



**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. 40/08

Date to Members: 03/10/08

Member's Deadline: 09/10/08

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 5pm)**. 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 (eg, if the schedule is published on a Friday, comments have to be submitted by the end of Thursday) (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: 03/10/08

SCHEDULE NO. 40/08

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 5pm), to the appropriate Development Control Support Team. For the Kingswood area, extension 3544 (fax no. 3545), or the Development Control Support Team at the Thornbury office, on extension 3419 (fax no. 3440), or email Planningapplications@southglos.gov.uk.

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

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

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

Please note: - Reason for Referral

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

SIGNATURE

DATE

Circulated Schedule 03 October 2008

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
1	PK07/3724/F	Approve with conditions	Old Station Brewery Station Road Wickwar South Gloucestershire GL12 8NB	Ladden Brook	Wickwar Parish Council
2	PK08/1310/F	Approve with conditions	57 Syston Way, Kingswood, South Gloucestershire, BS15 1UE	Kings Chase	
3	PK08/2205/F	Approve with conditions	Leechpool Farm, Tanhouse Lane, Yate, South Gloucestershire, BS37 7QL	Ladden Brook	Wickwar Parish Council
4	PK08/2278/F	Approve with conditions	Units 22-27 (formley known as Units 4A-5), Pucklechurch Trading Estate, Becket Court, Pucklechurch, South Gloucestershire, BS16 9QJ	Boyd Valley	Pucklechurch Parish Council
5	PK08/2299/ADV	Approve with conditions	McDonalds Restaurants Ltd, Aspects Leisure Park, Leisure Road, Kingswood, South Gloucestershire, BS15 9LA	Hanham	Hanham Parish Council
6	PK08/2403/R3F	Approve with conditions	Emersons Green Playing Fields, Pomphrey Hill, South Gloucestershire	Emersons Green	Mangotsfield Rural Parish Council
7	PK08/2462/F	Approve with conditions	38 Heath Walk, Downend, South Gloucestershire, BS16 6EZ	Downend	Downend and Bromley Heath
8	PK08/2471/F	Approve with conditions	36 Soundwell Road, Soundwell, South Gloucestershire, BS16 4QP	Staple Hill	
9	PT08/1905/F	Approve with conditions	13 Boverton Road, Filton, South Gloucestershire, BS34 7AH	Filton	Filton Town Council
10	PT08/1922/F	Approve with conditions	50 Down Road, Winterbourne Down, South Gloucestershire, BS36 1BZ	Winterbourne	Winterbourne Parish Council
11	PT08/2362/F	Approve with conditions	34 Stone Lane, Winterbourne Down, South Gloucestershire, BS36 1DQ	Winterbourne	Winterbourne Parish Council
12	PT08/2368/F	Approve with conditions	Plots 130 & 131 Hortham Village Development, Hortham Lane, Hortham, South Gloucestershire, BS34 5JH	Almondsbury	Almondsbury Parish Council
13	PT08/2418/TRE	Approve with conditions	Glebe Cottage, Castle Street, Thornbury, South Gloucestershire, BS35 1HQ	Thornbury North	Thornbury Town Council
14	PT08/2420/CLE	Refusal	Kyneton Farm House, Kington Lane, Kington, Thornbury, South Gloucestershire, BS35 1ND	Severn	Oldbury-on-Severn Parish Council
15	PT08/2428/F	Approve with conditions	128 Ormonds Close, Bradley Stoke, South Gloucestershire, BS32 0DY	Bradley Stoke North	Bradley Stoke Town Council
16	PT08/2432/TRE	Approve with conditions	33 Blackberry Drive, Frampton Cotterell, South Gloucestershire, BS36 2SL	Frampton Cotterell	Westerleigh Parish Council

ITEM NO.	APPLICATION NO	RECOMMENDATIO	LOCATION	WARD	PARISH
17	PT08/2487/FDI	Approve with conditions	Cattybrook Brickworks, Over Lane, Almondsbury, South Gloucestershire, BS32 4BX	Almondsbury	Almondsbury Parish Council
18	PT08/2507/O	Approve with conditions	345 Church Road, Frampton Cotterell, South Gloucestershire, BS36 2AQ	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PK07/3724/F	Applicant:	H20 Lager Co Limited
Site:	Old Station Brewery Station Road Wickwar WOTTON UNDER EDGE South Gloucestershire GL12 8NB	Date Reg:	24th December 2007
Proposal:	Erection of 2no. single storey replacement extensions. (Retrospective).	Parish:	Wickwar Parish Council
Map Ref:	72490 89007	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	12th February 2008



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 2no. single storey replacement extensions. Members are advised to consider that these works have already taken place.
- 1.2 The application site relates to single storey locally listed detached building located within the safeguarded employment area of Wickwar which lies within the established village development boundary and Conservation Area of Wickwar.

2. POLICY CONTEXT

2.1 National Guidance

PPS1
PPG15

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L12 Conservation Areas
L15 Buildings and structures which make a significant contribution to the character and distinctiveness of the locality
E3 Employment Development within defined settlement boundary
T12 Transportation Issues
EP1 Environmental Pollution
EP2 Flood Risk and Development

2.3 Supplementary Planning Guidance/Document SPG Wickwar Conservation Area Advice Note 1 SPD Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant to the site subject of this application.

4. CONSULTATION RESPONSES

- 4.1 Wickwar Parish Council
No response received

Other Representations

- 4.2 Local Residents
3 letters has been received from a adjacent business raising the following objections regarding the application:
-Issues of land ownership and conveyance

- No main drainage or sewers connected to site
- No access over site
- Impact on existing brewery
- Use of materials is a fire hazard
- Lack of parking on site

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy E3 of the South Gloucestershire Local Plan allows for extensions to existing employment uses within a settlement boundary subject to a number of criteria being satisfied, which are addressed below.

5.2 In addition regard must be had for Policy L12 of the South Gloucestershire Local Plan which only permits development that would preserve or enhance the character of the Conservation Area.

5.3 Development would not have unacceptable environmental effect; and

Objections have been raised by a neighbouring business with regards the fact the building has no mains drainage or mains water connected to the site. The applicant has stated on the application form that foul sewerage will be disposed of via an existing septic tank. The Council's Drainage Officer has raised no objection to the scheme. It is also considered that such matters will be dealt with as part of the building regulations application.

5.4 Transportation Issues

Retrospective planning permission is sought to extend an existing building on site. The proposed extensions replace existing extensions that have been in place previously on this site and therefore no increase is proposed over the permitted building footprint. Vehicular access and parking are not affected by this proposal and it is not considered that these extensions will generate any additional vehicular traffic. In light of the above, there is no transportation objection to this proposal.

5.5 Residential Amenity

As the application site lies within the trading estate which is a safeguarded employment area, and as the nearest residential property no.59B Station road is sited 45.0m south of the applicant site, it is considered that the proposed extensions by reason of their siting would not have an adverse impact on existing levels of residential amenity.

5.6 Charcater of Area

The application site is situated within the employment area of Wickwar and the Conservation Area. The building relates to a locally listed detached single storey stone building. This application seeks retrospective planning permission for the retention of two timber single storey side extensions on either end of the building. One has a hipped roof and the other a other mono pitch roof. The agent has confirmed that the extensions have replaced existing structures, and the Council has confirmed this by way of historic maps. On this basis the principle of the extensions are considered acceptable.

5.7 Concerns are raised however by the Planning Officer regarding the external finishes i.e. timber. It is considered that the timber should have a painted finish rather than a stain finish and the colour must be agreed in writing by the local planning authority. It is also considered necessary that the exposed block work

on the eastern elevation of the southern extension be faced up in natural stone to match the adjacent walling. It is considered that this will ensure that the extensions are of a satisfactory standard of design appropriate to this architecturally locally listed building.

5.8 The new openings on the western elevation are constructed of upvc windows with a tanalised brown colour finish. The existing windows in the building are wooden frames with brown stain finish. Although upvc windows are not normally supported it is considered that regard must be had for their position. The western elevation of the building is not considered highly visible within the immediate area as the building is sited to the rear of the site next to the railway line and the elevation in question is turned away from the other buildings on site. It is therefore considered that the windows would not detract from the setting or character of this locally listed building or that of the Wickwar Conservation Area.

5.9 Density compatible with site

Due to the small scale nature of the overall footprint of the resultant building it is considered that a development of this scale would be compatible with the site.

5.10 Other issues

Objections have been raised on the grounds of issues of rights of way and impact on existing brewery. These issues are not considered material to the determination of this application.

Concerns have also been raised regarding the safety aspect of the extensions i.e. timber construction. This is an issue that would be dealt with via a building regulations application.

5.11 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document. Notwithstanding this however, subject to the imposition of the above conditions with regards external finishes it is considered that the extensions will be acceptable in design terms.

5.12 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK07/3724/F**

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

CONDITIONS

1. Notwithstanding the details hereby approved, the finish of the timber cladding on both extensions hereby authorised shall be changed to a painted finish of colour to be agreed in writing by the Local Planning Authority. A sample panel of at least one metre square of the painted colour shall be inspected and approved in writing by the Local Planning Authority. The extensions shall be painted and completed with the approved colour within 4 months from the date of this decision notice.

Reason:

To ensure the extensions are of a satisfactory design appropriate to this architecturally important locally listed building and the character and appearance of the Wickwar Conservation Area and to accord with Policies D1 and L12 of the South Gloucestershire Local Plan.

2. Notwithstanding the details hereby approved the area of exposed block work on the east elevation of the southern elevation hereby authorised shall be faced up and completed in natural stone to match the adjacent walling within 4 months from the date of this decision notice.

Reason:

To ensure the extensions are of a satisfactory design appropriate to this architecturally important locally listed building and the character and appearance of the Wickwar Conservation Area and to accord with Policies D1 and L12 of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PK08/1310/F	Applicant:	Mr W Braund BCL (Bristol) Ltd
Site:	57 Syston Way, Kingswood, South Gloucestershire, BS15 1UE	Date Reg:	15th May 2008
Proposal:	Erection of two storey and single storey side extension and conversion of existing dwelling to form 2no. flats and 1no. attached dwelling with associated parking and works. (Resubmission of PK08/0037/F).	Parish:	
Map Ref:	65004 74443	Ward:	Kings Chase
Application Category:	Minor	Target Date:	20th June 2008



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100023410, 2008.

INTRODUCTION

This application has been placed upon the Circulated Schedule due to the receipt of a letter of objection.

1. THE PROPOSAL

- 1.1 This is a re-submitted planning application. The proposal is to erect a two-storey and single storey extension to the side of No. 57 Syston Way, Kingswood. The proposal also converts the existing dwelling to 2 no. flats and 1 no. dwelling.
- 1.2 Previous planning permission (PK08/0037/F) for a similar proposal was refused on the following reasons:
- The proposed development by reason of its frontage width and massing would be out of proportion with the adjacent dwellings resulting in a development that fails to respect or enhance the character and local distinctiveness of the street scene.
 - The location of the rear bin store is considered unacceptable as it will involve the occupants of the flats having to move the bins long distances for bin collection. It is also considered that the size of the proposed bin storage at the front of the site is too small for the proposed use.
 - The location of the front bin store is considered to have a detriment impact on the residential enjoyment of flat No. 1 through the release of smell within direct proximity of this flat's front window.
 - The proposed loss of two street trees, in order to gain vehicular access to the site, would have a detrimental impact on the future visual amenity and character of the locality.
 - Owing to the width of the rear access lane, the proposed rear parking space is not adequately set back within the site to facilitate the safe manouvering of vehicles.
- 1.3 There are a number of differences on the current proposal:
- Two parking spaces are proposed in the front of the property, instead of three parking spaces.
 - No bin store is proposed at the front of the property, and bin and cycle store are proposed at the rear of the property.
 - The proposed side extension is set down and set back.
 - The size of the two-storey extension is reduced.
 - A single storey extension is proposed at the rear of the two-storey side extension.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS 1 Delivering Sustainable Development
PPS 3 Housing

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Quality Design
- L1 Landscape Protection and Enhancement
- H2 Proposals for Residential Development within the Existing Urban Area
- H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- H5 Residential Conversions, Houses in Multiple Occupation and Re-use of Buildings for Residential Purposes
- T7 Cycle Parking
- T8 Car Parking Standards
- T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Advice Note 2: House Extensions

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/1904/F Erection of single storey side extension to form additional living accommodation.
Approve with conditions: 28th July 2006
- 3.2 PK07/2707/F Erection of two storey side extension and installation of 2No. rear external staircases to facilitate loft conversion of existing dwelling to 4No. flats with associated parking and works.
Refused 25th October 2007 for the following reasons:
- detrimental impact on visual amenity
 - harmful impact on residential amenity to occupiers of the proposed flats and surrounding neighbours
 - detrimental to highway safety
 - unacceptable requirement for occupiers to move bins long distances on refuse collection day
- 3.2 PK08/0037/F Erection of two storey side extension to facilitate the conversion of existing dwelling to 4 no. flats with associated parking and works.
Refused 14 February 2008.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
The area is un-parished.

4.2 Other Consultees

Community Services – Street care
No objection.

Environmental Services
No objection.

Sustainable Transport

No objection.

Tree Officer

No objection.

Other Representations

4.3 Local Residents

One letter has been received during the consultation period associated with this planning application. The comments can be summarised as follows:

- out of character with area
- the access is illegal as there is no dropped kerb
- the driveway would cause disruption to the roots of the trees
- detrimental to highway safety
- parking issues
- no provision for drainage for water run-off from the driveway
- bin storage to rear will result in occupants having to pull their bins a vast distance on refuse day
- the proposal would create substantial ground movement and create issues with the subsidence of lane.
- loss of privacy

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design / Visual Amenity

Policy D1, H2, H4 & H5 of the South Gloucestershire Local Plan (Adopted) January 2006 seek to ensure that new residential development is designed to respect the character and visual amenity of the site and the surrounding locality.

The existing dwelling consists of an end of terrace that displays a traditional inter-war period form, scale and external appearance. It should be noted that the properties on Syston Way originally share a uniform frontage length of approximately 5.5 metres. This uniform appearance is a contributing factor in local distinctiveness of the area.

Previous planning permission was refused as it was considered that the proposed extension, by reason of its frontage width and massing, would be out of proportion with the adjacent dwellings.

The proposed two-storey extension would slightly set back from the front elevation of the main dwelling, and its roof would be lower than the ridge of the main dwelling. It is therefore considered that the proposed extension would be subservient to the main dwelling. In addition, the hipped roof would match to that of the existing dwelling. The proposed single storey extension is modest in scale, and would have a hipped roof to match that of the existing dwelling.

It is therefore considered that the proposed extensions would be in keeping with the character of the dwelling and would not be harmful to the character of the street scene.

5.3 Residential Amenity

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

Concern has been raised that the proposed rear bin storage in the previous refusal scheme would result in occupants having to pull their bins a vast distance for bin collection (the rear access lane is not capable of being accessed by refuse trucks). It is also considered that the size of the proposed bin storage was too small for the proposed use. In addition, the location of the front bin store would have a detrimental impact on the residential enjoyment of flat no.1 due to its proximity of the window of the ground floor flat.

The applicant submitted a revised proposal to relocate the bin store / cycle store at the rear of the ground floor flat so that the occupants would not have to drag the bins a long distance for bin collection. In addition, the bin store will be located at the rear of the cycle store, no bin store is proposed to the front of property. It is therefore considered that the location of the bin store would not cause detrimental impact upon the residential amenity of the future occupiers.

The bin store would measure 2 metres by 0.9 metres to accommodate 3 no. 240 litre bins. It is considered that the size of the bin store is acceptable.

The local residents raised concerns that the proposal would cause the loss of privacy. A two-storey extension is proposed to the side of the property, and a bedroom window is proposed at the rear elevation of the upper floor level. As the window would be mostly looking over the rear garden of the property, it is considered that the proposal would not cause significant loss of privacy to warrant a refusal of this application.

5.4 Transportation

Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development would not have a detrimental impact upon the highway safety and amenity in the surrounding locality. Policy T8 of the South Gloucestershire Local Plan (Adopted) January 2006 provides maximum parking standards; whilst policy T7 allows for the provision of secure cycle parking to encourage alternative modes of transport to the motor car.

Planning permission has previously been refused on this site to erect a two storey side extension to facilitate conversion of the building to four flats (PK08/0037/F).

This current proposal now seeks to extend the existing three-bed dwelling to provide two one-bed flats and a two-bed house.

Three parking spaces are proposed, two to the front of the site onto Syston Way and one to the rear via an access lane off Northend Road. With regard to the off-street parking at the rear, as this parking space is replacing an existing garage currently on site, officers considered that there is sufficient room available for vehicles to enter and leave the site.

In order to respond to the Highway Officer's concerns about the vehicular crossover, the applicant submitted a revised proposal to widen the crossover from 3 metres to 4 metres to accommodate both parking spaces.

Therefore no highway objection is raised to the proposal.

5.5 Tree Issues

The proposal includes the formation of a new access onto the front garden, and the works would affect two existing trees, i.e. Whitebeam and Cherry.

The Council Arboricultural Officer considered that the trees appear to be structurally sound with no obvious defects or diseases and provide much needed tree cover to the Council's street scene. The proposed access would have an adverse impact upon the long term health of these trees. It is considered that the simple replacement planting of saplings would not be sufficient, if these trees are removed. It is therefore considered to seek financial contribution for the remuneration to the value of that is assigned to them, plus the removal and replacement costs and an additional administration fee for their removal. Officers however considered that the financial contribution would not be justified under Circular 11/95 because these trees are not outstanding specimen and there is a grass-crete system already in place which already impacts upon these trees.

The applicant also submitted a tree constraints report, tree constraints plan & preliminary Arboricultural Method Statement. The Council Tree Officer considered that the below ground protection for the trees is acceptable and should ensure that the soil within the Root Protection Area remains non-compacted and therefore anaerobic soil conditions, leading to root die-back, should be avoided thus ensuring the long term health of the trees.

It is possible however that the crowns of the trees will come into contact with vehicles using the proposed access as the lowest stated crown clearance is 2.5 metres. This will only be problematic for vehicles with a clearance height above this level.

Whilst the Council Tree Officer has no objection to the proposal, a planning condition is suggested to seek full details of the potential works to the trees, to overcome this problem.

5.6 Amenity Space

Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that new development provides sufficient amenity space.

The proposal is for two one-bedroom flats and one two-bedroom dwelling. In these circumstances the Council adopts a flexible approach when assessing the amount of amenity space that should be provided. Occupiers of the ground floor flat and the attached dwelling will have access to a modest amenity area between the rear of the flats and the rear parking spaces. In addition, the site is within a walking distance to a playground. Accordingly, the level of amenity space is therefore considered acceptable.

5.7 Other issues

With regard to the potential ground movement and the subsidence of land, these matters would be subject to building regulations.

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 That planning permission be granted subject to the following conditions.

Background Papers **PK08/1310/F**

Contact Officer: **Olivia Tresise**
Tel. No. **01454 863761**

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. No windows shall be inserted at any time in the side west elevation of the property.

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.

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

Reason:

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

5. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 Mondays to Fridays and 08.00 to 13.00 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 protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of works, 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.

7. Prior to the commencement of work, full details of the proposed works on the existing trees shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason:

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

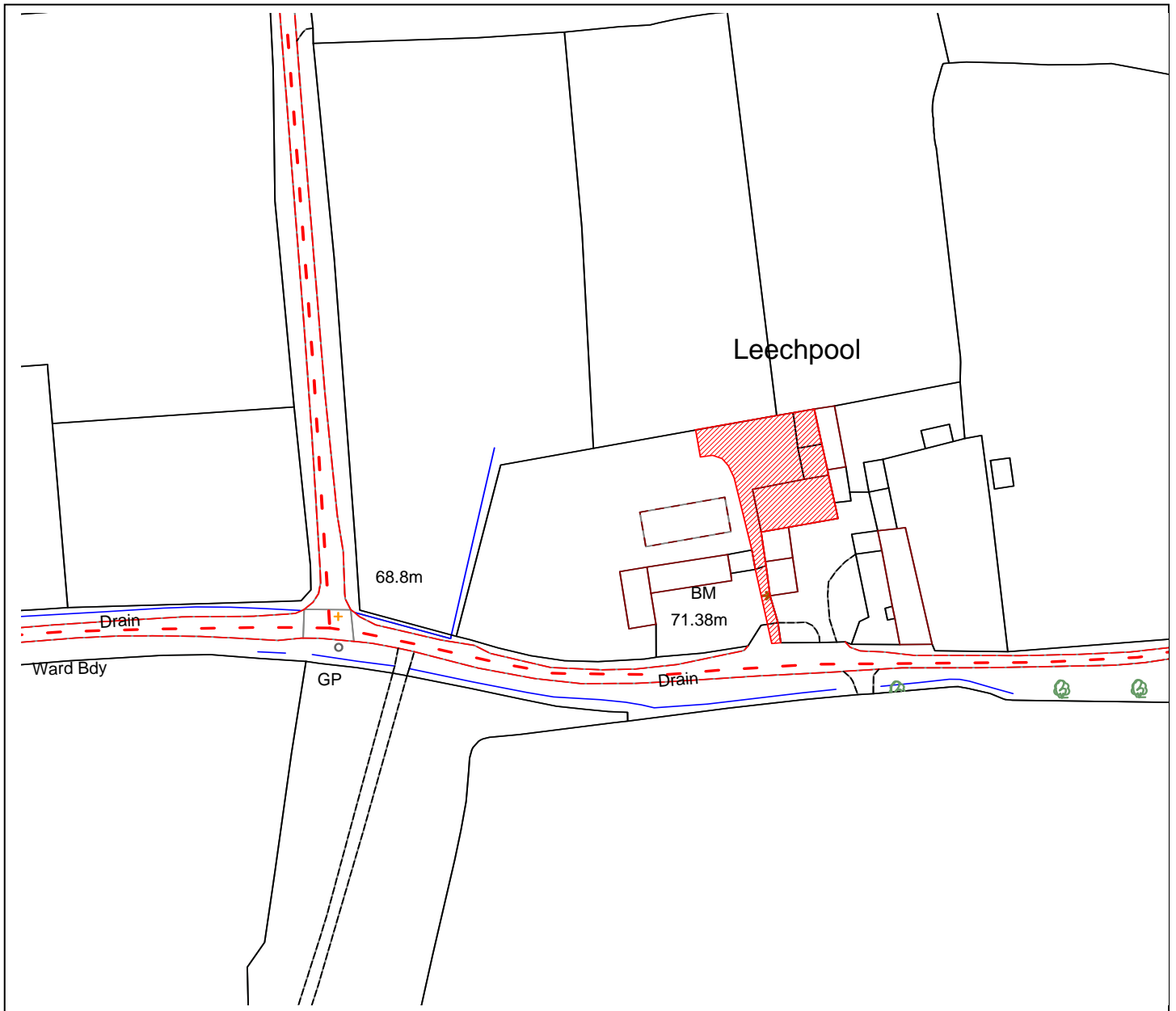
8. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

CIRCULATED SCHEDULE NO. 40/08 – 03 OCTOBER 2008

App No.:	PK08/2205/F	Applicant:	Mr M Denyer-Warr
Site:	Leechpool Farm, Tanhouse Lane, Yate, South Gloucestershire, BS37 7QL	Date Reg:	6th August 2008
Proposal:	Conversion of existing granary barn to form 1 no. dwelling with associated works. (Resubmission of PK07/0544/F).	Parish:	Wickwar Parish Council
Map Ref:	70756 85207	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	24th September 2008



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100023410, 2008.

N.T.S

PK08/2205/F

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure as an objection has been received from the Parish Council regarding the proposed development.

1. THE PROPOSAL

1.1 This application seeks full planning permission for the conversion of an existing granary barn to form 1no. dwelling with associated works.

1.2 The granary barn is 'locally listed' and curtilage listed to the Grade II listed Leechpool Farmhouse. The barn is built in a local vernacular style, with rubble stone walls and a combination of various roof materials – stone tiles, clay tiles and natural slates. The building possibly dates from around the late C18 and is in a reasonable condition. The site is located in an open countryside to the north of Yate.

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
H10	Conversion and Re-Use of Rural Buildings for Residential Purposes
T8	Parking Standards
T12	Transportation Development Control
L1	Landscape Protection and Enhancement
L13	Listed Buildings
L15	Locally Listed Buildings
L17	The Water Environment
L8	Sites of Regional and Local nature Conservation Interest
L9	Species protection.

3. RELEVANT PLANNING HISTORY

3.1 PK07/0551/F Conversion of milking parlour to office (B1)
Approved July 2007

3.2 PK07/0544/F Conversion of existing granary barn to 1 no. dwelling
With associated works
Refused July 2007.

4. CONSULTATION RESPONSES

4.1 Wickwar Parish Council

Objection on the basis that the application creates a residential dwelling in an agricultural location and not within the development area.

Other Representations

4.2 Local Residents

One letter has been received from a local resident raising the following:

-Bats in barn

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H10 of the South Gloucestershire Local Plan (Adopted) January 2006 only allows the conversion and re-use of rural buildings for residential use outside the existing urban areas and the boundaries of settlements where a number of criteria have been met. These criteria along with other relevant policy requirements are set out below and assessed with all material considerations.

5.2 As this application is identical to that recently refused (PK07/0544/F) with the exception of additional supporting information, the only issues for consideration is whether or not the current application has addressed the refusal reasons.

5.3 A. All reasonable attempts have been made to secure suitable business re-use or the conversion is part of a scheme for business re-use

The previous application sought residential use for the barn and the application was refused on the following grounds:

The applicant has not demonstrated that all reasonable attempts have been made to secure a suitable business re-use for the building. The building is therefore contrary to Policy H10 of the South Gloucestershire Local Plan.

5.4 The supporting text relating to Policy H10 advises the Council will consider a consecutive 12 month period of marketing acceptable. In support of this application the agent has submitted details of a marketing exercise they have undertaken for the last 12 months. This has comprised of advertising the unit to let for commercial purposes in the Western Daily Press from May 2007 to April 2008 and also on David James & Partners Website who are Rural Chartered Surveyors. They have advised that there have been a few enquiries with no serious interest. No formal offers have been forthcoming. The property continues to be available and marketing is ongoing.

5.5 In light of the above it is considered that given the marketing exercise that has been undertaken the Planning Officer is satisfied that the applicant has demonstrated that all reasonable attempts have been made to try and secure a suitable business use.

5.6 B. The building is of permanent construction and structurally sound and capable of conversion without major or complete reconstruction

At the time of the previous planning application the Planning Officer considered the building to be structurally sound and capable of conversion with minimal alterations, this still applies.

- 5.7 C. Design/Character of Area/Listed Building
The building is a traditional locally listed building and is considered to be in keeping with its surroundings in terms of character, form, bulk and design. The external alterations will be minimal and will not harm the setting of the adjacent Listed Building.
- 5.8 D. Character of the Countryside/Landscape
The proposed external alterations to the barn are minimal and would remain in keeping with the rural location. The proposed detached garage would abut existing outbuildings and sit within the footprint of a former lean-to building and its remaining wall along the northern boundary. The residential curtilage would comprise a driveway and small garden between the north of the barn and the sweep of the drive to the garage. The visual impact of the proposed development would in effect remain almost unchanged from the current situation.
- 5.9 E. The Building is well related to an existing settlement or other groups of buildings.
At the time of the previous planning application the Planning Officer considered the building to be well related to the group of buildings known as Leechpool Farm, sitting within the main group of buildings close to the farmhouse.
- 5.10 Residential Amenity
As with the previous application it is considered that the proposed scheme would not have any detrimental impact upon the existing occupiers of Leechpool Farmhouse.
- 5.11 Sustainable Transport
The previous application was refused on the following grounds:
- The proposal fails to provide adequate turning facilities to ensure that vehicles enter and egress the site in forward gear to the detriment of highway safety and contrary to Policy T12 of the South Gloucestershire Local Plan.*
- 5.12 As part of this current application the revised scheme has addressed the above by widening the driveway north of the barn area by an additional 1.0m which is now considered acceptable. The access to the site is also considered acceptable.
- 5.13 Drainage.
An objection had been raised by the Council's Drainage Officer as the scheme was proposing to dispose of foul sewage via a septic tank, the agent has confirmed in writing that this is no longer the case and it will now be via a Package Treatment Plant. The objection is now withdrawn.
- 5.14 Ecology
The Council's Ecologist has advised that there is a possibility of bats or nesting birds being present either in the building or under roof tiles/slates. A condition will be imposed requiring that the building be surveyed by a suitable qualified person for bats and nesting birds.

5.15 Design and Access Statement

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

5.16 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.

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

7. RECOMMENDATION

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

Background Papers **PK08/2205/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. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Schedule to the Town & Country Planning (General Permitted Development) (Amendment) (England) Order 2008 (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:

To protect and maintain the character and appearance of the area and the character and setting of Leechpool Farm a Grade II listed building and to accord with Policy D1, L13 and H10 of the South Gloucestershire Local Plan.

3. The existing stone wall along the northern boundary of the application site shall be re-instated and repaired in accordance with a detailed specification of work to be agreed in writing with the Local Planning Authority. The approved works shall be implemented and completed prior the occupation of the building hereby authorised.

Reason:

To protect and maintain the character and appearance of the area and the character and setting of Leechpool Farm a Grade II listed building and to accord with Policy D1, L13 and H10 of the South Gloucestershire Local Plan.

4. The building shall not be occupied until the turning area shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority 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) and the Badger Act 1992).

- (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.

6. Details of the dry stone wall hereby approved along the western boundary of the application site as per drawing 50856 received 18th September 2008 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior the occupation of the barn conversion. The wall shall be constructed in accordance with the "The Cotswolds Dry Stone Wall Specification" and using a random cope.

Reason:

To protect and maintain the character and appearance of the area and the character and setting of Leechpool Farm a Grade II listed building and to accord with Policy D1, L13 and H10 of the South Gloucestershire Local Plan.

7. Prior to the commencement of development a scheme of landscaping, which shall include details of all 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 and maintain the character and appearance of the area and the character and setting of Leechpool Farm a Grade II listed building and to accord with Policy D1, L13 and H10 of the South Gloucestershire Local Plan.

8. Prior to the commencement of development 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.

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

Reason:

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

CIRCULATED SCHEDULE NO. 40/08 – 30 OCTOBER 2008

App No.: PK08/2278/F

Applicant: Segro
(Pucklechurch)
Limited

Site: Units 22-27 (formley known as Units 4A-5), Pucklechurch Trading Estate, Becket Court, Pucklechurch, South Gloucestershire, BS16 9QJ

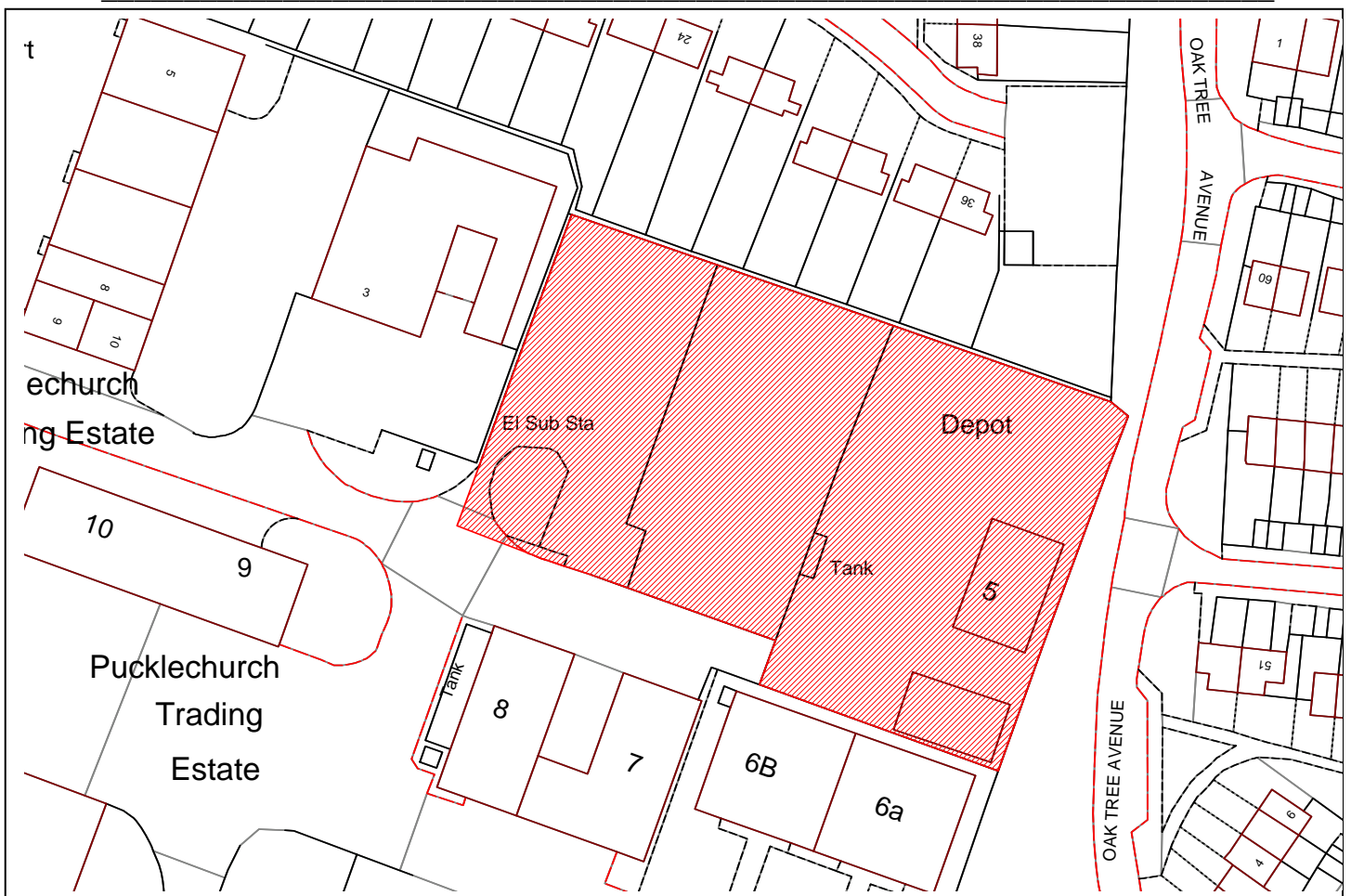
Date Reg: 14th August 2008

Proposal: Demolition of existing buildings and redevelopment of the site to provide 6 units in two blocks for commercial/industrial use (Class B1(c), B2, B8) with ancillary office space, car parking, landscaping and associated works including the erection of an acoustic fence. (Resubmission of PK08/0418/F).

Parish: Pucklechurch Parish Council

Map Ref: 69922 75995
Application Category: Major

Ward: Boyd Valley
Target Date: 11th November 2008



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100023410, 2008.

N.T.S

PK08/2278/F

INTRODUCTION

This planning application has been referred to the Council's Circulated Schedule procedure as a result of objections raised by local residents and the Parish Council regarding the proposed development.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission to erect two industrial buildings for commercial and industrial use B1(C) offices, B2 general industry and B8 storage and distribution with ancillary office space together with ancillary works i.e car parking, landscaping and associated works and erection of acoustic boundary fence. The proposed new floor area is 3410 square metres.
- 1.2 This application is a re-submission of a recently refused planning application (PK08/ 0418/F) for similar works on this site.
- 1.3 Although the application has applied for a mixed use, this however is a speculative application and therefore the precise use of the units is not known.
- 1.4 The application site is situated within the safeguarded employment area of Pucklechurch trading estate, Pucklechurch.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
 - D1 Design
 - L1 Landscaping and trees
 - E3 Employment development
 - E4 Safeguarded employment areas
 - T7 Cycle parking
 - T8 Parking standards
 - T12 Transportation
 - EP1 Environmental Pollution
 - EP2 Flood Risk
 - L17 & L18 The Water environment

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the application site:
- 3.2 P94/2449 Demolition of existing building and erection of warehouse
Totalling 3631 square metres B8 use
Approved January 1998
- 3.3 PK02/0935 Demolition of existing building and erection of warehouse
For B8 use (Renewal of P94/2449)
Approved August 2002.

- 3.4 PK08/0418/F Demolition of existing buildings and redevelopment of the site to provide 6 units in two blocks for commercial/industrial use 3,631 square metres (Class B1(c), B2, B8) with ancillary office space, car parking, landscaping and associated works including the erection of an acoustic fence.
Refused April 2008. Refusal reasons discussed below Under paragraph 5.2 of this report.

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

The Parish Council has no objection and considers this application to be better for the community than the existing permission.

However, they feel there should be a restriction on the number of hour's worked on Saturdays and bank Holidays and lower audible warning systems fitted to reversing Lorries so as to minimise the effect on residents.

4.2 Other Consultees

Wessex Water

No objection in principle but advised that it will be necessary for the developer to agree with Wessex Water prior the commencement of any works a point of connection into Wessex systems and that the developer will have to contact Bristol Water Company with regards water supply.

Other Representations

4.3 Local Residents/ Businesses

4 letters have been received from local residents raising the following objections regarding the proposed development, which have been summarised by the Planning Officer as follows:

- Unrestricted hours of operation and impact on neighbouring properties
- Colour of building not suitable and height
- How will asbestos roof be removed?
- Overbearing Impact of fence and loss of light
- Impact of external plant

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy E3 & E4 of the South Gloucestershire Local Plan allows for employment generating uses within the defined employment areas subject to the satisfaction of the criteria set out in Policy E3, which is addressed below in detail:

- 5.2 As this application is a re-submission of a recently refused planning application PK08/0418/F, the key issues for consideration are whether or not this revised application overcomes those refusal reasons, as outlined below:

Refusal reason 01

In the absence of a noise acoustic report the Council is unable to assess the environmental effects of the proposed development in terms of noise and disturbance on nearby residential properties.

The proposal is therefore considered contrary to Policies E3 and EP1 of the South Gloucestershire Local Plan.

Refusal reason 02

In the absence of a noise acoustic report the applicant has not demonstrated that there is a need for a 3.0m high acoustic fence which if allowed would have an overbearing impact on the adjacent occupiers of St. Aldams Drive and would have detrimental impact on the visual amenities of the surrounding residential area. The proposal is therefore considered contrary to the provision of PPS1 and Polices D1 and E3 of the South Gloucestershire Local Plan.

Refusal reason 03

The proposed buildings by reason of their scale and siting if allowed would have an overbearing impact on the adjacent occupiers of St. Aldrams Drive and adjacent office. The proposal is therefore considered contrary to Policy E3 of the South Gloucestershire Local Plan.

Refusal Reason 04

The proposed buildings by reasons of their scale, design, external appearance, materials, colour and siting and 3.0m high acoustic fencing would fail to respect and enhance the character of the both the site and surrounding residential area and if allowed would have a detrimental impact on the visual amenities of the area. The proposal is therefore considered contrary to the provisions of PPS1 and Polices D1 and E3 of the south Gloucestershire Local Plan.

Refusal Reason 05

In the absence of a acceptable landscaping scheme the proposal is considered contrary to Policy D1 of the South Gloucestershire Local Plan.

- 5.3 Members are advised to consider the following. The principle of a B8 use has already been established on this site with un-restricted hours of operation under planning permission PK02/0935. That permission was extant until May 2008 of this year. The applicant implemented that permission in April 2008 of this year by way of digging a trench, which the Councils has confirmed does amount to a material commencement of development.

- 5.4 **A. Development would not have unacceptable environmental Effects: and**
The previous application was refused on the following grounds:

Refusal 01

In the absence of a noise acoustic report the Council is unable to assess the environmental effects of the proposed development in terms of noise and disturbance on nearby residential properties. The proposal is therefore considered contrary to Policies E3 and EP1 of the South Gloucestershire Local Plan.

- 5.5 Objections have been raised by local residents and the Parish Council as part of this current planning application regarding the impact of the proposed development as a result of unrestricted hours of operation.

- 5.6 Members are advised to consider the planning history relating to this application site. In 1994 permission was granted for 3,621 square metres of Class B8 use on this site and this was renewed again in 2002. At that time the Council imposed a planning condition restricting the hours of operation to that of 7.30am to 6.00pm Mondays to Saturdays and with no working taking place on Sundays or Public Holidays. The applicant appealed against that condition and the Inspector allowed the appeal and reported the following :

Policy E2 provides that proposals for class B1, B2 and B8 uses will be permitted provided that, amongst other matters, development would not prejudice letting potential of this development and thus its potential to create local job opportunities. This would undermine the aims of these policies of both adopted and emerging LPs of encouraging employment opportunities in the district. For all these reasons, I consider that condition 19 is also unreasonable.

I conclude on the main issue that the removal of condition 19 would not have a unduly harmful effect on the living conditions of nearby residents as a result of noise and disturbance and would not be contrary to Policy RP1 of the LP or policies D1 or E2 of the emerging LP. For this reason I conclude that condition 19 is neither necessary nor reasonable and does not accord with the advice set out in Circular 11/95.

- 5.7 As part of this current planning application the applicant has applied for unrestricted hours of operation. The Council considers the previous appeal decision relating to this site to be a strong material consideration in the determination of this application. The main difference with this current application and the previous approved application is that the previous approved scheme had permission for one large block that ran along the entire northern boundary of the application site which forms the rear boundary to the gardens of At St Aldams Drive with a separation distance of approximately 12.0m. This area was to provide parking spaces for cars. This revised scheme now proposes two separate blocks which will be set back 6.0m from the northern boundary along with the erection of a 5.30m high acoustic timber fence in between. At the time of the recently refused application the Council raised an objection on the grounds that in the absence of a noise acoustic report and especially due to the revised layout of the buildings the Council was unable to fully assess the impact of the proposed development on those neighbouring properties along the northern boundary of the site especially as un-restricted hours of operation was applied for.
- 5.8 To address the above planning objection an acoustic report has been submitted. The Council's Environmental Health Officer has confirmed that the report has demonstrated that the proposed use with unrestricted hours of operation along with the proposed mitigation measures i.e acoustic fence can be operated without having a detrimental impact the amenities of nearby residential properties of St.Aldams
- 5.9 Members are advised to consider that as the site already has permission to operate on a 24 hour basis under permission PK02/0925/F and as that permission has been implemented it would be unreasonable for the Council to raise an objection to this current scheme. Although it is accepted that this current scheme differs from the previous permission by reason of its layout it is considered the above objection has been overcome as it has been demonstrated by way of the submitted noise acoustic report that the proposed

development along with mitigation measures would not have an unacceptable impact on residential amenity, subject to the imposition of a planning condition restricting the level of noise, emitted from the site.

5.10 **B. Adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on-street parking, to the detriment of the amenities' of the surrounding areas and highway safety; and**

The proposal consists of six new units for a mix of B1(c) light Industry, B2 General industry and B8 distribution. This development site is part of a larger industrial use on the site and it is currently used /let for outside storage by various companies including a scaffolding company. In addition to the current use, this site also benefits from planning permission to erect four units of B8 industrial use, totalling 3,751m². Access to the site will be from the existing trading estate road network which operates with one way loop within the site and the access roads are of a suitable width to accommodate HGV access. The industrial estate gains access to the highway network via Shortwood Road (B4465) a route that is currently being used by traffic from the existing industrial estate.

5.11 The development will provide 58 parking spaces to cater for the development and a number of cycle parking bays will also be provided within the units. In view of the above therefore, there are no highway objections to this proposal subject to the imposition of a number of planning conditions relating to provision of parking facilities and no outside storage.

5.12 **C. Development would not prejudice existing residential amenities; and**

The previous application was refused on the following grounds:

Refusal reason 02

In the absence of a noise acoustic report the applicant has not demonstrated that there is a need for a 3.0m high acoustic fence which if allowed would have an overbearing impact on the adjacent occupiers of St. Aldams Drive and would have detrimental impact on the visual amenities of the surrounding residential area. The proposal is therefore considered contrary to the provision of PPS1 and Policies D1 and E3 of the South Gloucestershire Local Plan.

Refusal reason 03

The proposed buildings by reason of their scale and siting if allowed would have an overbearing impact on the adjacent occupiers of St. Aldams Drive and adjacent office. The proposal is therefore considered contrary to Policy E3 of the South Gloucestershire Local Plan.

5.13 Objections have been raised by local residents regarding the impact of the proposed development. For background purposes the following is a brief account of the scheme that was approved under PK02/0935. That scheme relates to the erection of one unit measuring 89.0m in length x 29.0m in width sited along most of the northern boundary of the site which backs onto the rear of gardens of 24-36 St.Aldrams. The building is set back 12.0m from the boundary to allow for the provision of 14 car parking spaces.

- 5.14 The current and recently refused application differs from the above in that they relate to the erection of two separate units. One sited along the western boundary of the site measuring 27.0m in width x 52.0 in length and the other sited along the eastern boundary measuring 63.0m in length x 27.0m in width , with the end elevations of both units backing onto St.Aldrams Drive, with a section of 5.25m high acoustic fencing sandwiched between.
- 5.15 The recently refused scheme proposed to bring the built form of the development closer (than the previous approval) to those neighbouring properties of St. Aldams Drive from that of 12.0m to 4.0m and proposed to erect a 3.0m high acoustic fence along the rear boundary. It was considered that the proposed units and acoustic fencing by reason of their cumulative impact in terms of siting and scale in this location if allowed, would have an overbearing impact on the adjacent occupiers. It was also considered that in the absence of an acoustic report it had not been demonstrated that there was a need for an acoustic fence of this height. It was also considered that in the absence of an acoustic report as discussed above the Council was unable to fully assess the impact of the proposed development on the neighbouring occupiers especially as the applicant has applied for unrestricted hours of operation.
- 5.16 This application has sought to overcome the above objection by amending the scheme as follows. Unit 23 & 22 sited to the rear of no. 22-28 St. Aldams has been pulled back from the rear boundary by an additional 2.0m given an overall separation distance of 6.0m. The proposed acoustic fencing although higher i.e 5.25m than the refused scheme will no longer be sited tight along the rear boundary of those properties of St. Aldams but will be significantly reduced in length and pulled back 6.0m and sandwiched between both units accept for a 9.0m wide section in the middle which will run close to the rear boundary of no. 34 & 32. This section has been designed like this to enable lorries to manoeuvre within the site. An auto tracking plan has been submitted which shows that this section of fence has to be in this location and cannot be pulled back from the neighbouring boundaries. This 6.0m wide separation distance will enable the planting of a robust landscaping scheme i.e tree and hedge to be planted between the units and fence and the rear boundaries of St. Aldrams along with climbing plants on the acoustic fencing. The Council's Landscape Officer has confirmed that this should provide appropriate visual mitigation and in conjunction with the submitted management plan which has demonstrated that the landscaping along the northern and eastern boundaries can be satisfactorily maintained.
- 5.17 Whilst it is accepted that this current application proposes to site the units closer to the rear of those properties, it is considered that this revised scheme will have less of an impact than the previously approved scheme as the outlook will not be dominated by one large building but will be broken up with the introduction of two end elevations and a fence, therefore reducing the overall mass.
- 5.18 It is also considered that as it has been demonstrated by way of a noise acoustic report that there is a requirement for an acoustic fence of this height and given that the buildings and fence have been set further back which in turn will be screened by a landscaping scheme, it is considered that the above objections have been addressed.

5.19 Sited along the western boundary of the application site is an existing two storey office unit. On the side elevation of that unit which would face onto the new development there are a number of windows at ground and first floor level some of which serve existing offices. The previous scheme was refused on the grounds that as the proposed unit by reason of its would have an overbearing impact. This current application has pulled back the proposed unit by an additional 2.0m, which overcomes the previous objection.

5.20 **D. The character of the area or settlement is not adversely affected; and**
The previous application was refused on the following grounds:

The proposed buildings by reasons of their scale, design, external appearance, materials, colour and siting and 3.0m high acoustic fencing would fail to respect and enhance the character of the both the site and surrounding residential area and if allowed would have a detrimental impact on the visual amenities of the area. The proposal is therefore considered contrary to the provisions of PPS1 and Policies D1 and E3 of the south Gloucestershire Local Plan.

5.21 The site lies within an existing industrial estate, where the majority of buildings are either single or two storeys. Most of the buildings on site are of a utilitarian industrial appearance accept for those units sited near the main entrance which are considered of a much higher standard. Whilst sited within an industrial complex the application site is on the edge and is surrounded by residential properties along the northern and eastern boundary of the site. Views are available of the site from those properties sited along Oak Tree Avenue the only road thorough this residential development. Views are also available from those properties sited along St Aldams Drive which back onto the site and from the car park adjacent no.36 St.Aldams Drive. A tapered open grass verge separates the site from Oak Tree Avenue and is partially screened by open railings. Unit 6a is sited along this boundary and is highly visible.

5.22 The application proposes two units, the more prominent of the two and longest is proposed along the eastern boundary of the site adjacent Oaktree Avenue at a length of 63.0m x 7.60m to the eaves and 8.50m to the ridge. It will be constructed predominantly of silver cladding panels and will be set back of the boundary by 3.0m. The application proposes fencing along the boundary with landscaping on the inside.

5.23 Members are advised to consider that although the above mentioned unit sited adjacent Oaktree Avenue is the same as that refused in terms of siting, scale and materials the applicant has sought to address the above refusal reason by amending the scheme as follows. First of all the applicant has put forward the argument that they are unable to reduce the size of the units due viability and that the units need to be able to accommodate a mix of light industrial, industrial and warehousing uses.

5.24 Secondly, this scheme has sought to break up the mass and bulk of the buildings by revising the elevational treatment on the rear and end elevations. Rather than one blank elevation this has now been broken up with the introduction of sections with contrasting cladding panels. The planting of a hedge is proposed along the eastern boundary which when grown will help to partly screen the development. A 2.40m high bow top fence is also proposed along this boundary for security reasons. It is of a design that will enable the hedge to be seen, softening the visual impact of the development.

5.25 Members are advised to consider that discussions have taken place with the Council's Community Spaces Department. The applicant had proposed to plant tree planting on Council owned land sandwiched between the proposed building and Oaktree Avenue, in an attempt to help screen the development. However due to the existence of services that are located beneath this area i.e. gas main and private sewer it is not considered appropriate to carry out any planting on this land.

5.26 It is considered that on balance the revised changes have addressed the previous objection. A condition will be imposed requiring the submission of material samples relating only to the units prior to the commencement of development.

5.27 **E. The maximum density compatible with the site's location, its accessibility and its surroundings is achieved; and**

It is considered that the site can accommodate a development of this scale, especially as planning permission has already been granted for a larger B8 use on the site i.e. 3631 square metres.

5.28 **F. In the case of travel intensive B1 (office) the location is well served by Public Transport?**

B1(C) has been applied for, but the future users of any part of the site may not necessarily be offices. Given that planning permission has been granted on this site in the past twice for B8 use, no objection is raised.

5.29 **Proposed B8 use**

Policy E3 states that proposals for large scale B8 storage and distribution will only be permitted within certain defined employment areas. The supporting text defines 'large scale' B8 uses as greater than 1000 square metres. In this instance it is considered that as the principle of a large scale B8 use has already been accepted on this site in the past, that the Council would be unable to raise an objection to this application.

5.30 **Landscaping Issues**

The previous application was refused on the following grounds:

In the absence of an acceptable landscaping scheme the proposal is considered contrary to Policy D1 of the South Gloucestershire Local Plan.

5.31 As discussed above a detailed landscaping scheme and management plan have been submitted both of which are considered acceptable and overcome the above planning objection. A condition will be imposed with regards the implementation of the landscaping.

5.32 **Drainage**

The application is for demolition of existing units and the erection of new construction. In terms of surface water drainage disposal the Council would look for betterment by reduction of the discharge rate and water quality improvements. It has been explained by the agent to the Council's Drainage Engineer that the preferred SuDS measures of soakage or permeable paving with infiltration to ground are not appropriate in this instance due to the site

ground conditions, though some form of surface water flow attenuation by underground storage (cellular drainage units or drainage channels) could be incorporated. A drainage condition will be imposed but regard will be had for the above when such details are submitted.

5.33 Other issues

Concerns have been raised regarding the removal of an asbestos roof on site. An informative will be attached should planning permission be granted advising the applicant of the relevant legislation that needs to be complied with.

5.34 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.

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 made having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Background Papers **PK08/2278/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 for the two units hereby approved 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. All 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 D1 and E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No outside storage of material/goods/waste or plant shall take place at the premises.

Reason:

In the interests of ensuring the provision of adequate on site parking and turning for highway safety reasons, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The rating level of noise emitted from the site shall not exceed 33 LAeq.1 Hour between 0700 and 2000 hours and 31L Aeq.5 min. between 2000 and 0700 hours. The noise levels shall be determined at the nearest noise sensitive premises this meaning those residential properties. The measurements and assessment shall be made in accordance with the provisions of BS4142:1997.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy E3 and EP1 of the South Gloucestershire Local Plan.

6. Any oil or chemical storage tanks shall be surrounded by an impervious oil/watertight bund having a capacity of at least 110% of the tank and of a structural design approved in writing by the Local Planning Authority.

Reason:

To prevent non-point source pollution and to accord with Policies E3 and EP1 and of the South Gloucestershire Local Plan (Adopted) January 2006.

7. All surface water run-off from outside storage, parking or vehicle washdown areas shall pass through a properly constructed oil/ petrol interceptor or such other alternative system as may be agreed with the Local Planning Authority, before discharge to the public sewer, or other drainage system.

Reason:

To prevent non-point source pollution and to accord with Policies E3 and EP1 and of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The acoustic fence hereby authorised as per dwg.no. 24 P1 shall be erected in the approved location as shown on dwg.1213-02 (A) F prior the use hereby authorised commencing.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy E3 and EP1 of the South Gloucestershire Local Plan.

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

Reason:

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

10. 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.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses and to accord with Policy E3 of the South Gloucestershire Local Plan.

11. Prior to the commencement of development hereby authorised commencing 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 before the development is occupied.

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.

ITEM 5

CIRCULATED SCHEDULE NO. 40/08 – 03 OCTOBER 2008

App No.: PK08/2299/ADV

Applicant: Mr G Jones
McDonalds
Restaurants Ltd

Site: McDonalds Restaurants Ltd, Aspects
Leisure Park, Leisure Road,
Kingswood, South Gloucestershire,
BS15 9LA

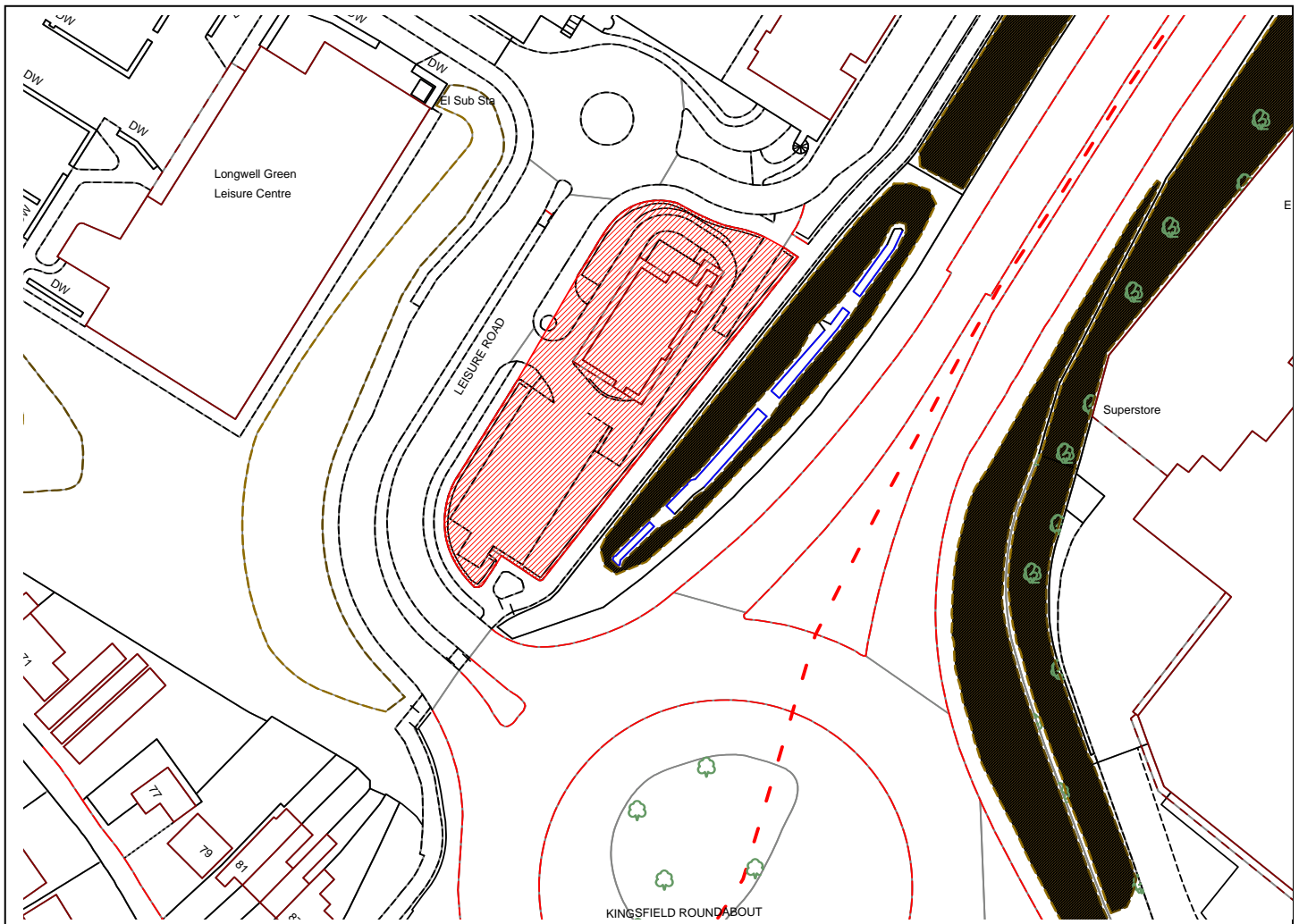
Date Reg: 16th August 2008

Proposal: Display of 3 no. internally illuminated
fascia signs, 3 no. non illuminated
hoarding signs, 1 no. internally
illuminated height restriction bar, 1 no.
internally illuminated customer order
display sign, 1 no. internally illuminated
triple unit sign, 2 no. internally
illuminated price signs and 1 no.
internally illuminated welcome sign.

Parish: Hanham Parish
Council

Map Ref: 65397 72268
Application Category: Minor

Ward: Hanham
Target Date: 15th October 2008



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N.T.S

PK08/2299/ADV

INTRODUCTION

This application has been forwarded to the Circulated Schedule for Member consideration as representations have been received which are considered to constitute objection and the Officer recommendation is to approve.

1. THE PROPOSAL

- 1.1 The application site is a drive thru restaurant in the southern corner of Aspects Leisure Park on the north side of the A4174 ring road. The application site comprises a single storey flat roofed restaurant building with parking and access. The site currently benefits from an array of illuminated and non illuminated signage on the building,, forecourt and at the entrance to the Leisure Park off the ring road.
- 1.2 The application proposes 3 internally illuminated fascia signs, 3 non illuminated hoarding signs, 1 internally illuminated height restriction bar, 1 internally illuminated customer order display sign, 1 internally illuminated triple unit sign, 2 internally illuminated price signs and 1 internally illuminated welcome sign.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPG19 Outdoor Advertisements

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L19 Display of Advertisement

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P99/4802/A Display of internally illuminated fascia signs
Approved 15.10.1999
- 3.2 P99/4803/A Retention of non-illuminated fascia signs
Approved 12.11.1999
- 3.3 PK05/0177/RVC Variation of condition 14 of planning permission P96/4646 dated 2nd June 1996 to extend the time that the drive thru restaurant is open to the public to 6.00am to 12.00 midnight 7 days a week.
Approved 31.03.2005

- 3.4 PK07/2703/RVC Variation of condition 2 attached to planning permission P96/4646 dated 2nd June 1996 to extend the time that the drive thru restaurant is open to the public to 6.00am to 12.00 midnight Sunday to Wednesday and 6.00am to 2.00am Thursday to Saturday.
Refused 27.11.2007
- 3.5 PK08/0909/RVC Variation of condition 14 attached to previously approved planning permission P96/4646 dated 2nd June 1998, to extend the opening hours to 0600 to 2400 Sunday to Wednesday and 600 to 0200 Thursday to Saturday for a 12 month temporary period.
Refused 19.05.2008

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council

Due to the impact on local residents in relation to light pollution from the Aspects site a condition on lighting up hours should be imposed. Twenty four hour illumination is unnecessary.

4.2 Other Consultees

Sustainable transport – No objection

Other Representations

4.3 Local Residents

One letter received from a local resident commenting as follows:
Due to the huge increase in light pollution in what is a residential area, as with Gallagher retail park we hope that restrictions will be put on hours of illumination. Since the building of the nearby retail park light pollution during the night has become a major problem for nearby residents and at least restricting it to opening hours has helped. 24hr illumination is totally unnecessary.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Advice contained within PPG19 states that outdoor advertisements can only be controlled in the interests of “amenity” and “public safety”. Concurrently Policy L19 of the Adopted South Gloucestershire Local Plan states that consent for the display of advertisements will be granted provided that the advertisements would not be detrimental to the immediate location in which it is displayed, by virtue of its size, siting, materials, colour or illumination, or that the cumulative effect of the proposal would be detrimental to character and visual amenity of locality. The policy also states that advertisements should not prejudice public safety.

5.2 Amenity

The proposal is to upgrade/re-brand the existing signage on the site. The proposal would constitute mainly replacement of existing signage, however, an additional internally illuminated 'M' logo sign is proposed for the fascia on the west elevation which would face into the Leisure Park.

The applicant has indicated that illuminated signage would benefit from a luminance no greater than 600 ca/m² which is considered to be acceptable for this location and use within an existing Leisure Park. The proposal is therefore considered not to result in an unnecessary increase in light spillage.

Considering all of the above factors the proposal is considered not to be detrimental to the immediate location and would preserve the character and visual amenity of the area, subject to the suggested condition to control operating hours.

5.3 Public safety

The proposal would replace existing signage within the site. The proposed signage would have no greater impact in terms of brightness or distraction to that existing. As such the proposal is considered not to prejudice public safety.

5.4 Design and Access Statement

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

5.5 Section 106 Requirements

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

6. CONCLUSION

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

The recommendation to grant consent 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 Advertisement Consent is granted, subject to the following conditions and informatives:

Background Papers **PK08/2299/ADV**

Contact Officer: **Sean Herbert**

Tel. No. **01454 863056**

CONDITIONS

1. The signage the subject of this decision shall be illuminated only when the business is open to customers and at no other times whatsoever.

Reason:

To prevent unnecessary light pollution to protect the character and appearance of the area, and to accord with Policies D1 and L19 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.: PK08/2403/R3F

Applicant: Mr S Evans Director
Of Community
Services

Site: Emersons Green Playing Fields,
Pomphrey Hill, South Gloucestershire

Date Reg: 27th August 2008

Proposal: Erection of single storey sports
changing rooms.

Parish: Mangotsfield Rural
Parish Council

Map Ref: 67079 76050

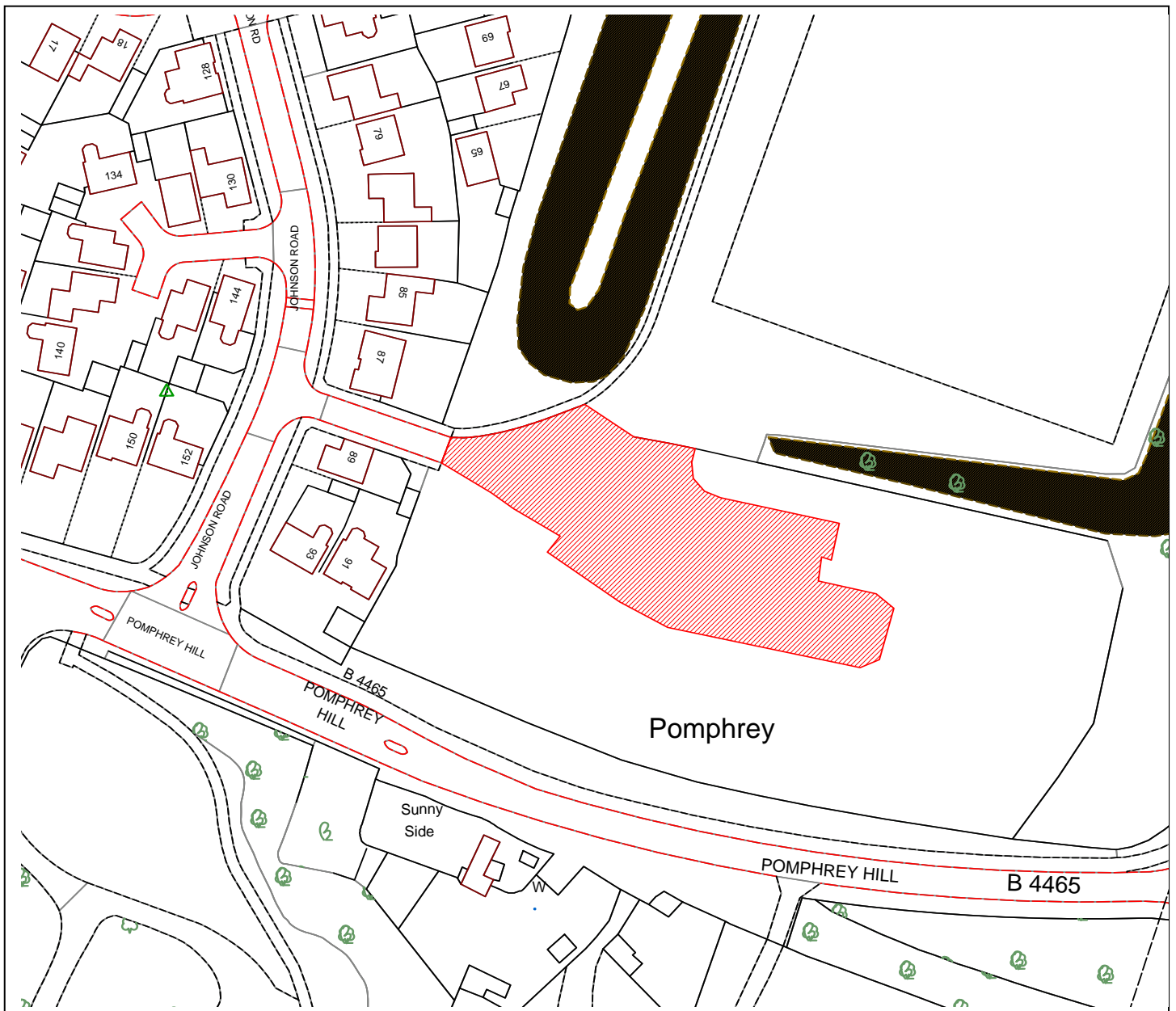
Ward: Emersons Green

Application Category: Minor

Target Date: 15th October 2008

Category:

Date:



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PK08/2403/R3F

INTRODUCTION

This application has been submitted by the South Gloucestershire Council's Director of Community Services and as such is a Regulation 3 application. Under the current scheme of delegation such applications must be determined via the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application site lies in open countryside to the south of the new playing fields on the northern side of Pomphrey Hill, and east of Johnson Road, Emersons Green. The site lies within the Green Belt and consists of landscape features created during the recent ring road construction and levelled areas of construction spoil, part of which is grassed and part covered with hardcore to create the car park for the playing fields. Established hedgerows enclose the site to the north, east and south. Vehicular access is from an existing gated access off Johnson Road.
- 1.2 It is proposed to erect a single-storey building to provide changing, w.c. and showering facilities for the users of the playing fields. The proposed building would be sited on the northern edge of the existing car park. The building would consist of single-storey changing rooms for 4 teams and associated officials, sufficient to accommodate the anticipated usage of the adjacent pitches.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 - Delivering Sustainable Development
PPG2 - Green Belts
PPG13 - Transport
PPG16 - Archaeology and Planning
PPG17 - Sport and Recreation

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design
L1 - Landscape Protection and Enhancement
L11 - Archaeology
L17 & L18 - The Water Environment
EP1 - Environmental Pollution
EP2 - Flood Risk and Development
GB1 - Green Belt
T7 - Cycle Parking
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
LC5 - Provision for Outdoor Sports and Recreation Outside Existing Urban Areas and Defined Settlement Boundaries.
LC7 - Allocated Sites for Formal and Informal Open Space.

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P93/4419 - Comprehensive development for residential/district centre/public house/restaurant/roads/footpaths/open space and other associated uses (outline).
Approved 5th Oct 1995

4. CONSULTATION RESPONSES

4.1 Mangotsfield Rural Parish Council

No objection

4.2 Other Consultees

Avon & Somerset Police Architectural Liason Officer

No response

Public Rights of Way

No objection

Other Representations

4.3 Local Residents

11no. e-mails supporting the scheme have been received. The comments made are summarised as follows:

- Will provide safe environment for girls teams who currently have to change at Cleeve Rugby Club and walk to the pitches at Pomphrey Hill.
- Will be great for local children and grass roots football.
- The facilities are long awaited and are essential.
- Will enhance the use of the sports pitches.
- Will help to encourage youth sport.
- A valuable community facility.
- The facilities are attractive and sympathetic with the surroundings.
- The location, access and parking provision is good.
- The ring road and cycle path are nearby.
- The pitches are superb.

- 4.4 Preliminary consultation has included an open evening with local residents, meetings with the local Sports Association and consultation with Avon & Somerset Police.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In the first instance the proposal must be considered in terms of the latest Green Belt Policy contained in PPG 2 and encompassed within Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. Policy GB1 permits the construction of new buildings within the Green Belt if, amongst other things, they are essential facilities for outdoor sport and recreation. The proposed building would provide badly needed changing and showering facilities for the adjacent sports pitches, which are already in use. Officers consider that the changing rooms are essential facilities and would not therefore be inappropriate development within the Green Belt. By definition therefore the proposal would not be harmful to the openness of the Green Belt. The impact of the scheme on the visual amenity of the Green Belt is discussed in the Landscape section below.

5.2 The site lies within the open countryside but is allocated within the Local Plan under Policy L7 as land for open space provision or enhancement. As such the land is earmarked for the open space and recreational needs of the recent residential development at Emersons Green and to supplement existing provision to serve the existing population of the area. There is therefore no in-principle objection to the proposal.

5.3 As the site lies outside the urban area, the proposal falls to be determined against Policy LC5 of the South Gloucestershire Local Plan (Adopted) 6th January 2006. The Policy lists a number of criteria which must be satisfied and these are discussed in the following paragraphs.

5.4 Scale and Design

The proposed building has a simple, somewhat utilitarian design, which would not look out of place in the countryside. The mono-pitch roof would have a maximum height of 3.5m dropping to only 2.5m at the front. The walls would be constructed of facing brickwork with the roof consisting of profiled metal sheeting, similar to agricultural buildings. The building has been designed to minimise the risks of vandalism, although some velux rooflighting is provided to contribute to daylighting and ventilation. There would be an area of paving around the building. The scale and design are therefore considered to be appropriate for the proposed buildings' use.

5.5 Transportation Issues

The site is located on the very edge of the Urban Area close to major transport routes and the Bristol/Bath Cycle Way. As such the site is highly accessible by car, public transport, foot or cycle. As the playing fields are already in use, the traffic generation to the site should not increase. The existing vehicular and pedestrian access off Johnson Road would be utilised. Adequate car parking for up to 77 cars including 3 disabled spaces and parking for 2 mini-buses would be provided. The presence of on-site changing facilities, would eliminate the need for users of the sports pitches to walk across Pomphrey Hill from the site to the south or from Cleeve Rugby Club further up the road. Cycle and

motorcycle parking would also be introduced as part of the scheme. There are therefore no highway objections.

5.6 Landscape Issues

The proposed building would not be prominent within the landscape and the indicative tree planting would provide visual mitigation where the site overlooks the Green Belt to the East. The loss of part of the hedgerow on the northern boundary of the site is unfortunate but this would be more than compensated for by the new tree planting proposed. Subject to a condition to secure a full scheme of planting and tree protection, there are no landscape objections.

5.7 Impact Upon Residential Amenity

The proposed changing room would not be sited immediately adjacent to residential properties but would be set well back within the car park area. The building would not be excessive in scale and being screened by existing and proposed vegetation, would not be conspicuous from the nearest residential properties on Johnson Road or Pomphrey Hill. The car park area is already used by the existing users of the adjacent pitches, so levels of disturbance should not increase. The impact upon residential amenity would therefore be acceptable.

5.8 Environmental & Drainage Issues

The Council's Drainage Engineer raises no objection to the scheme, subject to a condition to secure the prior submission and approval of a drainage scheme, to include a Sustainable Drainage System (SUDS). Details of any proposed lighting can be secured by condition and would need to be in accordance with the Institute of Lighting Engineers guidelines.

5.9 PROW

The existing footpath from Johnson Road into the playing field would be segregated from the parking area and changing rooms by the existing fencing and would not be adversely affected by the proposal.

5.10 Archaeology

Given the close proximity of a Roman Villa on the southern side of Pomphrey Hill a watching brief condition is recommended.

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 The planning permission be GRANTED subject to the following conditions:

Background Papers **PK08/2403/R3F**

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

CONDITIONS

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

Reason:

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

2. No development shall take place until details/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, GB1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of the development hereby approved details of any floodlighting or 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.

Reason:

To minimise light spillage and to accord with Policies D1, EP1, GB1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of the development hereby approved, 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/GB1/LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. 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 D1/L1/GB1/LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of the development hereby approved, 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.

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

Reason:

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

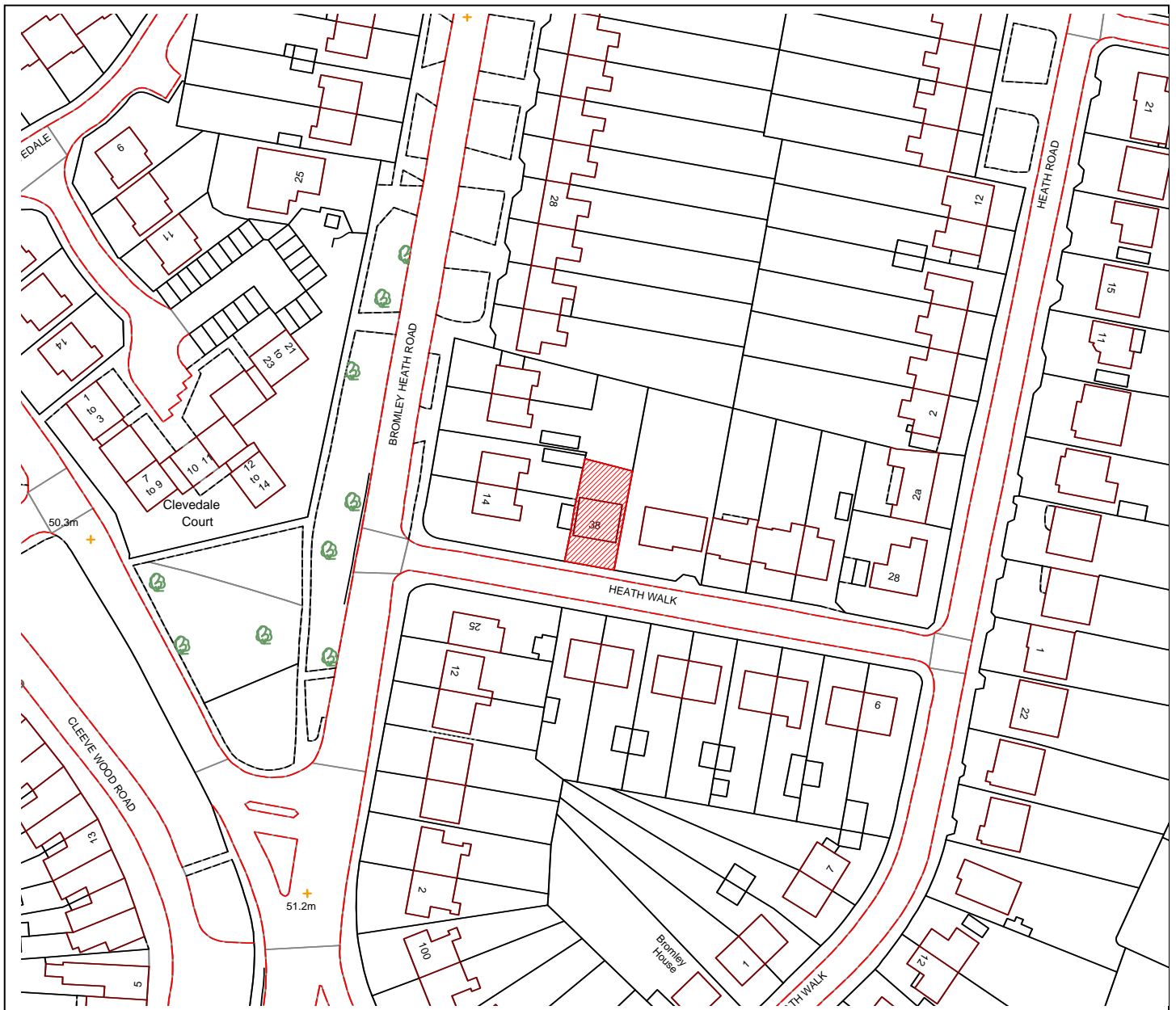
8. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason:

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PK08/2462/F	Applicant:	Mrs S Jahans
Site:	38 Heath Walk, Downend, South Gloucestershire, BS16 6EZ	Date Reg:	3rd September 2008
Proposal:	Erection of first floor side extension to provide additional bedroom with ensuite facilities.	Parish:	Downend and Bromley Heath
Map Ref:	64766 77340	Ward:	Downend
Application Category:	Minor	Target Date:	24th October 2008



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N.T.S

PK08/2462/F

INTRODUCTION

This application appears on the Circulated Schedule following objections received from a local resident.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a first floor extension to the existing property, No. 38 Heath Walk, Downend. The extension would have a width of 2.7 metres, a depth of 8.1 metres and a maximum height to the ridge of 8.1 metres.
- 1.2 The application property itself consists of a detached dwelling located within a residential estate. Properties of similar size and scale surround the site although the dwellings are of varying design.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development

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

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATION RESPONSES

(a) Statutory Consultees

- 4.1 Downend and Bromley Heath Parish Council
No objection

(b) Other Representations

- 4.2 Local Residents
One letter is received and expressing the following concerns:

No objection to the proposal provided that the current building lines are maintained and that there are no windows, outlets or exhausts in new side elevation. Changes to existing buildings lines or inclusion of windows, outlets or exhausts in the side elevation would cause loss of daylight and sunlight, loss of privacy and smells from exhausts.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 requires that such development should demonstrate good standards of design that, through form, layout, scale, height, massing, proportion and detailing respect the site itself and the locality.

Policy H4 of the adopted Local Plan requires that developments should form an integrated part of the existing building, and the area as a whole, and should not prejudice the privacy or amenity of adjoining residents.

5.2 Design/ Visual Amenity

The proposed extension is of a suitably simple design. Although the extension has no 'set-down and set-back' features, it is considered that the extension would be in keeping with the character of the host dwelling. In addition, the property is a detached dwelling and is of different design of the adjacent property, it is therefore considered that the proposal would not cause any terracing effect.

The materials proposed to erect the extension would match those of the existing dwelling further aiding it's integration into the existing built form. The design and pitch of the roof of the side extension has been considered to match that of the host dwelling and maintain the individual character of the dwelling in the street scene.

It is not considered that the extension will have any adverse effect on the character of the area or the existing street scene yet as the extension will be visible from the highway, a condition will be attached to any consent granted to ensure that the materials to be used in the extension match those of the existing dwelling. In this context, the extension is considered to be visually acceptable.

5.3 Residential Amenity

The proposed extension is to be erected to the eastern side of the existing property in proximity to No. 38 Heath Walk adjoining the site. There is a bay window to the western side of this property that would be affected by the works as proposed. Nevertheless, this bay window is only a secondary window to the living room and there are another two windows. It is therefore considered that the proposed extension would not have significant overbearing impact upon the residential amenity of the neighbouring property.

Therefore, there are no issues of inter-visibility or loss of privacy as there is no window on the side elevation of the new extension. Further, there are no concerns relating to loss of daylight/sunlight as the extension would not project beyond the existing building lines and sufficient garden space will remain to serve the property. No outlets or exhausts are proposed on the side elevation of the new extension. The impact on residential amenity is subsequently deemed acceptable.

5.4 Design and Access Statement

Design and Access Statement is not required for this application.

5.6 Section 106 Requirements

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

6. CONCLUSION

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

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 granted subject to the following conditions.

Background Papers **PK08/2462/F**

Contact Officer: **Olivia Tresise**
Tel. No. **01454 863761**

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. No windows shall be inserted at any time in the side east elevation of the extension hereby approved.

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.

4. No outlets or exhausts shall be inserted at any time in the side east elevation of the extension hereby approved.

Reason:

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

CIRCULATED SCHEDULE NO. 40/08 – 03 OCTOBER 2008

App No.: PK08/2471/F

Applicant: Mr J Curry SW
Kitchens

Site: 36 Soundwell Road, Soundwell, South Gloucestershire, BS16 4QP

Date Reg: 4th September 2008

Proposal: Erection of single storey front extension to facilitate the change of use of ground floor shop (Class A2) to 1 no. self contained flat (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Erection of cycle and bin store to side elevation and installation of new door to side elevation to access first floor flat.

Parish:

Map Ref: 64812 75519

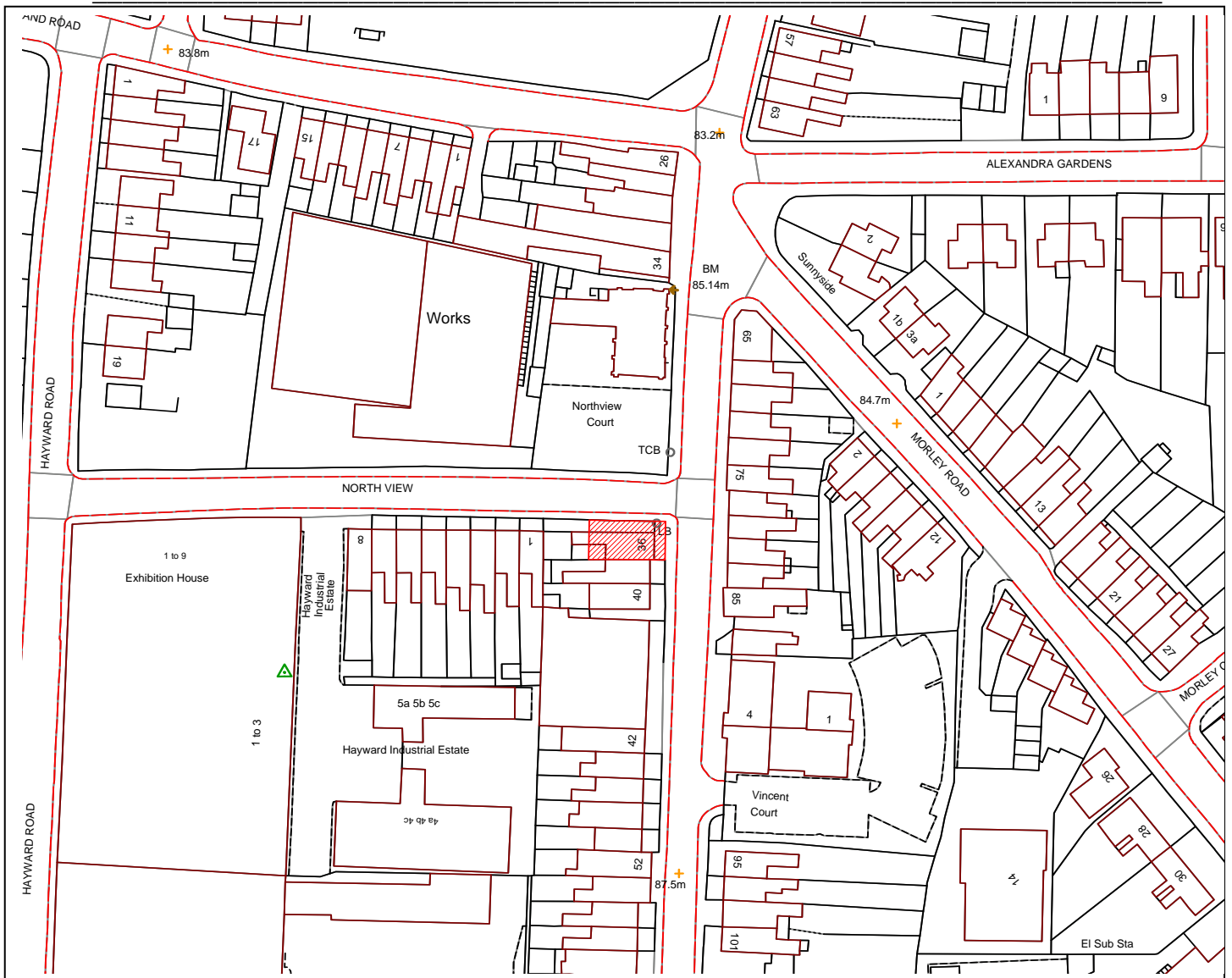
Ward: Staple Hill

Application Category: Minor

Target Date: 22nd October 2008

Category:

Date:



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PK08/2471/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey front extension to facilitate the change of use of ground floor shop (Class A2) to 1 no. self contained flat (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site relates to a single A2 unit within the residential area of Soundwell.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
RT1 Development In town centres
T12 Transportation
T7 Cycle parking
T8 Parking Standards
H5 Residential Conversions

- 2.3 Supplementary Planning Guidance
SPD Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 P81/4472 Change of use to restaurant
Approved November 1981
- 3.2 PK08/0801/F Demolition of detached garage & office to
Facilitate erection of dwelling.
Approved May 2008

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Not covered

Other Representations

- 4.2 Local Residents
One letter has been received from a local resident raising the following objection regarding the proposed application, which has been summarised by the Planning Officer as follows:

-Land proposed for cycle and bin storage and new doorway is not owned by applicant.

-I cannot agree to application until I am sure my own access and property is not disadvantaged

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As the application site relates to an A2 unit not within an identified secondary shopping frontage there are no policy objections to the proposed change of use from A2 to residential.

5.2 Policy H5 of the South Gloucestershire Local Plan allows for the change of use of non-residential properties sited within the existing urban areas for residential use subject to the following criteria being satisfied:

5.3 Visual amenity

It is considered that the proposed external alterations i.e. cycle bin store and single storey front extension by reason of their scale and design will not have an adverse impact on the visual amenities of the existing building or immediate surrounding area. Indeed it is considered that they will enhance the existing situation.

5.4 Transportation effects

Planning permission is sought to change the use of an existing shop unit into a two-bed flat. No vehicular parking is currently available within the site boundary and none is being proposed as part of this development. The site is in a sustainable location and has good access to non car modes of transport. Given the location and extant permission of the site, no transportation objection is raised to this proposal.

5.5 Residential Amenity

It is considered that the proposed change of use from retail to residential and the proposed scheme by reason of its layout will not have an adverse impact on the residential amenities of existing occupiers or future occupiers of the scheme. Private amenity space will be provided for the future occupiers of the scheme.

5.6 Other Issues

Objections have been raised regarding issue of land ownership. Members are advised that such issues are civil matters and not material to the determination of this application.

5.7 Design and Access Statement

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

5.8 Section 106 Requirements

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

condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PK08/2471/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. No development shall take place until details of the provision of storage for refuse bins and boxes and cycle parking have been 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:

In the interests of the future occupiers of the development and to accord with Policy D1, H5 and T7 and of the South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.: PT08/1905/F
Site: 13 Boverton Road, Filton, South Gloucestershire, BS34 7AH
Proposal: Erection of single storey side extension to form garage and additional living accommodation. Erection of 2m max. high timber fencing.
Map Ref: 60549 79475
Application Category: Minor

Applicant: Mrs S Hosken
Date Reg: 9th July 2008
Parish: Filton Town Council
Ward: Filton
Target Date: 22nd August 2008



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

1. **THE PROPOSAL**

- 1.1 This application relates to the erection of a single storey side extension to this semi-detached house and for the enclosure of the garden with a 2m high timber panel fence. The site is located within the urban area of Filton.
- 1.2 The garage would be pebble-dashed and have tiles to match the house.

2. **POLICY CONTEXT**

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 None since built.

4. **CONSULTATION RESPONSES**

- 4.1 Filton Town Council
No comment received

Other Representations

- 4.2 Local Residents
One concerned resident has written in as the plans do not make it clear whether the proposed extension will follow the original site lines. Assuming there is no proposal to extend beyond the original site lines into the lane the writer would have no objection but if it does extend into the lane then writer would object on the grounds that access to writer's garage and parking would be affected.

One support response was also received.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
In assessing applications for residential extensions and other domestic works such as boundary enclosures, Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 is particularly relevant. Such works are normally permitted provided they respect the massing, scale and overall design and

character of the existing property and street scene; do not prejudice the amenities of nearby occupiers; are acceptable in terms of parking provision and highway safety and allow for the retention of adequate private amenity space.

5.2 Design and Residential Amenity

It is considered that the application accords with the above policy criteria. The size and design of the extension is in keeping with the existing property and area as a whole. The garage extension is located well away from neighbouring houses such that residential amenities of nearby occupiers will not be adversely affected. On submission the height of the fence was proposed to be 2.25m high but this has been negotiated to a maximum of two metres. This is confirmed in an email from the applicant dated 19 August 2008. This can be adequately secured by a condition. This would not unduly affect the character of the back lane nor have a significant impact on the street scene from Boverton Road. No neighbours will be subject to loss of privacy or overbearing impact and adequate garden area will remain.

5.3 Transportation

Furthermore, the proposed access/parking arrangements are improved such that vehicles will be removed from the unclassified road and into the front garden. In these regards the application accords with the adopted development plan and is acceptable.

5.4 Boundary Line

The Local Planning Authority does not determine the actual location of boundaries and this is not normally a material planning issue. In this instance the boundary matter has been raised by the neighbour and any fence posts which may exist under the hedge are completely hidden from view by the dense cotoneaster hedge and the mounds of leaf mould beneath the hedge. The applicant has signed The Certificate of Ownership – Certificate A stating that she is the owner of the land to which the application relates, and that all the development will take place on land within her ownership control.

The proposed fence and garage wall are shown to be three metres from the side wall of the house on the plans but the applicant, having rechecked the measurements, is willing to accept that the boundary is an average length of 2.94m from the side wall of the house. Given the marginal difference an appropriately worded condition is proposed which restricts all development to be within 2.94m.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Background Papers **PT08/1905/F**

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

CONDITIONS

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

Reason(s):

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

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

3. Notwithstanding the annotated elevational plan 13B-4B of the proposed fence, the panels shown to be 2.25m high shall be no higher than 2m high, as agreed in the details submitted dated 19 August 2008.

Reason(s):

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

4. Notwithstanding the annotated elevational plan 13B-3B of the proposed garage, the garage shall be a maximum width of 2.94m wide, as agreed in the details submitted dated 19 August 2008.

Reason(s):

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

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PT08/1922/F	Applicant:	Mr A Bracey
Site:	50 Down Road, Winterbourne Down, South Gloucestershire, BS36 1BZ	Date Reg:	10th July 2008
Proposal:	Demolition of existing dwelling to facilitate erection of 2 no. dwellings with garages and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	65204 79633	Ward:	Winterbourne
Application Category:	Minor	Target Date:	21st August 2008



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INTRODUCTION

This report appears on the circulated schedule as there are comments received which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The site consists of one of a pair of semi-detached bungalows. Vehicular access is from Church Road and there is pedestrian access also available onto Winterbourne Down. The Site is within the Village Development Boundary associated with Winterbourne, Coalpit Heath and Frampton Cotterell.
- 1.2 The proposed development consists of the demolition of the existing bungalow and the construction of two semi-detached dwellings. Access to the development would utilise the existing access into the site.

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
T12	Transportation Development Control Policy for New Development
T8	Parking Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/1307/F Demolition of existing dwelling to facilitate erection of 2 no. detached dwellings with garages and associated works
Refused

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Height of houses out of character. Design does not conform. There is room for the houses but the garages would block the view from the corner. Very dangerous access.

4.2 Sustainable Transport

There is no transport objection. The parking and turning arrangements for both dwellings is satisfactory. Adequate visibility will be maintained from the access around the southern boundary.

Other Representations

4.3 Local Residents

Five letters have been received during the consultation period associated with this planning application. The comments can be summarised as follows;

The proposed development will lead to an increase of vehicular movements and on street parking in the locality to the detriment of highway safety.

The access to the site is inadequate for two houses and there is not sufficient visibility when leaving the site.

The proposed garage buildings will restrict the visibility when leaving 48 Down Road

The size of the proposed garages is questionable

There is not sufficient off street parking to cope with the number of cars that would be used by the new occupants and very little space for parking to take place in the highway

The proposed development will cause congestion at the dangerous junction with Down Road. To the detriment of highway safety.

There is no footway at the junction of Church Road and Down Road, where there are already risks to pedestrians.

The proposed development will have an overbearing impact upon the occupants of 48 Down Road to the detriment of amenity.

The proposed development will have a detrimental impact upon the privacy of nearby residents which would be caused by overlooking

The proposed development will have a detrimental impact upon the semi-rural character of the area

The dwellings are out of scale with the surrounding area and would dwarf the bungalow at 48 Winterbourne Down

Trees have been removed from the site since the last application (PT07/1307/F) was refused.

There are too many very dense developments in the area.

There is no indication of how the existing party wall will be treated.

Concern is raised as to the treatment of the existing party wall between the dwellings at 48 Down Road and 50 Down Road. Concern is also raised as the position of the new gable end of 48 Down Road in relation to the curtilage/boundary of the new development and access for the maintenance of the new gable end.

4.4 Winterbourne Down Society

The height of the houses are out of character with the surrounding properties. The access is very dangerous located on a corner and the garages would block the visibility.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the construction of two dwellings within the curtilage of an existing dwelling and within the Village Development Limits associated with Winterbourne.

5.2 Principle of Development

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

5.3 Density

The construction of two dwellings on this site would equate to approximately 35 dwellings per hectare (dph). This is consistent with the requirements of Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006, PPS3 and the South Gloucestershire Design Checklist. The minimum density advocated is 30 dph.

5.4 Design

Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to ensure that a high standard of design is achieved as part of new development. In particular, the policy seeks to ensure that new buildings are distinctive and would make a positive contribution to the character and visual amenity of the site and its surroundings. This principle is supported by the South Gloucestershire Design Checklist; policy H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.5 The previous application (PT07/1307/F) detailed two detached dwellings, garages and parking. This proposal details two semi-detached dwellings with garages and parking accessed from Church Road, to the rear of the site. The proposed garages are in a very similar position to the previously refused application, however this proposal includes the provision of a visibility splay within the site (this matter is addressed in more detail below).

5.6 The previous application was refused in part due to the poor design of the dwellings. This application is submitted with a view to overcoming those refusal reasons. In this instance the application proposes semi-detached dwellings as apposed to detached. The revised design details more traditional footprints and detailing that is in keeping with the traditional character and grain of development seen in the locality associated with Winterbourne Down. The proposed dwellings are set further back into the site when compared to the previously refused proposal. Although the development would replace the existing bungalow which forms half of a pair of bungalows, the proposed development is of a scale and form which is consistent with the wide variety of buildings in the locality. The rising nature of the land in this location is such that there is a relatively wide range of ridge heights apparent, and the building line in the immediate locality is relatively informal. It is therefore considered that the proposed development is acceptable in design terms and that the previous refusal reasons (PT07/1307/F) are now resolved.

5.7 Residential Amenity

Policy H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 seek to ensure that new development would not have an unacceptable impact upon the privacy and residential amenity of the occupants of nearby dwellings.

5.8 The revised application is such that the proposed development is position approximately 6 metres from the front boundary of the site; and approximately 18 to 19 metres from the rear boundary. The proposed layout is such that the adjacent building proposed would be approximately 1 metre forward of the existing bungalow on the adjacent property. The front windows of the proposed buildings are approximately 22 metres from the windows of the existing dwelling opposite, with Down Road situated between. To the rear, the windows of the nearest property are in excess of 30 metres away. The proposed garage and access area, together with Church Road are then situated between. Having regard to this, it is not considered that the proposed development would lead to an unacceptable relationship as a result of any over looking. Similarly, the position and orientation of the development in relation to the existing dwelling on the adjacent site is such that no material amenity or privacy impact would occur.

5.9 The proposed development is therefore acceptable in residential privacy and amenity terms.

5.10 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 provides maximum parking standards for new development.

5.11 It is not considered that the proposed development would have a material impact upon vehicular movements at the junction with Down Road and Church Road. The previous application (PT07/1307/F) did not demonstrate that there would be sufficient visibility and turning/access space within the site. However, in this instance the proposal would result in the widening of the access onto Church Road which is currently made up of a low stone wall (which continues along the boundary of the site to Winterbourne Down Road). It is not considered that the extent of the removal of this part of the wall would have a material impact in terms of the character of the locality. The wall is approximately 900mm in height which is sufficient to allow a view across it when leaving the site in a motor vehicle. The proposed garages are positioned in such a way that there is sufficient room to provide a 2.4m x 22m visibility splay, which is adequate given the ambient speeds of vehicles in this part of Church Road. In this instance it is considered that the design of this development proposal has adequately addressed the previous transportation refusal reasons and as such is now acceptable in transport terms.

5.12 Design and Access Statement

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

5.13 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission is approved subject to the following conditions.

Background Papers **PT08/1922/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, D, E, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason(s):

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

3. No development shall take place until details and/or samples of the roofing, external facing and external joinery 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 and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason(s):

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

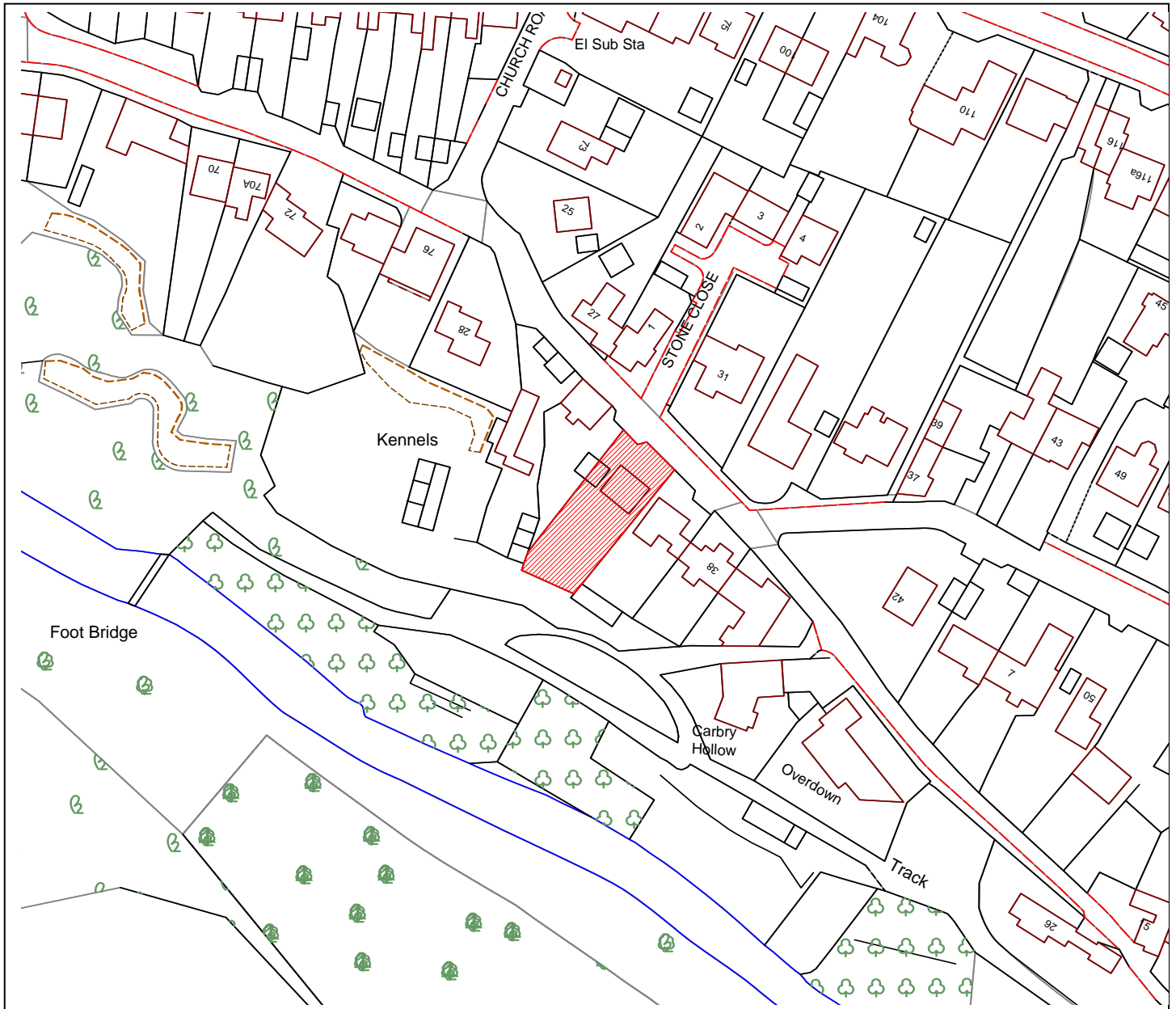
4. Within 6 months of the date of the decision; or prior to the commencement of the development (whichever is the sooner) drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within 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(s):

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

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PT08/2362/F	Applicant:	Mr B Dowling
Site:	34 Stone Lane, Winterbourne Down, South Gloucestershire, BS36 1DQ	Date Reg:	21st August 2008
Proposal:	Demolition of existing dwelling to facilitate the erection of 1no. detached dwelling with associated works.	Parish:	Winterbourne Parish Council
Map Ref:	65407 79515	Ward:	Winterbourne
Application Category:	Minor	Target Date:	11th October 2008



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 100023410, 2008.

The application appears on the Circulated Schedule in view of the comments that have been received from The Winterbourne Down Society.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for a three bedroom detached dwelling in lieu of a two-storey three bedroom property. It is noted that this former dwelling had already been demolished at the time of the site visit.
- 1.2 The application relates to a now vacant plot of land on the south side of Stone Lane within the settlement boundary of Winterbourne Down.
- 1.3 Amended plans form part of this application in an attempt to address Officer concerns raised in respect of the original plans submitted.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
PPS3: Housing
PPG13: Transport
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1: Achieving Good Quality Design in New Development
H2: Proposals for Residential Development
H4: Development within Residential Curtilages
T7: Cycle Parking
T8: Parking Standards
T12: Transportation Development Control Policy for New Development
L1: Landscape Protection and Enhancement
L18: The Water Environment
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection
- 4.2 Other Consultees
PROW Officer: unlikely to affect the nearest PROW
Highways DC: no objection
Technical Services (Drainage): no objection in principle

Other Representations

- 4.3 The Winterbourne Down Society
Concern is expressed regarding the demolition of the existing dwelling prior to the granting of permission. This is considered to show a 'flagrant disregard' of planning regulations and the authority of the Council. Was any action taken by the Council to halt the demolition and can action be taken against those whom are responsible?
- 4.4 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policies H2 & H4 of the South Gloucestershire Local Plan allow for the principle of new residential development subject to considerations of design, residential amenity and highway safety. Further, the maximum density compatible with the site and location should be achieved whilst adequate private amenity space should be retained for any existing dwelling and provided for new separately occupied units.
- 5.2 Design/ Visual Amenity
The application relates to a vacant plot which until very recently, provided for a three bed two-storey detached dwelling with a detached garage. At the time of the site visit, the dwelling had been demolished with site yet to be cleared.
- 5.3 It is noted that the demolished dwelling formed one of three similar properties to this side of Stone Lane with the others still in situ east of the application site. Properties to the west of the application site are of differing design comprising older cottage style dwellings which share the gabled roof design of the former dwelling. In contrast, those dwellings opposite comprise two bungalows with the recent two-storey terraced style dwellings occupying Stone Close.
- 5.4 The application seeks full planning permission for a three bedroom detached dwelling that would incorporate an integral single garage. The proposal would occupy a steeply sloping site with land falling at the rear towards the Frome Valley. As such, the proposal would benefit from an undercroft at the rear that would provide further living accommodation.
- 5.5 The proposal would equal the height of the former dwelling but extend across the application site (encompassing the site of the former detached garage). As per the demolished building, the proposal would benefit from a ridge that would run parallel with the highway incorporating flank gables to either side. A front gable to the east side of the unit has been retained although in view of Officer concerns, this has been lowered so as to stand below the ridge line; a further dummy gable to the western side has now been removed. A lean-to roof would incorporate the forward projecting garage and entrance porch.
- 5.6 The rear of the new dwelling would appear three-storeys given the topography of the application site. To this extent, the main part of the build would extend to a similar depth as the original dwelling with the rear building line aligning with that of the neighbouring property. A two-storey projection behind (incorporating the undercroft) would project 3.5m into the rear garden area with this covered

- by a lean-to roof. This replaces the initially proposed flat roof that would have served as balcony accommodation to the first floor.
- 5.7 Further changes have reduced the width of the dwelling to allow more space around the building and address the 'stretched' appearance of the proposal. Further, the fenestration arrangement has been amended to help ensure that window and door openings across the floor levels align whilst chimney stacks have been added to either end of the build to reflect those of the neighbouring dwellings.
- 5.8 In view of the above, the proposal is now considered to be acceptable and in keeping with the general character of the area. As such, there is no objection to the current proposal on this basis.
- 5.9 Density
Planning policy H2 advises that the maximum density compatible with the site, its location and accessibility should be achieved. In this regard, the expectation is that development will achieve a minimum of 30 dwellings per hectare with upwards of 50 dwellings per hectare where local circumstances permit.
- 5.10 In this instance, the proposal would provide a density of development equating to 29 dwellings per hectare. Whilst this falls very slightly below the threshold aspired, this does not take account of the site topography which would inhibit additional development. Further, the proposal is considered reflective of the general pattern of development within the locality whilst further development is also likely to generate neighbour and highway related concerns. Accordingly, there is no objection to the current proposal on this basis.
- 5.11 Residential Amenity
The neighbouring property to the west of the application site comprises a link-detached two-storey dwelling of similar design to the demolished unit. This unit is devoid of side facing windows (with the exception of a side entrance) whilst it is noted that the rear building line of this existing dwelling would align with the rear wall to the first floor element of the proposal (dictating a near identical roof shape).
- 5.12 Notwithstanding the above, the initial design would have incorporated a large balcony above the projecting rear extension that would have allowed elevated views into this neighbouring garden. This was considered wholly unacceptable and thus a lean-to roof would now help limit overlooking from this level. The smaller balcony has been retained at ground level (above the undercroft); this is considered to be acceptable in view of its lower height and limited size.
- 5.13 For the above reasons, it is not considered that any significant adverse impact in residential amenity would now be caused to these neighbouring residents.
- 5.14 Similarly, the omission of the rear balcony would help prevent views across to those properties west of the application site with the neighbouring dwelling fronting the highway and that behind facing the application site. In this regard, that unit to the front comprises a two-storey cottage style dwelling which stands adjacent to far side flank boundary with that behind overlooking the rear garden serving this neighbouring dwelling. Nonetheless, given the amended design and reduced size of the proposal, it is again not considered that any significant adverse impact in residential amenity would be caused.

5.15 Concerning those properties opposite, the proposal would not introduce any new issues of overlooking whilst given the relationship between these units (i.e. on opposing sides of the highway), this level of inter visibility is considered to be acceptable. Further, with the overall bulk and massing of this new dwelling comparable to the former dwelling (i.e. two-storey), it is not considered that any significant adverse impact in residential amenity would be caused.

5.16 Highway Safety

The proposal would accommodate sufficient car parking for two vehicles (one in the garage and one on the drive). For this reason, there is no transportation objection to this current proposal.

5.17 Outstanding Issues

Any works undertaken prior to the granting of planning permission are done so at risk to the applicant. Therefore, it would have been desirable to retain the former dwelling until permission was granted for a replacement. Nonetheless, planning permission is generally not required for the demolition of a dwelling, merely a prior notification to agree the method of demolition.

5.18 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.

5.19 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 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 **PT08/2362/F**

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

CONDITIONS

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

Reason(s):

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

2. 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(s):

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

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

Reason(s):

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

4. Within 6 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(s):

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

5. 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(s):

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

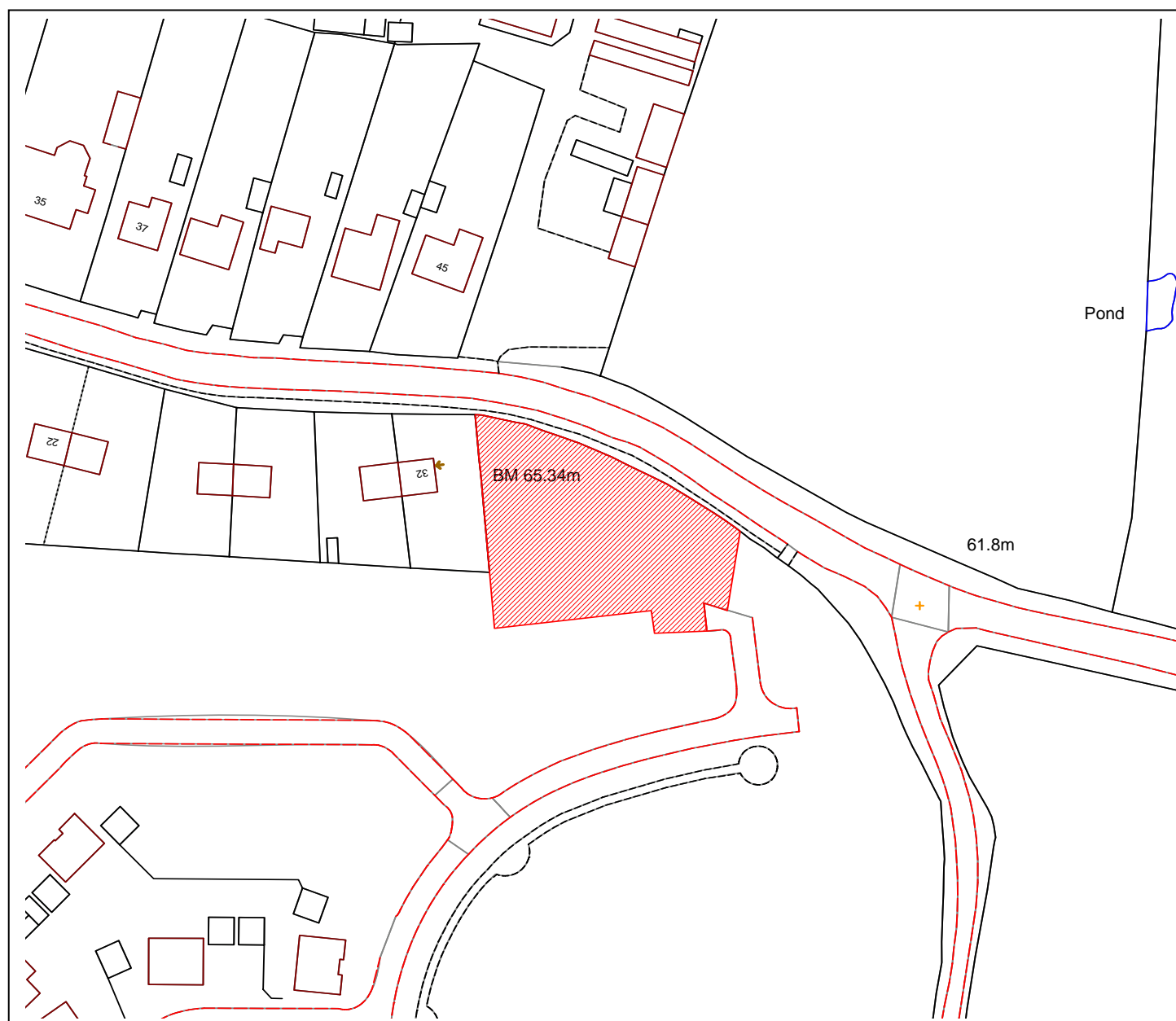
6. Within 6 months of the date of the decision drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local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

Reason(s):

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

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PT08/2368/F	Applicant:	Barratt Homes
Site:	Plots 130 & 131 Hortham Village Development, Hortham Lane, Hortham, South Gloucestershire, BS34 5JH	Date Reg:	22nd August 2008
Proposal:	Substitution of house type B11 to B06 at Plot 130 and B15 to B12 at Plot 131. (Amendment to previously approved scheme PT06/0865/F).	Parish:	Almondsbury Parish Council
Map Ref:	62183 84454	Ward:	Almondsbury
Application Category:	Minor	Target Date:	14th October 2008



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1 N.T.S

PT08/2368/F

This application appears on the Circulated Schedule in view of the concerns expressed by the Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks planning approval for the variation of two house types at plots 130 and 131 Hortham village. The application site comprises part of the former Hortham hospital site where planning permission has previously been granted for 270 dwellings under PT06/0865/F.
- 1.2 The application relates to two new dwellings which would occupy a prominent position fronting Hortham Lane. The approved dwellings consist of house types B11 (Plot 130) and B15 (Plot 131) with permission sought for a change to B06 and B12 respectively.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belt
PPS3	Housing
PPG13	Transport

2.2 Adopted Joint Replacement Structure Plan

Policy 16	Green Belt
Policy 33	New Housing Land
Policy 34	Priority Sites for Housing
Policy 35	Housing Need and Development Types

2.3 South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
H1	Proposed Sites for New Residential Development and Mixed Use Schemes including Residential Development (Site 11)
GB3	Redevelopment of the Major Developed Site in the Green Belt at Hortham Hospital, Almondsbury
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

2.4 Supplementary Planning Document

South Gloucestershire Design Checklist (Adopted)
Development within the Green Belt (Adopted)

2.5 Other Documents

Hortham Hospital Development Brief (Barton Wilmore Planning, November 2005, Endorsed on 11th December 2006)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/0865/F : Demolition of existing buildings; erection of 270 dwellings on 34.17 hectares of land to include new access, landscaping bunds, public open space, landscaping details associated work to Hortham Lane & Hortham Lane/A38 junction. Permitted: March 2007

- 3.2 PT07/3177/F: Substitution of four bedroom detached dwelling types BA17 on plots 116 and 118 as permitted by PT06/0865/F) to be replaced with four bedroom detached dwelling type BA07. Permitted: 30 November 2007
- 3.3 PT07/3728/F: Substitution of house type T-16 for T-18 at plots 134, 143 and 158 (amendment to previously approved PT06/0865/F). Withdrawn
- 3.4 PT07/3730/F: Substitution of house type T-11 for T-30 at plots 152, 153 and 154 (amendment to previously approved PT06/0865/F). Withdrawn

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish/ Council
Objection: 'The Parish Council strongly objects to the types of housing being constantly changed and made larger than the original designs'
- 4.2 Other Consultees
Highways DC: no objection
Landscape Officer: no objection

Other Representations

- 4.3 Local Residents
No Comments Received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning approval for the change of house type at plots 130 and 131 Hortham Village as approved under PT06/0865/F.
- 5.2 Principle of Development
The principle of the development of 270 dwellings at this location as a whole is established by virtue of the aforementioned planning permission. This approval was in light policy H1 (Site 11 Hortham Hospital) with this former hospital site having been allocated for residential development. Further, the basic design principles for the development were set by the Hortham Hospital Development Brief (Endorsed 11th December 2006).
- 5.3 Design/ Visual Amenity
Plots 130 & 131 occupy a prominent position fronting Hortham Lane. To this extent, the proposed dwellings would sit beyond the main area of development alongside the existing residential development on this side of the highway.
- 5.4 Plot 130 will comprise the eastern edge of development adjacent to one of the vehicular entranceways to main site. The application seeks permission for a change of house type at this location substituting house type B11 for house type B06. In this regard, it is noted that the proposal comprises a smaller dwelling forming a four bedroom two-storey detached property in lieu of the approved five bed unit. To this extent, the revised proposal is considered to be preferable in design terms, thus there is no objection to this change.
- 5.5 Plot 131 sits adjacent to the above alongside no. 22 Hortham Lane; an existing two-storey semi-detached dwelling which does not form part of this residential development. In this instance, the revised proposal would also provide a two-storey four bedroom detached dwelling in lieu of a five bedroom detached unit.

- 5.6 Having regard to the above, this second amended design is also considered to be preferable in design terms replacing an approved dwelling which featured a large expanse of brick wall in addition to a utility door on the front elevation. As such, there is again no objection to the current application on this basis.
- 5.7 Impact upon the Openness of the Green Belt
The approved development for 270 dwellings was approved on the basis that it satisfied the following criteria;
- o To have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land within it, and where possible have less; and
 - o Contribute to the achievement of the objectives for the use of land in Green Belts; and
 - o Not to exceed the height of the existing buildings; and
 - o Not to occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity); and
 - o Not to have an unacceptable transportation impact.
- 5.8 In this instance, the proposed replacement dwellings are essentially similar in nature and scale comprising two-storey detached units as previously approved. As such, there is considered to be no material difference having regard to the building type previously proposed and thus it is considered that there can be no reasonable objection on Green Belt grounds.
- 5.9 Notwithstanding the above, and in view of those concerns expressed by the Parish Council, it is noted that the overall size of each unit would be subject to change. In this regard, the revised dwelling type at plot 130 would be reduced in size with its overall length reduced by some 4m and overall depth reduced by almost 5m. Its ridge would be near identical to that of the approved dwelling.
- 5.10 The proposed dwelling on plot 131 would be slightly larger, albeit with a slightly reduced width but with an increased depth (almost 1.5m). The ridge would be marginally increased by slightly less than 0.5m. To this extent, it is considered that the overall impact of the build would be comparable (if not less) when that that of the previously approved dwellings.
- 5.11 Residential Amenity
The existing dwelling fronting Hortham Lane comprises a semi-detached two-storey build which is inset from the boundary with a detached garage building adjacent to a 1.8m high (approx.) close-boarded boundary fence. Similarly, the proposal would be inset from this boundary with one secondary lounge window at ground level, and an ensuite bathroom window and secondary bedroom window above. This relationship is considered to be acceptable, primarily by virtue of the large separation distance involved.
- 5.12 Dwellings behind (yet to be built) form part of the larger scheme with there considered to be no material difference in the relationship between these units in comparison with the already approved scheme. Accordingly, there is no objection to the revised proposals on this basis.
- 5.13 Highway Safety
The principle of development has already been established with the previously approved parking and access arrangements largely unaffected. Accordingly, there is no transportation objection to this current proposal.

5.14 Outstanding Issues

It is necessary that a condition, requiring the details of the materials to be used is agreed by the Local Planning Authority to ensure that they remain consistent with the pallet of materials agreed for the overall development. Similarly, in order that the buildings achieve the same standards of sustainable construction as the surrounding development, it is considered appropriate that a condition is applied requiring that the buildings achieve Eco-homes Level 3 (equivalent to BREEAM Standard Very Good).

5.15 Design and Access Statement

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

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.

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 **PT08/2368/F**

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

CONDITIONS

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

Reason(s):

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

2. For the avoidance of doubt, this planning permission relates only to the dwellings to be provided at plots 130 and 131 as detailed under under planning permission PT06/0865/F. The development hereby permitted shall be carried out at Plots 130 and 131 only as an alternative to this previous planning permission granted on 28th March 2007 (PT06/0865/F) but not in addition to it (with the exception of the detached garage buildings referred to in condition 6), to the intent that the applicant may carry out one of the developments permitted but not both, nor parts of both developments.

Reason(s):

To prevent an over-development of the site and to accord with Planning Policies D1, H1, GB3 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. 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(s):

To ensure a satisfactory standard of external appearance and to ensure that the development is consistent with the appearance of the remainder of the development as approved under PT06/0865/F and to accord with Planning Policies D1, H1 and GB3 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The development hereby permitted shall proceed in accordance with the Sustainability Statements as submitted by the applicant in support of development as approved under PT06/0865/F.

Reason(s):

In order that the dwellings are consistent with the development as approved under PT06/0865/F and in order to provide a sustainable form of development in accordance with Planning Policies H1 and D1 of the adopted South Gloucestershire Local Plan (January 2006); and PPS1 and PPS3.

5. Prior to the first occupation the development hereby approved a formal assessment is to be undertaken by a licensed BREEAM assessor shall confirm (and a copy of the appropriate report shall be provided to the Local Planning Authority) that the substitute dwellings on plots 116 and 118 as approved achieve Code for Sustainable Homes Level 3 standard.

Reason(s):

In order that the dwellings are consistent with the development as approved under PT06/0865/F and in order to provide a sustainable form of development in accordance with Planning Policies H1 and D1 of the adopted South Gloucestershire Local Plan (January 2006); and PPS1 and PPS3.

6. For the avoidance of doubt, the associated detached garage buildings shall comprise the same design and size as previously approved (PT06/0865/F) which shall be constructed in the same position.

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.

7. No windows other than those shown on the plans hereby approved shall be inserted at any time in the west elevation of the property at plot 131.

Reason(s):

To protect the residential amenity of the neighbouring occupiers and to accord with Planning Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PT08/2418/TRE	Applicant:	Mr N Vernon
Site:	Glebe Cottage, Castle Street, Thornbury, South Gloucestershire, BS35 1HQ	Date Reg:	29th August 2008
Proposal:	Works to fell 1no sycamore tree (T1) covered by South Gloucestershire District Council Tree Preservation Order.	Parish:	Thornbury Town Council
Map Ref:	63406 90580	Ward:	Thornbury North
Application Category:	Minor	Target Date:	22nd October 2008



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INTRODUCTION

This application has been referred to the Circulated Schedule due to objections received from local residents.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the felling of 1 Sycamore tree covered by a TPO at Glebe Cottage, Castle Street, Thornbury. The tree is located within the paddock to the front of the property.
- 1.2 The application site is located within the settlement boundary of Thornbury and is also within the Conservation Area. The tree makes a significant contribution to the character and visual appearance of the locality, being located opposite St.Mary's Church and in close proximity to Thornbury Castle.
- 1.3 The application has been submitted due to concerns over the health and condition of the tree which is in close proximity to a well used public footpath and Castle Street.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPG15 Planning and the Historic Environment
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
L1 Landscape Protection and Enhancement
L12 Conservation Areas
- 2.3 Supplementary Planning Guidance
None relevant.

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection, subject to compensatory planting.

Other Consultees

- 4.2 Sustainable Transport
Not relevant.

Other Representations

- 4.3 Local Residents
4 letters have been received, 3 objecting to the proposal on the following grounds:-

- a) ancient tree adds to the beauty of this part of Thornbury;
- b) second opinion sought about danger posed to pedestrians;
- c) tree surgery rather than felling.

A petition containing 16 signatures has also been received requesting that the tree should remain.

1 further letter has been received stating that the owner has a duty of care to the general public and as such the tree must be felled due to its poor state of health.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Policy L1 of the adopted local plan seeks to retain features that significantly contribute to the character of the landscape. The tree is highly visible over the wider area and as such has high amenity value, especially as it is located within the Conservation Area.
- 5.2 The proposed tree works have been assessed by the Council's Tree Officer. The tree is a very large Sycamore that offers high visual amenity to the area. Tree Officers have been monitoring the decline of the tree for the past two years and it has got progressively worse. It is now considered that it has reached a point where it is unsafe and could be in danger of collapse or limb failure. There are fruiting bodies of the decay fungi *Kretzschmaria deusta* on the edges of the root flare on the north-west side of the tree. This fungi causes the wood to become brittle and extensive infection can increase the risk of breakage.
- 5.3 Two pruning wounds at approximately 2m on the northern side have extensive decay with the remains of unidentified fungal fruiting bodies. A 500mm probe was used to investigate the extent of decay in the stem. The probe penetrated to its full length indicating that the decay has extended some way into the centre of the trunk. A strip of darkened dead bark is present on the south east side extending downwards from 4m to the decayed pruning wound previously mentioned. There is a similar strip of darkened bark on the southern most vertical limb.
- 5.4 There is extensive die back in the outer crown. Some branches are carrying dead flower stalks indicating that the die-back has occurred since flowering in April. There is also branches carrying yellowing leaves that would indicate the die-back is continuing. The canopy is generally thinner and the leaves are smaller than would be expected from this species.
- 5.5 Due to the previous removal of many of the inner branches from the mid-crown, any further branch reduction would remove the majority of the foliage, decreasing the trees ability to photosynthesis. As the tree is growing with reduced vigour it is unlikely to respond well to any major surgery. In fact any tree surgery could accelerate the decline of the tree. Any attempt to reduce the size of the tree will also have a major impact on the visual amenity the tree offers the area.
- 5.6 Due to the position of the tree, adjacent to the road and footpath that are in constant use by members of the public and especially school children and parents, any failure could have devastating results. As a consequence it is regrettably recommended that the tree should be removed and a replacement

planted. Other options of tree management have been investigated but have all proved unsuitable therefore removal and replanting are the only viable option.

6. CONCLUSION

- 6.1 The decision to grant consent 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 consent for the works be granted subject to the following conditions.

Background Papers **PT08/2418/TRE**

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

CONDITIONS

1. The works hereby authorised shall be carried out within three months of the date on which consent is granted.

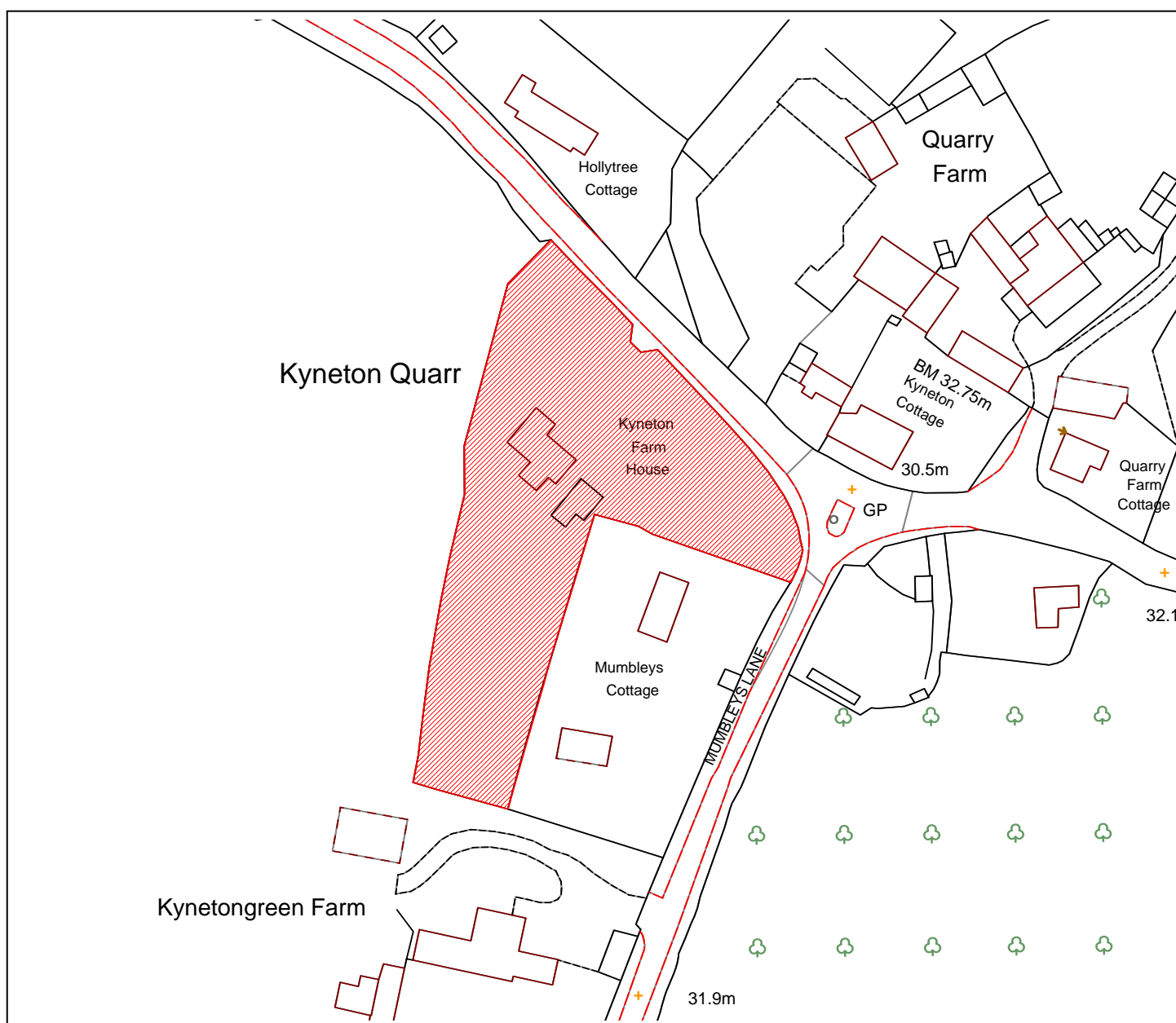
Reason(s):
In the interests of public safety.

2. A replacement tree, the species, size and location of which is to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

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

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PT08/2420/CLE	Applicant:	Mr J Jordan
Site:	Kyneton Farm House, Kington Lane, Kington, Thornbury, South Gloucestershire, BS35 1ND	Date Reg:	29th August 2008
Proposal:	Application for Certificate of Lawfulness for existing use as residential without compliance with agricultural occupancy condition.	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	62222 90052	Ward:	Severn
Application Category:	Minor	Target Date:	15th October 2008



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1 N.T.S

PT08/2420/CLE

INTRODUCTION

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 This application is for a Certificate of Lawfulness for the continued occupancy of the subject dwelling by persons who are not employed in agriculture or forestry for the purposes of condition (02) of planning permission P84/1566.
- 1.2 The site consists of a large detached bungalow which is situated within an extensive curtilage. The site is adjoined by agricultural land to the west.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 N.6486 Erection of agricultural workers dwelling. Alteration to existing vehicular access, installation of septic tank (outline).
Approved on 4th March 1980
- 3.2 P84/1566 Erection of an agricultural workers dwelling and garage Together with the construction of vehicular and pedestrian access. Installation of a septic tank.
Approved on 27th June 1984

4. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 4.1 The claimant (Mr J Jordan) has submitted an individual sworn declaration supported by letters from independent persons known to them. The declaration provide a detailed account and key dates over period of the occupation of the dwelling and site since 1989. Mr Jordan has not been employed in agriculture related business during the period from 1990 to present.

5. SUMMARY OF CONTRARY EVIDENCE

- 5.1 None Received

6. OTHER REPRESENTATIONS RECEIVED

- 6.1 No comments received from Oldbury-on-Severn Parish Council.

7. EVALUATION

- 7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to prove precise and unambiguous evidence.
- 7.2 In this instance it must be proven that the occupancy of the dwelling subject to this application has been so in breach of condition (02) of planning permission P84/1566 for a period in excess of 10 years.
- 7.3 The condition reads: -
- 02 The occupation of the dwelling hereby authorised shall be limited to a person solely or mainly employed, or last employed, within the Northavon District in agriculture as defined in section 290(1) of the Town and Country Planning Act 1971, or within forestry (including any dependants of such person residing with him, or a widow or widower of such person.**
- 7.4 The applicant has submitted sworn declarations supported with third party evidence in the form of letters to the applicant.
- 7.4 Clearly, the subject dwelling and surrounding land as detailed within this application is currently in use by Mr J Jordan for residential purposes. This is shown by the well established residential curtilage which is evident when you visit the site. Furthermore, the evidence presented shows that Mr J Jordan has resided in the dwelling for a period since 1989, and in breach of condition (02) of planning permission P84/1566 between the period of 1990 until the time of submitting this application
- 7.5 Having regard to the above, it is considered that the weight of evidence presented by the applicant proves that, on the balance of probability, the dwelling subject to and detailed in this application has been used for residential purposes in breach of condition (02) of planning permission P84/1566) for a period in excess of 10 years.
- 7.6 Notwithstanding the above, there is a clear discrepancy between the residential curtilage approved under P84/1566 and the location plan submitted with this application. The residential curtilage shown in this application extends to the south and west of the original curtilage, onto land which related to the original farming unit. The applicant has not mentioned this change of use in the application description. Furthermore, no evidence has been provided which proves, on the balance of probability, that this land has been used for normal residential purposes for a period in excess of 10 years. In view of this, it is considered that a Certificate of Existing Lawful Use cannot be granted.

8. RECOMMENDATION

- 8.1 A Certificate of Existing Lawful Use to be **REFUSED** for the following reason:

Background Papers **PT08/2420/CLE**

Contact Officer: **Peter Rowe**
Tel. No. **01454 863131**

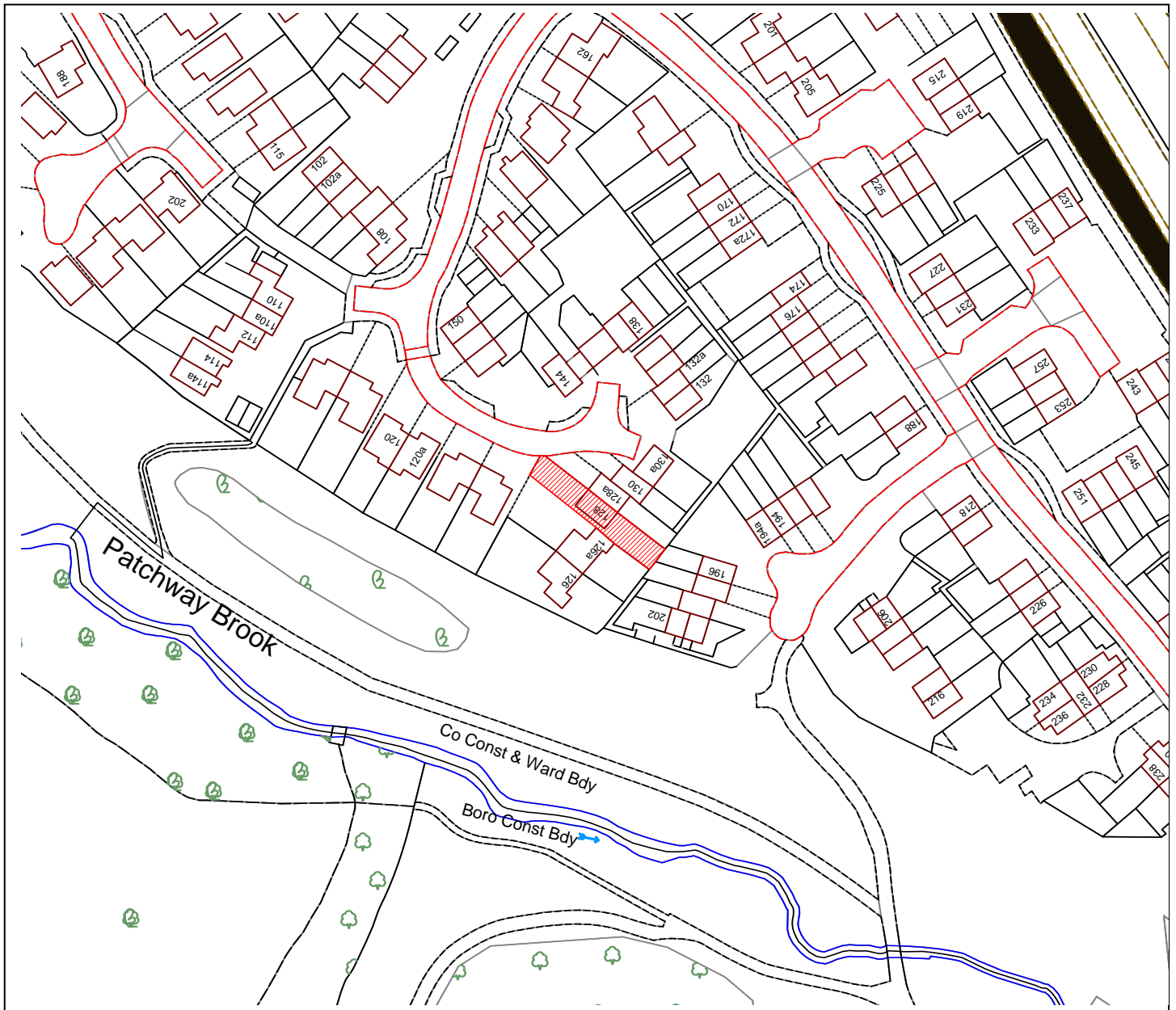
REFUSAL REASONS

The evidence submitted with this application has failed to prove, on the balance of probability, that all of the land outlined in red on the Location Plan dated 20th August 2008 has been used for residential curtilage for a period in excess of 10 years.

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.: PT08/2428/F
Site: 128 Ormonds Close, Bradley Stoke,
 South Gloucestershire, BS32 0DY
Proposal: Erection of rear conservatory.
Map Ref: 62386 82321
Application Category: Minor

Applicant: Mr Winslade
Date Reg: 1st September 2008
Parish: Bradley Stoke Town
 Council
Ward: Bradley Stoke North
Target Date: 21st October 2008



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N.T.S

PT08/2428/F

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a rear conservatory.
- 1.2 This is a modern end terrace property within the existing urban area of Bradley Stoke. The proposal consists of a conservatory to the rear with Rosewood UPVC plinth, 3.0 m deep, 3.8 m in width and 3.5 m in height. The roof is hipped.

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

H4 Development within Existing Residential Curtilage

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

No relevant history

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

No objection raised

Other Representations

4.2 Local Residents

One letter of objection received raising the following concerns:

- The conservatory would block views of school fields / woods.
- House value would decrease as a result of the proposal
- The proposal would lead to a loss of light
- The proposal would lead to a loss of privacy

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 states that *proposals for development within existing residential curtilages*, will be permitted subject to certain criteria. The principle of the development is therefore acceptable subject to the following detailed assessment.

5.2 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. The proposed conservatory would be set back by approximately 0.2 m from the party boundary of no. 128a Ormonds Close and given the modest 3 m depth of the conservatory within a 12 m deep rear garden it is not considered the proposal would lead to significant overbearing. No. 128a is a south-east facing property and so the conservatory would not lead to a significant loss of daylight into its habitable rooms at the rear.

Privacy Analysis

The proposal is single storey and there is an existing party boundary fence with no. 128a Ormonds Close approximately 1.6 m in height. The majority of the side elevation of the conservatory has a plinth 2 m in height which would ensure no overlooking and the boundary treatment is sufficient for the remaining part of the conservatory.

Amenity Space

Whilst the proposed conservatory does project into the rear garden its modest size means that sufficient garden space will remain to serve occupiers of the property.

Highway Safety Analysis

As the conservatory is located at the rear of the property it will not impact on the property's parking arrangements, located at the front of the house, nor will it prejudice highway safety.

5.3 Design / Visual Amenity

The proposal is modest in scale and its location to the rear of the building together with the chosen construction materials, means that this is an appropriate addition to the dwelling and streetscene. The proposal is well screened from the public realm to the side and rear and therefore there is no harm caused to the visual amenity.

5.4 Other Matters

The local resident raised concern over loss of value to their property however this is not a material planning consideration. Similarly, the alleged loss of views from the rear of the objector's property is not a material planning consideration.

5.5 Section 106 Requirements

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Background Papers **PT08/2428/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.

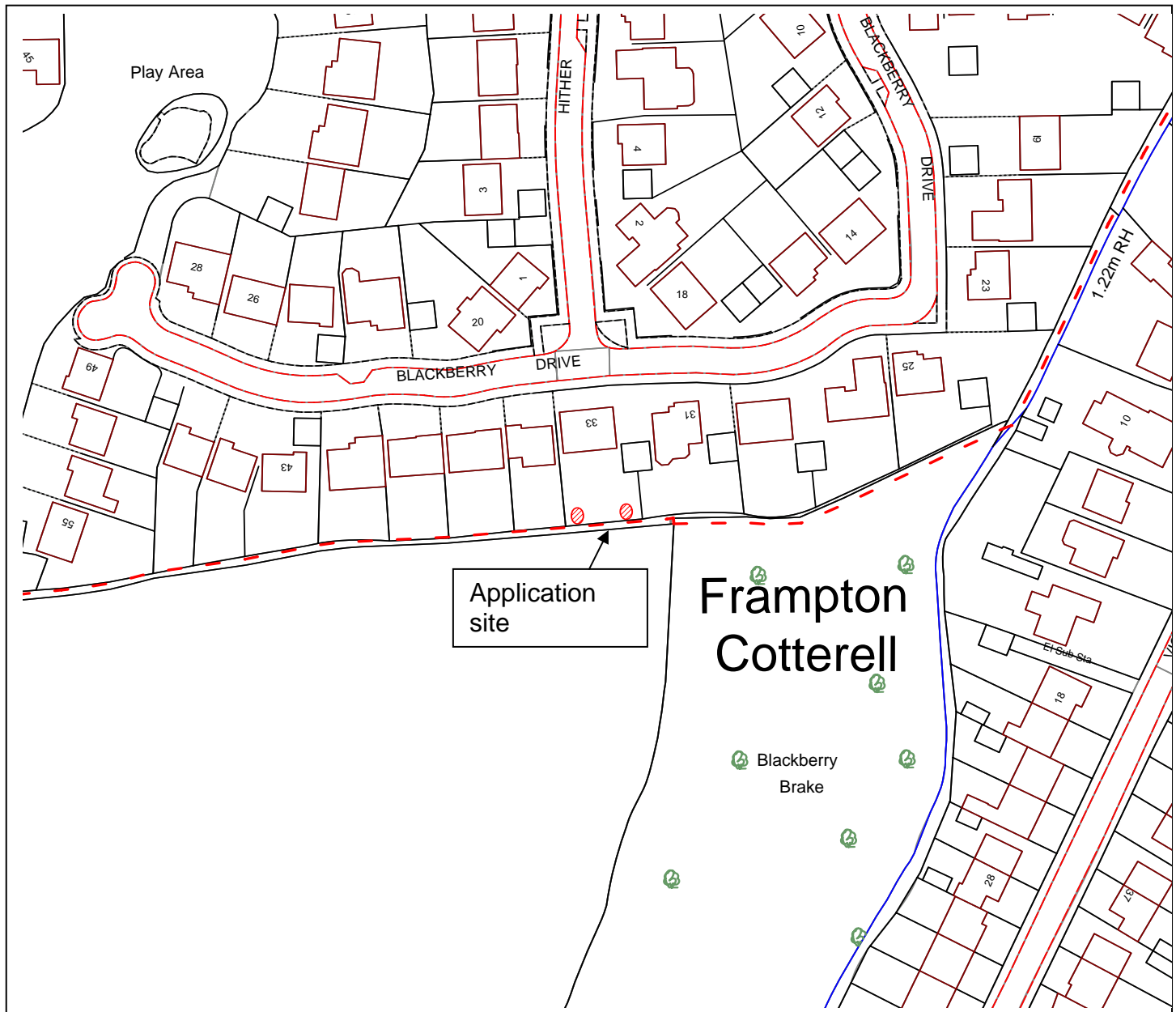
Reason(s):

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

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.: PT08/2432/TRE
Site: 33 Blackberry Drive, Frampton Cotterell, South Gloucestershire, BS36 2SL
Proposal: Works to 2 no. Oak Trees covered by South Gloucestershire District Council (Land at Park Farm Frampton Cotterell) Tree Preservation Order.
Map Ref: 66987 80610
Application Category: Minor

Applicant: Mrs J Coalburn
Date Reg: 1st September 2008
Parish: Westerleigh Parish Council
Ward: Frampton Cotterell
Target Date: 23rd October 2008



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N.T.S

PT08/2432/TRE

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The applicant seeks consent for works to to 2 no. Oak Trees covered by South Gloucestershire District Council (Land at Park Farm Frampton Cotterell) Tree Preservation Order. The works include: -
- 20% crown thin; and
 - Removal of lateral branches that over hang the garden.
- 1.2 According to the applicant, these works are required because the trees are dominating and shading the garden. Moreover, the trees need to be re-balance and maintained.
- 1.3 The application site relates to two oak trees situated within the rear garden of modern detached dwelling situated within well established residential area of Frampton Cotterell.
- 1.4 This application follows several previous applications for similar works. These are detailed below.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1: Delivering Sustainable Development
- 2.2 South Gloucestershire Local Plan (Adopted) January 2006
L1: Landscape Protection and Enhancement
L4: Forest of Avon

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
None received.
- 4.2 Tree Officer
No objection.
- 4.3 Local Residents
One letter of objection has been received from a local resident. This has been summarised below: -
- A. The trees are not unsafe or hazardous;
 - B. The works appear to be unnecessary;
 - C. The works may not reduce amount of shade;
 - D. High impact on the amenity value and wildlife;
 - E. Comments from a qualified arboriculturalist are required;

- F. Trees form part of long standing historic boundary; and
- G. The trees were in-situ prior to the construction of the dwellings.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 seeks to conserve and enhance the character, quality and amenity of the landscape and to retain and protect trees which contribute to the overall character or distinctiveness of the area.

5.2 Impact on Trees

The trees are mature Oaks growing on the boundary, at the rear of the property. They have a full, well balanced crown and the canopy edges are clear of the property. The application is to crown thin by 20%, however the reasons stated for the works is to rebalance/form/shape the tree. A crown thin is not intended to reshape form or rebalance the tree canopy.

The definition of a crown thin contained within BS3998:1989 Recommendations for Tree Work is:-

“Crown thinning, which involves the removal of a proportion of secondary and small, live branch growth from throughout the crown to produce an even density of foliage around a well spaced and balanced branch structure should usually be confined to broad leaf trees. Crossing, weak, duplicated, dead and damaged branches should be removed”

There was an application in May 2008 to crown reduce the trees by 20% which was refused by South Gloucestershire Council due to the detrimental affect this would have to the health of the tree and the visual amenity the tree offers to the area.

There are concerns that the proposed 20% thin would result in a crown reduction. Therefore it should be made clear that a 20% crown thin would be acceptable but any other works which result in the existing tree crown being re-shaped or re-balanced would require further consent from South Gloucestershire Council. This will be made clear to the applicant through an informative attached to the consent.

The applicant also wish's to remove lower lateral branches to a height of 20ft. This would have a major impact on the visual amenity. Crown lifting the tree to 4mtrs would allow more light into the garden and allow access under the canopy whilst retaining the visual amenity offered by the trees.

Any works other than a 20% crown thin and 4mtr crown lift will thus be unauthorized and liable to prosecution. These works would be secured via a appropriate condition.

5.2 Impact on Ecology

Of all our native tree species, oaks have the greatest diversity of insects associated with them and are thus particularly attractive as feeding habitat for bats. While there is the possibility that the trees are sufficiently old to offer the sorts of features used by roosting bats – such as fissures, cracks, rot holes etc

– it is highly possible that the anecdotal accounts of bat activity in the vicinity of the trees is foraging, rather than numbers emerging from a roost.

Notwithstanding this, as the application specifically relates to judicial husbandry of the trees, the application should be able to avoid impacting on any roosts by dint of either (i) there being no roosts present (i.e. the bats observed were foraging in the curtilage of the trees); or (ii) surveying the two trees and avoiding impacting on any features likely to offer roosting opportunities – i.e. fissures, rot holes etc. This will be made clear to the applicant through an informative attached to the consent.

6. CONCLUSION

The decision to grant consent 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 Consent be GRANTED subject to the following conditions:

Background Papers **PT08/2432/TRE**

Contact Officer: **Peter Rowe**
Tel. No. **01454 863131**

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted (or other appropriate timescale).

Reason(s):

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

2. The works hereby authorised shall comply with British Standard 3998: 1989 - Recommendations for Tree Work.

Reason(s):

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

3. Notwithstanding the submitted details, the proposed works to 2no. Oak Trees shall only include a 20% crown thin and a 4 metre crown lift.

Reason(s):

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

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PT08/2487/FDI	Applicant:	Ibstock Brick Limited
Site:	Cattybrook Brickworks, Over Lane, Almondsbury, South Gloucestershire, BS32 4BX	Date Reg:	5th September 2008
Proposal:	Diversion of footpath parts of OAY 5, OAY6, OAY7 and OAY58.	Parish:	Almondsbury Parish Council
Map Ref:	59008 83515	Ward:	Almondsbury
Application Category:	Minor	Target Date:	16th October 2008



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PT08/2487/FDI

INTRODUCTION

The application appears on the Circulated Schedule in accordance with the Council's procedure for Public Rights of Way applications.

1. THE PROPOSAL

- 1.1 The application seeks planning approval for the stopping up/diversion of sections of public footpaths OAY 5, OAY 6, OAY 7 and OAY 58 to maintain the integrity of the existing public rights of way network during and following the completion of the development approved under planning consent PT02/1958/F.
- 1.2 The routes of these public rights of way are directly affected by the development proposals to extend the quarry at Cattybrook claypit, near Almondsbury to the north west into the three fields for the stocking of clay.
- 1.3 The proposals for a section of OAY 6 involve re-routeing a temporarily diverted footpath to run along the crest of the screening mound which is located along the western boundary of the clay stockpiling area and create a link to the retained section of OAY 4 and OAY 7.
- 1.4 It will be necessary to form an access route onto the mound at the north eastern and south western ends which will involve rising from approximately 15 metres AOD at the northern eastern end and 20 metres AOD at the south western end to a top of mound level of between 25 and 26 metres AOD.
- 1.5 Earthworks associated with the construction of the proposed footpath will involve minor elements of 'cut and fill' but would not compromise the stability of the bund or safety of the general public. Upon completion of the earthworks the affected areas and path will be grass-seeded.
- 1.6 Subject to the stopping-up/diversion scheme receiving the necessary Orders the approved Restoration Master Plan under the existing consent would be substituted, subject to Planning Authority approval, with the same base plan but making provision for the replacement of footpaths over the stockfield area once the minerals development and restoration have been completed at the site.

2. BACKGROUND

2.1 The Council previously considered an application PT06/228/FDI for the stopping-up/diversion of public footpaths OAY 5, OAY 6 and OAY 7 along the north west boundary of the site at the foot of the newly constructed bund. This application was considered by the Development Control (West) Committee on 1 February 2007 when it was resolved to refuse permission for the reason that:

"The proposed stopping-up/diversion of parts of public footpath OAY 6 and OAY 7 along the north west boundary of the site at the foot of the newly constructed bund would diminish the enjoyment of walking along the proposed route on the grounds of reduced views, sense of enclosure and the inadequately drained surface. The proposal would therefore lead to an overall reduction and diminishment in the quality of the public right of way network OAY 5, OAY 6 and OAY 7 contrary to Policy 23 of the adopted Minerals and Waste Local Plan and Policy LC12 of the South Gloucestershire Local Plan (Adopted January 2006)."

- 2.2 At the time of considering the application Members of the Development Control (West) Committee also resolved that a further application be invited to divert the footpath along the desired route along the top of the new screening mound at the site to address their concerns about the original route as proposed.
- 2.3 The amended application has been resubmitted in response to the invitation for a revised route along the top of the new screening mound as resolved by the Development Control (West) Committee on 1 February 2007.

3. POLICY CONTEXT

- 3.1 Minerals and Waste Local Plan (Adopted May 2002)
Policy 23 Public Rights of Way
Policy 35 Meeting Future Requirements for Clay Extraction

Preferred Area (A) North West of Cattybrook Claypit

3.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
LC12 Recreational Routes

4. RELEVANT PLANNING HISTORY

- 4.1 PT02/1958/F Extraction and stocking of brick clay.
Approved 15 March 2004.
- 4.2 PT06/2228/FDI Diversion/stopping-up parts of public footpaths OAY 5,
OAY 6 and OAY 7.
Refused 5 March 2007.

5. CONSULTATION RESPONSES

- 5.1 Almondsbury Parish Council
No objection.

Other Consultees

- 5.2 Ramblers' Association
Comments awaited.

6. ANALYSIS OF PROPOSAL

- 6.1 Principle of Development
The application is made under Section 257 of the Town and Country Planning Act 1990 which provides the power for local planning authorities to make orders to stop-up or divert footpaths to enable development for which planning permission has been granted.
- 6.2 The principle of the diversion of the footpaths directly affected by the development was accepted at the time of granting the original planning consent PT02/1958/F to extend quarrying at Cattybrook claypit to the north west into the three fields.

- 6.3 The applicants were advised on the decision notice granting permission to obtain appropriate diversions of footpaths OAY 6 and OAY 7 in order to maintain the integrity of the existing public right of way network both during and following the completion of the development.
- 6.4 Whilst the principle of the proposed diversion of the footpaths around the perimeter boundary of the three fields has been accepted it is not until such time as a footpaths diversion application is received under either the appropriate Highways Act or Town and Country Planning Act that the actual line of the new diverted route is considered.
- 6.5 The amended footpath diversion application is consistent with the invitation to resubmit a revised route along the top of the new screening mound at the site as resolved by the Development Control (West) Committee. The proposals take into account the operational and health and safety considerations, planning obligations/requirements, together with the recommendations of the Council's Rights of Way Officers and Landscape Officers.
- 6.6 Public Rights of Way
No objection in principle to this application subject to the following conditions:
- (i) A general width of 2m is required for all sections of footpath. Where the access slopes to the bund are to be re-graded, a 1.5m width will be acceptable.
 - (ii) Signage/waymarkers should be provided at the bottom of steps over the railway, on OAY 58, to facilitate route finding from both directions.
 - (iii) The new routes are to be clearly waymarked.
 - (iv) All agreed works to be completed prior to certification of the Order.
- 6.7 Landscape Issues
The Council's Landscape Architect has no comments to make on the amended application.
- 6.8 Health and Safety Concerns
The application is supported by a Geotechnical Report and bund access/egress design document which confirm that the earthworks associated with the construction of the proposed footpath would have no impact whatsoever on the stability of the mound and will not therefore compromise the safety of the general public.
- 6.9 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.

7. CONCLUSION

- 7.1 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.
- 7.2 The recommendation to raise no objection has been taken having regard to the policies and proposals in the South Gloucestershire Minerals and Waste Local Plan and the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

8. RECOMMENDATION

- 8.1 That no objection be raised to the proposed diversion/stopping-up of the parts of public footpaths OAY 5, OAY 6, OAY 7 and OAY 58 subject to the following conditions.
- 8.2 That the Head of Legal and Democratic Services be authorised to make an Order under Section 257 of the Town and Country Planning Act 1990.

Background Papers **PT08/2487/FDI**

Contact Officer: **Mark Davies**
Tel. No. **01454 864969**

CONDITIONS

1. Prior to the permanent diversion of public footpaths OAY 5, OAY 6, OAY 7 and OAY 58 details of surfacing materials shall be submitted to the Council's Public Rights of Way Section for written approval. The agreed details shall be implemented before the permanent diversion is brought into use, unless otherwise agreed in writing by the Local Planning Authority, and the condition of the footpaths shall be maintained thereafter to the satisfaction of the Council's Public Rights of Way Section.

Reason:

In the interests of public amenity and safety and to accord with Policy LC12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy 23 of the South Gloucestershire Minerals and Waste Local Plan.

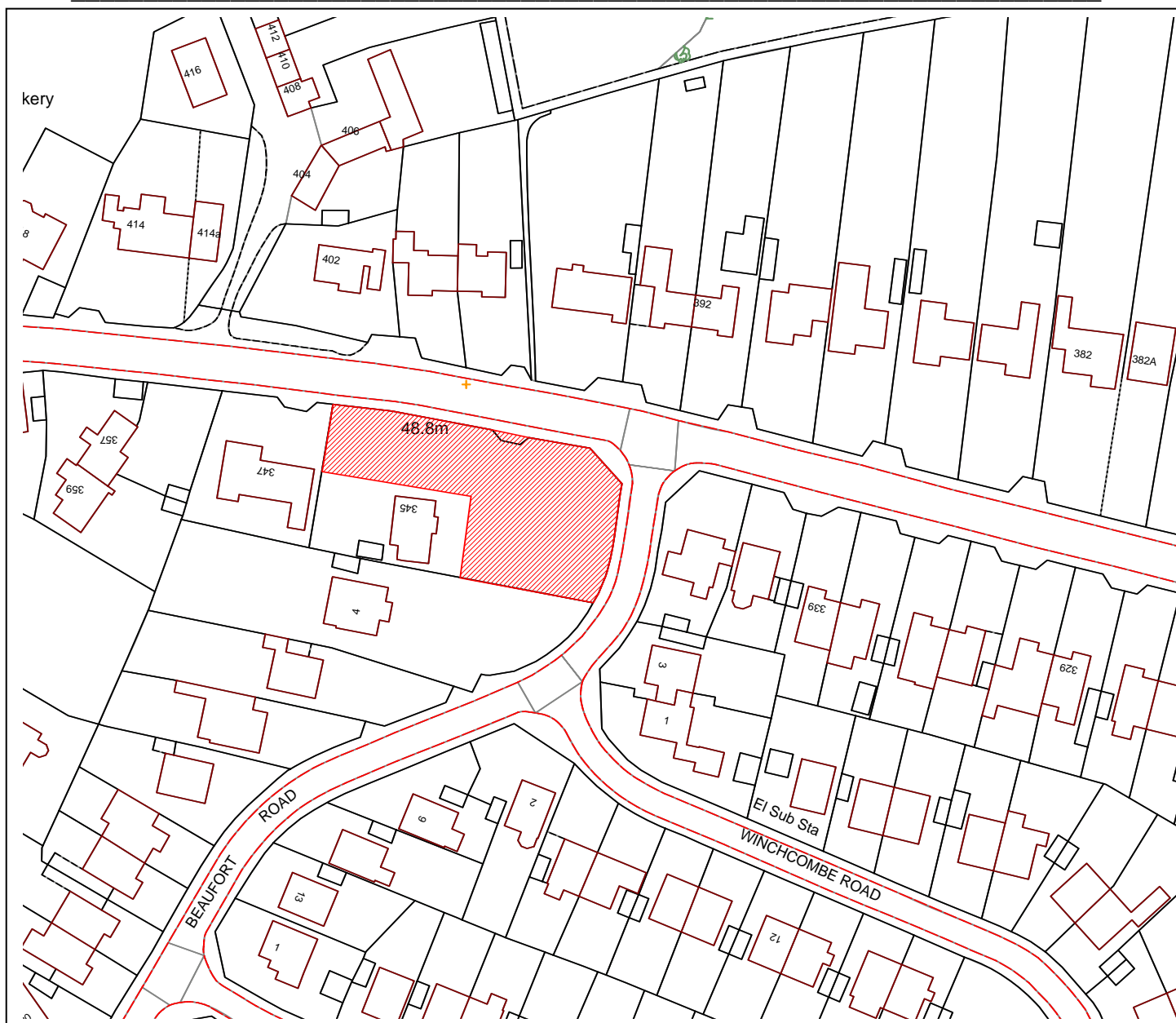
2. Prior to the permanent diversion of public footpaths OAY 5, OAY 6, OAY 7 and OAY 58 a scheme of waymarking and warning signs shall be submitted to the Council's Public Rights of Way Section for written approval. The agreed scheme shall be implemented before the permanent diversion is brought into use or otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of public amenity and safety and to accord with Policy LC12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy 23 of the South Gloucestershire Minerals and Waste Local Plan.

CIRCULATED SCHEDULE NO. 40/08 – 3 OCTOBER 2008

App No.:	PT08/2507/O	Applicant:	Mr & Mrs C Townson
Site:	345 Church Road, Frampton Cotterell, South Gloucestershire, BS36 2AQ	Date Reg:	8th September 2008
Proposal:	Two semi- detached & two detached properties (outline) with new pedestrian access. All other matters reserved.	Parish:	Frampton Cotterell Parish Council
Map Ref:	66495 82011	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	31st October 2008



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N.T.S

PT08/2507/O

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

1. THE PROPOSAL

- 1.1 This outline application relates to the erection of 4 no. dwellings arranged as a pair of semi-detached and two detached properties on land at 345 Church Road, Frampton Cotterell. Means of access is to be considered under this application with all other matters reserved for future consideration.
- 1.2 The application site forms part of the substantial front and side garden area associated with 345 Church Road. It has a site area of approximately 0.134 hectares and lies at the junction of Church Road and Beaufort Road. The entire northern boundary fronts on to Church Road with the eastern boundary facing Beaufort Road. The front garden area of 4 Beaufort Road lies to the south of the site and the bungalow of 347 Church Road lies to the west.
- 1.3 Access to the site is currently off Church Road. This is to be slightly widened to serve the proposed development. The property of 345 Church Road is a detached two storey dwelling. The site also lies within the settlement boundary of Frampton Cotterell. It is enclosed by a 1.5m brick wall with fencing above along the Church Road frontage and by a 1m stone wall and fir trees along the Beaufort Road frontage. The site occupies a slightly elevated position and is well screened by existing vegetation and boundary treatment.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
- 2.2 Development Plans
Joint Replacement Structure Plan
Policy 1 Sustainable Development Objectives
Policy 2 Location of Development
Policy 33 Housing Provision and Distribution
- 2.3 South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H2 Proposals for Residential Development Within the Existing Urban Area and Defined Settlement Boundaries
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 N.4451 Erection of detached dwelling and garage.
Refused 15 June 1978.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

No objection but would like to see the existing stone wall retained as far as possible.

Other Consultees

4.2 Sustainable Transport

No objection.

4.3 Drainage (Street Care)

No objection subject to conditions requiring SUDS.

Other Representations

4.4 Local Residents

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

- a) impact upon existing utilities;
- b) increase in traffic movements on to/from Church Road;
- c) visitors/delivery vehicles could park on Church Road/Beaufort Road increasing the risk of accidents;
- d) existing building line altered;
- e) provides no improvement to the village.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

5.3 Transportation Issues

The site is located off Church Road. Adequate visibility splays can be achieved. Amended plans have been received indicating that the access has been widened to measure a minimum width of 4.5m for the first 6m and as such is acceptable. Larger service vehicles (refuse and delivery) will have to serve the site from the roadside. However, as the frequency of visits will be low, highway safety will not be compromised. The level of parking at a ratio of 2 per dwelling complies with the Council's parking standards and is acceptable.

5.4 Residential Amenity

The application is in outline with all matters reserved apart from means of access. Details of layout, scale, appearance and landscaping will therefore be considered under a reserved matters application. However, in terms of the principle of development, it is considered that with careful design and siting, the application site is large enough to accommodate 4 dwellings without adversely impacting upon the amenities of surrounding occupiers in terms of overbearing impact/loss of light/overlooking, especially considering the existing degree of boundary treatment and the site's context.

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

5.5 The application site has an area of some 0.134 hectares resulting in a density of 30 dwellings per hectare. A minimum density of 30 dwellings per hectare is advocated within the Local Plan to ensure that the inefficient use of land is avoided. It is considered that the size of the site and its relationship with surrounding dwellings can adequately accommodate an additional four dwellings without adversely impacting upon the character of the area. The application therefore accords with this criterion.

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

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

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

5.7 The proposal is for 4 dwellings and as such will not impinge upon the levels of service provision within the locality to a significant degree. The application therefore complies with this criterion and policy H2 as a whole.

5.8 Policy H4 of the emerging local plan is also relevant as it relates to residential development within existing residential curtilages and is concerned with more detailed design issues. These matters will be assessed under any future reserved matters application. However, the site is large enough to satisfactorily accommodate 4 dwellings without adverse impact to residential/visual amenity or highway safety.

5.9 Design and Access Statement

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

5.10 Section 106 Requirements

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

condition and entering into a planning obligation, the imposition of a condition is preferable. In this instance, planning conditions are the most appropriate, and a Section 106 Agreement is unnecessary.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The decision to grant outline 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 Outline planning permission be granted.

Background Papers **PT08/2507/O**

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

CONDITIONS

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

Reason(s):

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, 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(s):

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

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

Reason(s):

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

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason(s):

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

5. The hours of working on site during the period of construction shall be restricted to 08.00 hours to 18.00 hours Monday to Friday and 08.00 hours to 13.00 hours 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(s):

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

6. The details submitted pursuant to condition 1 shall include details of existing and proposed boundary treatment, indicating the position, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are first occupied and the development shall be carried out in accordance with the approved details.

Reason(s):

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

7. The existing stone wall enclosing the eastern boundary of the site adjacent to Beaufort Road shall be retained.

Reason(s):

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

8. The access improvement works shown on approved drawing 0315/1 received on 24 September 2008 shall be provided before the buildings are first occupied and the development shall be carried out in accordance with the approved details.

Reason(s):

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

9. Prior to the commencement of development 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(s):

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