Insufficient room to rear for maintenance of neighbouring garage at No.11 Crane Close.
- Use of large loft storage area proposed.
- Unrestricted access to the existing garages should be maintained.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the Existing Urban Area as defined in the South Gloucestershire Local Plan (Adopted) 6th January 2006. The site has no special designation within the Local Plan and is already partly occupied by private domestic garages. As such there is no in-principle objection to the proposal.

5.2 Scale and Design

The proposed garage block would have a foot-print measuring 6.1m wide and 5.9m deep with eaves at 2.2m. The pitched roof above would terminate in a flattened ridge 4.5m above ground level. The roof pitch of 38 degrees is relatively low. The walls of the proposed building would be rendered block-work; the roof would be covered with double roman roof tiles.

5.3 Officers consider that the proposed building would not be excessive in size for its purpose. The low roof pitch helps to reduce the buildings' massing and the proposed materials would be in-keeping with those of the surrounding houses. A condition can be imposed to secure the prior submission and approval of the materials to be used in construction. The proposed building would be superior in appearance to the existing garages within the site. Officers therefore have no objection to the proposed scale and design of the building.

5.4 Impact on Residential Amenity

The proposed building would be located on the easternmost boundary of the site, very adjacent to a single flat-roofed garage, located at the end of the driveway of neighbouring no. 11 Crane Close. Due to the failure to allow sufficient space to enable repair and maintenance of the neighbouring garage concerns have been raised about the proximity of the proposed building to the side elevation of the garage. This however is not a material consideration in the determination of the application.

5.5 In terms of overbearing impact, the proposed building would be located next to the existing garage of no.11 and is not excessive in height. The sitting out area for no.11 is located on a south facing patio immediately to the rear of the house and is less likely to be affected by over-shadowing during the day.

5.6 The only window in the proposed building would be situated in the west facing gable end so there would be no issues of overlooking; furthermore a condition could prevent the insertion of additional windows in the future. Concern has been expressed about the size of the proposed loft spaces above the individual garages and the future use of such spaces, which are accessible from internal hatchways only. Due to the low roof pitch the individual loft spaces within the proposed building are not particularly large. Furthermore the applicant has confirmed that the garages would be used for private domestic parking only and the loft spaces for nothing other than domestic storage. An appropriate condition can restrict the use of the garages and loft spaces to domestic purposes only. Officers are therefore satisfied that the impact of the scheme on residential amenity will be minimal.

5.7 Landscape Issues

As an open space within the urban area, the proposal falls to be determined under Policy L5 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. Under Policy L5 development will not be permitted where it would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality.

5.8 During their site visits officers observed that much of the site is overgrown and has the appearance of waste land. At the time of the latest site visit, there were two apparently abandoned cars on the site. Officers conclude that the appearance of the site does little for the amenity or character of the locality and that the proposed development would provide the opportunity to improve this situation. A condition to secure a comprehensive scheme of soft landscaping is considered justified in this instance.

5.9 Transportation Issues

There would be no alterations to the existing access from Crane Close, which is considered to be adequate and safe. Given the location of the existing and proposed garages, an adequate turning area must be maintained to ensure that all of the garages can be safely accessed. Details of the turning facilities should therefore be submitted for prior approval and maintained as such thereafter. Furthermore the garages should be for domestic use only. Subject to conditions to secure the aforementioned, there are no highway objections.

5.10 Drainage and Environmental Issues

The site lies adjacent to the Warmley Brook and is identified as lying within Flood Zone 2, which is the medium to low risk zone as defined for mapping purposes by the Agency's Flood Zone Maps. As such a Flood Risk Assessment has been submitted to the Environment Agency for consideration. The EA raises no objection to the proposal subject to a number of conditions listed in paragraph 4.3 above.

It is proposed to collect surface water in rainwater collection butts to be located at either side of the building. Any overflow would be discharged to a soakaway. Any existing concrete on site would be broken up and re-cycled as hardcore for the new build. A 5m buffer zone would be maintained between the building and

the Warmley Brook. There are therefore no objections on drainage or environmental grounds.

5.11 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.

5.12 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.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Background Papers **PK08/0943/F**

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

CONDITIONS

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

Reason:

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

2. No windows shall be inserted at any time in the east (rear) elevation or roof area of the building hereby approved.

Reason:

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

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

Reason:

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

4. The building hereby approved shall be used for the garaging of private motor vehicles or domestic storage only and shall not be used for any business or commercial purposes.

Reason:

To safeguard the residential character of the area and to protect the amenities of the occupiers of nearby dwellings in accordance with Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5. Within 3 months from the date of the decision 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 shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason:

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

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of the building hereby approved or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

7. Within 3 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17/L18/EP1/EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17/L18/EP1/EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. The finished floor level of the building hereby permitted shall be set at a minimum of 300mm above existing ground level.

Reason:

To minimise the effect of any flooding which may occur and to comply with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. A strip of land 5 metres wide adjacent to the top of the banks of all watercourses fronting or crossing the site must be kept clear of all new buildings and structures (including gates, walls and fences). Ground levels must not be raised within such a strip of land.

Reason:

To preserve access to the watercourse for maintenance and improvement and to minimise the effect of any flooding which may occur and to comply with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

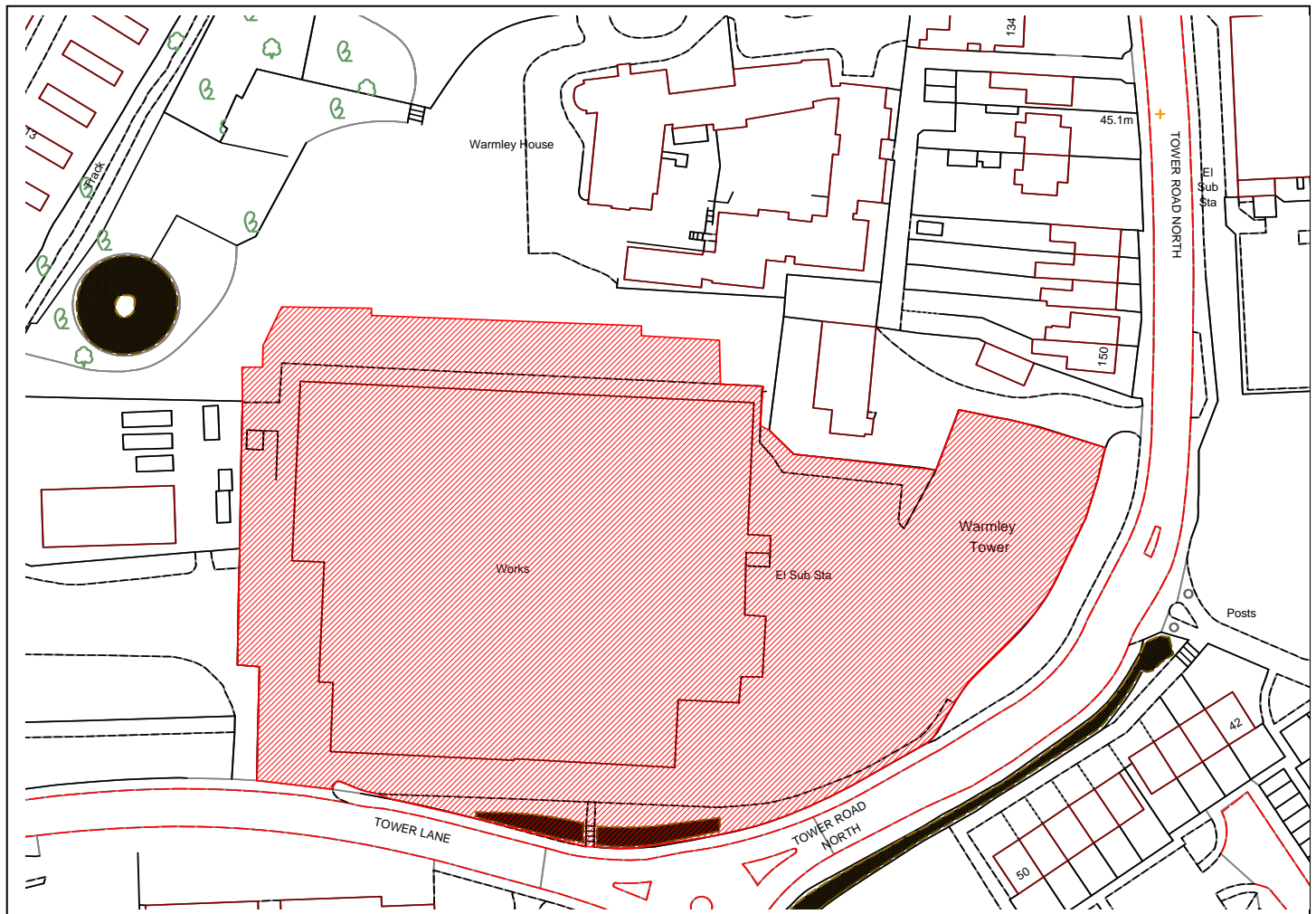
11. Within 3 months from the date of the decision details of an area for the turning of vehicles accessing the existing and proposed garages, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details with the turning area kept clear at all times for the manoeuvring of vehicles.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PK08/0961/F	Applicant:	Cumberland Developments
Site:	Former Lindmans Factory, Tower Lane, Warmley, South Gloucestershire, BS30 8XT	Date Reg:	8th April 2008
Proposal:	Installation of 10no. steel shutter doors, 4no. steel security shutters, 5no. steel fire exit doors and 1no. new door. Replacement of cladding. (Retrospective). Landscaping and erection of 1.8 metre high wall and railings. (Resubmission of PK07/2710/F).	Parish:	Siston Parish Council
Map Ref:	66954 72784	Ward:	Siston
Application Category:	Minor	Target Date:	27th May 2008



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DC0901MW

INTRODUCTION

This application is reported on the Circulated Schedule due to the receipt of neighbour objections.

1. THE PROPOSAL

- 1.1 This application has been submitted following the withdrawal of an application from last year for the development detailed above. That element of the proposal is retrospective. This current application includes proposals as well, for the erection of a 1.8 metre high wall with railings and the introduction of landscaping along the site frontage. The site lies within Warmley Conservation Area and is designated under policy E4 (35) as a safeguarded employment area.
- 1.2 The building on site has a large footprint, largely sited towards the south and west boundaries of the site. It is either two storey or tall single storey and the vast majority of it has been clad with metal or plastic coated profile sheeting. The part of the building left in its original state is the two storey brick element which fronts the mini roundabout on the Tower Road junction. To the east of the site is the large car parking area ancillary to the building, which has been subdivided into smaller units.
- 1.3 The existing landscaping of the site is provided by a few mature trees along the road frontage to the south. This development has allowed the building to be subdivided, although the new units created should all conform to the authorised use class of the building under the previous planning approval.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG4 Industrial, commercial and small firms
PPG13 Transport
PPG15 Planning and the historic environment
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
E4 Development in safeguarded employment areas
L10 Historic Parks and Gardens
L12 Conservation Areas
T7 Cycle Parking
T8 Parking standards
T10 Reducing reliance on the car
T12 Transportation
- 2.3 Supplementary Planning Guidance
Warmley Conservation Area Guidance Note

3. RELEVANT PLANNING HISTORY

- 3.1 P94/4474 Change of use from business (B1) to General Industrial (B2)
Approved
- 3.2 P94/4656 Two roller shutter doors on front elevation Approved
- 3.3 P97/4062 Change of use of part of factory from B2 to warehouse (B8)
Approved

- 3.4 PK07/2710/F Installation of 10 steel shutter doors, 4 steel security shutters, 5 steel fire exit doors, and one new door, replacement of cladding
Withdrawn

4. **CONSULTATION RESPONSES**

4.1 Siston Parish Council

No reply received

4.2 Other Consultees

Garden History Society

Do not wish to comment

Transportation

The site is located off the classified Tower Lane, which serves as access to the wider highway network. The proposal features the installation of ten shutter doors, four security steel shutters, five steel exit doors and 1 new door (Retrospective). Landscaping and erection of 1.8 metre high wall and railings. There is no transportation objection to this current proposal.

Conservation Area Officer

The Lindman site is located in a prominent position at the junction of Tower Road North / South and Tower Lane. It originally formed part of the Brassworks complex created by William Champion in the 1740's of which the adjoining Clock-tower building and nearby Windmill tower and Brassworks building (now the museum) still remain. Unlike these historic buildings which contribute to the historic character the Lindman premises comprise a modern single and 2 storey modern industrial and office building of no architectural merit. Its form, materials and associated expanse of parking, poor boundary treatment and landscaping generally detract from the character and appearance of the conservation area. In addition to the poor views from the street the site also detracts from the Warmley historic gardens, an area of public open space, to the north / west of the site.

The purpose of the works is to facilitate the division of the single premises into a larger number of smaller industrial units – each requiring their own individual openings. These alterations have resulted in a significant change to both the appearance and character of the building and its surroundings. The alterations and replacement to doors, windows and cladding to elevations, whilst resulting in the upgrading of existing materials, has also made the building much more prominent in the street scene and views from the gardens and surrounding area. It is regrettable that more sympathetic materials were not used. It is considered that the works perpetuate the current adverse visual impact of the existing building / site on its surroundings thus failing to preserve or enhance the conservation area. The Warmley CA guidance sets out the requirement to ensure that any development is sympathetic to the conservation area character and recognises that the adverse impact and scale of the modern industrial buildings and associated parking areas would benefit from enhancement works and landscape improvements to screen and soften their impact.

In order to address the concerns previously highlighted, a scheme of proposed landscaping works has been submitted as part of the current application to help screen and soften the impact of the industrial building / site on its surroundings.

1) Eastern boundary on Tower Road North by grass verge - A hedge is proposed alongside the stone boundary wall within the site and this is generally considered acceptable in helping to soften the impact of the car park. However, clarification is needed as to the eventual height of the proposed hedge. The accompanying document at section 4.2 refers to a height of 1 metre which is not considered high enough to provide an adequate screen. A height of 1.8 to 2 metres is considered necessary to achieve the objective of screening and softening the impact of the building / car park.

2) Existing planted area to front of Office building (Tower Lane) and adjoining Tower Road North– the amendments and addition of a number of trees to the site boundary is welcomed.

3) Site boundary with Warmley Historic Gardens from Tower Lane.

As stated previously there is a requirement for a robust and sympathetic boundary treatment to this sensitive boundary adjoining the historic gardens and public open space.

The submitted scheme proposes the following:-

- a) *First 23 metres from Tower Lane* - A Pennant stone wall with railings is proposed to replace the existing wire fence. A further detailed specification / elevation is required of the wall eg coping details, use of lime mortar, railing details / finials.
- b) *Remainder of western boundary to gardens* – it is proposed to fence the remaining boundary with a 1.1 metre high timber post and rail fence which is disappointing given the need for a secure and attractive boundary to the site adjoining the historic gardens. The scheme should be amended to provide attractive 2 metre high metal railings as previously suggested.
- c) The addition of planting along this boundary is welcome helping to soften the impact of the building / parking area by partially reinstating a new planting screen following the unauthorised removal of part of the grass bank / planting in this area. However, it is noted that the accompanying document states that planting will grow to approx 40 cm in height – which is far too low – clarification is required as to whether this is the correct height?

4) Treatment of rear boundary / bank and Clocktower boundary – No details have been provided for the sensitive boundary to the north of the site adjoining the listed Warmley House and Clock-tower buildings. Although reference is made in the accompanying document that these will be submitted as part of a separate application in relation to works to the bank / retaining wall to the rear of the premises. It is considered that an appropriate and attractive boundary treatment for this boundary also needs to be agreed as part of this proposal otherwise there is the possibility that no satisfactory treatment is secured for this sensitive part of the site.

5) Management of the site

In support of their application the applicants have provided a Management Strategy for the operation of the site so as to reduce the potential adverse impact of the site on the conservation area. Clearly how the site operates and is managed will have a significant visual and environmental impact on the conservation area and the ambience of the area. It is suggested therefore that appropriate conditions / legal agreement are secured to ensure sensitive future management of the site.

6) Conclusion

The revised application has sought to address the previous concerns highlighted however a number of further details / amendments are required as outlined above to overcome conservation objections to this scheme.

- Clarification of height / management of planting (see above).
- Metal railings to boundary with gardens.
- Details of boundary treatment to northern boundary by Warmley House / Clocktower.
- Details of wall, coping and railings and finials – could be conditioned with sample panel / pointing details.

In addition, a legal agreement / conditions should be put in place to secure the sensitive operation of the site in line with the submitted management strategy. This would secure environmental benefits and reduce the impact of the site on its surroundings and the character of the conservation area. This should cover the following aspects:-

- Hours of operation / noise levels preventing work outside the building and preventing noisy work inside the building whilst doors are open
- Parking area – this should remain available for parking at all times and used solely for parking by all users of the building. No part should be separately fenced off. The layout of the area needs to minimise the impact of HGV's and large dumper trucks on adjoining sensitive sites eg Clocktower and gardens.
- No external storage of materials / earth/ rubbish etc should take place on site.
- All refuse / rubbish will be stored internally within the building until collected by the Council or private contractor.
- Signage – consent is required from the council prior to the erection of any signs. Any signs need to be sensitive to the conservation area and will be restricted to one sign per unit.
- No freestanding signs should be erected on forecourt areas, within parking area or to road frontage.
- Maintenance of boundary treatment, landscaping – a requirement for its protection and future maintenance should be specified. Any plant species that die within 5 years from planting will be the responsibility of the site owner to replace.
- For those areas adjoining council owned land – the gardens and Clocktower it may be appropriate for the ownership and maintenance of these boundaries to pass to the Council so it can ensure they are appropriately managed in future.

Pd rights should be removed for the erection of any fencing on the site.

Landscape Officer

The previous application PK07/2710/F has been withdrawn. Previous Landscape comments related to drawing no. BRS.0968-9-4. The boundary treatment on the northern boundary with the Clock Tower as shown on this drawing was acceptable, with the exception that the proposed wall was Cotswold as opposed to Pennant. The landscape drawing no BRS 0968 submitted with the current application does not include the annotations regarding this section of stone wall and there needs to be some clarification regarding the key for the stone wall.

The proposals to maintain the existing overgrown beech hedge on the boundary with the Clock Tower are acceptable. However the effectiveness of this maintenance and enhancement need to be carefully monitored and conditioned to ensure that the hedge is replanted in the event of the proposed maintenance resulting in an unsatisfactory hedge. The annotations relating to the maintenance of this hedge are shown on BRS.0968_9-4 but not on the landscape drawing- BRS.0968_8-4 submitted with the current application. This issue needs to be rectified.

Proposed hedge to road verge.

The location of the proposed hedge behind the stone wall on the eastern boundary is acceptable. Paragraph 4.2 of the accompanying document refers to this hedge as if it was located in front of the wall. In fact it will be located behind a stone retaining wall that is approximately 600mm high and retains approximately 500mm height of road verge. The hedge will need to be maintained to a height of 1800 – 2000mm in order to provide an effective boundary treatment and soften the visual impact of the factory building.

Planting to car park.

The planting scheme as shown on drawing BRS.0968_8-4 is acceptable.

Site Boundary with Warmley Gardens, from Tower Road.

The proposal is to replace the wire fence with Pennant Stone wall for the first 23m and this is acceptable. However the rest of the boundary treatment is proposed to be timber post and rail which is considered unacceptable due to the need for a more secure boundary and one that is more in keeping with the context of the historic garden. The species proposed for this boundary are acceptable however paragraph 4.2 refers to them being maintained at a height of 40cm, this needs to be amended. There are no details showing how this bank and additional top soil will be stabilised/retained. As mentioned by Rachel Fry in her comments relating to planning application PK07/2710/F this bank should be stabilized using a matting system such as coir to aid plant establishment

Rear Boundary of the Site

Paragraph 1.4 of the accompanying statement states that the 'planning application for the retaining wall and car parking area to the rear of the factory building will be forthcoming' it is considered that this area of the site should be considered alongside this application for external works.

Recommendations

It is considered that amendments and clarification to the proposals, as detailed above, are required prior to the application being determined. In addition the treatment of the rear boundary of the site should be considered at this stage.

Other Representations

4.3 Local Residents

Three letters of objection were received, including one from the Ward Councillor, citing the following concerns:

- Wall and railings would be too high
- The noise of the shutter door and the size and frequency of vehicles through it would be detrimental to the adjoining heritage site in audio and visual terms

- Little attempt has been made to reconcile the proximity of an employment site with a Listed Building and historic garden, leading to a fine example of Warmley's industrial heritage being ignored

NB Other comments were made which related to a previous application (now withdrawn) on another part of this site.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. As noted above, the site lies within an employment safeguarded area and the proposed works would not lead to any other use of the site. The principle of the development, being the cosmetic changes to the building, the erection of a wall with railings and the planting of landscaping, needs to be assessed in terms of visual impact, particularly in regard to the Conservation Area, together with transportation issues.

5.2 Conservation Area

The Conservation Area Officer's comments appear in great detail at 4.2 above. The impact of the proposal on Warmley Conservation Area has been analysed and in principle the proposal is acceptable, in that it will protect or enhance the Conservation Area, subject to the planting proposed with this application, which has been required to be implemented in the following planting season by the relevant condition below.

Regarding the boundary treatments which have been proposed, it has been confirmed that the beech hedge will grow to a height of 2 metres. The post and rail fence along the rest of the frontage, the western part of the site, would not form a practical measure for securing the site in any case, given the open entrance to the site next to it. Therefore, it is considered that 2 metre high railings would be unnecessary in security terms. In visual terms, this boundary treatment would be read against the proposed landscaping, which would be more visually dominant, in which case it is considered that there is no particular need for railings at this location. The landscaping referred to in the Conservation Area consultation reply would be planted at 40cm, but have the potential to grow, in the case of the hazel to 5 or 6 metres high.

With regard to the landscaping of the other part of this site, which is acknowledged as being more sensitive, that would be the subject of a different application, or may be subject to Enforcement action, in the absence of an application.

With regard to the suggested condition regarding operating hours on the site, two conditions appear below. These intend to restrict the hours of opening to customers, as at these times the doors and shutters applied for here are likely to be open. A further condition restricts deliveries and dispatches from the site to hours as stated below. These conditions would allow the quiet use of the Historic Garden to the north of the site to be retained, while allowing the site itself to continue to function during working hours in its authorised industrial use.

It is considered therefore, that, subject to the conditions shown below, the proposal would not have a detrimental effect on the Conservation Area, as the proposed landscaping, which would have to be implemented to comply with the relevant condition below, would mitigate the effects of the re-cladding of the

building and the material change in its appearance due to the installation of roller shutter doors.

The suggestion for a condition governing the future management of the site has been suggested by the Conservation Officer. This subject has been assessed in the past by Legal Services and it was found that such a condition would not meet the tests for conditions set out in the Circular.

5.3 Landscape Impact

The proposed landscaping of the site is integral to whether its appearance would conserve or enhance the Conservation Area or not. That is why the landscape details have been submitted as part of this application, which is considered to be an improvement on the last application, which was withdrawn. The scheme needs to be viewed, therefore, in the light of the landscape proposals in order to make a full assessment of the impact of the retrospective part of the proposal upon the Conservation Area. The landscape comments above point out that the proposed wall should be constructed of pennant sandstone rather than Cotswold stone, The amended plan requested and received shows that that change has been made. Pennant stone is considered to be appropriate to the setting of the site. Other matters addressed in the Landscape Officer's comments echo those of the Conservation Officer's comments and have been addressed at 5.2 above. The additional point raised about the stabilisation of the bank on the western boundary of this site has been addressed through the amended plan including details of coir matting which is designed to keep the topsoil in place. Subject to compliance with the submitted plans and the relevant condition shown below, the proposal is considered to be satisfactory with regard to its impact upon the landscape and complies with policy L1.

5.4 Transportation

The only issue regarding this proposal in Transportation terms is parking. The existing access and egress from the site would be maintained until this proposal. Indeed, the proposal would not affect the amount of parking available to the site and therefore no transportation objection has not raised an objection to the proposal, which is considered to comply with policy in this regard.

5.5 Other Issues

The consultation process has brought to light further issues. The creation of additional access points into and out of the building, in proximity to the historic garden to the north has been raised. An hours of operation condition shown below would control the traffic through these entrances. This would also have an impact upon the Conservation Area, but it is recognised that this site, while being located within the Conservation Area, is an industrial premises and therefore the continuation of such a use could not in itself be considered to be harmful. Indeed the Conservation Area's designation is mainly to do with the industrial heritage of the locality. Overall the assessment of the impact of the proposal on the Conservation Area has been covered above. Signage cannot be covered by a condition on a planning permission as it is the subject of separate legislation under the Advertisement Regulations.

5.6 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/2005 relate to the use of planning conditions and planning obligations under Section 106 of the Town and Country Planning Act (as amended). Circular

05/2005 particularly advises that if there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PK08/0961/F**

Contact Officer: **Chris Gosling**

Tel. No. **01454 863787**

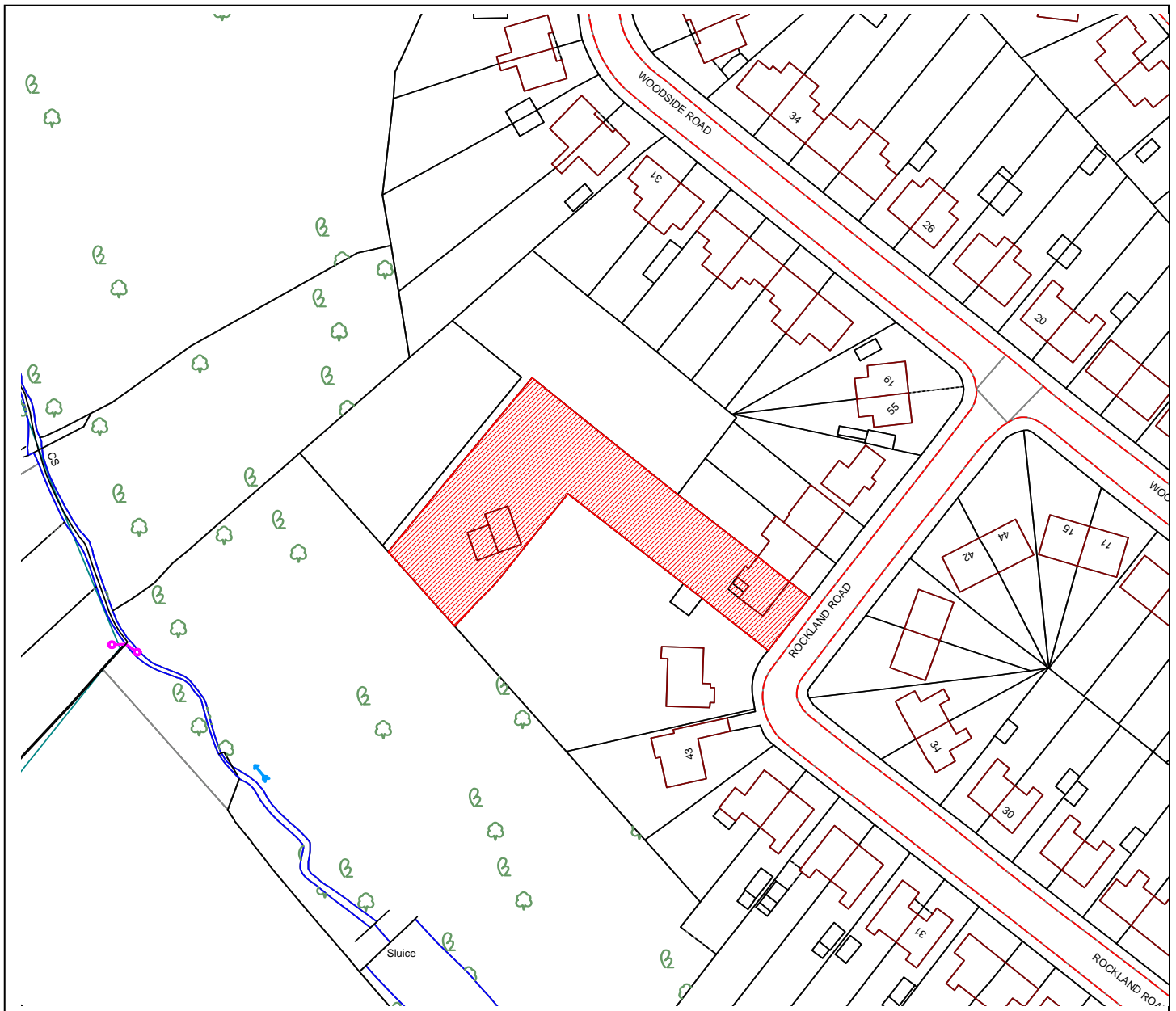
CONDITIONS

1. Within one month of the approval of this application full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.
 - (a) railings;
 - (b) stone boundary wall
2. Reason(s):
3. To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.
4. All hard and soft landscape works hereby approved shall be carried out in accordance with the approved details. The soft landscaping works shall be carried out in full within the planting season following the approval of planning permission. The hard landscaping works shall be carried out within 3 months of the approval of the preceding condition.
5. Reason(s):
6. To protect the character and appearance of the area to accord with Policies D1, L1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.
7. No outside storage of material/goods/waste or plant shall take place at the premises.
8. Reason(s):
9. To protect the character and appearance of the area to accord with Policies D1, L1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.
10. Within 3 months from the date of the decision details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

11. Reason(s):
12. To protect the character and appearance of the area to accord with Policies D1, L1 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.
13. The use hereby permitted shall not be open to customers outside the following times 0800 to 1900 Mondays to Fridays and 0800 to 1400 on Saturdays. The premises shall remain closed to customers on Sundays and Bank Holidays.
14. Reason(s):
15. To allow for the quiet enjoyment of the Historic Garden adjacent to the site to accord with Policies L10 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.
16. No deliveries shall be taken at or despatched from the site outside the hours of 0800 to 1900 Mondays to Fridays and 0800 to 1400 on Saturdays nor at any time on Sundays, Bank or Public Holidays.
17. Reason(s):
18. To allow for the quiet enjoyment of the Historic Garden adjacent to the site to accord with Policies L10 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.
19. 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) 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.
20. Reason(s):
21. To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PK08/0966/F	Applicant:	Mr T Smith C/O Tetlow King Planning
Site:	47 Rockland Road, Downend, South Gloucestershire, BS16 2SW	Date Reg:	8th April 2008
Proposal:	Erection of single storey rear extension to provide additional living accommodation.	Parish:	Downend and Bromley Heath
Map Ref:	64420 77279	Ward:	Downend
Application Category:	Minor	Target Date:	28th May 2008



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100023410, 2008.

DC0901MW

This application has been placed upon the Circulated Schedule due to the receipt of an objection from a neighbouring property.

1. THE PROPOSAL

- 1.1 This planning application proposes a new rear extension to provide a new kitchen. As part of the proposal, the existing side extension would be demolished to facilitate the construction of a new access to dwellings to be built to the rear of the property, although it is understood that the access has not yet been granted reserved matters approval (application ref. PK07/0970/O and the subsequent appeal decision granting outline planning permission refers).
- 1.2 The application property is a semi-detached hipped property located in a suburban part of Downend.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG13 Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages
T8 Parking
- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/0970/O Erection of 3 no. dwellings with garages and detached garage for existing dwelling (outline). All matters reserved. Refused. Subsequently allowed on appeal – 31st January 2008.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council

No objection.
- 4.2 Other Consultees

N/A

Other Representations

- 4.3 Local Residents

49 Rockland Road - object for the following reasons:
- Overbearing amount of work being done on the property

- The extension, in conjunction with three approved dwellings, would be overbearing
- Loss of driveway has implications for parking, because taxis are stored on the site
- Garden boundary is wrong on the submitted Ordnance Survey plans

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

5.2 Design

Policy D1 of the Local Plan requires all new development to be well-designed; it lists eight criteria to be considered.

The proposed extension would occupy nearly the full width of the property, with a gap of 150mm maintained between its side and the boundary with no. 49. It would be single storey in height (reaching a maximum of 3.7m), and would feature a mono-pitched roof with skylights. It is considered that the design is acceptable in respect of Policy D1 of the Local Plan.

5.3 Residential Amenity

There would be sufficient amenity space retained at the rear of the property for the occupiers of the dwelling. In respect of neighbouring amenity, although 3.7m in height at its highest point, and despite being located to the south of the closest neighbour, the single-storey extension is considered not to be overbearing and to not prejudice neighbouring occupiers' amenity.

5.4 Other Matters

The concerns of neighbours have been considered, but it is judged that even in conjunction with the approved outline proposal for three dwellings to the rear of the property, the proposed extension would not be overbearing. It is noted that the present driveway hosts a considerable number of cars, however a Planning Inspector has already found that a new access replacing the current driveway is acceptable in principle, with a parking scheme for the existing and new dwellings to be agreed by the Planning Authority. With regard to matter of the site boundary, the Site Location Plan submitted ties in with the submission of Certificate A. Furthermore, Members will be aware that land ownership is not a material planning consideration.

5.5 Design and Access Statement

N/A

5.6 Section 106 Requirements

N/A

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission be approved with conditions

Background Papers **PK08/0966/F**

Contact Officer: **Donna Whinham**
Tel. No. **01454 865204**

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. 20/08 – 16 MAY 2008

App No.: PK08/1000/F

Applicant: Willowdeen
Development LTD

Site: 2 Wellington Road, Kingswood, South
Gloucestershire, BS15 1PS

Date Reg: 10th April 2008

Proposal: Conversion of 1 no. dwelling to form 2
no. flats. Erection of 2 storey side
extension to form 2 no. flats with
associated works.

Parish:

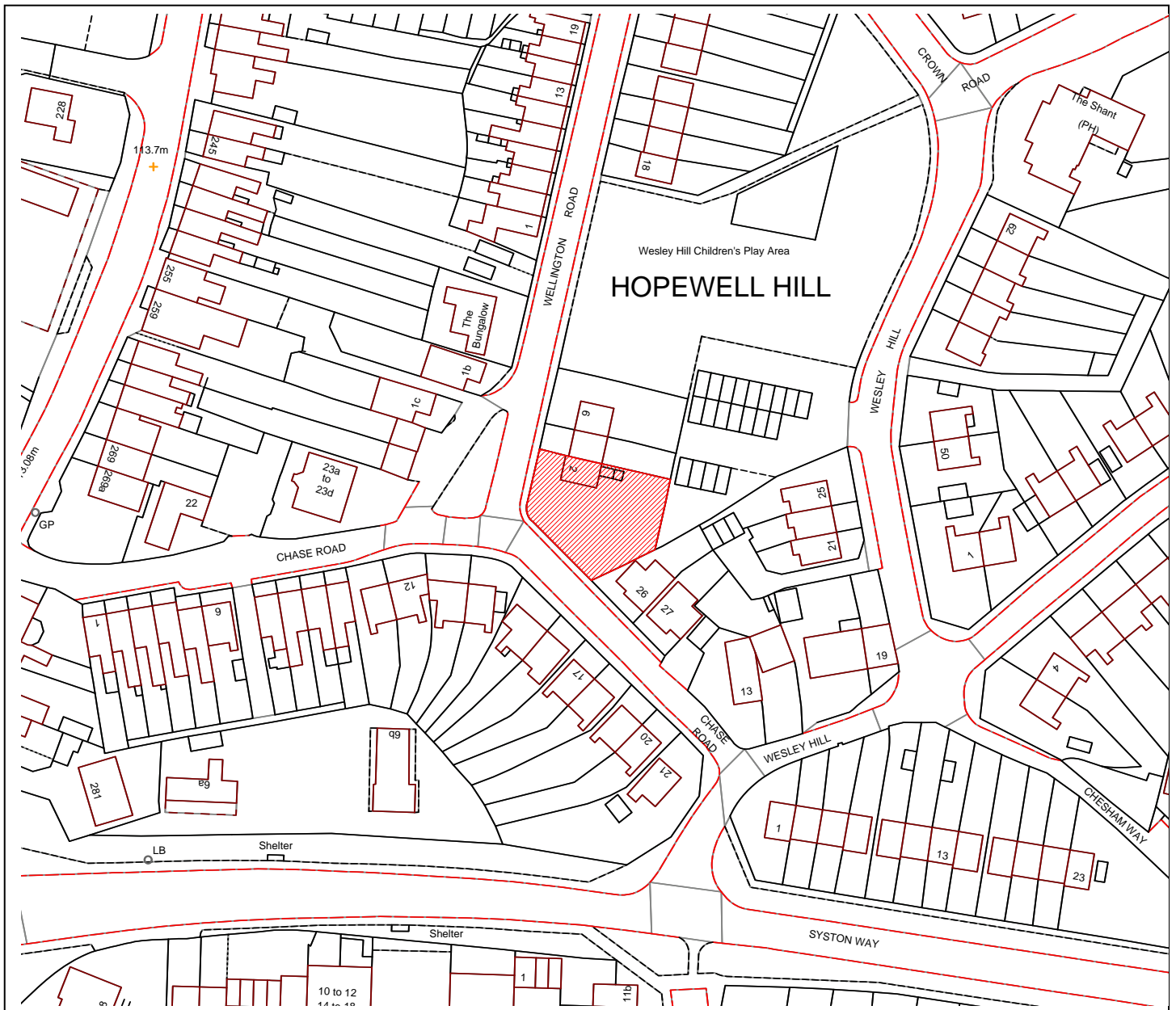
Map Ref: 64737 74540

Ward: Kings Chase
Target 30th May 2008

Application Minor

Date:

Category:



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100023410, 2008.

INTRODUCTION

This application appears on the Circulated Schedule following objections received from local residents; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to an existing 2 bedroom, end of terrace dwelling house i.e. 2 Wellington Road, situated on a corner plot at the junction of Chase Road and Wellington Road, Kingswood. The location is suburban in character, consisting of a mix of predominantly two-storey dwellings of varying age and design, located along either side of fairly narrow roads. The centre of Kingswood lies a fairly short distance away to the south.
- 1.2 It is proposed to erect a two storey side extension, on the plot of land that currently forms the garden to the side of no.2 Wellington Road. The resultant extended property would be converted into 4no self contained flats, 2no. x 1 bedroom flats in the existing house and 2no. x 2 bedroom flats within the new extension. Four new car parking spaces would be introduced to serve the flats, one being accessed from Wellington Road and the other three from Chase Road.

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 - Principles
- Policy 2 - Location of Development
- Policy 17 - Landscape
- Policy 33 - Housing Provision and Distribution
- Policy 34 - Re-use of Previously Developed Land (support for infill)
- Policy 54 - Car Parking Provision

South Gloucestershire Local Plan (Adopted) 6th January 2006

- D1 - Design
- L1 - Landscape Protection and Enhancement
- L5 - Open areas
- L17 & L18 - The Water Environment
- EP1 - Environmental Pollution
- EP2 - Flood Risk and Development
- EP7 - Unstable Land
- H2 - Residential Development within the existing Urban Area
- H4 - Development within Existing Residential Curtilages
- H6 - Affordable Housing
- LC2 - Provision of Education Facilities
- T7 - Cycle Parking Provision

T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area.

Supplementary Planning Guidance
South Gloucestershire Design Checklist (SPD) adopted 23rd August 2007

3. RELEVANT PLANNING HISTORY

3.1 P81/4407 - One house.
Withdrawn 13th Nov 1981

4. CONSULTATION RESPONSES

4.1 Parish Council
Not a parished area.

4.2 Other Consultees
None

Other Representations

4.3 Local Residents
8no. letters/e-mails of objection have been received from local residents. The concerns raised are summarised as follows:

- Loss of on-street parking.
- Insufficient parking provision will result in increased on-street parking.
- Highway hazard.
- Loss of trees.
- Overbearing impact on 26 Chase Road – difference in ground levels.
- Loss of light already from new flats (PK06/1363/F)
- Loss of privacy to garden of no.26.
- 1.8m boundary fence should remain in-situ.
- Loss of retaining wall Chase Rd. – adversely affect neighbouring wall no.26.
- No visitor parking.
- Too many flats – overdevelopment.
- Loss of wildlife habitat.
- Loss of house values.
- Disturbance during development phase.
- Flats built opposite.
- Inadequate road infrastructure.
- No site notice posted.
- Increased surface water run-off in Chase Road.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The site lies within the Urban Area and being residential curtilage, is previously developed land and can therefore be assessed as a brownfield windfall site. There is therefore no in-principle objection to the development of the site for residential use.

- 5.2 Having regard to the adopted Joint Replacement Structure Plan, Policy 34 states that in making allocations for housing provision, Councils should give priority to the re-use of previously developed land. Similarly, Policy 33 states that priority will be given to the re-use of previously developed sites *within the urban area*. Furthermore, Policy 2 of the JRSP, 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 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. The South Gloucestershire Local Plan (Adopted) 6th January 2006 (para.8.26) seeks to “*..increase the proportion of smaller dwellings, reflecting the projected growth in one-person households and the existing disproportionate provision of smaller dwellings in South Gloucestershire.*”
- 5.4 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.
- 5.5 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. The proposal, which includes the conversion of the existing house, equates to 75 units per hectare but this higher figure merely reflects the fact that the development would comprise of 4 small flats as opposed to individual dwelling houses, thus distorting the density figure.
- 5.6 Officers are satisfied that having regard to the site’s constraints, a larger building containing more than 4 flats could not realistically be accommodated on the site and in this respect the proposal represents the most efficient use of the land in what is a sustainable location, close to the centre of Kingswood

within walking distance of the shopping and community facilities and main bus routes. The proposal therefore accords with Government guidelines and in terms of its density alone the development is not considered to be an overdevelopment of the site.

5.7 Scale and Design

The extension is designed as a continuation of the Wellington Road terrace and in terms of its form and appearance would satisfactorily integrate within the existing built form. The length of the extension (as viewed from the Wellington Road frontage) would measure 6.2m with roof ridge and eaves set at the same height as the existing terrace. The depth of the extension (when viewed from Chase Road) would be 8.5m which would be slightly more than that of the existing terrace. To the rear the roof is set down to create a sense of subservience. The new-build element of the proposal would be set back 0.4m from the front of the terrace and would not appear as an incongruous element in the street scene, there being a reasonable amount of open space retained in the remaining side and rear gardens. The proposal does not therefore represent an overdevelopment of the site.

- 5.8 The existing dwelling is a 1950's building with rendered walls and a tiled roof. The proposed materials to be used to construct the extension would match those of the existing building. The scale and design are therefore acceptable.

5.9 Landscape

The existing garden areas to the side and rear of the property are quite spacious. The land falls away to the rear and side so that the garden is elevated above Chase Road and the neighbouring property to the rear i.e. no.26 Chase Road. A low level brick retaining wall forms the boundary to Chase Road and Wellington Road. A levels diagram has been submitted, which shows a levels difference of approximately 0.5m from north to south where the extension is proposed to be built. This will undoubtedly require some ground-works to facilitate the erection of the extension. Whilst these works are not likely to be excessive, further sectional details are required, which could be adequately secured by a condition.

- 5.10 Within the site towards the southern boundary is a belt of Conifer Trees and brambles. Whilst this is not high quality vegetation, it does have amenity value and serves to screen the site from properties along Chase Road. It is proposed to sub-divide the garden area to provide private rear gardens for the ground floor flats the rear, with parking spaces provided to the front and side of the new extension. The three parking areas to be accessed from Chase Road will inevitably result in the loss of much of the existing vegetation. This will need to be mitigated for by a comprehensive scheme of landscaping, the prior submission and approval of which can be adequately secured by condition. Subject to the aforementioned conditions, there are no landscape objections.

5.11 Transportation

There is currently no off-street car parking provision to serve the existing property. Four off-street parking spaces have been proposed for this development, one for each of the flats. The Council's Highway Officer is satisfied that the level of parking provision proposed is appropriate for flats of this size, in this sustainable location. The proposal therefore satisfies the maximum parking standards set out in Policy T8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. The Policy does not require the

provision of visitor parking spaces. Furthermore cycle storage facilities are proposed, the full details of which would need to be secured by condition.

5.12 Parking spaces 2,3 and 4 off Chase Road, would be enclosed within a retaining wall that abuts a narrow footway. The Highway Officer has raised concerns over the level of inter-visibility between pedestrians using the narrow footway and drivers emerging from a concealed access. To mitigate this problem a 2m x 2m visibility splay will need to be introduced that will also serve to open up the parking area, thus improving egress onto the adjoining road. Subject therefore to the following conditions, there are no highway objections:

- The proposed access onto Chase Road shall incorporate splays on both sides to the rear of the existing footway based on co-ordinates of 2.0m x 2.0m and which shall be kept free of obstruction above a height of 0.6m.
- The gradient of the proposed access shall not be steeper than 1 in 6.
- Prior to the first occupation of the flats, detailed plans showing 4 sheltered cycle parking spaces shall be submitted and approved.
- The 4no car parking spaces shall be allocated on the basis of 1no space per flat.

5.13 Impact upon Residential Amenity

The proposed extension would be located on an elevated corner plot but any overlooking of neighbouring gardens from the windows proposed, would be from a reasonable distance, angle and height. Some overlooking of gardens to the front and rear is considered to be inevitable in a densely populated urban area such as this. The garden most affected would be that of no.26 Chase Road, but this garden is already overlooked from properties in Wesley Hill and Chase Road itself. There is a substantial close-boarded boundary fence and some high vegetation already on the boundary of the application site with this garden. There are no windows in the north-western side elevation of no.26 and the windows in the rear elevation of the extension proposed would not directly face those in the rear of no.26. Any loss of privacy that might occur would be minimal and certainly not considered to be significant enough to justify refusal of planning permission.

5.14 In terms of overbearing impact, concerns have been raised by the occupant of no.26, especially given the levels differences between the application site and the garden area of no.26, which steps up to the rear. The proposed extension would however be set back anything from 9m to 14m from the boundary with no.26 and any overshadowing is only likely to be in the late evening, when the sun sets in the west.

5.15 Adequate private amenity space would be provided for the two garden flats; a communal garden area would be provided for the other two flats in the remaining garden. Separate bike and bin storage areas would be provided. The space standards of the flats, ventilation arrangements and soundproofing are all controlled under building regulations. Loss of house values is not in fact a material consideration in the determination of planning applications. Officers therefore conclude that the proposal would not have a significant adverse impact upon residential amenity.

5.16 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. There are therefore no objections on environmental grounds. Any increase in noise levels or anti-social behaviour would be the subject of normal environmental health controls. In terms of drainage the Council's Drainage Engineer has not raised any objection to the proposal. A condition would however be required to secure the submission of a full drainage scheme for approval before development could commence.

5.17 Affordable Housing

The proposal is for 4no. flats only, which is below the Council's threshold (15) for affordable housing provision.

5.18 Education Service

The proposal is for 4no. flats only, which is below the Council's threshold (5) for contributions to the Education Service.

5.19 Community Services

The proposal is for 4no. flats only, which is below the Council's threshold (10) for contributions to Community Services.

5.20 Design and Access Statement

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

5.21 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED subject to the following conditions:

Background Papers PK07/3454/F

Contact Officer: Roger Hemming

Tel. No. 01454 863537

CONDITIONS

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

Reason:

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

2. Within 3 months from the date of the decision 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 shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason:

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

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

Reason:

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

4. Within 3 months of the date of the decision details of the groundworks required including sectional plans shall be submitted to and approved in writing by the Local Planning Authority, thereafter the development shall proceed in full accordance with the details so approved.

Reason:

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

5. Within 3 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policies EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policies EP1, EP2, L17 & L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The off-street car parking facilities, shown on the Proposed Site Plan No. 1944/5 hereby approved shall be provided before the first occupation of the flats so approved, and thereafter retained as such and used only in conjunction with the occupation of the buildings' purpose.

Reason:

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

8. Prior to the first occupation of the flats hereby approved, the cycle parking as shown on the plans hereby approved, shall be provided in the form of a secure and undercover store for 4 cycles .

Reason:

To ensure the provision of adequate and secure cycle parking facilities in accordance with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2007.

9. Within 3 months from the date of the decision, details of the junction between the proposed vehicular access off Chase Road and the highway shall be submitted to the Local Planning Authority for approval. The flats hereby approved shall not be occupied nor the use commenced until the access has been constructed to include a 2.0m x 2.0m visibility splay on both sides to the rear of the footway and is available for use in accordance with the approved plans. There shall be no obstructions to visibility exceeding 0.6 metres in height within the splayed areas.

Reason:

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

10. The gradient of the proposed vehicular access off Chase Road shall not exceed 1 in 6.

Reason:

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

11. The 4no car parking spaces shown on the approved Proposed Site Plan No. 1944/5 shall be allocated on the basis of one space per flat, whichever they may be.

Reason:

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

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

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. 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.

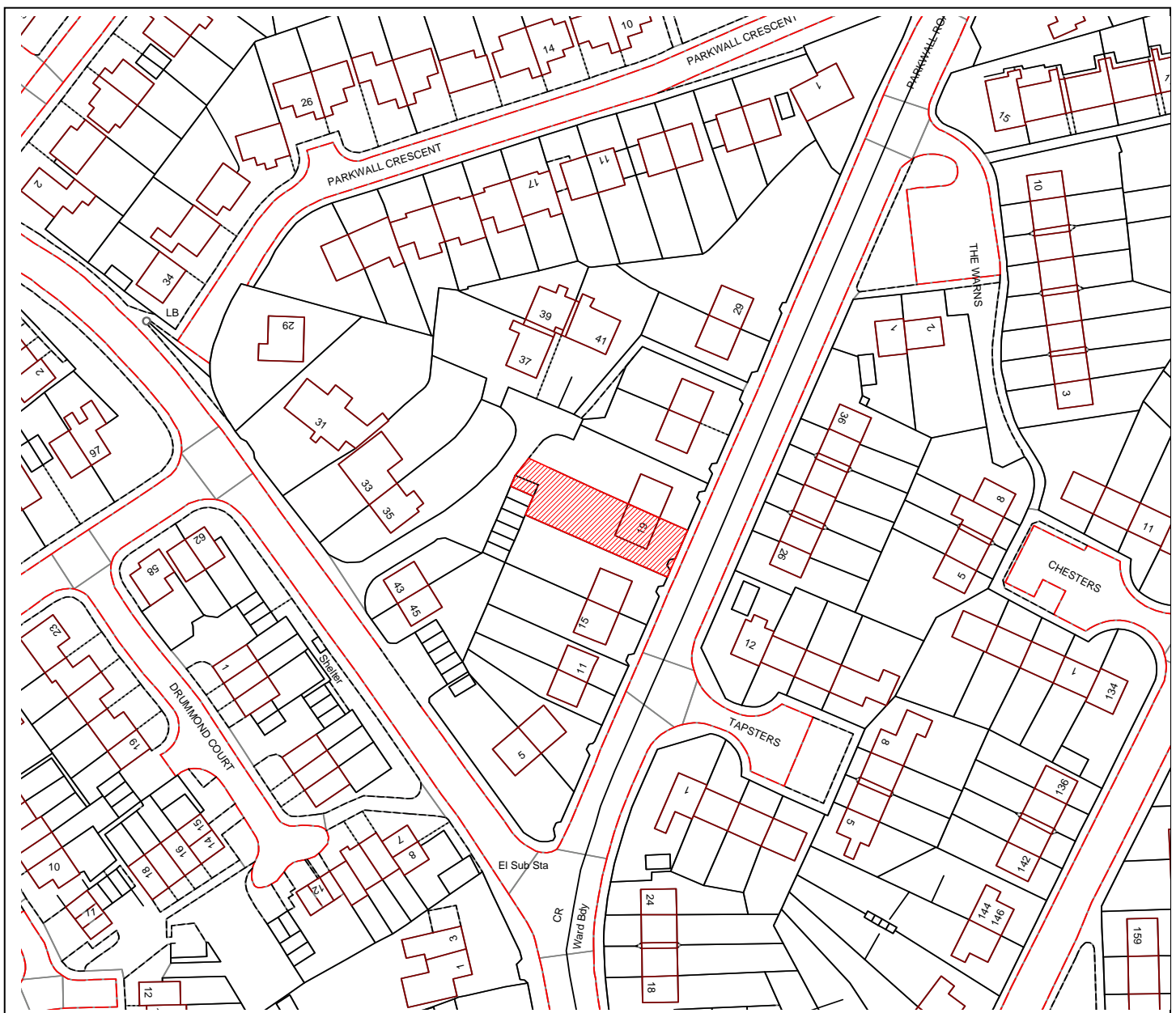
14. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PK08/1011/F	Applicant:	Mr C Clifton
Site:	19 Parkwall Road, Cadbury Heath, South Gloucestershire, BS30 8HL	Date Reg:	11th April 2008
Proposal:	Erection of two storey side and single storey rear extension to form additional living accommodation and integral garage. Creation of new vehicular access. (Resubmission of PK08/0544/F)	Parish:	Oldland Parish Council
Map Ref:	66002 71692	Ward:	Longwell Green
Application Category:	Minor	Target Date:	16th June 2008



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100023410, 2008.

DC0901MW

INTRODUCTION

This application has been placed upon the Circulated Schedule due to the receipt of an objection from the Parish Council and neighbouring property.

1. THE PROPOSAL

- 1.1 This planning application proposes to erect a two storey side extension and rear single storey extension to a semi-detached dwelling. This application also proposes the creation of a new vehicular access.
- 1.2 This is a re-submission of application ref. PK08/0544/F which was withdrawn on the back of advice from officers to set the two storey element of the extension back from the front elevation of the existing dwelling. An application for a similar proposal was also refused in December 2007.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance/Documents
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/3106/F – Erection of two storey side and single storey rear extension to form additional living accommodation and integral garage. Creation of new vehicular access. Refused – December 2007.
- 3.2 PK08/0544/F – Erection of two storey side and single storey rear extension to form additional living accommodation and integral garage. Creation of new vehicular access. (Re-submission of PK07/3106/F) Withdrawn – March 2008.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

“Object... on grounds of continuing concerns regarding the over-development of this site”.

4.2 SGC Highways

“No transportation objection was raised to this proposal as the bus stop had been relocated and the kerb lowered outside the dwelling... This current proposal is exactly the same as the previous planning application (PK08/0544/F)... On that basis, there is no transportation objection to this proposal.”

Other Representations

4.3 Local Residents

Representation received from no. 17 Parkwall Road stating that:

"I have several concerns with regards to the above planning application at 19 Parkwall Road..."

"Overbearing Impact"

"Loss of Daylight/Sunlight"

"Visual Appearance (Overdevelopment)"

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

5.2 Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity.

5.3 Design

5.4 Policy D1 of the Local Plan requires all new development to be well-designed; it lists eight criteria to be considered.

5.5 The scale of the proposed extension as well as the choice of materials (to match the existing house) is acceptable. There have been significant improvements to the design of the proposed extension as originally sought planning permission for in 2007. Since the refusal of the original application, the re-submission was considered by officers to be required to be set back from the front elevation. As such, the applicant has sought to re-address the design for a second time and now it is proposed that the two storey element of the extension be set back by approximately 500mm.

5.6 The proposed design is now considered acceptable in terms of the visual appearance within the street scene and also against the appearance of the original dwelling.

5.7 Residential Amenity

5.8 No windows are proposed on the side elevation of the proposed two storey extension. A condition is suggested to ensure that the local planning authority retains control over any future proposals to insert windows in the southern elevation to protect future amenity. There is a conservatory extension adjacent to the boundary between nos. 19 and 21 Parkwall; however, providing that a similar condition is appended to approval requiring the local planning authority's express consent to any proposal for windows in this elevation, no objection is made on the grounds of overlooking.

5.9 The two storey element of the extension would not have an unacceptable impact upon the neighbour by way of an overbearing impact. The two storey element would be located to the north of no. 17 Parkwall Road and would also not protrude further back than the adjacent existing rear elevation of no. 17 Parkwall Road or any further forward than the front elevation of no. 17 Parkwall

Road. Furthermore, the proposed rear single storey extension would not protrude so far that it would have an unacceptable impact by way of an overbearing impact upon the occupiers of no. 21 Parkwall Road.

5.10 Transportation Issues

5.11 Highway Officers are content that the relocation of the bus stop and the dropped kerb has overcome the highway refusal reasons of the original planning application ref. PK07/3106/F. This application is therefore considered acceptable with adequate off street parking being made available to comply with the requirements of Policy T8 of the South Gloucestershire Local Plan.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission be approved with conditions.

Background Papers PK08/1011/F

Contact Officer: Donna Whinham
Tel. No. 01454 865204

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).

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

Reason(s):

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

No windows other than those shown on the plans hereby approved shall be inserted at any time in the southern elevation of the two storey element and northern elevation of the single storey element without the express consent of the Local Planning Authority.

Reason(s):

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

REFUSAL REASONS

No data found

DESCRIPTION OF PROPOSAL

No data found

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure due to the receipt of objections received from local residents regarding the proposed development.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the conversion of existing two storey dwelling to form 2 no. dwellings i.e 3bed and two bed with associated works. Erection of side porch and 1.20m high tomber fence and gates.
- 1.2 The application site relates to a two storey end terraced dwelling located within the established residential area of Yate.

2. POLICY CONTEXT

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- H2 Residential Development
- H5 Residential Conversions
- T8 Car Parking Standards
- T7 Cycle Parking
- T12 Transportation Development Control

2.3 Supplementary Guidance

SPD Design Checklist adopted August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 P94/1831 Erection of two storey side extension
Approved August 1994
- 3.3 PK03/0007/F Erection of two storey side extension
Approved January 2003

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection

Other Representations

4.2 Local Residents

Two letters has been received from local residents raising the following objections, which have been summarised as follows. The following objections relate to the original submitted plans and no further representations have been received relating to the amended plans:

- Proposed parking and access at rear
- Overdevelopment of site
- Should provide parking at front

-proposed dwelling should have two parking spaces

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H5 of the South Gloucestershire Local Plan allows for the conversion of existing residential properties into smaller units subject to a number of criteria being satisfied.

5.2 Visual Amenity

The application site property relates to an end terraced two storey dwelling which has been extended on the side with a two storey extension, making the building substantially large. The only alterations required to enable the conversion relate to the provision of a hard standing with the front garden to provide 2 car parking spaces for the three bedroom dwelling, the provision of one parking space at the rear to serve the two bedroom dwelling, the erection of a porch on the side elevation and also the subdivision of the rear garden to provide separate private amenity space for each dwelling.

5.3 It is considered that the proposed conversion would not prejudice the character of the surrounding area. It should be noted that no. 169 a few doors up has provided a hard standing within the front garden. It is also considered that the proposed conversion would not result in overdevelopment of the site as the building and site are large enough to accommodate a conversion of this scale, in terms of providing satisfactory levels of car parking and private amenity space.

5.4 Residential Amenity

It is considered that the conversion of the existing dwelling into two separate dwellings would not have an adverse impact on the existing amenities of neighbouring occupiers.

5.5 As discussed above satisfactory levels of private amenity space will be provided at the rear of the site for the future occupiers of the development.

5.6 Transportation Issues

Objections have been raised by local residents regarding the provision of car parking spaces to the rear of the site and possible conflict due to the need for people to gain access to garages at the rear. Members are advised to consider that those comments relate to the original plans which had proposed three parking spaces at the rear. Revised plans have been submitted which now proposes one parking space in line with the Council's maximum parking standards to the rear of the site which will serve the proposed two bedroom dwelling and two additional spaces at the front for the three bedroom dwelling. The Council's Highway officer has advised that this parking arrangement would reduce the use of rear access and it would be beneficial in safety terms. In view of all the above therefore, there are no highway objections to the proposal

5.7 Landscaping Issues

There are no landscaping constraints on the site.

5.8 Design and Access Statement

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

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

7. RECOMMENDATION

- 7.1 Planning permission be approved subject to the following conditions.

Background Papers **PK07/08/1018/F**

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason:

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

2. The off-street parking facilities for all vehicles shown on the plan hereby approved shall be provided before the buildings are first occupied and shall be surfaced with bound surface material (i.e. permeable material) and retained for that purpose and maintained satisfactory thereafter.

Reason:

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

3. The materials to be used in the construction of the external surfaces of the porch 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.

4. All works associated with the formation of the new access from no.171 Cranleigh Court Road shall be carried out to full and final satisfaction of the Council's Street Care Manager.

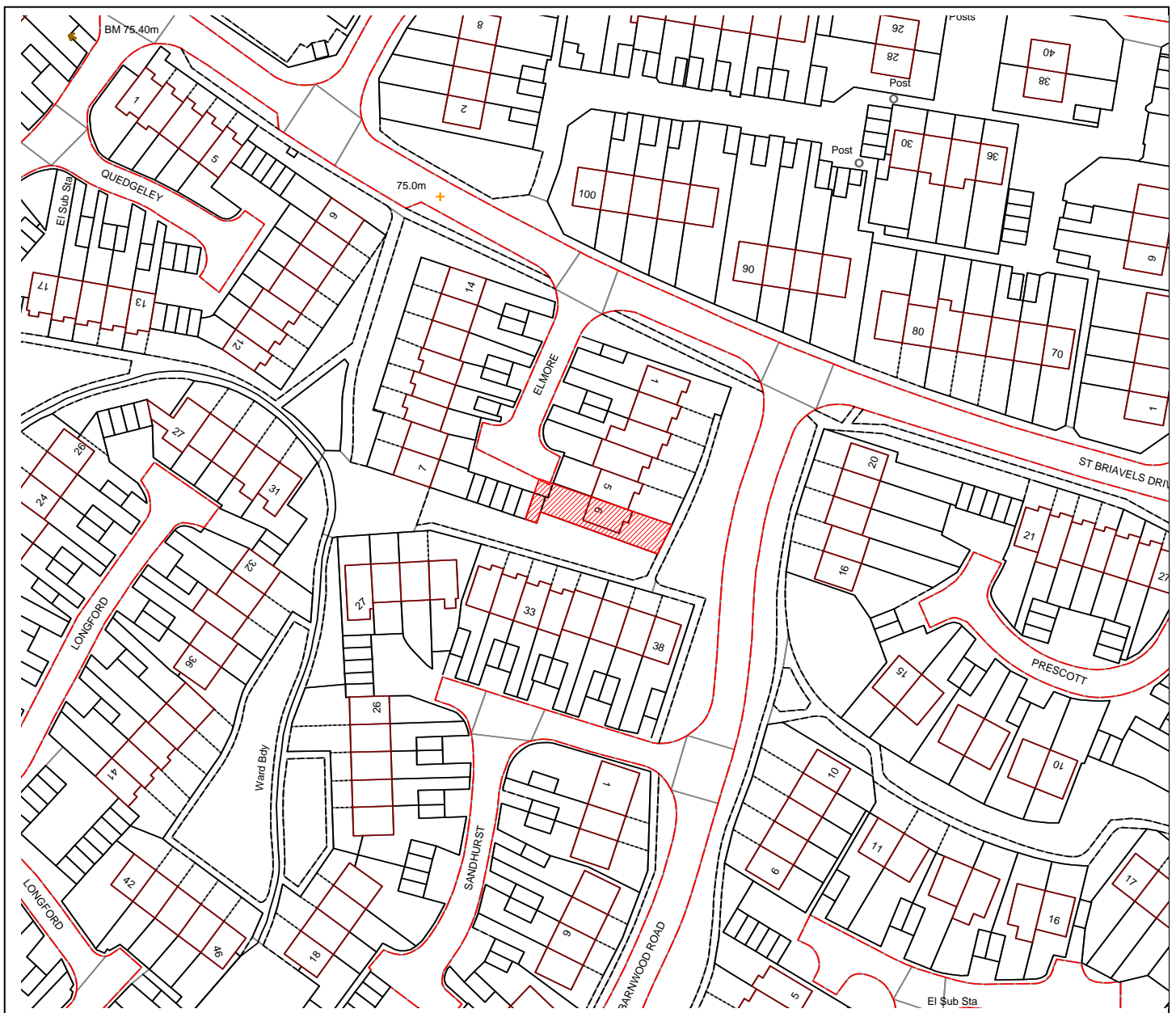
Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.: PK08/1069/F
Site: 6 Elmore, Yate, South Gloucestershire, BS37 4JG
Proposal: Conversion of existing dwelling and erection of single storey rear extension to form 2 no. self contained flats with associated works (resubmission of PK08/0071/F).
Map Ref: 70621 81688
Application Category: Minor

Applicant: Mr & Mrs F Felton
Date Reg: 19th April 2008
Parish: Yate Town Council
Ward: Yate Central
Target Date: 30th May 2008



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INTRODUCTION

This application is referred to the Circulated Schedule to Members in accordance with procedure given that objections to the proposal have been raised.

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the conversion of an end terrace, two-storey property situated on the eastern side of Elmore, (a cul-de-sac situated on the southern side of St Briavels Drive), to 2 no. self contained flats. The development would consist of 2 no. one bedroom flats.
- 1.2 Access to the flats would be from the front (from Barnwood Road). The ground floor flat would have access to a fenced garden area. Bin storage and cycle storage facilities would be provided along the Elmore frontage. Two parking spaces are to be provided, one will be situated with a garage, (within a rank of garages set to the front of the property), with a single parking space provided to the rear (the site being on a Radburn style estate) both with access onto Elmore.
- 1.3 To facilitate the development, an extension is proposed to the rear (on the site of an existing conservatory). The extension would be single storey with a depth of approximately 2.7 metres, width of 3 metres and height to the apex of the roof of 3.7 metres. It is indicated that matching materials will be used.
- 1.4 This proposal represents a resubmission of Application No. PK08/0071/F previously refused on the basis that inadequate parking, (only a single garage space was to be provided), was being provided to serve the development.

2. POLICY CONTEXT

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

South Gloucestershire Council Design Checklist (Adopted August 2007)

3.0 RELEVANT PLANNING HISTORY

N3129 Erection of rear boundary wall (Approved)
PK08/0071/F Conversion of existing dwelling and erection of single storey rear extension to form 2 no. self contained flats with associated works (Refused – The proposed development would lead to additional on street parking to the detriment of highway safety)

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council

No objection raised

4.2 Sustainable Transport

Planning permission has previously been sought to convert the existing dwelling into two one-bed flats (PK08/0071/F). This proposal was refused planning permission on the inadequate level of vehicular parking within the site boundary.

This current submission now proposes to utilise the existing detached garage to provide vehicular parking for one of the flats. An additional parking space will be provided in the rear garden of the site for the remaining flat. Although it has been indicated that bin and cycle storage will be provided for each flat in the rear garden, no detail of this has been submitted with this proposal. However, it appears that there is sufficient space for this to be provided.

On that basis, there is no transportation objection to this proposal subject to the following conditions: The new vehicular parking space to have a bound surface and be satisfactorily maintained as such. Bin storage large enough to accommodate the Council's current twin bin system to be provided for each flat. Detail to be submitted for approval by the Council prior to first occupation of either of the dwellings. Two cycle storage spaces to be provided, one for each flat, in a secure, covered and overlooked position. Detail to be submitted for approval by the Council prior to first occupation of either of the dwellings.

4.3 Local Residents

There have been three letters of objection received. The grounds of objection can be summarised as follows:

- The proposal would change the nature of the cul-de-sac, by increasing the number of people the character would alter
- The proposal would aggravate an existing parking problem (hindering emergency vehicles)
- Insufficient information has been submitted to assess the impact of the proposed extension
- There will be poor access for the disabled
- The proposal may affect property values

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

PPS3 (Housing) identifies the planning system as a means of widening housing opportunity and choice, maintaining a supply of housing and creating sustainable residential environments. Paragraph 10 of PPS3 indicates among other criteria that the planning system should deliver a mix of housing, both market and affordable, particularly in terms of tenure and price to support a wide variety of households in all areas, provide a sufficient quantity of housing taking into account need and demands and seeking to improve choice.

Furthermore the planning system should provide housing developments in suitable locations, which offer a good range of community facilities with good access to jobs, key services and infrastructure. It is considered that the current proposal is appropriate within this context.

- 5.2 Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 reflecting the aims and objectives set out in this guidance considers the criteria for proposals for the conversion of existing residential properties into smaller units of self-contained residential accommodation. The policy recognises the important contribution that smaller units can make to the supply, range and mix of housing provision in South Gloucestershire and supports the conversion where appropriate of larger properties subject to consideration of the following criteria.

5.3 Character of Surrounding Area

Policy H5A of the South Gloucestershire Local Plan (Adopted) January 2006 allows for such development provided that there is no adverse impact upon the character of the area.

The surrounding area consists of single (family) dwellings within this predominantly residential area. It should be noted that there are no examples of other flat conversions in the immediate vicinity of the site. The area is therefore predominantly one of family housing, however it is not therefore considered that the current proposal could be considered to undermine the character of the area, particularly given the given the guidance in PPS3 (para 10) that has been outlined above that seeks to create mixed and inclusive communities and opening up housing choice within sustainable locations close to local facilities.

The development of 2 units on 430sqm equates to a density of approximately 93 dwellings per hectare. The density of the development in the locality where properties are sited on approximately 165sqm equates to a density of 59 dwellings per hectare. While it is noted that this proposal represents a higher density it is not considered that the refusal of the application could be justified on these grounds given the location in a sustainable urban location of relatively high existing density.

5.4 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to achieve a high standard of design in all new development having regard to scale, form and materials both in relation to the original property and within the wider context.

A single storey extension is proposed. The extension is considered of an appropriate form and scale to the original building and is in keeping with the form of development within the vicinity of the site where there have been similar additions to properties. The use of matching materials is proposed (in the design and access statement) and if the proposal were acceptable in other respects a condition would be attached to the decision notice to secure this in the interests of visual amenity. The fencing is also considered acceptable.

5.5 Residential Amenity

Policy H5B of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such development should be permitted provided that it would not prejudice the amenities of nearby occupiers.

The proposal will not result in any additional overlooking of adjoining properties. Given the scale and location of the proposed extension, (with a depth of 2.675m), it is not considered that any detriment to neighbouring residential amenity will result by reason that the structure would appear oppressive or overbearing.

The proposed development is considered in accord with Policy H5B of the South Gloucestershire Local Plan (Adopted January 2006).

5.6 Transportation

Policy H5C of the South Gloucestershire Local Plan (Adopted) January 2006 considers that such a development would be acceptable provided an acceptable level of parking is identified. Policy T8 indicates that development should not exceed the standards set out in the plan (figure 6.6) ie one space per bedroom. Policy T12 assesses development in terms of the impact of the development upon the wider highway network with the priority being highway safety.

Concern has been raised, in terms of the impact that the proposal would have on parking, vehicular movement and congestion. Planning permission has previously been sought to convert the existing dwelling into two one-bed flats (PK08/0071/F) and this application was refused on the basis that an inadequate level of vehicular parking would have been provided within the site boundary (a single space to serve the two flats).

The resubmitted application now proposes to utilise the existing detached garage to provide vehicular parking for one of the flats. An additional parking space will be provided in the rear garden of the site for the remaining flat. While concerns are noted, the provision of two parking spaces (one space per one bed flat) is the maximum parking level that would be expected to accord with the Parking Standards set out in Policy T8.

Although it has been indicated that bin and cycle storage will be provided for each flat in the rear garden, no detail of this has been submitted with this proposal. Given that there is sufficient space for this to be provided, a condition is recommended to secure details of the refuse storage and to ensure that it is provided prior to the first occupation of the flats. Furthermore details of two secure cycle parking spaces are required by condition.

Concern has been raised that the proposed development would not be suitable to accommodate a disabled occupier, given that one parking space is in a garage and the other on a gravel surface. A condition will be attached to the decision notice requiring the parking space to have a bound surface, this will prevent loose material on the road but will also provide a suitable surface for wheelchair use.

Subject to the above recommended conditions it is considered that the proposal is acceptable in transportation terms and in accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted January 2006).

5.7 Amenity Space

Policy H5D requires development to provide adequate amenity space. The policy indicates that space may be provided either communally or on an allocated basis. Members should be aware that there is no specific guidance in either National or Local Guidance on the amount of amenity space that should be provided for any one development.

Having regard to this specific application, a small amount of amenity space is provided for the ground floor flat only (with no space provided for the upper floor flat), however it is not considered, (in contrast to a 2 or 3 bed dwelling), that there would be an expectation of amenity space provision for this form of development. In summary therefore amenity space is available to ground floor occupiers. It should be noted that there is public open space within the vicinity of the site. It is considered that the proposal is in accord with this criterion of Policy H5.

5.8 Noise

It is not considered that the addition of an extra two units of accommodation would cause any significant increase in overall noise and disturbance albeit the alignment of rooms between those proposed and those in adjoining existing properties will be different. The Building Regulations (Part E), would cover the issue of sound insulation between the new units themselves and between the new units and the adjoining properties on either side and for the avoidance of doubt a condition will be attached to the decision notice to secure these details.

5.9 Other Issue

Concern has been expressed that the proposed development may affect property values. It should be noted that this is not a material planning consideration that can determine the outcome of an application.

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.

5.9 Design and Access Statement

The Design and Access Statement submitted with the application is considered to demonstrate that the applicant has adopted a design approach consistent with the South Gloucestershire Council Design Checklist (Adopted August 2007)

6. CONCLUSION

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

7. RECOMMENDATION

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

Background Papers **PK08/1069/F**

Contact Officer: **David Stockdale**
Tel. No. **01454 864533**

CONDITIONS

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

Reason:

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

2. Prior to the first occupation of the development hereby permitted, full details of the Refuse Storage provision (to accommodate the South Gloucestershire Twin Bin Scheme) shall be submitted to an approved in writing by the Local Planning Authority. The approved storage shall be retained for that purpose thereafter.

Reason:

To ensure adequate refuse storage and to accord with Policy D1H of the South Gloucestershire Local Plan (Adopted).

3. Full details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to the first occupation of the flats and retained as such thereafter.

Reason:

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

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

Reason:

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

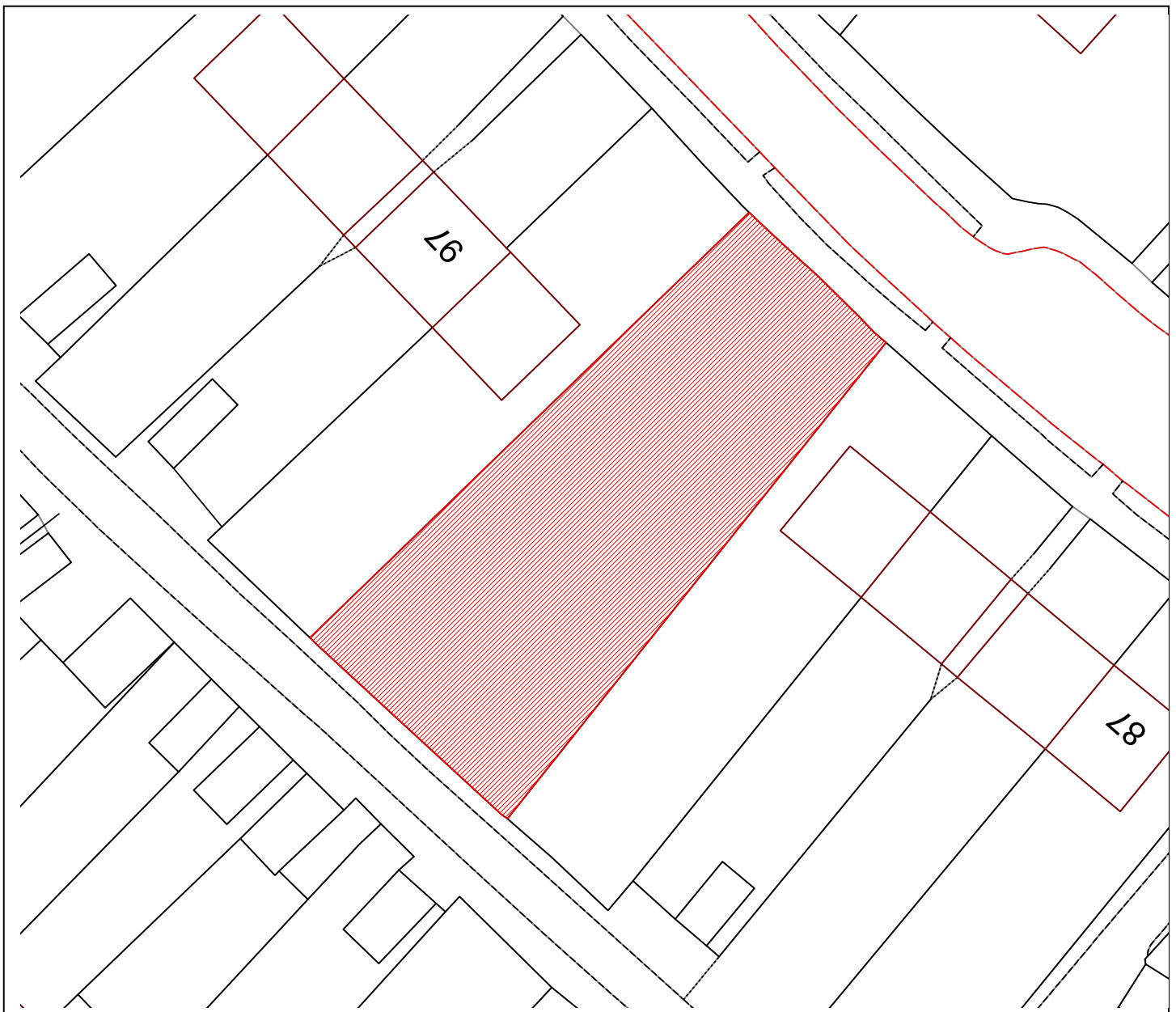
5. The vehicular parking space shown on the plan hereby approved shall have a bound surface and be maintained as such thereafter.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PT08/0267/F	Applicant:	Knole Lane Development
Site:	Land between 93 and 95 Pretoria Road, Patchway, South Gloucestershire, BS34 5PY	Date Reg:	29th January 2008
Proposal:	Erection of 4 no. flats and construction of new access with associated works	Parish:	Patchway Town Council
Map Ref:	59776 81893	Ward:	Patchway
Application Category:	Minor	Target Date:	20th March 2008



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N.T.S

PT08/0267/F

The application appears on the Circulated schedule as the application requires a legal agreement to secure £3600 of highway improvements which the applicant has agreed to pay.

1. THE PROPOSAL

- 1.1 This is a full application for the erection of four one bedroom flats. The site consists of a grassed area between the neighbouring terraced houses. The site has until recently been occupied by the neighbour at 97 Pretoria Road to house aviaries. The land has been reclaimed by the Council and sold on. The site fronts directly onto Pretoria Road and also has a rear access lane.
- 1.2 The proposed development consists of the erection of a building to accommodate four one bedroom flats. Five parking spaces are shown. Two of the parking spaces are accessed from Pretoria Road, the other three from the rear lane. A garden, clothes drying area and bin stores, comprising a two bin system for each flat are shown in the centre of the rear garden.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H2 New Residential Development within the Urban Areas or Village Development Boundary
T7 Cycle Parking
T8 Vehicular Parking Standards
T12 Transportation Development Control Policy for New Development
L1 Landscape protection and enhancement
L9 Protected Species
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007.

3. RELEVANT PLANNING HISTORY

PT04/2926/R30	Outline consent for residential development (renewal of outline).
PT01/3498/R30	Outline consent for residential development (renewal of outline).
P99/1024	Outline consent for one dwelling (renewal of outline).
P95/2560	As above
P92/2333	As above
P89/3287	As above

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No response received
- 4.2 Sustainable Transport

The site is located off the unclassified Pretoria Road, which serves as access to the wider highway network. The proposal features the erection of four one-bed flats and the construction of vehicular accesses off Pretoria Road and to the rear an unclassified single lane track.

The proposed cycle storage should be able to accommodate four secure/undercover cycle spaces.

There are adequate proposed bin storage facilities.

There is one too many car parking spaces at present being provided and this needs to be reduced to four. These proposed car parking spaces should measure 2.4 metres wide by 4.8 metres long. The proposed driveways and turning areas should have a bound surface. The vehicular crossovers should be constructed to the satisfaction of the Street Care Manager.

In order to mitigate the incremental damage on the North Fringe accumulated via numerous small developments a financial contribution towards the North Fringe development proposal (Transport Measures) is required. Any proposed entrance gates should not overhang the highway.

On that basis there is no transportation objection to this current proposal subject to appropriate conditions and the receipt of a financial contribution towards the North Fringe development proposal (Transport Measures) is required. This should be secured via an appropriate agreement and provided prior to the issuing of any permission. This is assessed at £3600.

4.3 Drainage

No objection subject to SUDS condition. No surface water sewer available.

Other Representations

4.4 Local Residents

No responses received.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of four one bedroomed flats. There have been numerous granted applications for outline planning permission for housing on this site and this is the first full application.

5.2 Principle of Development

Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 is relevant to this planning application. The policy indicates that the proposed development is acceptable subject to the following considerations.

5.3 PPS3 encourages the efficient use of land. PPS3 also identifies the provision of smaller units, such as flats within existing residential areas as being key characteristics of a mixed community.

- 5.4 Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 encourages the maximum density compatible with the site and the surrounding area. However the provision of smaller units of accommodation can make a valuable contribution to the supply and range of housing throughout South Gloucestershire that would be suitable for the growing numbers of single persons and small households providing that the proposal does not conflict with other policy considerations.
- 5.5 Having regard to the above, it is considered that the proposed development is in accordance with the broad principles of Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006, however the other policies in the plan also need to be considered.
- 5.6 Making the most efficient use of land.
In line with PPS3, Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 encourages the efficient use of land as part of new housing development. In this locality, within the urban area and close to existing public transport a relatively high density of housing would be expected. This should be a minimum of 50 dwellings per hectare. In this instance, the proposed development would achieve a net density of 79 dwellings per hectare. In principle this is therefore acceptable given the close proximity of train and bus links into the Bristol City Centre and beyond and the small size of the units being provided.
- 5.7 Design and Character Considerations
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design that respects the character and distinctiveness of the site and its surroundings.
- 5.8 This application has been designed to be in keeping with the mansard houses surrounding it. The proposal is deeper than the houses on either side but the design takes advantage of the differing building lines of the houses to either side of the plot which enable this development to be constructed without detriment to either neighbour. Further the windows in the side elevations serve the kitchen area of the living room, the hall and the bathroom windows. It is not unreasonable to impose a condition which requires these first floor rooms to be obscure glazed and non-opening below 1.7m from finished floor level.

The parking area is split between the front and rear of the property and there is an area of garden at the rear of the building. Given that the properties are one bedroom units they are unlikely to attract families and as such there is no justification for each of the flats to have private amenity area. The amenity area could be used communally but this would result in the rear ground floor flat having other occupiers in close proximity to their main windows. As such a condition requiring that the garden be communally used is unreasonable and not recommended. A means of enclosure condition is attached however to ensure the appropriate enclosure of the site and it is anticipated that any enclosure required around the garden would be considered under this condition.

- 5.9 Having regard to the above, it is considered that the proposed development, complies with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist September 2006.

- 5.10 Minimising the Use of Energy and Natural Resources
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to establish high standards in terms of energy conservation. This is supported within the South Gloucestershire Design Checklist.
- 5.11 The developer has advised in the Design and access statement that the building will have a very low carbon footprint and will achieve a good BREEAM score.
- 5.12 Residential Amenity
Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not significantly prejudice the amenities of nearby occupiers.
- 5.13 The application proposes a building which would not detract from the privacy or residential amenity of the neighbours, neither would the introduced parking or amenity areas detract from the enjoyment of the nearby houses. It is not considered that the level of vehicular movements generated as a result of the proposal would be at a level that would result in an unacceptable impact upon the occupiers of nearby dwellings.
- 5.14 With regards to the provision of the new residential units themselves, it is considered that the relationship of the development with surrounding properties is such that it would have no material impact as a result of creating additional outlooks across surrounding gardens and there is sufficient separation to avoid direct intervisibility between the windows of the development and existing dwellings. Essentially, it is considered that the relationship of the proposed development with the surrounding area would be typical of sub-urban relationships seen locally and nationally.
- 5.15 Transportation
Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity in the immediate surrounding locality. Policy T8 and T7 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the maximum vehicular and cycle parking standards for new development. The proposal has one too many parking spaces and as such a condition is recommended to ensure that the application complies with the Council's maximum parking standards and cycle parking is also provided in accordance with policy.

Ecology

The site has the potential for supporting reptiles such as the slow worm, protected by planning policy L9 and the Wildlife and Countryside Act 1981. If reptiles are present, mitigation measures will be required and implemented prior to site development. The council's ecologist has confirmed that given the nature and location of the site a condition is appropriate and is duly attached

5.16 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, however in this instance it is not reason to refuse the scheme.

5.17 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 in conjunction with an appropriate legal agreement to secure the highways contribution of £3600 and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the following conditions and the receipt of the above financial contribution to the highways network.

Background Papers **PT08/0267/F**

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

CONDITIONS

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

Reason:

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

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

Reason:

To prevent non-point source pollution and flooding, and to accord with Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 and PPS25.

3. Prior to the commencement of development, detailed plans showing the provision of only four car parking spaces and the relocation of the cycle store into parking space three as set out on plan 2497A and the details of that secure cycle parking facility for four bicycles in accordance with the standards set out in Policies T7 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason:

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

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority measures in respect of:
 - (i) The identification, through site survey, of protected wildlife species and/or their habitat at present (as designated under the Wildlife and Countryside Act 1981 (as amended)).
 - (ii) The protection, as required, of wildlife species, and/or their habitat referred to under (i) above and as identified through the site survey. The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.

Reason:

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

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

Reason:

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

6. The driveways shall have a bound surface.

Reason:

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

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

Reason:

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

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

Reason:

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

9. The first floor glazing on the side elevations shall at all times be of obscured glass and be permanently fixed in a closed position unless above 1.7m from finished first floor level. The obscure glazing to be used shall be at least level 3 obscure glazing.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PT08/0802/F	Applicant:	Solon (SW) Housing Assoc:
Site:	Garage Court off North East Road, Thornbury, South Gloucestershire, BS35 1DZ	Date Reg:	26th March 2008
Proposal:	Demolition of existing garages to facilitate erection of 4 no. dwellings with associated works.	Parish:	Thornbury Town Council
Map Ref:	64323 90762	Ward:	Thornbury North
Application Category:	Minor	Target Date:	12th May 2008



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DC0901MW

INTRODUCTION

This application has been placed on the circulated schedule as there has been objections to the proposal

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 4 dwellings on land to the rear of 6 and 8 North East Road Thornbury. Disused garages presently occupy the land on which the proposed development is proposed. The dwellings proposed will comprise of a staggered terrace of four two bedroom dwellings.
- 1.2 This application is submitted by Solon Housing Association and all the units will be for affordable housing.
- 1.3 The site is rectangular in shape with access off North east Road. The access arrangements will follow those in place for the existing garage use. The site is flat with the disused garages presently along its edges. The site falls within the established residential area of Thornbury and covers approximately 0.09 hectares. This proposal would constitute a density of 44 dwellings per hectare.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Communities
PPG3 Housing
PPG13 Transport
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H2 Residential development
T12 Transportation Development Control Policy for New Development
- 2.3 Joint Replacement Structure Plan
Policy 34 Re-use of previously developed land (support for infill)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection
- 4.2 Sustainable Transport
No objection to the proposal
- 4.3 Local Residents
Three letters have been received raising the following points:
Loss of Privacy

Problems with rear access to existing properties
Highway safety
Is the access road wide enough for an emergency vehicle
A wall and not fences should be used to mark existing from proposed fencing
Loss of value of properties
Lack of parking in the area

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application proposes the erection of residential development within an established residential area. The proposal would therefore accord with policy H2 of the South Gloucestershire Local Plan subject to there being no unacceptable environmental or transportation effects, no prejudicing of residential amenity, and a density in comparison with the site and location.

5.2 Design/Impact on the Character and Appearance of the Area

In terms of the overall design and appearance of the proposed development it is considered that it integrates well into its surroundings. The area has no one distinct architectural style. The area is predominantly made up of two storey semi-detached dwellings, but the design of these varies greatly.

The development in terms of its design features, replicates features found elsewhere in the locality. Specifically the materials used, the window sizes and style of roof. The mansard roof is a popular feature in the area. Consequently the design of the proposed development is considered acceptable.

In terms of the density of development proposed this again is considered acceptable. This is as the density of development on the site works out to be 44 dwelling per hectare and this is within the Governments target of 30 to 50 dwelling per hectare set out in PPG3 (Housing). It is also considered that a density of this scale fits within the context of the area.

In light of the above the proposal is considered satisfactory against this criteria.

5.3 Impact on Neighbouring Occupiers Residential Amenities

It is considered that given the location and orientation of the proposed dwellings they will not impact unreasonably upon the residential amenity of neighbouring properties. The windows to the front and rear of the proposed properties will over look the gardens of existing properties to the North and South of the site. But given that landscaping is suggested along the southern boundary of the site any over looking is kept to minimum. The proposed dwellings will be 30 metres away from the dwellings at the front whilst to the side there will be a gap of 16 metres. There are no windows proposed in the side elevations of the dwellings. Consequently it is considered that there is sufficient distance between the properties to ensure that there is no impact upon the privacy of any of the properties concerned

Sufficient space is provided for the storage and collection of refuse.

Taking into account the above there will be no impact upon the residential amenities of the surrounding properties, as a result of this proposed development.

5.4 Transportation Issues

Policy T12 Transportation Development Control Policy for New Development relates to the transport implications of new development and seeks to ensure they do not impact upon highway safety.

In this instance there will be sufficient off street parking and turning arrangements provided. This will equate to 1.25 places per property. There is also the space if needed to provide additional informal tandem parking behind spaces 1,2,3. The development also makes provisions for the existing accesses onto the garage court to be retained.

The development will also due to its nature not result in a highway safety issue over people walking or cycling along the access road as speeds along here will be quite slow.

The access is also considered acceptable to allow emergency vehicles to enter the site.

5.5 Planning Obligations

Given the size of the proposed development the Council would not request any planning contributions in line with Circular 05/05,

5.6 Other issues raised

The issue over property values is not a planning consideration.

5.7 Section 106 Requirements

In relation to the issues raised by this planning application, consideration has been given to the need for a Section 106 Agreement. Circulars 11/95 and 05/05 relate to the use of planning conditions and planning obligation under Section 106 of the Town & Country Planning Act (as amended). Circular 05/05 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 conditions are adequate to address the issues raised by the development. .

6. CONCLUSION

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

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

7 Recommendation

Planning permission be approved with the following conditions

Background Papers

PT08/0802/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:

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 of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

3. Within 3 months of the date of the decision details of provision of storage for refuse bins and boxes shall be submitted to and agreed in writing by the Local Planning Authority. The residential units hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed details.

Reason 1:

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

Reason 2:

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

4. Within 3 months from the date of the decision 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 shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason:

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

5. Within 3 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with 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:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.: PT08/0934/RVC
Site: West of England Institute of Specialist Education, New Road, Stoke Gifford, South Gloucestershire, BS34 8LP

Applicant: Filton College
Date Reg: 7th April 2008

Proposal: Variation of Condition 6 attached to planning permission PT03/1569/RM dated 10 September 2003 (to extend the use of floodlighting) (Resubmission of PT06/3454/RVC)

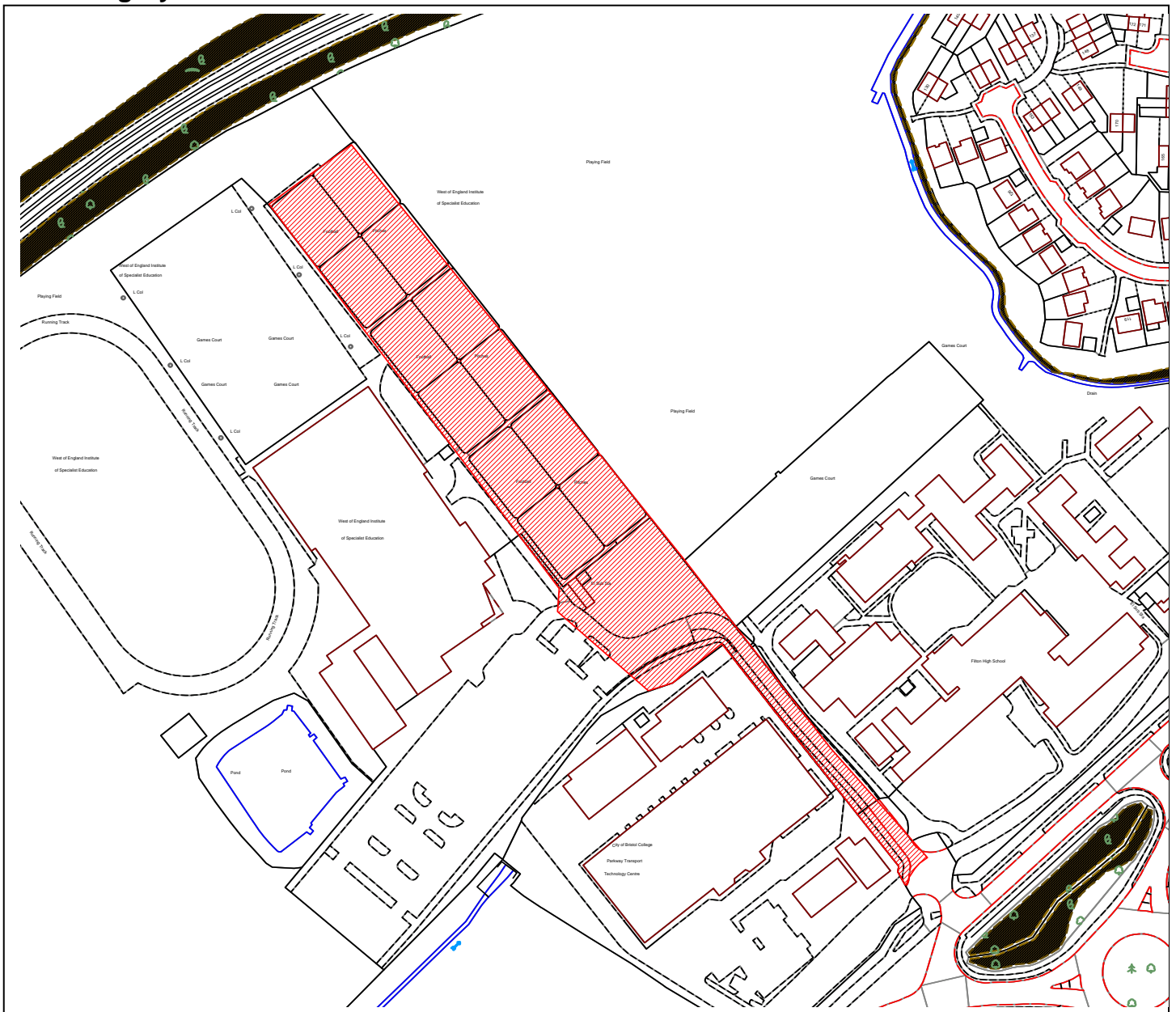
Parish: Stoke Gifford Parish Council

Map Ref: 61642 79443

Ward: Frenchay and Stoke Park

Application Category: Minor

Target Date: 26th May 2008



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INTRODUCTION

This report appears on the Circulated Schedule as there is public comment which is contrary to the officer recommendation with regards to this planning application. It should be noted that this application is a resubmission of the previously refused planning application (PT06/3454/RVC) for development at this site, which was referred to committee on 6th July 2007.

1. THE PROPOSAL

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

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 South Gloucestershire Local Plan (Adopted) January 2006

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

2.3 Supplementary Planning Guidance

None Relevant

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/2079/O Development of 20.4 hectares of land for educational use to include new college building and sports facilities.
Approved
- 3.2 PT03/1569/RM Development of land for educational use to include new college building and sports facilities. (Approval of Reserved Matters) (To be read in conjunction with outline planning permission PT02/2079/O).
Approved
- 3.4 PT06/3454/RVC Variation of Condition 6 attached to planning permission PT03/1569/RM dated 10 September 2003 (to allow the use of floodlighting beyond the hours of 10 pm on any day).
Refused (Appeal Withdrawn)
- 3.5 PT07/3129/RVC Variation of Condition 6 attached to planning permission PT03/1569/RM dated 10 September 2003 (to extend the use of floodlighting to the hours of 10:30pm on any day) (Resubmission of PT06/3454/RVC)

4. **CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council
Object to longer light use due to effect on residents in New Road.
- 4.2 Sustainable Transport
No Objection

Other Representations

- 4.3 Local Residents
Three letters of Objection have been received. The comments can be summarised as follows;

Previous comments made in respect of PT06/3454/RVC are reiterated.

The proposed extension of the operation of the lights will lead to a further detriment to local residents due to noise (shouting and whistles etc) from the extended use of the football pitches

The need to close windows to cut out noise during the summer months will make it uncomfortable to sleep at night without the use of cooling equipment.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
This application seeks consent to vary Condition 6 of the associated planning approval issued under PT03/1569/RM. The principle of the development has been established and the development has been implemented. However, the effect of the proposed variation is such that the use of the flood lighting associated with this development would be extended up to 22:30 hours on Monday to Friday. (It is not proposed to extend this period on Saturday, Sunday or on Bank Holidays) The impact of this extension in time is addressed below.
- 5.2 Environmental Impact and Residential Amenity
In general terms, PPG17 advises that in considering the location of new areas of open space and sports and recreational facilities the Local Authority should avoid any significant loss of amenity to residents, neighbouring uses or biodiversity. Policy LC3 of the South Gloucestershire Local Plan (Adopted) January 2006 is consistent with this advice and seeks to ensure that sports development would not unacceptably prejudice residential amenities and would not have unacceptable environmental effects. Policy EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006 supports the above principles in terms of the impact of light pollution and noise levels
- 5.3 In terms of the extension of the time restrictions for the lighting, it is not considered, given the characteristics of the existing equipment that there would be a material impact upon residential amenity in terms of light pollution. Similarly, it is not considered that there would be any material impact upon the wider urban area as a result from a light pollution perspective.
- 5.4 Notwithstanding the above, the desire to extend the time restrictions for the existing lighting is to allow the extended period of play on the existing five-a-

side pitches beyond 22:00 hours. Now that the development is implemented and in use, it is very clear that the intensive nature of the 12 five-a-side pitches does generate a significant level of noise from shouting, kicking of footballs and whistles. The applicant has indicated that there can be up to 192 players (16 per pitch) using the facilities at any one time.

5.5 In respect of the previous planning application, it was considered that this considerable impact was not acceptable given that there was very little consideration of mitigation measures made by the applicant and that there was little consideration given to the actual needs of the facility in terms of its playing requirements. However, this application details specific timing requirements and makes provision for comprehensive noise mitigation measures as identified below;

5.6 The developer has proposed specific times in relation to the use of the 'five-a-side' pitches. These are;

08:00hrs to 22:30 on Monday to Friday

08:00hrs to 18:00hrs on Saturday

08:00hrs to 21:00hrs on Sunday

08:00hrs to 22:00hrs on Bank Holidays.

In addition the developer has provided details showing the implementation of a 2.1 metre high acoustic barrier fence along the North-Eastern Elevation; and has committed to the use of a 'noise management plan' that is to be continuously reviewed to the agreement of the Local Planning Authority. The key principles of the noise management plan are proposed to be as follows;

Use of low velocity/quieter whistles (further details below);

Use of courts nearest acoustic fence first, when all courts are not in use;

Control of spectators – through signage strategically placed and a code of conduct;

Control of abusive language/excessive shouting. This will be achieved by the on site Manager and any teams found to be causing problems will be given a verbal warning. If they fail to comply with a verbal warning and continue to cause a problem they will receive a final written warning. Teams that do not comply with a written warning will be banned from using the site.

Regular maintenance of court fencing/kick boards and acoustic fencing and records kept;

No exterior music to be played outside after 18:00;

Records to be kept and made available for the Local Authority detailing any actions taken to control/minimise noise from the site; and

The gate in the acoustic fence will be kept shut at all times the pitches are in use.

5.7 The Environmental Health Officer has assessed the above measures and has advised that they are sufficient to mitigate against the generation of excessive noise provided that the 'noise management plan' can be reviewed on a regular

basis to ensure that improvements can be continuously made so as to continue to keep noise levels to a minimum. Officers are also content that the assessment of the levels of noise following the introduction of the acoustic barrier are accurate and reasonable. Accordingly, it is considered that there is sufficient mitigation of noise now proposed. These measures can be secured by way of appropriate wording of the variation of condition 6 of (PT03/1569/RM) and on this basis, the previous refusal reasons (PT06/3454/RVC) can now be overcome.

5.8 Notwithstanding the above, it should be noted that Condition 6 of PT03/1569/RM currently allows for use of the existing flood lights up to 22:00hrs on any day. It would not be reasonable to restrict the use of the flood lights to a time before 22:00 (as is proposed for Saturdays and Sundays) as such a reduction would comply with the existing condition (ie consent would not be required to do this) and the intension to do this would be at the operator's descretion. On this basis, any new condition of approval can only restrict times to 22:00hrs on Saturday, Sunday and Bank Holidays.

5.9 Condition 6 of PT03/1569/RM does not currently restrict the continued playing of 'five-a-side football on the pitches (albeit un-lit after 22:00hrs). However, the new condition will have the benefit of removing any ambiguity regarding the playing of football on the pitches to the point that the actual activity (not just the use of the lights) can now be controlled.

5.10 Design and Access Statement

A design and Access Statement is not required with this application.

5.11 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission be granted subject to the following condition

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

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

Reason:

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

2. The existing floodlighting associated with the subject five-a-side football pitches shall not be used; and there shall be not playing of football or any other sporting or related activity between the hours of 22:00 and 08:00 until the acoustic barrier fence, as detailed in the approved planning application has been installed in accordance with the submitted details and to the written approval of the Local Planning Authority. Thereafter, the acoustic barrier fence shall be retained as such unless otherwise agreed in writing by the Local Planning Authority; and the floodlighting of and the use of the football pitches shall not occur between the hours of 22:30 and 08:00 on Monday to Friday inclusive; and shall not occur between the hours of 22:00 and 08:00 on Saturday, Sunday and any Bank Holiday.

Reason:

To minimise disturbance to occupiers of located off New Road and to accord with Policy LC3, EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

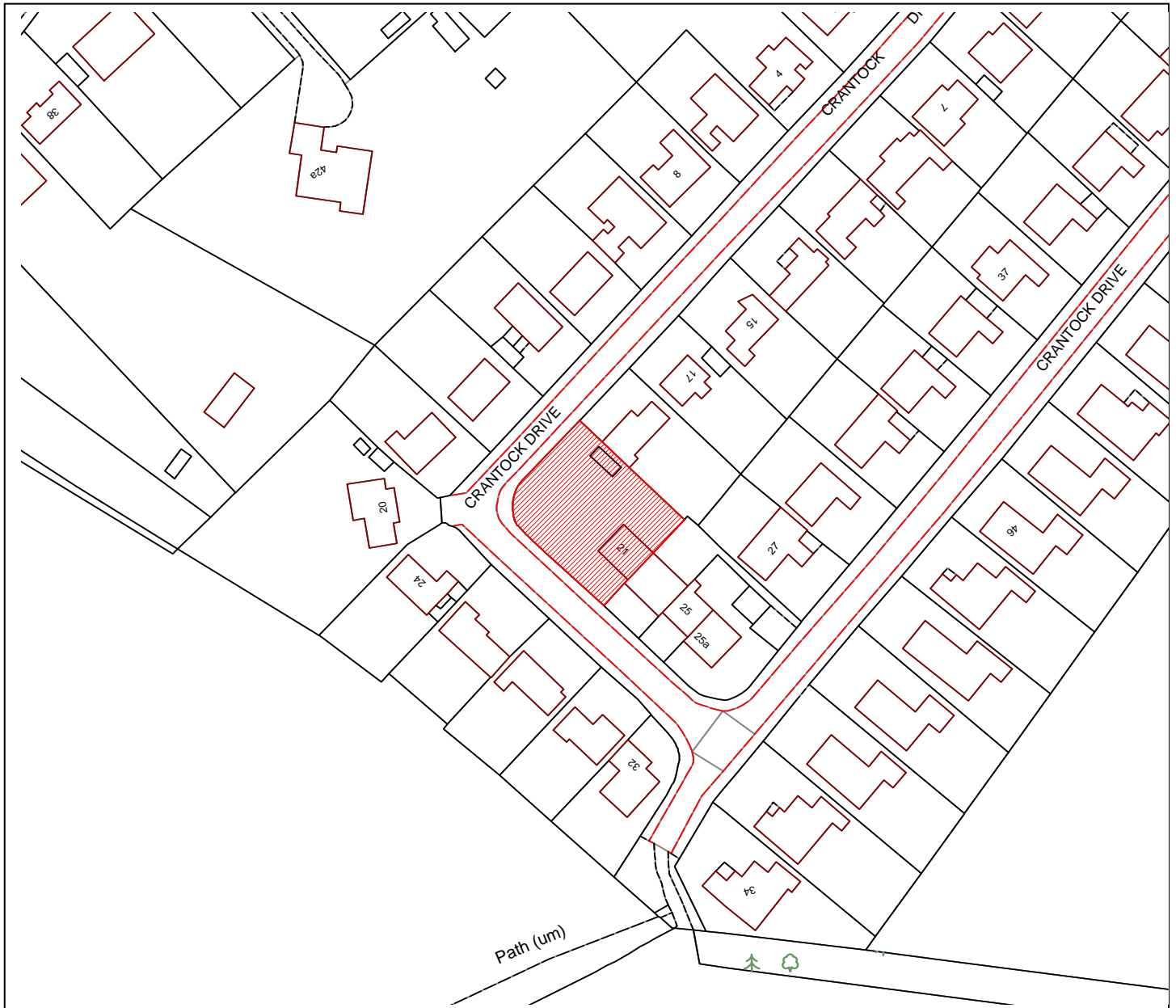
3. The existing floodlighting associated with the subject five-a-side football pitches shall not be used; and there shall be not playing of football or any other sporting or related activity between the hours of 22:00 and 08:00 until a comprehensive Noise Management Plan has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the use of the subject five-a-side football pitches shall continue, in accordance with the time restrictions set out in Condition 2 of this Decision Notice, and shall be operated in accordance with the requirements of the agreed Noise Management Plan. For the avoidance of doubt the Noise Management Plan shall make provision for the maintenance and improvement of the acoustic barrier fencing to be erected.

Reason:

To minimise disturbance to occupiers of located off New Road and to accord with Policy LC3, EP1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PT08/0940/F	Applicant:	Mr A Edwards
Site:	21 Crantock Drive, Almondsbury, South Gloucestershire, BS32 4HF	Date Reg:	7th April 2008
Proposal:	Erection of 1 no. attached dwelling. Construction of new vehicular access.	Parish:	Almondsbury Parish Council
Map Ref:	60974 84103	Ward:	Almondsbury
Application Category:	Minor	Target Date:	26th May 2008



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N.T.S

PT08/0940/F

This application appears on the Circulated Schedule as representations were made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 1 no. attached dwelling and construction of new vehicular access.
- 1.2 The application site relates to land within the curtilage of 21 Crantock Drive, Almondsbury. The application site is located within a well established residential area within the Almondsbury settlement boundary which is 'washed over' by the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
GB1	Green Belt
H2	Residential Development within Existing Urban Areas
H4	Development within Existing Residential Curtilage
T8	Parking Standards
T12	Transportation Development Control Policy for new Development

2.3 Supplementary Planning Guidance

Design Checklist (Adopted) 2007
Development in the Green Belt (June 2007)

3. RELEVANT PLANNING HISTORY

No relevant history.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Objection on the grounds of overdevelopment of the site.

Other Representations

4.2 Local Residents

Five letters of objection were received by local residents raising the following concerns:

- Covenant on deeds state only one dwelling per plot
- Drains are privately owned and overloaded
- Increased on street parking will create difficulty for service and emergency vehicles
- The proposal would be an overdevelopment of the site
- Loss of privacy / loss of light to the rear of the proposed property

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies within the Green Belt, therefore, consideration must be taken in regards to the impact on the openness of the Green Belt. PPG2 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 allow in principle for limited infilling within 'washed over' boundaries of settlements provided the criteria set out in Policy H2 are satisfied.

Advice contained within PPS3 encourages the provision of additional housing on previously developed land within existing towns and cities to promote more sustainable patterns of development. This policy stance is reflected in policies contained with the South Gloucestershire Local Plan.

Policy H2 of the South Gloucestershire Local Plan March 2006 incorporates current planning advice contained within PPS3 and allows for new residential development within the boundaries of settlements. This is subject to compliance with a number of criteria as expressed through policy H2 and H4, which are assessed below.

5.2 Density

Planning policy H2 cites that the maximum density compatible with the site, its location, its accessibility and surroundings should be achieved. To this extent, the expectation is that all development will achieve a minimum density of 30 dwellings per hectare and that higher densities (upwards of 50 dwellings per hectare) will be achieved where local circumstances permit.

In this instance, the total site area equates to 0.0667ha providing for a density of some 30 dwellings per hectare. Therefore, the proposal comfortably falls within the threshold required. It is not considered that any more than two dwellings could be provided for given the design, access and transportation issues which would arise from more than one dwelling on this site. As such, there is no objection to the proposal on this basis.

5.3 Green Belt

The proposed new dwelling consists of the filling in of a small gap within built development. The proposal would not significantly impinge upon the openness of the Green Belt and therefore the proposal for a new dwelling is acceptable subject to the criteria set out in Policy H2 being satisfied, namely; density, residential amenity, environmental impact, and transportation effects.

The original property has not been previously extended. The two storey side extension and single storey rear extension would amount to an approximate 37-40% increase in cubic volume. The width of the property will increase from 8.2 m to 12 m. Given the built up nature of Crantock Drive it is considered that the increase in volume of the dwelling is not out of scale and character with the host dwelling and nor would it harm the openness of the Green Belt. It is considered that the proposed extension of the host dwelling, set within the settlement boundary of Almondsbury represents a proportionate addition to the original property and therefore the proposal is considered to accord with Local Plan Policy.

5.4 Design and Visual Amenity

The application seeks full planning permission for the erection of 1 no. terrace new dwelling within the side garden of 21 Crantock Drive, Almondsbury. The site is situated on the corner of a junction within Crantock Drive. The host dwelling is also to be increased in size integrating a garage and first floor extension as well as a single storey rear extension. The proposal also includes provision for a detached side garage, which would be accessed via a new vehicle entrance adjacent to no. 19 Crantock Drive.

The proposals location to the side of the existing row of terrace properties together with the chosen construction materials, which match the palette of materials displayed in the existing building, means that this dwelling is an appropriate addition to the streetscene.

The proposed garage to the side of the new property is a modest addition would also be in keeping with its surroundings as other detached garages exist in the local vicinity. There is no harm caused to the visual amenity and therefore the proposal complies with policies D1 and H4 of the Local Plan.

5.5 Transportation

The application site is located off the unclassified highway of Crantock Drive. There is no through traffic and vehicle speeds and volume are low. Vehicles approaching from the junction have good inter-visibility and are on the other side of the road. The Council's Highways Officer raises no objection to the proposal subject to the proposed vehicular crossover construction being carried out to the satisfaction of the Street Care Manager. It is considered that sufficient off-street parking is being provided for the new dwelling so that no additional strain will be placed on on-street parking.

5.6 Residential Amenity

Overbearing Analysis

Due to the overall scale and size of the proposed development and sufficient boundary treatment between the neighbouring properties the proposal would not be overbearing on the residential amenity of neighbouring occupiers. To the rear the proposed dwelling would be approximately 10 m away from no. 19 Crantock Drive and to the side the nearest dwelling is some 20 m away. It is not anticipated that any neighbouring property will suffer from a loss of light as a result of the proposal.

Privacy Analysis

To the rear the proposed dwelling would be approximately 10 m away from no. 19 Crantock Drive, which has no windows in its side facing elevation. To the side the nearest habitable rooms at no. 16 and 18 Crantock Drive will be approximately 20 m away. This is considered a sufficient distance for there to be no overlooking or loss of privacy as a result of the proposal.

Amenity Space

There will be sufficient garden space to the side and rear to serve occupiers of the property.

5.7 Other Matters

Concern was raised that a covenant on the deeds for properties in Crantock Drive state there should only be one dwelling per plot. This is not a material planning consideration as it is covered under different legislation. In regard to the ownership of the drainage system Wessex Water have indicated on a previous application (PT05/0958/F) for a new dwelling at 25 Crantock Drive that the site lies within a public sewered area.

Notwithstanding the above, the connection to drainage systems is a civil matter (consent would either be required from individual private owners; or Wessex Water depending upon ownership). It does therefore not form part of the assessment of this planning application. The method of connection and the capacity of the drains is dealt with under other legislation that is separate from Planning Legislation.

5.8 Design and Access Statement

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

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 That planning permission is **GRANTED** subject to the following conditions.

Background Papers **PT08/0940/F**

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

CONDITIONS

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

Reason:

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

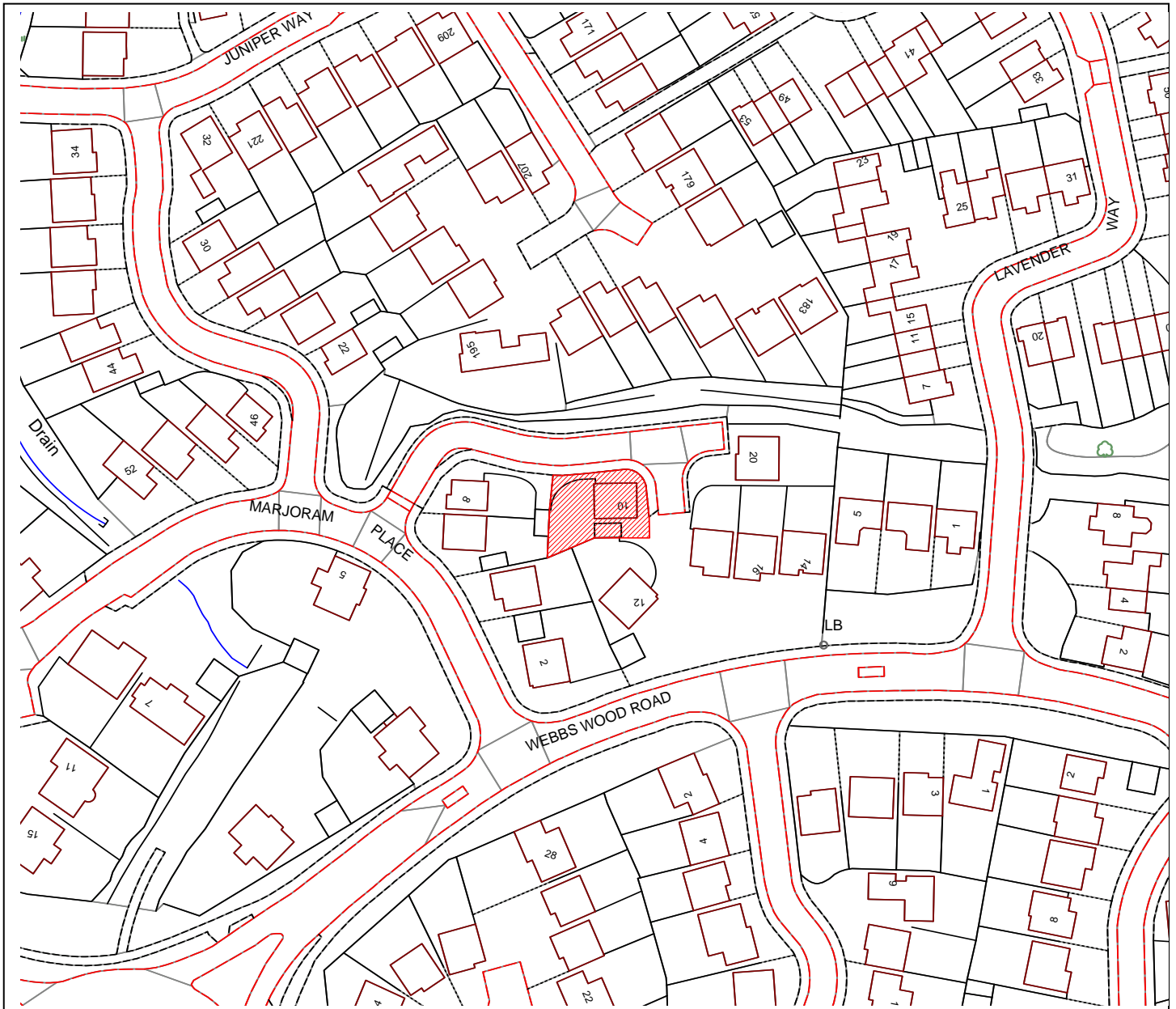
2. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E and 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:

In view of the size of the plot any extension/alteration to the dwelling would require further detailed consideration in order to safeguard the amenities of the area and to accord with Policies D1, H2, H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PT08/0956/F	Applicant:	Mrs S Roberts
Site:	10 Marjoram Place, Bradley Stoke, South Gloucestershire, BS32 0DQ	Date Reg:	8th April 2008
Proposal:	Erection of boundary wall	Parish:	Bradley Stoke Town Council
Map Ref:	62870 81244	Ward:	Bradley Stoke South
Application Category:	Minor	Target Date:	28th May 2008



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N.T.S

PT08/0956/F

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a boundary wall.
- 1.2 The proposal will involve the re-positioning of the boundary wall to the north of the property. The wall will remain the same height. Part of the existing wall is damaged and will be demolished.

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
L1 Landscape Protection and Enhancement

2.3 Supplementary Planning Guidance

Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

PT08/0443/F – Erection of rear conservatory. Approved 02/04/2008.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

No objection provided the proposed wall will not exceed the height of the existing.

Other Representations

4.2 Local Residents

One letter was received supporting the application for the following reasons:

- A grass verge, owned by the Council, will be retained alongside the wall for use of wildlife and for pedestrians if required.
- The wall will be curved to match the curvature of the kerb and will be in the same brick as the house and other boundary walls. The height will not exceed the existing boundary wall to the garden.

- Shrubs will be planted in the front garden to replace the plants removed for the building work.
- The roadway in Marjoram Place is not heavily used as it services only a limited number of houses in a cul de sac and has no through road.

One letter was received objecting to the application for the following reasons:

- Loss of hedgerow would be detrimental to the character of the area in visual terms.
- The proposed wall would result in reduced visibility for cars exiting the garage/driveway of no. 8 Marjoram Place.
- The proposed wall would impact upon pedestrians/cyclists visibility, detrimental to highway safety.
- No replacement shrubbery to be planted.
- Loss of hedge may harm local wildlife including hedgehogs.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The proposal for the erection of a boundary wall 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

Due to the overall scale and size of the proposed development, there would be no adverse impact on the residential amenity of neighbouring occupiers.

5.3 Highway Safety Analysis

On a lightly trafficked street such as Marjoram Place, visibility should be measured on an access, 2 metres from the edge of the carriageway. From this point a driver should be able to sight along the carriageway in both directions. There is a 2 metre wide service strip that runs between the site frontage and the carriageway and this is delineated on the ground by a kerb line to the rear of the grass.

The applicant does not intend to form the wall beyond the site boundary and so it will not encroach onto the service strip. This will ensure visibility is maintained for vehicles emerging from both the garage to the east and the turning head to the west. The proposal therefore complies with Policy D1 of the Local Plan.

5.4 Design / Visual Amenity

The design and scale of the proposed wall is considered to be an acceptable form of development at this location and would be in keeping with the existing area and the boundary treatments of the neighbouring properties along this frontage. The nature of the brick used can be conditioned to match those of the existing wall.

As part of the proposal a hedgerow to the north of the application site is to be removed. In regard to the visual amenity value of the hedge it is not considered that the hedge makes a significant contribution to the character or

distinctiveness of the locality. The hedge is not protected in any way nor does it confirm tree subject to a Tree Preservation Order. An existing tree will remain in situ on the outskirts of the proposed wall to the north west of the site and the applicant has displayed a willingness to plant some form of shrubbery to the front of the property. It is therefore considered that the proposal complies with Policy L1 of the Local Plan.

5.5 Other Matters

Concern was raised by a local resident regarding the protection of hedgehogs that inhabit the hedge in front of the existing wall. Although a survey has not been carried out to determine if hedgehogs do inhabit the hedge and how frequently, it is noted that the hedge is small in size and ornamental, also there is extensive shrubbery to the north of the current hedge approximately 10 m away. Consequently it is not considered imperative that the hedge is retained.

5.6 Design and Access Statement

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

5.7 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT08/0956/F**

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

CONDITIONS

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

Reason:

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

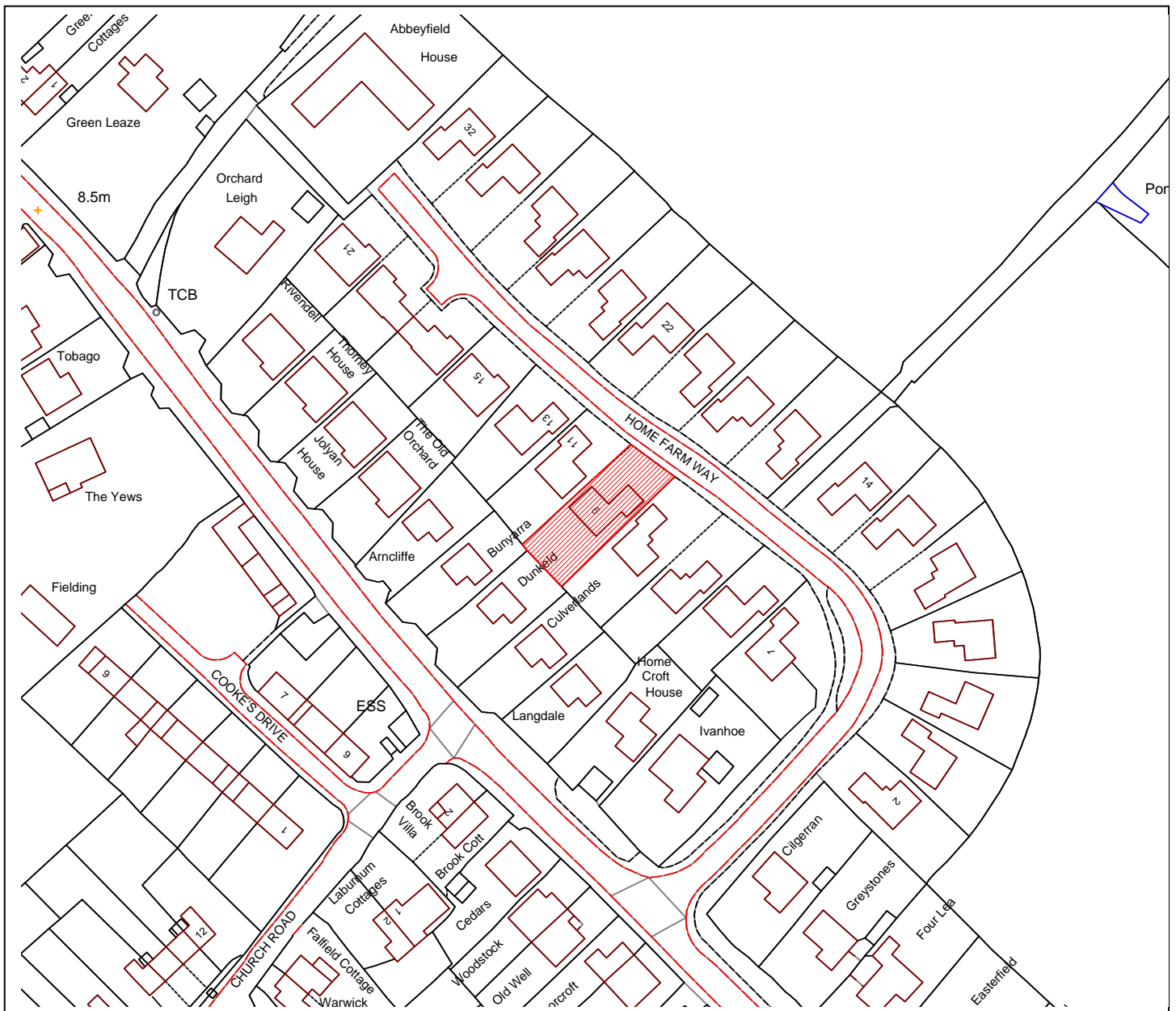
2. The bricks to be used externally in the development hereby permitted shall match those of the existing wall in colour and texture.

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. 20/08 – 16 May 2008

App No.:	PT08/0962/F	Applicant:	Mr Ricketts & Mrs Baker
Site:	9 Home Farm Way, Easter Compton, South Gloucestershire, BS35 5SE	Date Reg:	8th April 2008
Proposal:	Erection of single storey extension to both sides to form store area, garden room and utility area.	Parish:	Almondsbury Parish Council
Map Ref:	57398 82335	Ward:	Almondsbury
Application Category:	Minor	Target Date:	28th May 2008



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 100023410, 2008.

This application is circulated on this schedule as a letter of objection has been received from a neighbour which is contrary to the recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission to extend this detached house within the Easter Compton Village boundary. The materials are proposed to be Bradstone and tiles to match the existing house, but with infill timber panels to the north elevation.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG2 Green Belts

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.
GB1 Green Belt

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD Adopted May 2007
The South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None since built.

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

The council has no comment or objection.

Other Consultees

4.3 Local Residents

One letter of objection/concern from No. 7 as the proposed extension appears to go very near their property. Concern that the development will limit options to carry out a similar development.

One letter of support subject to materials to match condition.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of South Gloucestershire Local Plan specifically relates to extensions and other development within residential curtilages. The policy indicates that such domestic development is acceptable in principle subject to the following considerations.

5.2 Green Belt

Easter Compton is a washed over village within the green belt and this site is located within the defined settlement area. 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.

5.3 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.

5.4 In line with the advice contained within PPG2, Policy GB1 of the South Gloucestershire Local Plan provides limited categories of development that are considered appropriate within the designated Green Belt. These categories include the limited extension of dwellings within the Green Belt provided that the development would not result in a disproportionate addition over and above the size of the original building.

5.5 The proposed extensions, even with the modest conservatory are not considered disproportionate, singularly or collectively to the original house and are therefore considered acceptable under policy GB1.

5.6 Design and Residential Amenity

Policy H4 seeks to ensure that any extension should be in keeping with the character and visual amenity of the building and the surrounding area. The policy also seeks to protect the privacy and residential amenity of the neighbouring properties.

5.7 The extension to the north faces onto a blank wall whilst the extension on the south side faces onto a secondary kitchen window and other non habitable rooms and the back door. Neither extension has a material detrimental impact on the residential amenity of either neighbour and the proposals are both shown to be within the applicants boundary. Given the location, modest scale and lack of side fenestration of the extensions they would not cause overlooking or be overbearing on the neighbour. The extensions would similarly have negligible impact on the street scene. As such the application complies with Policy H4.

5.8 Design and Access Statement

Not required

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

7. RECOMMENDATION

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

Background Papers **PT08/0962/F**

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

CONDITIONS

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

Reason:

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

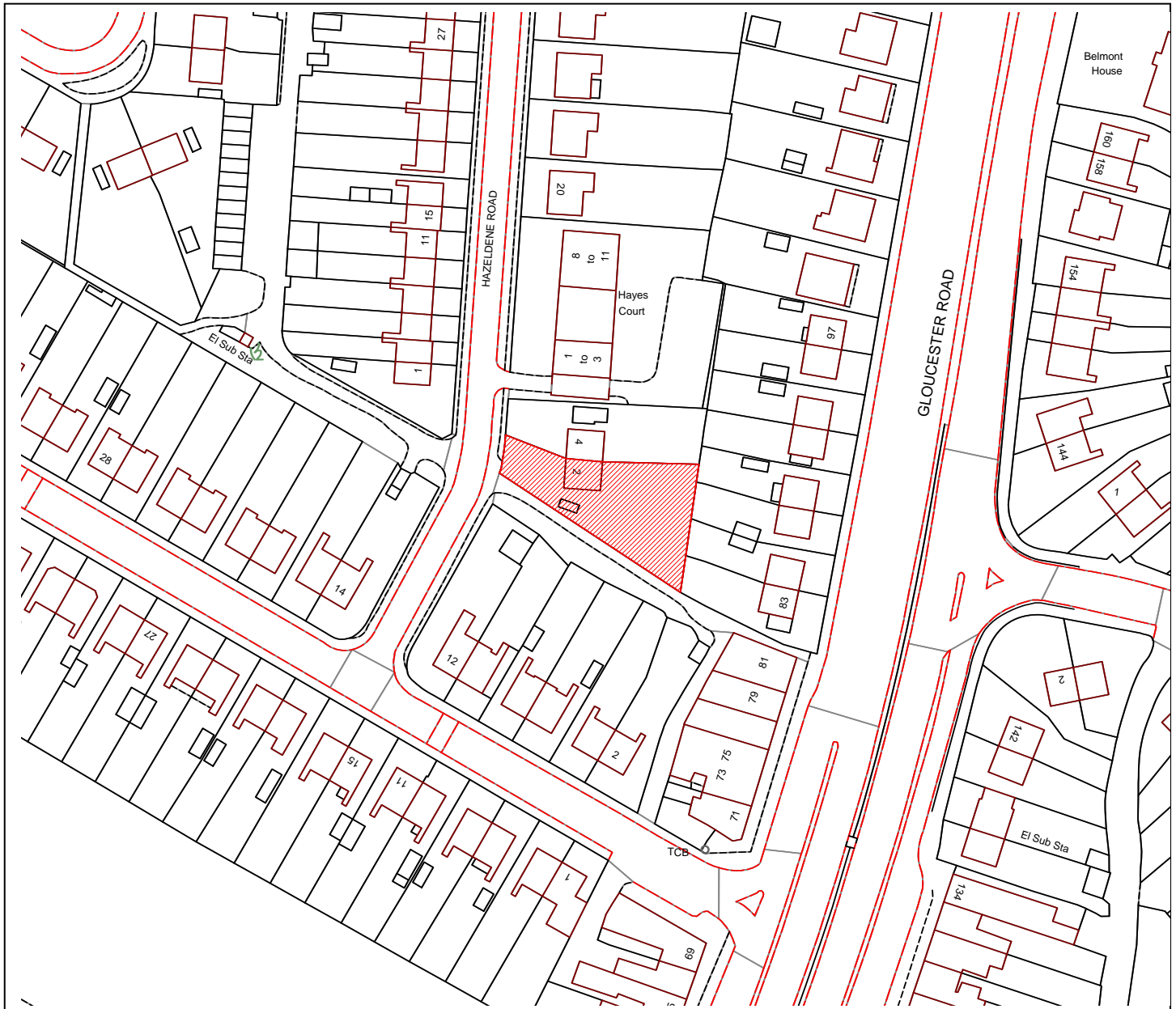
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PT08/0973/F	Applicant:	Mr Wood
Site:	2 Hazeldene Road, Patchway, South Gloucestershire, BS34 5DS	Date Reg:	9th April 2008
Proposal:	Erection of 2 storey side extension to form 2 no. flats with associated works	Parish:	Patchway Town Council
Map Ref:	60479 81286	Ward:	Patchway
Application Category:	Minor	Target Date:	27th May 2008



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100023410, 2008.

N.T.S

PT08/0973/F

INTRODUCTION

This application appears on the Circulated Schedule as there is public comment that is contrary to the officer recommendation in this report and the approval of the development would be subject to a Section 106 legal agreement (or equivalent).

1. THE PROPOSAL

- 1.1 The site consists of one half of a pair of modern semi-detached dwellings with access onto Hazeldene Road.
- 1.2 The proposed development consists of the erection of a two storey extension to the side of the existing dwelling in order to provide two, one bed flats.

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
- H2 New Residential Development within the Urban Areas or Village Development Boundary
- H4 Development within Residential curtilages
- H5 Conversion of Existing Buildings
- T12 Transportation Development Control Policy for New Development
- T8 Parking Standards
- T7 Cycle Parking

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

Raise concern over the impact of the development upon Callicroft Farm Track and request that there is no damage or obstruction to the track during construction.

4.2 Sustainable Transport

No objection subject to the retention of two parking spaces and the contribution of £1800 towards the North Fringe Development Major Scheme (Transport Measures).

Other Representations

4.3 Local Residents

No Comments Received

5. **ANALYSIS OF PROPOSAL**

- 5.1 The proposed development consists of the construction of an extension to the side of the existing dwelling to provide two, one bedroom flats.
- 5.2 Principle of Development
Policies H2, H4 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006 are relevant to this development proposal. The policies indicate that the proposed development is acceptable in principle, subject to the following considerations
- 5.3 Use
The proposed development would result in the provision of two flats within the curtilage of the existing dwelling.
- 5.4 In relation to the flats, there is an increase of smaller households in society generally, and as a result there is a need for smaller units of accommodation to cater for this demand. PPS3 encourages the most effective use of existing housing stock. It identifies the conversion of existing housing into smaller units as being an important source of new housing. PPS3 also identifies the provision of smaller units, such as flats within existing residential areas as being key characteristics of a mixed community.
- 5.5 Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 is consistent with the above. It identifies that the provision of smaller units of accommodation can make a valuable contribution to the supply and range of housing throughout South Gloucestershire that would be suitable for the growing numbers of single persons and small households. In addition the proposed development would provide two family homes.
- 5.6 Having regard to the above, it is considered that the proposed development is in accordance with the broad principles of Policy H5 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.
- 5.7 Density
PPS3 advises that new housing development should achieve a minimum density of 30 dwellings per hectare. This density should be higher in areas where the characteristics of the site and its surroundings would permit, in order to make the most efficient use of land. Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006 carries this principle forward; and requires that new development should achieve the maximum density of housing having regard to the characteristics of the site. A minimum density of 30 dwellings per hectare would normally be expected.
- 5.8 In this instance, the site is surrounded by a wide variety of dwellings, most of which are semi-detached or terraced. The sub-urban characteristics of the site and the surrounding locality would facilitate a density that is between 30 and 50 dwellings per hectare.
- 5.9 The proposed development achieves a density of 47 dwellings per hectare. This is consistent with the requirements of PPS3 and is acceptable.

- 5.10 Design and Appearance
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design.
- 5.11 The existing dwelling is half of a pair of semi-detached house dating from the first half of the 20th Century. The proposed development would add a further bay to the side of the dwelling, effectively creating a terrace of three dwellings. Although set back slightly from the main frontage of the existing building, the proposed development is consistent with the scale and form of the existing building. The proposed development is therefore acceptable in visual terms.
- 5.12 Residential Amenity
Policy H2 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seek to ensure that new residential development would allow a reasonable level of privacy and residential amenity for its new occupants; and that development would not have an unacceptable impact upon the privacy and residential amenity of the occupants of nearby dwellings.
- 5.13 The site is located at the end of a row of semi-detached dwellings and is adjacent to a pedestrian link running along the rears of dwellings fronting onto Callicroft Road. There is considerable separation between the development and the dwellings facing onto Callicroft Road and those facing onto Gloucester Road. Given the relationship of the proposed development with the surrounding dwellings, it is considered that there would be no material impact in residential amenity terms.
- 5.14 Transportation
Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity in the locality of the site. The policy also requires that, where appropriate, a contribution to improvements to the transport infrastructure should be secured as part of new development. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the maximum off street parking standards for new development.
- 5.15 In this instance the proposed development would provide two off street parking spaces. This level is consistent with the requirements of Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006. It is also considered that given the level of traffic generated by this proposal that there would be no material impact in highway safety terms. Any necessary cross over alterations would need to be agreed with the Street Care department. As the associated highway is not classified, planning consent would not be required for any alteration to the access and as such this issue cannot be addressed as part of this application.
- 5.16 Notwithstanding the above, the site is located within the Bristol North Fringe and as such falls within the remit of the Bristol North Fringe Development Major Scheme (Transport Measures); and the contribution towards this fund is appropriate under policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006. The basis of a contribution is calculated as being £1800 per new house and £900 per flat. However, in this instance the proposed flat accommodation would take place within the envelope of the existing dwelling; and would not result in an increase of bed spaces. It is therefore appropriate to apply this requirement only to the new houses.

5.17 The required level of contribution is therefore £1800 (2 x £900) which would normally be secured as part of an approval through an appropriate legal agreement.

5.18 Design and Access Statement

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

5.19 Other Matters

Patchway Town Council has expressed concern over the impact of the development upon the adjacent Callicroft Farm Track during construction of the development. This track runs adjacent to the Southern Boundary of the site and is not within the development site. Any damage or obstruction of it during the construction of the development is a civil matter which cannot be considered as part of this planning application.

5.19 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 appropriate supported by a Section 106 Agreement. In this instance, having regard to the above advice, the contribution towards transportation improvements is appropriately the subject of a Section 106 Agreement and would satisfy the tests set out in Circular 05/2005.

6. CONCLUSION

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

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 Authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) (or other appropriate legally binding agreement) within 12 months of the date of this decision to secure the following:

- i) The contribution of £1800 towards transportation improvements under the North Fringe Development Major Scheme (Transport Measures).

7.2 If the legal agreement is not completed within 12 months of this determination, then in view of the length of the time after the application, it should either:

- a) Return to the DC (West) Committee for reconsideration; or
- b) The application should be refused due to the failure to secure the Section 106 agreement, for the reason listed under Section 7.1a.

Background Papers **PT08/0973/F**

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

CONDITIONS

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

Reason:

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

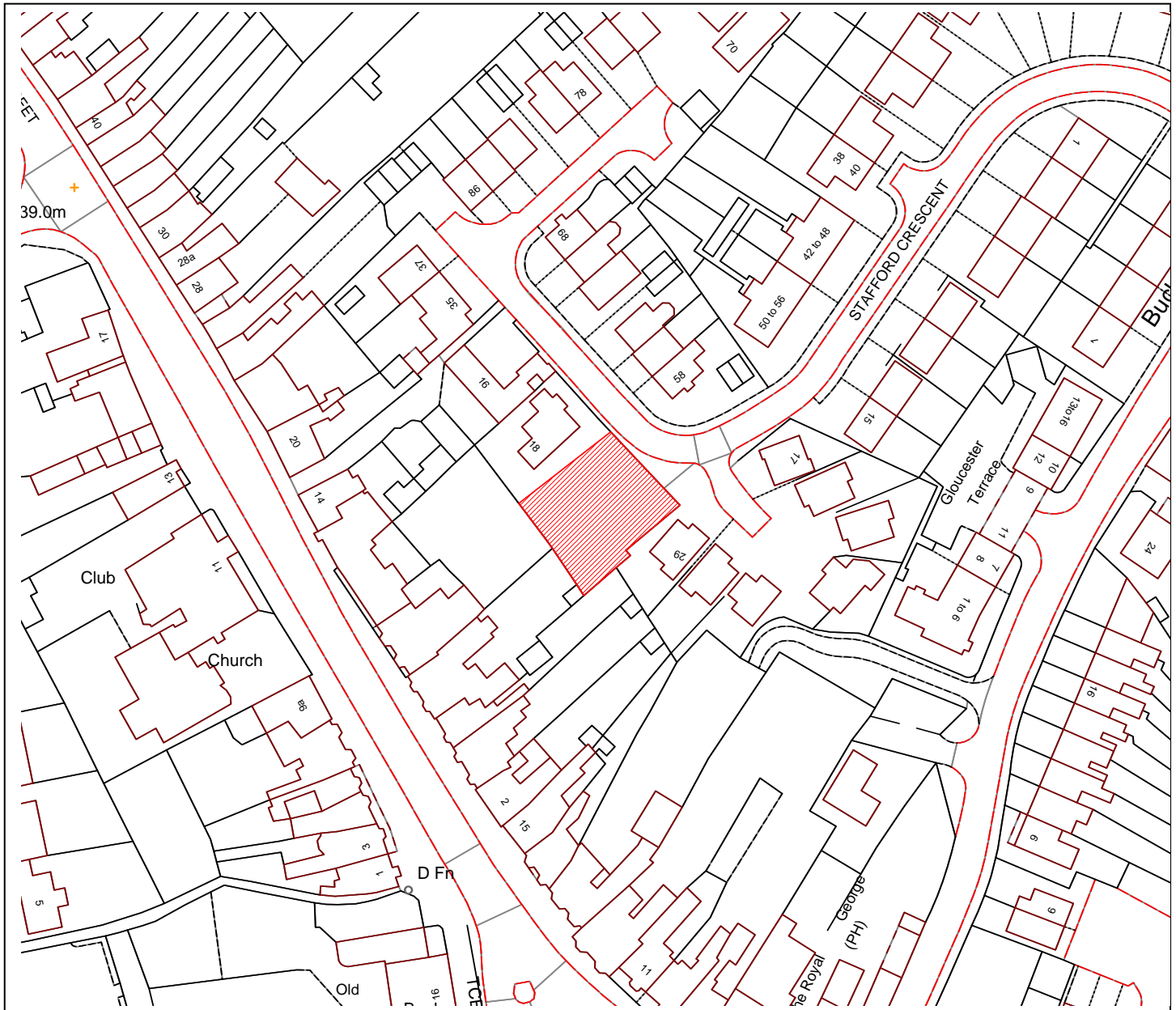
2. Notwithstanding the submitted details, further details demonstrating the method by which a minimum of two vehicular parking spaces, measuring 2.4m x 4.8m shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. Thereafter, the development shall proceed in accordance with the agreed details and shall be retained as such unless the Local Planning Authority agrees to any variation in writing.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PT08/0978/F	Applicant:	Mr P Butcher
Site:	16 and 18 Castle Street, Thornbury, South Gloucestershire, BS35 1HB	Date Reg:	9th April 2008
Proposal:	Erection of 2 no. detached dwellings and 2 no. garages on 0.05 hectares of land.	Parish:	Thornbury Town Council
Map Ref:	63695 90283	Ward:	Thornbury North
Application Category:	Minor	Target Date:	29th May 2008



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N.T.S

PT08/0978/F

INTRODUCTION

This report appears on the circulated schedule as there is public comment which is contrary to the officer recommendation

1. THE PROPOSAL

- 1.1 The site consists of a modern detached dwelling constructed in the mid 20th Century, together with associated ancillary buildings including a large garage and annex. The annex is traditional in form and is subject to an independent planning application (PT07/1594/F) which also appears on this agenda. The garage is not subject to an application at this stage.
- 1.2 The site currently benefits from planning approval for the construction of two detached dwellings under PT07/1503/F. This consent is current and the approved development can be constructed within the terms of that consent.
- 1.3 Access to the site is from Castle Street (to the West) via an access lane located between 20 and 14 Castle Street; and from Stafford Crescent (to the East).
- 1.4 The site is adjacent to the Eastern Boundary of the Thornbury Conservation Area. Listed Buildings associated with Castle Street share the Western boundary of this site. The site is currently constrained to the Northeast by a strip of privately own land that is located between the boundary of the site and the highway associated with Stafford Crescent itself.
- 1.5 The proposed development consists of the construction of two new detached dwellings with vehicular access via the existing access from Castle Street. The new dwellings have accommodation on three floors with the second floor being within the roof space.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historical Environment
PPG16	Planning and Archaeology.

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	New Residential Development within the Urban Areas or Village Development Boundary
H4	Development within Residential curtilages
L12	Conservation Areas
L13	Listed Buildings
L11	Archaeology
T8	Vehicular Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

The Thornbury Conservation Area Statement
South Gloucestershire Design Checklist (Draft) September 2006

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1594/F Erection of first floor extension
Refused. Appeal allowed (Consent Granted)
- 3.2 PT07/1503/F Erection of 2 no. dwellings with associated works
Approved (DC West 25th September 2007)

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No Objection
- 4.2 Sustainable Transport
No Objection subject to the introduction of two secure cycle parking spaces and bin storage for the benefit of each new dwelling.
- 4.4 Local Residents
One letter has been received as a result of the public consultation relating to this application. The comments can be summarised as follows;

The development uses dormer windows at second floor level instead of velux windows as previously approved. The dormer windows will allow views into the dwelling at 10 Castle Street and into the garden associated with that dwelling.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the erection of two detached dwellings within the curtilage of the existing dwelling. The development would take place within the Thornbury Urban Area
- 5.2 Principle of Development
The principle of the development of two detached dwellings on this site is established by virtue of the previous consent under PT07/1503/F. This proposal differs from the existing consent by way of changes to the design and appearance of the dwellings and by the introduction of a new garage building to serve the new dwellings. These changes are addressed below.
- 5.3 Design, Layout and Character Considerations
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design that respects and enhances the character of the site and its surroundings. This is supported by the South Gloucestershire Design Checklist. These principles are also supported by Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006; Policy L12 (Conservation Areas) and L13 (Listed Buildings) are also relevant in this instance
- 5.4 The character of the immediate surrounding locality is such that there is traditional, listed buildings the west of the site fronting onto Castle Street. These buildings are located within the Thornbury Conservation Area. Modern development characterises the area to the East associated with Stafford Crescent and Buckingham Parade.

- 5.5 As with the currently approved development, the new proposal consists of the construction of two detached dwellings with access via a new driveway extending from the existing access off Castle Street. An additional building is proposed to be constructed in the Southern most part of the site which would provide two garages for each of the proposed dwellings. This would be access directly off the new access from Castle Street. The proposed dwellings are very similar to the currently approved development in terms of the footprint; and retain a contemporary appearance, using modern materials to interpret the context of the site. However, subtle changes have been made to the elevational treatment of the dwellings, which include a reduction in the eaves and the introduction of dormer windows to the second floor (roof space) of the dwellings. In this instance, it is considered that the changes are not material in that they are not of the extent that there would be any material impact in design and character terms over the existing approval. It is further considered that the introduction of a single building to provide garage accommodation is acceptable as the modest scale of the building would have no material impact over the extent of the current approval.
- 5.6 On this basis, it is considered that the proposed development is acceptable in design and character terms.
- 5.7 Archaeology
Policy L11 seeks to protect and preserve archaeological remains and sites of historical and archaeological importance. This site is located within the medieval core of Thornbury and as such is very sensitive in archaeological terms. An archaeological assessment and recording has been carried out during the assessment of the currently approved development. The findings of the assessment showed that the development of this site is acceptable in archaeological terms and the site has been adequately recorded.
- 5.8 Residential Amenity
Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new residential development would not result in a detrimental impact upon the privacy and residential amenities of the occupants of the surrounding dwellings.
- 5.9 In this instance, the proposed development would introduce dormer windows where roof-lights are currently approved. The position and scale of the proposed buildings are very similar to the currently approved development.
- 5.10 Objection is raised as to the impact of the dormer windows in terms of overlooking into adjacent dwellings and properties on Castle Street. The dormer windows to the rear of the proposed buildings would be in excess of 30 metres from the nearest dwelling on Castle Street. Although the windows would allow views across the adjacent residential properties, these views would be consistent with a normal domestic relationship typical of urban areas such as this. Similarly, the dormer windows to be positioned to face Stafford Crescent would provides views that would be consistent with the character of urban areas.
- 5.11 Having regard to the above, it is considered that the proposed development would not have a materially greater impact upon the privacy and residential amenity of the occupants of nearby dwellings than the currently approved development.

5.12 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the maximum parking standards for new development.

5.13 The proposed development would utilise the same vehicular and pedestrian access that benefits the currently approved development. The only change relates to the introduction of a garage building and associated amendments to the turning spaces. In this instance, it is considered that the changes would not have the effect of materially altering the workability of the currently approved access into the site and as such, the proposed development would have no materially greater impact in highway safety terms; and is acceptable.

5.14 In terms of bin and cycle storage, it is considered that there is sufficient space within each individual plot and proposed dwelling to provide for such facilities.

5.15 Design and Access Statement

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

5.16 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT08/0978/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason:

Given the confined area and constraints of the site and to ensure the satisfactory external appearance of the development in the interests of the character visual amenity of the site and its locality; and to protect the residential amenity of the neighbouring occupiers, and to accord with Policy [D1, H2, H4, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall take place until full details and samples of the roofing and external facing materials proposed to be used in the new buildings and the surfacing of all new and resurfaced vehicular access and parking areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure a satisfactory standard of external appearance and to accord with Policy D1, H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The hours of working on site during the period of construction shall be restricted to 08:00 until 18:00 Monday to Friday; 08:00 until 13:00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

To minimise disturbance to occupiers of [specify nearby buildings] and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

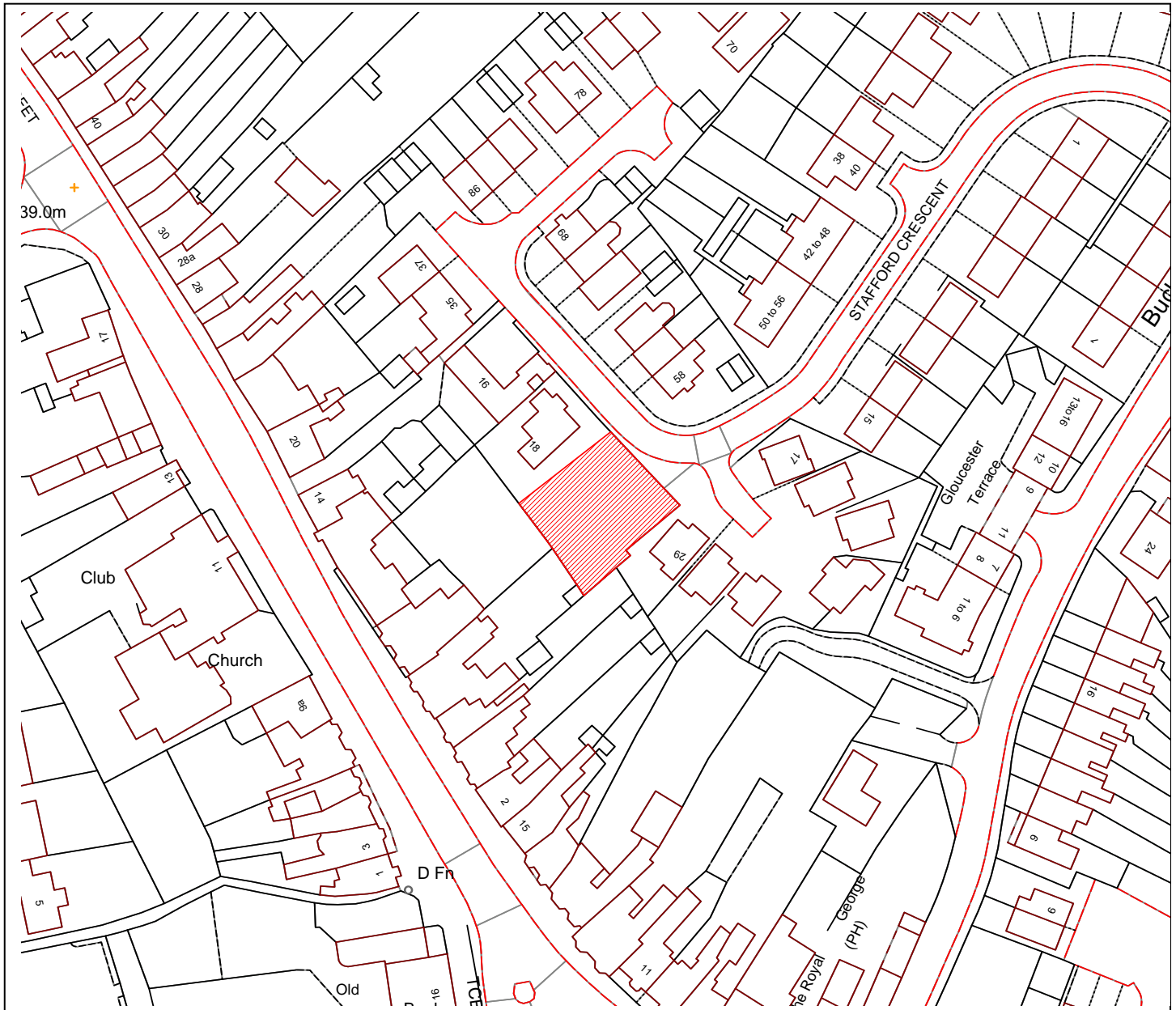
5. No construction materials, waste or plant shall be stored, or contractor compounds erected, within adopted public highway at any time.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PT08/0978/F	Applicant:	Mr P Butcher
Site:	16 and 18 Castle Street, Thornbury, South Gloucestershire, BS35 1HB	Date Reg:	9th April 2008
Proposal:	Erection of 2 no. detached dwellings and 2 no. garages on 0.05 hectares of land.	Parish:	Thornbury Town Council
Map Ref:	63695 90283	Ward:	Thornbury North
Application Category:	Minor	Target Date:	29th May 2008



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N.T.S

PT08/0978/F

INTRODUCTION

This report appears on the circulated schedule as there is public comment which is contrary to the officer recommendation

1. THE PROPOSAL

- 1.1 The site consists of a modern detached dwelling constructed in the mid 20th Century, together with associated ancillary buildings including a large garage and annex. The annex is traditional in form and is subject to an independent planning application (PT07/1594/F) which also appears on this agenda. The garage is not subject to an application at this stage.
- 1.2 The site currently benefits from planning approval for the construction of two detached dwellings under PT07/1503/F. This consent is current and the approved development can be constructed within the terms of that consent.
- 1.3 Access to the site is from Castle Street (to the West) via an access lane located between 20 and 14 Castle Street; and from Stafford Crescent (to the East).
- 1.4 The site is adjacent to the Eastern Boundary of the Thornbury Conservation Area. Listed Buildings associated with Castle Street share the Western boundary of this site. The site is currently constrained to the Northeast by a strip of privately own land that is located between the boundary of the site and the highway associated with Stafford Crescent itself.
- 1.5 The proposed development consists of the construction of two new detached dwellings with vehicular access via the existing access from Castle Street. The new dwellings have accommodation on three floors with the second floor being within the roof space.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historical Environment
PPG16	Planning and Archaeology.

2.2 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H2	New Residential Development within the Urban Areas or Village Development Boundary
H4	Development within Residential curtilages
L12	Conservation Areas
L13	Listed Buildings
L11	Archaeology
T8	Vehicular Parking Standards
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

The Thornbury Conservation Area Statement
South Gloucestershire Design Checklist (Draft) September 2006

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1594/F Erection of first floor extension
Refused. Appeal allowed (Consent Granted)
- 3.2 PT07/1503/F Erection of 2 no. dwellings with associated works
Approved (DC West 25th September 2007)

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No Objection
- 4.2 Sustainable Transport
No Objection subject to the introduction of two secure cycle parking spaces and bin storage for the benefit of each new dwelling.
- 4.4 Local Residents
One letter has been received as a result of the public consultation relating to this application. The comments can be summarised as follows;

The development uses dormer windows at second floor level instead of velux windows as previously approved. The dormer windows will allow views into the dwelling at 10 Castle Street and into the garden associated with that dwelling.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the erection of two detached dwellings within the curtilage of the existing dwelling. The development would take place within the Thornbury Urban Area
- 5.2 Principle of Development
The principle of the development of two detached dwellings on this site is established by virtue of the previous consent under PT07/1503/F. This proposal differs from the existing consent by way of changes to the design and appearance of the dwellings and by the introduction of a new garage building to serve the new dwellings. These changes are addressed below.
- 5.3 Design, Layout and Character Considerations
Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development achieves a high standard of design that respects and enhances the character of the site and its surroundings. This is supported by the South Gloucestershire Design Checklist. These principles are also supported by Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006; Policy L12 (Conservation Areas) and L13 (Listed Buildings) are also relevant in this instance
- 5.4 The character of the immediate surrounding locality is such that there is traditional, listed buildings the west of the site fronting onto Castle Street. These buildings are located within the Thornbury Conservation Area. Modern development characterises the area to the East associated with Stafford Crescent and Buckingham Parade.

- 5.5 As with the currently approved development, the new proposal consists of the construction of two detached dwellings with access via a new driveway extending from the existing access off Castle Street. An additional building is proposed to be constructed in the Southern most part of the site which would provide two garages for each of the proposed dwellings. This would be access directly off the new access from Castle Street. The proposed dwellings are very similar to the currently approved development in terms of the footprint; and retain a contemporary appearance, using modern materials to interpret the context of the site. However, subtle changes have been made to the elevational treatment of the dwellings, which include a reduction in the eaves and the introduction of dormer windows to the second floor (roof space) of the dwellings. In this instance, it is considered that the changes are not material in that they are not of the extent that there would be any material impact in design and character terms over the existing approval. It is further considered that the introduction of a single building to provide garage accommodation is acceptable as the modest scale of the building would have no material impact over the extent of the current approval.
- 5.6 On this basis, it is considered that the proposed development is acceptable in design and character terms.
- 5.7 Archaeology
Policy L11 seeks to protect and preserve archaeological remains and sites of historical and archaeological importance. This site is located within the medieval core of Thornbury and as such is very sensitive in archaeological terms. An archaeological assessment and recording has been carried out during the assessment of the currently approved development. The findings of the assessment showed that the development of this site is acceptable in archaeological terms and the site has been adequately recorded.
- 5.8 Residential Amenity
Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new residential development would not result in a detrimental impact upon the privacy and residential amenities of the occupants of the surrounding dwellings.
- 5.9 In this instance, the proposed development would introduce dormer windows where roof-lights are currently approved. The position and scale of the proposed buildings are very similar to the currently approved development.
- 5.10 Objection is raised as to the impact of the dormer windows in terms of overlooking into adjacent dwellings and properties on Castle Street. The dormer windows to the rear of the proposed buildings would be in excess of 30 metres from the nearest dwelling on Castle Street. Although the windows would allow views across the adjacent residential properties, these views would be consistent with a normal domestic relationship typical of urban areas such as this. Similarly, the dormer windows to be positioned to face Stafford Crescent would provides views that would be consistent with the character of urban areas.
- 5.11 Having regard to the above, it is considered that the proposed development would not have a materially greater impact upon the privacy and residential amenity of the occupants of nearby dwellings than the currently approved development.

5.12 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon highway safety and amenity. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides the maximum parking standards for new development.

5.13 The proposed development would utilise the same vehicular and pedestrian access that benefits the currently approved development. The only change relates to the introduction of a garage building and associated amendments to the turning spaces. In this instance, it is considered that the changes would not have the effect of materially altering the workability of the currently approved access into the site and as such, the proposed development would have no materially greater impact in highway safety terms; and is acceptable.

5.14 In terms of bin and cycle storage, it is considered that there is sufficient space within each individual plot and proposed dwelling to provide for such facilities.

5.15 Design and Access Statement

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

5.16 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT08/0978/F**

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

CONDITIONS

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

Reason(s):

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

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

Reason:

Given the confined area and constraints of the site and to ensure the satisfactory external appearance of the development in the interests of the character visual amenity of the site and its locality; and to protect the residential amenity of the neighbouring occupiers, and to accord with Policy [D1, H2, H4, L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall take place until full details and samples of the roofing and external facing materials proposed to be used in the new buildings and the surfacing of all new and resurfaced vehicular access and parking areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure a satisfactory standard of external appearance and to accord with Policy D1, H4 and L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The hours of working on site during the period of construction shall be restricted to 08:00 until 18:00 Monday to Friday; 08:00 until 13:00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

To minimise disturbance to occupiers of [specify nearby buildings] and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

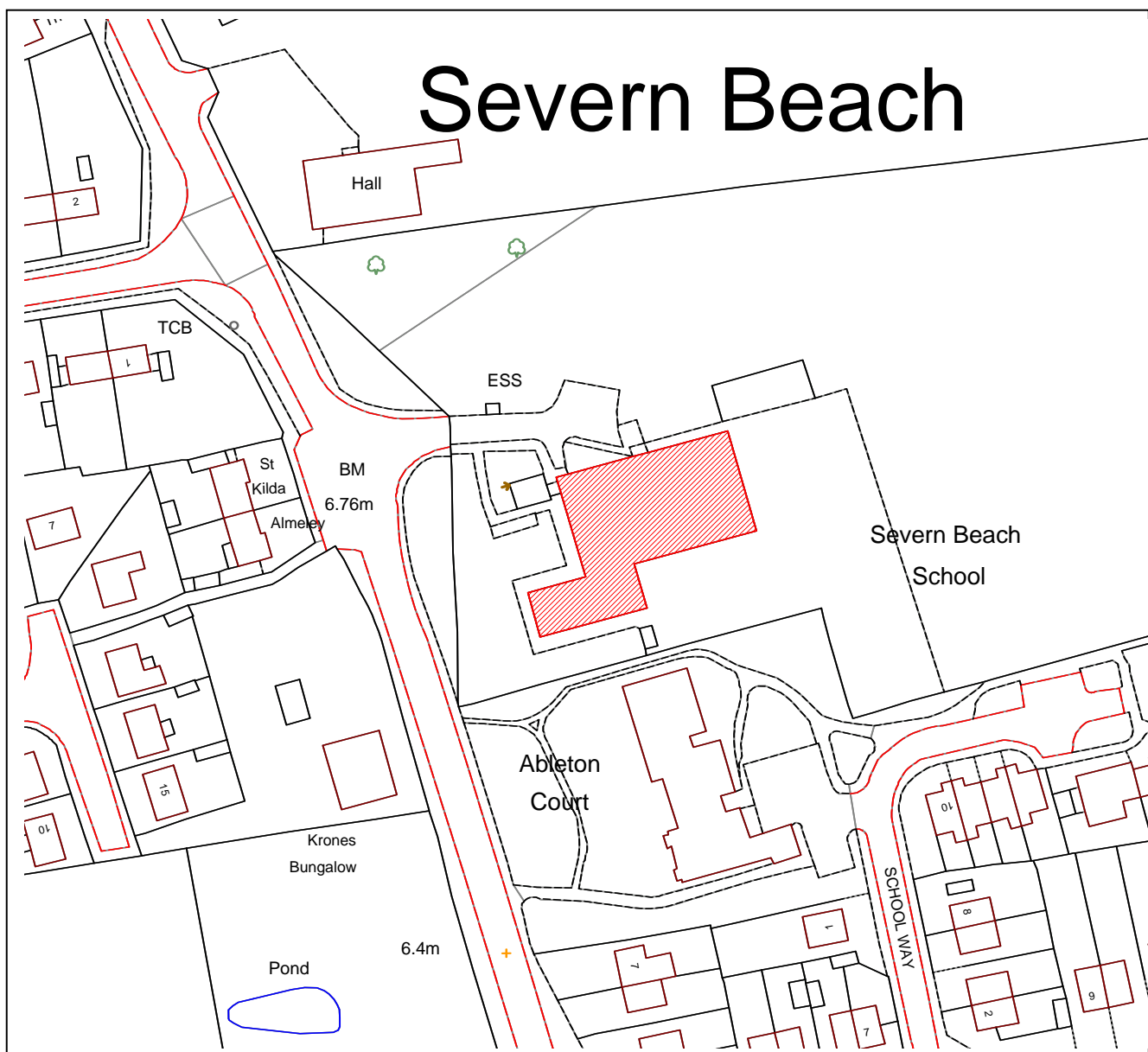
5. No construction materials, waste or plant shall be stored, or contractor compounds erected, within adopted public highway at any time.

Reason:

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

CIRCULATED SCHEDULE NO. 20/08 – 16 MAY 2008

App No.:	PT08/0989/R3F	Applicant:	South Gloucestershire Council
Site:	Severn Beach Primary School, Ableton Lane, Severn Beach, South Gloucestershire, BS35 4PP	Date Reg:	9th April 2008
Proposal:	Replacement of existing steel framed curtain walling with new aluminium framed curtain walling.	Parish:	Pilning and Severn Beach
Map Ref:	54282 84635	Ward:	Pilning and Severn Beach
Application Category:	Minor	Target Date:	29th May 2008



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This application appears on the Circulated Schedule given that it has been submitted by the Councils Property Services Department.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for replacement curtain walling to an existing two-storey and single-storey school building.
- 1.2 The application site comprises Severn Beach Primary School on the east side of Ableton Lane, Severn Beach. The school lies within the Severn Beach settlement boundary.
- 1.3 Amended plans form part of this application allowing minor alterations to the proposed fenestration arrangement.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPS25: Development and Flood Risk
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
LC4: Proposals for Educational and Community Facilities
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/1405/F: Erection of single-storey classroom. Permitted: 16 June 2003

4. CONSULTATION RESPONSES

- 4.1 Severn Beach Parish Council
No comments received
- 4.2 Other Consultees
Environment Agency: no comment
Highways DC: no comment

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

Policy D1 cites that development proposals will only be permitted where good standards of site planning and design are achieved.

- 5.2 Planning policy LC4 allows for the development, expansion or improvement of educational facilities within the settlement boundaries provided that:
- Proposals are located on sites that are highly accessible by foot/ bike; and
 - Development would not unacceptably prejudice residential amenity; and
 - It would not have an unacceptable environmental/ transportation effect; and
 - It would not give rise to unacceptable levels of on street parking.

5.3 Design/ Visual Amenity

The application relates to Severn Beach Primary School which forms a typical structure of its period comprising a flat roofed build with curtain framed walling interspersed with small areas of full height brickwork. The application seeks the replacement of the steel curtain walling with a new aluminium system.

- 5.4 The proposal would slightly alter the appearance of the school building in view of the revised fenestration layout proposed. In this regard, the new aluminium system would introduce narrower panelling/ windows with some doors/ opening windows in differing positions; this would allow a stronger vertical emphasis to the building in lieu of the horizontal emphasis currently provided.

- 5.5 Notwithstanding the above, there is no objection to this current proposal subject to a planning condition allowing clarification of the proposed colour to the new doors and panelling.

5.6 Residential Amenity

Having regard to the nature of the proposal, there is no objection to the current application on this basis.

5.7 Highway Safety

Having regard to the nature of the proposal, there is no objection to the current application on this basis.

5.8 Design and Access Statement

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

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

7. RECOMMENDATION

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

Background Papers **PT08/0989/R3F**

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:

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 of the colours for the doors and panelling proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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